

Proposed Amendments to the Idaho Juvenile Rules

The following rule amendment is recommended by the Idaho Supreme Court's Child Protection Committee.

Proposed Amendment to IJR Rule 32– Amend the standardized form referenced in the rule to remove “in the interest of” and replace the language with “in the matter of.”

I.J.R. Rule 32. Notice of Emergency Removal (C.P.A.)

IN THE DISTRICT COURT OF THE _____ JUDICIAL DISTRICT OF THE STATE OF IDAHO,

IN AND FOR THE COUNTY OF _____ MAGISTRATE DIVISION

In the ~~Interest~~ Matter of:

A Child Under Eighteen
(18) Years of Age

)

) Case No. _____

)

) NOTICE OF EMERGENCY REMOVAL

) UNDER Idaho Code §§ 16 1608

) and 16 1609

)

GREETINGS TO:

(____) The undersigned hereby gives notice that on _____, the above named child was removed by a peace officer and taken to a place of shelter at a (foster/group) home previously designated by this court for his/her immediate care and protection.

(____) The undersigned hereby gives notice that on _____, the alleged offender was removed from the home for the protection of the child, and the child was allowed to remain in the home.

I further certify that in accordance with Idaho Code § 16-1609, I duly notified the parent(s), guardian, or custodian of the above named child and/or the alleged offender that a shelter care hearing will be conducted by this court within (24/48) hours, excluding Saturdays, Sundays, and holidays.

By this notice, the parent(s), guardian, custodian, or the alleged offender have been informed of their right to retain and be represented by an attorney. If the parent(s), guardian, custodian, or alleged offender cannot afford an attorney, an attorney can be appointed by the court.

If you wish to have the court appoint an attorney for you, please immediately call (telephone) or go to the _____ County Court, _____ (address) , to make application for a court-appointed attorney because time is of the essence.

Date

Person Exercising Emergency Powers

Hearing: _____

Notice: _____

Location: _____ Served on: _____

Day: _____ Served by: _____

Date: _____ Time: _____

Date: _____ Time: _____