

RIGHT TO AND NOTICE OF SHELTER CARE HEARING

(a) Notice of Right to Shelter Care Hearing. The notice of the right to request a shelter care hearing required by RCW 13.34.060 shall be given to the child, his or her parents, guardian, or custodian as soon as possible and in no event longer than 24 hours of the taking into custody of the child, and in accordance with rule 11.2.

(b) Shelter Care Hearing Required. The court shall hold a shelter care hearing within 72 hours after the child is taken into custody, excluding Saturdays, Sundays, and holidays. If a parent, guardian, or legal custodian desires to waive the shelter care hearing, the court shall determine, on the record and with the parties present, that such waiver is knowing and voluntary.

(c) Notice of Shelter Care Hearing. The notice required by RCW 13.34.060(2) shall be given in accordance with rule 11.2. The notice shall inform the parents, guardian, or custodian of their right to a lawyer as provided in Title 9 of these rules.

(d) Indian Children. If the petitioner knows or has reason to know that the juvenile is an Indian child as defined by the federal Indian Child Welfare Act, the petitioner shall notify the child's tribe in the manner required by RCW 13.34.070(10) and 25 U.S.C. 1912.

[Adopted effective July 1, 1978; Amended effective September 1, 1987; September 1, 1993; September 1, 1997.]