



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 (C.P.A.)

There are four procedures under which a child may be removed from the home before the adjudicatory hearing:

(a) **Declaration of Imminent Danger.** A child may be removed from the home by a peace officer on a declaration of imminent danger by a peace officer, without a court order, under I.C. § 16-1608(1).

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

(c) **Order Following Shelter Care Hearing.** A child may be removed from the home on order of the court following a shelter care hearing under I.C. § 16-1615 and I.J.R. 39.

(d) **Rule 16 Expansion.** 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; amended June 30, 2025, effective July 1, 2025.)

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