



**DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF CHILD AND FAMILY SERVICES**

**4126 Technology Way – 3<sup>rd</sup> Floor  
Carson City, Nevada 89706  
(775) 684-4400**

**Manual Transmission Letter (MTL)**

**Family Programs Office: Statewide Child Welfare Policy Manual**

2008 – MTL #0206-010509

01/05/09

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**TO:** Barbara Legier, Deputy Director - Division of Child and Family Services – Central Office  
Tom Morton, Director - Clark County Department of Family Services  
Pat Hedgecoth, Social Services Manager V - DCFS – District Offices  
Kevin Schiller, Director - Washoe County Department of Social Services

**FROM:** Cynthia Freeman, Social Services Chief III  
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**POLICY DISTRIBUTION:** Enclosed find the following policy for distribution to all applicable staff within your organization:

- 0206 Court Hearing Notification

This policy is/was effective 09/18/06:

Updates to the following areas have been made in this policy (policy page number/summary of change):

- Correction of typographical errors, replaces 0206 Court Hearing Notification released on 01/11/2008.

**NOTE:**

- This policy has been placed into the new Family Programs Office Policy Format. Please read the policy in its entirety and note any areas of Jurisdictional Action that are additionally required by your agency to be in compliance with the policy enclosed.
- This is an **All STAFF MEMO** and it is the responsibility of the Agency Director listed above to disseminate the policy enclosed to appropriate staff within his/her organization and to ensure compliance.
- Please direct questions to Cynthia Freeman, (775)-684-4410, or via email [cfreeman@dcfs.nv.gov](mailto:cfreeman@dcfs.nv.gov).

## 0206.0 Court Hearing Notification

### 0206.1 Policy Approval Clearance Record

<input checked="" type="checkbox"/> Collaborative Policy	This policy supersedes:	Number of pages in Policy: 3
Date Effective: 09/18/06	200 Court Hearing Notification	
PART Review & Approval		Policy Lead: _____
DMG Approval	09/18/06	Policy Lead: Social Service Program Specialist
DCFS Reformat	1/11/2008, 01/05/09	Policy Lead: Wanda Scott
DMG Approved Revisions		Policy Lead: _____
DMG Approved Revisions		Policy Lead: _____
DCFS Administrator Approval:	09/18/06	Signature: On file
Review by Representative from the Office of the Attorney General:		Signature: _____

### 0206.2 Statement of Purpose

**0206.2.1 Policy Statement:** Proper notification of all court hearings and judicial reviews regarding the status of a child in the custody of a child welfare agency is necessary to ensure the active involvement and participation of parents, foster parents, guardians, pre-adoptive parents, and relative caregivers in providing for the child's safety, permanency and well-being. Therefore, while court notification requirements and protocols may differ between counties and judicial jurisdictions, formal written notification to the aforementioned caregivers shall be provided.

**0206.2.2 Purpose:** To comply with Federal and State notice requirements; and, to ensure that foster parents and other care providers are afforded the right to be heard in review hearings with respect to the children in their care and offer the court important information or viewpoints about the services received by the child and family.

### 0206.3 Authority

Social Security Act Section 475(5) (G)  
 NRS 432B.044, 466, 553, 580 (6.a,b), 590  
 NAC 432B.290, 320.

### 0206.4 Definitions

**0206.4.1 Caregiver:** refers to the person or persons providing foster, adoptive or relative care for a child, or a person who provides care in a treatment home or residential treatment facility in which a child is placed.

**0206.4.2 Child welfare services:** (NRS 432B.044) includes, without limitation: 1. Protective Services, including, without limitation, investigations of abuse or neglect and assessments; 2. Foster care services, including, without limitation, maintenance and special services, as defined in NRS 432.010; and 3. Services related to adoption.

**0206.4.3 Child and Family Team:** refers to a team comprised of maternal and paternal family members, fictive kin, friends, foster parents, legal custodian, community support specialists, agency staff and other involved and committed people who join together to

strengthen and support the family and provide a plan of care that ensures the safety and well-being of the family's children.

**0206.4.4 State:** The Family Programs Office (FPO) at the Division of Child and Family Services (DCFS).

**0206.5 Procedures**

**0206.5.1 Notification Process**

- A.** Pursuant to NRS 432B.580 "Notice of the hearing must be given by registered or certified mail to:
1. All the parties to any of the prior proceedings;" and
  2. Parents and "any persons planning to adopt the child, relatives of the child or providers of foster care who are currently providing care to the child."

**0206.5.2 Timelines:** N/A

**0206.5.3 Forms:** N/A

**0206.6 Jurisdictional Action**

**0206.6.1 Development of Internal Policies:** Jurisdictional protocols for implementing this policy shall be developed and submitted to the Division of Child and Family Services (DCFS) by each public child welfare agency within 60 days of approval of this policy. Thereafter, each agency will provide an annual compliance report to DCFS, in the attached format, verifying continued implementation of their protocols and/or reporting any revisions to their protocols, no later than July 15<sup>th</sup> of each year.

**0206.6.2 Timelines:**

Table 0206.1: Timelines for Regional Submission of Jurisdictional Protocols and Annual Compliance Reports

Requirement	Deadline	Starting Date	Responsible Party	Actions to be Taken
Submit Jurisdictional Protocols		11/18/06	Each Region: WCDSS CCDFS DCFS-Rural Region	Submit initial protocol to DCFS  Submit first report no later than July 15, 2007 and by July 15 <sup>th</sup> annually thereafter
Submit annual compliance report		7/15/07	Each Region: WCDS, CCDFS, DCFS-Rural Region	

**0206.6.3 Tools & Forms:** Annual Compliance Report – Court Notification Protocol Form

**0206.6.4 Documentation:** The documentation of hearing notifications must be kept in both the hard copy file (in the form of registered or certified mail proof of delivery) and in UNITY.

**A. Case File Documentation:**

Table 0206.2: Case File Documentation for Court Hearing Notification Policy

File Location	Data Required
To be located in primary file	Copy of the written notice Proof of registered/certified mail delivery

**B. UNITY Documentation:**

Table 0206.3: UNITY Documentation for Court Hearing Notification Policy

Applicable UNITY Screen	Data Required
Notification Screen (CFS094)	All entries required to complete the Unity Screen: the child/subject of the hearing; time/place of the hearing; type of mail delivery; name and address of the required participant/notice recipient

**0206.6.5 Supervisory Responsibility:** Supervisors shall conduct case reviews to ensure notices are sent to required parties.

**0206.7 State Responsibilities**

**0206.7.1 Participants in Policy Development**

- A. FPO Staff:** Social Service Program Specialist
- B. Jurisdictional Representatives:** WCDSS, CCDFS, DCFS Rural Region
- C. External Stakeholders:** N/A

**0206.7.2 Technical Assistance**

- D. Requesting Technical Assistance:** N/A
- E. Relaying TA Information:** N/A
- F. Evidenced Based Practice:** N/A

**0206.7.3 Clearance Process**

- A.** DMG Approval on 9/18/06
- B.** Policy effective 9/18/06

**0206.7.4 State Oversight**

- A.** The state will monitor compliance through the UNITY report CFS09 and the QA case review process

**0206.8 Policy Cross Reference**

**0206.8.1** 0204 Case Planning

**0206.9 Attachments**

**0206.9.1 FPO 0206A** Annual Compliance Report – Court Notification Protocols