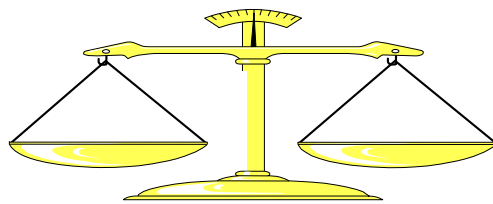


PHILADELPHIA JUVENILE COURT

***BEST PRACTICES IN
DEPENDENCY CASES***



BEST PRACTICES IN DEPENDENCY CASES

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INTRODUCTION

This collection of Dependency Court Policies and Procedures is intended to be a reference for judges, court staff and stakeholders. Many of the procedures reflect the common interests of the Court, the Department of Human Services and members of the Court Improvement Committee, who have in recent years worked diligently to develop and streamline dependency practices in Family Court.

Most petitions filed in the Dependency Intake Unit are through DHS. This guide describes the circumstances that need to exist in order to file for a finding of dependency and the process for the filing of the petition by the Law Department. It summarizes protocols concerning New Case Initiation, Older Youth and Behavioral Health. Also included are Hearing Guidelines for compliance with the Juvenile Act and the Adoption and Safe Families Act (ASFA) and forms for the recording of Dependent Court Orders.

CIRCUMSTANCES THAT NEED TO EXIST IN ORDER TO FILE FOR A FINDING OF DEPENDENCY

Pursuant to § 6370(b) of the Child Protective Services (CPS) Law, the Child Welfare (CW) unit of the Law Department files petitions alleging issues of dependency regarding children whose families are involved with the Department of Human Services (DHS) and require monitoring by the court. Section 6302 of the Juvenile Act defines a dependent child as one who:

- 1) is without proper care or control, subsistence, education as required by law, or other care or control necessary for his physical, mental, or emotional health, or morals. A determination that there is a lack of proper parental care or control may be based upon evidence of conduct by the parent, guardian, or other custodian that placed the health, safety, or welfare of the child at risk, including evidence of the parent's, guardian's or other custodian's use of alcohol or a controlled substance that placed the health, safety, or welfare of the child at risk;
- 2) has been placed for care or adoption in violation of law;
- 3) has been abandoned by his parents, guardian, or other custodian;
- 4) is without a parent, guardian, or legal custodian;
- 5) while subject to compulsory school attendance is habitually and without justification truant from school;
- 6) has committed a specific act of habitual disobedience of the reasonable and lawful commands of his parent, guardian or other custodian and who is ungovernable and found to be in need of care, treatment or supervision;
- 7) is under the age of ten and has committed a delinquent act;
- 8) has been formerly adjudicated dependent, and is under the jurisdiction of the court, subject to its conditions or placements and who commits an act which is defined as ungovernable in paragraph (6);
- 9) has been referred pursuant to § 6323 (relating to informal adjustment), and who commits an act which is defined as ungovernable in paragraph (6);
- 10) is born to a parent whose parental rights with regard to another child have been involuntarily terminated under 23 PA. C.S. § 2511 (relating to grounds for involuntary termination) within three years immediately preceding the date of birth of the child and the conduct of the parent poses a risk to the health, safety or welfare of the child.

Although the vast majority of dependent petitions are filed by DHS, § 6334 of the Juvenile Act states that “a petition, which shall be verified and may be on information and belief, may be brought by any person including a law enforcement officer.” As such, on occasion (provided they have legal standing and comply with the requirements of the Pennsylvania Dependent

Court Rules), other entities, particularly child advocate offices as well as private attorneys have filed petitions regarding children alleging issues of dependency.

DHS PETITIONS PREPARED AND FILED BY THE LAW DEPARTMENT

At the point it is determined that the facts provided support a legal basis to file a dependent petition, the DHS Social Worker contacts a CW Legal Assistant to schedule an appointment for an interview. The interview process can occur via telephone or in person, and involves eliciting detailed information regarding the family's history or involvement with DHS, the specific allegations of dependency, and the facts that support the allegation of dependency. The Legal Assistant is responsible for the drafting of the petition and scheduling the Pre-Hearing Conference and Court Hearing time and date.

Generally, there are two types of DHS petitions: "Placement Petition" and "Non Placement Petition." Placement of a child who is alleged to be dependent can occur:

- 1) after a Voluntary Placement Agreement (VPA) is signed by a parent or legal custodian (VPA) petition);
- 2) after DHS has obtained an Order of Protective Custody (OPC) for a child (OPC petition);
- 3) after a Judge has specifically ordered that DHS place a child pursuant to allegations of dependency;

Very often, when children have active cases in court pursuant to other delinquency, truancy, incorrigibility, or ACT 53 (substance abuse) petitions filed by entities other than DHS, the presiding judge may refer the child to DHS and order DHS to plan for that child's placement as a dependent. When the presiding judge orders forthwith placement and commits the child to DHS, no VPA or OPC is necessary.

"Non-Placement Petitions" are filed when:

- 1) DHS has been unable to complete the investigation of a Child Protective Services (CPS) report due to lack of cooperation by the family (petition to compel cooperation);
- 2) the family or child is unwilling to accept recommended services or has been non-compliant with existing services and the lack of compliance placed the child at risk or abuse and/or neglect (urgent petition);
- 3) a judge specifically orders that DHS file a dependent petition for a child in order to provide services and/or plan for placement (court ordered petition);

Very often, when children have active cases in court pursuant to other delinquency, truancy, incorrigibility, or ACT 53 (substance abuse) petitions filed by entities other than DHS, the presiding judge may refer the family to DHS so that they can be assessed for appropriate services.

DHS also files petitions alleging aggravated circumstances pursuant to the Adoption and Safe Families Act and § 6334 of the Juvenile Act. Aggravated Circumstances is defined by § 6302 of the Juvenile Act as any of the following circumstances:

- 1) The child is in the custody of a county agency and either:
 - I) the identity or whereabouts of the parents is unknown and cannot be ascertained and the parent does not claim the child within three months of the date the child was taken into custody; or**
 - II) the identity or whereabouts of the parents is known and the parents have failed to maintain substantial and continuing contact with the child for a period of six months.****
- 2) The child or another child of the parent has been the victim of physical abuse resulting in serious bodily injury, sexual violence or aggravated physical neglect by the parent.**
- 3) The parent of the child has been convicted of any of the following offenses where the victim was a child:
 - I) criminal homicide under 18 Pa. C.S. Ch.25 (relating to criminal homicide);**
 - II) a felony under 18 Pa. C.S. § 2702 (relating to aggravated assault), 3121 (relating to rape), 3122.1 (relating to statutory sexual assault), 3123 (relating to involuntary deviate sexual intercourse), 3124.1 (relating to sexual assault) or 3125 (relating to aggravated indecent assault).**
 - III) a misdemeanor under 18 PA C.S. § 3126 (relating to indecent assault)**
 - IV) an equivalent crime in another jurisdiction****
- 4. the attempt, solicitation or conspiracy to commit any of the offenses set forth in paragraph (3).**
- 5. The parental rights of the parent have been involuntarily terminated with respect to a child of the parent.**

Pursuant to § 6334 (b) of the Juvenile Act, if DHS reasonably believes that aggravated circumstances exist, it must file the appropriate petition as soon as possible, but no later than 21 days from the determination by the county agency that aggravated circumstances exist. The timing of when DHS determined the existence of aggravated circumstances in relation to the current stage of the court case will determine the type of petition to be filed in which aggravated circumstances will be alleged.

- 1) **If aggravated circumstances are known at the time of the initial filing of a dependent petition, pursuant to § 6334 (b)(1)(i) of the Juvenile Act, they should be alleged in the dependency petition.**
- 2) **If aggravated circumstances are discovered *after* the child has been adjudicated dependent, pursuant to § 6334 (b)(1)(ii) of the Juvenile Act those aggravated circumstances should be set forth in a petition for a permanency hearing.**
- 3) **If aggravated circumstances are discovered *after* the initial filing of the dependent petition but *before* the child has been adjudicated dependent, those allegations should be set forth in an amended petition.**

OTHER TYPES OF PETITIONS FILED IN DEPENDENT COURT OPERATIONS

Filed by DHS

Voluntary Placement Agreement Pet.*

Filed when a parent(s) or Legal custodian(s)/ Guardian(s) has signed a VPA.

Urgent Petition*

Generally filed when DHS has accepted a family for services and the family either refuses to accept or cooperate with DHS services, or when other extraordinary circumstances exist that merit the court's intervention.

Pet. To Compel Cooperation with DHS*

Filed when DHS has been unable to complete its investigation and make a determination about a Child Protective Service (CPS) report as a result of lack of cooperation by the parent(s), legal custodian, or guardian

Petition to Cover Order of Protective Custody (OPC)*

Filed when DHS has obtained an OPC from the Court for the purpose of emergency placement of a child.

Amended Petition*

Filed to cover the placement of a child for whom a dependency petition is currently active in court and placement has recently occurred via VPA or OPC. On occasion, DHS will amend a petition to correct erroneous or unfounded allegations,

biographical information, or add new information to support the allegation of dependency.

Court Ordered Petition to DHS*

Ordered from Delinquent, Truancy or DR Court.

Petition to Terminate Parental Rights

Goal Change/Involuntary Termination of Parental Rights, Voluntary Relinquishment of Parental Rights, Petition to Confirm Consent.

Permanency Petition

Filed to allege aggravated circumstances discovered *after* the child has been adjudicated dependent.

Filed by Hospitals

Mental Health Petition

Filed by Psychiatrists under the Mental Health Procedures Act of PA §§ 303, 304, 305 alleging that a child suffers from mental illness and requires inpatient or partial hospitalization or outpatient treatment.

Filed through the Family Court REAAP Unit

Incorrigibility Petition

Act 53 Petition (Drug and Alcohol Abuse)

Custody Petition (Non Relative)

Under age 10 Petition

Emancipation Petition

***Eligible for Pre-Hearing or Facilitation Conference**

Petition Filings

Petitions are filed in Room 312 at 1801 Vine Street. On those cases eligible for Pre-Hearing Conferences, the Dependency Intake Unit follows a prescribed protocol which requires the assignment of a Pre-Hearing Conference on the day of the hearing; prompt appointment of counsel for both the child and custodial parent(s)/Legal Guardian(s); and expedited notice to all parties.

