



Scheduling Planner

Published by

Maine Judicial Branch
Administrative Office of the Courts

IMPORTANT INFORMATION

Use this space to write down dates, times, and places of court hearings and other information. Ask your lawyer about any information that you find unclear.

Your Lawyer

Name _____
 Address _____
 Phone _____
 Email _____

Case Management Conference

Date & Time _____
 Place _____

Visiting Schedule

Day(s) & Time(s) _____
 Place _____

Department Caseworker

Name _____
 Phone _____
 Email _____
 Supervisor's name _____
 Phone _____
 Email _____

Family Team Meeting

Date & Time _____
 Place _____

COURT DATES

Guardian ad Litem (GAL)

Name _____
 Phone _____
 Email _____

Jeopardy Hearing

Date & Time _____
 Place _____

Judicial Review Hearing

Date & Time _____
 Place _____

Judicial Review Hearing (second)

Date & Time _____
 Place _____

Preliminary Protection Hearing

Date & Time _____
 Place _____

Termination of Parental Rights Hearing

Date & Time _____
 Place _____

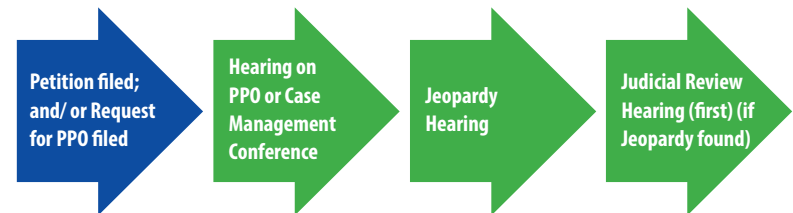
**This program provides a trained person to look into complaints when you have not been able to resolve an issue with the Department. The Ombudsman Program is independent of the Department.*

INTRODUCTION — HOW TO USE THIS PLANNER IN YOUR CASE

This planner will help you keep track of dates and important information in your child protection case. You can make notes about the case and keep contact information all in one place.

At the end of this Planner, you will find an outline of the process in a child protection case

Important first steps in a Child Protection case Court appearances are in the green boxes below.



More in-depth information can be found in the Maine Judicial Branch's Guide for Families in Child Protection Cases. You will get a copy of the Guide with this planner. Please read it and go over any parts you have questions about with your lawyer.

To do your best in the case:

- ✓ Go to all court hearings and meetings.
- ✓ Stay in touch with your lawyer and caseworker.
- ✓ Work with your caseworker on the reunification plan.
- ✓ Make sure your lawyer and caseworker have your current address and telephone number.

Knowing what you are required to do and when, and following through could make a difference in your case.

JANUARY 2023

SUNDAY	MONDAY	TUESDAY	WEDNESDAY
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THURSDAY	FRIDAY	SATURDAY	NOTES
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FEBRUARY 2023

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MARCH 2023

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APRIL 2023

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MAY 2023

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JUNE 2023

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THURSDAY	FRIDAY	SATURDAY	NOTES
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JULY 2023

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AUGUST 2023

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SEPTEMBER 2023

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OCTOBER 2023

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THURSDAY	FRIDAY	SATURDAY	NOTES
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NOVEMBER 2023

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DECEMBER 2023

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JANUARY 2024

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FEBRUARY 2024

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THURSDAY	FRIDAY	SATURDAY	NOTES
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MARCH 2024

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THURSDAY	FRIDAY	SATURDAY	NOTES
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APRIL 2024

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MAY 2024

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PART 1 — WHY HAS A COURT CASE BEEN STARTED?

A case is usually filed in court after an investigation of abuse or neglect by the Department of Health and Human Services.

The Department of Health and Human Services is sometimes referred to as the Department or DHHS.

If after an investigation the Department determines that abuse and/or neglect has occurred, it will often attempt to help your family develop a “safety plan” to keep the child safe at home.

Sometimes making a safety plan is not possible, or the plan is not working to keep your child safe, so the Department may decide to start a Child Protection Case (also called a “PC case”) in court.

For more information, see pages 2-3 of A Guide for Families in Child Protection Cases (the Guide).

PART 2 — WHAT IS A PRELIMINARY PROTECTION ORDER (PPO)?

A PPO is an emergency court order that the Department may ask for if it believes your child is at immediate risk of serious harm. The Department may not request a PPO in every case.

If the Department asks for a PPO, you may not get copies of the court papers until after the court has decided whether to grant the PPO.

If the court grants a PPO, the order will say where your child will stay until a hearing is held.

If the court does not grant the PPO, this does not mean the case is over. The court will still schedule a Jeopardy Hearing within about 120 days (4 months) to decide if your child is in jeopardy.

For more information, see page 4 of the Guide.

PART 3 — WHAT HAPPENS AFTER A PPO HAS BEEN GRANTED (IF A PPO WAS REQUESTED)?

You will receive copies of the court papers. Read the court papers carefully.

The papers will have the name and telephone number of the lawyer the court has assigned to represent you in the case. You should contact your lawyer right away to discuss your case before the PPO hearing date.

A hearing will be scheduled within 7-14 days. You can ask your lawyer to ask that the court schedule an earlier hearing. However, the court may or may not be able to schedule a hearing earlier. Your lawyer will be able to explain this further to you.

The Department caseworker will arrange for regular visits with your child within seven days, unless the court decides that there is a very strong reason not to allow contact.

You have the right to a hearing or the right to agree to allow the PPO to remain in effect until the next stage of the case. This decision is up to you and your lawyer will be able to provide you with legal advice to help you decide whether to have a hearing or to allow the PPO to remain in effect.

If the PPO remains in effect, the Department caseworker will work with you to develop a reunification plan.

For more information, see page 6 of the Guide.

PART 4 — WHAT ARE SOME EXAMPLES OF COURT PAPERS IN A CHILD PROTECTION CASE?

A) Petition — The Petition contains the reasons why the Department is asking the court to be involved with your family. The statements made in the Petition must be proven by the Department.

B) Order appointing a lawyer to represent you — At the same time a Petition is filed, the court assigns a lawyer to represent each parent or legal guardian. Make

a note of your lawyer's name and contact information and get in touch with your lawyer as soon as possible to talk about your case.

C) Child Protection Financial Affidavit — Every parent and legal guardian who is assigned a lawyer must file a sworn statement about income and finances to determine financial eligibility for a court appointed lawyer.

D) Order appointing a Guardian ad Litem (GAL) — Your child will have a Guardian ad Litem or GAL named by the court to look out for the child's interest during the case. The GAL provides the court with written reports and recommendations about the best interest of your child. This person does not work for the Department, but is a neutral party who will get to know your child and family.

For more information, see pages 6 and 7 of the Guide.

PART 5 — WHAT IS A CASE MANAGEMENT CONFERENCE AND WHEN IS IT HELD?

The case management conference (CMC) is not a hearing or trial, and no evidence will be presented. It is basically a planning meeting, where parents, lawyers, the Department and the GAL attend.

If the Department did not ask for a PPO, the CMC may be your first chance to go to court.

At or near when the CMC is held, the Department usually files a reunification plan. The plan sets out what the Department must do and what you must do to help your children come back home.

It is important that you review this plan carefully with your caseworker and your lawyer.

For more information, see pages 7 and 8 of the Guide.

PART 6 — WHAT IS A JEOPARDY HEARING AND WHEN IS IT HELD?

The court must hold a hearing before issuing a Jeopardy Order. You must attend the hearing. If you do not, your parental rights may be at risk.

The purpose of the jeopardy hearing is to present evidence to the court so the court can decide if your child is in “circumstances of jeopardy” to her or his health or welfare.

Before the jeopardy hearing begins, a draft Jeopardy Order is often given to you and your lawyer to review. The order will state the reasons for the finding of jeopardy. If you agree with the draft order, you may enter into an order by agreement without having a hearing. If you do not agree, the court will hold the hearing.

If the court finds that jeopardy does exist or you agree to jeopardy, the court will issue a jeopardy order within 120 days after the filing of the petition, unless there are good reasons to delay it.

Unless the court has found an “aggravating factor” in your case, the order will require the Department to work with you to help you reunify with your child.

For more information, see pages 8 and 9 of the Guide.

PART 7 — WHY IS A JUDICIAL REVIEW HELD?

If the court issues a Jeopardy Order, then the court must review the case every six (6) months. This check-in hearing is called a Judicial Review.

At the Judicial Review, the court reviews what has happened since the last court date and after hearing from the parties, decides what should happen next.

The court will want to know if you have done the things that the Jeopardy Order required you to do. Have you reduced or eliminated the things that led to the court's decision finding jeopardy?

Based on the facts presented, the court may make changes to your reunification plan.

The court may decide that the case should be dismissed and that your child should be returned to you, or that reunification efforts should continue.

The court may also decide that the Department should stop reunification efforts. The decision to end reunification efforts is not an easy one. It is usually made after repeated efforts to reunify have failed over a period of time.

The parents, the AAG representing the Department, or your child's GAL may ask the court to review the case sooner. Every case is different, and you should talk to your lawyer about why asking for an earlier review may be appropriate in your case.

For more information, see pages 9 and 10 of the Guide.

PART 8 — WHAT IS A PERMANENCY PLANNING HEARING AND WHEN IS IT HELD?

The court usually holds a Permanency Planning Hearing within 12 months of when your child entered foster care, or within 30 days after the court issues an order to cease reunification, whichever date is earlier. Talk to your lawyer about which date is appropriate to use in your case.

At this stage, the court focuses on what living arrangement is in the long-term best interest of your child.

The permanency planning order will determine (if and when applicable) the child will be:

- ✓ Returned to a parent;
- ✓ Placed for adoption;
- ✓ Cared for by a permanent guardian;
- ✓ Placed with a relative; or
- ✓ Placed in another planned permanent living arrangement.

If required, any further permanency planning hearings will be held within 12 months of date of the prior permanency planning order.

For more information, see page 10 of the Guide.

PART 9 — WHAT IS A TERMINATION OF PARENTAL RIGHTS?

If the Department believes you are unable or unwilling to resolve the risk of abuse or neglect to your child, the Department may file a petition with the court to terminate your parental rights.

You have a right to a hearing, and the court will only order a termination of your parental rights after a hearing, if it finds “clear and convincing evidence” that termination is in the best interest of your child. Your lawyer will be able to explain “clear and convincing evidence” in more detail and how this legal standard may apply to your case.

The GAL will also be at the hearing and will submit a report with his or her recommendations concerning your child.

You also have the right to agree to a termination of parental rights if you think it is in the best interest of your child. If you are considering this, we strongly suggest that you review this decision carefully with your lawyer, so that you fully understand what rights you are giving up.

For more information, see pages 10 and 11 of the Guide.

PART 10 — APPEALS

Your lawyer will be able to answer questions and advise you of your right to appeal a final decision of the trial court.

There are strict timelines for filing an appeal that you will want to review with your lawyer.

For more information, see pages 11 and 12 of the Guide.

PART 11 — WORKING WITH YOUR LAWYER

Each parent or legal guardian is entitled to be represented by their own lawyer in a child protection case.

Make sure your lawyer knows how to reach you by keeping your lawyer up-to-date on your address and phone number.

At a minimum, your lawyer will:

- ✓ Meet with you before any hearings and conferences in the case and speak for you and your interests in court;
- ✓ Help you understand your rights and what to expect at hearings and conferences; and
- ✓ Present evidence and advocate on your behalf.

For more information, see page 12 of the Guide.

PART 12 — WORKING WITH DEPARTMENT CASEWORKERS

You will have a chance to meet with caseworkers from the Department during your case. These meetings are an opportunity to voice concerns, share your ideas, ask questions, and get connected to any services that you may need to help you make your home safe for your child.

The Department has written guidelines called the “Child Welfare Services Practice Model,” that it uses when working with families in child protection cases. The guide was developed to promote long-term safety, well-being, and permanent families for children. You may want to ask your caseworker for a copy of the guidelines.

For more information, see pages 12 and 13 of the Guide.

PART 13 — THE MAINE CHILD WELFARE OMBUDSMAN PROGRAM

The Maine Child Welfare Services Ombudsman is a neutral office that helps people resolve concerns and complaints about the Department during a child protection case. If you or someone you know is having a problem with how the Department or a caseworker is handling a child protection case, you may contact the Ombudsman’s Office for help.

Call the Ombudsman at 1-866-621-0758 or 207-213-4773. Email address: ombudsman@cwombudsman.org. Website address: www.cwombudsman.org.

For more information, see page 13 of the Guide.

PART 14 — RIGHTS OF GRANDPARENTS AND OTHERS TO ATTEND AND PARTICIPATE IN THE CASE

Maine law requires that before a child is placed in foster care that the child be placed with an approved adult relative whenever possible. This is sometimes called a kinship placement.

Before placing a child with a relative, the Department must make sure the child will be in a safe environment by doing an assessment and background check. Sometimes a temporary placement with a relative is not possible before the Department files a request for a PPO.

When a grandparent or other relative is providing care, they will receive notice of hearings in the case and may attend. If a grandparent or other relative has not been providing care, they must ask the court’s permission to attend a hearing or participate in the case.

For more information, see pages 13 and 14 of the Guide.

PART 15 — SUMMARY OF RIGHTS IN A CHILD PROTECTION CASE

As a parent or legal guardian of a child in a PC case, you have the right:

- ✓ To be represented by a lawyer;
- ✓ To receive copies of all court papers and information submitted in the case;
- ✓ To be notified of all court hearings and other court events;
- ✓ To deny or admit statements in the petition;
- ✓ To present your side of the case in court;
- ✓ To visit with your child while the case is open, unless the court finds that visits are not in the best interest of the child; and
- ✓ To have a written Reunification Plan that clearly outlines services and supports to help resolve the problem that led to the filing of the Petition.

You child has a right:

- ✓ To be safe and be supervised by appropriate caregivers;
- ✓ To have adequate food, clothing, and shelter;
- ✓ To be protected from physical, sexual, and emotional abuse and neglect; and
- ✓ To receive treatment for medical and emotional conditions.

For more information, see pages 14 and 15 of the Guide.

SELECTED RESOURCES



Connects Maine callers to health and human services available in their communities. Contact a resource specialist by dialing 2-1-1 or texting your zip code to 898-211, email info@211maine.org, or TTY: 2-1-1.

Domestic Violence

24-Hour Statewide Helpline:

1-866-834-HELP (4357)

For resources for domestic violence victims in Maine, please visit the Maine Coalition to End Domestic Violence at www.mcedv.org.

Immigrant Resource Center of Maine

(207) 753-0061

www.ircofmaine.org

Sexual Assault

24-Hour Statewide Support Line:

1-800-871-7741

For resources for sexual assault victims in Maine, please visit the Maine Coalition Against Sexual Assault at www.mecasa.org.

Hotlines and Resources

Alcoholics Anonymous 24-hour

Hotline: 1-800-737-6237

csoaamaine.org

Housing Services

(referrals to shelters and other resources)

www.maine.gov/dhhs/obh/support-services/housing-services

Maine Crisis Line (MCL)

(behavioral health crisis and/or suicide prevention)

Maine's 24-Hour Crisis Hotline:
1-888-568-1112 (Voice) or 711
(Maine Relay)

988 Suicide & Crisis Lifeline

(formerly called the National Suicide Prevention Lifeline)

Call or text 988 or chat 988lifeline.org

Narcotics Anonymous

1-800-974-0062

namaine.org

Additional hotlines and crisis numbers can be found at:

www.maine.gov/dhhs/about/contact/hotlines

NOTES

MORE FAMILY MATTERS PUBLICATIONS FROM THE MAINE JUDICIAL BRANCH

The Maine Judicial Branch provides many publications that contain helpful information about the court process and available resources.

A Guide for Families in Child Protection Cases

This guide explains the court process and what to expect when you go to court for a child protection case.

A Guide to Protection from Abuse & Harassment Cases

This guide explains how to ask the court for a protection order. The guide also explains the court process for a protection from abuse and protection from harassment case.

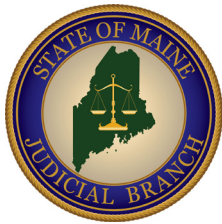
A Guide to Family Separation in Maine: Divorce & Parental Rights & Responsibilities Cases

This guide explains how to start a divorce and parental rights & responsibilities case and what to expect in court. The guide also includes information about how to change or enforce an existing court order.

A Guide for Families in Juvenile Cases

This guide is for parents, guardians, and juveniles to learn more about the juvenile court process and possible outcomes of juvenile cases. The guide also includes important information for parents and guardians, frequently asked questions, and explains how juvenile court records are stored.

Copies of these guides can be found on the Maine Judicial Branch website at www.courts.maine.gov/help/guides



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