

ADVISORY OF PARTY AND PARTICIPANT RIGHTS - CHIPS

WHO IS A PARTY

You are a party to this case pursuant to Rule 32 of the Rules of Juvenile Protection Procedure if you are one of the following:

- The child’s legal custodian, including a **parent** or legal guardian who has sole or joint legal or physical custody of the child.
- In the case of an Indian child, the child’s **parent**, child’s Indian custodian, or child’s Indian tribe.
- The person or social services agency who filed the petition.
- The social services agency when someone else has filed a termination of parental rights or other permanency petition.
- The child’s guardian ad litem.
- A relative to whom the social services agency proposes to transfer the child’s permanent legal and physical custody.
- The child in a case where the only allegation in the petition is that the child is an habitual truant or a runaway.
- The school district in a case where the only allegation in the petition is that the child is an habitual truant.
- Any person who intervenes as a party pursuant to Rule 34 or who is joined as a party pursuant to Rule 35.
- Any other person who is determined by the court to be important to a resolution that is in the best interests of the child.

WHO IS A PARTICIPANT

You are a participant to this case pursuant to Rule 33 of the Rules of Juvenile Protection Procedure if you are one of the following:

- The child who is the subject of petition.
- The child’s **parent** if you are not the child’s legal custodian or if you are the child’s alleged, adjudicated, or presumed father.
- The child’s grandparent if the child has lived with you at any time during the two years before the filing of the petition.
- The child’s relative or other person providing care for the child.
- The child’s foster parent or a person proposed as a long-term foster parent.
- The child’s spouse.
- The responsible social services agency, when the responsible social services agency is not the petitioner.
- The guardian ad litem for the child’s legal custodian.
- Any other person who is determined by the court to be important to a resolution that is in the best interests of the child.

YOUR RIGHTS AS A PARTY OR PARTICIPANT ARE AS FOLLOWS:

Party	Participant	Your Rights
X	X	To receive a copy of the Petition regarding this Juvenile Protection Matter
X	X	To receive notice of all hearings (only if you keep the court administrator informed of your address)
X	X	To attend all hearings, unless excluded by the Court.
X		To receive copies of your social services file and other records.
X		To bring motions before the court and to present evidence.
X		To participate in settlement discussions and agreements.
X		To subpoena witnesses to testify on your behalf.
X		To make argument in support of or against the petition.
X		To examine and cross-examine witnesses.
X		To request review of the referee’s findings and order, if your case is heard by a referee.
X		To ask the court to review its disposition upon a showing of a substantial change of circumstances or that the previous disposition was inappropriate.
X		To bring post-trial motions and to appeal from final orders of the court.
X	X	To be represented by an attorney. If you are the child, the child’s parent, or the child’s legal custodian, the Court may appoint an attorney to represent you if the Court determines that you qualify financially and that the appointment is appropriate. If you are the parent or Indian custodian of an Indian child, the court is required to appoint an attorney to represent you if you qualify financially. The Court cannot appoint an attorney to represent you if the only allegation is that the child is a truant, unless out-of-home placement is being considered by the court. The Court may order a parent or legal custodian to reimburse some or all of the attorney’s fees.
X	X	If you are the child’s foster parent, preadoptive parent, relative providing care for the child, or a relative to whom the social services agency proposes to transfer permanent legal and physical custody of the child, you have a right to offer information at each hearing. Any other person may request an opportunity to be heard, but the court is not required to grant your request.
	X	To automatically become a party to the case if you are the child who is the subject of this proceeding, or the child’s parent, or the child’s grandparent and the child has lived with you at any time during the two years prior to the filing of the petition in this matter. All other persons may ask the Court’s permission to become a party to the case. Ask the court administrator for the correct form to intervene as a party.

QUESTIONS ABOUT YOUR RIGHTS should be addressed to your attorney or to the Court at the time of any hearing.