

Additionally, these visits may be done by a parent aide. Parent aides can help with parenting skills and with bonding. Parent aide visits may be in the office or community.

### 3. Unsupervised Visits

These visits occur after the parent(s) have been doing well with supervised visits. A recommendation is usually made by the supervisor or parent aide that unsupervised visits would be safe and appropriate. These visits will generally start out for a few hours and may gradually increase to an entire day.

### 4. Overnight Visits

Overnight visits occur after unsupervised visits have been going well for an extended period of time. The visits may begin with one overnight and then increase to more.

To obtain overnight visits, parents must have most of the treatment plan accomplished, and have a walkthrough of the home to show that it is both safe and appropriate.

### **Permissive Placement**

Permissive placement is a trial period where the children are returned back to the home full time. The case will remain open and visits will be conducted by a caseworker. A case will not close until permissive placement has been successful for a minimum of 90 days. If a companion family law case is required, the Judge generally will not close the case until a custody order has been established.

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Please remember that all cases progress differently. This is just a general idea of how a juvenile case works.



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This brochure was prepared as a public service by attorneys licensed in Missouri, based on the law as it was written in April 2012. It is not intended to be a complete statement of the law or to apply in every situation. Laws change from time to time. Please consult an attorney if you have any questions about any information in this brochure.

# OUTLINE OF A JUVENILE CASE

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## A Parent's Guide to the Juvenile Court System



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## Children taken into Protective Custody

When abuse or neglect is suspected, children are taken into custody and placed in emergency placement until a meeting and court hearing can be held.

### 72-Hour Meeting and Protective Custody Hearing

Within 72 business hours of the children being taken into care, a meeting will be held at the juvenile office. This meeting will include parents, attorneys, the juvenile officer, and children's division representatives. The reasons why the children were taken into care will be discussed and visitation with parents will be arranged.

After the 72-hour meeting, a protective custody hearing will be held. The Judge will determine whether or not to keep the children in care until the investigation is completed. If the Judge decides that the children will stay in care, a new court date will be set for a jurisdictional hearing. The court date is generally set within the next 60 days.



### Jurisdictional Hearing

This hearing must be held within 60 days of protective custody. During this hearing the Judge will decide whether or not the allegations in the petition are true. This hearing can be held in one of two ways, 1) stipulated, or 2) contested.

In a stipulated jurisdictional hearing, the parties stipulate to evidence. This means that the parties agree that exhibits may be entered without live witness testimony. The agreement is that the parties are not admitting or denying anything in the submitted evidence, but understand if called to testify live, witnesses would testify to the same things that are in the written reports. The Judge then reads the reports and makes a decision whether or not the allegations are proven by clear and convincing evidence.

A contested jurisdictional hearing means that the parties will not stipulate to witness reports and instead will require live testimony. These hearings may last for many hours and both sides have the opportunity to call and cross examine witnesses. The Judge then makes a decision based on live testimony as to whether the allegations are proven by clear and convincing evidence.

If the Judge finds the allegations to be proven, he will set a date in 2-3 months for a dispositional review hearing.

If a party wants to appeal jurisdiction, an appeal must be filed within 30 days of the jurisdictional hearing. Legal Services does not do these appeals. If you want to appeal, you need to fill out an application for an attorney through the juvenile office.

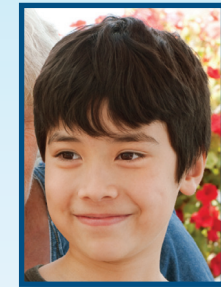
### Dispositional Review Hearings

These hearings are held every two to three months until the permanency hearing. The hearings are generally brief and are an update to the Judge on the status of the case. Generally, the Judge will ask the juvenile office, the Guardian Ad Litem, Children's Division and each party's attorney for an update.

### Permanency Hearing

This hearing is held around the one year mark. At this hearing, the Judge makes a determination of whether or not the parents have made enough progress that he can find exceptions to the mandatory filing of a termination of parental rights petition. A

finding of exceptions will give the parent(s) more time to finish any remaining items on the treatment plan. A finding of no exceptions means that the parents are not close to finishing the treatment plan and will direct the juvenile office to file a termination of parental rights petition. If this occurs, you will need to fill out an application with the juvenile officer for a new attorney, as Legal Services cannot represent anyone after a termination has been filed.



### Post Permanency Hearing

This hearing is held a few months after the permanency hearing. In this hearing the Judge will check in with the parties to see how the case is progressing.

### Visitation Progression- What to expect

#### 1. Therapeutic Visits

These visits will occur in a therapist's office with the parents and children present. These visits are usually done when a parent or child have had little contact, communication issues, or other issues as determined by the team.

#### 2. Supervised Visits

Most cases start out doing supervised visits. These visits are generally done at the case-worker's office and begin at one hour per week. They may increase as a parent accomplishes items on the treatment plan. They may also be moved into the community.