| Old item | After 12/4/2013 Overhaul |
| --- | --- |
| 5000 Court-Related Services | 5000 CPS Legal Functions |
| 5100 Overview of Court-Related Services | Deleted |
| 5110 Safeguarding the Legal Rights of Parents and Children | Deleted in part; moved in part to 5226 Notice Requirements Specific to Parents and Children |
| 5120 Documentation of a Legal Status or Legal Action | 5240 Documentation of Legal Status and Legal Action |
| 5121 Definition of Legal Status | 5241 Definition of Legal Status |
| 5122 Definition of Legal Action | 5242 Definition of Legal Action |
| 5123 Entering a Change in Legal Status or Legal Action Into IMPACT | 5243 Entering a Change in Legal Status or Legal Action Into IMPACT |
| 5130 Court Orders That Conflict With CPS Policy or Practice | 5310 Requirement for Staff to Elevate Certain Court Orders  5311 Purpose and Scope of Requirement to Elevate Certain Court Orders  5312 Notice Requirements in General  5313 Notice Requirements for Court Ordered Placements in Unapproved Facilities  5314 Court Orders that Violate the ICPC |
| 5200 Court-Related Services for Children at Risk of Abuse or Neglect | Deleted |
| 5210 Protective Court Orders | 5114 Orders for Protection of Child or Family Member  5114.1 Seeking a Protective Order  5114.11 Who May Apply  5114.12 Considerations in Seeking a Protective Order  5114.13 Approval to Seek Order  5114.14 Notice Requirements for Order  5114.2 Required Findings and Order  5114.3 Duration of Protective Order  5114.4 Protective Order Under the Code of Criminal Procedure |
| 5211 Ex Parte Temporary Protective Orders |
| 5212 Removal of the Alleged Perpetrator from the Home | 5112 Removal of the Alleged Perpetrator from the Home |
| 5213 Temporary Restraining Orders | 5115 Temporary Restraining Orders  5115.1 Purpose and Use  5115.2 Approval to Seek Order  5115.3 Service Requirements for Order  5115.3 Duration of Temporary Restraining Order |
| 5214 Court-Ordered Participation in CPS Services | 5120 Court Ordered Services |
| 5220 Involuntary Removal of a Child | Deleted introductory heading |
| 5221 Types of Involuntary Removal of a Child | Deleted in part; incorporated in part into 5410 Three Types of and Basic Process for Court Orders for Removal |
| 5222 Full Adversary Hearings When Removing a Child | 5430 Adversary Hearing |
| 5223 Preparing a Court Case to Remove a Child | Deleted in part; incorporated in part at 5200.2 General Worker Duties and Restrictions |
| 5223.1 Preparing an Affidavit for Removal of a Child | 5421 Requirements for the Removal Affidavit |
| 5223.2 Determining the Jurisdiction and Venue of a Lawsuit to Remove a Child | Deleted |
| 5223.3 Providing Information for a Petition to Remove a Child  5223.4 Providing Other Supporting Information for Removal of a Child | 5422 Essential Information for the Petition |
| 5223.5 Appearing as a Witness in a Hearing to Remove a Child | 5200.2 General Worker Duties and Restrictions |
| 5224 After an Adversary Hearing to Remove a Child | 5433 Requirements Following the Adversary Hearing |
| 5230 Providing Written Notice to Parents When Removing a Child | Deleted |
| 5231 When to Provide Written Notice About Removing a Child | Deleted |
| 5232 Completing Form 2231 Notice of Removal | Deleted |
| 5233 Delivering Written Notice When Removing a Child | Deleted |
| 5233.1 Providing Notice When Removing a Child Based on Voluntary Relinquishment | Deleted |
| 5234 Conducting a Diligent Search for Missing Parents  5234.1 What the Law Requires of a Diligent Search for Missing Parents  5234.2 When a Parent of an Indian Child Cannot Be Located  5234.3 Locating One or More Alleged Biological Fathers  5234.4 How to Conduct a Diligent Search for Missing Parents | 5220 Due Diligence and Service of Citation  5221 Purpose of Service of Citation  5222 Caseworker Requirements Related to Service of Citation  5223 Exercising Due Diligence to Locate Missing Parents and Other Relatives  5223.1 Due Diligence Requirement in General  5223.2 Court Monitoring of Due Diligence  5223.21 Requirements Specific to Parent Not Located Before Status Hearing  Parties to Whom Due Diligence Requirement Applies  5223.3 Steps in a Diligent Search for a Missing Parent  5223.4 Additional Requirements When Locating an Alleged Father  5223.5 Additional Requirements and Procedures Related to Service of Process if Parent Resides in a Foreign Country  5223.6 Additional Requirements When the Parent of an Indian Child Cannot be Located  5223.7 Additional Requirements If a Parent Cannot Be Located Despite the Exercise of Due Diligence |
