

# Family Court Hearings for Out-of-State Placement of Children

Rhode Island Department of Children, Youth and Families

**Policy: 1100.0015**

*Effective Date: October 8, 1984 Version: 1*

Department Policy and RI Law 14-1-65 mandate the Department to petition the Rhode Island Family Court for a placement hearing prior to authorizing placement of a child entrusted to the care of the Department in an out-of-state child care facility. A Family Court hearing is not necessary if the child will be placed in the home of a relative or if the out-of-state child care facility is located less than 35 miles from the home of the parent previously having custody of the child.

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## Family Court Hearings for Out-of-State Placement of Children

### **Procedure From Policy 1100.0015: Family Court Hearings for Out-of-State Placement of Children**

- A. The worker shall petition the Family Court for a placement hearing through the Office of Legal Counsel if the child caring facility is located more than 35 miles from the home of the parent previously having custody. The Family Court will grant approval for the placement if the following facts are found:
  - 1. No suitable in-state facility is available.
  - 2. The child will receive an individualized treatment plan including, but not limited to, appropriate clinical treatment, education, training, and rehabilitation.
  - 3. The proposed placement is in the best interests of the child.
- B. The worker shall not petition the Court for a placement hearing if the facility is located less than 35 miles from the home of the parent previously having custody.