Glossary of Terms for Abuse and Neglect Unit

Abuse: Any physical injury, sexual abuse or emotional abuse inflicted on a child other than by accidental means by those responsible for the child's care, custody and control, except that discipline including spanking, administered in a reasonable manner, shall not be construed as abuse.

Affidavit: A written statement of fact signed prepared by the deputy juvenile officer and Children's Division investigative worker and sworn to before a person having authority to administer an oath.

Adjudication: Court process where the states allegations and evidence are presented and the court determines if there is sufficient evidence to support the state's claim that a child has been abuse or neglected.

Adjudication Hearing: A hearing to determine whether there is evidence beyond a reasonable doubt to support the allegations against the defendant.

Allegations: The assertion, declaration or statement of a party to an action made in pleading, stating what he or she expects to prove.

Appeal: The process by which a case is brought from one court to a higher court for review for a reversal or modification of the judgement of the lower court.

Clerk: An officer of the court whose principal duty is to maintain court records.

Court Appointed Special Advocate (CASA): A volunteer that is a trained citizen who is appointed by a judge to represent the best interests of abuse and neglected children in court.

Court Summary: A document prepared by Children's Division or deputy juvenile officer and offered in court for review.

Continuance: A delay or postponement of a court hearing

Default: A judgement entered against a defendant who does not plead within the allowable time or does not appear at the trial.

Disposition: The sanction imposed on a defendant who has been adjudicated in court.

Dispositional Hearing: A hearing that occurs after the jurisdictional hearing. This is held every 90-120 days. The court reviews and discusses case progression and makes changes accordingly.

DJO: Deputy Juvenile Officer

Docket: A court docket is a chronological record of all actions and filings related to a specific case within a court. It essentially serves as a log of the case's history, including pleadings, motions, briefs, orders, judgments, and other relevant documents.

Family Support Team (FST): A team that ensure that the necessary services and support are provided to all parties of the case. The team would include the mother/father, Deputy Juvenile Officer, Children's Division, Court Appointed Special Advocate, Guardian ad Litem, Parent Attorneys, and any other individuals working toward the goal of reunification with the parents.

Finding: The court's or jury's decision on issues of fact. In almost all court orders, the findings of facts precede the actual order of the court.

Guardian ad Litem (GAL): An attorney or special advocate appointed by the court to represent the interests of a child. A GAL must be appointed if there is an allegation that the child has been neglected or abused.

Judgement: A determination by a court of the rights and claims of the parties in an action.

Judicial Notice: a legal concept where a court recognizes a fact as true without needing formal evidence.

Jurisdictional Hearing: A court proceeding in which the court decides whether the statements or allegations the juvenile officer has made in the petition are true and whether the child will remain under supervision of the court.

Mediation: A non-binding process involving a neutral mediator who acts as a facilitator to assist the parties to craft a mutually acceptable resolution.

Motion: An oral or written request for an action made by a party either before, during or after a trial, upon which the court issues a ruling or order.

Neglect: Failure to provide, by those responsible for care, custody, and control of the child, the proper or necessary support, education as required by law, nutrition or medical, surgical or any other care necessary for the child's well-being.

Notice: A written order to appear in court at a certain time and place.

Nunc pro tunc: used to remedy errors or omissions, often clerical mistakes, ensuring the record accurately reflects the intended effect of a court action. Refers to a court's power to correct a record, judgment, or order to reflect what should have occurred at an earlier date. It essentially allows the court to make a retroactive correction.

Parties: The persons who take part in the performance of any act, or who are directly interested in any affair, or who are actively concerned in the prosecution and defense of any legal proceeding; commonly refereed to as the plaintiff, defendant or respondent.

Permanency Hearing: A hearing occurs within one year after the child came into care. The court is required by federal law to have a hearing to determine what the permanent plan is for the children or child. Types of permanency: Reunification with parent, guardianship with a third party, independent living, termination of parental rights, adoption or long-term foster care.

Permissive Placement: Judge will authorize that a child can be physically placed back into the parental home. This step routinely occurs after the parent or parents have made substantial progress on their treatment plan.

Petition: A legal document that states the allegations which are pled to the court.

Petitioner: A person who brings an action seeking legal relief, also referred to as the **plaintiff.**

Protective Custody Hearing: A hearing to determine if it is necessary for the juvenile to remain out of custody of parent, guardian or custodian.

Protective Custody Welfare Hearing: A hearing to determine if it is necessary to bring a child into state care based on allegations made in the petition.

Treatment Plan: A court ordered plan, created with the parents input, to rectify concerns and reunify with the child

Quash/Quashed: Cancelled

Vice: To Replace