# I.J.R. 40. Notice of Further Proceedings Including Parents, Foster Parents and Others (C.P.A.)

Idaho Juvenile Rule 40. Notice of Further Proceedings Including Parents, Foster Parents and Others (C.P.A.)

(a) After the adjudicatory hearing, any person who is designated by the Department of Health and Welfare as the foster parent, as a preadoptive parent, or as a relative providing care for a child who is in the custody of the department, shall be provided with notice of, and have a right to be heard in, any further hearings to be held with respect to the child. This provision shall not be construed to require that any foster parent, preadoptive parent, or relative providing care for the child be made a party to the proceeding solely on the basis of such notice and right to be heard. The Department of Health and Welfare shall provide this notice and shall confirm to the court that the notice was given.

(b) After the adjudicatory hearing, a child eight (8) year of age or older, shall be provided with notice of, and have a right to be heard, either in person or in writing, in any further hearings to be held with respect to the child. The Department of Health and Welfare shall provide this notice and shall confirm to the court that the notice was given. If the child chooses to be heard in writing, the writing shall be filed, copies provided to all parties and to the Department of Health and Welfare, whether or not a party, and considered by the court.

(c) Notice to any party of the time, date, and place of further proceedings after an initial appearance or service of summons may be given in open court, by written acknowledgment of receipt, or by mail to any party. Notice shall be sufficient if the clerk deposits the notice in the United States mail, postage prepaid, to the address provided by the party to the court or the address at which the party was initially served, and files a certificate of such service, or if notice is sent by registered or certified mail.

(d) The notice of hearing shall conform to the following format:

Click here [1] for form.

(Revised Rule 40 - adopted August 21, 2006; amended December 5, 2007; amended April 27, 2012, effective July 1, 2012.)

**Source URL:** http://isc.idaho.gov/ijr40

**Links:**
[1] http://isc.idaho.gov/../rules/forms/IJR_40_Form.doc