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I.J.R. 42. Extended Home Visits (C.P.A.)

Idaho Juvenile Rule 42. Extended Home Visits (C.P.A.)

If the court vests legal custody of the child in the department, then extended home visits must be approved by the court in writing prior to the extended home visit. For purposes of this rule, an extended home visit is any period of unsupervised visitation between the parent, guardian or legal custodian and the child that exceeds forty-eight (48) hours duration.

(a) The court may authorize an extended home visit for a period not to exceed six (6) months from the date the order was filed. The court may authorize additional periods of extended home visit only after conducting a review hearing to determine the appropriateness of maintaining the child in the legal custody of the department. In the event the court approves an extended home visit beyond six (6) months, the court shall conduct a hearing to review the extended home visit no less than every forty-two (42) days to address the efforts and progress toward a change in legal custody.

(b) The department may terminate an extended home visit without prior court approval when, in the determination of the department, termination of the extended home visit and removal of the child is in the best interest of the child. If the department terminates an extended home visit, the department shall prepare a written statement, setting forth when the extended home visit was terminated and the reason(s) for terminating the extended home visit. The statement shall be filed with the court within forty-eight (48) hours (excluding weekends and holidays) of the termination of the extended home visit, and shall be mailed or otherwise provided to the parties.

(Revised Rule 42 - adopted August 21, 2006; amended June 4, 2020, effective July 1, 2020.)

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