



**JUVENILE DEPENDENCY PROCEEDINGS:
A FACT SHEET FOR PARENTS WITH MENTAL ILLNESS**

Introduction: Juvenile dependency proceedings may -- but often do not -- result in the parents' loss of custody and, in some cases, the permanent termination of parental rights. This Fact Sheet is designed to give parents with mental illness some basic information about juvenile dependency proceedings and their rights in those proceedings. At the end of the Fact Sheet is a glossary of common terms used in juvenile dependency cases.

PLEASE NOTE: This Fact Sheet provides only general information about juvenile dependency proceedings and is not intended to and does not provide any specific legal advice about specific cases or situations. Courts will appoint attorneys to provide legal representation to parents whose children are involved in juvenile dependency proceedings and who cannot afford to hire an attorney. Disability Rights Pennsylvania does NOT represent parents in dependency proceedings. Parents should consult with their attorneys about specific questions or concerns.

Why are juvenile dependency proceedings initiated?

Juvenile dependency proceedings generally begin for one of two reasons: (1) an authorized person concludes that the child must be placed in protective custody immediately, or (2) a "dependency petition" is filed.

Juvenile dependency proceedings can also begin when the parent executes a “voluntary placement agreement” to place the child in custody. This Fact Sheet does not address issues relating to voluntary placement agreements.

Can a child be removed from the home without any court hearing?

Yes, under certain circumstances. A police officer can take a child into protective custody if there are reasonable grounds to believe that the child is suffering from an illness or injury or is in imminent danger from his surroundings to necessitate removal. A physician or hospital also can hold a child in protective custody if it is immediately necessary to protect the child. In both instances, the County Office of Children and Youth (OCY) (which is known in Philadelphia as the Department of Human Services) must file a petition with the Juvenile Court to secure a protective order to hold the child for more than 24 hours. A petition for a protective order also can be filed by the County OCY prior to removal of the child. When a child is removed from the home before a protective custody order is issued, the parents must be notified of the whereabouts of the child (unless there is a court order to the contrary) and the reasons for taking the child into custody.

When will the Juvenile Court authorize protective custody of my child?

The court will authorize a protective custody order if it determines that the removal of the child is necessary for the welfare and best interests of the child.

Do I have a right to be present when the County OCY seeks an order for protective custody?

No. The court can issue an emergency protective custody order on an “ex parte” basis, which means that the parents need not be present at the hearing.

How long does a protective custody order last?

A protective custody order only allows the child to be held for 72 hours (three days) at which time a “shelter care” hearing (discussed below) will be conducted.

What happens after my child is taken into protective custody?

Within 24 hours after the child is taken into protective custody, the County OCY must file a shelter care application. Within 72 hours of the time the protective custody order is issued, the court must hold a shelter care hearing.

Do I have a right to receive notice of the shelter care hearing and to have counsel?

Yes. Parents must be afforded reasonable notice of the shelter care hearing. Parents also have the right to appointed counsel if they are poor. Although courts will initially appoint counsel for the parent who has physical custody, it may not appoint counsel for the other parent unless he appears in court and requests appointment of an attorney. An attorney will also be appointed to represent the child’s interests.

What will the judge do at the shelter care hearing?

The judge must determine whether to maintain the child in the out-of-home emergency placement or return him to the home. The judge will order that

the child continue in the emergency out-of-home placement if she finds that remaining in the home is contrary to the welfare and best interests of the child and that reasonable efforts were made by the County OCY to prevent the child's placement or that the lack of such efforts was reasonable. If the judge determines that emergency out-of-home placement should be continued, the County OCY must file a dependency petition within 24 hours and the court will order the child's temporary commitment to the County OCY until an "adjudication hearing" is held. If the court orders that protective custody continue, it may still allow for visitation by the parents if appropriate. When the court has ordered temporary commitment to the County OCY following a shelter care hearing, the court must hold the adjudication hearing within 10 days after the dependency petition is filed. The adjudication hearing is discussed further below.

