**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 hearing on \_\_\_\_\_\_\_\_\_\_\_\_\_\_, the Court hereby finds

1. **CONTINUING PLACEMENT - Necessity and Appropriateness**

(a) The placement of the child continues to be necessary and appropriate.

(b) The child’s placement is outside the Commonwealth and  is  is not best suited to the protection and physical, mental and moral welfare of the child, in that

(c) The placement of the child is no longer necessary, in that

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. **PERMANENCY PLAN – Consultation with Child**

(a) The views of the child are:

(b) CONSULTATION - The court has consulted with the child regarding the child’s permanency plan in a manner appropriate to the child’s age and maturity.

(c) CONSULTATION - The views of the child regarding the permanency plan have been ascertained to the fullest extent possible and communicated to the court by the

(i) Guardian Ad Litem

(ii) Child’s Counsel

(iii) Court-Appointed Special Advocate

(iv) Other person as designated by the court      .

(d) NO CONSULTATION

1. **PERMANENCY PLAN – Compliance**

(a) **MOTHER:**

(i) Compliance with permanency plan not applicable to the mother.

(ii) There has been  no  minimal  moderate  substantial  full compliance with the permanency plan as to the mother, in that

(b) **FATHER:**

(i) Compliance with permanency plan not applicable to the father.

(ii) There has been  no  minimal  moderate  substantial  full compliance with the permanency plan as to the father, in that

(c) **LEGAL** **GUARDIAN:**

(i) Compliance with permanency plan not applicable to the legal guardian,

(ii) There has been  no  minimal  moderate  substantial  full compliance with the permanency plan as to the legal guardian,      , in that

(d) **CHILD:**

(i) Compliance with permanency plan not applicable to the child

(ii) There has been  no  minimal  moderate  substantial  full compliance with the permanency plan as to the child, in that

1. **PERMANENCY PLAN - Reasonable efforts to finalize**

(a) Reasonable efforts have been made by the County Children and Youth Services Agency ("Agency") to finalize this child’s permanency plan, in that

(b) Reasonable efforts have NOT been made by the County Children and Youth Services Agency ("Agency") to finalize this child’s permanency plan, in that

(c) Reasonable efforts by the County Children and Youth Services Agency ("Agency") to finalize this child’s permanency plan are not applicable, in that

1. **PERMANENCY PLAN - Aggravated Circumstances Exist**

Having previously determined that aggravated circumstances exist and that no new or additional efforts to preserve and reunify the family are required,

(a) **COMPLETE** - Reasonable efforts have been made by the Agency to place the child in a timely manner in accordance with the permanency plan, dated      , and the steps necessary to finalize the permanent placement of the child have been completed.

(b) **NOT COMPLETE** - Reasonable efforts have been made by the Agency to place the child in a timely manner in accordance with the permanency plan, dated      , but the following steps are necessary to finalize the permanent placement of the child:

(c) Reasonable efforts HAVE NOT been made by the Agency to place the child in a timely manner in accordance with the permanency plan and the following steps are necessary to finalize the permanent placement of the child:

1. **PROGRESS – Towards alleviating the circumstances which necessitated the original placement**

(a) **MOTHER:**

(i) Progress not applicable to the Mother

(ii) There has been  no  minimal  moderate  substantial  full progress toward alleviating the circumstances which necessitated the original placement, in that      .

(b) **FATHER:**

(i) Progress not applicable to the Father

(ii) There has been  no  minimal  moderate  substantial  full progress toward alleviating the circumstances which necessitated the original placement, in that      .

(c) **LEGAL GUARDIAN:**

(i) Progress not applicable to the Legal Guardian

(ii) There has been  no  minimal  moderate  substantial  full progress toward alleviating the circumstances which necessitated the original placement, in that      .

(d) **CHILD:**

(i) Progress not applicable to the Child

(ii) There has been  no  minimal  moderate  substantial  full progress toward alleviating the circumstances which necessitated the original placement, in that      .