PHILADELPHIA DEPENDENCY COURT **NEW CASE INITIATION PROTOCOL**

Introduction

New filings in Philadelphia Dependency Court originate in one of three ways. The first case process involves voluntary placement agreements (VPA) and urgent petitions without placement. For VPAs up to 30 calendar days is permitted to prepare and file the petition and to hold the initial Adjudicatory Hearing. For urgent petitions, the hearing must be held in 45 days. The second case process involves an Order for Protective Custody to remove a child from the home and the scheduling of a Shelter Care Hearing within 72 hours of the removal. In this process the Court simultaneously sets the dates for the Shelter Care Hearing, the Pre-Hearing Conference, and the initial Adjudicatory Hearing, which must be held within 10 calendar days of the Shelter Care Hearing. Third, for an individual other than the Law Department, an application for permission to file must be obtained from Dependent Court Operations, Rm. 312.

VPA & Urgent Petition Cases

- The Department of Human Services (DHS) Social Worker presents case information to an assigned Legal Assistant in the Law Department to prepare a dependency petition and to schedule a Pre-Hearing Conference and the initial Adjudicatory Hearing on the case.
- After the petition is drafted, a Legal Assistant supervisor contacts the Court Conference and Services Coordinator (CCSC) to obtain a date and time for the Pre-Hearing Conference (PHC) and identify a courtroom for the initial Adjudicatory Hearing. Pre-Hearing Conferences are scheduled in 30-minute time slots each day in Conference Room I (341) and Conference Room II (330-A). The Adjudicatory Hearing is scheduled in one of the Dependency courtrooms immediately following the Pre-Hearing Conference.
- The City Solicitor files the completed petition in the Dependent Court Operations office in Room 312 at least 10 working days before the scheduled hearing.
- The Dependent Court Operations Intake Unit worker docket the petition, appoints an attorney for the child, and obtains an appointment of counsel for the custodial parent or legal guardian from the Legal Liaison Office. The name of the assigned attorney for the

custodial parent or legal guardian, his/her telephone number, and the date and time of the Pre-Hearing Conference are noted on a cover sheet that is attached to the petition, which is immediately placed in the mail to the custodial parent or legal guardian. The petition and associated documents are faxed to all counsel within 24 hours of the receipt of the petition. The Defenders Association Child Advocate Unit (DACAU) is appointed for the child initially. In the event of a conflict, a Support Center for Child Advocates Attorney or a certified private attorney from the Dependency Appointment Registry is appointed. A copy of the petition is provided to the Good Shepherd Mediation Program and to the BHS FCU.

- Attorneys for the child and parents are expected to contact their clients prior to the court date to prepare for the Pre-Hearing Conference and subsequent Adjudicatory Hearing.
- All parties are expected to appear at the scheduled Pre-Hearing Conference prepared to discuss the petition allegations, and if needed, placement, visitation, and service needs.

Order for Protective Custody Cases

- The DHS Social Worker contacts a DHS Court Representative to obtain an Order for Protective Custody from a Judge. On weekends DHS staff contact the City Solicitor on duty for an Order for Protective Custody. After a judge authorizes and signs the order, the DHS Court Representative does a search for a prior dependency record, noting any existing court family case number, Judge, and Courtroom, and brings the order to the CCSC to schedule a Shelter Care Hearing within 72 hours and a PHC and Adjudicatory Hearing within 10 days of the Shelter Care Hearing.
- Dependent Court Operations personnel appoint counsel for the child according to court protocol, arrange an appointment of counsel for the custodial parent or legal guardian through the Legal Liaison's office, and fax the order for protective custody and other documents to counsel, if time permits.
- If, due to time constraints, the Dependent Court Operations staff are unable to complete appointment of all counsel prior to the Shelter Care Hearing, this is done at the Shelter Care Hearing by the Judge. At the Shelter Care Hearing a change in the date and time of the PHC and Adjudicatory Hearing may be made, and in some cases the 10-day rule for the initial Adjudicatory Hearing may be waived. The CCSC is to be contacted during the hearing to make the changes on the PHC schedules.
- All counsel are expected to meet with their clients to prepare for the Pre-Hearing Conference.
- The petition to cover an Order for Protective Custody is to be filed within 24 hours of the Shelter Care Hearing, and copies are to be sent to all parties by the Law Department with notice of the date and time of the Pre-Hearing Conference and first Adjudicatory Hearing.

Pre-Hearing Conference

- Pre-Hearing conferences are conducted under the direction of facilitators from the Good Shepherd Mediation Program and are held in Conference Rooms I & II. A copy of the daily schedule of Pre-Hearing Conferences is distributed by the CCSC to the Good Shepherd Mediation Program, the Clinical Evaluation Unit, the BHS FCU, all Dependency Courtrooms, the Child Advocate Unit, the Law Department, and the Security Front Desk. The schedule includes the names of appointed attorneys and other case information.
- The participants in the Pre-Hearing Conference include the parents, DHS Social Workers, City Solicitor and Legal Assistant, Child Advocate attorney, parent attorney, facilitator, a BHS clinician, provider agency social workers, and, optionally, family members, friends, and others.
- The Pre-Hearing Conference is conducted by the facilitator according to the procedures outlined in the Pre-Hearing Conference Manual of the Good Shepherd Mediation Program and lasts for approximately 30 minutes.
- The objective is to discuss the petition allegations and adjudication and, where possible, reach agreement on problems facing the family and on recommendations to be submitted to the judge at the hearing to follow on the issues of placement, visitation, and services for family members.
- The BHS FCU Clinician assists the group in understanding behavioral health issues and in making recommendations for an assessment or psychological evaluation.
- After discussing the petition allegations and the issues of placement, visitation, and services, the City Solicitor or Facilitator asks the DHS social worker whether the child's parent or legal guardian has signed release of information forms allowing DHS to obtain the child's medical, psychological and/or educational records. If the release of information forms have not been signed, the DHS social worker prepares the appropriate release of information forms for the parent or legal guardian to sign after reviewing the forms with his or her attorney. If the parent or legal guardian is unavailable or refuses to sign the form, the City Solicitor prepares the appropriate court order to be presented to the Judge during the Adjudicatory Hearing.

The City Solicitor or Facilitator also inquires of all present at the Pre-Hearing Conference whether the child has specific health care needs that must be addressed. If so, the DHS social worker prepares the appropriate consent to treatment form (s) for the parent or legal guardian to sign after reviewing the form (s) with his or her attorney. If the parent or legal guardian is unavailable or refuses to sign the form, the City Solicitor prepares the appropriate court order to be presented to the Judge during the Adjudicatory Hearing.

- The Pre-Hearing Conference concludes with the completion of the written PHC Report & Recommendations to the Judge on what was agreed upon by the parties, which may include an assessment by the Clinical Evaluation Unit for drug and alcohol problems, or a family or individual psychological evaluation. A copy of the completed PHC Report & Recommendations is given to all parties in the courtroom. (See attached.) Before the family members leave the Pre-Hearing Conference Room, if recommendations have been made for BH and/or D/A assessments, they are instructed to report to the respective offices as soon as the adjudicatory hearing is completed. For those in current behavioral health treatment the recommendation may be for CEU or BHS to monitor treatment for the Court.

Adjudicatory Hearing

- At the conclusion of the Pre-Hearing Conference, all case parties proceed to the assigned courtroom for the Adjudicatory Hearing except for staff assigned to the Pre-Hearing Conference Room. The Law Department delivers the PHC Report & Recommendations copies to the courtroom.
- The Court Officer in the courtroom expects the parties to arrive shortly after the conclusion of the scheduled 30-minute Pre-Hearing Conference period and is to arrange for the hearing to be initiated without undue delay. The Judge conducts the Adjudicatory Hearing or schedules it for later in the day, if problems require the Court to spend more time on the case.
- The judge is provided with a copy of the PHC Report & Recommendations and conducts the Adjudicatory Hearing according to all requirements. The DHS social worker presents the DHS report. The City Solicitor then summarizes the PHC Report & Recommendations. Following a thorough discussion of all issues and the completion of all required judicial determinations, the judge issues the appropriate Court Orders with respect to adjudication and disposition, including placement, visitation, assessment, services, and other matters. (See attached.)
- The judge needs to include all approved recommendations in the Court Order. The judge may approve all of the recommendations with full agreement by incorporating the PHC Report & Recommendations by reference in the Court Order, or the judge may itemize in the Court Order the recommendations approved by the court. The Dependency Court Representative (DCR) will be asked to read the Court Order aloud.
- Before the next case is called, the Dependency Court Representative is to submit the Court Order for the judge to review and sign. The court officer then copies the order with the attached PHC Report & Recommendations and distributes copies to all parties before they leave the courtroom. The parents are asked to stay until they receive a copy of the order.

- When the judge orders an assessment or evaluation not included in the PHC Report, the DCR is to complete a Behavioral Health Services referral form for the parents and direct them to the CEU or BHS FCU. (See attached). The Clinical Evaluation Unit, located in Room 311, usually conducts assessments immediately following the hearing.

Subsequent Hearings

- The scheduling of the next hearing depends upon the needs of the case in the context of the Adoption and Safe Families Act timelines for permanency. Court policy requires listings to be within five months. Cases involving an assessment or evaluation often require an earlier date.
- For cases referred for an assessment to the Clinical Evaluation Unit, an initial report is sent to all parties indicating recommendations and treatment referrals within two weeks.
- Prior to each subsequent court hearing, the Clinical Evaluation Unit provides parties with a written treatment progress report. The CEU staff are also available for personal testimony at the hearing, when necessary.
- At any hearing a judge may order a drug or alcohol assessment or a psychological evaluation. The DCR is to complete the Behavioral Health Services referral form and direct the family to the CEU for a substance abuse assessment or to the BHS FCU for a psychological evaluation. Referrals for a drug use assessment should also have an order for a drug screening. (See attached).