What role will my mental illness play at the shelter care hearing?

The authorities cannot remove your child simply because you have a diagnosis of mental illness. On the other hand, the court can continue the out-of-home placement of the child if it finds that he is at risk regardless of the fact that you have mental illness. The County OCY, though, must show that it made reasonable efforts to prevent placement, absent emergency. These reasonable efforts might include efforts to assure your access to necessary mental health services to enable you to care for your child. Your attorney should be able to offer evidence to the court at the shelter care hearing about whether such services were offered.

A dependency petition was filed even though my child was not removed from my home and placed in protective custody. Is that permitted?

Yes. When an order for protective custody is not appropriate because the child is not in immediate danger, juvenile dependency proceedings can be started through the filing of a dependency petition. This is sometimes known as an “Urgent Petition.” After a dependency petition is filed, the court will schedule an “adjudication hearing.”

Who can file a dependency petition?

Typically, the County OCY files the dependency petition, but any person has the authority to file a “private petition” with the Juvenile Court to assert that the child is dependent. After such a private petition is filed, the Juvenile Court will hold a hearing within 14 days. If the court finds that there are sufficient facts to support a dependency petition, it will permit a dependency petition to be filed.

Will I be notified of the adjudication hearing and will I have the right to an attorney?

Parents will be notified of the filing of the dependency petition and will have counsel appointed for them if they cannot afford counsel.

When will the adjudication hearing be held?

If the child has not been removed from the home and placed in shelter care, the adjudication hearing will be held within 45 days of the filing of the dependency petition. As noted above, the adjudication hearing will be held

within 10 days after the petition is filed if the child has been removed and placed in shelter care.

What is the purpose of the adjudication hearing?

The purpose of the adjudication hearing is to determine whether the child is a “dependent child” as defined by the Juvenile Act. The most common definition of a “dependent child” is one who “is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for his physical, mental, or emotional health, or morals.” A child may be declared dependent, for example if he is not provided with basic necessities (such as food, clothing, or shelter) notwithstanding offers to improve the child’s condition; if he is without supervision or discipline appropriate to the child’s age or capability; if he is financially exploited; if he is excessively absent from school; or if he does not receive proper medication or medical treatment due to the parent’s failure to provide it.

In determining whether a child is dependent, the court will examine both whether the parent provided proper care and whether parental care is not immediately available to meet the particularized needs of the child and to prevent serious injury to the child. Because the purpose of the Juvenile Act is to preserve the unity of the family whenever possible, a court may find a child dependent only on the basis of “clear and convincing” evidence.

Can my child be declared dependent on the basis that I have not provided proper parental care and control if I have never had actual custody of her?

Yes. When the child has not been in parental custody, the court must determine the kind of parental care he has received in the past and the kind of care the child would receive if custody were given to the parents.

The dependency petition asserts that there are “aggravating circumstances.” What does this mean?

There are certain facts that constitute aggravating circumstances in a dependency case. Two examples of aggravating circumstances are: (1) the parent’s conviction of specific criminal offenses (including homicide, aggravated assault, and rape), and (2) the child or another child of the parent was the victim of physical abuse resulting in serious bodily injury, sexual violence, or aggravated physical neglect (which means neglect that results in a life-threatening condition or seriously impairs the child’s functioning). If the court determines that the child is dependent, it must then assess whether the alleged aggravating circumstances exist. If the court determines that aggravating circumstances exist, it may find that there is no need to make reasonable efforts to preserve or reunify the family.

What impact does my mental health diagnosis have on the court’s determination of whether my child is dependent?

It should have no impact. A diagnosis of the parent’s mental illness by itself cannot justify the court’s finding that a child is dependent. On the other hand, a mental health diagnosis will not excuse a parent’s failure to provide proper parental care and control so as to avoid a finding that the child is dependent. As discussed below, however, the parent’s mental health diagnosis may impact the “disposition” proceedings that follow a dependency determination.

