

# ADJUDICATORY AND DISPOSITION

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IN THE JUVENILE COURT OF \_\_\_\_\_ COUNTY, TENNESSEE

IN THE MATTER OF:

Docket No. \_\_\_\_\_

DOB: \_\_\_\_\_

**A Child Under 18 Years of Age**

CHARGE(S): \_\_\_\_\_

**ADJUDICATORY/DISPOSITIONAL ORDER**

This matter came on to be heard on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before the Honorable \_\_\_\_\_ upon the petition filed alleging the above offense(s).

Present for this hearing were: \_\_\_\_\_

The child was advised of the charge(s) against him/her and of his/her right to a hearing and an attorney. The child was also advised of his/her right to appeal this matter. The Court finds that the meaning and effect of these rights have been fully explained to him/her.

The child executed a Waiver of Right to Counsel with written waiver duly filed.

The offense of \_\_\_\_\_ is amended to \_\_\_\_\_

The child entered a plea of guilty/best interest/no contest to the following offense(s) after having waived his/her rights to a trial of this matter in writing in a separate document: \_\_\_\_\_

The child entered a plea of not guilty to the following offense(s) \_\_\_\_\_

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that:

The child is found guilty by the Court of the following offense(s): \_\_\_\_\_

The child is a **DELINQUENT** child and is in need of treatment and rehabilitation within the meaning of Title 37, Chapter 1, Part 1, of Tennessee Code Annotated, for the reasons set forth above.

The child is an **UNRULY** child and is in need of treatment and rehabilitation within the meaning of Title 37, Chapter 1, Part 1, of Tennessee Code Annotated, for the reasons set forth above.

This order shall constitute a Valid Court Order, the violation of which may result in said child's placement in state's custody or in a juvenile detention facility in accordance with the Tennessee Rules of Juvenile Practice and Procedure (Appendix). During any hearing regarding such violation of this order, said child has all due process rights indicated in such rules, including the right to legal counsel and the right to have such counsel appointed by the Court if indigent. Further, violation of this order by any of the parties charged hereby may be considered Contempt of Court and punished as indicated in T.C.A. § 37-1-158.

The child is found not guilty by the Court of \_\_\_\_\_

The following offense(s) shall be dismissed/nolled/retired: \_\_\_\_\_

The Court orders the child to undergo a risk & needs assessment to be completed by \_\_\_\_\_

- The Court finds that the risk & needs assessment has been completed and the results have been submitted to the Court.
- The child is placed under the supervision of the State of Tennessee, Department of Children's Services, on DCS juvenile probation for a period not to exceed six (6) months. Said child and parent(s)/guardian(s) shall comply respectfully with all lawful and reasonable requests of the probation officer and all rules of probation.
- The child shall be placed under the supervision of the Court on intensive/supervised/unsupervised probation for \_\_\_\_\_ months. Said child and parent(s)/guardian(s) shall comply respectfully with all lawful and reasonable requests of the probation officer and all rules of intensive probation.
- The Court orders \_\_\_\_\_ to develop and implement an individualized case plan in consultation with the child's parents, guardian, or legal custodian, school, and other appropriate parties. The child and the child's parents, guardian, or legal custodian are ordered to comply with the case plan.
- The child shall \_\_\_\_\_ *(full list of special probation conditions)* \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

- The parent, guardian or legal custodian, \_\_\_\_\_, shall pay the following the following costs/fees \_\_\_\_\_
- The child and/or the parent, guardian or legal custodian, \_\_\_\_\_, shall pay restitution owed to the victim, \_\_\_\_\_, in the amount of \$\_\_\_\_\_.

All costs and fees are to be paid to the Juvenile Court Clerk. Payments may be made by cash, cashier's check/money order, or debit/credit card.

- \_\_\_\_\_  
 \_\_\_\_\_
- This matter shall be scheduled for a \_\_\_\_\_ hearing on \_\_\_\_\_ at \_\_\_\_\_
  - The child and parent, guardian, or legal custodian(s) shall appear.
  - The child and parent, guardian, or legal custodian(s) need not appear if the child has complied with the aforesaid order.

