

PLACEMENT OF JUVENILE IN SHELTER CARE GENERALLY

(a) Without Court Order. A juvenile may be placed in shelter care without court order if the juvenile has been taken into custody pursuant to RCW 13.34.055 or RCW 26.44.050.

(b) With Court Order. A juvenile may be placed in shelter care with a court order if:

(1) A dependency petition has been filed pursuant to rule 3.2 and a motion has been made pursuant to section (c); or

(2) The juvenile has previously been found to be dependent, is the subject of a disposition order still in effect, and a motion has been made pursuant to section (c).

(c) Obtaining an Order to Take Child into Custody--Supporting Affidavit or Declaration Filed. A request for an order pursuant to RCW 13.34.050 shall be by motion supported by an affidavit or declaration filed by the department in support of the petition setting forth specific factual information pursuant to RCW 13.34.050 and demonstrating a risk of imminent harm for the child.

(d) Obtaining an Order to Take Child into Custody--No Supporting Affidavit or Declaration Filed. A request for an order pursuant to RCW 13.34.050 in which the department has not filed with the court a supporting affidavit or declaration shall not be approved until the parents have been provided notice and the opportunity to be heard.

[Adopted effective July 1, 1978; Amended effective September 1, 1987; September 1, 1999.]