

### **Rule 6. Notice of Taking Into Custody and Notice of Shelter Care Hearing**

(a) Time of notice. At the time the child is taken into custody, whether pursuant to Rule 4 or Rule 4A, or immediately thereafter (if not possible at the time of taking into custody), the law enforcement officer or agency shall diligently attempt to notify the parent, guardian or custodian named in the petition, orally and in writing, that the child has been taken into custody.

(b) Contents of notice. The notice shall include:

- (1) The name of the child;
- (2) The reasons the child was taken into custody;
- (3) The location of the child unless disclosure of this information would endanger the child;
- (4) The name, telephone number, and address of the responsible agency worker and a statement that the worker will provide further information on request;
- (5) The time and place of the shelter care hearing;
- (6) A statement that counsel will be appointed for the parent if he or she cannot afford counsel; and
- (7) A statement of the issues to be addressed at the hearing and of the parent's right to be present.

(c) Delivery of notice. Notice shall be in writing, and the person delivering it shall orally summarize and explain the content of the notice. When adult residents are not present, notice shall be left at the home from which the child is removed and, when possible, at the home of the child's parents or caretakers.

(d) Language of notice. When the parent or caretaker does not understand English, diligent efforts shall be made to provide both written and oral notice in the parent's or caretaker's native language.

### **COMMENT**

Notice in cases in which the child is not taken into custody is addressed in Rule 5.