**ORDER REGARDING MODIFICATION OF CHILD’S PLACEMENT**

**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 consideration of the motion presented by petitioner, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the Court finds:

**FINDINGS**

1. **CURRENT PHYSICAL CUSTODY/PLACEMENT**

(a) PHYSICAL CUSTODY – Physical custody of the Child is with his or her parents, guardian, or other custodian. Specifically, the Child is with      .

(b) PLACEMENT – The current placement of the child is      .

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. **CHILD REMOVED FROM HOME**

The Court finds that based upon the findings of abuse, neglect and/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 this 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 this 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 this Child from the home.

(b) Reasonable efforts not applicable.

1. **ADDITIONAL FINDINGS**

1. **ORDER - Based upon the above findings, IT IS ORDERED THAT:**

(a) **GRANTED** - The Motion to Modify Placement of the Child is GRANTED.

(b) **DENIED** - The Motion to Modify Placement of the Child is DENIED.

(c) **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:      **.**

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

(i) Mother and Father

(ii) Mother

(iii) Father

(v) County Agency       (“Agency”)

(iv) Other       Relationship:      .

(e) **PLACEMENT**

(i) CONTINUES – Placement of the Child remains in      .

(ii) MODIFICATION OF PLACEMENT - The Child is to be placed, by the agency, in      .

(iii) 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     .

(f) **PROTECTIVE SUPERVSION** – The Child shall be under the protective supervision of the Agency.

(g) **CONDITIONS** – The custody and/or placement of the child is subject to the following conditions:

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

(I) **IT IS FURTHER ORDERED THAT:**

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. **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**

(a) 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. **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: