

The background features a large, dark silhouette of a man and a woman holding hands, set against a light green rectangular field. The man is on the left, and the woman is on the right. The overall design is framed by a decorative border of blue and green circles and patterns.

Dads Matter You Are a Parent Too: Family Court FAQ Resource 2025

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Glossary of DCYF Legal Terms

- **ALLEGATION:** A REPORT THAT IS MADE TO DCYF STATING THAT A CHILD IS UNSAFE, HAS NEEDS THAT ARE NOT BEING MET, OR REQUIRES SERVICES (USUALLY A HOTLINE CALL)
- **INDICATED:** THE INVESTIGATION FINDS THE CHILD ABUSE OR NEGLECT **DID** OCCUR.
- **UNFOUNDED:** AN INVESTIGATION FINDS THAT THE ALLEGATIONS **ARE NOT** TRUE
- **FINDINGS:** A CONCLUSION REACHED AT THE END OF THE INVESTIGATION
- **STRAIGHT PETITION:** A PETITION FILED WITH THE COURT TO OPEN A DCYF CASE BUT **NOT** TO REMOVE THE CHILD
- **EX PARTE PETITION:** A DOCUMENT FILED BY DCYF AS A RESULT OF THEIR INVESTIGATION REQUESTING THAT THE COURT REMOVE THE CHILD FROM THE HOME FOR SAFETY REASONS
- **PROBABLE CAUSE HEARING:** A HEARING PARENTS MAY REQUEST TO CHALLENGE THE REMOVAL OF THEIR CHILD
 - COURT MUST HEAR THE CASE WITHIN 10 DAYS OF THE PARENT'S REQUEST
- **REASONABLE EFFORTS:** DCYF IS FEDERALLY REQUIRED TO WORK WITH FAMILIES, FOR AT LEAST A YEAR, TO REUNIFY THE CHILD WITH A PARENT OR KEEP THE CHILD SAFELY AT HOME

Glossary of DCYF Legal Terms

- **DEPENDENCY**: DCYF IS CLAIMING THAT THE PARENT CAN'T MEET THE CHILD'S NEEDS WITHOUT HELP, **THROUGH NO FAULT OF THE PARENT**, ONLY DUE THE SOCIAL SERVICE OR MEDICAL NEEDS OF THE CHILD.
- **NEGLECT**: IF THE PARENT IS UNABLE TO PROVIDE THE CARE OR SUPERVISION NEEDED BY THE CHILD
- **ABUSE**: THE PARENT HAS INTENTIONALLY CAUSED INJURY TO THE CHILD OR ALLOWED THE CHILD TO BE INJURED
- **CASE PLAN**: A PLAN MADE BY DCYF THAT LISTS THE SERVICES THEY WILL PROVIDE TO YOU AS WELL AS WHAT YOU NEED TO DO TO BE REUNITED WITH YOUR CHILD
- **REUNIFICATION**: RETURNING A CHILD TO ONE OR BOTH BIOLOGICAL PARENTS
- **PERMANENCY HEARING**: HELD ONCE A YEAR, DCYF PROVIDES A CASE PLAN WHICH STATES GOALS FOR THE CHILD AND OUTLINES SERVICES TO BE PROVIDED
 - DON'T BE INTIMIDATED BY THE NAME, THIS DOES NOT AUTOMATICALLY MEAN ANY PERMANENT CHANGES WILL BE MADE TO YOUR CASE!

Top 10 Things For Dads To Know



- You have the right to suggest family/other adults in your life who can care for your child if needed;
 - Family is given priority



You have the same rights to reunify with your child as the child's mother



The court will appoint an attorney for you if you cannot afford one



You have the right to visits with your child



You have the right to ask DCYF for a different social worker



You have the right to be on your child's birth certificate. Title 15, Chapter 8.1 of the Uniform Parentage act has more information. This can be found through the online statutes in the RI legislature website



You have the right to be notified of **and attend** any doctors visits & school appointments for your child



If you are not already (legally established) on the birth certificate. Ask for DNA test or both you and the child's mother can agree to add you. This needs to be legally established and you will need to take further action (court order).



You can be referred to a parenting group for fathers



You have the right to make a complaint/appeal about **any** decisions made by DCYF

DCYF Process FAQs: Answered

Why am I involved with DCYF?



DCYF must get involved if someone calls their hotline or if you--or the other parent--were arrested with your child present. Child Protective Services investigates & writes a report stating whether the child can remain in the home or if the courts must be involved to remove the child.



What does a CPI do?



A child protective investigator (CPI) just wants to make sure your child is safe and you have all the resources you need. CPIs may interview you/family/people who know you to get a complete picture. If the CPI is concerned, you will be asked to agree to a service plan and take steps to ensure your child's safety.

What is a service plan?



This is a plan created by you and your CPI together. This written plan outlines services available for you, expected results, plans for visitation, and details of your child's placement (if outside of the home)

The purpose of a service plan is to help your family reach their goal: reunification or maintaining the child at home.



DCYF Process FAQs: Answered



If my child is removed, what is the plan for spending time together?

You will still get to spend time together through visitation. You will make a plan with your case worker for a visitation schedule with time, visit length, and how often you will see each other. Family time is a right you have.



Do I need to sign the service plan and will I get a copy?

Your caseworker will ask for signatures from everyone who is involved in making the service plan to make sure everyone is up to date and understands the contents of the plan. Everyone who had a part in creating the plan, and everyone who signs it, will get a copy of it.



What if I don't agree with the service plan?

You have the right to appeal any decision in your case. Your caseworker must explain the appeal process to you and your child. The caseworker will also provide you with guidance on how to go through the appeal process



Is there anything else I should know?

Your DCYF Case worker is a resource for you and is there to help!





The Court Process

Ex Parte Petition 1

- Based on an investigation, DCYF will determine if this is a case of **dependency, neglect, or abuse**. DCYF may lessen the severity if there is further information available or work out a plea with you rather than continue with a trial.
- If the investigation finds that there was abuse, neglect or inability to care for a child, an ex parte petition is filed by DCYF in Family Court. This filing is to ask the court to remove the children. This petition is how a case is officially opened to the court.

Arraignment 2

- Arraignment date is within 7 days of ex parte petition. There will be a report from the Child Protective Investigator (CPI) with details and reports from doctors, witnesses, etc.
- Parents are always told when the court date is. At this hearing you will be given all the information about the case and will enter a plea. You will be given an attorney if you don't have one. Normally, the judge enters a plea of **not guilty** on the parents' behalf.
- The child is given a court appointed special advocate (CASA) to represent them. The judge will be filled in on DCYF's involvement up to that point.

Probable Cause Hearing 3

- Parents are entitled to this hearing within 10 days of their arraignment. This hearing is to determine whether DCYF has a good reason to remove the child.
- If the court finds that DCYF **did not** have a good enough reason to remove, the child would be returned to their parents, and the case can be closed if there are no safety concerns.
- If the court finds that DCYF **did** have a good enough reason, the case can proceed to a pre-trial hearing, straight to trial, or into one of the specialty courts.

Assignment To A Court 4

- At this point you may be able to join one of the specialty courts. These courts have eligibility requirements and you would need to attend an in-person intake and assessment with a specialty court social worker.
- A judge, attorney, social worker, DCYF, or provider who is familiar with you may recommend you for an intake. You may also request to participate and contact the specialty court social workers yourself. If eligible for either specialty court, the judge will decide whether to move your case to the specialty court calendar in front of another judge.

Specialty Courts 5

- If your case moves to a specialty court, you are automatically pleading to dependency and giving up your right to a trial.
- **Safe and Secure Baby Court: (SSBC)** For parent(s) with a child 0-2 years. There are regular court appointments so the judge can keep up with your progress and services/programs you must participate in. The goal is to reunite you with your child.
- **Family Treatment Drug/Recovery Court:** For parents who struggle with substance use. This works the same way as SSBC but includes drug screenings. The goal here is both reunification with your child and sobriety.

Pre-Trial Hearing 6

- The judge will hear updates about everything that has happened since the last court date. The more you work with DCYF on making progress and participating in the recommended services/programs up until this point, the faster your case can be closed.
- At this point, the case plan can become court ordered and as long as you follow it, your case will not go to trial. This path would result in regular court hearings until conclusion of case plan; or, the judge may decide it is a case that needs to go through a trial process
- If you do not wish to follow the case plan you may also request a trial

Trial 7

- If the judge finds DCYF **did** need to remove the child, the court will move the child to the care/custody of DCYF until further notice. At this point, the case plan becomes a court order and will be reviewed often. Once the finding is made, the court may also require specifics about visitation and reunification. **This does not mean you will not see your child or that this action is permanent!**
- If the judge finds that DCYF **did not** need to remove the child, the matter is dismissed and there are no further court dates.
- Parents also have the right to appeal any finding to the Rhode Island Supreme Court.