| 5240 Court-Ordered Removal after an Emergency Ex Parte Hearing | 5411 Court Order First, Then Emergency Removal  5411.1 Standard  5411.2 Basic Process |
| 5250 Emergency Removal Without a Court Order | Deleted introductory heading |
| 5251 Delivering a Child to the Child's Parents | 5130 Taking Possession With Intent to Return |
| 5252 Emergency Removal from the Child's Parents Without a Court Order | 5411 Emergency Removal First, Then Court Order  5411.1 Standard  5411.2 Basic Process  541**2**.3 Process if Emergency Hearing Not Held by Required Deadline |
| 5300 Court-Related Services for Children in Conservatorship | Deleted |
| 5310 Required Services | Deleted |
| 5311 Working with the Child's Attorney and Guardian Ad Litem | 5230 Working with the Child’s Attorney ad Litem, Guardian ad Litem and CASA  5231 Court Appoints Attorney and Guardian Ad Litem  5231.1 Roles of the AAL and the GAL  5231.2 Cooperating with the AAL and the GAL  5231.3 Providing Access to the Child  5231.4 Give Notice of Hearings, Meetings and Events Involving the Child  5231.41 Timeframes for Sharing Event Information With the Child’s AAL and GAL  5231.5 Document Communication Plan  5231.6 Providing Records to the AAL or GAL  5231.61 Drug/Alcohol Treatment Records |
| 5320 Time Frames for Temporary Orders for Managing Conservatorship | Deleted |
| 5330 Required Court Reports | Deleted |
| 5340 Required Administrative Reviews | 5530 Permanency Hearings for Children Under Temporary DFPS Conservatorship  5580 Placement Review Hearings for Children Under Permanent DFPS Conservatorship |
| 5350 Required Court Reviews and Hearings |
| 5351 The 60-Day Status Hearing | 5510 The 60-Day Status Hearing  5511 Purpose and Scope of Status Hearing  5512 Notice Requirements for Status Hearing  5513 Required Filings in Preparation for Status Hearing  5513.1 Original Service Plan – 45 days after TMC  5513.2 Status Report – 10 Days before Hearing  5513.3 Information Regarding Assessment of and Placement with Relatives and Fictive Kin – 10 Days before Hearing  5514 Required Action Following Status Hearing |
| 5352 Permanency Hearings for Children Under Temporary DFPS Conservatorship | 5530 Permanency Hearings for Children Under Temporary DFPS Conservatorship |
| 5352.1 The Purpose of a Permanency Hearing | 5531 The Purpose of a Permanency Hearing |
| 5352.2 Meeting the Time Frames for Holding a Permanency Hearing  5352.3 Filing a Service Plan With the Court After DFPS Is Appointed Temporary Conservator  5352.4 Filing a Permanency Progress Report With the Court and Parties | 5532 Meeting the Time Frames for Holding a Permanency Hearing  5532.1 Time Frames for Initial Permanency Hearing  5532.2 Time Frames for Subsequent Permanency Hearings  5533 Filing Requirements for Permanency Hearings  5534 Notice Requirements for Permanency Hearings |
| 5352.5 Meeting the Content Requirements for the Permanency Progress Report | 5535 Meeting the Content Requirements for the Permanency Progress Report  Appendix 5535: Legal Requirements Relevant to the Permanency Progress Report |
| 5352.6 Obtaining Approval of a Permanency Progress Report | 5536 Obtaining Approval of a Permanency Progress Report |
| 5353 Placement Review Hearings for Children Under Permanent DFPS Conservatorship | 5580 Placement Review Hearings for Children Under Permanent DFPS Conservatorship |
| 5353.1 The Purpose of a Placement Review Hearing | 5581 The Purpose of a Placement Review Hearing |
| 5353.2 Meeting the Time Frames for Holding a Placement Review Hearing | 5582 Meeting the Time Frames for Holding a Placement Review Hearing |
| 5353.3 Filing a Placement Review Report With the Court and Parties | 5583 Filing a Placement Review Report With the Court and Parties |
| 5353.4 Meeting the Content Requirements for a Placement Review Report | 5585 Meeting the Content Requirements for a Placement Review Report |
| 5353.5 Obtaining Approval of a Placement Review Report | 5586 Obtaining Approval of a Placement Review Report |
| 5354 Dispositional Hearings | Deleted |