GUIDELINES FOR HEARINGS

The role of the Judge is to protect the rights of parties before the court and ensure safe, permanent homes for abused and neglected children. Dependent Court Judges have the authority by statute or court rule to order, enforce and review delivery of services and treatment for children and families. The court must insist that the proposed plan or disposition is complete and, when it is not, must direct the agency to respond. The court's oversight role also includes the application of sanctions against parties that fail to appropriately respond to court orders. Ideally, Judges hear cases from beginning to end, i.e., One Judge, One Family. These hearings include:

- a) **Shelter Care Hearings (Orders for Protective Custody (OPC) Hearings).** Dependent petitions to cover OPCs must be filed within twenty-four (24) of the shelter care hearing. An Adjudicatory Hearing must be held within 10 days of the filing of the Dependent Petition. See the following guidelines for key decisions the court should make at this hearing.
- b) **Adjudicatory Hearings –** If a child is in DHS Custody through a Voluntary Placement Agreement (VPA), a dependent petition must be filed within thirty (30) days of the date that the VPA was signed. If the Department of Human Services files an Urgent Dependent Petition, the adjudicatory hearing must be held no later than 45 days of the filing. See the following guidelines for key decisions the court should make at the adjudicatory hearing.
- c) **Dispositional (Hearing) –** If the child has been removed from the home, the dispositional hearing shall be held no later than 20 days after the court makes its findings regarding the dependency of the child. See the following guidelines for key decisions the court should make at the dispositional hearing.
- d) **Permanency Hearings –** See the following guidelines for key decisions the court should make at the permanency hearing.
- e) **12 month Permanency Hearings.** (Dependency Court now has a formal Permanency Hearing when the child has been in placement with DHS for approximately twelve months. See attached guidelines for key decisions the court should make at this hearing. Once the goal of Alternative Permanent Planned Living Arrangement (APPLA) is ordered for a child the case may be transferred to the O Courtroom (if there are no other children in the family with a goal of reunification), a specialized dependency court room providing special focus for these types of cases. (See attached guidelines).

- f) **Termination of Parental Rights Hearings (TPR) are decided under the Adoption Act. (All of the aforementioned hearings are decided under the Juvenile Act). Key decisions the court should make at the TPR Hearing:**
- 1) **Whether at least one of the nine (9) statutory grounds for termination of parental rights have been satisfied for each parent, and**
 - 2) **Whether termination of parental rights best serves the needs and welfare of the child**
- g) **Accelerated Adoption Review Hearings (AARC). (Cases where the Judges have ordered the goal of adoption and terminated the parental rights of both parents are transferred to the AARC courtroom, a specialized dependency courtroom focused on achieving permanency through adoption in a timely manner.)**

American Bar Association Philadelphia Permanency Barriers Project

Concurrent Planning Hearing Checklist – June 2007

Introduction:

Definition: Concurrent planning is the effort to reunify the family while at the same time developing and taking steps toward achieving alternative permanent plans consistent with ASFA and the Juvenile Act's hierarchy of permanency goals.

Role of the Court: The court must request that the agency's concurrent plan be clearly stated in court for all parties to hear. Please keep in mind that the concurrent plan may change over time and that not all parties may agree on the concurrent plan.

The court should monitor progress toward achieving the primary permanency goal as well as steps taken toward pursuing the concurrent plan. All decisions should be child-centered decisions, keeping the child's need for permanency in mind.

Suggested ASFA/Concurrent planning explanation to be read to parents before each hearing:

Federal law requires that DHS begin to finalize a permanent plan when the child has been in out-of-home care for 15 months. This law applies to you even if you asked DHS to voluntarily place your child in a home away from you. Our first plan is to return the child to the parent; however at the same time DHS must also develop a concurrent or back up plan. A back up plan may be placing your child for adoption or permanently with a relative. You as the parent can and should help in the development of this back up plan.

If you as the parent have not completed the services ordered by this court and have not made the necessary changes to make your home safe for your child, your parental rights may be terminated and your child may be placed for adoption or your child may be permanently placed in another living arrangement.

Questions to be asked at hearings:

The concurrent plan should be discussed at all hearings after the child has been in an out-of-home placement for 60 days. A thorough discussion of the primary permanency goal and the progress made toward achieving that goal should occur first. After this review the following questions should be asked:

- What is the proposed Concurrent Plan(s)?
- Is the current caretaker willing to consider adoption?
- Have all relatives been explored? Are any of them willing to adopt or if not be a long term caretaker?
- If adoption has been ruled out, why?
- If the current caretakers are not willing to adopt, are they willing to be a permanent placement under another permanency goal?
- What steps have been taken toward achieving the concurrent plan, i.e. identifying and approving permanent caretakers?

SHELTER CARE HEARING GUIDELINES

Was there adequate notice to the parent/guardian and caretaker?

If present, do the individual parents want an attorney appointed to represent them?

Were reasonable efforts made to prevent placement, or if an emergency placement, were the lack of efforts reasonable?

See § 6332 of the Juvenile Act; Pa.R.J. C.P. 1242C.

Findings (specify if by stipulation of facts or upon hearing):

- **Continuation in the home is or is not contrary to the health, safety and welfare of the child.**
- **Inquire and make specific findings regarding safety of child in current placement.**

If the child is to remain at, or be returned home, Order discharge or DHS to supervise, and Order Dependent Petition to be filed in 24 hours.

If the child remains in out-of-the-home placement, Order a Temporary Commitment to the DHS and Dependent Petition to be filed in 24 hours, and

schedule and adjudicatory hearing within 10 days of the filing of the Dependent Petition.

If the Shelter Care Hearing is continued or no action is taken, Order the Order for Protective Custody and the Temporary Commitment to DHS to stand and schedule a Shelter Care Hearing as soon as possible.

Please Review the Final Order for Accuracy

ADJUDICATORY HEARING GUIDELINES

Was there adequate notice to the parent/guardian and caretaker?

If present, do the individual parents want an attorney appointed to represent them?

Findings (specify if by stipulation of facts or upon hearing):

- **If urgent petition, make a determination whether reasonable efforts were made to prevent placement.**
- **Make finding re: dependency of child, for each parent, by clear and convincing evidence. See § 6302 of the Juvenile Act. (Note basis of finding on Specific Order page).**
- **If the child is adjudicated dependent and if aggravated circumstances are alleged, make findings of the existence of aggravated circumstances.**
- **If it is found by clear and convincing evidence that aggravated circumstances exist, make a determination as to whether reasonable efforts to reunify the family are required. (If it is found that reasonable efforts are not required, the case must be scheduled for a permanency hearing within 30 days).**
- **Inquire and make specific findings regarding safety of child in current placement.**
- **If finding of dependency or if adjudication is deferred, make finding regarding disposition of child, i.e., whether continuation in the home is or is not contrary to the health, safety and welfare of the child.**
- **If child is removed, make Order re: visitation. (Put details on specific Order page).**

If the child is adjudicated dependent, and is already in an out-of-home placement, or is to be removed from the home, Order a full commitment, and schedule a permanency hearing within 5 months or earlier if needed.

If the child is adjudicated dependent and is to remain at home, Order DHS to supervise and schedule a non-placement review hearing within 5 months or earlier if needed.

If the child is adjudicated dependent and legal custody is transferred to another individual (see § 6351 of the Juvenile Act), either Order DHS to supervise and schedule a permanency hearing within 5 months, or discharge the petition.

Deferred adjudications can impede the permanency process. In cases where the child is in an out-of-home placement, the first permanency hearing must be held within 5 months of the child coming into care, despite the absence of a dependency determination. See § 6351 (e) (3).

If adjudication is deferred and the children are in placement, Order a temporary commitment to DHS and schedule within 5 months a combined adjudicatory/permanency hearing at which the adjudicatory decision and permanency issues should be addressed.

If adjudication is deferred and the children remain at home, Order DHS to supervise and schedule an adjudicatory hearing within 5 months.

Order appropriate services and Order that referral for services be made by designated person by specific date. (Put details on specific Order page).

Please Review the Final Order for Accuracy

PERMANENCY HEARING GUIDELINES

Was there adequate notice to the parent/guardian and caretaker?

If present, do the individual parents want an attorney appointed to represent them?

If adjudication has not been addressed, address it at this time, and fill out the sections of the Order that deal with adjudicatory determinations and adjudicatory order, as well as permanency determinations and Permanency Order.

If the child is adjudicated dependent and if aggravated circumstances are alleged, make finding of the existence of aggravated circumstances.

If it is found by clear and convincing evidence that aggravated circumstances exist, make a determination as to whether reasonable efforts to reunify the family are

required. (If it is found that reasonable efforts are not required, the case must be scheduled for a permanency hearing within 30 days).

Inquire and make specific findings regarding safety of child.

As per § 6351 (f) and (f.1) of the Juvenile Act, make the following findings to establish, review, or revise the Permanency Plan for each child (specify if by stipulation of facts or upon hearing):

- **Determine the continuing necessity for placement, and whether the placement continues to be best suited to the protection and physical, mental and moral welfare of the child (specify where each child is placed on the specific Order page);**
- **Determine the appropriateness, feasibility and extent of compliance with the Permanency Plan and the Family Service Plan objectives (*Review previous Order (s) regarding services and visitation and make findings regarding compliance*);**
- **Determine the extent of progress made toward alleviating the circumstances which necessitated the original placement and the appropriateness and feasibility of the Family Service Plan placement goal;**
- **Project a likely date by which the Family Service Plan goal for each child might be achieved;**
- **Determine if and when the permanency goal will be achieved using the hierarchy of goals established by § 6351(f.1) and ruling out each previous goal in the hierarchy before moving on to the next goal.**
- **If the child is over 16, determine the services needed to assist the child to make the transition to independent living.**
- **Determine whether a TPR petition has been filed, or should be filed under the circumstances, e.g., length of time in care (see § 6351 (f) (9) of the Juvenile Act) or whether one of the applicable exceptions exist.**

As per § 6351 (g) of the Juvenile Act:

- **Determine if and when, the child should be returned to parent (s), guardian, or other custodian, or whether the child will be placed for adoption and the county agency should file for TPR or whether the child will be placed with a legal guardian or in another arrangement**

**intended to be permanent if there is a documented compelling reason;
and**

- **Order continuation, modification or termination of placement or other disposition best suited to the protection and physical, mental and moral welfare of the child.**

Order appropriate services and Order that referral for services be made by designated person by specific date.

If the child remains in placement, schedule, as appropriate, either a goal change/tpr hearing as soon as possible, or the next permanency hearing within 5 months or earlier if needed.

