**ADJUDICATION**

**IN THE COURT OF COMMON PLEAS OF** **COUNTY, PENNSYLVANIA**

**JUVENILE DIVISION**

**DOCKET NO:** CP-  -DP-     -    

**FID:**   -FN-      -    

**Commonwealth of Pennsylvania**

**In the Interest of:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**, a Minor**

**Date of Birth**

**PERSONS APPEARING AT THIS HEARING:**

|  |  |  |  |
| --- | --- | --- | --- |
| Child | Legal Counsel for Child | Child’s GAL | CASA |
| Mother | Mother’s attorney | Agency Worker | Agency’s attorney |
| Father | Father’s attorney | Legal Guardian/Custodian | Legal Guardian/Custodian’s attorney |
| Other | |  | |

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_, after an adjudicatory hearing:

**The Court Finds that:**

1. **FINDINGS OF FACT**

(a) The findings of fact are set forth in the record of this case.

(b) See attached findings of fact.

(c) Findings of fact are as follows:

1. **INCARCERATED PARENT(S)/GUARDIAN(S)**

(a) The Child’s Mother is currently incarcerated.

(b) The Child’s Father is currently incarcerated.

(c) The Child’s Legal Guardian/Custodian is currently incarcerated.

1. **PETITION WITHDRAWN/DISMISSED WITHOUT ADJUDICATORY HEARING**

(a) The petition has been withdrawn without an adjudicatory hearing.

(b) The petition is dismissed without an adjudicatory hearing.

1. **CLEAR AND CONVINCING EVIDENCES DOES NOT EXIST**

The Court finds that clear and convincing evidence does not exist to substantiate the allegations set forth in the petition.

1. **NO ADJUDICATION OF DEPENDENCY**

The Child is not Dependent pursuant to the Pennsylvania Juvenile Act and that the petition for dependency is dismissed. Any temporary legal and physical custody by the County Children and Youth Services Agency of the Child shall be discharged.

1. **CLEAR AND CONVINCING EVIDENCES EXISTS**

The Court finds that clear and convincing evidence exists to substantiate the allegations set forth in the petition.

1. **ADJUDICATION OF DEPENDENCY**

After consideration of the evidence, it is ORDERED that the Child is found, by clear and convincing evidence, to be a Dependent Child pursuant to:

|  |  |
| --- | --- |
| 42 Pa.C.S.§6302 “Dependent Child” (1) | 42 Pa.C.S.§6302 “Dependent Child” (6) |
| 42 Pa.C.S.§6302 “Dependent Child” (2) | 42 Pa.C.S.§6302 “Dependent Child” (7) |
| 42 Pa.C.S.§6302 “Dependent Child” (3) | 42 Pa.C.S.§6302 “Dependent Child” (8) |
| 42 Pa.C.S.§6302 “Dependent Child” (4) | 42 Pa.C.S.§6302 “Dependent Child” (9) |
| 42 Pa.C.S.§6302 “Dependent Child” (5) | 42 Pa.C.S.§6302 “Dependent Child” (10) |

**DISPOSITION**

1. **CHILD REMOVED FROM HOME**

The Court finds that based upon the findings of abuse, neglect or dependency of the minor Child, it is in the best interest of the Child to be removed from the home of       Relationship:      .

1. **REASONABLE EFFORTS TO COMPLY WITH FAMILY FINDING REQUIREMENTS**

(a) The Agency has satisfied the requirements of Pa.R.J.C.P.1149 regarding family finding.

(b) The Agency has not satisfied the requirements of Pa.R.J.C.P. 1149 regarding family finding.

(c) The court previously ordered that family finding efforts be discontinued.

1. **REASONABLE EFFORTS TO PREVENT REMOVAL FROM HOME**

(a) The Court finds that to allow the Child to remain in the home would be contrary to the Child’s welfare and that:

(i) Reasonable efforts were made by the Agency to prevent or eliminate the need for removal of the Child from the home.

(ii) Preventive services were not offered due to the necessity for emergency placement. The lack of services was reasonable under the circumstances. This level of effort was reasonable due to the emergency nature of the situation, safety considerations, and circumstances of the family.

(iii) Reasonable efforts are underway to make it possible for the Child to return home, the Court having previously determined pursuant to 42 Pa.C.S. § 6332 that reasonable efforts were not made to prevent the initial removal of this Child from the home.

(iv) NO reasonable efforts were made by the Agency to prevent or eliminate the need for removal of the Child from the home.

(b) Reasonable efforts are not applicable.