**ENTERED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
 Juvenile Court Judge/Magistrate

**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the order has been delivered by U.S. mail, by personal service, by email or facsimile if service is so accepted, to the individuals listed below this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_:

\_\_\_\_\_

IN THE JUVENILE COURT OF \_\_\_\_\_ COUNTY, TENNESSEE

IN THE MATTER OF:

Docket No. \_\_\_\_\_

\_\_\_\_\_ DOB: \_\_\_\_\_

**A Child Under 18 Years of Age**

CHARGE(S): \_\_\_\_\_

**MOTION AND APPROVAL TO EXTEND PROBATION**

Comes now \_\_\_\_\_ and moves this Honorable Court to extend probation of the above-named child for an additional \_\_\_\_\_ months to allow the child time to complete the conditions of probation as follows:

*(Reason for extension)* \_\_\_\_\_

The undersigned hereby stipulate to the reasons set forth above for extending probation an additional \_\_\_\_\_ months and agree that this is in the best interests of the child. We understand that we do not have to agree with the extension and have a right to a hearing to oppose the extension, which we hereby waive.

_____	_____	_____	_____
Child	Date	Parent	Date

**APPROVAL OF MOTION TO EXTEND PROBATION**

The Court having reviewed the Motion to Extend Probation now finds and orders as follows:

The child was initially placed on probation on \_\_\_\_\_ as the disposition after the child was adjudicated a  delinquent  unruly child.

The following condition(s) of probation shall remain in effect: \_\_\_\_\_

It is in the best interest of the child that those conditions remain in effect because \_\_\_\_\_

ENTERED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Juvenile Court Judge/Magistrate

**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the motion and order has been delivered by U.S. mail, by personal service, by email or facsimile if service is so accepted, to the individuals listed below this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_:

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IN THE JUVENILE COURT OF \_\_\_\_\_ COUNTY, TENNESSEE

IN THE MATTER OF:

Docket No. \_\_\_\_\_

\_\_\_\_\_ DOB: \_\_\_\_\_

**A Child Under 18 Years of Age**

CHARGE(S): \_\_\_\_\_

**MOTION TO EXTEND PROBATION**

Comes now \_\_\_\_\_, and moves this Honorable Court to extend probation of the above-named child for an additional \_\_\_\_\_ months to allow the child time to complete the conditions of probation as follows:

*(Reason for extension)*

\_\_\_\_\_ Date

\_\_\_\_\_ Youth Services Officer/Probation Officer

**NOTICE**

This motion is scheduled to be heard on \_\_\_\_\_ at \_\_\_\_\_

**CERTIFICATION OF SERVICE**

I hereby certify that a true and exact copy of the order has been delivered by United States mail, by personal service, by email or facsimile if service is so accepted, to the individuals listed below this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_:

\_\_\_\_\_

IN THE JUVENILE COURT OF \_\_\_\_\_ COUNTY, TENNESSEE

IN THE MATTER OF:

Docket No. \_\_\_\_\_

\_\_\_\_\_ DOB: \_\_\_\_\_

**A Child Under 18 Years of Age**

CHARGE(S): \_\_\_\_\_

**ORDER ON MOTION TO EXTEND PROBATION**

This matter came on to be heard on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before the Honorable \_\_\_\_\_, upon Motion to Extend Probation.

Present for this hearing were: \_\_\_\_\_

The Court, having considered the testimony and evidence presented and the entire record, finds as follows:

The child was advised of the charge(s) against him/her and of his/her rights, pursuant to Rule 205 of the Rules of Juvenile Practice and Procedure, including the right to appeal this matter. The Court finds that the meaning and effect of these rights have been fully explained to the child.

The child executed a Waiver of Right to Counsel with written waiver duly filed.

The child was initially placed on probation on \_\_\_\_\_ as the disposition after the child was adjudicated a  delinquent  unruly child.

The child shall complete the terms of the original judicial diversion with no modification.

The Motion to Extend Probation is granted. DCS/Supervised County/Unsupervised County/Intensive Probation shall be extended for an additional \_\_\_\_\_ months.

The following condition(s) of judicial diversion shall remain in effect \_\_\_\_\_

It is in the best interest of the child that those conditions remain in effect because \_\_\_\_\_

The Court finds that it is not in the best interest of the child that probation be extend and the Motion to Extend Probation is denied.

The child shall be discharged from probation.

This matter shall be scheduled for a \_\_\_\_\_ hearing on \_\_\_\_\_ at \_\_\_\_\_

The child and parent, guardian, or legal custodian(s) shall appear.

The child and parent, guardian, or legal custodian(s) need not appear if the child has complied with the aforesaid order.

ENTERED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

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Juvenile Court Judge/Magistrate

**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the order has been delivered by U.S. mail, by personal service, by email or facsimile if service is so accepted, to the individuals listed below this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_:

---



IN THE JUVENILE COURT OF \_\_\_\_\_ COUNTY, TENNESSEE

IN THE MATTER OF:

Docket No. \_\_\_\_\_

\_\_\_\_\_ DOB: \_\_\_\_\_

**A Child Under 18 Years of Age**

**VIOLATION OF PROBATION PETITION**

It being in the best interest of the child and the public that these proceedings be brought, your petitioner,  
\_\_\_\_\_ respectfully represents to the Court on information and belief  
that the child is now within this county and is \_\_\_\_\_ years of age.

The child was initially placed on DCS/Supervised County/Unsupervised County/Intensive Probation on \_\_\_\_\_

Said child has violated the terms of the agreement as follows: \_\_\_\_\_  
\_\_\_\_\_

The actions on the part of this child did occur in \_\_\_\_\_ County, TN and constitute the  
offense of violation of probation.

Your petitioner further avers that:

The child's father is \_\_\_\_\_ who resides at \_\_\_\_\_

The child's mother is \_\_\_\_\_ who resides at \_\_\_\_\_

That the child is in the custody and control of \_\_\_\_\_ who  
resides at \_\_\_\_\_ Phone: \_\_\_\_\_

Sworn and subscribed before me this the

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Petitioner

\_\_\_\_\_  
Clerk

IN THE JUVENILE COURT OF \_\_\_\_\_ COUNTY, TENNESSEE

IN THE MATTER OF:

Docket No. \_\_\_\_\_

\_\_\_\_\_ DOB: \_\_\_\_\_

**A Child Under 18 Years of Age**

ORIGINAL CHARGE(S): \_\_\_\_\_

**VIOLATION OF PROBATION ORDER**

This matter came on to be heard on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before the Honorable \_\_\_\_\_, upon a Violation of Probation petition filed by \_\_\_\_\_

Present for this hearing were: \_\_\_\_\_

The Court, having considered the testimony and evidence presented and the entire record, finds as follows:

- The child was advised of the charge(s) against him/her and of his/her right to a hearing and an attorney. The child was also advised of his/her right to appeal this matter. The Court finds that the meaning and effect of these rights have been fully explained to him/her.
- The child executed a Waiver of Right to Counsel with written waiver duly filed.
- The child was initially placed on probation on \_\_\_\_\_ as the disposition after the child was adjudicated a  delinquent  unruly child.
- The child entered a plea of guilty/best interest/no contest to the Violation of Probation after having waived his/her rights to a trial of this matter in writing in a separate document.
- The child entered a plea of not guilty to the Violation of Probation
- The Court finds by a preponderance of the evidence that the child violated the conditions of probation.
- The Court finds the child has not violated the conditions of probation.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that:

- The child shall complete the conditions of the original probation with no modifications.
- DCS/Supervised County/Unsupervised County/Intensive Probation shall be extended for an additional \_\_\_\_\_ months.

The following condition(s) of judicial diversion shall remain in effect \_\_\_\_\_

It is in the best interest of the child that those conditions remain in effect because \_\_\_\_\_

- The child shall be discharged from probation.

- The child is placed under the supervision of the State of Tennessee, Department of Children's Services, on DCS juvenile probation for a period not to exceed six (6) months. Said child and parent(s)/guardian(s) shall comply respectfully with all lawful and reasonable requests of the probation officer and all rules of probation.
- The child shall be placed under the supervision of the Court on intensive probation for a period of \_\_\_\_\_ months. Said child and parent(s)/guardian(s) shall comply respectfully with all lawful and reasonable requests of the probation officer and all rules of intensive probation.
- The child shall be placed under the supervision of the Court on supervised/unsupervised county juvenile probation for a period of \_\_\_\_\_ months. Said child and parent(s)/guardian(s) shall comply respectfully with all lawful and reasonable requests of the probation officer and all rules of probation.
- The child shall *(full list of special probation conditions)* \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- The parent, guardian or legal custodian, \_\_\_\_\_, shall pay the following the following costs/fees \_\_\_\_\_

All fees and costs are to be paid to the Juvenile Clerk. Payments may be made by cash, cashier's check/money order, or debit/credit card.

- This matter shall be scheduled for a \_\_\_\_\_ hearing on \_\_\_\_\_ at \_\_\_\_\_
  - The child and parent, guardian, or legal custodian(s) shall appear.
  - The child and parent, guardian, or legal custodian(s) need not appear if the child has complied with the aforesaid order.

**ENTERED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
 Juvenile Court Judge/Magistrate

**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the order has been delivered by U.S. mail, by personal service, by email or facsimile if service is so accepted, to the individuals listed below this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_:

\_\_\_\_\_

IN THE JUVENILE COURT OF \_\_\_\_\_ COUNTY, TENNESSEE

IN THE MATTER OF:

Docket No. \_\_\_\_\_

DOB: \_\_\_\_\_

**A Child Under 18 Years of Age**

ORIGINAL CHARGE(S): \_\_\_\_\_

**VIOLATION OF PROBATION ORDER – COMMITMENT TO DCS**

This matter came on to be heard on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before the Honorable \_\_\_\_\_, upon a Violation of Probation petition filed by \_\_\_\_\_

Present for this hearing were: \_\_\_\_\_

The Court, having considered the testimony and evidence presented and the entire record, finds as follows:

- The child was advised of the charge(s) against him/her and of his/her right to a hearing and an attorney. The child was also advised of his/her right to appeal this matter. The Court finds that the meaning and effect of these rights have been fully explained to him/her.
  - The child executed a Waiver of Right to Counsel with written waiver duly filed.
- The child was initially placed on probation on \_\_\_\_\_ as the disposition after the child was adjudicated a  delinquent  unruly child.
- The child entered a plea of guilty/best interest/no contest to the Violation of Probation after having waived his/her rights to a trial of this matter in writing in a separate document.
- The child entered a plea of not guilty to the Violation of Probation
- The Court finds by a preponderance of the evidence that the child violated the conditions of probation.
  - The Court finds that in addition to violating the conditions of probation the child was separately adjudicated dependent or neglected and placed in custody of the Department of Children's Services on \_\_\_\_\_
  - The Court finds that in addition to violating the conditions of probation the child was separately adjudicated delinquent and placed in custody of the Department on \_\_\_\_\_, for an eligible delinquent offense arising out of a subsequent criminal episode other than the offense for which the child has been placed on probation.
  - The Court finds that in addition to violating the conditions of probation, and by clear and convincing evidence, that the child is in *imminent risk of danger* to the child's health or safety and *needs specific treatment or services that are available only if the child is placed in the custody* of the Department of Children's Services in that \_\_\_\_\_
- The offense for which the child was originally placed on probation was an unruly offense and this matter was referred to the juvenile-family crisis intervention program and it has been certified in writing/through sworn testimony that no other less drastic measure other than court intervention exists, pursuant to T.C.A. § 37-1-168.

- Continuation of the child in the home is contrary to the best interests and welfare of the child for the following reasons: \_\_\_\_\_  
There is no less restrictive alternative to removal of the child from the home that will reduce the risk of flight or of serious physical harm to the child or to others.
- Reasonable efforts were made to prevent the child's removal from the home, which include: \_\_\_\_\_  
\_\_\_\_\_
- It was reasonable to make no efforts to maintain the child in the home based on an assessment of the family and the child's circumstances that include: \_\_\_\_\_  
\_\_\_\_\_
- Reasonable efforts to prevent removal were not required because:
  - this Court or another Court of competent jurisdiction has previously determined that the parent has subjected the child(ren), or any sibling or half-sibling or any other child residing temporarily or permanently in the home, to aggravated circumstances as defined in T.C.A. § 36-1-102.
  - the parent has been convicted in a criminal court of one of the felony crimes against a child specified in T.C.A. § 37-1-166.
  - the parental rights of the parent to a sibling or half-sibling have been terminated involuntarily.
- The Department of Children's Services failed to provide reasonable efforts to prevent the child's removal from the home.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that:

That the child, \_\_\_\_\_ is removed from the custody of \_\_\_\_\_ and committed to the State of Tennessee, Department of Children's Services. Temporary custody of the child is hereby awarded to the State of Tennessee, Department of Children's Services, with the authority granted under T.C.A. § 37-1-140, including the authority to consent to any ordinary or necessary medical, surgical, hospital, psychological, psychiatric, institutional or education care.

The Court further orders that all state, county, or local agencies with information or records relevant to the child's situation, including any public or private medical or mental health treatment resources and all educational facilities, shall release such information or records as are necessary for the management of this case to the Department of Children's Services.

The child shall \_\_\_\_\_ *(full list of special probation conditions)* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The parent, guardian or legal custodian, \_\_\_\_\_, shall pay the following the following costs/fees \_\_\_\_\_  
\_\_\_\_\_

All fees and costs are to be paid to the \_\_\_\_\_ County Juvenile Clerk. Payments may be made by cash, cashier's check/money order, or debit/credit card.

This matter shall be scheduled for a \_\_\_\_\_ hearing on \_\_\_\_\_ at \_\_\_\_\_

**ENTERED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

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Juvenile Court Judge/Magistrate

**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the order has been delivered by U.S. mail, by personal service, by email or facsimile if service is so accepted, to the individuals listed below this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_:

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IN THE JUVENILE COURT OF \_\_\_\_\_ COUNTY, TENNESSEE

IN THE MATTER OF:

Docket No. \_\_\_\_\_

\_\_\_\_\_ DOB: \_\_\_\_\_

**A Child Under 18 Years of Age**

CHARGE(S): \_\_\_\_\_

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**MOTION AND ORDER TO DISCHARGE FROM PROBATION**

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Comes now \_\_\_\_\_ and moves this Honorable Court to discharge the child, from probation because he/she has successfully completed probation.

- All fines, fees, or restitution have been paid.
- There are unpaid fines, fees, or restitution: \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Youth Services Officer/Probation Officer

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**ORDER ON MOTION TO DISCHARGE FROM PROBATION**

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The Court having reviewed the Motion to Discharge from Probation now finds and orders as follows:

- the Motion to Discharge from Probation be granted.
- the Motion to Discharge from Probation is denied and \_\_\_\_\_  
\_\_\_\_\_
- The parent/guardian/legal custodian, \_\_\_\_\_, is ordered to pay the remaining costs/fees by \_\_\_\_\_. If not paid, \_\_\_\_\_ is ordered to appear in court on \_\_\_\_\_ at \_\_\_\_\_ to explain his/her failure to pay. If all costs/fees have been paid, you need not appear at the hearing. If they have not been paid and you fail to appear, a warrant may be issued for your arrest.
- Restitution heretofore ordered by this court may be converted to a civil judgment pursuant to T.C.A. § 37-1-131.

**ENTERED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Juvenile Court Judge/Magistrate

**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the order has been delivered by U.S. mail, by personal service, by email or facsimile if service is so accepted, to the individuals listed below this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_:

\_\_\_\_\_



IN THE JUVENILE COURT OF \_\_\_\_\_ COUNTY, TENNESSEE

IN THE MATTER OF:

Docket No. \_\_\_\_\_

\_\_\_\_\_ DOB: \_\_\_\_\_

**A Child Under 18 Years of Age**

CHARGES: \_\_\_\_\_

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**ADJUDICATORY/DISPOSITIONAL ORDER COMMITMENT TO DCS**

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This matter came on to be heard on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before the Honorable \_\_\_\_\_, upon the petition filed alleging the above offense(s).

Present for this hearing were: \_\_\_\_\_

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The Court, having considered the testimony and evidence presented and the entire record, finds as follows:

- The child was advised of the charge(s) against him/her and of his/her right to a hearing and an attorney. The child was also advised of his/her right to appeal this matter. The Court finds that the meaning and effect of these rights have been fully explained to him/her.
- The child executed a Waiver of Right to Counsel with written waiver duly filed.
- The offense of \_\_\_\_\_ is amended to \_\_\_\_\_
- The child entered a plea of guilty/best interest/no contest to the following offense(s) after having waived his/her rights to a trial of this matter in writing in a separate document: \_\_\_\_\_  
\_\_\_\_\_
- The child entered a plea of not guilty to the following offense(s) \_\_\_\_\_
- Continuation of the child in the home is contrary to the best interests and welfare of the child for the following reasons: \_\_\_\_\_  
There is no less restrictive alternative to removal of the child from the home that will reduce the risk of flight or of serious physical harm to the child or to others.
- Reasonable efforts were made to prevent the child's removal from the home, which include: \_\_\_\_\_  
\_\_\_\_\_
- It was reasonable to make no efforts to maintain the child in the home based on an assessment of the family and the child's circumstances that include: \_\_\_\_\_  
\_\_\_\_\_
- Reasonable efforts to prevent removal were not required because:
  - this Court or another Court of competent jurisdiction has previously determined that the parent has subjected the child(ren), or any sibling or half-sibling or any other child residing temporarily or permanently in the home, to aggravated circumstances as defined in T.C.A. § 36-1-102.

the parent has been convicted in a criminal court of one of the felony crimes against a child specified in T.C.A. § 37-1-166.

the parental rights of the parent to a sibling or half-sibling have been terminated involuntarily.

The Department of Children's Services failed to provide reasonable efforts to prevent the child's removal from the home.

There is proof beyond a reasonable doubt that the child is a **delinquent** child, and the Court has determined that the child is in need of treatment and rehabilitation and meets the criteria for commitment to DCS because:

The current offense(s) for which the child has been adjudicated delinquent and is subject to disposition would constitute a *felony* if committed by an adult.

The current offense for which the child has been adjudicated delinquent and is subject to disposition would constitute a *misdemeanor* if committed by an adult; AND the child has previously been adjudicated delinquent for two (2) or more offenses arising from separate incidents that would constitute either a felony or misdemeanor if committed by an adult, including adjudications in other jurisdictions that, if committed in this jurisdiction, would constitute a felony or misdemeanor.

The Court finds by clear and convincing evidence that the child is in *imminent risk of danger* to the child's health or safety and *needs specific treatment or services that are available only if the child is placed in the custody* of the Department of Children's Services in that \_\_\_\_\_

There is clear and convincing evidence that the child is an **unruly** child, and the Court has determined that the child is in need of treatment and rehabilitation and meets the criteria for commitment to DCS because:

The child has *previously been adjudicated* for two (2) or more offenses arising from separate incidents that would constitute an unruly offense, or a felony or misdemeanor if committed by an adult, including adjudications in other jurisdictions that, if committed in this jurisdiction, would constitute a felony or misdemeanor.

The Court finds by clear and convincing evidence that the child is in *imminent risk of danger* to the child's health or safety and *needs specific treatment or services that are available only if the child is placed in the custody* of the Department of Children's Services in that \_\_\_\_\_

This matter was referred to the juvenile-family crisis intervention program and it has been certified in writing/through sworn testimony that no other less drastic measure other than court intervention exists, pursuant to T.C.A. § 37-1-168.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that:

The child is found guilty by the Court of the following offense(s): \_\_\_\_\_

The child is a **DELINQUENT** child and is in need of treatment and rehabilitation within the meaning of Title 37, Chapter 1, Part 1, of Tennessee Code Annotated, for the reasons set forth above.

The child is an **UNRULY** child and is in need of treatment and rehabilitation within the meaning of Title 37, Chapter 1, Part 1, of Tennessee Code Annotated, for the reasons set forth above.

This order shall constitute a Valid Court Order, the violation of which may result in said child's placement in state's custody or in a juvenile detention facility in accordance with the Tennessee Rules of Juvenile Practice and Procedure (Appendix). During any hearing regarding such violation of this order, said child has all due process rights indicated in such rules, including the right to legal counsel and the right to have such counsel appointed by

the Court if indigent. Further, violation of this order by any of the parties charged hereby may be considered Contempt of Court and punished as indicated in T.C.A. § 37-1-158.