If the child is returned home or temporary physical or legal custody is transferred to another individual, either Order DHS to supervise and schedule the next hearing within 5 months, or discharge the petition.

Please Review the Final Order for Accuracy

Permanent Legal Custodianship Judicial Checklist

Philadelphia ABA Permanency Barriers Project

June 2007

1. Why has reunification been ruled out?

- a. Reasonable efforts to return the child to the parent(s) are no longer necessary.
 - i. Parents have not significantly satisfied the requirements of their service plan.
- b. Reunification is not best suited to the safety, protection and physical, mental and moral welfare of the child. (42 Pa. C.S.A. § 6351 (f.1)(3))

2. Why has adoption been ruled out?

- a. Parental rights have not been terminated because:
 - i. A statutory exception to filing a TPR petition exists, such as a documented compelling reason; or
 - ii. There are no grounds to terminate, as defined by the Adoption Act; or
 - iii. The child does not wish to be adopted; or
 1. Has the child been counseled about adoption and other permanency options?
 2. Who counseled the child and when, i.e. therapist, child advocate, child prep services, provider social worker?
 - iv. A significant relationship between the child and the parent; or
 1. Has any mental health professional assessed the current relationship between parent and child?

- v. The caregiver is not willing to adopt the child.
 - 1. Who reviewed adoption as a potential goal with the caregiver?
 - 2. At what time in the case was adoption discussed with the caregiver and by whom?
 - 3. Were all permanency options, including the difference between adoption and PLC, carefully explained to the caregiver?
 - 4. The caregiver is willing to give the child a permanent home.
 - 5. The child is bonded to the caregiver and may be kin.
 - 6. There are no other relatives who are willing and approved to adopt the child.
- vi. Being placed for adoption is not best suited to the safety, protection and physical, mental and moral welfare of the child. (42 Pa. C.S.A. § 6351 (f.1)(3))
- b. Parents rights have been terminated but:
 - i. The child does not wish to be adopted (see 2. a. iii. above).
 - ii. The caregiver is not willing to adopt the child (see 2. a. v. above).

3. For Subsidized PLC, does the child meet the following legal criteria?

- a. The child has been in the legal custody of DHS for at least 6 months.
- b. The child has been with his/her caregiver for at least 6 months.
- c. The child is age 6 or older and living with kin.
 - i. Note: A DHS Director may waive the age requirement.
 - ii. If DHS has waived the age requirement, was there a reasonable basis for such waiver?
- d. The child is 12 years of age or older living with non-kin.
 - i. Note: A DHS Director may waive the age requirement.
 - ii. If DHS has waived the age requirement, was there a reasonable basis for such waiver?
- e. The child understands all permanency options, has received adoption counseling and is still unwilling to consent to adoption or is opposed to adoption.
 - i. If the child is age 12 or older he/she must refuse to consent to adoption, after participating in adoption counseling to the extent that the child understands the implications of his/her refusal to consent to adoption. (OCYF Bulletin) (23 Pa.C.S. § 2711 (a)(1))
 - ii. If the child is under the age of 12 and adoption counseling has been provided to prepare the child for adoption, if after such counseling the child is very much opposed to adoption. (OCYF Bulletin)

4. Is this the most permanent placement for the child and in the child's best interest?

- a. Can this family/custodian provide a long-term stable environment for the child?
- b. Is the child well integrated into the family?
- c. Is there an existing bond with this custodian?
- d. PLC is best suited for the protection and physical, mental and moral welfare of the child.

5. Does the potential custodian understand the difference between PLC and adoption?

- a. Permanent Legal Custodianship does not require the termination of the parents' legal rights.
- b. Parents may have the right to visitation, when it does not affect the health or safety of the child and the parents' rights have not been terminated (OCYF Bulletin)
- c. A parent can petition at any time to modify custody or visitation in the Domestic Relations court; caretakers must obtain their own counsel and the child advocate is not re-appointed to represent the child. (42 Pa. C.S.A. § 6351(a) (2.1)) (OCYF bulletin)
- d. Custodian is given legal and physical responsibility for the child and assumes the rights of care, custody, and supervision of the child until child turns 18 or court ends PLC.
- e. The custodian can make all decisions on behalf of the child, including decisions about:
 - i. travel;
 - ii. drivers license;
 - iii. medical and dental;
 - iv. mental health treatment;
 - v. education;
 - vi. marriage; and
 - vii. enlistment in the armed forces
- f. The custodian is responsible for financial support of the child until the child reaches age 18 or the court ends the PLC.
 - i. The custodian may petition for child support from the parents, but if receiving a subsidy, this decision should first be discussed with the county agency. The agency is permitted to receive such support to offset the costs of the subsidy. (OCYF Bulletin)
- g. If the custodian on the child's behalf is eligible for a PLC subsidy and medical assistance.
 - i. DHS must conduct a review every year ("annual determination") that there have been no changes in the family's situation that would affect eligibility for the subsidy.
- h. The child retains his/her own legal last name.
- i. The child has no rights of inheritance from the permanent legal custodian
- j. PLC is not transferable to another person, including a parent, without court intervention.

6. Is the custodian willing, committed and capable of caring for the child without help from DHS until the child is 18 (except for a financial subsidy)?

- a. Does the custodian have a support network of family, friends, and community to help raise the child?

- b. Is the custodian able to manage the child’s medical, physical, emotional, therapeutic and educational needs?
- c. Can the custodian meet the special needs of the child without help from DHS, (other than financial subsidy and medical assistance) if applicable?
- d. Can the custodian manage visitation with parents while keeping the child safe physically and emotionally?
- e. What is the custodian’s current relationship with the parents?
- f. What medical coverage will the child have – private insurance through the custodian or PA Medicaid?

7. What is the specific visitation plan with the biological family – parents and siblings?

- a. The court may order the proposed visitation plan, modify the proposed plan or order its own specific visitation plan.
- b. The court must assess whether the plan is feasible and detailed enough to avoid future problems.
 - i. The visitation plan should include: who will be included in visits; dates that the plan is effective; rules regarding safety issues during the visits; need for supervision; frequency; length and time; and transportation arrangements. (OCYF Bulletin)

8. Future court involvement

- a. The Dependency Court is responsible for establishing the PLC Order.
- b. After the order is established, the case is transferred to the Domestic Relations (DR) Court for all future proceedings.
 - i. Custodian must pay legal fees associated with any future petitions.
- c. Any future termination or parental rights or adoption cases will be heard in the Adoption branch of the Family Court.
 - i. All adoption costs and court costs must be paid for by the custodian.

**GUIDELINES FOR CHILDREN IN ALTERNATIVE PERMANENT
PLANNED LIVING ARRANGEMENTS (APPLA)**

[Cases are appropriately in APPLA Court if the child has been committed to the custody of the Department of Human Services for longer than 12 months, the child is not living with a relative, the child cannot be reunited with their parents(s), and adoption is not the appropriate goal. Since many of these children will be older or medically needy, the focus in this court should be on appropriate, child-specific services. The focus ordinarily is no longer on services to the parents. The Guidelines below consist of the Permanency Hearing Guidelines with the added focus on specific services.]

Was there adequate notice to the parent/guardian and caretaker?

If present, do the individual parents want an attorney appointed to represent them?

Inquire and make specific findings regarding safety of child.

As per § 6351(f) of the Juvenile Act, make the following findings (specify if by agreement or upon hearing):

- **determine the continuing necessity for placement, and whether the placement continues to be best suited to the protection and physical, mental and moral welfare of the child (specify where each child is placed on the specific Order page);**
- **determine the appropriateness, feasibility and extent of compliance with the Family Service Plan and Family Service Plan goal;**
- **determine the extent of progress made toward alleviating the circumstances which necessitated the original placement appropriateness, feasibility and extent of compliance with the Family Service Plan and Family Service Plan goal (*Review previous Order(s) regarding services and visitation and make findings regarding compliance*)**
- **project a likely date by which the Family Service Plan goal for each child might be achieved;**
- **if the child is over 16, determine the services needed to assist the child to make the transition to independent living;**
- **determine whether a TPR petition has been filed, or should be filed under the circumstances, e.g., length of time in care (*see § 6351(f)(9) of the Juvenile Act*) or whether one of the applicable exceptions exist.**

Order continuation, modification or termination of placement or other disposition best suited to the protection and physical, mental and moral welfare of the child.

Make an appropriate Order regarding visitation with family, siblings and others.

Inquire and make a determination regarding the need for the following services, and Order that referral for services are made by designated person by specific dated:

- **Special education services: is there an Individual Education Plan (IEP) or should the parent request that the School District complete a Multi-disciplinary Evaluation (MDE);**
- **Outpatient counseling or other mental health services, including counseling if the child is refusing adoption;**
- **Family or other supportive adult resources;**
- **Wrap-around mental health services;**

- **If the child is in an institution, can the child be returned home or placed in foster care with appropriate supportive services such as in-home nursing, wrap-around therapy, and/or medical foster care services;**
- **Independent living services; if the child is 16, a referral to the Adolescent Initiative Program is needed;**
- **Vocational training services, such as Office of Vocational Rehabilitation Services (OVR);**
- **Inquire whether the child is a candidate for Supplemental Security Income (SSI);**
- **For a child who will turn 18 before the next court date, inquire whether a board extension is appropriate; and**
- **For a child who is going to leave the DHS system within a year, make sure an appropriate discharge plan is in place, including,**
 - housing
 - source of income
 - medical coverage
 - outpatient follow-up mental health services
 - availability of family or other supportive adult resources
 - vocational plans
- **Any other services deemed necessary and appropriate.**

If the child remains in placement, schedule the next permanency hearing within 5 months or earlier if needed.

If the child is returned home or temporary physical or legal custody is transferred to another individual, either Order DHS to supervise and schedule the next hearing within 5 months, or discharge the petition.

Please review the Final Order for Accuracy

Court Protocol for Youth 16 and Older

Preamble: The below protocol is intended as a guide for better serving older youth in care and for ensuring a successful transition from DHS custody to independence. All parties involved in the child’s care and legal proceedings – e.g. the child, DHS, the City Solicitor, the Child Advocate, the Advocate social worker, the biological parents, the parents’ advocates, the provider agency, the foster parent, etc. – should work as a team prior to Court to investigate the issues contained in the protocol. Problem areas (i.e. areas where the Court’s intervention would be most helpful) should be identified prior to Court. The focus in Court should be on these areas.

