STATE OF INDIANA

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COURT

In The Matter Of

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ CASE NO. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

A Child in Need of Services

**DISPOSITIONAL ORDER**

The Indiana Department of Child Services (DCS) appears by counsel \_\_\_\_\_\_\_\_\_\_\_\_\_, and by (Family Case Manager)(Intake Officer) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and the child \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (appears in person) (is excluded for good cause shown upon the record). The parent(s) (guardian) (custodian), \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ appear in person (and by counsel). The GAL/CASA, \_\_\_\_\_\_\_\_\_\_\_\_\_ appears.

The foster parent(s) or other caretaker \_\_\_\_\_\_\_\_\_\_\_\_\_\_ (does) (does not) appear. Others: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Required notice of this hearing has been provided by DCS to parties and foster parent(s) or other caretaker(s).

The CHINS petition comes on for a Dispositional Hearing.

The child having been found to be a CHINS the Court, after reviewing the Predispositional Report(s) and hearing statements and evidence presented to the Court regarding the disposition of this cause, finds:

The needs of the child for care, treatment, or rehabilitation are: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_;

Participation by the parent, guardian or custodian in the plan of care for the child is necessary to: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_;

Based on the information presented in the Predispositional Report(s) and provided at the hearing, the court makes the following dispositional orders:

[ ] The child shall remain in his/her current home or placement, with supervision by DCS.

[ ] DCS is authorized to place the child in a home or facility as recommended in the Predispositional Report.

[ ] DCS is awarded wardship of the child, with responsibility for supervision, care and

placement. The rights and obligation of the person granted wardship in this case as defined

by IC. 31-9-2-134.5 are hereby modified to conform to the terms of this Dispositional Decree

ordered herein. DCS is authorized to consent to the child's medical care.

[ ] The child is partially or completely emancipated under IC 31-34-20-6, as follows: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ ] The child will receive the following services until further review and order of the court: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ ] The following person(s) refrain from direct or indirect contact with the child, until further order of the court: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ ] The following person(s) shall not return to, or reside in, the child’s place of residence until further order of the court: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

[ ] The Parent(s), Guardian(s), or Custodian(s) shall participate in a treatment program or pay for services consistent with the recommendations contained in the Predispositional Report as follows: (*Set forth specifically what the parents are to do and for what they are to be financially responsible*) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

[ ] *(If the child has been removed by this order but not placed with a suitable and willing blood or adoptive caretaker):* Consideration for placement with a suitable and willing blood relative was made but said placement was found to be inappropriate for the following reasons: \_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ ] (*If placement recommended or ordered is a new placement in an unlicensed home*) The court has received and reviewed the results of a criminal history and child protection index background check on each adult residing in the home recommended by DCS or considered by the court for placement pursuant to this order.

[ ] *(If the child’s placement results in a separation from the child’s sibling)* The Court finds it is/is not in the best interest of the child to be separated from the child’s sibling(s) for the following reason:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

***If the child has been removed from the home, complete this section:***

**The Court finds that it is in the best interests of the child to be removed from the home environment and remaining in the home would be contrary to the welfare of the child because:**

 **( ) of the allegations admitted**

**( ) of an inability to provide shelter, care, and/or supervision at**

**the present time**

 **( ) the child needs protection**

**( ) the child has special needs that require services for care and**

**treatment that cannot be provided in the home**

 **( ) other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.**

**( ) The Court finds that reasonable efforts to prevent or eliminate removal of the child were not required due to the emergency nature of the situation, as follows:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**-or-**

**( ) The Court finds that reasonable efforts were made by DCS to prevent or eliminate the need for removal of the child. The statements of reasonable efforts as set forth in the pleadings, reports, and documents of DCS and/or all other service providers filed herein are incorporated by reference.**

**-or-**

**( ) The Court finds that reasonable efforts were made by DCS to prevent or eliminate the need for removal of the child, including:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

The Court finds responsibility for the placement and care of the child is ordered or continues to be ordered to the DCS.

The legal settlement of the child is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and DCS shall provide notice required by IC 20-26-11-9.

*(When a child is placed out of state, complete this section:)*

 *The Court finds by clear and convincing evidence that the above out of state placement in*

 *a facility or home is appropriate because:*

 *( ) The Director of the DCS or their designee has recommended or approved of*

 *the placement;*

*or*

 *( ) There is not an equivalent facility with adequate services in Indiana, because*

 *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_; and*

 *( ) Institutional care in this facility is in the best interest of the child and will not*

 *produce undue hardship, because\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_;*

*or*

 *( ) the facility is not more than 50 miles from the county of the residence of the*

 *child.*

[ ] A separate Financial Obligation Order is being issued.

Those present are notified of the modification procedures under IC 31-34-23.

The Court now advises the parties that they have the right to appeal the Court’s decision to the Court of Appeals. Failure to appeal this decision within thirty (30) days may result in waiver of the right to appeal. Further, parents have the right to be represented by counsel for the purposes of appeal.

Failure to participate in the services or recommendations under this Dispositional Order or any modified Dispositional Order in the future can lead to the termination of the parent-child relationship under IC 31-35 and/or lead to contempt proceedings.

The Court now orders the department to file a report every three months from this date on the progress made in implementing the decree.

This case is set for a **Six Month Periodic Case Review Hearing in this Court on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_.M.**

This case is set for a **Twelve Month Permanency Hearing in this Court on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_.M.**

**SO ORDERED** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Judge

Distribution: