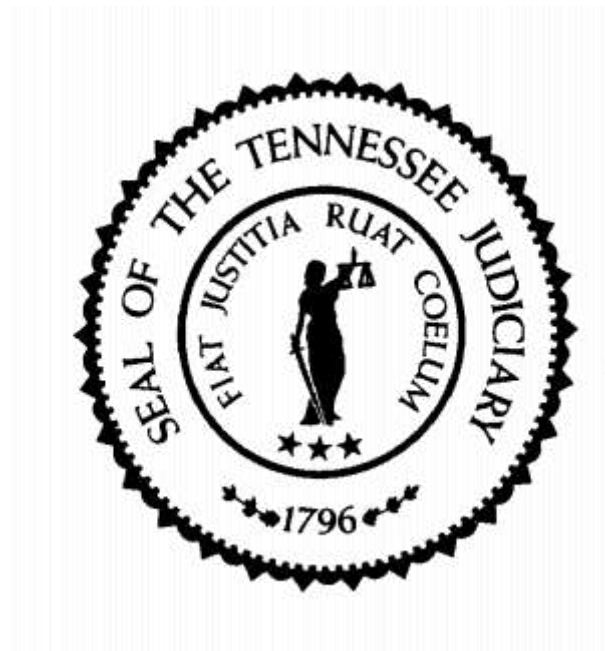


CHILD DEPENDENCY SAMPLE FORM ORDERS

2009



Janice M. Holder
Chief Justice
Tennessee Supreme Court

Courts

Elizabeth A. Sykes
Director
Administrative Office of the

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Tennessee Court Improvement Program

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IN THE JUVENILE COURT FOR _____ COUNTY, TENNESSEE

STATE OF TENNESSEE	)	CHILD/CHILDREN UNDER
	)	THE AGE OF EIGHTEEN
IN THE MATTER OF	)	
	)	
_____	)	DOCKET NO. _____

**ORDER APPOINTING COUNSEL FOR INDIGENT PARTY IN DEPENDENCY OR
TERMINATION OF PARENTAL RIGHTS PROCEEDING**

It appears to the Court from the affidavit of indigency filed in this matter that the respondent, _____, is entitled to court-appointed counsel pursuant to T.C.A. § 37-1-126 and Tenn. Sup. Ct. Rule 13, Sec. 1(d)(2).

It is therefore ordered that _____ is appointed as counsel for this respondent and is entitled to compensation at the hourly rate and subject to the maximum compensation set forth in Tenn. Sup. Ct. Rule 13, Sec. 2(d) and (e).

Appointed counsel shall represent the respondent in the following matters, unless relieved of this appointment by this court in a subsequent order:

_____ from the filing of the dependency petition through disposition; and in post disposition, foster care review and permanency proceedings;

_____ from the filing of the termination of parental rights petition to conclusion of trial;

_____ on appeal to circuit court, Tennessee Court of Appeals and/or Tennessee Supreme Court.

For purposes of compensation pursuant to Rule 13, each of the above is considered a separate proceeding. Counsel is entitled to submit separate claim forms for each proceeding and to be compensated up to the maximum amount allowed for each case as if it were the result of a separate appointment. Claims must be supported with a copy of the court order appointing counsel. Counsel is entitled to payment of expenses incident to appointed counsel's representation. Counsel is entitled to payment of specific expenses without prior approval as defined in Tenn. Sup. Ct. Rule 13, Sec. 4(a)(3). All other expenses must receive prior approval of this court and the director of the Administrative Office of the Courts in accordance with Tenn. Sup. Ct. Rule 13, Sec. 4(b).

Enter this the _____ day of _____, _____.

JUDGE/REFEREE

IN THE JUVENILE COURT FOR _____ COUNTY, TENNESSEE

5.1.1.1 STATE OF TENNESSEE) CHILD/CHILDREN UNDER
) THE AGE OF EIGHTEEN
IN THE MATTER OF)
)
)
_____) DOCKET NO. _____

ORDER APPOINTING GUARDIAN AD LITEM AND ALLOWING DISCOVERY

It appears to the Court that this matter involves a petition alleging dependency or termination of parental rights and that the appointment of a guardian ad litem for the above-named child(ren) is required, pursuant to T.C.A. § 37-1-149.

It is therefore ordered that _____ is hereby appointed as guardian ad litem for the above-named child(ren).

The guardian ad litem shall represent the child(ren) in the following matters, unless relieved of this appointment by this court in a subsequent order:

_____ from the filing of the dependency petition through disposition; and in post disposition, foster care review and permanency proceedings;
_____ from the filing of the termination of parental rights petition to conclusion of trial;
_____ on appeal to circuit court, Tennessee Court of Appeals and/or Tennessee Supreme Court.

For purposes of compensation pursuant to Rule 13, each of the above is considered a separate proceeding. Counsel is entitled to submit separate claim forms for each proceeding and to be compensated up to the maximum amount allowed for each case as if it were the result of a separate appointment. Claims must be supported with a copy of the court order appointing counsel. Counsel is entitled to payment of expenses incident to appointed counsel's representation. Counsel is entitled to payment of specific expenses without prior approval as defined in Tenn. Sup. Ct. Rule 13, Sec. 4(a)(3). All other expenses must receive prior approval of this court and the director of the Administrative Office of the Courts in accordance with Tenn. Sup. Ct. Rule 13, Sec. 4(b).

It is further ordered that, for the purpose of preparing for the adjudication of matters pending before the Court, the guardian ad litem shall have access to all documents and records pertaining to the child(ren), including, but not limited to, all records of the Department of Children's Services and any other medical, health care, educational and/or psychological/psychiatric records. The guardian ad litem is further authorized to interview any individuals having contact with or providing services to the child(ren). Work products of the office of the District Attorney, counsel for the Tennessee Department of Children's Services or the police department and the identity of persons making reports/complaints to the Tennessee Department of Children's Services are excluded from this order for discovery.

Enter this the _____ day of _____, _____.

JUDGE/REFEREE

UNIFORM AFFIDAVIT OF INDIGENCY

PART I

1. Full Name: _____
2. Social Security No.: _____
3. Any other names ever used _____
4. Address: _____
5. Telephone Nos.: (Home) _____ (Work) _____ (Other) _____
6. Are you working anywhere? Yes () No () Where? _____
7. How much do you make? _____ (weekly, monthly, etc.)
8. Birthdate: _____
9. Do you receive any governmental assistance or pensions (disability, SSI, AFDC, etc.)?
Yes () No () What is its value? _____ (weekly, monthly, etc.)
10. Do you own any property (house, car, bank acct., etc.):
Yes () No () What is its value? _____
11. Are you, or your family, going to be able to post your bond? Yes () No ()
12. Are you, or your family, going to hire a private attorney? Yes () No ()
13. Are you now in custody? Yes () No () If so, how long have you been in custody? _____
(If the defendant is in custody, unable to make bond and the answers to questions one (1) through eleven (11) make it clear that the defendant has no resources to hire a private attorney, skip Part II and complete Part III. If Part II is to be completed, do not list items already listed in Part I.)

PART II

14. Names & ages of all dependents:
_____ relationship _____
_____ relationship _____
_____ relationship _____
15. I have met with following lawyer(s), have attempted to hire said lawyer(s) to represent me, and have been unable to do so:
Name _____
Address _____
16. All my income from all sources (including, but not limited to wages, interest, gifts, AFDC, SSI, Social Security, retirement, disability, pension, unemployment, alimony, worker's compensation, etc.):
\$ _____ per _____ from _____
\$ _____ per _____ from _____
\$ _____ per _____ from _____
17. All money available to me from any source:
A. Cash _____
B. Checking, Saving, or CD Account(s)-give bank, acct. no., balance _____

C. Debts owed me _____
D. Credit Card(s)- give acct. no., balance, credit limit, and type (Visa, Mastercard, American Express, etc.)

E. Other _____

18. All vehicles/vessels owned by me, solely or jointly, within the last six months (including but not limited to cars, trucks, motorcycles, farm equip., boats etc.):

_____ value \$ _____ amt. owed _____
_____ value \$ _____ amt. owed _____
_____ value \$ _____ amt. owed _____

19. All real estate owned by me, solely or jointly, within the last six months (including land, lots, houses, mobile homes, etc.):

_____ value \$ _____ amt. owed _____
_____ value \$ _____ amt. owed _____

20. All assets or property not already listed owned within the last six months or expected in the future:

_____ value \$ _____ amt. owed _____
_____ value \$ _____ amt. owed _____

21. The last income tax return I filed was for the year ____ and it reflected a net income of \$ _____.
I will file a copy of same within one week if required.

22. I am out of jail on bond of \$ _____ made by _____.
The money to make bond, \$ _____ was paid by _____.

5.1.1.1.1 PART III

23. Acknowledging that I am still under oath, I certify that I have listed in Parts I and II all assets in which I hold or expect to hold any legal or equitable interest.

24. I am financially unable to obtain the assistance of a lawyer and request the court to appoint a lawyer for me.

25. I understand that it is a Class A misdemeanor for which I can be sentenced to jail for up to 11 months 29days or be fined up to \$2500.00 or both if I intentionally or knowingly misrepresent, falsify, or withhold any information required in this affidavit. I also understand that I may be required by the Court to produce other information in support of my request for an attorney.

This _____ day of _____, _____.

Defendant _____

Sworn to and Subscribed before me this ____ day of _____, _____.

Clerk

Judge/Referee

IN THE JUVENILE COURT FOR _____ COUNTY, TENNESSEE

STATE OF TENNESSEE

)

CHILD/CHILDREN UNDER
THE AGE OF EIGHTEEN

IN THE MATTER OF

)

)

)

)

DOCKET NO: _____

ORDER AUTHORIZING REIMBURSEMENT OF COSTS OF TRIAL TRANSCRIPT*

This cause came to be heard on _____, 2__ before the Honorable _____, Judge/Magistrate of the Juvenile Court of _____ County, Tennessee, upon the Motion For Reimbursement of Costs of Trial Transcript filed by _____.

Upon statements of counsel and the entire record, the Court FINDS that the Respondent was indigent at the trial of this (*child dependency/termination of parental rights proceeding*), continues to be indigent and shall proceed as such on appeal to the Court of Appeals. Further, the Court FINDS that the trial transcript is necessary to the effective representation of the respondent. Therefore, reimbursement for the costs of the trial transcript shall be authorized, pursuant to Tenn. Sup. Ct. Rule 13, Sec. 4.

