



Court Options for Out-of-Home Placement

DEPENDENCY

CHILD IN NEED OF SERVICES (CHINS)

EMANCIPATION

MINOR GUARDIANSHIP

DOMESTIC VIOLENCE PROTECTION ORDER (DVPO)

LEGAL REQUIREMENTS?

Your health, safety, & welfare must be seriously endangered; a risk of imminent harm; you have been abused, neglected, abandoned.

RCW 13.34.050

You are in need of necessary services to maintain or reunite your family.

RCW 13.32A.030(5)(c)

You must be 16-17 years old and able to manage your own affairs (financial and non-financial).

RCW 13.64.050

Guardianship is in your best interest and one of the following: parent agrees; parent's rights are terminated; or no parent is willing or able to exercise parenting functions.

RCW 11.130.185

You must be experiencing domestic violence from an intimate partner or a family or household member. If you are aged 15 and older, you can file for yourself.

RCW 7.105.100

WHEN WILL I GET A HEARING?

When you are taken into custody, the court shall hold a shelter care hearing within 72 hours, excluding Saturdays, Sundays, and holidays.

RCW 13.34.065

The law says 5 to 10 calendar days, but usually it is around 2 weeks after filing your petition.

RCW 13.32A.160

No later than 60 days after the petition is filed.

RCW 13.64.030

If it's an emergency, the hearing take place right away or within 5 days. Non-emergency hearings are held 60 days after the petition is filed.

RCW 11.130.225

Immediate hearings for temporary orders are usually the same day or the next day. Full hearings are usually 14 days after the petition is filed.

RCW 7.105.200

RCW 7.105.305

PLACEMENT OPTIONS?

You may be placed with a relative or other suitable adult, in a foster home or shelter/group home.

RCW 13.34.060

Crisis residential center, HOPE center, foster family home, group home, or any other suitable residence to be determined by DCYF.

RCW 13.32A.160

None. But, you can consent to your own housing like shelter, transitional living program, your own lease, etc.

RCW 13.64.060

Any suitable adult interested in your welfare.

RCW 11.130.190

None. The protection order only protects against an abusive intimate partner/parent/household member, so you don't have to live with them.

OTHER FACTORS TO CONSIDER?

You may lose control over decisions. Placement options may be unavailable. May be eligible for Extended Foster Care at 18.

Out of home placement is up to 6 months. You must be open to reunification services like therapy.

If your parent disagrees, you have to show the court that not being emancipated will be detrimental to you. You might lose some benefits and services.

Emergency guardianships require the petitioner to show: (1) it's necessary to prevent substantial harm to your health, safety, or welfare; and (2) no other person appears to have authority, ability, and willingness to act in the circumstances.

RCW 11.130.225

It's only a temporary fix. The Judge might not grant it. You have a better chance if the other parent supports the DVPO or if you also file a CHINS or guardianship. If you are under age 15, a family or household member must file on your behalf.

RCW 7.105.100