| 5360 Special Court Approvals and Notifications  5361 Obtaining Court Approval  5362 Notifying the Court | 5330 Special Court Approvals and Notifications  5331 Obtaining Approval From the Court for Out-of-State Placements and Reunification  5332 Required Court Notification  5332.1 Circumstances That May Be Harmful to the Child  5332.2 Temporary Care in a CPS Office  5332.3 Change of Jurisdiction  5332.4 Subsequent Removal  5332.5 Medical Consenter |
| 5363 Extension of Court Jurisdiction Past Turning 18 | 5600 Extension of Court Jurisdiction Past Turning 18 |
| 5363.1 General Provisions | 5610 General Provisions |
| 5363.11 Overview | 5611 Overview |
| 5363.12 Required Actions for All Youth Aging out of DFPS Conservatorship | 5612 Required Actions for All Youth Aging out of DFPS Conservatorship  5612.1 Have a Trial Independence (TI) Period Approved by the Court  5612.2 Send a Notice Stating the Young Adult’s Intentions  5612.3 Documentation of Court Orders |
| 5363.2 Court Jurisdiction and Reviews in Extended Foster Care | 5620 Court Jurisdiction and Reviews in Extended Foster Care |
| 5363.21 Extended Foster Care Review Hearings | 5621 Extended Foster Care Review Hearings |
| 5363.22 Required Actions for the Caseworker | 5622 Required Actions for the Caseworker  5622.1 Request an Extended Foster Care Review Hearing  5622.2 Provide Notice of the Hearing  5622.3 Submit Documents  5622.4 Request Approval of a 12 Month TI Period  5622.5 Record the Event as a Legal Action  5622.6 Send a Notice at the Beginning of the Young Adult’s TI Period  5622.7 If the Young Adult Leaves Extended Foster Care  5622.8 Record the Start or End of a TI Period in IMPACT  5622.9 When the Young Adult Turns 21 |
| 5363.3 Court Jurisdiction and Reviews During and After Trial Independence | 5630 Court Jurisdiction and Reviews During and After Trial Independence (TI) |
| 5363.31 Court Jurisdiction and TI | 5631 Court Jurisdiction and TI |
| 5363.32 Required Court Actions for the Caseworker | 5632 Required Court Actions for the Caseworker  5632.1 Submit Documents to Hold a Review Hearing  5632.2 File Papers to Extend the Court’s Jurisdiction  5632.3 If the Young Adult Does Not Return During a TI Period |
| 5363.4 Court Jurisdiction and Reviews for Young Adults Receiving Transitional Living Services Whose TI period has Ended | 5640 Court Jurisdiction and Reviews for Young Adults Receiving Transitional Living Services Whose TI Period has Ended |
| 5363.41 Court Jurisdiction and Transitional Living Services | 5641 Court Jurisdiction and Transitional Living Services |
| 5363.42 Required Court Actions for the Caseworker | 5642 Required Court Actions for the Caseworker  5642.1 If the Young Adult Contacts the Caseworker or PAL Staff  5642.2 File a Motion to Extend the Court’s Jurisdiction  5642.3 Participation in Hearings  5642.4 Reports Developed for Service Review Hearings  5642.5 If the Young Adult Withdraws Consent |
| 5363.5 Court Jurisdiction and Reviews Pending Guardianship Referral | 5650 Court Jurisdiction and Reviews Pending Guardianship Referral |
| 5363.51 Required Court Actions for the Caseworker | 5651 Required Court Actions for the Caseworker |
| 5370 Child Support for Children in Substitute Care  5371 Referring Child Support Cases to the Office of the Attorney General  5372 Updating Information for the Office of the Attorney General  5373 Referring Cases to the Office of the Attorney General (OAG) for Paternity Testing  5374 Enforcement of Child Support Orders  5375 Obtaining Information on Child Support Payments Made to the Office of the Attorney  5376 Closing DFPS Child Support Cases in the Office of the Attorney General (OAG) Automated System  5376.1 Factors That Affect Closure of DFPS Child Support Cases in the Office of the Attorney General (OAG) Automated System  5377 Steps for a Relative Caretaker to Obtain Child Support Services After DFPS Conservatorship Is Dismissed | 5350 Child Support for Children in Substitute Care  5351 Requesting Child Support  5351.1 Requirements for Requesting Support Orders  5351.2 DFPS’s Right to review Child Support Payments  5351.3 Requirement to Request Modification of Support Orders When a Child is Reunified  5352 Child Support Referrals  5353 Ongoing DFPS Responsibilities in the Life of a Child Support Case  5353.1 Contact with the OAG  5353.11 Updating Information  5353.12 Requesting Payment Information On CVS Cases  5353.13 Communicating with OAG to Facilitate OAG Enforcement  5353.2 Troubleshooting When Relatives/Caretakers Are Not Receiving Child Support  5354 Dismissal