A. Questions for all Older Youth:

- 1. Safety**
2. What arrangements were made for the youth to **attend the court hearing**? If they are not attending, why?
3. **Permanency goals** for each child and a review of whether the youth is appropriate for reunification, adoption or subsidized legal guardianship. Has the **youth been consulted** about permanency planning? Has the youth been **asked to identify permanency resources**?
4. **FSP Update**
 - a. Date of last **FSP /CPP** meeting.
 - b. Is the **youth 14 or over in attendance**? If not, why?
 - c. What are the **main objectives** in the FSP? What services are being provided to meet these objectives?
5. **Independent Living Plan Update**
 - a. Date and status of referral to AIC. If youth does not have access to AIC, how are his/her independent living needs being provided?
 - b. What services are being provided to meet the youth's independent living/transition needs?
 - c. Who are the providers of IL instruction?
6. **Visitation and family contact/involvement. (Describe visitation schedule to the court.)**

Is the youth being given the opportunity to visit with siblings, parents, and other family resources? Are there other adult mentors or resources with whom the youth can visit?
7. **Educational progress. Provide the court information about the youth's educational progress**
 - a. What school or program is the youth enrolled in?
 - b. What grades are the youth receiving?
 - c. If the youth receives special education services, when was the last IEP meeting?
 - d. What services have the youth received to prepare him or her for post-secondary education or training?
8. **Health and medical coverage.**
 - a. Is the youth up-to-date on all medical care and EPSDT screenings?
 - b. List any special health care needs and how they are being addressed? Provide any BHS referrals or assessments?
 - c. Has the youth been provided with information regarding family planning services?
 - d. If the youth has behavioral health needs, what services are being provided to address these needs?
 - e. If the youth has drug and alcohol needs, what services are being provided to address these needs?
 - f. If the youth is mentally retarded, what services are being provided by the Office of Mental Retardation?
9. **Status of home environment/placement:**
 - a. How many placements has the youth been in since the last review hearing?
 - b. Is this the least restrictive, most family like environment? What steps have been taken to move the youth from a congregate care setting to a more family-like setting?
 - c. How does the placement help the youth achieve the identified permanency plan?
 - d. Are there any plans for placement transitions in the next 6 months (i.e., transfer to another foster care home or agency, RTF step-down, efforts to find runaways).

- e. Is the youth being referred to a **Supervised Independent Living (SIL)** placement? If yes, provide names of referral agencies and status of referral.
 - f. If the youth is a teen parent, **are mother and baby placed together?** If not, why?
10. **Caring Adults/Mentors.** What services are being provided to the youth to connect him/her with caring and reliable adults who can provide support and guidance to the youth? Has the youth been asked to identify mentoring resources?
11. Does the youth have the **names and phone numbers** of his social workers and child advocates?

B. For youth 16 – 21

1. Discuss the youth's goals in the FSP and IL Plan within the FSP. ***Be prepared to help the judge make findings regarding what services are needed to help the youth make the transition to independence.**
2. Provide information on the youth's **educational progress and how it relates to his or her plans to be independent and self-supporting upon discharge from care.** What additional educational supports would assist the youth?
3. Provide information on the youth's **current employment and future career goals?** What additional vocational/career services should be provided?
4. Has training in **family planning and parenting** been provided?
5. Has training in **food preparation, shopping, and nutrition** been provided?
6. Has there been an orientation to **community resources** (housing, government services, hospitals, library, church, community center)?
7. Has the youth been provided information about the responsibilities and process **under the Juvenile Act to stay in care past 18** if he or she is in instruction or treatment? Has a written request been made?
8. **What program of instruction or treatment is the youth planning to enroll in?** Have the terms and conditions for maintaining the Board Extension been discussed with the youth who is over 18 years of age?

C. Planning for Discharge/Transition from the System

1. If discharge planning has not occurred in a previous meeting (such as an FSP), has a discharge planning meeting **with the youth** and all parties occurred, in preparation for the recommendation of discharge?
2. Describe in detail what housing plans are in place for the youth (independent, family/friend or adult group home)?
3. What is the source of future medical coverage? Does the youth understand that she or he will not continue to have the current medical insurance?
4. What behavioral health, mental retardation, drug/alcohol or medical services are in place for the youth?
5. What is the source of current and future income (job, training, educational program), including the plan for a source of income and/or stable employment after discharge?
6. If the youth is under age 21, does he or she understand that they can stay in care if they are in a program of treatment or instruction? Does the youth understand that if they are discharged from the system at age 18 or any point thereafter after they

cannot re-enter the system? Does the youth understand that they are entitled to receive services at the AIC until age 21?

7. Does the youth have a general understanding of tenant and homeowner rights?
8. What stable adults is the youth able to identify as resources he or she can rely on for advice and in emergencies?
9. Does the youth have an understanding of the basic governmental, community and housing services available to them after discharge?
10. What plans are in place so that the youth will have his physical health and/or behavioral health needs met after discharge?
11. What is the youth's plan for post-secondary education or training?
12. What services has the youth received to prepare for and apply to post-secondary education or training, including financial aid applications?

D. Serious Disabilities and Special Needs

1. **Diagnosis:** What is the disability, how severe is it and what is the current level of functioning?
2. What **treatment** is being provided to the youth to address the disability? Are **additional services** or treatment required?
3. Is the youth eligible for **special services as a result of the diagnosis**? Is the youth receiving the services?
4. Is the youth involved with **day program activities or treatment** (vocational, educational or supportive employment)?
5. Has an **application for SSI** been made?
6. What **services** are required from the offices of mental health/mental retardation, office of vocational rehabilitation, or other appropriate agencies? What actions have been taken to ensure these services will be provided?
 - a. For youth with serious behavioral health issues, has **DHS and CBH** begun discharge planning? If the youth is in an **out-of-state RTF**, what steps have been taken to **coordinate** with the facility for discharge planning?
 - b. If the youth is **mentally retarded**, has he or she been registered with the office of MR **prior to turning age 18**? What services are being received through the office of MR?
7. What **supportive housing or specialized programs** have been arranged for the youth to transition to?
 - a. **The referral process for mental health supportive housing should begin at least one year before anticipated discharge.** Provide the court with information regarding the status of the referral? Provide information regarding persons assisting with planning at the **Office of Mental Health and Community Behavioral Health**?
 - b. If the youth is mentally retarded, **what actions have been taken with the Office of Mental Retardation** to arrange residential supports for the youth upon discharge?
8. What arrangements have been made to ensure the **continuity of medical insurance and care**?

OLDER YOUTH PROTOCOL JUDGE'S CHECKLIST

IS THE YOUTH PRESENT IN COURT?

Permanency/FSP Update/Placement/Visitation/Caring Adults & Mentors

- The permanency goal is: _____
- Is the FSP up-to-date?
- Is placement in the least restrictive setting?
- If the youth has a child are they placed together?
- If the youth is at a RTF is there is a plan for step-down in the next 5 months?
- Does the youth visit with siblings regularly?
- Does the youth have at least one consistent adult or mentor?

Educational Progress

- Is the youth in high school?
- Is the youth on grade level and performing at or above passing in his/her educational program?
- If the youth is receiving special education services, is the IEP is up-to-date?
(*Remember the caseworker cannot sign the IEP.)
- Is there is a parent or a parent surrogate assigned to make special education decisions?
- Is the youth receiving services to prepare for postsecondary training or education?
- Is the youth in post-secondary education or training?

Independent Living Plan Update

- Is the Independent Living Plan up-to-date?
- Which IL services should be prioritized for this youth?
 - Budgeting and money management
 - Activities of daily living
 - Healthy relationships and socialization skills
 - Health promotion
 - Housing search skills
 - Home management
 - Employment search and retention skills
 - Educational support
 - Post-secondary ed. prep.
 - Other _____

Health and Medical

- Does the youth have special medical issues?
- Does the youth have special behavioral health issues?
- Does the youth need to be registered with the Office of Mental Retardation?

Planning for Discharge/Transition from the System

- Does the youth understand that s/he can stay in care until age 21 if s/he is in a program of treatment or instruction?
- Has discharge planning begun for the youth?
- What is the anticipated living arrangement for the youth upon discharge from care? _____
- Will the youth be discharged in the next six months to one year? (*If so, see "Discharge Checklist" on reverse.*)

Special Dispositional Orders

Do any of the following orders need to be made?

- New placement referral
- Appoint parent surrogate for special education decision-making
- AIC referral or provision of IL services

- Medical or behavioral health treatment/evaluation referral
- FSP or discharge planning meeting scheduled
- Short date to monitor progress scheduled

DISCHARGE CHECKLIST: Planning for Discharge/Transition from the System

If the youth is going to be discharged in the next six months to one year address the following:

Discharge Planning

- Anticipated discharge date: _____
- Have discharge planning meetings occurred?
- Has a discharge plan been presented to the court?
- Does the youth have a **housing plan** for when s/he leaves care?
- Will the youth have a stable source of **income** that will allow him/her to meet basic needs?
- Will the youth be **employed** upon discharge from care?
- Will the youth be continuing his/her **education or training** after leaving care?
- Will the youth be receiving services from the **Office of Vocational Rehabilitation**?
- Has the youth been notified that s/he can **stay in care until age 21** if s/he is in a course of treatment or instruction?
- Has the youth been informed that s/he can receive Independent Living services from **the AIC until age 21**?

Health & Medical/Serious Disabilities & Special Needs

- Will the youth have health insurance when s/he leaves care?
- Has the youth identified a health care provider for when s/he leaves care?
- If the youth has behavioral health needs,
 - Has s/he identified a behavioral health treatment provider?
 - Does the youth with moderate or severe behavioral health concerns have an Intensive Case Manager through the Department of Behavioral Health?
- If the youth is MR,
 - Have support services through the Office of Mental Retardation been arranged for when s/he exits care?
 - Does s/he have a Mental Retardation supports coordinator?
- For youth with special needs, has a specialized living arrangement (i.e. supportive housing, group or institutional care) been secured?
- Was an SSI application completed?

