

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY	
	Chapter 6: Court Section 03: Fact-Finding Hearing	
	Effective Date: January 1, 2026	Version: 7

POLICY OVERVIEW

A Fact-Finding Hearing is when the Department of Child Services (DCS) must prove that a child's situation matches the conditions listed in Indiana Code. This hearing happens if a parent or another person named in a Child in Need of Services (CHINS) proceeding disagrees with what DCS says in their CHINS Petition. DCS must show that the child's situation meets one (1) or more of the CHINS definitions and that the court's help is necessary to protect the child.

POLICY STATEMENT

When either parent or another person named in the CHINS petition disagrees with what DCS says in their petition. DCS will:

1. Proceed with Child in Need of Services (CHINS) Fact-Finding Hearing;
2. Provide notice to everyone named in the case (including the resource parent or other caretaker (see policy [6.04](#));
3. Request separate hearing for parents, guardians or custodians when there are concerns about safety;
4. Protect the confidentiality of information shared during court proceedings;

Timeline

The juvenile court will hold the Fact-Finding Hearing within 60 calendar days of the CHINS petition being filed. The court may extend the time for an additional 60 calendar days if everyone agrees.

Notification

If the Fact-Finding Hearing is not held immediately after the Detention and Initial Hearing, DCS will notify everyone involved, unless the court already provided written notice at the previous hearing. Each person who is required to be notified will have an opportunity to be heard at the Fact-Finding Hearing.

LEGAL REFERENCES

- [IC 31-10-2-3: Rights of persons with a disability](#)
- [IC 31-17-2-8.1: "Disability"; custody](#)
- [IC 31-34-1: Chapter 1. Circumstances Under Which a Child is a Child in Need of Services](#)
- [IC 31-34-10-6: Admission or denial of allegations by parent, guardian or custodian](#)
- [IC 31-34-10-9: Dispositional hearing, fact finding hearing: consent](#)
- [IC 31-34-11-1: Factfinding hearing deadline; extension of deadline; right of foster parent or temporary caretaker to notice and opportunity to be heard](#)
- [42 USC 12102: Definition of disability](#)