1. **REASONABLE EFFORTS TO PLACE WITH SIBLING**

*(Must be completed if the Child has a sibling who is subject to removal from his home.)*

(a) Reasonable efforts were made prior to the placement of the Child to place the siblings together.

(b) No reasonable efforts were made prior to the placement of the Child to place the siblings together.

(c) Joint placement with the sibling(s) is contrary to the safety or well-being of the Child or sibling(s). Specifically,      .

1. **CUSTODY AND CONDITIONS**

(a) **LEGAL CUSTODY** – Legal Custody of the Child shall  remain with  return to  transfer to:

(i) Mother and Father

(ii) Mother

(iii) Father

(iv) County Agency       (“Agency”)

(v) Other       Relationship:

(b) **PHYSICAL CUSTODY** – Physical Custody of the Child shall  remain with  return to  transfer to:

(i) Mother and Father

(ii) Mother

(iii) Father

(iv) County Agency       (“Agency”)

(v) Other       Relationship:      .

(c) **PLACEMENT**

(i) PLACEMENT – The Child shall be placed, by the agency in remain in

|  |  |  |  |
| --- | --- | --- | --- |
| **Kinship Care** | **Foster Care** | **Congregate Care** | **Hospitalization** |
| Relative Care-Maternal | Foster Home | Shelter Care | Medical Care Facility |
| Relative Care-Paternal | Pre-Adoptive Home (Non-Kinship) | Group Home | Psychiatric Facility |
| Pre-Adoptive Home | Supervised Independent Living | Residential Facility |  |
| Kinship Non-Relative Care |  | Residential Treatment Facility |  |
| Specify/Other: | Specify/Other: | Specify/Other: | Specify/Other: |

(ii) The Child’s placement is the least restrictive placement that meets the needs of the Child and there is no less restrictive alternative available, in that

(iii) The Child is currently in a Detention Facility on a Juvenile Delinquency case.

(d) **CUSTODY/PLACEMENT CONDITIONS**

(i) IMMINENT RISK – The Child remains in home but is in imminent risk of placement in foster care absent preventative services.

(ii) CONDITIONS – The custody or placement of the Child is subject to the following conditions

(iii) VISITATION – The additional condition(s) of visitation is set forth as

1. **VISITATION WITH SIBLING**

*(Must be completed if a sibling of the Child has been removed from his home and is in a different placement setting than the Child.)*

(a) VISITATION WITH SIBLING – Visitation with the Child’s sibling(s) shall occur at least twice a month. The condition(s) of visitation with the Child’s sibling(s) is set forth as      .

(b) NO VISITATION - Visitation with the sibling(s) is contrary to the safety or well-being of the Child or sibling(s). Specifically,      .

1. **CHILD’S SAFETY**

(a) The Child is safe in the current placement setting.

(b) The Child is NOT safe in the current placement setting because      .

1. **VICTIM OF ABUSE DETERMINED**

(a) The Court hereby finds that the Child is a victim of child abuse as defined at 23 Pa.C.S. §6303, in that      .

*(Specify, where the abuse occurred, nature and extent of the abuse, name and relationships of the persons responsible for causing the abuse and any evidence of prior abuse by those persons)*

1. **CURRENT PERMANENT PLACEMENT PLAN**

(a) The current placement goal for the Child is

(i) remain with the parent or guardian.

(ii) return to parent or guardian.

(iii) adoption.

(iv) placement with a legal custodian (non-relative).

(v) placement with a legal custodian (relative).

(vi) placement with a fit and willing relative.

(vii) placement with a ready, willing, and able parent who was not previously identified by the county agency.

(viii) placement in another living arrangement intended to be permanent in nature which is approved by the court, specify      .

The projected date by which the goal for the Child might be achieved is      .

(b) **SERVICES** - The following services are necessary to achieve the permanency plan:

(c) **CONCURRENT GOAL** (if identified) -

1. **EDUCATION/EVALUATIONS**

(a) **EDUCATIONAL NEEDS** – The Child’s educational needs are  being addressed  not being addressed.

(b) **HIGH SCHOOL DIPLOMA OR GED** – The Child has attained a  high school diploma  GED.

(i) The Child is pursuing post-secondary education.

(ii) The Child is not pursuing post-secondary education.

(c) **STABILITY AND APPROPRIATENESS** – In order to ensure the stability and appropriateness of the Child’s education, the agency shall provide the following services:

(d) **EDUCATIONAL DECISION MAKER** - An educational decision maker:

(i) Shall be appointed pursuant to Rule 1147. Specify, if available:

(ii) Continues to be necessary at this time. Specify, if available:

(iii) Is not necessary at this time, in that:

(iv) Is not applicable at this time, in that:

(e) **EDUCATIONAL EVALUATIONS** – Specify any educational evaluations, tests, counseling, or treatments that are necessary:

(f) **EDUCATIONAL SETTING** – While the Child is in placement, he/she shall attend:

(i) his/her school of origin.

