

I.J.R. 31. Emergency (Pretrial) Removal of A Child and/or Offender (C.P.A.)

Idaho Juvenile Rule 31. Emergency (Pretrial) Removal of A Child and/or Offender (C.P.A.)

There are four procedures pursuant to which a child or an alleged offender may be removed from the home prior to the adjudicatory hearing:

(a) A child or an alleged offender may be removed from the home by a peace officer upon a declaration of imminent danger by a peace officer, without prior court order, pursuant to I.C. § 16-1608(1).

(b) A child may be removed from the home by a summons with an order of removal by the court, pursuant to I.C. § 16-1611(4) and I.J.R. 34.

(c) A child may be removed from the home upon order of the court following a shelter care hearing pursuant to I.C. § 16-1615 and I.J.R. 39.

(d) A child may be removed from the home and placed in shelter care upon order of the court when the court expands a J.C.A. proceeding to a C.P.A. proceeding pursuant to I.J.R. 16.

(Revised Rule 31 - adopted August 21, 2006; amended April 26, 2007, effective July 1, 2007.)

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