Special Dispositional Orders

- Has a discharge planning hearing been scheduled?
- Does a discharge planning meeting need to be ordered?
- Does this case require a short date to ensure discharge planning has been acceptably done?
- Has the youth been asked and encouraged to attend the final discharge hearing?

NON-PLACEMENT REVIEW HEARING GUIDELINES

A non-placement review hearing is a hearing used for those circumstances when a child is adjudicated dependent and the child remains at home with DHS supervision, or the child has been returned home following a period of out-of-home placement and the petition remains open. *(Note to Clerks: If adjudication is deferred and the child is at home, use the Adjudicatory Hearing Guidelines.)*

The following factors apply to Non-Placement Review Hearings:

Was there adequate notice to the parent/guardian and caretaker?

If present, do the individual parents want an attorney appointed to represent them?

Inquire and make specific findings regarding safety of child.

Inquire and make specific finds (specify if by agreement or upon hearing) regarding compliance with Family Service Plan objectives and services.

If the Court finds total compliance with the Family Service Plan objectives and the family and child are no longer in need of services, Order discharge of DHS supervision and discharge of the dependency petition.

If DHS is to continue to supervise, Order appropriate services and Order that referral for services be made by designated person by specific date, and schedule a non-placement review hearing within 5 months or earlier, if needed.

Please Review the Final Order for Accuracy

GUIDELINES FOR USE OF SPECIFIC ORDERS PAGE FOR ALL HEARINGS

The overall objective for use of the Specific Order Page is to achieve measurable progress in the case between hearings and to increase accountability of all parties in the court process

The Specific Order page should not be used as a mini-transcript, recording everything said by each party. Given that transcripts are rarely produced for most hearings, however, the Judge may wish to use the Specific Order page to record critical findings of fact. These should be clearly identified as such. Examples include whether aggravated circumstances have been found, or the number of visits the parent made out of the number scheduled in a particular period.

Judges should be mindful that Court Orders should be specific and include timelines to accomplish objectives for the Court and all of the parties to gauge compliance, seek enforcement or demand accountability. The specific language should be used whether the party being ordered to take an action is DHS, the parent, the child or a provider. If parties agree to specific language, the Court should consider using the suggestion as part of the court order, but the Court can and should use specific language on trigger issues whether the parties are in agreement or not.

In order to achieve the above, the Specific Order page should focus on actions that should occur between court hearings with the responsible party designated, and dates set for the action to occur. Certain events will trigger use of the Specific Order page. Examples of these events include:

- **Case Management Conferences:** date, time and location
- **Events that require a party's action:** e.g., home evaluation, referral or enrollment for a parenting class
- **All referrals:** e.g., CEU, CRU, BHS, Family Help Center, AIC, ARC
- **CEU:** do not specify level of care except "Mother/baby placement to be explored" as appropriate
- **FSP issues:** date, time and location of meeting
- **Visitation:** including sibling visitation with siblings who are court involved, type, frequency, location, duration and ability to modify
- **SCOH involvement:** the date by which the referral is to be made and the date by which DHS should verify to see if SCOH is actually providing services to the family
- **ICPC cases:** the date by which the DHS social worker should complete the necessary referral paperwork

A good court order about one of the trigger-events should include:

What is the action that the Court is ordering?

Who is responsible for the court-ordered action?

By when should the court-ordered action be achieved?

Where, if applicable, should the court-ordered action occur?

How should the action occur?

Behavioral Health System Services **Dependency Court Activities Protocol**

Activities Before the Pre-Hearing Conference (PHC)

In preparing a Dependency case for court, the DHS Social Worker requests the parent to authorize the Behavioral Health System staff to review its Behavioral Health records for family members to help to assess any family treatment needs. The DHS/BHS client information release form is to be signed. The completed form is given to the Law Department Legal Assistant at the time the petition is drafted. The Legal Assistant sends the form to the Dependency Court Operations (DCO) office with the dependent petition.

If the DHS social worker was not able to ask the parent to sign the form before the petition was prepared, the social worker is to try to have the forms signed in the time preceding the Pre-Hearing Conference and to send the completed form to the Supervisor, Behavioral Health System Family Court Unit (BHSFCU).

The DCO office sends a copy of the release form and the petition to the BHSFCU.

The BHSFCU clinician assigned to the PHC researches the BHS treatment histories of family members prior to the PHC.

The DHS Social Worker and other parties to the case are encouraged to contact the BHSFCU prior to any hearing to discuss the assessment and treatment needs of family members.

The court's Conference & Services Coordinator sends copies of the weekly PHC schedules to all agencies participating in the conferences.

Pre-Hearing Conference Activities

The clinician assigned to the PHC is available to perform the following functions:

- discuss behavioral health issues, including current treatment services of family members, both adults and children.
- formulate an opinion on the need for a substance abuse assessment, psychological evaluation, psychiatric evaluation and/or family assessment.
- make a recommendation for a family or individual evaluation by designated providers, or for a CEU substance abuse assessment as treatment recommendations can only be made by CEU staff.

- recommend that CEU or BHSFCU monitor progress of clients currently in treatment

programs.

· make referrals for other services for family members.

Immediately after the PHC, the parties attend the initial Adjudicatory Hearing on the case. The facilitator records the recommendations on the written Dependency Court Pre-Hearing Conference Report and Recommendations, which is forwarded to the court for the Adjudicatory Hearing.

Referrals from the Bar of the Court

Based on the recommendation from the PHC, or on other factors present in the court, the judge orders an assessment or evaluation and refers the person to the CEU or the BHSFCU. (Referrals to CEU or BHSFCU for most appropriate behavioral health services are also made by judges at other hearings.) A referral form completed by the Dependent Court Representative is given to the family member and/or DHS Social Worker to be taken to the CEU or BHSFCU.

For the BHSFCU referrals, the clinician gives the parent and all case parties a notice of the appointment time and place before they leave the office.

For CEU referrals, appointments are scheduled for immediately after the court hearing that follows the PHC, whenever possible. Otherwise, a CEU appointment is made for the client before they leave the building. Urine tests are usually done, when a substance abuse assessment is ordered. Judges may also refer clients who are currently in treatment programs for CEU monitoring.

Case Management Activities

A) Clinical Evaluation Unit

CEU staff provides services to persons with substance abuse problems or co-occurring disorders involving both the mental health and substance abuse problems.

CEU staff conduct substance abuse assessments and make recommendations for inpatient or outpatient treatment. A recommendation is reviewed by medical staff of the CEU for treatment appropriateness. The necessary funding source is then identified and petitioned for CEU recommended level of care. While the recommendation is decided solely by the CEU using the Pennsylvania Client Placement Criteria (PCPC), the ultimate decision and treatment approval is at the discretion of the funding source.

CEU staff then secures an intake appointment at the treatment facility and will notify the client. They also send an initial report on the assessment and referral to Judge, DHS Social Worker, City Solicitor, client's attorney, and child's attorney. This is done usually within 10

days of the assessment interview. A copy of the CEU report is put in the Court file. CEU staff monitors attendance and treatment progress.

CEU completes a progress report for each client the week before the next court date. Copies are forwarded to the Judge, DHS Social Worker, City Solicitor, client's attorney and child's attorney, and the Dependent Court Representatives for insertion into the court file. The Dependent Court Representative assigned to each courtroom also has copies of the progress report for distribution at the Bar of the Court.

Cases are discharged from CEU case management upon clinical completion of treatment, persistent non-compliant or outright refusal towards treatment, and petition discharge by Judge.

B) Behavioral Health System Family Court Unit

BHSFCU staff receives copies of psychological, psychiatric and family assessments from providers. These reports are available to all court parties; however, the assigned court parties must contact BHS for a copy. Evaluations are also submitted to Dependent Court Intake for entry into the court file, provided a signed consent form was attached to the DRO.

The Supervisor of the BHSFCU reviews and distributes the BHS reports to the clinician to review and comment on the recommendation. The BHS liaison then schedules initial intake appointment for recommended treatment.

When referrals to the BHSFCU are not MA eligible, the following criteria may be utilized:

- 1) Individuals and families may be referred to the Base Service Unit (i.e. – PATH, JFK, Hall-Mercer) closest to where they reside.
- 2) Individuals and families may be referred to DHS, when DHS is involved, for specified services (i.e. evaluation specific contracted treatment services).
- 3) Finally, individuals and families with private insurance will contact their insurance company and be referred to the most appropriate MH and or D/A services under their private insurance plans.

After BHSFCU facilitates recommendations for evaluation or direct treatment services, a follow-up report is immediately generated. The BHSFCU then delivers a copy of the "Report to the Court" to 1801's mail room for delivery to the identified judge and all court parties.

**FIRST JUDICIAL DISTRICT
COURT OF COMMON PLEAS PHILADELPHIA COUNTY
FAMILY DIVISION * DEPENDENCY UNIT**

ORDER FOR BEHAVIORAL HEALTH SERVICES

IN RE: _____ **PET#:** _____
J#: _____

CERTIFICATION

This is to certify, that on this _____ *day of* _____ *, 20* _____,

_____ Juvenile Mother Father Other
(Name)

is *Ordered* to go *forthwith* to the Clinical Evaluation Unit in Room 311, 1801 Vine Street, for:

- Substance Abuse Assessment
- CEU to Provide Treatment Confirmation and Monitoring

is *Ordered* to go *forthwith* to the Behavioral Health Services Unit in Rm. 226M, 1801 Vine Street for:

- BHS Unit to arrange for appropriate behavioral health interventions as needed.
- BHS Unit to provide Treatment Confirmation and Monitoring

Client's Atty.: _____ **Tele. #:** _____

***DHS/SW** _____ **Tele#:** _____

***Social Worker is to accompany the parent(s) to the CEU or BHS Unit.**

Reports are to be sent to the following Judge/Master: _____

Prior to NCD: _____ **Courtroom:** _____

Dependency Court Representative

PHILADELPHIA DEPENDENCY COURT

ORDER FOR BEHAVIORAL HEALTH EVALUATION AND DISTRIBUTION

IN RE: _____

Pet #: _____

J #: _____

On this _____ day of _____, 20_____, _____,
name

Child Mother Father Other, is ordered to participate in a mental health evaluation; and to go forthwith to the Behavioral Health Services Unit in Room 226M, 1801 Vine Street for BHS to arrange for the mental health evaluation.