It is therefore ORDERED, ADJUDGED and DECREED that the costs of the transcript of the trial of this matter heard on _____ shall be reimbursed by the Administrative Office of the Courts, pursuant to Tenn. Sup. Ct. Rule 13, Sec. 4. The estimated cost of the transcript is \$_____. Should the cost exceed this amount, counsel shall file another motion with the court requesting payment of the amount over and above the estimated cost. (*Name*)_____, court reporter shall be reimbursed at the rate of \$3.00 per page for the original and 1 copy as a set and \$.25 per page for each additional copy.

It is further ORDERED that counsel for the Respondent shall forward this order immediately for approval to the Administrative Office of the Courts, Nashville City Center, Suite 600, 511 Union Street, Nashville, TN 37243 (facsimile 615-253-0017); Attention: Indigent Defense

Enter this the ____ day of _____, _____.

JUDGE/REFEREE

* A motion and order are not necessary in appeals of termination of parental rights cases involving the Department of Children's Services. See Tenn. Sup. Ct. Rule 13, Sec. 4(c).

IN THE JUVENILE COURT FOR _____ COUNTY, TENNESSEE

STATE OF TENNESSEE
UNDER

)

CHILD/CHILDREN

)

THE AGE OF EIGHTEEN

IN THE MATTER OF

)

)

DOCKET NO: _____

ORDER DECLARING CASE COMPLEX AND/OR EXTENDED

This cause came to be heard on _____, 2__ before the Honorable _____,
Judge/Magistrate of the Juvenile Court of _____ County, Tennessee upon the Motion to
Determine Case Complex and/or Extended, filed by the court-appointed {*guardian ad litem for
the child(ren); counsel for mother or father of the minor child(ren); or attorney for the child(ren)*
appointed pursuant to Tenn. Sup. Ct. Rule 40}.

Upon statements of counsel and the entire record, the Court FINDS that this matter is
complex *and/or* extended pursuant to Tenn. Sup. Ct. Rule 13, Sec. 2(e).

It is therefore ORDERED, ADJUDGED AND DECREED that this matter is complex
and/or extended pursuant to Supreme Court Rule 13, Sec. 2(e). **[List ALL the reasons why the
representation is extended and/or complex as listed in the motion.**

Enter this the _____ day of _____, _____.

JUDGE/REFEREE

IN THE JUVENILE COURT OF _____ COUNTY, TENNESSEE

STATE OF TENNESSEE

)

CHILD/CHILDREN UNDER
THE AGE OF EIGHTEEN

IN THE MATTER OF

)

)

)

DOCKET NO: _____

PROTECTIVE CUSTODY ORDER

It appears to the Court from:

☐ the sworn allegations of the petition filed by _____ in the this matter.

☐ the sworn statements of _____

that there is probable cause to believe that the above-named child(ren), is/are a dependent and neglected child(ren) within the meaning of the law, that the child(ren) is/are subject to an immediate threat to the child(ren)'s health and safety to the extent that delay for a hearing would be likely to result in severe or irreparable harm, and there is no less drastic alternative to removal available which could reasonably and adequately protect the child(ren)'s health and safety pending a preliminary hearing; that it is contrary to the child(ren)'s welfare at this time to remain in the care, custody, or control of the parents/caretakers/custodians, because of the following (*provide specific facts for each child*): _____

The Court further finds that :

☐ Reasonable efforts have been made and services have been rendered to prevent or eliminate the removal of said child(ren) from his/her/their home, including (*if different services were provided for different children, specify below*):

- | | |
|---|---|
| ☐ Mental health counseling for child/children | ☐ Mental health counseling for parent |
| ☐ Drug & alcohol counseling for child/children | ☐ Drug & alcohol counseling for parent |
| ☐ Parenting classes | ☐ Psychological evaluation for _____ |
| ☐ Community Intervention Services (CIS) | ☐ Family Crisis Intervention |
| ☐ Structured After-School/Summer Activities | ☐ Probation/Aftercare |
| ☐ Day Treatment for _____ | ☐ Intensive Case Management |
| ☐ Non-Custodial Assessment | ☐ Home Ties |
| ☐ Intensive in-home case management | ☐ Sexual abuse treatment for child |
| ☐ Sexual perpetrator treatment for _____ | ☐ Homemaker services |
| ☐ Residential Treatment for _____ | ☐ Locating relatives |
| ☐ Locating absent parent(s) | ☐ Respite Care |
| ☐ Other (specify) _____ | |
- (Detailed information) _____

☐ It was reasonable to make no efforts to maintain the child(ren) in the home based on an assessment of the family and the child(ren)'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) to aggravated circumstances as defined in T.C.A. §36-1-102(9);

☐ 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(g)(4)(B); or

☐ 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(ren)'s removal from the home.

The Court further finds that it is in the best interest of the child(ren) as follows, and

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED:

The child(ren) _____ is/are hereby brought into the protective custody of this Court.

Temporary care and custody of the child(ren) _____ is/are placed with the State of Tennessee, Department of Children's Services with authority to provide any appropriate plans for the care of said child(ren) and to consent to any necessary medical, surgical, hospital, educational, institutional, psychiatric, or psychological care pending further determination of the child(ren)'s custodial status by the Court.

The preliminary hearing in this cause is set for _____.

That _____ shall be appointed as guardian ad litem for the child(ren).

That _____ is appointed to represent the mother.

That _____ is appointed to represent the father.

It is further ordered _____

All state, county, or local agencies and any public or private medical or mental health treatment resources with information on records relevant to the child(ren)'s situation shall release such information or records as are necessary for the management of this case to the legal custodian named above and to any authorized representatives of the case management team of a community health agency, which is providing coordination of care and services with the legal custodian named above.

