

EMERGENCY PROTECTIVE SERVICES (EPS) PILOT COURT IN YELLOWSTONE COUNTY

In February 2020, two district court judges in Yellowstone County, Judge Ashley Harada and Judge Jessica Fehr, began what is called an Emergency Protective Services (EPS) pilot court in Yellowstone County to allow parents to see one of them within 72 hours. Although that's normal in most states, Montana gives courts 20 days to set the initial hearing.

Yellowstone County is hoping to improve the outcomes for families involved with the child welfare system by having parents and their attorneys meet each other sooner in the process, thereby keeping families engaged. In addition, the pilot court intends to add timely access to substance abuse evaluation and treatment services.

The overarching goals of the EPS pilot court are to:

- Reunify families;
- Get parents involved at the outset of a case;
- Obtain better assessment of parents' abilities and needs;
- Provide services from the outset;
- Resolve cases in a more timely manner;
- Return kids to their families as quickly as possible.

The EPS hearing will take place within approximately 72 hours of removal and will be set for a specific time in the afternoon. The purpose of this hearing is to determine whether the court is going to grant emergency protective services. At that time, the parents will have a chance to consult with an attorney. The initial attorney may not be their long-term attorney, but that attorney can give the parent(s) some initial advice, try to see if an in-home or voluntary plan might be an option, or just give the parents information about the Office of Public Defender (OPD) so they can get in touch with their long-term attorney much sooner.

In addition, at the time of removal, parents will be given contact information about OPD, so they might be able to reach their attorney before the EPS hearing.

Upon removal, Child & Family Services Division's child protection specialists give three documents to the parents: 1) A parental notice; 2) the notice of removal and hearing; and 3) Immediate Danger Assessment form, which states the parent has received a copy of the notice.

An intern from the Walla Walla School of Social Work is coordinating the project and is collecting data about parents' participation in child visitation and court hearings.

More links

- [Billings-area judges aim to get parents court dates, visits sooner in child removal cases](#)

Source: Court Improvement Program Website