STATE OF INDIANA

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

In The Matter Of

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

A Child in Need of Services

**FINDING AND ORDER**

(Reasonable Efforts to Reunify Family Not Required, Ind. code 31-34-21-5.6)

The Indiana Department of Child Services appears by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Attorney and its Family Case Manager, \_\_\_\_\_\_\_\_\_\_. The child, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, (appears in person) (is excluded for good cause shown upon the record). The parent(s) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ appear in person [and by counsel]. The (guardian ad litem) (CASA) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ appears in person. The foster parent(s) or other caretaker \_\_\_\_\_\_\_\_\_\_\_\_\_\_ (does) (does not) appear. Others: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

The CHINS petition comes on for a \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Hearing.

The (child) (parent) (guardian) (custodian) having entered an admission of CHINS (child having been found to be a CHINS) as alleged in the Petition filed herein, the child is now (or as heretofore been) adjudicated a CHINS.

The Court has reviewed the predispositio­nal report (if applicable) and has heard statements and evidence presented to the Court regarding the disposition of the case.

The Court now finds that reasonable efforts (to reunify this child with the child’s parent, guardian or custodian) (preserve this child’s family) are not required.

The Court finds that the following conditions exist:

[ ] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the (parent) (guardian) (custodian) has been convicted of the following (or a comparable offense in any other state, territory or country): (Causing Suicide); (Involuntary Manslaughter); (Rape); (Criminal Deviate Conduct); (Child Molesting); (Child Exploitation); (Sexual Misconduct with a Minor); (Incest), against a victim who is*:* (the Child) (a Parent of the Child). Specifically: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.\_

[ ] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the (parent) (guardian) (custodian) has been convicted of the following (or a comparable offense in any other state, territory or country): (Murder); (Voluntary Manslaughter), against a victim who is (a Child under the age of sixteen at the time of the offense) (the biological or adoptive child of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_) (the child of a spouse of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ). Specifically: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

[ ] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the (parent) (guardian) (custodian) has been convicted of the following (or a comparable offense in any other state, territory or country) (Battery as a Class B or C Felony) (Aggravated Battery) (Criminal Recklessness as a C Felony) against a victim who is(a Child under the age of sixteen at the time of the offense) (the biological or adoptive child of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ); (the child of a spouse of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_). Specifically: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

[ ] The parental rights of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , with regard to a biological or adoptive sibling of the Child who is a CHINS, have been involuntarily terminated under (or any comparable law in any other state, territory or country) (I. C. 31-35-2 (involuntary termination involving a delinquent child or a CHINS)) (I. C. 31-35-3 (involuntary termination involving a person convicted of a criminal offense)). Specifically: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

[ ] The child is an abandoned infant. The Court has appointed a GAL or CASA for the child, and after receiving a written report and recommendation from the GAL/CASA and after a hearing, the Court finds that reasonable efforts to locate the child’s parents or reunify the child’s family would not be in the best interests of the child. Specifically: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 [ ] The child is a safe haven infant.

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

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

***Title IVE and Statutory Findings:***

**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 Department of Child Services shall prepare and file a Permanency Plan as required by IC 31-34-21-5.7. The Permanency Plan must be filed with this Court, and a copy served upon all parties, not later than seven (7) calendar days prior to the Permanency Hearing. The Permanency Plan shall include all information required by IC 31-34-21-7.5.

This case is set for a **Permanency Hearing on the \_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_\_\_\_.M.**  *[Hearing must be held within thirty days]*

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

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

 Judge

Distribution: