

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
FAMILY COURT**

In the Matter(s) of:

(Child's Name)

Case No. _____
Social File No. _____
X-Ref Number _____
Date of Birth _____

Associate/Magistrate Judge _____
Mediation: _____
Pre-Trial: _____
Disposition Control: _____
Trial/Disposition: _____
Courtroom: _____

INITIAL HEARING / FURTHER INITIAL HEARING ORDER

This matter came before the Court on _____, 20____. Mark individuals in attendance with check in box to the left of the name.

PARTIES AND COUNSEL

<input type="checkbox"/> _____, Mother	<input type="checkbox"/> _____, Mother's Counsel
<input type="checkbox"/> _____, Father	<input type="checkbox"/> _____, Father's Counsel
<input type="checkbox"/> _____, Respondent	<input type="checkbox"/> _____, GAL
<input type="checkbox"/> _____, SW	<input type="checkbox"/> _____, AAG

OTHER PERSONS IN ATTENDANCE

<input type="checkbox"/> _____, _____	<input type="checkbox"/> _____, _____
<input type="checkbox"/> _____, _____	<input type="checkbox"/> _____, _____

FAMILY INFORMATION

Birth Mother (Name) _____
Date of birth _____ Date of death _____
 Current/ Last known address _____

Birth Father (Name) _____ Child(ren)'s Name _____
Date of birth _____ Date of death _____
 Current/ Last known address _____

The Government shall initiate a search for the birth mother birth father and file an affidavit(s) by _____, 20____, regarding efforts to locate her/him and/or effectuate service.

PATERNITY

- Parentage Attachment D was completed on _____, and no amendments are required; or
- Parentage Attachment D is appended hereto.

INDIAN CHILD WELFARE ACT NOTICE

The Court has inquired whether any party has reason to believe that _____ is/are subject to the ICWA and the following has been determined:

- The Court has insufficient information to find that ICWA does apply.
- ICWA does not apply based upon a full inquiry having been made.
- Information suggesting that ICWA may apply has been provided to the Court, therefore the Agency will provide notice to the appropriate parties and entities.
- Notice was provided by the Agency, and the child(ren) is/are not eligible for membership in a recognized Indian tribe or more information is required to make a determination
- _____ is/are documented as a member of a recognized Indian tribe or is/are eligible for membership in a recognized Indian tribe and is therefore subject to the ICWA.

NOTICE OF HEARING AND SERVICE OF PROCESS

Upon consideration of information presented by the Child and Family Services Agency (CFSA), the Court makes the following findings:

As to NOTICE of the initial hearing to the parties

- Mother: _____ was was not provided with notice of the initial hearing
- Father: _____ was was not provided with notice of the initial hearing
- Other: _____ was was not provided with notice of the initial hearing

As to SERVICE of the petition upon the parties

Five Day-Hold (D.C. Code §16-2312(g); Neglect Rule 9(a)):

Based upon the Government's request and the reasons for the request, the Court **HEREBY GRANTS** the Government's request for additional time to file the petition.

Parties entitled to service

Means of service

- | | |
|----------------------|---|
| <p>Mother: _____</p> | <p><input type="checkbox"/> In open court <input type="checkbox"/> Other service _____(date)</p> <p><input type="checkbox"/> Service has not yet been effectuated</p> |
| <p>Father: _____</p> | <p><input type="checkbox"/> In open court <input type="checkbox"/> Other service _____(date)</p> <p><input type="checkbox"/> Service has not yet been effectuated</p> |
| <p>Other: _____</p> | <p><input type="checkbox"/> In open court <input type="checkbox"/> Other service _____(date)</p> <p><input type="checkbox"/> Service has not yet been effectuated</p> |

SHELTER CARE AND PROBABLE CAUSE DETERMINATION

The child(ren) was/were removed from the home on _____, 20____.

The Government is requesting shelter care for the following named child(ren):

A Probable Cause Hearing was held and the Court determined that there is:

Probable Cause to believe that the allegations set forth in the petition are true.

No Probable Cause to believe that the allegations set forth in the petition are true.

A Waiver of Probable Cause has been completed and filed with the Court.

The Court finds that there is good cause to continue the Probable Cause Hearing under D.C Code §16-2312(g) for a period not to exceed five days. (Super. Ct. N. R. 14(h)) and therefore, a Probable Cause Hearing is scheduled for _____, 20____.

Based upon the information before the Court, including any evidence presented and argument of all counsel, the Court concludes:

Shelter care is required for the child(ren) named as follows:

_____, in accordance with
D.C. Code §16-2310:

To protect the person of the child, or

No person or agency is currently available to provide supervision and care for the child, and the child appears unable to care for himself and that no alternative resources/arrangements are currently available to the family to adequately safeguard the child without requiring removal.

A Family Team Meeting was convened on _____, 20__, and

no alternative placements were identified, or

potential alternative placements are being notified and evaluated pursuant to 42 U.S.C. §671(a), as amended.

A Family Team Meeting will be convened on _____, 20__, and alternatives to shelter care placement will be sought, notified and evaluated pursuant to 42 U.S.C. §671(a), as amended.

In evaluating the harm that may result from placement out of the home, the Court has considered:

The child(ren)'s attitude/adjustment toward out of the home placement.

The child(ren)'s bond with the parent(s)/guardian(s)/custodian(s).

The disruption to the child(ren)'s school and social relationships.

The Court finds that Shelter care is not required for the following reasons:

The child(ren) _____ was/were not removed from the home or the child(ren) was/were removed and was/were returned home and the government is not requesting shelter care.

PLACEMENT ORDER

It is ORDERED that the child shall be placed in:

CONDITIONAL RELEASE (see attachment B1)

ORDERED that the child(ren), _____ shall be **CONDITIONALLY RELEASED** to _____,

parent **non-parent**, and the following restrictions shall apply:

Based upon the evidence presented and representations made, the Court finds that placement under conditional release as stated above will provide safe and appropriate care for the child(ren).

SHELTER CARE

ORDERED that the child(ren), _____, shall be placed in **SHELTER CARE in the custody, care and control of the Child and Family Services Agency.**

Based upon the Agency’s representations, the Court hereby finds that the Agency **made** **did not make** reasonable efforts to place the siblings together.

CONTRARY TO WELFARE FINDING

The Court finds that it is not safe for the children to remain in the home and therefore, that continuation in the home would be contrary to the welfare of the child(ren) based upon the following:

- Physical/sexual abuse of the child(ren) or threatening conduct toward the child(ren) in that:
- Neglect or maltreatment of the child(ren) in that:
- Unexplained illness or injury in that:
- Mental or physical impairment of the parent/caretaker, incarceration or hospitalization in that:
- Other:

Describe details in support of reasons that each child cannot safely remain in the home:

REASONABLE EFFORTS FINDING

The Agency has made the following efforts to prevent the removal of the child(ren) from the home:

AND based upon the evidence and/or information presented at the hearing as described above, the Court finds that the Agency:

- Has made reasonable efforts to prevent the child(ren)’s removal from the home. OR**
- Has Not made reasonable efforts** to prevent the child(ren)’s removal from the home for the following reasons:

OR

The Agency has been unable to make efforts to prevent removal of the child(ren) from (enter name and relationship to child) _____ due to incarceration or extraordinary circumstance(s) which include:

Based upon the evidence and/or information presented at the hearing as described above, the Court finds that the Agency **has been unable to provide services to the above specified persons, and**

THEREFORE, the fact that no reasonable efforts were made is hereby deemed reasonable.

REASONABLE EFFORTS FOR AGGRAVATED CIRCUMSTANCES
OR CRIMINAL CONDUCT UNDER D.C. CODE §4-1301.09a

The government has presented evidence in support of a finding that no reasonable efforts are required to be made to prevent removal, or to reunify the child(ren) and parent (s), the Court finds the following:

- Mother Father
- Subjected a child who is the subject of a petition before the Family Division of the Superior Court, a sibling of such child, or another child to cruelty, abandonment, torture, chronic abuse, or sexual abuse;
 - Committed the murder or voluntary manslaughter of a sibling of the child who is the subject of a petition before the Family Court or another child, or of any other member of the household of the parent;
 - Aided, abetted, attempted, conspired, or solicited to commit the murder or voluntary manslaughter of a child who is the subject of a petition before the Family Division of the Superior Court, a sibling of such child, or another child, or of any other member of the household of the parent;
 - Committed an assault that constitutes a felony against the child who is the subject of a petition before the Family Division of the Superior Court, a sibling of such a child, or another child; or
 - Is required to register with a sex offender registry under section 113(a) of the Adam Walsh Child Protection and Safety Registry, approved July 27, 2006 (120 Stat. 593; 42 U.S.C. § 16913(a))

The parent's parental rights have been terminated involuntarily with respect to a sibling on _____, 20____, in _____ (Name of Court).

Therefore, it is the finding of this Court that no reasonable efforts to prevent the child(ren)'s removal, or to reunify with the child(ren)'s Mother Father are required to be made.

THEREFORE it is hereby ORDERED that an expedited permanency hearing be set within 30 days of this date.

ORDERS

There are ____ Attachment As appended hereto.

EDUCATION

Based upon the Educational Checklist for Judicial Officers, an inquiry has been made into the child(ren)'s educational placement and the child(ren)'s educational needs and strengths.

- Yes
- No

Attachment E1 - Order Authorizing Access to Educational Records – has been completed.

Has an educational decision-maker (other than the parent) been appointed?

- Yes _____ (name)
- No

RELATIVE RESOURCES

It is hereby **ORDERED** that the parents shall provide detailed information concerning potential relative placements to the Agency no later than _____, 20____.

It is hereby **ORDERED** that after receipt of required documentation, the Agency shall conduct a home study, and a local records checks and child protection clearances on each adult resident in the home of:

1. _____
2. _____
3. _____

ICPC application shall be initiated by _____, 20____.

Agency shall provide progress report on status of ICPC process within 30 days after the application is initiated/completed and every 30 days thereafter until approval or denial is received. **The first progress report shall be filed by** _____, 20____.

VISITATION

Visitation between child(ren) and _____ shall be

- Unsupervised
- Supervised by CFSA or its designee
 - Visitation may become unsupervised at the discretion of the social worker and GAL
- Conditions:

Visitation between child(ren) and _____ shall be

- Unsupervised
- Supervised by CFSA or its designee
 - Visitation may become unsupervised at the discretion of the social worker and GAL
- Conditions: _____

- Visitation between siblings, _____, shall be
 - Unsupervised
 - Supervised by CFSA or its designee

- Visitation between _____ is **SUSPENDED** for the following reasons

SCHEDULING ORDER

It is **ORDERED** that the following scheduling order shall be in effect:

- DISCOVERY:** The following discovery schedule shall be in effect:
 - The parties agree to conduct discovery on an informal basis, to be completed by the pre-trial hearing.
 - Discovery requests shall be served on or before _____, 20____.
 - Responses are due on or before _____, 20____.
 - Absent good cause, all discovery motions to compel shall be filed no more than seven (7) business days after the date responses are due, therefore, they must be filed on or before _____, 20____.

- MEDIATION:** Mediation is scheduled for _____, 20____ at _____am/pm and will be held in Superior Court Building C, 410 E Street, NW
 - Social Worker's Mediation Report is due two (2) business days prior to the mediation session, therefore, the report must be filed on or before _____, 20____, if the Family Team Meeting report has not been filed.

- STIPULATION:** The Government shall tender a proposed stipulation one week before mediation. Opposing counsel shall tender a reply stipulation at mediation.

- DISPOSITION CONTROL DATE:** In the event that a Stipulation hearing is held and a Stipulation agreement entered, the disposition is scheduled for _____, 20____, at _____am/pm.

- PRE-TRIAL:** The pre-trial hearing is scheduled for _____, 20____, at _____am/pm, and the parties are hereby **ORDERED** to comply with the requirements of Superior Court Neglect Rule 17. Pretrial Conference. Rule 17 requires that the Joint Pretrial Statement shall be submitted to the trial judge at least two working days before the Pretrial Hearing. If no Stipulation is reached at Mediation, the attorneys shall complete the Joint Pretrial Statement at the Mediation Conference before being excused. The Joint Pretrial Statement shall contain a statement as to the status of the provision of services ordered and the participation of applicable parties in the ordered services. Requests for recusal shall be made in the Joint Pretrial Statement or will be deemed waived.

TRIAL/DISPOSITION HEARING: The trial and disposition hearing are scheduled for _____, 20_____, at _____ am/pm.

CASE PLAN: A signed and completed Case Plan between the Agency and the parent(s) shall be submitted to the Court no later than _____, 20_____.

INTERPRETER INFORMATION

An interpreter is needed at each hearing scheduled herein. Language: _____

DATE

ASSOCIATE JUDGE/ MAGISTRATE JUDGE