

# WHAT IS A "CHILD WELFARE PROCEDURE" AND WHEN DOES A CHILD WELFARE AGENCY BEGIN THIS PROCEDURE?

When the child welfare agency has custody of a child and cannot locate his/her guardian (a relative or a person trusted by his/her parents to take care of him/her) you can immediately begin a "child welfare procedure" that consists of the following:



1 The court determines where the child will live



2 As a parent under arrest, you have the right to be represented by a lawyer appointed by the court during the child welfare procedure



3 Your child also has the right to have a lawyer who represents his/her interests



4 Possibly, the child welfare agency will assign a social worker to make suggestions about the care of the child. IT IS VERY IMPORTANT TO COMMUNICATE AND CONTACT FREQUENTLY THE SOCIAL WORKER WHO IS FOLLOWING THE CASE OF YOUR CHILDREN



5 The Court must inform you about all the hearings so you can actively participate in the judicial process, even if you are in the process of being arrested



6 Your Consulate must be aware of the child welfare procedure so they can provide information and, when appropriate, act as your legal representative



7 The hearing can be conducted even if the father or mother are not present either because they did not receive a notice or because they can not attend



8 The court can make decisions even if the parents are not present



9 **YOU MUST DO EVERYTHING IN YOUR POWER TO COMMUNICATE WITH: YOUR CONSULATE, THE COURT, THE SOCIAL WORKER AND YOUR LAWYER AS WELL AS WITH YOUR CHILDREN DURING THE CHILD WELFARE PROCEDURE**