ENTERED this _____ day of _____, _____.

JUDGE/REFEREE

IN THE JUVENILE COURT OF _____ COUNTY, TENNESSEE

IN THE MATTER OF: _____)
_____ DOB: _____) NO: _____
_____ DOB: _____) _____
Child(ren) Under Eighteen (18) Years of Age)

BENCH ORDER - CUSTODY TO DCS

This cause came to be heard on _____, 2____ before the Honorable _____,
Judge/Magistrate of the Juvenile Court of _____ County, Tennessee, upon
_____ filed by _____ for a _____
hearing.

Present for the hearing were: ☐ the child(ren) _____
☐ mother, _____ ☐ father, _____
☐ attorney/ guardian ad litem for chil(dren), _____
☐ attorney(s) for parent(s), _____
☐ other participant(s), _____

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

- ☐ there is probable cause to believe the child(ren) is/are dependent, neglected or abused in that _____
- ☐ there is clear and convincing evidence that the child(ren) is/are dependent and neglected in that _____
- ☐ there is clear and convincing evidence that the child is unruly and in need of treatment and rehabilitation in that _____
- ☐ This matter was referred to the juvenile-family crisis intervention program and it has been certified that no other less drastic measure other than court intervention exists, pursuant to T.C.A. § 37-1-132(b)(2).
- ☐ there is proof beyond a reasonable doubt that the child is delinquent and in need of treatment and rehabilitation in that _____

The Court finds the continuation of the child(ren) in the home is contrary to the welfare of the child(ren), is not in the child's best interest, and there is no less drastic alternative to removal based on the following facts:

The Court finds:

- ☐ Reasonable efforts were made to prevent the child(ren)'s removal from the home, which include:

- | | |
|---|--|
| ☐ Mental health counseling for child/children | ☐ Mental health counseling for parent |
| ☐ Drug & alcohol counseling for child/children | ☐ Drug & alcohol counseling for parent |
| ☐ Parenting classes | ☐ Psychological evaluation for _____ |
| ☐ Community Intervention Services (CIS) | ☐ Family Crisis Intervention |
| ☐ Tutoring or Special Education Services | ☐ Victim Offender Services, i.e. VORP |
| ☐ Mentoring Services | ☐ Structured After-School/Summer Activities |
| ☐ Restitution | ☐ Community Service Work |
| ☐ Day Treatment for _____ | ☐ Probation/ Aftercare |
| ☐ Intensive Probation | ☐ Intensive Case Management |
| ☐ Non-Custodial Assessment | ☐ Home Ties |
| ☐ Intensive in-home case management | ☐ Sexual abuse treatment for child |
| ☐ Sexual perpetrator treatment for _____ | ☐ Homemaker services |
| ☐ Residential Treatment for _____ | ☐ Locating relatives |
| ☐ Locating absent parent(s) | ☐ Other (specify) |

(Detailed information)

-
-
- ☐ It was reasonable to make no efforts to maintain the child(ren) in the home based on an assessment of the family and the child(ren)'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) to aggravated circumstances as defined in T.C.A. §36-1-102(9);
- ☐ 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(g)(4)(B); or

☐ 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(ren)'s removal from the home.

It appearing to the Court that the following is the best interest of the child(ren) and the public.

IT IS THEREFORE ORDERED:

1. That temporary custody of the child(ren) _____ is hereby awarded to the State of Tennessee, Department of Children's Services, with the authority to consent to any ordinary or necessary medical, surgical, hospital, psychological, psychiatric, institutional or education care.
2. That all state, county, or local agencies with information or records relevant to the child(ren)'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 and to any authorized representatives of the case management team of a community services agency under T.C.A. 37-5-301 et seq. which is providing coordination of care and services with the Department of Children's Services.
3. This matter is set for _____ hearing on _____
4. _____

ENTERED this the _____ day of _____, 200__

Judge/Referee

IN THE JUVENILE COURT OF _____ COUNTY, TENNESSEE

IN THE MATTER OF:

_____	DOB _____	)	
_____	DOB _____	)	NO: _____
_____	DOB _____	)	NO: _____
_____	DOB _____	)	NO: _____
Child(ren) Under Eighteen (18) Years of Age		)	

ADJUDICATORY/DISPOSITIONAL ORDER

This cause came to be heard on _____, 2____ before the Honorable _____,
Judge/Magistrate of the Juvenile Court of _____ County, Tennessee, upon
_____ filed by _____ on the _____ day of _____,
as an ☐ adjudicatory/☐ dispositional hearing.

Present for the hearing were:

☐ **the mother,** _____

☐ had notice and failed to appear

☐ did not have notice or whereabouts unknown

DCS ☐ has ☐ has not made reasonable efforts to locate and provide notice

☐ was represented by Attorney _____

☐ waived her right to representation pursuant to TRJP 30 at this hearing and chose to proceed
pro se, as evidenced by the waiver of counsel form incorporated herein.

☐ **the father,** _____

☐ had notice and failed to appear

☐ did not have notice or whereabouts unknown

DCS ☐ has ☐ has not made reasonable efforts to locate and provide notice

☐ father's identity is unknown - DCS ☐ has ☐ has not made reasonable efforts to identify him

☐ was represented by Attorney _____

☐ waived his right to representation pursuant to TRJP 30 at this hearing and chose to proceed
pro se, as evidenced by the waiver of counsel form incorporated herein.