_____, *has been informed that information obtained during the evaluation is not confidential. The evaluator will submit a written evaluation to the court for distribution to the individuals listed below.*

*This evaluation is for use in the above captioned matter **only**.*

Evaluations, Recommendations and Reports are to be sent to the following individuals thirty (30) days prior to the NCD _____ in Courtroom _____.

CBH/BHS _____

Judge _____

City Solicitor _____

Mother's Attorney _____

Father's Attorney _____

Child's Attorney _____

DHS _____

Other _____

BY THE COURT:

Judge

Protocol for ORDER FOR BEHAVIORAL HEALTH EVALUATION AND DISTRIBUTION

The Order for Behavioral Health Evaluation and Distribution is to be completed by the attorney or social worker for the party being evaluated before being submitted to the judge for signature.

After the Order is signed, the DHS social worker or the attorney or social worker for the party to be evaluated escorts them to the BHS/FCU, Rm. 226M with the Order.

The BHS/FCU retains the Order and schedules the appropriate evaluation and/or services.

Upon receipt of the evaluation, the BHS/FCU distributes a copy of the evaluation to the judge and copies of the Order and the evaluation to Dependent Court Operations, Rm. 312. If an evaluation is not recommended or other services are determined to be more appropriate, the BHS/FCU forwards a copy of the Court Referral and Report, instead of an evaluation.

Dependent Court Operations makes the appropriate number of copies of evaluations and/or Reports, enters a copy of the Order and a copy of the evaluation/Report into the court file and distributes remaining copies of the evaluations/Reports to the individuals indicated at the bottom of the Order.

PHILADELPHIA DEPENDENCY COURT

OPTIONAL BEHAVIORAL HEALTH INFORMATION FORM

IN RE: _____

PET#: _____

J#: _____

PERSON ORDERED FOR EVALUATION: _____

DATE of ORDER: _____

Submitted by:

NAME: _____

PHONE NUMBER: _____

I am the (circle one): Judge DHS SW Solicitor Mother's Attorney

Father's Attorney Child's Attorney Other _____

Please provide the BHS Unit with input concerning the individual being evaluated.
Be sure to include the **source** of your information.

Check all that apply and provide more information as needed:

Aggressive behavior _____

Suicide Attempts _____

Depression _____

Hyperactivity _____

Impulsivity _____

Placement history/multiple moves _____

Amount of time in current placement _____

Running away _____

School issues _____

Lying/stealing _____

Nightmares _____

___ Fire setting _____

___ Bedwetting _____

___ Drug/alcohol use _____

___ Post Traumatic Stress Disorder _____

___ Domestic violence _____

___ Parenting skills concerns _____

___ Visitation/reunification concerns _____

___ MR _____

___ Medical problems _____

___ Existing Supports _____

___ Other _____

In the space below, feel free to include additional comments about:

- past history with the behavioral health system,
- questions you would like answered by the evaluation,
- concerns you have about the individual's involvement in the system,
- information that you believe will be helpful to the evaluator.

Source of your information:

Form must be delivered to the BHS (room 226M, fax: (215) 564-0318) Units within 48 hours of the order for evaluation.

**Protocol for
OPTIONAL BEHAVIORAL HEALTH INFORMATION FORM**

This form was developed as a result of a consensus that when clients (children and adults) are evaluated, the evaluator does not receive enough background information about the individual. The form is available to all professionals on a case in which a party is referred to BHS for an evaluation. Completing the form is voluntary, but doing so will provide the BHS and assigned evaluator with helpful information.

Once the form is completed, bring it to the Behavioral Health Services Unit in Rm. 226M or fax it to the attention of the BHS Supervisor at (215) 564-0318.

**FIRST JUDICIAL DISTRICT
COURT OF COMMON PLEAS PHILADELPHIA COUNTY
FAMILY DIVISION * DEPENDENCY UNIT**

ORDER FOR DRUG SCREENING

IN RE: _____ **PET#:** _____
J#: _____

CERTIFICATION

This is to certify, that on this _____ *day of* _____ **20** _____,
 Juvenile **Mother** **Father** **Other**
(Name)

is Ordered to have a Drug Screening(s) at 1801 Vine Street, Room 204, which should occur

forthwith, and/or _____ **times at random:**

Send results to the following Judge/Master: _____

Forthwith, and/or **Prior to NCD:** _____ **Courtroom:** _____

Dependency Court Representative

***COURT OF COMMON PLEAS
PHILADELPHIA COUNTY
JUVENILE DIVISION***



REVISED PROTOCOL

ACT 53

(Rev. 7-1-08)

Protocol

Act 53 of 1997 allows parents or legal guardians to petition the Court to Order drug and alcohol treatment for minors. The Court may commit a juvenile with a substance abuse problem who is unwilling or unable to accept voluntary treatment based upon an assessment by a substance abuse specialist.

I. Act 53 cases will commence in one of three ways:

a) Calls will be referred to Prevention Services Unit when a parent wants to file an Act 53 petition against a juvenile. The REAAP Unit will provide intake and support services. The Clinical Evaluation Unit will conduct an assessment and make referrals for treatment if required.

b) Juveniles that are already under Prevention Services supervision whose parent wants to file an Act 53 petition.

c) Juveniles referred by Judges in Delinquent Courtrooms on non-adjudicated delinquent petitions.

II. When a telephone call is received requesting an Act 53 petition, a Prevention Services Intake Worker will clear the case in the court computer to determine if there is any current court involvement. If there is an active dependent or delinquent petition, the Prevention Services Social Worker will contact the Department of Human Services Social Worker or Probation Officer to discuss the case.

III. The Prevention Services Social Worker will meet with the parent and child, if available, to determine if the case presented meets the criteria for an Act 53 petition. If it becomes apparent during the initial interview that the problems do not fall under the jurisdiction of Act 53 but rather relate to abuse or neglect, an immediate telephone referral to the Department of Human Services Child Abuse Hotline will be made.

IV. If it becomes apparent that the case involves both drug and alcohol abuse and dependent abuse and neglect issues, the Prevention Services Social Worker will make a telephone referral to the Department of Human Services Child Abuse Hotline concurrent with the processing of the Act 53 petition. If the child is in imminent risk or the parents fail to cooperate with DHS, the appropriate dependent petition will be filed by DHS.

V. If it is determined during the initial interview that the problems presented do not fall under the jurisdiction of Act 53 but rather relate more to incorrigibility, the case will be opened by Prevention Services using the regular method of intake.

VI. If the juvenile is willing to receive a substance abuse assessment and to follow the recommendations of the assessment, an appointment is made with the Court's Clinical

Evaluation Unit for assessment and referral for treatment if appropriate. An Act 53 petition is filed only in the event the juvenile refuses to cooperate.

VII. If the juvenile is unwilling to pursue the recommended course of treatment, Prevention Services staff will contact Dependent Court Operations Intake Marguerite Pierce to obtain a J#, petition #, and hearing date. The REAAP Social Worker will assist the parent with filling out the petition and will enter the J# and the petition# on the petition.

VIII. Once the petition has been completed, a copy will be given to the parent, to the Child Advocate Unit of the Defender Association, and to the Clinical Evaluation Unit to alert them of the possibility of an Act 53 assessment. The Act 53 hearings will be assigned to one of the dependency courtrooms.

The notification will specify the:

- a) Hearing Date and Courtroom,
- b) the process of commitment under Act 53.

IX. Prevention Services will file the petition in Dependent Court Operations and Dependent Court Operations will process the petition for a hearing before a Judge.

X. On the day of the hearing, if the juvenile is willing to submit to a substance abuse assessment and follow the recommendations, the assessment will precede the hearing. Otherwise, at the hearing before the Judge, if the Judge believes that treatment may be indicated and the juvenile is unwilling to undergo treatment voluntarily, the Judge refers the juvenile to the Clinical Evaluation Unit in Room 311 for a substance abuse assessment. The Clinical Evaluation Unit is available to conduct assessments, determine eligibility for private insurance or medical assistance benefits.

When necessary, the CEU will arrange for treatment and funding in conjunction with the BHS Family Court Unit. Also, the CEU will review cases daily with BHS to determine whether there is a prior mental health history of the client. Predicated on the nature of the prior history and treatment, and in conjunction with the CEU assessment, a decision will be made to determine the whether drug and alcohol or mental health treatment is more appropriate.

XI. When the Judge orders an assessment to be done by the Clinical Evaluation Unit, a hearing is scheduled for a date two weeks later to hear the CEU report and recommendations and treatment arrangements made. The Judge reviews the Report and Recommendations of the Clinical Evaluation and makes an appropriate Court Order. The Clinical Evaluation Unit clinician may appear in court if necessary.

XII. If the juvenile is committed under Act 53, the parents are given a copy of the Court Order to provide to the treatment facility. Transportation is provided by either the parents or treatment facility.

XIII. As the Clinical Evaluation Unit has working relationships with inpatient and outpatient substance abuse programs serving adolescents in the area, they will be responsible for case management and will monitor the progress of these commitments. They will provide status reports and recommendations for future treatment or discharge to the Court and other appropriate parties.

XVI. If the juvenile is not cooperating with the treatment plan, the Clinical Evaluation Unit will advise the Prevention Services Social Worker. The Prevention Services Social Worker will contact Dependent Court Operations to request a Hearing before the committing Judge and provide notice to all appropriate parties of this action. In a non-adjudicated delinquency case, the CEU will notify the appropriate Probation District Supervisor who will review the juvenile record and take the necessary action.

XIV. A Review Hearing to determine the need for further treatment is to be scheduled within 45 days of a commitment.

**PHILADELPHIA COURT OF COMMON PLEAS*FAMILY DIVISION
PETITION FOR INVOLUNTARY DRUG & ALCOHOL TREATMENT SERVICES
(ACT 53 of 1997)**

Filing Date:
Juvenile #
DP#

Prior Court History:
 Dependent Delinquent

IN RE.: _____ D.O.B.: _____

Sex: _____ Race: _____ SS#: _____

Address: _____

Last School Attended: _____ Grade: _____

Petitioner Parents/Legal Guardians Name: _____

Address: _____

Telephone #: _____ Present Location of Minor: _____

PLEASE READ THE FOLLOWING STATEMENTS CAREFULLY BEFORE YOU SIGN THIS PETITION:

Said Petitioner respectfully alleges that the above named juvenile is incapable of accepting or unwilling to accept voluntary drug and/or alcohol treatment services.