(ii) a public school in proximate location to the placement facility.

(iii) a school facilitated by the placement facility, as this court finds it is not in the best interest of the Child to attend school elsewhere.

1. **HEALTH/EVALUATIONS**

(a) **HEALTH CARE AND DISABILITY** – If parental consent cannot be obtained, the following evaluations and treatment are authorized:

(b) **HEALTH EVALUATIONS** – Specify any health evaluations, tests, counseling, or treatments that are necessary:

1. **PROGRAMS/INITIATIVES**

The Court recognizes the following initiatives or programs have been or will be used by the agency:

(a) Family Finding

(b) Family Group Decision Making

(c) Lay Advocate / CASA

(d) Other County Specific Initiative(s)

1. **FAMILY FINDING**

(a) **ENGAGE AND CONTINUE** – The court orders the Agency to engage and continue in family finding until further order of court, including, but not limited to: specialized computer searches; interviewing the child and all known family members; interviewing prior caregivers and placement providers; interviewing any previous caseworkers and probation officers; interviewing past and present service providers and therapists; checking social media sites; completing a genogram, family tree, or mapping; and all other sources that would lead to the identification of family members, kin, and fictive kin. The Agency shall present its family finding efforts at the next court hearing scheduled for this child.

(b) **ENGAGE AND CONTINUE** – The court orders the Agency to engage and continue in family finding until further order of court, specifically,     . The Agency shall present its family finding efforts at the next court hearing scheduled for this child.

(c) **DISCONTINUED** – Family finding shall be discontinued because it is determined that:

(i) it no longer serves the best interests of the Child.

(ii) it is a threat to the Child’s safety.

(iii) the Child is in a pre-adoptive placement and the court proceedings to adopt the Child have been commenced.

(d) **RESUMED** – The Agency shall resume family finding because resuming family finding is best suited to the safety, protection and physical, mental and moral welfare of the Child and does not pose a threat to the Child’s safety.

1. **MEDICAL CONSENT**

It is further ORDERED that if the Child is in the legal custody of the county agency as defined by the Juvenile Act at 42 Pa.C.S. § § 6301 - 6365, the County Children and Youth Services Agency has the authority to consent to routine treatment of the Child.

1. **FINANCIAL SUPPORT**

(a) It is further ORDERED and DECREED that the individual(s) legally responsible for the financial support of the Child shall pay support to the county in an amount as determined by the Family Court Division.

1. **INDIAN STATUS**

(a) The Agency has made efforts to determine whether the Child is an Indian Child pursuant to Rule 1203.

(b) Any participant has reason to know the Child is an Indian Child pursuant to Rule 1203. If so, provide the name of the participant:

(c) There is reason to know the Child is an Indian Child pursuant to Rule 1203.

(d) Indicate Tribe, if known:

(e) Specify additional information about the Child’s Indian status:

(f) The Child is Indian as defined in 25 U.S.C. 1903(4), and the Indian Child Welfare Act applies to these proceedings. All notice requirements and evidentiary requirements under the Indian Child Welfare Act have been satisfied.

(g) The Child is not Indian as defined in 25 U.S.C. 1903(4), and the Indian Child Welfare Act does not apply to these proceedings.

(h) It has not been determined whether the Child is Indian as defined in 25 U.S.C. 1903(4).

1. **FURTHER FINDINGS**

(a) THE COURT FURTHER FINDS:

(b) Further Findings Attached

1. **SHARED CASE RESPONSIBILITY**

It is further ordered that case management responsibility for the Child is to be shared by the County Juvenile Probation Office and the County Children and Youth Services Agency, specifically,      .

1. **FURTHER ORDERS**

(a) IT IS FURTHER ORDERED THAT:

(b) Further Orders Attached

Such disposition having been determined to be best suited to the protection and physical, mental and moral welfare of the Child.

**Next Scheduled Court Event:**

**RECOMMENDED:**

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

Juvenile Court Hearing Officer

This Juvenile Court Hearing Officer's recommendation is not final until confirmed by the Court below. A party may challenge the recommendation by filing a motion with the clerk of courts within three (3) days of receipt of the recommendation.

**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_, 20 \_\_\_\_ this Court finds the Juvenile Court Hearing Officer's recommendation is in the best interest of the Child and is hereby adopted as an Order of Court.

**BY THE COURT:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Judge

Copies To: