

## Important Things to Know

1. Write down and keep track of the dates of your hearings, evaluations, meetings or classes.
2. Appear for court dates and be on time, even if it is difficult. Allow extra time to find a parking space, make your way through security and find the right courtroom.
3. If there is something that you cannot do because you do not have the resources (money or transportation) communicate that to your caseworker and your attorney, they may be able to assist you.
4. Keep everyone involved updated on new phone numbers and addresses.
5. Stay in touch with your attorney.
6. Complete any court ordered requirements.

You may want to write some names and phone numbers here:

Attorney:

\_\_\_\_\_

Ph No. \_\_\_\_\_

Guardian ad Litem:

\_\_\_\_\_

Ph No. \_\_\_\_\_

Social Services Case Manager:

\_\_\_\_\_

Ph No. \_\_\_\_\_



### Juvenile Court

Burleigh County Courthouse  
514 East Thayer  
Bismarck, ND 58501-4413

**Phone: (701) 222-6709**  
**Fax: (701) 222-6699**

## North Dakota Juvenile Court

### Information for Parents Regarding Child Abuse & Neglect Cases



**South Central Judicial District**

Phone: (701) 222-6709

# Child Abuse & Neglect Cases

## What is going on?

A report was made about the safety or welfare of your child or children. Because of this report, a social worker looked into the situation and decided that your child had been, or was in immediate danger of being abused, abandoned or neglected, and is a deprived child.

## What is a “deprived child”?

North Dakota law defines a deprived child as a child who is “without proper parental care or control necessary for the child’s physical, mental or emotional health, or morals, and the deprivation is not due primarily to the lack of financial means of the child’s parents, guardian or other custodian.”

## Where is my child now?

When your child was removed from your home, he or she was placed in a safe environment. The social worker will tell you where your child has been placed unless there is some reason to believe that it will be dangerous for you to know where your child is. As your case begins, the judge or referee will decide if your child should be returned to you or be placed in the care of a relative, a licensed foster care home or other placement option.

## What is Emergency Removal?

Under North Dakota law, a child can be removed from their parents by a law enforcement officer or by a Temporary Custody Order if the child is suffering from illness or injury or is in immediate danger from the child’s surroundings and the child’s removal is necessary. A hearing before a judge, must be held within 96 hours, to determine whether there is probable cause for the child to remain in shelter care. Reasonable notice, either oral or written, must be to given the parents, if they can be found.



## How are cases referred to the court?

Child abuse and neglect cases are referred to Juvenile Court by county social services. The referrals are made usually as part of a child abuse or neglect investigation completed by social services. A decision whether to file a petition with the Juvenile Court is made by the county state’s attorney’s office based on evidence gathered in the investigation. If the state’s attorney files a petition, a court hearing is scheduled and the legal documents are served on the parties to the case.

## What is a lay Guardian Ad Litem (GAL)?

A lay Guardian Ad Litem (GAL) is someone who represents the best interests of your child in the court case. A GAL is separate from the county social service agency or the county states attorney’s office so that they can provide the judge or judicial referee with independent information and recommendations on such matters as the welfare of your child, your progress with your case plan, what type of visitation is appropriate, where your child should live and when you and your child can be safely reunited.

## What are My Rights?

1. Reasonable notice of the proceedings.
2. Be informed of the contents of the petition or other papers.
3. Have a copy of the petition and have it read to you if necessary.
4. Admit or deny the allegations in the petition or to remain silent.
5. Representation by an attorney and if you cannot afford an attorney, one can be appointed to you at public expense.
6. Confront and cross-examine a witness who testifies against you.
7. Be informed of the disposition possibilities and length of time a dispositional order may be made.
8. Appeal a decision of this Court.