**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**

**AGGRAVATED CIRCUMSTANCES ORDER**

**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 hearing on \_\_\_\_\_\_\_\_\_\_\_\_\_\_,

**1. FINDINGS**

(a) **NO CLEAR AND CONVINCING EVIDENCE** – The Court finds that clear and convincing evidence has not been presented to establish that the alleged aggravated circumstances exist as to the  Mother  Father.

(b) **CLEAR AND CONVINCING EVIDENCE** – The Court finds, from clear and convincing evidence, that the following aggravated circumstances exist:

(1) The Child is in the custody of the County Children and Youth Services Agency and:

(i) The identity or whereabouts of the parent are unknown and cannot be ascertained and the parent did not claim the Child within three months of the date the Child was taken into custody; proven as to

Mother  Father

(ii)The identity or whereabouts of the parent are known and the parent has failed to maintain substantial and continuing contact with the Child for a period of six months; proven as to  Mother  Father

(2) The Child or another child of the parent has been the victim of physical abuse resulting in serious bodily injury, sexual violence or aggravated neglect by the parent; proven as to  Mother  Father

*(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)*

(3) The parent of the Child has been convicted of the following offenses where the victim was a child:

(i) Criminal homicide under 18 Pa.C.S. Ch. 25 (relating to criminal homicide);

proven as to  Mother  Father

(ii) A felony under 18 Pa.C.S §2702 (relating to aggravated assault), 3121 (relating to rape), 3122.1 (relating to statutory sexual assault), 3123 (relating to involuntary deviate sexual intercourse), 3124.1 (relating sexual assault) or 3125 (relating to aggravated indecent assault);

proven as to  Mother  Father

(iii) A misdemeanor under 18 Pa.C.S. §3126 (related to indecent assault); proven as to  Mother  Father

(iv) An equivalent crime in another jurisdiction; proven as to  Mother  Father

(4) The attempt, solicitation or conspiracy to commit any of the offenses set forth in paragraph (3); proven as to  Mother  Father

(5) The parental rights of the parent have been involuntary terminated with respect to another child of the parent; proven as to  Mother  Father

(6) The parent of the child is required to register as a sexual offender under subchapter H or Chapter 97 (relating to registration of sexual offenders) or to register with a sexual offender registry in another jurisdiction or foreign country; proven as to  Mother  Father

(c) Additional Findings

**2. ORDER**

Based upon the above findings, IT IS ORDERED THAT:

(a) No efforts are to be made to preserve the family and reunify the Child with

Mother  Father.

A Permanency Hearing shall be held within 30 days.

(b) Efforts shall continue to be made to preserve the family and reunify the Child with

Mother  Father.

A Permanency Hearing shall be held within

30 days.

90 days.

6 months.

(c) IT IS FURTHER ORDERED THAT:

**Next Scheduled Court Event:**  **Date:**

**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: