

## Child in Need of Aid Proceedings

<b>Event/Requirement</b>	<b>Timing/Deadline<sup>1</sup></b>	<b>Legal Authority</b>
Emergency custody		AS 47.10.142(a); CINA Rule 6
CINA petition	24 hours after removal; any time if not emergency	AS 47.10.142(c); CINA Rule 6(a)
*Temporary custody hearing *shading denotes court hearing	48 hours after petition filed; within "reasonable time" if no emergency custody	AS 47.10.142(d); CINA Rule 10(a)(1)(A)
"Contrary to welfare" finding; risk of imminent harm (ICWA)	At temporary custody hearing (if child removed)	45 CFR 1356.21(c) CINA Rule 10(c)(3)
Out-of-preference review (ICWA cases) (held at OCS)	Every 30 days after removal until child placed in ICWA preference home	CPS Manual, Section 3.1.6
Interim case conference (meeting of the parties)	~30 days after temporary custody hearing (by practice)	CINA Rule 13(a)
Case plan	60 days after removal	45 CFR 1356.21(g)(2)
"Reasonable efforts to prevent removal" finding	60 days after removal	45 CFR 1356.21(b)(1)
Pretrial Conference	~60 days after temporary custody hearing (by practice)	CINA Rule 13
Family & Children Early Conference (at OCS)	90 days from temporary custody hearing	CPS Manual, Section 3.1.2
Adjudication	120 days after temporary custody hearing	AS 47.10.080(a) CINA Rule 15(a)
OCS Predisposition report	15 days before disposition hearing	AS 47.10.081 CINA Rule 16(a)(1),(3)
GAL Predisposition report	10 days before disposition	CINA Rule 16(a)(2),(3)
Disposition	"Without unreasonable delay"	CINA Rule 15(f)(3)
Six-month reviews (at OCS)	Every 6 months after "foster care entry" <sup>2</sup>	42 USC 675(5)(B)
Permanency Planning Conference (at OCS)	9-10 months after removal	CPS Manual, Section 3.1.4

<sup>1</sup> The deadlines in federal and state law are *outside* deadlines; the hearings and other requirements can be accomplished prior to the deadlines.

<sup>2</sup> "Foster care entry" is the date of the first judicial finding of abuse or neglect (adjudication) or 60 days after actual removal, whichever is earlier. 45 CFR 1355.20(a); AS 47.10.088(f).

OCS Permanency Report	10 days before permanency hearing	CINA Rule 17.2(c)
Permanency Hearing	12 months after foster care entry; 30 days after order relieving department of duty to provide reasonable efforts; 30 days after change in permanent plan; then annually as needed	AS 47.10.080(l) CINA Rule 17.2 42 USC 675(5)(C)
"Reasonable efforts to finalize permanency plan" finding	At permanency hearing	45 CFR 1356.21(b)(2) AS 47.10.080(l)(4)(D) CINA Rule 17.2(f)(4)
Annual Review/Hearing	12 months after disposition (for children in home)	47.10.080(f) CINA Rule 19
Mandatory Termination Petition <i>Exception:</i> OCS documents "compelling reason" that termination is not in child's best interests <i>Note:</i> termination petition can be filed earlier and for other reasons if in child's best interests	Child in foster care 15 of previous 22 months; child under 6 found abandoned; determination not to require reasonable efforts; 3 failed treatment attempts; parent made no treatment efforts by permanency hearing	AS 47.10.088(d),(e),(g)
Termination trial	6 months after petition filed	AS 47.10.088(j) CINA Rule 18(e)
Termination decision	90 days after trial ended	AS 47.10.088(k)
Expedited Appeal	15 days after termination decision	Appellate Rule 218
OCS report on efforts to recruit permanent placement	30 days after termination decision	AS 47.10.088(i)
OCS report on efforts to find permanent placement	Quarterly after termination decision	AS 47.10.080(c)(3)
Appeal decision	90 days after oral argument	AS 47.10.080(i)
Extension of Custody Hearing	2 years after disposition (then annually as needed)	AS 47.10.080(c) CINA Rule 19.2