☐ **the child/children,** _____

☐ was/were not present

☐ participated by phone because _____

☐ **Guardian(s) ad Litem,** _____

☐ had notice and failed to appear

☐ did not have notice

☐ **resource parent(s),** _____

- ☐ had notice but chose not to attend
- ☐ did not receive notice
- ☐ n/a because _____

☐ other participant(s), including CASA, agency representatives, and other parties _____ and

 representatives of the Department of Children's Services, _____

Upon the proof introduced at the hearing with all necessary parties properly before the Court
 either in person or by service of process; and the entire record, the Court finds by clear and convincing
 evidence that the child(ren) is/are dependent and neglected as follows (*specific findings of fact*): _____

The Court further finds that it is contrary to the child(ren)'s welfare to remain in the home and is
 in the child's best interest to be removed from the care, custody, or control of his/her _____
 because: _____

and, there is no less drastic alternative to removal.

☐ Reasonable efforts have been made and services have been rendered to prevent or eliminate the
 removal of said child(ren) from his/her/their home, including (*if different services were provided for different
 children, specify below*):

- | | |
|---|---|
| ☐ Mental health counseling for child/children | ☐ Mental health counseling for parent |
| ☐ Drug & alcohol counseling for child/children | ☐ Drug & alcohol counseling for parent |
| ☐ Parenting classes | ☐ Psychological evaluation for _____ |
| ☐ Community Intervention Services (CIS) | ☐ Family Crisis Intervention |
| ☐ Structured After-School/Summer Activities | ☐ Probation/Aftercare |
| ☐ Day Treatment for _____ | ☐ Intensive Case Management |
| ☐ Non-Custodial Assessment | ☐ Home Ties |
| ☐ Intensive in-home case management | ☐ Sexual abuse treatment for child |
| ☐ Sexual perpetrator treatment for _____ | ☐ Homemaker services |
| ☐ Residential Treatment for _____ | ☐ Locating relatives |
| ☐ Locating absent parent(s) | ☐ Respite Care |
| ☐ Other (specify) _____ | |

(Detailed information)

☐ It was reasonable to make no efforts to maintain the child(ren) in the home based on an assessment of the family and the child(ren)'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) to aggravated circumstances as defined in T.C.A. §36-1-102(9);

☐ 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(g)(4)(B); or

☐ 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(ren)'s removal from the home.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED:

1. That _____ is/are a dependent and neglected child(ren) within the meaning of the law.
2. That temporary custody of said child(ren) ☐ shall remain with the Department of Children's Services ☐ is hereby awarded to the Department of Children's Services with the authority to consent to any necessary medical, surgical, hospital, or institutional care effective _____.
3. That this Order shall remain in effect subject to further Orders of this Court.
4. That child support is reserved.
5. This matter is scheduled for a _____ hearing on _____
6. _____

ENTERED this _____ day of _____, 2002.

JUDGE/REFEREE

IN THE JUVENILE COURT OF _____ COUNTY, TENNESSEE

IN THE MATTER OF:

_____) DOB _____) NO: _____
_____) DOB _____) NO: _____
_____) DOB _____) NO: _____

A CHILD/CHILDREN UNDER EIGHTEEN (18) YEARS OF AGE

PERMANENCY PLAN RATIFICATION ORDER

This cause came to be heard on _____, 2____ before the Honorable _____,
Judge/Magistrate of the Juvenile Court of _____ County, Tennessee, on the motion filed by
the Department of Children's Services pursuant to T.C.A. 37-2-403 (a) for review and ratification of a
current permanency plan.

Present for the hearing were:

☐ the mother, _____

☐ had notice and failed to appear

☐ did not have notice or whereabouts unknown

DCS ☐ has ☐ has not made reasonable efforts to locate and provide notice

☐ was represented by Attorney _____

☐ waived her right to representation pursuant to TRJP 30 at this hearing and chose to proceed
pro se, as evidenced by the waiver of counsel form incorporated herein.

☐ the father, _____

☐ had notice and failed to appear

☐ did not have notice or whereabouts unknown

DCS ☐ has ☐ has not made reasonable efforts to locate and provide notice

☐ father's identity is unknown - DCS ☐ has ☐ has not made reasonable efforts to identify him

☐ was represented by Attorney _____

☐ waived his right to representation pursuant to TRJP 30 at this hearing and chose to proceed
pro se, as evidenced by the waiver of counsel form incorporated herein.

☐ the child/children, _____

☐ was/were not present

☐ participated by phone because _____

☐ Guardian(s) ad Litem, _____

☐ had notice and failed to appear ☐ did not have notice

☐ resource parent(s), _____

☐ had notice but chose not to attend

☐ did not receive notice

☐ n/a because _____

☐ other participant(s), including CASA, agency representatives, and other parties _____ and _____

representatives of the Department of Children's Services, _____

Upon the proof presented at the hearing and the entire record, the Court finds the following by a preponderance of the evidence:

1. The goal(s) of the plan is/are _____ and these goal(s)

☐ is/are appropriate

☐ is/are not appropriate and should be changed to _____

2. The mother ☐ did ☐ did not participate in development of the plan.

☐ is in agreement with the plan

☐ is not in agreement with the plan because _____

3. The father ☐ did ☐ did not participate in development of the plan.

☐ is in agreement with the plan

☐ is not in agreement with the plan because _____

4. DCS made the following efforts to notify any party who was not present at this hearing and did not participate in development of the plan(s) of the plan requirements: _____

_____ ☐ N/A

5. The requirements set out in the plan, including the Desired Outcome and Actions Needed to Achieve Desired Outcome,

☐ are reasonable, related to remedying the conditions that necessitate foster care, and in the best interest of the child(ren).

