

Rule 7. Court Report for First Hearing

(a) Filing. The responsible agency shall file a written report in open court at the initial appearance or commencement of the shelter care hearing. Copies of the report shall be provided to counsel for all parties prior to the hearing. A complaint that meets the requirements set forth in paragraph (b) of this rule may be submitted in place of the written report.

(b) Contents. In cases in which the child has been removed from home or in which removal is proposed, the report shall include each of the following elements: (In cases in which the child has not been removed from home and the agency does not recommend doing so pending the fact-finding hearing, the report shall include elements (4) - (9)):

(1) A brief statement of the specific danger requiring immediate placement of the child prior to trial;

(2) The time, place, and manner in which the child was removed from the danger;

(3) If the child was removed prior to a court order, a brief statement why it was not possible to obtain the order prior to removal;

(4) To the extent known, the names and addresses of custodial and non-custodial parents, other legal guardians or legal custodians of the child, and any other person acting as a parent at the time of removal;

(5) Persons notified in compliance with Rule 6 and a brief statement of the steps taken to locate those not notified;

(6) A description of the services, if any, offered or provided to the family to prevent placement;

(7) The results of an investigation and assessment of the danger to the child of remaining in the home, using standardized and accepted risk management tools;

(8) Any additional medical screening which will be necessary for the child, together with planned dates for further testing and evaluation (this may be in the form of an attached medical screening form);

(9) If return home pending adjudication is recommended:

(A) Recommended conditions of release to ensure the child's safety, well being and appearance in court;

(B) Services which should be provided to the child or family prior to adjudication;

(10) If shelter care or placement with a relative is recommended:

(A) A written statement indicating if reasonable efforts have been made to prevent removal or if no such efforts have been made, why no such efforts have been made.

(B) The reasons why conditions of release together with services to the child and his or her family would not adequately protect the child in the home;

(C) A statement of whether there exist any relatives or third parties who may be appropriate caretakers, and what efforts were made to identify such persons, if none are immediately available;

(D) A brief description of the current and proposed shelter care placement including the type of placement and its distance from the child's home;

(E) A statement of the child's current eligibility for services under Title IV-E of the Social Security Act and the basis for that determination;

(F) A statement of the measures to be taken to minimize the disruption to the child and his or her family and social relationships during the shelter care period; and

(G) Immediate measures that might be taken to expedite the reunification of the family;

(11) Alternatives to foster care considered, such as placement with relatives or others with whom the child is familiar; and

(12) Recommended sibling, parent, and other visitation pending adjudication.

(c) Incomplete report.

(1) If a report is incomplete because information is solely within the possession of the parent, guardian or custodian, and the parent, guardian or custodian refuses to provide such information, the report shall state that the information was withheld.

(2) If further investigation is necessary for the completion of the report, the agency with case responsibility may request additional time, pursuant to Rule 14(h), for the purposes of completing the investigation and preparing the recommendation as to the placement of the child pending trial and disposition. Additional placement options identified shall be investigated during this time.

(3) If a required report is missing, the Court shall direct that it be filed within 72 hours, but may make findings necessary to protect the child based on oral representations.