

2014

**Statutory Responses to Domestic
Minor Sex Trafficking Victims**

Wyoming



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Identification

Initial Custody

Process Following Initial Custody

Neglected Child

Authority for Initial Custody:

- Court may issue an ex parte order, emergency order, or warrant
- Law enforcement may act if child is in need of immediate protection

Placement:

- Foster home
- Approved/certified child care facility
- Non-custodial parent or extended family
- Hospital, if necessary

Where is child referred after initial custody?

- Attorney General for protective proceedings
- If the child appears to be a trafficking victim, to appropriate services

When and how does court assume jurisdiction?

A petition signed by the District Attorney is filed after a determination that court action is necessary to protect a child's best interests

Child in Need of Supervision

Authority for Initial Custody:

- Law enforcement can take in if:
- Child is seriously endangered by his or her surroundings or behavior
 - Child has run away

Placement:

- Least restrictive environment possible of:
- Foster home or certified child care facility
 - Temporary holding area of police station
 - Separate detention home or facility

Where is child referred after initial custody?

District Attorney for review of the need for continued detention or shelter care

When and how does court assume jurisdiction?

A petition signed by the District Attorney is filed after a determination that court action is necessary to protect a child's best interests

Delinquent (does not apply to DMST victim)

Authority for Initial Custody:

Generally, if detained, the child will be treated as a child in need of supervision

Placement:

Generally, if detained, the child will be treated as a child in need of supervision

Where is child referred after initial custody?

Generally, if detained, the child will be treated as a child in need of supervision

When and how does court assume jurisdiction?

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Trafficking Victims in Wyoming

Placement Process Pending Adjudication/ Investigation

→ When must placement hearing be held after initial custody?

With 48 hours

What are the placement options?

- Foster home
- Approved/certified child care facility
- Non-custodial parent or extended family
- Hospital, if necessary

Adjudication or Referral to Alternate Process

→ Adjudication:

Can be held after the shelter care hearing or within 60 days of the filing of the petition

Or Alternate Process

N/A

Placement Following Adjudication

→ Dispositional Outcomes

- Return to parents without supervision
- Placed under protective supervision
- Transfer legal custody to relative or state agency

→ Dispositional Outcomes

N/A

→ When must placement hearing be held after initial custody?

Within 48 hours

What are the placement options?

- Return home subject to reasonable terms and conditions
- Placement in the legal custody of the Department of Family Services

→ Adjudication:

Within 60 days of the filing of petition and no later than 90 days after filing of petition

Or Alternate Process

- The prosecuting attorney should consider:
- Alternative community programs
 - Mental health counseling services available
 - Family preservation services offered by the department of family services
 - Use of truancy statute enforcement
 - Municipal and circuit court remedies

→ Dispositional Outcomes

- Return home with or without protective supervision
- Temporary legal custody to a relative, other suitable adult
- Placement with a state agency

→ Dispositional Outcomes

N/A

→ When must placement hearing be held after initial custody?

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What are the placement options?

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→ Adjudication:

Generally, if detained, the child will be treated as a child in need of supervision

Or Alternate Process

Generally, if detained, the child will be treated as a child in need of supervision

→ Dispositional Outcomes

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