

**Rule 16. Revocation of Conditional Release or Modification of the Terms of Conditional Release**

(a) The District of Columbia or guardian ad litem/counsel for the child may file a Motion to Revoke Conditional Release or a Motion to Modify the Terms of Conditional Release in any case in which a child is the subject of a petition pending within the Family Court, the child has been conditionally released to his or her parents following a shelter care hearing or initial appearance, and one of the following occurs:

(1) The child or a sibling is subsequently taken into custody by a law enforcement officer pursuant to D.C. Code §§ 16-2309(a)(3), (4) or (6) or 16-2306(c) and Rule 4(a);

(2) It appears that there are grounds for taking the child into custody as a neglected child;

(3) New evidence is presented that the child is neglected and that revocation or modification of the terms of conditional release is necessary to protect the child pending the fact-finding hearing;

(4) The parent, guardian, or custodian has violated the terms of conditional release and as a result it appears that revocation or modification of the terms of conditional release is necessary to protect the child pending the fact-finding hearing.

(b) In the event of a motion based upon factors (1), (2), or (3), above, the Corporation Counsel or counsel for the child also may file a motion for leave to amend the petition.

(c) If the conditional release is revoked, the Court may place the child in shelter care pursuant to Rule 13 or modify the conditions of release pursuant to provisions of this rule.

(d) The standard of proof on a motion pursuant to subsection (a) of this rule shall be probable cause to believe that the facts alleged in the motion or amended petition are true.