of DFPS Case and Child Support Case Closure  5354.1 Child Support and Dismissal Orders  5354.11 Dismissal Orders Following Termination of Parental Rights  5354.12 Waiving Arrears  5354.2 Closing the Child Support Case in the OAG System  5354.21 Required Action By Caseworker to Initiate OAG Case Closure  5354.22 How the Eligibility Specialist Closes a Case When a Court Order Dismisses DFPS Legal Conservatorship or Terminates Parental Rights  5354.21 How the Eligibility Specialist Closes a Case When the Child Has Aged Out of Care  5354.22 Determining Whether the DFPS Child Support Case Has Been Closed in the OAG System  5354.23 Factors That Affect Closure of DFPS Child Support Cases in the Office of the Attorney General (OAG) Automated System  5354.24 Criteria for Closing Child Support Cases in the OAG Automated System  5354.3 Assisting a Caretaker in Obtaining Child Support Services After DFPS Conservatorship Is Dismissed  5360 Establishing Paternity  5361 Court Ordered Testing When Paternity Has Not Been Established  5361.1 Referring Cases to the Office of the Attorney General for Paternity Testing  5361.2 Testing and Court Ruling  5362 Court Ordered Testing When Paternity Has Been Established But Is Questioned  5362.1 Acknowledgment of Paternity  5362.2 Court Order Establishing Paternity |
| 5380 Legal Determination of Adoptability | Deleted |
| 5390 Bureau of Vital Statistics Reporting Requirements | Deleted |
| 5400 Special Issues | 5800 Special Issues |
| 5410 The Managing Conservator's Annual Court Report | Deleted |
| 5420 Court-Ordered Social Studies | 5860 Social Studies  5861 Definition of Social Studies  5862 Requirements for Social Studies  5863 Orders for DFPS to Conduct a Home Study in a non-DFPS case |
| 5430 Voluntary Relinquishment  5431 Court Orders Based on Affidavits of Relinquishment | 5562 Voluntary Termination of Parental Rights  5562.1 Circumstances in Which a Voluntary Affidavit of Relinquishment May Be Appropriate  5562.2 Requirements for Termination of Parental Rights Based on a Voluntary Affidavit of Relinquishment |
| 5432 Negotiating a Final Order for Conservatorship  5432.1 Using Mediation to Resolve Conservatorship Disputes | 5570 Mediation and Other Forms of Dispute Resolution |
| 5432.11 Requirements for Mediation | 5571 Requirements for Mediations and Other Dispute Resolutions |
| 5432.12 Types of Mediation | 5572 Types of Mediation  5572.1 Court-Ordered Mediation  5572.11 Overview of Court Ordered Mediation |
| 5432.13 Who Must Attend Mediation (Formal and Informal) | 5572.12 Who Must Attend Court-Ordered Mediation  5572.13 When a Named Person Cannot Attend |
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| 5432.21 Actions Prohibited When Negotiating for Conservatorship | 5574 Actions Prohibited When Negotiating for Conservatorship  5574.1 Termination of Parental Rights Agreement Must Comply With Law, Rule, and Policy  5574.2 Visitation May Not Be Used to Encourage Agreement to Termination of Parental Rights  5574.3 Parent May Not Be Pressured to Relinquish Parental Rights  5574.4 Agreement to Relinquish Parental Rights Must Reflect Child’s Permanency Goals  5574.5 Managing Conservatorship May Not Be Shared |
| 5500 Judicial Bypass to Parental Notification of Abortion | 5850 Judicial Bypass to Parental Notification of Abortion |
| 5510 DFPS Appointed as Guardian Ad Litem in Judicial Proceedings to Bypass Parental Notification of Abortion | 5851 DFPS Appointment as Guardian Ad Litem |
| 5511 Role and Responsibilities of the DFPS Guardian Ad Litem | Deleted |
| 5512 Appointment as Guardian Ad Litem of Minor in DFPS Conservatorship | Deleted |
| 5513 Reporting Child Abuse and Neglect | Deleted |
| 5514 Official Business Record: CAPS, Format, Confidentiality and Retention | 5852 Record of Guardian Ad Litem Appointment |
| Appendix 5110: Parents' and Children's Rights Observed by the Court | Deleted |
| Appendix 5224-A: Jurisdiction and Venue | Deleted |
| Appendix 5224-B: Bureau of Vital Statistics, Texas Department of Health Central Record | Deleted |
| Appendix 5230: Criteria for Determining the Best Interest of the Child | 5210 The Child’s Best Interest |
| Appendix 5240: Emergency Orders | Deleted |
| Appendix 5420: Court Ordered Social Studies (in cases of disputed conservatorship) | Deleted |
| Appendix 5511: Duties of the Guardian Ad Litem in Chapter 33 Proceedings | Deleted |