

Information on Truancy and School Offender CHINS

CHINS stands for "Child in need of services", a child below the age of seventeen who persistently runs away from the home of his parents or legal guardian, or persistently refuses to obey the lawful and reasonable commands of his parents or legal guardian, thereby resulting in said parent's or guardian's inability to adequately care for and protect said child, or a child between the ages of six and sixteen who persistently and willfully fails to attend school or persistently violates the lawful and reasonable regulations of his school.

Truancy Chins Application- is the Attendance Officer files an application because the student between the ages of six and sixteen, persistently and willfully fails to attend school

School Offender Chins Application- is an application filed by me, the Attendance Officer because the student between the ages of six and sixteen persistently violates the lawful and reasonable regulations of the school.

Preliminary Hearing Date- once the Application is filed the clerk shall set a date for a Preliminary Hearing to determine whether a petition should be issued. The court may issue a summons, to which a copy of the petition shall be attached, requiring the student named in such petition to appear before Springfield Juvenile Court State Street Springfield. If the student fails to obey the summons, the court may issue a warrant reciting the substance of the petition and requiring the officer to whom it is directed forthwith to take and bring such child before the court.

Preliminary Hearing – a probation officer will be assigned and meet with student and guardian. The probation officer will conduct a preliminary inquiry to determine whether in his opinion the best interests of the child require that a petition be issued. The court shall hold a hearing in which it shall receive the recommendation of the probation officer and shall either (i) decline to issue the petition because there is no probable cause to believe that the child is in need of services; (ii) decline to issue the petition because it finds that the interests of the child would best be served by informal assistance without a trial on the merits, in which case the court shall, with the consent of the child and his parents or guardian, refer the child to a probation officer for assistance; or (iii) issue the petition and schedule a hearing on the merits or have a probation officer assigned for the purpose of assisting the student and family in the matter now before the court. The probation officer may have you sign a CHINS agreement, the court will set a date to make a further determination of this matter. Failure of the parties to cooperate with the probation officer, shall result in your appearance before the court for further action.

Probation Officer- whenever a child is referred to a probation officer for assistance, he/she will have the authority to refer the child to an appropriate public or private organization or person for psychiatric, psychological, educational, occupational, medical, dental or social services and shall have the authority to conduct conferences with the child and the child's family for the purpose of effecting adjustments or agreements which are calculated to resolve the situation which formed the basis of the application or petition and which will eliminate the need for a judicial trial on the merits. During the pendency of such referrals or conferences, neither the child nor his parents may be compelled to appear at any conferences, produce any papers, or visit any place. However, if the child or his parents fail to participate in good faith in the referrals or conferences arranged by the probation officer, the probation officer can notify student in writing that a date has been set for a trial on the merits.

Hearing Date- at the hearing to determine whether a child is in need of services, the student will be assigned an attorney. If the court finds the allegations in the petition have been proved at the hearing beyond a reasonable doubt, it may say the child named in such petition to be in need of services. Upon making such statement the court while taking into consideration the physical and emotional welfare of the child, may take any of the following orders of disposition:

(a) subject to any conditions and limitations the court may prescribe, including provision for medical, psychological, psychiatric, educational, occupational and social services, and for supervision by a court clinic or by any public or private organization providing counseling or guidance services, permit the child to remain with his parents;

(b) subject to such conditions and limitations as the court may prescribe, including, but not limited to provisions for those services described in clause (a), place the child in the care of any of the following:

(1) a relative, probation officer, or other adult individual who, after inquiry by the probation officer or other person or agency designated by the court, is found to be qualified to receive and care for the child; (2) a private charitable or childcare agency or other private organization, licensed or otherwise authorized by law to receive and provide care for such children; or (3) a private organization which, after inquiry by the probation officer or other person or agency designated by the court, is found to be qualified to receive and care for the child; or

(2) commit the child to the Department of Social Services- this means that a social worker from the Department will be assigned to work with the student and family. The Department's goal is always to keep families together unless there is a risk to the safety and well being of the student.

Duration/ how long- the duration is dependent on the situation and the student's commitment for making good choices. Conferences and referrals arranged by the probation officer can extend for up to six months from the date of application. Continued non-compliance can result in a commitment into the Department of Social Services, which can result into removal from home and placed in a foster home.