

DO I NEED A LAWYER IF MY CHILD IS REMOVED BY CHILD PROTECTION IN ARIZONA?

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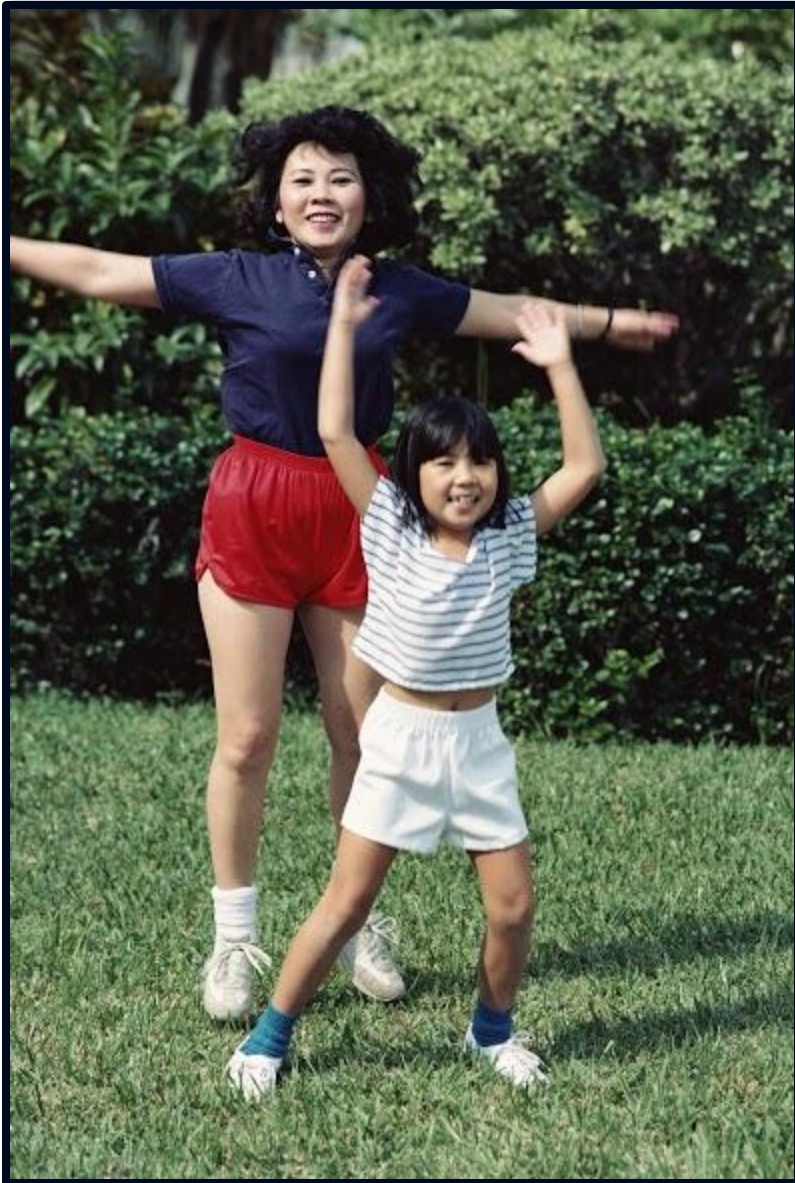
Children are removed from the home if there is credible proof the child is being endangered within his or her home environment. The Arizona Department of Child Safety investigates suspected abuse or neglect and may initiate removal proceedings. Having your child removed from your home can have serious consequences. Your child could be placed in foster care or, in some circumstances, you could find yourself with parental rights permanently terminated and your child could be adopted by another family. If evidence of abuse or neglect surfaces, you could also face criminal charges.

Because of the severity of the consequences of abuse or neglect allegations, it is very important you have an attorney when dealing with the Arizona Department of Child Safety. Your attorney can help you to understand and fight the

accusations being made against you and can help you to try to take all necessary legal steps to have your child returned to your home and your care.

WHEN CAN YOUR CHILD BE REMOVED BY CHILD PROTECTION?

Department of Child Safety typically tries to avoid separating parents and



children and is not quick to remove a child from a home. Whenever possible, if there is a report of abuse or neglect, DCS will work with the parents to try to resolve any issues that exist. Reports of abuse or neglect can be made by other parents, by teachers, by neighbors, by medical care providers, or by any other parties who suspect abuse. Certain people, like teachers and doctors, are mandated reporters and must provide DCS or the police with notice when they believe a child is being subject to mistreatment.

After a report of abuse or neglect, a DCS specialist and/or law enforcement officer can come to your home to obtain information, ask questions, and check on the child's welfare. DCS and

law enforcement can temporarily remove a child from the home to protect the child's interests if there is a credible risk or reason to suspect the child could be harmed. In cases where DCS determines a real risk exists, the child can be taken immediately and kept from the parents for 72 hours (not counting weekends or holidays) while an investigation takes place.

