

FAMILY DIVISION CASES – WHEN TO REPORT A CASE

Family Division cases are reported even if you represent a parent or other adult in the case.

While DCF's involvement with a child may extend over a number of years, even until the child reaches the age of majority or beyond, it is not always practical for assigned counsel to sustain their representation throughout that period. Therefore, a Family Division case is reported only for the following:

1. Initial CHINS – abuse/neglect or unmanageable. All subsequent hearings are not reported prior to Disposition.
2. Initial Delinquency: report each delinquency offense. There should only be one line on the form per docket #. Multiple charges under one docket # should be listed together under the “charge” field. All subsequent hearings are not reported prior to Disposition.
3. Termination of Parental Rights – only report a TPR when the TPR is filed with the court, or when you are initially assigned to the TPR if that occurs after the initial filing. All subsequent TPR hearings are not reported.
4. Contested Permanent Guardianship – If you handle a contested Permanent Guardianship, report it as “Contested.” Only report the initial contested Permanent Guardianship hearing – no subsequent hearings.

AFTER DISPOSITION: Only report one Dispositional Review Hearing **OR** one Permanency Review Hearing **OR** one Conditional Custody Review Hearing **OR** one Uncontested Permanent Guardianship Hearing during any six-month period (but remember these are not reported if they are prior to disposition).

1. Dispositional Review Hearings – only report one Dispositional Review Hearing for each juvenile even if that juvenile has multiple docket #s. If the Dispositional Review Hearing is continued, only report the initial Dispositional Review Hearing, not each time the hearing is continued; **OR**
2. Permanency Review Hearings – only report one Permanency Review Hearing for each juvenile even if that juvenile has multiple docket #s. If the Permanency Review Hearing is continued, only report one hearing – not each time the hearing is continued; **OR**
3. Conditional Custody Review Hearings – only report one CC Review Hearing for each juvenile even if that juvenile has multiple docket #s; **OR**
4. Uncontested Permanent Guardianship – If you handle an uncontested Permanent Guardianship, report it as “Uncontested.” Only report the initial Permanent Guardianship hearing – no subsequent hearings.

ADDITIONAL NOTES:

1. If the first hearing you cover is PRE-Disposition, then it counts as a CHINS or Delinquency or whatever the original petition was for.
2. You do not count Disposition Hearings. If your first representation is at a Disposition Hearing, then it counts as the original CHINS or Delinquency, etc.
3. If it's AFTER DISPOSITION, you count ONE and only ONE post-disposition hearing in a six-month time period. (The allowed hearings are listed above under “After Disposition.”) You don't count one of each – only one total. The only exception is a TPR, which is counted separate from the AFTER DISPOSITION allowed hearings.
4. If you are taking on a contract from another contractor, you still follow the guidelines above. If a case is pre-disposition, then it's the original CHINS or Delinquency. If it's post-disposition, then you only count the case at the first of the allowed post-disposition hearings. You do not automatically count each of the cases when you accept the contract.
5. Do not report motion or any other hearings not mentioned above unless you check with me first. There can be a few exceptions to the above.

If you have any questions about Family Division cases, please let me know. I'm happy to help.

Thank you,
Mary Deaett (Mary.Deaett@vermont.gov) (802) 828-0021 (direct line)