



# What happens when your child is removed from your home?

**This brochure  
answers questions  
about why your child  
was removed from your  
home, and what you  
need to do to have  
your child returned.**



*Contra Costa County*  
**CHILDREN & FAMILY SERVICES**

*The law says that children, who are under the age of 18, may be removed from their home if one or more of the following conditions exist:*

- A parent, or person who has custody of the child, fails to provide proper care or supervision;
- A child is not given proper food, shelter or clothing;
- A parent is unable or unwilling to protect their child;
- A child is physically dangerous to others and the parent is not able to control the child's behavior;
- A child's home is dangerous because of neglect, cruelty or physical or sexual abuse by a parent, guardian or someone else in that home.

*The law allows a police officer to take temporary custody of any child believed to fit in any of these categories. In most cases, the law says that we cannot tell you who called about your child.*

*Usually the police respond after a complaint has been made, and they decide if the child can:*

- Be released to the parents with no further action.
- Be released to the parents with a request that the Children & Family Services Bureau, with the Juvenile Court's authority, make a number of visits to your home in order to check on the safety of your child.
- Be placed in a Children & Family Services foster home.

*The law requires us to make sure that all children have permanent homes. This means that while the Social Workers will do everything possible to help you get your child back, we will also be making alternative plans (long term foster care, relative placement, guardianship and/or adoption) where your child can be permanently raised if you are unable to have your child returned to your care. This is called Concurrent Planning.*





## Where is my child now?

Usually, your child is in a foster home waiting for a judge to decide what should happen next. The law says that we cannot tell you the location of the home, at this time. Generally, within five hours, we will be able to have your child call you.




If you do not get a call, you can phone the Social Worker who gave you this brochure. Or, you can call one of the 24-hour numbers on the back of this brochure.

## When will I see my child again?

The Court will decide if you will be allowed to visit your child, where the visits will take place, and how often.

## What happens next?

Within 48 hours of the time your child is placed into protective custody, a petition will be filed and a court hearing will follow to decide if your child should be returned to you. It is very important that you attend all of these hearings, and follow the service plan ordered by the court.





# You have Rights

- You have the right to be represented by an attorney. And now might be a good time to speak to one. If you cannot afford one, the Court may appoint an attorney to represent you. You may also represent yourself in court.
- You do not have to testify against yourself.
- You can ask questions of any witness against you, including people who wrote police reports and any other reports filed with the court.
- You can subpoena witnesses and make them come to court to testify.
- It is the policy of Children & Family Services to allow a parent an administrative review, which means that the parent can discuss the issues affecting their case with supervisory and/or administrative personnel.


## **There are three different types of court hearings.**

Before every hearing, the judge will advise you of your rights as a parent. At these hearings, the judge will order you to give the names and addresses of relatives who could care for your child. We will place your child with relatives if they can pass a strict background check.

**Detention Hearing** You will be meeting your Court Social Worker at this time.

At the hearing, a legal document called a petition is given to the judge, giving the reasons your child could not safely remain in your home. You will be given a copy of this petition.

The Social Worker will be asking the judge to keep your child in foster care based on their investigation



and information in the petition. If you disagree, you can ask the judge to release your child to you.


Then the judge will decide if your child can or cannot be returned to you. A Jurisdictional Hearing may then be set for your case. At this hearing, the judge may appoint an attorney to represent your child.

**Jurisdictional Hearing** This is the hearing where the judge will decide if the information or allegations in the petition are true. If the judge decides they are not true, your child will be returned to you. If the judge decides that the allegations are true, a Dispositional Hearing will be set.

**Dispositional Hearing** During this hearing, the judge will decide where your child will live. This will be based on the Social Worker's report and other evidence. You will be able to get copies of these documents before this hearing so that you can respond to them at the hearing. These reports could recommend that your child be returned to you and that you take part in a Family Maintenance Service Plan, where a Social Worker continues to work with you and your family.

Or the report could recommend that your child remain in foster care and that you take part in a Family Reunification Service Plan. The court could also recommend that there be no Family Reunification Plan. In situations where the child's parents are separated or divorced, the court could recommend that the child be placed in the home of the non-offending parent.

If your child is removed from your home, many serious changes in your life will be required before your child is returned to you. We will work with you to help you make these changes.





# How to get your child back

The Children & Family Services Bureau will provide services to help you deal with the reasons your child was removed. This is called a Service Plan. The services could include parent education classes, alcohol and drug treatment, counseling, and plans for self-sufficiency among others.

Generally, if the plan is met and the court determines the child would now be safe in your home, your child will be returned to you.

One of the Bureau's values is that all persons are treated with dignity, respect and fairness. You may contact us if you have concerns about the manner in which you were treated.

You will have less time to reunify if your child has been removed from your care in the past. The court will tell you how long you have to make the necessary changes in your life to be able to reunify with your child.

# Please keep in mind:



The amount of time you have to reunify with your child varies depending upon your child's age at the time of removal and any prior history with Children's Services involvement with this child—or any other child in your home.

- If your child is under the age of three years on the date of removal, you have six months to reunify.
- If your child is three years of age or older on the date of removal, you will have 12 months.

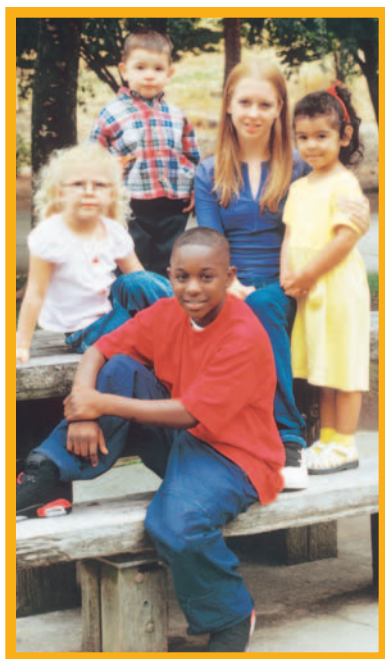
At any time during the Juvenile Court's supervision of your child's welfare, you may decide that your child could benefit by being adopted by someone else. You do not have to participate in reunification services if your choice for your child is adoption and the Children & Family Services Bureau agrees with your plan.

- You may participate in making an adoption plan and voluntarily sign papers to relinquish your child for adoption.

For more information, please call the adoption unit at the number below and speak with an adoption social worker, who will answer your questions and talk with you about the option of adoption planning.

**Adoption unit: (925) 313-7770**





Contra Costa County  
**Children & Family Services**

A Bureau of the Employment & Human Services Department

**West County**

1275-A Hall Avenue  
Richmond, CA 94804  
(510) 231-8100

**East County**

4549 Delta Fair Blvd.  
Antioch, CA 94509  
(925) 522-7400

**Central County**

30 and 40 Muir Road  
Martinez, CA 94553  
(925) 313-1865

**After Hours Telephones**

West County: (510) 374-3324  
East County: (925) 427-8811  
Central County: (925) 646-1680