ADVISEMENT OF LEGAL RIGHTS UPON TAKING CUSTODY OF/FILING A PETITION ON BEHALF OF A CHILD ALLEGED TO BE A CHILD IN NEED OF SERVICES

State Form 47114 (R3 / 1-06) / CW 0010

In accordance with Indiana Code (IC) 31-34-2 or IC 31-34-4, the _____ local DCS office has
(Name of county)
taken your child(ren) into custody and / or has filed a petition alleging that your child(ren) is a child in need of
services (CHINS). Pursuant to IC 31-34-4-6, you are hereby advised that you have the following rights:

You have the right:

1. to have a detention hearing held by a court within 48 hours after the child's removal from the home, excluding weekends and legal holidays, pursuant to IC 31-34-5-1, and to request return of the child at the hearing;

2. to be represented by an attorney, cross-examine witnesses, and present evidence on your own behalf (*You have the right to be represented by a court appointed attorney at your request if the court finds that you do not have sufficient financial means to obtain someone to represent you.*);

3. not to make any statements that might incriminate you (*Any such statement may be used during a court proceeding on a petition alleging that your child is a child in need of services.*);

4. to request to have your case reviewed by the child protection team in accordance with IC 31-33-3-6; and

5. to be advised that after July 1, 1999, a petition to terminate the parent-child relationship must be filed whenever a child has been removed from the child's parent and has been under the supervision of the local DCS office for at least 15 of the most recent 22 months.

I acknowledge that I have provided a copy of this document to:

Name of parent, guardian, or custodian	Date copy provided (*month, day, year*)
Signature of family case manager	*Signature of law enforcement officer
Printed name of family case manager	Printed name of law enforcement officer
Address of local DCS office	Telephone number of local office ( )

*In accordance with local protocol.

DISTRIBUTION: **White -** Parent / Guardian / Custodian; **Canary -** local DCS office