

# Trending Topics

IN DEPENDENCY AND NEGLECT

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## Trending Topics in Dependency and Neglect

- ▶ Parental Assessment and Rehabilitation
- ▶ Less Drastic Alternatives
- ▶ Evidentiary Issues
- ▶ Red Flags

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## Parental Assessment and Rehabilitation

- ▶ Sobriety as a prerequisite to visitation
  - ▶ Is it necessary for the child's health and safety?
- ▶ ICPC assessment of nonoffending parents
  - ▶ Does it apply?
- ▶ Distant or incarcerated parents
  - ▶ What constitutes reasonable efforts?

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## Less Drastic Alternatives to Termination

- ▶ Early investigation of kinship placement
  - ▶ What are the consequences of delay?
- ▶ Adoption vs. allocation of parental responsibilities
  - ▶ Why does this particular child need this type of permanency?

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## Evidentiary Issues

- ▶ Rules of evidence are not relaxed
- ▶ Adjudication based on hearsay
  - ▶ Who can testify about laboratory test results?
- ▶ Termination by offer of proof
  - ▶ Does not meet clear and convincing evidence standard
  - ▶ *See People in Interest of A.R.*, 2018 COA 176

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## Look Out!

- ▶ ICWA

- ▶ Were the inquiry and notice requirements met?

- ▶ UCCJEA

- ▶ Is there a prior custody order from another state?

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