What happens if the court determines that my child is dependent?

If the court finds that the child is dependent at the adjudication hearing, it must hold a “disposition hearing” to determine what steps to take. The disposition hearing must be scheduled no later than 20 days after the adjudication of dependency if the child has been removed from the home, but it can -- and often is -- heard immediately following the court’s adjudication of dependency.

What are the possible disposition outcomes?

The court may order any disposition “best suited to the protection and physical, mental and moral welfare of the child.” This can include the following actions:

- The court can permit the child to remain at home with supervision by the County OCY. Even if the court permits the child to remain at home, it may place conditions on that disposition which can include requiring the parent or child to get specific services.
- The court can order that the child be removed from the home and transfer temporary legal custody to a qualified individual, an authorized private agency, or a public agency or it can transfer permanent legal custody to a qualified individual.

Under what circumstances can a court order that my child be removed from my home at a disposition hearing?

The court can only authorize the removal of the child from the home if there is “clear necessity” of separating the child from the parents. To satisfy this standard, the court must have evidence of both particular harm to the child and that alternatives to placement are not feasible. Thus, before the court

orders the removal of a child from his home, it must make findings about the following: (1) whether continuation of the child at home would be contrary to his health, welfare, or safety; (2) whether reasonable efforts to prevent placement were made prior to placement or, if preventative services were not offered due to emergency, whether the lack of such services was reasonable; and (3) if the court determined at a prior shelter care hearing that reasonable efforts were not made to prevent removal, whether reasonable efforts are underway to unify the family. If the court finds that aggravated circumstances exist and that no reasonable efforts are required, it must only make findings about whether placement of the child at home would be contrary to his health, welfare, or safety.

Can the court order me to have a psychological exam?

The Pennsylvania Supreme Court has held that the court cannot order a parent to undergo a psychological exam in order to make an initial disposition determination. However, a court may draw a negative inference from a parent's refusal to undergo a psychological exam.

What is the role of the Family Service Plan?

A Family Service Plan (FSP) is the vehicle to obtain needed services for the child and family. Within 60 days after accepting a family for services or within 30 days after a child is placed, a written FSP must be developed that describes, among other things, the service objectives for the family (e.g., participation in a drug rehabilitation program or anger management program), the services to be provided to achieve those service objectives, and the dates by which various actions are to be completed. Parents must be given the opportunity to sign the plan and participate in its development

and amendment. If, after an FSP is developed, the child is placed out-of-the home, the County OCY must issue a “Placement Amendment,” which, among other things, describes efforts to prevent out-of-home placement, identifies the type of home or facility in which the child will be placed and anticipated duration, identifies the services to be provided to achieve the permanency goal for the child in placement, and specifies a visitation schedule for parents.

If the court orders that my child be removed from my home, where will he go?

When a child requires out-of-home placement, the first choice will be “kinship care,” which is placement with an able and willing family member who becomes a kinship foster parent to the child and receives a monthly stipend and services from the foster care agency. If a family member is unwilling or ineligible to become a foster parent but is otherwise qualified to care for the child, the family member may be granted temporary physical or legal custody with County OCY supervision. If care by a family member is not possible, general foster care with an approved foster family may be the most appropriate option. For some children, specialized medical/treatment foster care may be authorized if the child has unique medical or psychological needs. Group homes are another option. Group homes (which can be quite large) are most often used for older children or teenagers who have ongoing relationships with their birth families. Children with complex psychiatric needs who cannot live safely in a family setting may be placed in a “psychiatric residential treatment facility.” Supervised independent living is an option for older teenagers (usually over age 17), which places the teen in an apartment or house by themselves or with one

or more other teens and provides supports to enable the teen to develop independent living skills.

Will I lose custody of my child forever if the court orders the removal of my child at the disposition hearing?

Not necessarily. After the court orders removal of a child at a disposition hearing, a “permanency hearing” must generally be held within 6 months (or within 30 days when aggravating circumstances are found or alleged).

Additional permanency hearings must be conducted every 6 months until the child is returned home or removed from the court’s jurisdiction. At each permanency hearing, the court must determine, among other things, the continuing necessity for and appropriateness of the placement; the extent of progress made toward alleviating the circumstances which necessitated the original placement; the appropriateness and feasibility of the current placement goal for the child and the likely date by which that goal might be achieved. The evidentiary standard is the best interests of the child. Most importantly, by the time of the 12-month permanency hearing, a “permanency plan” must be finalized. There are five potential permanency goals: family reunification; adoption; placement with a legal custodian; placement with a fit and willing relative; or another living arrangement intended to be permanent in nature. In all but the rarest cases, reunification is the initial goal for a child who is placed outside the home. The permanency goal can be changed if it is in the best interests of the child.

If my child is removed, can I visit her?

Generally, yes, as long as family reunification is the permanency goal. The court may order that visitation be supervised if it is in the child's best interests and can suspend visitation if it poses a "grave threat" to the child.

What services are available to prevent the removal of my child?

There are a variety of services that may be made available, when necessary, to children who have been declared dependent and to their family members. One of the most important types of services is categorized as "Services to Children in their Own Home," which are known as "SCOH" services. The purpose of SCOH services is to monitor the continued safety of the children, reduce the risk of abuse or neglect, prevent out-of-home placement, and to assist the family to obtain supportive services. SCOH services can include assistance to the family with parenting, household organization, medical, psychological, and other services or treatment. SCOH workers arrange for children or parents to receive medical treatment, drug abuse treatment, and mental health services. Another type of service available is called "Family Preservation," which provides intensive, short-term, home-based intervention to remedy problem situations and avoid placement. Parenting classes and anger management classes also are available. Behavioral health services, including mental health treatment and substance abuse treatment, also may be arranged when necessary.

Can the Court order me to participate in mental health treatment?

A parent can refuse to participate in mental health programs and other remedial services. However, the court can take the parent's refusal into account when determining whether to change the goal for the child.

Does the Americans with Disabilities Act require the County OCY to make reasonable accommodations for my mental illness?

The County OCY generally must provide or arrange for the provision of appropriate services necessary to reunify the family, including appropriate mental health or other services for a parent with mental illness. This duty stems from both (1) the Pennsylvania Juvenile Act, the primary purpose of which is to maintain family unity, and (2) the Americans with Disabilities Act (ADA), which requires public entities, such as the County OCY, to make reasonable accommodations for an individual's mental illness. There are, of course, limits to the County OCY's duty to provide accommodations under the ADA. Specifically, the County OCY need not provide accommodations that would result in a fundamental alteration of its programs or services.

What should I do if I require special mental health services to maintain my child in my home or to get my child back if he was removed?

It is important that you or your attorney promptly request that the County OCY provide the services that you need. This issue should be raised, for example, at the disposition hearing, at meetings to develop the Family Services Plan, and at permanency hearings if the services have not been provided or are inadequate to meet your needs. It is important that you raise the need for special services early and frequently until those needs are met. It is equally important that you take advantage of services that are offered by the County OCY by keeping appointments and not rejecting services that are offered without a sound reason for doing so. If you fail to use services that are offered, the court might find that further efforts to assist you to maintain or reunify your family are not necessary.

I have been notified that there will be a “goal change” hearing. What does that mean?

A County OCY can ask the court to hold a goal change hearing when it wants to formally change the child’s permanency goal from family reunification to adoption. The court will apply the “best interests” of the child standard in determining whether the goal should be changed. It is not necessary for the County OCY to prove that there are legal grounds to terminate the parents’ rights or to petition for the termination of parental rights. Conversely, a goal change hearing is not a prerequisite before the County OCY can petition for the termination of parental rights. As a matter of practice, however, the goal change issue is often intertwined with the parental termination issue.

When can my parental rights be permanently terminated?

The County OCY may file a petition to terminate your parental rights if it concludes that family reunification is no longer an appropriate goal and that the goal should be changed from family reunification so that the child can be adopted. If a petition to terminate parental rights is filed, you will be notified and are entitled to have counsel appointed to represent you. There are several reasons that may justify termination of parental rights, including the following:

- The parent has failed or refused to perform parental duties and responsibilities, including a failure to support or a failure to visit or communicate with a child, unless there are circumstances beyond the parent’s control.
- There is evidence of abuse or neglect or other drastic conduct that

affects the physical or mental well-being of the child and the court is convinced that the conditions or causes cannot or will not be remedied. This allows termination not only when the parent fails or refuses to perform her duties, but, also, when she is incapable of doing so. Actual harm to the child need not be shown if there is a high probability of harm.

- The child has been removed from the care of the parent by the court, the conditions which led to the removal still exist, the parent cannot or will not remedy those conditions within a reasonable period of time, the services or assistance reasonably available to the parent are not likely to remedy the conditions which led to the removal of the child within a reasonable time, and termination of parental rights would serve the best interests of the child.
- A child has been in an out-of-home placement for 15 of the last 22 months. However, a termination petition need not be filed in these circumstances if: (1) the child is in kinship care; (2) there is a compelling reason not to file (such as an older child who does not want to be adopted or the parent and child have a loving bond that should be preserved); or (3) the County OCY has failed to provide services in accordance with the Family Service Plan to facilitate reunification.
- There has been a judicial determination that aggravated circumstances exist and that reasonable efforts to reunite the child with her family need not be made.

The primary consideration by the court in determining whether to terminate parent rights is the developmental, physical, and emotional needs and welfare of the child. However, the rights of the parent cannot be terminated solely on the basis of environmental factors, such as inadequate housing, furnishings, income, clothing, or medical care if found to be beyond the

control of the parent. If termination is granted, the parent's right to visit, communicate with, or have information about her child ends.

Can the court order the County OCY to initiate termination proceedings?

No. However, when either (1) a child has been in an out-of-home placement for 15 of the past 22 months, or (2) the court has determined that aggravating circumstances exist and that reasonable efforts to reunite the family need not be made, then the court at the permanency hearing must inquire as to why termination proceedings have not commenced.

Can my parental rights be terminated if I have mental illness?

A parent's rights cannot be terminated simply because he has mental illness. On the other hand, the court can consider possible manifestations of the parent's mental illness that result in the parent's inability to provide proper care for his child in determining whether to terminate the parent's rights.

Can my parental rights be terminated if the County OCY did not accommodate my mental illness?

As discussed above, both Pennsylvania's Juvenile Act and the federal Americans with Disabilities Act generally require that the County OCY provide appropriate services to the parent to address his mental illness and enable him to parent effectively. In Pennsylvania, it is not clear, as a legal matter, whether the failure of a County OCY to provide such services in violation of the Americans with Disabilities Act constitutes a defense in proceedings to terminate parental rights. Generally, though, the court will

consider whether the County OCY made reasonable efforts to reunite the family, which should include the provision of or arrangement for mental health services for the parent. The court, however, will be less inclined to consider an ADA argument in a termination proceeding if either: (1) the parent never sought accommodations from the County OCY that he claims in the termination hearing should have been provided; or (2) the County OCY provided the parent with mental health services to accommodate his disability, but the parent did not fully take advantage of them. Accordingly, it is essential that you promptly request any needed accommodations and use those offered long before the point where termination proceedings are initiated.

Can DRP represent me in my child’s juvenile dependency proceedings?

No. DRP does not provide individual representation to parents with disabilities whose children are the subject of dependency proceedings or who are involved in proceedings to terminate their parental rights. Parents, however, are entitled to have an attorney appointed to represent them in these proceedings if they cannot afford legal representation.

GLOSSARY

“Adjudication hearing” is the hearing at which the Juvenile Court will determine whether allegations of neglect, abuse, or other bases for dependency have been proven and support the state’s intervention on behalf of the child.

“Adoption” is a legal process in which a new parent-child relationship is established. Adoption is the preferred permanency goal for children who cannot be reunited with their families. Adoption cannot occur before termination of parental rights.

“Aggravating circumstances” are specific types of circumstances that can be alleged in a Dependency Petition and, if proved at an adjudication hearing following the Juvenile Court’s determination that the child is dependent, can result in the Court’s ruling that reasonable efforts to preserve or reunify the family need not be made.

“Alternative Planned Permanent Living Arrangements” or “APPLA” is any permanent living arrangement other than family reunification, adoption, Permanent Legal Custodianship (including Subsidized Permanent Legal Custodianship), or kinship care. The Juvenile Court can consider an APPLA as a permanency goal only when the County OCY can document a compelling reason that one of the other permanency options is not possible for the child. An APPLA may be appropriate, for example, for an older teen who requests independent living or emancipation as his permanency goal.

“Americans with Disabilities Act” is the federal law that prohibits disability-based discrimination by employers, public entities (such as the County OCY), and public accommodations (such as private social service agencies).

“Child Protective Services Law” or “CPSL” is the Pennsylvania law that governs the reporting and investigation of child abuse. CPSL also

authorizes a physician or director of a medical institution to take a child into protective custody when it is immediately necessary to protect the child from further serious injury.

“County Office of Children and Youth” or “County OCY” is the office in each county that is responsible under the Pennsylvania Juvenile Act to assure that children are not subject to abuse or neglect. In Philadelphia, the County OCY is called the “Department of Human Services.”

“Dependent child” is a child who has been determined by the Juvenile Court to be dependent following an adjudication hearing. Reasons why a child may be adjudicated as dependent include: if the child lacks proper parental care or control; if the child has been abandoned; if the child is habitually and without justification absent from school; and if the child is under age 10 and has committed a delinquent act.

“Dependency Petition” is the petition that must be filed (usually by the County OCY) to assert that a child is dependent and to trigger the adjudication hearing. This petition is sometimes called an “Urgent Petition.” A Dependency Petition may be the first step that initiates the dependency proceedings or it may be filed after the child has been taken into protective custody and then placed in shelter care.

“Disposition” or “Disposition hearing” occurs after an adjudication hearing when the Juvenile Court determines that the child is dependent. At the disposition hearing, the Juvenile Court determines who will have custody and control of the dependent child.

“Family reunification” is the return of a child who has been adjudicated dependent to his family home after he has been removed. Family reunification is generally the initial permanency goal when a child is removed from the home.

“Family Service Plan” or “FSP” is the vehicle to obtain needed services for a child who has been adjudicated dependent and the family. The FSP describes service objectives for the family, the types of services will be provided to achieve those objectives, and the dates by which various actions are to be completed.

“Foster care” is a type of out-of-home disposition that follows the adjudication of dependency and results in the child’s placement generally with an individual or family who is not related to the child.

“Goal change hearing” means a hearing that is held when the County OCY asks that the court formally change the permanency goal for the child from family reunification to adoption.

“Juvenile Act” is the Pennsylvania law that governs juvenile dependency proceedings. The Juvenile Act provides the state with authority to intervene in the lives of children who may need state protection, from taking the child into protective custody in certain situations to adjudicating children as dependent to providing for permanency planning for dependent children.

“Kinship care” or “Kinship foster care” is one type of disposition following an adjudication of dependency that results in the child being

placed outside his home with an able and willing family member. County OCYs must give first consideration to kinship care when they are placing children.

