

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
FAMILY COURT DIVISION**

**INFORMATION FOR PARENTS**

**GENERAL INFORMATION**

You and your child have become involved with the court because a petition was filed that alleges that your child has been abused or neglected. The court process will be explained to you in this document. **The specific reasons you are in court are stated in a petition that will be given to you and in other papers you will receive. PLEASE READ THE PLEADING CAREFULLY.**

**TIME LIMITS**

If your child is removed from your care and reunification with you is the goal in the case, you may have up to 12 months to work with the judge and your social worker to do what is necessary for your child to return home. Unless the judge decides that a special exception exists, at the end of 12 months, the judge may either return your child to you or place your child in a permanent situation such as adoption or guardianship.

**APPOINTMENT OF ATTORNEY**

You have the right to hire an attorney to represent you. If you are unable to do so, you can fill out an application for an appointed attorney at the 72-hour meeting. If you are eligible, the judge will appoint an attorney to represent you. If the judge appoints an attorney, you should receive notice of the appointment, by mail, within a few days of the 72-hour meeting in your case. If you do not receive an order in the mail, you should contact Docketing at the Family Justice Center at 816-435-4728, 4729 or 4783 to determine the status of your request for an attorney.

**MAINTAINING CONTACT WITH YOUR ATTORNEY**

In order for your rights to be fully protected in this case, you must contact your attorney as soon as you know who it is, and you must keep in contact with them during the case. Your attorney will tell you how often he/she needs to meet with you. If you fail to keep in contact with your attorney, for any reason, your attorney may ask the judge for permission to stop representing you in this case. If the judge agrees, you may have to hire your own attorney or represent yourself in court.

**PARTICIPATION IN OFFERED SERVICES**

If reunification is a goal in your case, you will be involved in making a plan regarding how best to achieve reunification with your child and you will be able to ask DFS to provide certain services that will help resolve this situation. Until the judge decides whether the allegations in the petition are true, you will not be

required to participate in services unless you agree to do so. However, you may wish to consult with your attorney regarding proposed services.

### **PROTECTIVE CUSTODY HEARINGS**

If your child has been taken into protective custody, a case has been filed in their name in the court. A protective custody hearing will be held approximately 2 weeks from the date the child was taken into protective custody. You may request an earlier date by sending a written request to Judicial Records at 625 E. 26<sup>th</sup> Street, Kansas City, Missouri 64108. If you do, the judge will set a hearing in three business days from the date he/she receives your request. At that first court hearing, if your child has been taken away from you the judge will decide whether your child will be returned to you or will remain away from you pending further hearings. If the judge decides that your child should remain away from you, the judge may ask you whether there are family members or friends able to temporarily care for the child. You should talk to your attorney prior to the protective custody hearing so that he/she can prepare for your case.

### **YOUR CASE PLAN**

A case plan will be developed in your case. The worker will be required to include in the case plan (1) services to help you get back together with your child or services to keep your child in your home and (2) if your child is not in your home, services designed to provide your child a permanent placement in the event that efforts to achieve reunification fail. A permanent placement may include adoption or appointment of a legal guardian.

A case plan can include:

- Parenting classes
- Individual counseling
- Family counseling
- Treatment for abuse of alcohol and/or drugs
- Special programs and classes
- Visitation with your child

At any phase of your case, you may wish to participate in conciliation services. If you do, you will meet with other persons involved in your case, and with a facilitator. You will be able to discuss your case plan and what services you think are necessary for your family. Your attorney can discuss with the prosecuting attorney what issues you are concerned about and what issues you agree are true.

### **CASE MANAGEMENT MEETING**

Following the protective custody hearing, a case management meeting will be held approximately 42 days from the date that the child was taken into protective custody. At that meeting the court and the parties will discuss the issues that

must be proven at the trial of the case and what services are being provided in the case.

### **THE RIGHT TO TRIAL**

You have the right to have a trial where the judge will decide whether the statements in the petition are true. Whether your child is with you or not, if you admit that all or part of the statements are true, or allow the judge to make a decision based on the reports presented, there will not be a trial on those issues. If there is a trial, it will ordinarily be set about 60 days after the child was removed from your home. At that time the court will hear evidence and determine whether the statements in the petition have been proven. You and your attorney will have the opportunity to call witnesses and present other evidence on your behalf at the trial. If the judge finds that the statements in the petition are true, the judge will hold a hearing to decide what your case plan will consist of, including where the child will be placed, what visitation will be allowed, what services will be offered and other issues relevant to your case.

### **DATE AND LOCATION OF HEARINGS**

In Jackson County, Missouri, most cases of alleged child abuse or neglect are heard by the Jackson County Family Court. Hearings are held at the Family Justice Center, located at 625 E. 26<sup>th</sup> Street, Kansas City, Missouri 64108. However, some cases are heard at the Jackson County Courthouse, located at 415 E. 12<sup>th</sup> Street, Kansas City, Missouri 64106 or at the Jackson County Courthouse located at 308 W. Kansas, Independence, Missouri 64050. You should consult with your attorney and examine all documents provided to you carefully to determine the date and location of any hearings in your case. If you have questions regarding your court date or location you may call Docketing at the Family Justice Center at 816-435-4728, 4729 or 4783 for information.

This information is intended to inform the public of the general court processes regarding abuse or neglect cases. It is not intended to provide legal advice to any party in any case and is for general informational purposes only.