☐ are not reasonable, related to remedying the conditions that necessitate foster care, or in the best interest of the child(ren) because _____

☐ and should be modified as follows: _____

☐ and this matter should be continued to allow the parties to develop a suitable plan.

6. The Court explained to all persons present at this hearing that failure to comply with the Permanency Plan, and to visit or support the child/ren may result in termination of parental rights and that the

parents have the right to seek counsel at a termination of parental rights proceeding. The Court further finds that the Criteria & Procedures for Termination of Parental Rights has been provided to the ☐ mother, ☐ father and/or ☐ the Department has made attempts to provide these criteria in compliance with T.C.A. § 37-2-403(a).

IT IS, THEREFORE, ORDERED:

☐ That the permanency plan(s) developed on _____, 2____, and filed with this Court is/are approved and is/are incorporated by reference as a part of this order with the goal(s) of _____.

☐ That the permanency plan(s) developed on _____, 2____, and filed with this Court is/are modified as set out above and, as modified, is/are incorporated by reference as a part of this order with the goal(s) of _____.

☐ That this matter shall be continued until _____, 2____, to allow the parties to develop a suitable plan.

☐ That the Department of Children's Services shall make diligent efforts to notify _____ of the provisions of the plan(s).

That the next hearing/review with regard to the child/ren is _____.

ENTER the ____ day of _____, 2____.

JUDGE/MAGISTRATE

IN THE JUVENILE COURT OF _____ COUNTY, TENNESSEE

IN THE MATTER OF:

_____) DOB _____) NO: _____
_____) DOB _____) NO: _____
_____) DOB _____) NO: _____

A CHILD/CHILDREN UNDER EIGHTEEN (18) YEARS OF AGE

PERMANENCY HEARING ORDER

This cause came to be heard on _____, 2__ before the Honorable _____,
Judge/Magistrate of the Juvenile Court of _____ County, Tennessee, on the motion filed by
the Department of Children's Services for a permanency hearing pursuant to T.C.A. 37-2-409 (a) for
review and ratification of a new permanency plan.

Present for the hearing were:

☐ the mother, _____

☐ had notice and failed to appear

☐ did not have notice or whereabouts unknown

DCS ☐ has ☐ has not made reasonable efforts to locate and provide notice

☐ was represented by Attorney _____

☐ waived her right to representation pursuant to TRJP 30 at this hearing and chose to proceed
pro se, as evidenced by the waiver of counsel form incorporated herein.

☐ the father, _____

☐ had notice and failed to appear

☐ did not have notice or whereabouts unknown

DCS ☐ has ☐ has not made reasonable efforts to locate and provide notice

☐ father's identity is unknown - DCS ☐ has ☐ has not made reasonable efforts to identify him

☐ was represented by Attorney _____

☐ waived his right to representation pursuant to TRJP 30 at this hearing and chose to proceed
pro se, as evidenced by the waiver of counsel form incorporated herein.

☐ the child/children, _____

☐ was/were not present and

☐ is under a doctor's care preventing attendance, or

☐ is placed out of state.

☐ participated by phone because _____

☐ Guardian(s) ad Litem, _____

☐ had notice and failed to appear

☐ did not have notice

☐ **resource parent(s)**, _____

☐ had notice but chose not to attend

☐ did not receive notice

☐ n/a because _____

☐ other participant(s), including CASA, agency representatives, and other parties _____ and
representatives of the Department of Children's Services, _____

Upon the proof presented at the hearing (including ☐ an affidavit of reasonable efforts and ☐ a quarterly progress report submitted by the Department of Children's Services) and the entire record, the Court finds the following by a preponderance of the evidence and orders that:

1. The child(ren) came into custody on _____ and the current permanency hearing
☐ is timely in that the child(ren) have been in foster care for less than 12 months or the last hearing that meets requirements of permanency hearing occurred within 12 months, on _____, 2____.
☐ is not timely in that the child(ren) have been in foster care for more than 12 months without a permanency hearing or the last hearing that meets the requirements of a permanency hearing occurred on _____, 2____.
2. The current placement of the child(ren) at/in _____
☐ is safe and appropriate and in the child(ren)'s best interest.
☐ is not safe and appropriate or in the child(ren)'s best interest because
☐ the child AWOL, is receiving no education or services, and is endangering his/her welfare.
☐ _____
3. Evidence presented as to the child(ren)'s progress and needed services shows that

- 4a. These services ☐ are ☐ are not in the best interest of the child(ren).
- 4b. Other services ☐ are required, specifically _____
_____ ☐ are not required.
5. The Department of Children's Services (*If plan includes concurrent goals, document efforts for each goal.*)
☐ is making reasonable efforts toward finalizing the permanency goal(s) by providing or referring the following:

☐ Mental health counseling for child(ren)	☐ Mental health counseling for parent(s)
☐ Drug & alcohol counseling for child(ren)	☐ Drug & alcohol counseling for parent(s)
☐ Parenting classes	☐ Psychological evaluation for _____
☐ Intensive in-home case management	☐ Homemaker services