“Permanency” means a safe, enduring, and nurturing home where a child has the best opportunity to establish relationships and reach his or her full potential. The child’s permanent placement is intended to last indefinitely and to give a child a supportive family (preferably, his own family) which will provide a definitive legal and social status.

“Permanency plan” means the plan that must be developed by the 12-month permanency hearing that identifies the permanency goal as family reunification, adoption, placement with a permanent legal custodian, placement with an able and willing relative in kinship care, or another permanent living arrangement. In the case of older adolescents who cannot be reunited with their families or adopted, the plan should prepare them to live independently as adults.

“Permanency review hearing” is the hearing that occurs after the child has been adjudicated dependent and ordered to be removed from his home. A permanency hearing is generally held within 6 months of the initial disposition and at least every 6 months thereafter until the child is returned home or removed from the court’s jurisdiction. The purpose of the permanency hearing is to determine the continued need for and appropriateness of the placement, the extent of progress made to remedy the circumstances that required the out-of-home placement, and the

appropriateness and feasibility of the current placement goal and the likely date by which the goal will be achieved.

“Permanent Legal Custodianship” or “PLC” is a relationship between a child and a caretaker that is intended to be permanent and self-sustaining and transfers certain parental rights to the caretaker, including custody and the right to make decisions. PLC is a permanency option for dependent children when reunification or adoption is not appropriate or practical.

“Protective custody” means that the child has been removed from the parent’s custody without a hearing when there are reasonable grounds to believe that the child is suffering from an illness or injury or is in imminent danger from his surroundings. The child can be held in protective custody for up to 24 hours without a hearing.

“Protective custody order” is an order that may be issued by the Juvenile Court after a child is taken into protective custody and the County OCY petitions for a protective order. A protective order will be issued if the Court determines that removal of the child from the parent’s custody is necessary for his welfare and best interests. A protective custody order lasts only for 72 hours, at which time the court must hold a shelter care hearing.

“Reasonable accommodation” or “Reasonable modification” is a mandate under the Americans with Disabilities Act that public entities (such as County OCYs) and private social service agencies must make changes to their policies, practices, and procedures when necessary to prevent discrimination against individuals with disabilities unless doing so would

result in a fundamental alteration. An example of a reasonable accommodation might be that a County OCY must arrange for mental health treatment for a parent with mental illness when such treatment might be necessary to enable the child to remain in or return to the family home.

“Reasonable efforts” means efforts, as required by federal law, to prevent children from being removed from their family homes and placed in foster or other substitute care or to enable the reunification of families after the child has been removed. Reasonable efforts can include counseling services, parent education, homemaker/caretaker services, and part day services that provide care and supervision to a child for less than 24 hours per day.

“Services to Children in their Own Home” or “SCOH” are services that are provided to children who have been declared dependent and to their family members. SCOH services monitor the continued safety of the children, reduce the risk of abuse or neglect, prevent out-of-home placement, and to assist the family to obtain supportive services (including mental health services for the parents or children).

“Shelter care hearing” means the hearing that occurs 72 hours after the Court issues a protective custody order that allows removal of the child due to emergency circumstances. At the shelter care hearing, the court determines whether the child should be returned home or placed in another setting (shelter care) pending the adjudication hearing.

“Subsidized Permanent Legal Custodianship” or “SPLC” is a program that provides a financial subsidy to individuals when Permanent Legal

Custodianship is an appropriate permanency goal but the potential custodian could not take custody without financial assistance. The custodian in a SPLC must agree to a yearly evaluation to continue his eligibility for the subsidy and must be able to provide for the child without court supervision and long-term agency involvement.

“Termination of parental rights” is a judicial determination that the parent’s legal rights (including the right to visit the child, to communicate with the child, and to have information about the child) are permanently severed.

Contact Information

If you need more information or need help, please contact Disability Rights Pennsylvania (DRP) at 800-692-7443 (voice) or 877-375-7139 (TDD). The email address is: intake@disabilityrightspa.org.

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