



Know Your Rights: Navigating the child welfare system

My child has been removed from my home. What happens now?

- If your child is removed, their initial hearing will take place within 48 hours of removal.
- Call the attorney that has been assigned to you as soon as you receive their contact information.
- Let your attorney know if you have a visitation schedule from the court, are participating in any services, and if you are an Indian Tribe member.
- Keep all documents relevant to the reasons your child was removed and your progress, if possible.
- Let your attorney know of any relatives or close friends that are good for the placement of your children. By law, DHS should prioritize placement with family or kinship.
- Ask your attorney for a declaration of kinships persons, and the notice of rights. Complete these documents and return them to your attorney & DHS.
- Take notes during hearings and meetings. Let your attorney know about any DHS meetings.
- If your child is adjudicated deprived, you may receive a treatment plan.
- The court will review your case every 6 months or sooner.
- **While your child is out of the home, it is important to actively communicate with DHS and your attorney about your progress, visitation, and your ultimate case goals.**

How do I access a parent attorney?

- If a parent qualifies, our contract attorneys are appointed by the juvenile court when children are removed from their parent's home. If a parent is incarcerated, low-income status is usually presumed.
- Your attorney will be in contact with you as soon as possible after appointment. Your attorney may write you, visit you, or arrange a call.
- Your attorney should contact you prior to most court hearings for an update.
- Attending hearings in-person is best. You may also attend virtually. If you cannot attend, your attorney should provide an update on the status of the case.
- If you cannot reach your attorney or have other concerns related to your representation, please contact us at ofr@laok.org or 918-420-2657

Incarcerated Parents Should Know:

- DHS must still make reasonable efforts to facilitate reunification.
- You may be able to partake in services offered by your facility (such as substance abuse counseling, parenting classes, and job-preparation programs) that fulfill the requirements of your treatment plan.
- Keep a record of all classes and programs you attend. This is proof for Court. You might: take a picture, email documents to yourself, mail/give documents to your attorney, or ask the service provider to email you proof of attendance.

You have the right to:

- Write or call your child if appropriate;
- Write or call DHS to ask about your child;
- Be actively involved in your child's health and education by participating, by phone, in any conferences and meetings about these issues to the extent allowed by the facility;
- Participate in hearings to the extent provided by law;
- Request all documents filed in the case;
- And actively request visitation.

Understanding your Rights and Responsibilities

- If you are low income you have the right to an attorney and to consult with your attorney outside of court;
- Request visitation/family time with your children, to bring gifts, send mail and make phone calls to your children unless limited by the Court;
- You should get copies of all the documents in your case, including your Treatment Plan;
- You will receive notice of any Court action that affects your children;
- You may participate in court hearings with your Attorney's help;
- You may appeal some decisions of the Court;
- You are entitled to an interpreter, if needed;
- You should be informed about your children's placement, health, development, behavior, and school activities;
- You should work with the services on your treatment plan;
- You should actively maintain contact with your attorney and DHS caseworker;
- You have the responsibility to advocate for yourself in a way others will listen to you.
- If termination of parental rights is requested, you have a right to a jury trial. If you can not attend the jury trial, you have the right to instruct your attorney to proceed with the jury trial in your absence.

Incarceration alone is not grounds for the termination of parental rights. You have the right to be represented and to participate in court proceedings.