1. **CURRENT PERMANENT PLACEMENT PLAN**

The current placement goal for the child is

(a) remain with the parent or guardian.

(b) return to parent or guardian.

(c) adoption.

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

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

(f) placement with a fit and willing relative.

(g) placement with a ready, willing, and able parent who was not previously identified by the Agency.

(h) 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      .

1. **CONCURRENT PLACEMENT PLAN**

The concurrent placement plan for the child is

(a) remain with the parent or guardian.

(b) return to parent or guardian.

(c) adoption.

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

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

(f) placement with a fit and willing relative.

(g) placement with a ready, willing, and able parent who was not previously identified by the Agency.

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

1. **PERMANENCY PLAN/PLACEMENT GOAL**

(a) **PERMANENCY PLAN** - Appropriateness and Feasibility

(i) The permanency plan developed for this child, dated      , is appropriate and feasible.

(ii) The permanency plan developed for this child, dated      , for this child is appropriate and feasible except that it shall be modified or supplemented as follows:

(iii) The permanency plan developed for this child, dated      , is not appropriate, or not feasible, in that

     .

(b) **CURRENT PERMANENT PLACEMENT GOAL** - Appropriateness and Feasibility

(i) The current placement goal is appropriate and feasible.

(ii) The current placement goal is NOT appropriate and/or NOT feasible, in that      .

1. **ANOTHER PLANNED PERMANENT LIVING ARRANGEMENT (APPLA)**

(a) The Child has been asked about the Child’s desired permanency outcome.

(b) For the following compelling reasons, it is not in the Child’s best interest for the Child to be

*(All boxes must be checked when the permanency goal is APPLA.)*

(i) returned home because      ; and

(ii) placed for adoption because      ; and

(iii) placed with a legal guardian because      ; and

(iv) placed with a fit and willing relative because     ; and

(c) For the reasons stated above, APPLA continues to be the best permanency plan for the Child.

(d) The following is the full name of at least one identified supportive adult with whom the Child has significant connections:      .

1. **PERMANENT PLACEMENT – CHANGE OF GOAL**

The Court Orders, the new permanent placement goal hereby determined to be

(a) remain with the parent or guardian.

(b) return to parent or guardian.

(c) adoption.

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

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

(f) placement with a fit and willing relative.

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

(h) 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      .

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. **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. **REASONABLE AND PRUDENT PARENT STANDARD**

(a) Sufficient steps have been taken by the county agency to ensure the caregiver is exercising the reasonable and prudent parent standard.

(b) Sufficient steps have not been taken by the county agency to ensure the caregiver is exercising the reasonable and prudent parent standard.

1. **AGE- AND DEVELOPMENTALLY-APPROPRIATE ACTIVITIES**

(a) Sufficient steps have been taken by the county agency to ensure the child has been provided regular, ongoing opportunities to engage in age-appropriate or developmentally-appropriate activities, including consulting with the child about opportunities to participate and identifying and addressing any barriers to participation.

(b) Sufficient steps have not been taken by the county agency to ensure the child has been provided regular, ongoing opportunities to engage in age-appropriate or developmentally-appropriate activities.

1. **SERVICES - for Children age 14 and older**

(a) This Child has not yet attained the age of 14.

(b) This Child, who is at least 14 years of age or older, is in need of services to make the transition to a successful adulthood.

(i) **CURRENT SERVICES** - The following specific independent living services or instructions are currently being provided by the county agency or agency provider:

(ii) **INSTRUCTION NEEDS** - The following areas of need in independent living instruction have been identified by the independent living assessment completed pursuant to the Chafee Act, 42 U.S.C. 671 et seq.:

(iii) **INDEPENDENT SERVICES** -The child will receive the following independent services prior to the next permanency review hearing:

(iv) **LEAST RESTRICTIVE SETTING** - The child is in the least restrictive, most family-like setting that will enable the child to develop independent living skills.

(v) **EFFORTS** - The following efforts have been made to develop and maintain connections with supportive adults regardless of placement type:

(vi) **PROGRESS** - The child  is  is NOT making adequate progress to graduate from high school or is enrolled in another specified program that will assist the child in achieving self-sufficiency.

(vii) **JOB-READINESS** – Specify the job-readiness services that have been provided to the child and the employment/career goals that have been established:

(viii) **PHYSICAL/BEHAVIORAL HEALTH NEEDS** - The child has the following physical health or behavioral health needs that will require continued services into adulthood.

(ix) **STEPS TO ENSURE HOUSING** - The following steps are being taken to ensure that the youth will have stable housing or living arrangements when discharged from care:

1. **TRANSITION PLAN – to be completed for Children during the 90 day period prior to 18th birthday**

(a) A transition plan, including the following, has been developed with the involvement of the child and presented in accordance with Section 475 of the Social Security Act (49 Stat. 620, 42 U.S.C. § 675(5)(H)).

(i) **HOUSING** - The specific plans for housing are:

(ii) **INCOME** - The Child’s source of income is:

(iii) **EDUCATION/VOCATIONAL TRAINING** - The specific plans for pursuing education or vocational training goals are:

(iv) **EMPLOYMENT** - The Child’s employment status and goals are:

(v) **HEALTH INSURANCE** - The Child’s health insurance plan is:

(vi) **HEALTH/BEHAVIORAL HEALTH NEEDS** - The Child has the following continued health or behavioral health needs that will require continued services into adulthood:

(vii) **PROGRAMS** – The following programs provide mentors or assistance in establishing positive adult connections:

(viii) **DOCUMENTS/RECORDS** – All vital identification documents have been provided to the child.

(ix) **SERVICES** – The following support services are needed:

1. **TRANSITION PLAN**

(a)Transition plan is approved.

(i) The transition plan developed for this Child, dated      , is appropriate and feasible.

(ii) The transition plan developed for this Child, dated      , for this Child is appropriate and feasible except that it shall be modified or supplemented as follows:

(b) Transition plan is not approved.

(i) The transition plan developed for this Child, dated      , is not appropriate, and/or not feasible, in that

1. **CONTINUATION OF JURISDICTION – for Children age 18 and older**

(a) The child has requested the court to retain jurisdiction and remains under the jurisdiction of the court as a dependent child because the child is:

(i) completing secondary education or an equivalent credential;

(ii) enrolled in an institution which provides post-secondary or vocational education;

(iii) participating in a program actively designed to promote or remove barriers to employment;

(iv) employed for at least 80 hours per month; OR

(v) incapable of doing any of the activities described in subparagraph (i), (ii), (iii) or (iv) due to a medical or behavioral health condition, which is supported by regularly updated information in the permanency plan of the child.

1. **AS TO WHETHER A PETITION TO TERMINATE PARENTAL RIGHTS HAS OR WILL BE FILED:**

(a) **PETITION GRANTED** - Petition for Termination of Parental Rights has been previously granted.

(b) The child has been in placement for 15 of the last 22 months. Specifically, the child has been in placement for \_\_\_\_ months.

(c) The child has NOT been in placement for 15 of the last 22 months. Specifically, the child has been in placement for \_\_\_\_ months.

(d) **PETITION FILED** - The Agency has filed or joined a petition to terminate parental rights.

(e) **PETITION FILED** **(No Further Efforts)** - The court has previously determined that no further efforts to preserve and reunify the family shall be made, subsequent to a determination that aggravated circumstances exist, and the Agency has filed or joined a petition to terminate parental rights.

(f) **NO PETITION FILED** - Although the child has been in placement for 15 of the last 22 months or will be in placement for such period consistent with the permanency plan developed for the child, or the court has determined that aggravated circumstances exist and no further effort to reunify the family need be made, the Agency does not intend to file or join a petition to terminate parental rights because:

(i) **CARE BY RELATIVE**: The child is being cared for by,      , a relative best suited to the welfare of the child.

