



# FOSTER CARE



# COURT PROCESS

## Review of the Judicial Process in Foster Care Cases



### 1. Probable Cause

Probable Cause is the initial hearing once removal has occurred. At this hearing, the court determines if DCFS had sufficient reason to place the child in foster care.

### 2. Adjudication Hearing

Following a probable cause hearing, an adjudication hearing is held to determine whether the allegations in a petition are substantiated by a preponderance of the evidence. The dependency-neglect adjudication hearing is typically held within 30 days of the probable cause hearing.



### 4. Permanency Planning Hearing

Each child in foster care, including children who are placed out-of-state, will have a permanency planning hearing (PPH) no later than 12 months from the date the child is considered to have entered foster care and not less frequently than every 12 months thereafter during the continuation of foster care.

### 3. Review Hearing

The court will review foster care cases no less than every six months, including for those children in foster care who are placed out-of-state. The first six month review is held no later than six months from the date the child entered foster care. However, the court may require a review prior to the sixth month review hearing. In addition, at any time during the life of a foster care case, any party may request the court to review the case. The party requesting the hearing must provide reasonable notice to all parties.



### 5. Termination of Parental Rights

The court may consider a petition to terminate parental rights (TPR) if the court finds that returning the child to the family home is contrary to the child's health, safety, or welfare, and that returning the child home cannot be accomplished in a reasonable period of time. TPR ends all of a parent's legal rights to his or her child.