- The child is found not guilty by the Court of \_\_\_\_\_
- The following offense(s) shall be dismissed/nolled/retired: \_\_\_\_\_
- That \_\_\_\_\_ is removed from the custody of \_\_\_\_\_ and committed to the State of Tennessee, Department of Children's Services
- That \_\_\_\_\_ is removed from the custody of \_\_\_\_\_ and committed to the State of Tennessee, Department of Children's Services for a determinate period of \_\_\_\_\_

Temporary custody of the child is hereby awarded to the State of Tennessee, Department of Children's Services, with the authority granted under T.C.A. § 37-1-140, including the authority to consent to any ordinary or necessary medical, surgical, hospital, psychological, psychiatric, institutional or education care.

The Court further orders that all state, county, or local agencies with information or records relevant to the child's situation, including any public or private medical or mental health treatment resources and all educational facilities, shall release such information or records as are necessary for the management of this case to the Department of Children's Services.

- The child shall \_\_\_\_\_ *(full list of special probation conditions)* \_\_\_\_\_
- The Court orders the child to undergo a risk & needs assessment to be completed by \_\_\_\_\_.
- The Court finds that the risk & needs assessment has been completed and the results have been submitted to the Court.
- The parent, guardian or legal custodian, \_\_\_\_\_, shall pay the following the following costs/fees \_\_\_\_\_
- The child and/or the parent, guardian or legal custodian, \_\_\_\_\_, shall pay restitution owed to the victim, \_\_\_\_\_, in the amount of \$\_\_\_\_\_.

All costs and fees are to be paid to the Juvenile Court Clerk. Payments may be made by cash, cashier's check/money order, or debit/credit card.

- This matter shall be scheduled for a \_\_\_\_\_ hearing on \_\_\_\_\_ at \_\_\_\_\_

**ENTERED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Juvenile Court Judge/Magistrate

**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the order has been delivered by U.S. mail, by personal service, by email or facsimile if service is so accepted, to the individuals listed below this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_:

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IN THE JUVENILE COURT OF \_\_\_\_\_ COUNTY, TENNESSEE

IN THE MATTER OF:

Docket No. \_\_\_\_\_

\_\_\_\_\_ DOB: \_\_\_\_\_

A Child Under 18 Years of Age

**VIOLATION OF DCS HOME PLACEMENT SUPERVISION (AFTERCARE) ORDER**

This matter came on to be heard on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before the Honorable \_\_\_\_\_, upon the Violation of DCS Home Placement Supervision (Aftercare) Petition.

Present for this hearing were: \_\_\_\_\_

The Court, having considered the testimony and evidence presented and the entire record, finds as follows:

- The child was advised of the charge(s) against him/her and of his/her right to a hearing and an attorney. The child was also advised of his/her right to appeal this matter. The Court finds that the meaning and effect of these rights have been fully explained to him/her.
  - The child executed a Waiver of Right to Counsel with written waiver duly filed.
- The child entered a plea of guilty/best interest/no contest to the Violation of DCS Home Placement Supervision (Aftercare) after having waived his/her rights to a trial of this matter in writing in a separate document.
- The child entered a plea of not guilty to the Violation of DCS Home Placement Supervision (Aftercare).
- The Court finds by a preponderance of the evidence that the child violated the home placement supervision.
- The Court finds the child has not violated the conditions of home placement supervision.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that:

- The child shall *(full list of special probation conditions)* \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

- The child and/or the parent, guardian or legal custodian, \_\_\_\_\_, shall pay restitution owed to the victim, \_\_\_\_\_, in the amount of \$\_\_\_\_\_.

All costs and fees are to be paid to the Juvenile Court Clerk. Payments may be made by cash, cashier's check/money order, or debit/credit card.

- This matter shall be scheduled for a \_\_\_\_\_ hearing on \_\_\_\_\_ at \_\_\_\_\_

- The child and parent, guardian, or legal custodian(s) shall appear.
- The child and parent, guardian, or legal custodian(s) need not appear if the child has complied with the aforesaid order.

**ENTERED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

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Juvenile Court Judge/Magistrate

**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the order has been delivered by U.S. mail, by personal service, by email or facsimile if service is so accepted, to the individuals listed below this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_:

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IN THE JUVENILE COURT OF \_\_\_\_\_ COUNTY, TENNESSEE

IN THE MATTER OF:

Docket No. \_\_\_\_\_

\_\_\_\_\_ DOB: \_\_\_\_\_

A Child Under 18 Years of Age

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**VIOLATION OF DCS HOME PLACEMENT SUPERVISION (AFTERCARE) ORDER –  
RECOMMITMENT TO DCS**

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This matter came on to be heard on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before the Honorable \_\_\_\_\_, upon the Violation of DCS Home Placement Supervision (Aftercare) Petition.

