

What can be imposed in a CHINS petition:

The purpose of a CHINS petition is to request that the child reside in an out of home placement on a temporary basis only. The petitioner must propose an appropriate placement at the hearing. Placement cannot be with a non custodial parent or parent whose rights have been terminated. A CHINS Order authorizes placement for a maximum of 9 months. During that time the parent and child will be ordered to participate in services that can include counseling, treatment, visitation, etc. All parties are expected to participate in services or risk being in violation of the court's order.



What if I have questions?



**Benton-Franklin Counties
Juvenile Justice Center**
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**What if a child needs
legal assistance?**

Legal Counsel Youth & Children
(206) 494-0323 ext. 716

- **Additional information available at JJC website:**
www.benton-franklinsuperiorcourt.com
- **Instructions and forms also available at Juvenile Court reception window.**



**Child In Need of
Services (CHINS)**



Benton-Franklin Counties



Child In Need of Services (CHINS) Petition Fact Sheet

The purpose of a Child in Need of Services (CHINS) petition is to obtain a court order mandating placement of a child in a residence other than the home of his/her parent/legal guardian (for up to 9 months) because a serious conflict exists between the parent/guardian and child. The placement is temporary, and the goal is reunification.

The action is taken when the conflict in the home cannot be resolved and reasonable efforts have been made to work on the relationship and keep the child in the home. If these efforts have not worked, then filing a CHINS may be appropriate and can be filed by the child, parent or DCYF (Department of Children, Youth and Families).

What is needed for a CHINS:

A Child In Need of Services (CHINS) petition is a request from a **child or parent/legal guardian** to the Juvenile Court to grant temporary placement of a child. This is not in place of a parenting plan or emancipation. The child must be 12-17 years old and meet one or more of the following requirements:

- A. The child has been reported as absent without consent for at least 24 consecutive hours on two or more separate occasions from the parent's/legal guardian's home, a crisis residential center, an out-of-home placement, or a court-ordered placement;
 1. Has exhibited a serious substance abuse problem; or
 2. Has exhibited behaviors that create a risk of serious harm to the health, safety, or welfare of the child or any other person; OR
- B. The child is beyond the control of his/her parent/guardian such that the child's behavior endangers the health, safety, or welfare of the child or other person: OR
- C. The child is in need of necessary services (including food, shelter, health care, clothing, education, or services designed to maintain or reunite the family);
 1. The child lacks access to, or has declined to utilize these services; and
 2. The child's parent/guardians have evidenced continuing but unsuccessful efforts to maintain the family structure or are unable or unwilling to continue efforts to maintain the family structure.



Steps to file/obtain a CHINS:

- 1) Parent/legal guardian must reside in either Benton or Franklin Counties.
- 2) Call DCYF Intake line at **855-420-5888** to request a CHINS petition.
- 3) A Family Reconciliation Service (FRS) social worker will contact you within 24 hours to schedule an appointment to complete a family assessment.
- 4) The FRS social worker will provide you with the CHINS petition and instructions for filling it out.
- 5) Bring the CHINS petition to the Juvenile Court. The Juvenile Court will help you to:
 - Type the petition.
 - Work with you to schedule the hearing date. These hearings are conducted on the Friday morning civil docket.
 - Collect signatures and review with you prior to filing with the Clerk.
 - Appoint an attorney for the child.
 - Provide notice and service to all parties.
 - File the CHINS petition with the Clerk.
- 6) Parents may retain an attorney at their own expense. If a parent is indigent, the court may appoint a lawyer for the parent.
- 7) Appear at the Juvenile Court at the scheduled date and time. See dress code requirements for appearing in Court.