(ii) **NECESSARY SERVICES NOT PROVIDED**: The child’s family has not been provided with necessary services to achieve the safe return of the child to the family within the timeframes set forth in the permanency plan, to wit:

(iii) **COMPELLING REASON:** A compelling reason has been documented by the Agency that filing a petition to terminate parental rights would not serve the needs and welfare of the child, to wit:

(iv) **JUSTIFICATION**: The preceding reason constitutes adequate justification for the Agency neither filing nor joining a petition to terminate parental rights.

(v) **NO JUSTIFICATION**: The preceding reason does NOT constitute adequate justification for the Agency neither filing nor joining a petition to terminate parental rights.

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

(a) Reasonable efforts have been made to place the child and the siblings(s) of the child together.

(b) NO reasonable efforts have been made to place the child and the sibling(s) of the child together.

(c) It has been determined that joint placement with the sibling(s) is contrary to the safety or well-being of the child or sibling(s). Specifically,      .

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 the child’s sibling(s) is occurring at least twice a month.

(b) Visitation with the child’s sibling(s) is not occurring at least twice a month in that      .

(c) It has been determined that visitation with the sibling(s) is contrary to the safety or well-being of the child or sibling(s). Specifically,      .

1. **VISITATION WITH GUARDIAN**

(a) **MOTHER:**

(i) Visitation with the Child’s Mother is  adequate  not adequate, in that      .

(ii) It has been determined that visitation with the Mother is contrary to the safety or well-being of the Child. Specifically,      .

(b) **FATHER:**

(i) Visitation with the Child’s Father is  adequate  not adequate, in that      .

(ii) It has been determined that visitation with the Father is contrary to the safety or well-being of the Child. Specifically,      .

(c) **GUARDIAN:**

(i) Visitation with the Child’s Guardian is  adequate  not adequate, in that      .

(ii) It has been determined that visitation with the Guardian is contrary to the safety or well-being of the Child. Specifically,      .

1. **INDIAN STATUS**

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

(b) 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.

(c) 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. **ORDER OF COURT - On the basis of the preceding determinations, it is hereby ordered that:**

(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 (for first placement or any moves), 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) Child’s whereabouts unknown

(1) Child has run away

(2) Other:

(d) **CHILD REMOVED** –The court finds that to allow the Child to remain in the home would be contrary to the Child’s welfare, best interest, health and safety. Child is to be removed from the home of      , Relationship:

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

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

(g) **VISITATION**

(i) Sibling – Visitation with the child’s sibling shall occur at least twice a month. The condition(s) of visitation with the child’s sibling is set forth as      .

(ii) Mother – Visitation with the child’s mother shall be      .

(iii) Father – Visitation with the child’s father shall be      .

(iv) Guardian – Visitation with the child’s guardian shall be      .

(v) Other –      .

(vi) The additional condition(s) of visitation is set forth as      .

(h) **ADOPTION** - The Agency shall move forward with the goal of adoption and the county agency shall file a petition to terminate parental rights at the appropriate time. Pending such adoption, the Child shall remain in the legal custody of the Agency, in accordance with the permanency plan as it may have been modified by this court, above.

(i) **OTHER PERMANENT LIVING ARRANGEMENT** - The Agency having documented that it would not serve the Child’s physical, mental or emotional health, safety or morals to return home, to be referred for termination of parental rights, to be placed for adoption, to be placed permanently with a legal custodian, or to be placed permanently with a fit and willing relative, the Child shall be placed with      , by       a living arrangement that is intended to be permanent in nature, subject to the following conditions:

(j) **Reasonable Efforts to Place with Sibling(s)**

(i) The Agency shall continue to make reasonable efforts to place the Child with the sibling(s). Specifically,      .

(ii) No further efforts shall be made as joint placement with the sibling(s) is contrary to the safety or well-being of the Child or sibling. Specifically,      .

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**

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 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: