



Policy: Motion to Reopen

ChildNet Number: CN 003.044

Policy Original Approved Date: February 13, 2004

Policy Revised Date(s): September 29, 2004; December 7, 2009

Sunset Date:

COA Standard(s): none

Statement of Policy:

Protective supervision of a case may be reopened by the court upon the request of a parent, relative caregiver, or custodian, if the person initiating the request can show that there has been a substantial change in material circumstances and that reopening the case is required to protect the child's best interests.

Board Chair's Signature:

Date:

11/15/10



Procedure: Motion to Reopen

ChildNet Number: CN 003.044

Original Approved Date: February 13, 2004

**Procedure Revised Date(s): September 29, 2004; December 7, 2009,
June 10, 2014; March 20, 2018**

Procedure Sunset Date:

COA Standard(s): none

Definitions (if any):

Statement of Procedure:


A. Request Reopening of Closed Case

1. The process of reopening protective supervision may be initiated through an abuse report investigation. If the Child Protective Investigator (CPI) determines to reopen a case, the CPI should submit a legal request to the Office of the Attorney General (OAG) CLS (Children's Legal Services) Division. Once the Court Order Reopening Protective Service Supervision has been obtained and is signed by the Judge, the CPI is to transfer the file to ChildNet through the legal sufficiency staffing process.
2. If a request to reopen does not initiate with an abuse report investigation, it starts when a judge, the OAG, or ChildNet employee receives a request for a Motion to Reopen. The request must be a formal request, which includes a motion regarding the specific request. A judge has the legal authority to reopen the case without need for additional information beyond that which is presented in the request. However, the judge or other parties may make a determination that further research is needed prior to hearing the request.
3. All requests for research made of ChildNet are directed to, the Safety Practice Unit for review and assignment will be made by the Director of Safety Practice Unit or designee. The request must express that the reinstatement of protective supervision is necessary as there has been a substantial change in material circumstances and it is necessary to protect the child's best interests.
4. **If a court date has been set:** The request is researched and the Motion to Reopen status report filed with the most information able to be obtained prior to the court date. Whenever possible, the OAG should be seeking to allow for **15** working days from date of receipt of the request to provide sufficient time to gather the information for the court. In those instances where **15** working days is not provided,



the report is to be generated with the information available and indicators as to what information is pending.

5. **If there is no court date set:** The status report is to be provided to the OAG for filing with the court when the information gathering process is complete; if appropriate, a court date is to be requested at this time.
- B. If a court reopens protective supervision of a case, the case is assigned to the appropriate service unit and services provided consistent with the requirements of case supervision. .
- C. If a request is received to reopen protective supervision on a case that is already assigned to a Child Advocate/Dependency Case Manager, the Child Advocate/Dependency Case Manager is responsible for the request.

President's Signature:  Date: 4/17/18