

Next Review Date: 1/25

Last Reviewed: 1/22

Review Responsibility: Board and Administrative Policies Committee

FCCS PROCEDURE

NO.: 3N.03

**SUBJECT: WORKER SAFETY RISK
MANAGEMENT PROTOCOL – Notifying
Parents/Custodians of Court Hearings**

Approved by: Executive Council

Effective Date: June 14, 2004

Date(s) of Revision: Feb 19, 2008; Mar 21, 2011; Oct 14, 2014; Jan 16, 2018; Jan 18, 2022

Responsible for Implementation: All Staff

Purpose

Ohio law requires that public children services agencies (PCSA) must provide reasonable oral or written notification to parents of shelter care hearings (also known as 'prelims'). When Children Services removes a child from the home under Officer Acceptance status, an Emergency Court Order, or TOC and a shelter care hearing has been scheduled, Franklin County Children Services staff must make reasonable efforts to **notify** parents of the date, time, and location of the shelter care hearing. (This notification requirement only applies on next day hearings where removal of a child has occurred.)

Notification is not "service". Service of process is a detailed procedure that is completed by Franklin County Children Services Legal Department staff. See Legal Department Staff Policies and Procedures section 5F Service of Process.

Procedures

- 1) Franklin County Children Services should take the following steps to **notify** the parents of the shelter care hearing.
 - a) When an ECO has been obtained and the parents are present during removal, the worker must notify the parents of the shelter care hearing.

- b) The worker should leave a written notice that includes the court date with the parents. The written notification can be the removal form or a copy of the complaint.
 - c) If the parents are not available when the child is removed or the child has not been removed prior to the court date, or the child was removed through Officer Acceptance status, the worker should call the parents' home to notify them of the shelter care hearing.
 - d) If the worker reaches the parents' voice mail or answering machine, the worker should leave a message on the machine about the court hearing and ask the parents to call if there are any questions.
 - e) If agency staff meets with the parents prior to the court hearing, the parents should be notified of the shelter care court hearing at this meeting.
 - f) If the worker is unable to notify the parents of the shelter care court hearing in person, by phone, or leaving a message that the worker knows the parents will receive, the worker shall go to the parents' residence and notify the parents verbally or with a written notice. If the child has been removed, the parents must receive a written notice. A notice may be left in an envelope addressed to the parent/caregiver if no one is home. The worker should document their attempts and detail the efforts to notify parents in the CARR.
 - g) If the family is determined to be a safety risk, the worker should follow the safety procedures for making home visits when going to the home.
- 2) The parents will receive a copy of the complaint at the shelter care hearing. The agency is not required to serve the parents with a copy of the complaint. However, if the parents request a copy of the complaint, the worker should make efforts to give the parents a copy, taking safety and time into consideration. If the worker is uncomfortable giving the parents a copy of the complaint, the complaint can be made available to them in the following ways.
- a) The worker can ask the parents if the complaint can be faxed to them or their attorney. If they agree, the worker should obtain the fax number.

- b) If parents have any questions about the complaint, the worker should advise them to consult an attorney and to appear at the court hearing the next day.
- c) The worker can leave a copy of the complaint at the front desk of the agency office where the worker is located and ask the parent to pick up the copy there. The worker should notify the security in the agency office where they work that the parent is coming to the front desk to pick up a copy of the complaint. The worker should also inform security of any safety concerns when the parents come to the agency office.