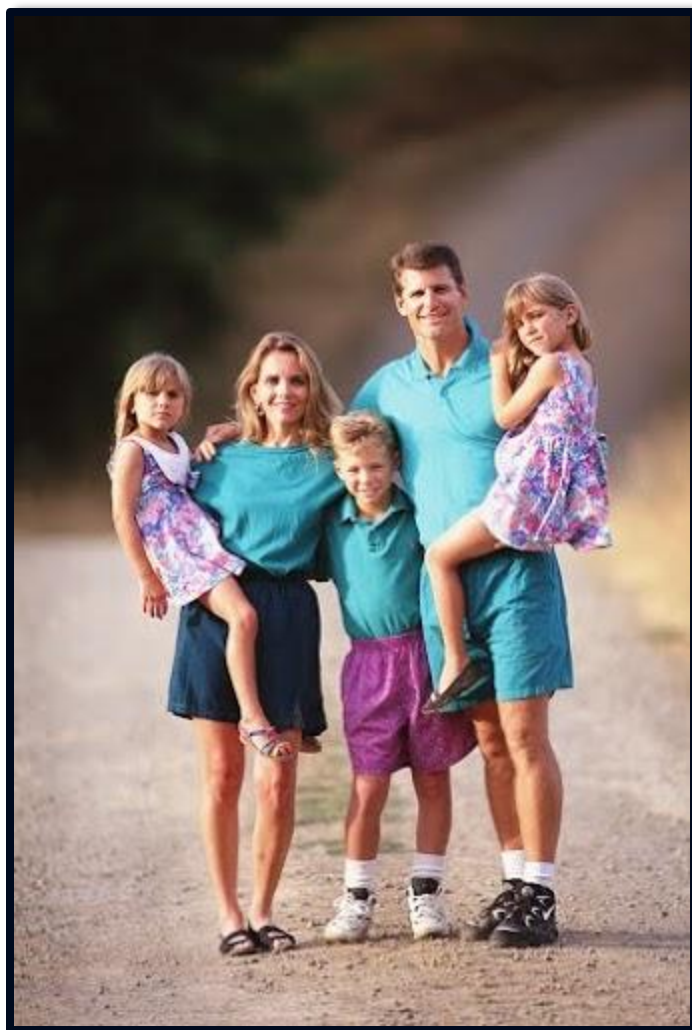
If a medical or a psychological evaluation of the child is needed based on a DCS assessment of the risk to the child, the child may be removed for these purposes for up to 12 hours. Both the removal for the medical or psych evaluation, and the initial removal to investigate possible abuse or neglect, will occur before parents get an opportunity to go to court and make their own case for why a child should remain in the home.



When DCS has conducted an investigation or examinations have been given and the allegations of possible abuse are substantiated, DCS can move forward with more permanent efforts to keep the child out of the home on a long-term basis. Parents may also choose to have a child placed into a voluntary foster care situation for up to 90-days in order to avoid having DCS move forward with a dependency petition.

Even credible allegations of abuse do not always lead to a child being removed by child protection. When a child is to be removed from a home, or when there is a question of whether a should be removed, a Team Decision Meeting is held by DCS workers. At the meeting, the DCS Specialist assigned to the child will discuss the case with a supervisor and a decision will be made on how to proceed. The child may be returned home to a parent's custody, a dependency petition or in-home intervention may be filed, or a voluntary foster care agreement may be made.

In-home dependency means that the child remains with the parents but DCS takes temporary custody of the child. DCS can maintain custody of the child for around a year, after which time a recommendation will be made to



the judge on what should happen to the child in the future. The child will be formally evaluated periodically and a DCS case worker will ensure the child remains safe in the home.

Out of home dependency, on the other hand, means the child is removed from the home and placed with a relative, in a licensed facility, or in a foster home or shelter. Parents will receive a temporary custody notification and will be provided with information about a preliminary protective hearing when they will have the



opportunity to go to court and argue against having the child removed from the home.

As a parent, you need to understand all possible outcomes of DCS involvement with your children and you need to

ensure you fight for the best outcome. An experienced family law attorney will help you try to keep your child safe and help you to try to maintain your rights and fight allegations of abuse or neglect. Call today to speak with an attorney who can assist you.

About Singer Pistiner, P.C.

In the midst of a family crisis, you may feel like you have nowhere to turn. But there is a solution. At Singer Pistiner, P.C., we will help you to find it. As a small firm, we are able to respond quickly to your needs and concerns. The efficiencies of being a small firm also enable us to provide high-quality legal services at affordable rates.

At Singer Pistiner, P.C., in Phoenix, Arizona, we know that divorce is an emotionally and financially taxing experience. That's why we provide you with a simple, quick and personalized approach to family law services where you will deal with one attorney who will handle your case from start to finish.

Your Personal Attorneys

Throughout the legal process, our lawyers will keep you informed of important developments. We will return your phone calls, answer your questions and address any additional issues that may arise in the course of your case.

We will devote all of the time and effort needed to achieve the best possible outcome. Our law firm can take your case to family court, which is a part of the Superior Court of Arizona, or handle it through another avenue of resolution, such as mediation. In addition to divorce, our lawyers handle paternity, prenuptial agreements, grandparents' rights, orders of protection, child relocation, and modification and enforcement issues.

In any family law case, your best interests are our overriding concern. Our goal is to find the right solution for you — in an efficient, timely and affordable manner.

OUR FAMILY LAW ATTORNEYS PROUDLY SERVE PHOENIX, GLENDALE, SURPRISE, SCOTTSDALE, TEMPE, CHANDLER AND MESA

If you'd like to know more about how our Phoenix family law firm handles divorce and other family issues, please feel free to call 602-264-0110 or send us an e-mail to schedule a free initial consultation.

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