

**ORDER FOR PRE-HEARING
CONFERENCE**

IN THE COUNTY COURT OF _____ COUNTY, NEBRASKA

CASE NUMBER: _____

IN THE INTEREST OF

**ORDER FOR
PRE-HEARING CONFERENCE**

CHILD/CHILDREN UNDER EIGHTEEN YEARS OF AGE

On _____, _____, a Petition was filed with the Court alleging that the children fall within the meaning of N.R.S. § 43-247(3)(a).

The Protective Custody hearing is scheduled for: Hearing Date: _____, _____ Time: _____ Court Room: _____

A Pre-Hearing Conference (PHC) is being scheduled in this action. A PHC is an informal, facilitated meeting prior to the first appearance in court that is held to assist in the cooperation of the parties, to facilitate the flow of information and discussion and to develop a problem-solving atmosphere in the best interest of the children.

The goals of the PHC are to move the parties from an adversarial to cooperative role, to focus on the future, safety and best interest of the children, to clarify placement and parenting time options, including possible relative/kinship placement or reunification, to determine the applicability of ICWA and to identify the family's needs and resources.

The facilitator for the PHC shall lead the facilitation as follows:

- ❖ Explain the purpose, process and goals of conference and complete Attendance Sheet
- ❖ Introduction
- ❖ Address the agenda and clarify areas of agreement/disagreement
- ❖ Monitor time limitations
- ❖ Record, or confirm recording of, any agreements regarding placement, visitation, services or other matters in the best interests of the children

THE COURT FINDS AND ORDERS:

1. A Pre-Hearing Conference shall be held _____, _____ at _____ in _____.

2. The following individuals shall attend the Pre-Hearing Conference:

- ❖ Parents/guardians
- ❖ Attorneys
- ❖ Guardian ad Litem
- ❖ County Attorney
- ❖ DHHS initial assessment worker and on-going case worker
- ❖ Facilitator
- ❖ Other: _____

It should be determined whether other individuals should be invited to attend the Pre-Hearing Conference including, but not limited to, age-appropriate children, extended family, family friends, DHHS supervisor, CASA, service providers or other advocates and foster parents. The parties shall advise the facilitator as soon as possible of any request for additional parties.

3. The agenda of the Pre-Hearing Conference shall be as follows:

- a. Identify legal parents
- b. Determine if additional parties shall participate in the hearing
- c. Discuss prior orders in effect
- d. Application of Indian Child Welfare Act (ICWA)
- e. Placement of child

- f. Discuss parenting time (i.e., visitation)
- g. Discuss services to be offered to family
- h. Discuss information about the children: medical, educational, behavioral and other needs
- i. Other: _____

4. DHHS representatives must be prepared to address any issues contained in the agenda, including what services DHHS would offer to the family given the reasons for removal, the placement of the child including relative placement and reunification with a safety plan, and parenting time provisions applicable to the child's age and family's situation.

5. Attorneys for the parents must speak to their clients prior to the Pre-Hearing Conference to inform them as to the purpose of the facilitation and to give the attorney the knowledge necessary to represent the client during the facilitation.

6. The Pre-Hearing Conference is confidential and privileged as per N.R.S. 43-247.01. However, agreements from the Pre-Hearing Conference may be noted at the Protective Custody Hearing.

7. Other: _____

8. All prior orders not in conflict with this order remain in full force and effect.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED AS HEREIN ABOVE SET

DATED: _____, _____

BY THE COURT:

_____, JUDGE

REGARDING ALLEGATIONS OF ABUSE OR NEGLECT

Notice: Placement of your child in foster care may result in the termination of your parental rights to your child. Time is of the essence. Federal law requires a Permanency Planning Hearing be held within 12 months or sooner after your child is removed from your home. This hearing will determine what the permanency goal for your child will be: reunification with you, or adoption or guardianship with another adult. The court will also decide whether or not further time will be allowed for you to complete rehabilitative services. In order for more time to be granted, a compelling reason must be shown. If more time is granted, then a Petition to terminate parental rights still may be filed if and when your child has been placed out of your home more than 15 months of the past 22 months. However, the County Attorney or Guardian ad Litem may file a petition to terminate your parental rights at any time it is appropriate to do so.