

## Section 15 – Time Requirements under NRS 432B and ASFA

### TIME REQUIREMENTS UNDER NRS 432B AND ASFA

#### NRS 432B

TIME	TIME REQUIREMENTS	SOURCE
72-hour hearing	From the time a child is taken into protective custody, excluding Saturdays, Sundays and holidays, a hearing must be conducted to determine if the child should remain in protective custody.	<u>NRS 432B.470</u>
10 days	To file a Petition alleging abuse and/or neglect if wish to keep custody of children.	<u>NRS 432B.490</u>
30 days	From filing of a Petition, an adjudicatory hearing must be held unless good cause is shown or hearing continued pursuant to <u>NRS 432B.513</u> (at the request of parent or guardian).	<u>NRS 432B.530</u>
15 days	Dispositional hearing may be held immediately or within 15 working days after adjudicatory hearing.	<u>NRS 432B.530</u>
60 days	Within 60 days after removal of child, the Court shall determine if reasonable efforts to preserve and reunify family have been made by agency as required by <u>NRS 432B.393</u> . Also, federal law requires a case plan within 60 days of child being taken into care.	<u>NRS 432B.550</u>
6 months	First review hearing no more than 6 months from the date the child is in foster care, and at least every 6 months thereafter until reunification. Within 90 days upon request of a party.	<u>NRS 432B.580</u>
12 months	Annual hearing on disposition not later than 12 months after date the child is in foster care, and annually thereafter.	<u>NRS 432B.590</u>
14 of 20 months out of home	Mandatory termination filing if child is out of parent's care 14 of the last 20 months	<u>NRS 432B.553</u>

## ASFA

TIME	TIME REQUIREMENTS	SOURCE
60 days* (actual removal)	Case plan from actual removal.	45 C.F.R. 1356.21(g)
60 days (actual removal)	Reasonable efforts to prevent removal.	45 C.F.R. 1356.21(b)
6 months* (foster care entry)	Periodic review. Semi-annual review of placement.	42 U.S.C. § 671(a)(16) 42 U.S.C. § 675(5)(B)
12 months	Permanency hearing. (ANNUAL HEARING ON DISPOSITION)	45 C.F.R. 1356.21(b)(2)(i)
12 months (foster care entry)	Reasonable efforts to finalize permanency plan.	42 U.S.C. § 675(5)(C)
15 months (foster care entry)	Mandatory termination filing if child in foster care 15 of the last 22 months.	65 F.R. 4060

\* ASFA uses two different starting points for time requirements: **(1)** actual removal from home; **(2)** the time a child “enters foster care”. This is defined as the earlier of **(a)** the day the court finds the child is neglected or abused, or **(b)** 60 days after the child’s actual removal.