



Parents, Guardians, and Custodians in Child Abuse and Neglect Cases – 4 of 4 Fact Sheet

Who Does What in Dependency or Neglect Proceedings

Judge

The Judge hears all the information presented by the attorneys in court and makes decisions based on that information. It is the Judge's job to decide what is legally right and necessary to protect your child.

Department of Human Services (DHS) Attorney

The attorney for the DHS brings the case involving your child to the court. It is also this attorney's responsibility to present evidence to the court about any harm or danger to your child.

Parent, Guardian, or Custodian's Attorney (Parent Counsel)

Your attorney is the person who represents your interests and rights concerning your child. Your attorney should meet with you before every hearing and should be with you in court at every hearing. Your attorney will speak for you in court. Your attorney will help you understand your rights and tell you about the hearings you will attend and what to expect at each hearing. You should keep in contact with your attorney throughout the case so they can answer any of your questions.

Child's Attorney (Attorney Ad Litem)

The court appoints your child's attorney, who is called an Attorney Ad Litem. It is the job of the Attorney Ad Litem to meet with your child, talk to your child if your child is old enough, and find out as much information as possible about your child. Your child's attorney should be at all the court hearings. Your child's attorney is supposed to represent your child's best interests and should tell the Court what they think is best for your child. If your child disagrees with what the Attorney Ad Litem thinks is best for them, the Attorney Ad Litem must tell the Court what your child's wishes are even if the attorney does not think it is in your child's best interests.

Caseworker (from Division of Children and Family Services)

The caseworker works with families and children. A caseworker will be assigned by Children and Family Services to work with your family. It is the caseworker's job to see that children are kept safe and that appropriate services are provided to you and your children.

Your caseworker should help you understand the problems that brought you to court and help you get services to fix those problems. Your caseworker must make a case plan, which shows all the things you must do to have your child returned to you. Your caseworker must give you a copy of the case plan and should help you work on your case plan.

Your caseworker's job in court is to give the Judge information about what has been done to help you and your family, what you have done to help your family, where the caseworker thinks your child should live, and what kind of visits you should have with your child.

Court Appointed Special Advocate (CASA)

Sometimes a child has a CASA. This person is a trained volunteer appointed by the Judge. The CASA will meet with you, your child, and any people who may know your child. It is the CASA's job to get information about your child and report to the Court what they think is best for your child.

See more fact sheet in this series at
arlegalservices.org/fact-sheets.

This fact sheet is a collaboration of the Center for Arkansas Legal Services and Legal Aid of Arkansas, Inc. These nonprofit organizations provide free legal assistance to eligible Arkansans who meet income, asset, and other guidelines. Legal assistance may also include advice and counsel, brief services, or full representation depending on the situation. For more information about civil legal aid in Arkansas, please visit arlegalservices.org. For information specific to Legal Aid of Arkansas, Inc., visit arlegalaid.org. Apply for services online or by calling 1-800-9-LAW-AID (1-800-952-9243).

The information and statements of law in this fact sheet should not be considered legal advice. This fact sheet is provided as a broad guide to help you understand how certain legal matters are handled in general. Courts may interpret the law differently. Before you take action, talk to an attorney and follow his or her advice. Always do what the court tells you to do.

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