- | | |
|--|---|
| ☐ Sexual abuse treatment for child | ☐ Sexual perpetrator treatment for _____ |
| ☐ Residential Services/Treatment | ☐ Locating absent parent |
| ☐ Locating or placement with relative | ☐ Locating or placement in a pre-adoptive home |
| ☐ Other (specify) _____ | |

☐ is not making reasonable efforts toward finalizing the permanency goal(s) in that _____

6. Compliance with the current permanency plan is as follows:

a. the Department of Children's Services

- ☐ is in substantial compliance;
- ☐ is not in substantial compliance in that _____

b. the mother

- ☐ is in substantial compliance;
- ☐ is not in substantial compliance in that _____

c. the father

- ☐ is in substantial compliance;
- ☐ is not in substantial in that _____

7. Progress toward resolving the reasons the child(ren) is/are in foster care

- ☐ has been made, but the following barriers still exist: _____
- ☐ has not been made in that _____

8. The goal(s) of the proposed permanency plan is/are _____ and these goal(s)

- ☐ is/are appropriate because _____
- ☐ is/are not appropriate because _____ and should be changed to _____

9. If return to parent is the sole goal,

- ☐ the parent is in substantial compliance or
- ☐ the Department of Children's Services is not making reasonable efforts as noted above.
- ☐ N/A

10. If planned permanent living arrangement is the sole goal, the Department of Children's Services ☐ has ☐ has not documented a compelling reason for determining that other goals would not be in the best interests of the child(ren).
11. The mother ☐ did ☐ did not participate in development of the proposed plan.
☐ is in agreement with the plan
☐ is not in agreement with the plan because _____

12. The father ☐ did ☐ did not participate in development of the proposed plan.
☐ is in agreement with the plan
☐ is not in agreement with the plan because _____

- 13a. ☐ The child(ren), _____ ☐ did participate in development of the proposed plan and/or ☐ was counseled on the provisions of the plan by the ☐ judge/magistrate, or by ☐ _____
☐ is/are in agreement with the plan
☐ is/are not in agreement with the plan because _____
_____.
- 13b. ☐ The child(ren), _____ ☐ did not participate in development of the proposed plan and is/are not aware of its provisions because _____
_____.
14. ☐ The child(ren), _____ is/are at least 16 years of age and
☐ did ☐ did not participate in development of the proposed independent living plan.
☐ is in agreement with the independent living plan
☐ is not in agreement with the independent living plan because _____

15. ☐ The independent living plan
☐ is appropriate.
☐ is/is not appropriate because _____
_____ and should be modified as follows:

_____.
- 16a. ☐ The child(ren), _____ is/are at least 17 years of age and the court finds he/she has notice of and understands the opportunity to receive, if eligible, all available voluntary post-custody services from DCS. DCS has presented evidence regarding post-custody services outlined below (or attached as an exhibit to this order) that are available to the child: _____

16b. ☐ For the purposes of compliance with T.C.A. § 37-2-409, this hearing meets the requirement of a permanency hearing being held within three months of the child's planned release at age 17 or older. The child's proposed release date is _____. The court has reviewed the child's transition plan to independent living and finds _____

17. ☐ DCS made the following efforts to notify any party who was not present at this hearing and did not participate in development of the plan(s) of the plan requirements: _____

18. The requirements set out in the plan, including the Desired Outcome and Actions Needed to Achieve Desired Outcome,

☐ are reasonable, related to remedying the conditions that necessitate foster care, and in the best interest of the child(ren).

☐ are not reasonable, related to remedying the conditions that necessitate foster care, or in the best interest of the child(ren) because _____

☐ and should be modified as follows: _____

☐ and this matter should be continued to allow the parties to develop a suitable plan.

19. The Court explained to all persons present at this hearing that failure to comply with the Permanency Plan, and to visit or support the child/ren may result in termination of parental rights and that the parents have the right to seek counsel at a termination of parental rights proceeding. The Court further finds that the Criteria & Procedures for Termination of Parental Rights has been provided to the ☐ mother, ☐ father and/or ☐ the Department has made attempts to provide these criteria in compliance with T.C.A. § 37-2-403(a).

20. A realistic timeline for achieving the permanency goal(s) is _____

The following is in the best interest of the child(ren) and **IT IS, THEREFORE, ORDERED:**

1. That the child(ren), _____, shall remain in foster care pending further order from this Court.

2. That the Department of Children's Services shall continue to provide appropriate placement and services for the child(ren) as recommended.

☐ That the permanency plan(s) developed on _____, 2____, and filed with this Court is/are approved and is/are incorporated by reference as a part of this order with the goal(s) of _____.

☐ That the permanency plan(s) developed on _____, 2____, and filed with this Court is/are modified as set out above and, as modified, is/are incorporated by reference as a part of this order with the goal(s) of _____.

☐ That this matter shall be continued until _____, 2____, to allow the parties to develop a suitable plan.

☐ That the Department of Children's Services shall make diligent efforts to notify _____ of the provisions of the plan(s).

☐ That visitation shall continue as previously ordered.

☐ That visitation shall be modified as follows: _____

☐ That the Department of Children's Services shall file a petition to terminate parental rights no later than _____.

☐ That the next hearing/review with regard to the child/ren is _____

ENTER the ____ day of _____, 2____.