Present for this hearing were: \_\_\_\_\_

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The Court, having considered the testimony and evidence presented and the entire record, finds as follows:

- The child was advised of the charge(s) against him/her and of his/her right to a hearing and an attorney. The child was also advised of his/her right to appeal this matter. The Court finds that the meaning and effect of these rights have been fully explained to him/her.
  - The child executed a Waiver of Right to Counsel with written waiver duly filed.
- The child entered a plea of guilty/best interest/no contest to the Violation of DCS Home Placement Supervision (Aftercare) after having waived his/her rights to a trial of this matter in writing in a separate document.
- The child entered a plea of not guilty to the Violation of DCS Home Placement Supervision (Aftercare).
- The Court finds the child meets the criteria for recommitment to the Department of Children’s Services, specifically:
  - the child violated the home placement supervision conditions in that the child has been adjudicated of the following new offense(s) eligible for commitment pursuant to T.C.A. § 37-1-131(a)(4): \_\_\_\_\_  
\_\_\_\_\_
  - the child is in *imminent risk of danger* to the child’s health or safety and *needs specific treatment or services that are available only if the child is placed in the custody* of the Department of Children’s Services in that \_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Continuation of the child in the home is contrary to the best interests and welfare of the child for the following reasons: \_\_\_\_\_

There is no less restrictive alternative to removal of the child from the home that will reduce the risk of flight or of serious physical harm to the child or to others.

- Reasonable efforts were made to prevent the child's removal from the home, which include: \_\_\_\_\_  
\_\_\_\_\_
- It was reasonable to make no efforts to maintain the child in the home based on an assessment of the family and the child's circumstances that include: \_\_\_\_\_  
\_\_\_\_\_
- Reasonable efforts to prevent removal were not required because:
  - this Court or another Court of competent jurisdiction has previously determined that the parent has subjected the child(ren), or any sibling or half-sibling or any other child residing temporarily or permanently in the home, to aggravated circumstances as defined in T.C.A. § 36-1-102.
  - the parent has been convicted in a criminal court of one of the felony crimes against a child specified in T.C.A. § 37-1-166.
  - the parental rights of the parent to a sibling or half-sibling have been terminated involuntarily.
- The Department of Children's Services failed to provide reasonable efforts to prevent the child's removal from the home.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that:

- That \_\_\_\_\_ is recommitted to the State of Tennessee, Department of Children's Services.
- That \_\_\_\_\_ is recommitted to the State of Tennessee, Department of Children's Services for a determinate period of \_\_\_\_\_

Temporary custody of the child is hereby awarded to the State of Tennessee, Department of Children's Services, with the authority granted under T.C.A. § 37-1-140, including the authority to consent to any ordinary or necessary medical, surgical, hospital, psychological, psychiatric, institutional or education care.

The Court further orders that all state, county, or local agencies with information or records relevant to the child's situation, including any public or private medical or mental health treatment resources and all educational facilities, shall release such information or records as are necessary for the management of this case to the Department of Children's Services.

- The child shall \_\_\_\_\_ (*full list of special probation conditions*) \_\_\_\_\_  
\_\_\_\_\_

- The parent, guardian or legal custodian, \_\_\_\_\_, shall pay the following the following costs/fees \_\_\_\_\_
- The child and/or the parent, guardian or legal custodian, \_\_\_\_\_, shall pay restitution owed to the victim, \_\_\_\_\_, in the amount of \$\_\_\_\_\_.

All costs and fees are to be paid to the Juvenile Court Clerk. Payments may be made by cash, cashier's check/money order, or debit/credit card.

This matter shall be scheduled for a \_\_\_\_\_ hearing on \_\_\_\_\_ at \_\_\_\_\_



ENTERED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

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Juvenile Court Judge/Magistrate

**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the order has been delivered by U.S. mail, by personal service, by email or facsimile if service is so accepted, to the individuals listed below this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_:

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