

Glossary – Juvenile (CINA)¹

Adjudication:	The hearing following the removal hearing, where the court decides whether the state has proven the allegations in the Petition by “clear and convincing” evidence.
Adoption:	The legal process through which the court gives exclusive rights of parenthood to an adult who is not the child’s biological parent.
Appeal (CPA):	If a parent disagrees with the Child Protective Assessment (“CPA”), s/he has a right to appeal (i.e., ask for a review of the decision) within 90 days of the date of the completion of the Assessment. <i>Contact an attorney immediately to determine the actual deadline.</i>
Appeal (Court):	A legal request that the Iowa Supreme Court or Court of Appeals review and change the decision of a lower court (e.g., the district court).
Assessment:	An assessment is done following a report of abuse or neglect by the child’s caretaker. The goals of this assessment are to first, protect and ensure the child’s safety, and second, to provide services to the family to improve strengths and address needs so they are able to provide a safe environment and care for their child.
Case Plan:	If the child is found to be a child in need of assistance (“CINA”), the Department of Human Services (“DHS”) will put together a case plan outlining what needs to happen in order for the children to return home. This may include things like therapy, random drug tests, education regarding domestic violence, etc.
Child Abuse:	Any non-accidental physical injury to the child.
Conclusions:	“Conclusions of Law” are the court’s decisions based upon the applicable law as applied to the facts of the case.
Concurrent Planning:	Although reunification is typically the primary goal, there are some cases where this might not be possible. DHS is required to have a “Plan B” in mind when doing case planning. That doesn’t mean they are <i>focused</i> on that as an outcome, or that they think the biological parents are going to “fail.” It simply means they are trying to be prepared for whatever might happen.
Court Order:	Legal document that sets out the courts ruling either on a hearing or written motions.

¹ This is based off the Juvenile Court’s packet (available online) but I have modified it. Acronyms are identified and defined in a separate document.

Denial of Critical Care:	When a child is denied adequate food, shelter, clothing, or other care necessary to the child’s health and welfare.
Differential Response:	After DHS investigates a report of abuse/neglect, it can choose to do nothing (if the facts don’t meet the criteria for neglect or abuse), file a CINA (Child in Need of Assistance) petition and/or remove the child(ren) from the parents’ care, or choose a middle road. This “differential response” creates a safety plan, offers services to the family, and allows the child to remain in the home, but does not involve the courts. These “service eligible” cases either close or move to the other court-involved track.
Disposition:	The hearing following Adjudication, where the court decides where the child will live during the course of the juvenile case. This occurs within ten (10) weeks after removal. DHS typically files two critical documents at this hearing: the social history of the family, and the case plan.
Drug Testing:	This may include urine analysis (UA), hair, or sweat patch.
<i>Ex parte</i> :	<i>Ex Parte</i> communication is when one side tries to talk to the judge without the other party/attorney present. It is generally not permitted.
Exclusive Jurisdiction:	When there is an open juvenile court case, the family law court (which decides dissolution of marriage cases accompanying issues like child support, primary physical care, etc.) cannot make any decisions until the juvenile court gives them permission. Until then, the juvenile court has exclusive jurisdiction over the case. This also means that any order it issues negates—at least temporarily— any orders the family court has previously issued.
Extension:	This is when the court allows additional time for the parents to try to comply with DHS’ requirements for reunification.
Findings:	Sometimes referred to as “Findings of Fact,” these are simply the facts that the court believes to be true based upon the admissible evidence.
Guardian:	The Person appointed by the court who has the legal right to make decisions in a child’s life, including medical, psychiatric, or surgical treatment; adoption, consent to marriage, enlistment in the armed forces of the United States; and the protection, education, care and control of the child.
Guardian <i>ad Litem</i> :	Sometimes shortened to GAL, this is a lawyer who represents the best interest of the child. If the child is younger, one attorney may serve as both GAL and attorney for the child. If the child is older, there may be two attorneys appointed. The difference is that the

GAL advocates for the best interests of the child, while the attorney advocates for the child's wishes or preferences.

- Hearing:** Formal court procedure in front of a judge, usually held in a courtroom or via Go To Meeting. A list of possible hearings is provided elsewhere.
- Judge:** CINA cases are assigned to a judge who hears only juvenile court cases (whether that be a child welfare (CINA) case, a delinquency case, or other case, such as committal). Iowa follows a "one family one judge" philosophy which means that barring death, retirement, or emergency, the family will have the same judge throughout the case.
- Juvenile Court:** The court that hears cases related to child welfare (CINA) and/or delinquency.
- Lack of Supervision:** Failing to supervise the child to the extent that there is a danger of the child suffering significant harm, injury, or death.
- Minor Children:** Children under the age of 18.
- Permanency:** The Permanency Hearing is at the end, and is the hearing where the judge makes a final decision regarding the child's placement going forward. There are four permanency options: **reunification** (the child returns home to the parent who was the subject of the removal); **Adoption** (the parents' rights are terminated, and the child is adopted by another adult); **Guardianship** (the parental rights are not terminated, but a guardian is appointed to make legal decisions for and regarding the child); **Another permanent planned living arrangement** (this may include, for example, an institutional setting, or, if the child is nearing 18, some type of semi-independent living). When this occurs depends upon the age of the child. If the child is 0-3 years of age, Permanency occurs 3-6 months after removal. If the child is older, it typically occurs between 6-12 months after removal.
- One other option is to grant the parent a six-month extension. This should only happen if they court believes, based upon the evidence, that the parent *will* be able to reunify with the child(ren) at the end of that six-month extension. It is not to be used as a "second chance."
- Petition:** A formal, written request that the court take specific action.
- Placement Options:** If the child is removed from the home, DHS will first try to find a relative placement. If that is not available, but there is an adult known to the family who is willing to take the child, s/he will be placed there (fictive kin). If there are no suitable relatives or fictive kin placements, then the child will typically be placed in foster care.

If there are no appropriate or available foster placements, the child often needs to go to shelter initially. Placement is simply where the child lives during the course of the juvenile court case, and can change during the case.

- Pro Se*: An individual who is representing him/herself without an attorney. This rarely happens in juvenile court, because parents have access to court appointed attorneys.
- Removal: This is when the child is removed from the care of the parent(s) by DHS. This may be by consent (e.g., the parent agrees that s/he cannot adequately care for the child at that point) or by order (e.g., the child is in imminent danger). There is a removal conference within 1-3 days after removal, and a removal hearing within 10-days after removal.
- Review Hearings: The review hearing is a “check in” to see how things are going. There may be more than one, and the first one occurs 3-6 months after removal (typically three months after the Dispositional Hearing).
- Service Eligible: This is part of the differential response program. DHS may choose to work with your family without involving the courts. Although the things they ask parents to do are “voluntary,” if the parents don’t do them *and* DHS believes your child may be at risk, a CINA petition will be filed with the court, by the State.
- Service Provider: Agencies, individuals and/or other organizations who contract with DHS to provide treatment or supervision services for families involved with DHS.
- Solution Focused Mtg.: (“SFM”) This is a confidential meeting that brings together everyone involved in the case (except the judge) to work together to develop or modify plans designed to work towards reunification. Topics may include visitation, therapy, drug testing, etc.
- Termination: Termination of Parental Rights (“TPR”) (sometimes referred to as Termination of the Parent-Child Legal Relationship) is when the court determines that the child(ren) cannot return home safely at the end of the statutory time frame. If the court grants a TPR, the legal parents no longer have any legal rights to the child or decisions about the child’s upbringing.
- Testimony: Answering questions under oath, whether in depositions or court.