JUDGE/MAGISTRATE

IN THE JUVENILE COURT OF _____ COUNTY, TENNESSEE

IN THE MATTER OF: _____)
_____ DOB: _____) NO: _____
_____ DOB: _____) _____
Child(ren) Under Eighteen (18) Years of Age)

PERMANENCY HEARING - ADOPTION STATUS HEARING ORDER

This cause came to be heard on _____, 2__ before the Honorable _____, Judge/Magistrate of the Juvenile Court of _____ County, Tennessee, for a permanency hearing pursuant to T.C.A. 37-2-409.

Present for the hearing were:

- ☐ the **child/children**, _____
☐ was/were not present and
☐ is under a doctor's care preventing attendance, or
☐ is placed out of state.
☐ participated by phone because _____
☐ **Guardian(s) ad Litem**, _____
☐ had notice and failed to appear ☐ did not have notice
☐ **resource parent(s)**, _____
☐ had notice but chose not to attend
☐ did not receive notice
☐ n/a because _____
☐ other participant(s), including CASA, agency representatives, and other parties _____
_____ and
representatives of the Department of Children's Services, _____

The Court finds that the parental rights of the mother were terminated/surrendered on _____. The parental rights of the father were terminated /surrendered on _____. Said child was placed in the guardianship of the Tennessee Department of Children's Services. The permanency goal for said child is Adoption.

- ☐ The Adoption of the child was finalized on _____. It is therefore
ORDERED that this case **BE** and **HEREBY IS CLOSED**.
☐ The Adoption of the child has not been finalized because _____

☐ It appears from the testimony and report made by said Department that all reasonable efforts to finalize the permanent placement of said child have been made since this matter was last before the Court, in that: _____

☐ It appears from the testimony and report made by the Department has failed to make reasonable efforts to finalize the permanent placement of said child, in that: _____

IT IS THEREFORE ORDERED that said child shall remain in the custody and control of Tennessee Department of Children's Services pending finalization of the adoption.

The next steps for the Department are:

1. _____
2. _____

IT IS FURTHER THEREFORE ORDERED that said child shall be brought back before the Court for another review on _____, at _____ unless the Adoption has been finalized prior to that date, and a written request is submitted to the Court by the Department for termination of its custody and an order terminating the Department's custody can be filed without necessity of further court hearing.

ENTERED this _____ day of _____, 200__.

JUDGE/REFEREE

IN THE MATTER OF:)
_____) DOCKET NO: _____
A Child Under the Age of 18)

This Board finds the following conditions exist that constitute a risk of harm and directly compromise the health, safety or welfare of the child: _____

_____ This matter shall be scheduled for a hearing before the Judge/Referee within 30 days of this date.

This Board finds that the following conditions persist that constitute a deterrent to reaching the permanency goals and the conditions indirectly and chronically compromise the health, safety or welfare of the child:

This Board recommends: _____

Foster Care Review Board Chair/Member

Pursuant to T.C.A. § 37-2-406(c)(1), it is therefore **Ordered** that this matter be set for judicial review on the _____ day of _____, _____ at _____.

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IN THE JUVENILE COURT OF _____ COUNTY, TENNESSEE

IN THE MATTER OF:

_____	DOB _____	)	NO: _____
_____	DOB _____	)	NO: _____
_____	DOB _____	)	NO: _____
Child(ren) Under Eighteen (18) Years of Age			

ICPC PRIORITY PLACEMENT ORDER

It appearing to the Court that the above-named child is/children are in the temporary legal custody of the State of Tennessee, Department of Children's Services, pursuant to an order of this Court; that an intervening petition for custody of the above-named children has been filed with this Court in compliance with the jurisdiction requirements; that the Petitioner is not a resident of the State of Tennessee as indicated in the petition for custody which is attached hereto and made a part hereof by reference; that an investigation into the Petitioner's circumstances is required by the Interstate Compact on the Placement of Children ("ICPC")[T.C.A. 37-4-201 et seq.]; that a priority placement of the children is necessary and that this request meets the requirements for priority placement because:

___ the proposed placement is with a relative as defined by Article VII(a) of ICPC (parent, stepparent, grandparent, adult sibling, adult uncle or aunt, or child's guardian); and

___ the child is under two (2) years of age; or

___ the child is/children are currently in an emergency shelter; or

___ the child has/children have spent a substantial amount of time in the home of the proposed placement resource.

___ the receiving state Compact Administrator has had a properly completed ICPC-100A and supporting documentation for over thirty (30) days but the sending agency has not received a notice pursuant to Article III(d) of ICPC determining whether the child/children may or may not be placed. This documentation was sent to the Compact Administrator of the State of _____ on _____.

It is the opinion of the Court that it is in the best interest of the child/children, and the public as follows,
and

IT IS, THEREFORE, ORDERED:

1. That within three (3) business days, the _____ County office of the Tennessee Department of Children's Services shall transmit a copy of this order, a completed Form 100A, and all

supporting documentation required pursuant to ICPC to the Tennessee Compact Administrator; and that within two (2) business days thereafter, the Tennessee Compact Administrator shall transmit the priority placement request and its accompanying documentation to the Compact Administrator for the State of _____ as required by ICPC Regulation No. 7 for priority placement requests.

2. That the Tennessee Department of Children's Services shall keep this Court informed of the status of this priority request and shall file the written report received from the State of _____ with this Court immediately upon its receipt; and that the pending Petition for Custody shall be set for adjudication and disposition after that report has been filed with the Court.

ENTERED this the _____ day of _____, _____.

JUDGE/REFEREE