

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY	
	Chapter 6: Court Section 07: Dispositional Hearing	
	Effective Date: January 1, 2026	Version: 8

POLICY OVERVIEW

The Dispositional Hearing helps the court decide the best plan of care for the child. The court looks at options for the child's treatment, rehabilitation, and placement that best meets the needs of the child and family.

POLICY STATEMENT

The Indiana Department of Child Services (DCS) will participate in a Dispositional Hearing for every parent, guardian, or custodian named in cases where a child is found to be a Child in Need of Services (CHINS).

The court will hold a Dispositional Hearing **within 30 days** after deciding the child is a CHINS. The court will consider:

1. Options for the child's care, treatment, rehabilitation, or placement;
2. The involvement that is needed from the parent, guardian, or custodian in the child's program of care, treatment, or rehabilitation for the child;
3. The financial responsibility of the parent or guardian for the services for the parent, guardian, or child;

Note: The parent is assumed to be indigent unless the court makes a finding that states otherwise.

4. The report and recommendations from the dual status assessment team if the child is a dual status child; and
5. The child's legal settlement school if the child has been removed from the home.

If the child is removed from the home, DCS will ask the court to include this federal language in the **first court order** from the hearing that authorizes the removal of the child:

1. It is in the child's Best Interest (BI) to be removed from the home, and remaining in the home would be Contrary to the Welfare (CTW) of the child;
2. Reasonable Efforts (RE) were made to prevent or eliminate the need for removal, or RE were not required because of the emergency nature of the situation; and
3. DCS is given Placement and Care (PC) responsibility for the child.

If DCS plans to ask for a No Reasonable Efforts finding, see policy [6.10](#).

LEGAL REFERENCES

- [IC 31-34-5-3\(b\): Release or detention of child; findings required for detention; contents of detention order](#)

- [IC 31-34-19: Chapter 19. Dispositional Hearing](#)
- [IC 31-34-20: Chapter 20. Dispositional Decrees](#)
- [IC 31-34-20-3: Order for participation by parent, guardian, or custodian in program of care, treatment, or rehabilitation for child; failure to participate](#)
- [IC 31-34-20-5: Determination and reporting of legal settlement of child](#)
- [IC 31-34-21-5.6: Exceptions to requirement to make reasonable efforts to preserve and reunify families](#)
- [42 USC 671 *et. seq.*: State plan for foster care and adoption assistance](#)
- [42 USC 672: Foster care maintenance payments program](#)