Previous Treatment Services:

PETITION FOR INVOLUNTARY DRUG & ALCOHOL TREATMENT SERVICES

(Act 53 of 1997)

Page 2.

Name: _____

Petition #:

The Facts which bring the minor within the jurisdiction of the Court and establish a good reason for the commitment are as follows:

Type of Drug and/or Alcohol Abuse:

Frequency of Use:

Behavior Exhibited While on Drugs and/or Alcohol:

I verify that the statements made in this petition are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Petitioner

Petitioner

Important - Hearing Information

Case is listed for Act 53 Hearing on:

Date: _____ Time: _____ Courtroom: _____, 1801 Vine St., Phila. PA

COURT ACTIVITY AND CHILD WELFARE FUNDING

The Adoption and Child Welfare Act (Public Law 96-272) established part E of Title IV of the Act “Federal Payments for Foster Care and Adoption Assistance” effective October 1, 1982. Eligibility criteria included certain judicial decisions.

The Adoption and Safe Families Act of 1997 (ASFA), arose in part out of some dissatisfaction with the performance of States’ child welfare systems in achieving the goals of child safety and permanence and child and family well-being. ASFA, like P.L. 96-272, seeks to provide states with the necessary tools and incentives to achieve these goals. Under ASFA the judicial components of the eligibility requirements were expanded.

There are four judicial determinations that are essential:

- At the first court ruling which sanctions removal from the home, a judicial determination is needed that is contrary to the health, safety and welfare of the child to remain in the home, or in the child’s best interest to be placed.
- Within 60 days of removal from the home, a judicial determination must be made that reasonable efforts were made prior to placement to prevent the child being removed from the home, or that due to the emergency nature of the situation lack of such efforts were reasonable, and that it is contrary to the health, safety or welfare of this child to continue in the home.
- A judicial determination must be made at the permanency hearing that reasonable efforts are being made to reunify the child with the family.
- If a child cannot be reunified, there must be a judicial determination that reasonable efforts are being made to make and finalize an alternate permanent placement, such as adoption or placement with a fit and willing relative.

THESE DETERMINATIONS MUST BE EXPLICIT, MADE ON A CASE-BY-CASE BASIS, AND SO STATE IN THE COURT ORDER. IF THE FEDERALLY REQUIRED DETERMINATIONS ARE NOT MADE AND PROPERLY DOCUMENTED, THE AGENCY CLAIM FOR FEDERAL IV-E REIMBURSEMENT FOR THE CHILD IS JEOPARDIZED.

Federal reimbursement is also lined to court participation in programmatic areas that are related to child and family outcomes. Though not directly related to child eligibility, a lack of substantial compliance in these areas may result in a penalty that reduced IV-B and IV-E funds.

These areas that also need to be reflected in court orders include:

- Child specificity – all determinations must be child specific, explicitly stated, made on case-by-case basis and so stated in the court order;

- **Determinations regarding the child's safety in the current placement;**
- **Notice to caregiver;**
- **Permanency hearings held within the proper time frames;**
- **Aggravated circumstances – includes a determination of whether reasonable efforts to reunify are found to exist.**
- **For a child who has been in placement 15 of the last 22 months or where aggravated circumstances are found to exist and there is a determination that no further efforts at reunification are necessary, whether a TPR has been filed or one of the exceptions exist;**
- **Use of exceptions to mandatory filing of TPR;**
- **Progress regarding initial placement issues;**
- **Compliance with the plan by parties;**
- **Necessity and appropriateness of placement;**
- **Appropriateness of goal;**
- **Date by which goal will be achieved.**

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
COURT OF COMMON PLEAS - FAMILY DIVISION - JUVENILE BRANCH
SHELTER CARE AND ORDER**

Hearing Date: _____ Time: _____ at: _____ DHS# _____

IN RE	DP #	J #	COURT APPROVED GOAL	DATE REMOVED
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COUNSEL/CASA (check if present)

<input type="checkbox"/> for Child -	<input type="checkbox"/> for DHS -
<input type="checkbox"/> for Mother -	<input type="checkbox"/> for Father -
<input type="checkbox"/> for Caregiver	<input type="checkbox"/> CASA -
<input type="checkbox"/> Other -	<input type="checkbox"/> Other -
<input type="checkbox"/> Other -	<input type="checkbox"/> Other -

PARTIES/OTHERS	Notice Given	PARTIES/OTHERS	Notice Given
<input type="checkbox"/> Child -	<input type="checkbox"/>	<input type="checkbox"/> DHS -	<input type="checkbox"/>
<input type="checkbox"/> Mother -	<input type="checkbox"/>	<input type="checkbox"/> Father -	<input type="checkbox"/>
<input type="checkbox"/> Caregiver -	<input type="checkbox"/>	<input type="checkbox"/> Other -	<input type="checkbox"/>
<input type="checkbox"/> Other -	<input type="checkbox"/>	<input type="checkbox"/> Other -	<input type="checkbox"/>
<input type="checkbox"/> Other -	<input type="checkbox"/>	<input type="checkbox"/> Other -	<input type="checkbox"/>

DOCUMENTS REVIEWED BY COURT:

Petition Home Study Medical Records Oral DHS Report Psych. Evaluation CASA Report Pre-Hearing Conf. Recommendation Family Service Plan

Other (Specify) _____

AFTER FULL CONSIDERATION OF ALL THE TESTIMONY AND EVIDENCE PRESENTED BY THE PARTIES, THIS COURT MAKES THE FOLLOWING FINDING OF FACT AND CONCLUSION OF LAW:

The Child is is not **SAFE** in the current placement/living situation as of _____ (date) _____ (Explain of Specific Orders page)

SHELTER CARE HEARING DETERMINATION

FOR A CHILD WHO IS ENTERIN, OR CONTINUING IN, PLACEMENT, the **COURT FINDS** that:

- It is is not **CONTRARY TO THE HEALTH, SAFETY OR WELFARE OF THIS CHILD** to continue in the home and (if applicable)
- DHS has has not **MADE REASONABLE EFFORTS** prior to placement to **prevent removal** of this child from the home;

OR

- if preventive services were not offered due to necessity for an **EMERGENCY PLACEMENT, THE LACK OF SERVICES** was was not **REASONABLE UNDER THE CIRCUMSTANCES** (Explain as need on Specific Order Page)

SHELTER CARE HEARING ORDER

IT IS ORDERED that OPC: Is Lifted Stands DHS to Supervise Case Discharged

Temporary Commit to DHS Stands is Discharged

DHS to file Dependency Petition to cover within 24 hours.

PETITION

AND NOW, Petitioner, the Department of Human Services, requests a(n) Adjudicatory Pernanency hearing to:

- * if appropriate, adjudicate the child dependent;
- * Determine whether the child should be returned to parents, guardian, or other custodian; or placed for adoption; or placed with a legal custodian or in other living arrangements intended to be permanent in nature and approved by the Court;
- * Determine the continuing necessity for and appropriateness of placement;
- * Assess adequacy of and compliance with the Family Services Pland and extent of progress made toward alleviating problems which necessitated placement;
- * Project a likely date by which permanency for the child might be achieved;
- * Determine whether reasonable efforts are being made for the child to return home or to provide the child with permanency;
- * Determine appropriateness and feasibility of current placement goal;
- * Determine whether child is safe;
- * Determine services needed to assist child age 16 or older to make the transition to independent living;
- * If child is placed outside the Commonwealth, determine whether placement continues to be best suited to the protection and physical, mental and moral welfare of the child;
- * Determine whether aggravated circumstances exist, and if so, whether reasonable efforts should be made or continued to prevent removal of child from the home, or to preserve and reunify the family;
- * Determine whether DHS should file or join a Petition to Terminate Parental Rights, and identify, recruit, process, and approve a qualified family to adopt the child, or if one of exceptions applies.

Family Name:	J#:	DHS #:	Date:
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SPECIFIC ORDERS

* In-Home services specified below are necessary and appropriate to prevent out-of-home placement of the child.
 * Parent(s) Ordered to comply with drug & alcohol evaluations and services, and recommendations of mental health or other evaluation(s)

df

Juvenile Court Representative _____

THE COURT ORDERS that a(n)

- Continued or Deferred Detention
 Adjudicatory
 Permanency
 Status

hearing is scheduled on _____ at _____ at 1801Vine Street,

Judge _____

PARENTS ARE INFORMED THAT FAILURE TO COMPLY WITH SERVICES OR TO REMEDY THE CAUSE OF COURT INTERVENTION MAY RESULT IN TERMINATION OF PARENTAL RIGHTS

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
COURT OF COMMON PLEAS - FAMILY DIVISION - JUVENILE BRANCH
ADJUDICATORY HEARING AND ORDER**

Hearing Date:	Time:	Courtroom:	DHS No.:
IN RE:	DP #	J #	COURT APPROVED GOAL
			DATE REMOVED

COUNSEL/CASA (check if present) <input type="checkbox"/> for Child - <input type="checkbox"/> for Mother - <input type="checkbox"/> for Caregiver <input type="checkbox"/> Other - <input type="checkbox"/> Other -	<input type="checkbox"/> for DHS - <input type="checkbox"/> for Father - <input type="checkbox"/> Other- <input type="checkbox"/> Other - <input type="checkbox"/> Other -
--	--

PARTIES/OTHERS <input type="checkbox"/> Child - <input type="checkbox"/> Mother - <input type="checkbox"/> Caregiver - <input type="checkbox"/> Other - <input type="checkbox"/> Other -	Notice Given	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	PARTIES/OTHERS <input type="checkbox"/> DHS - <input type="checkbox"/> Father - <input type="checkbox"/> Other - <input type="checkbox"/> Other - <input type="checkbox"/> Other -	Notice Given	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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DOCUMENTS REVIEWED BY COURT:

<input type="checkbox"/> Petition	<input type="checkbox"/> Home Study	<input type="checkbox"/> Medical Records	<input type="checkbox"/> Oral DHS Report	<input type="checkbox"/> Psych. Evaluation	<input type="checkbox"/> CASA Report
<input type="checkbox"/> Pre-Hearing Conf. Recommendation	<input type="checkbox"/> Family Service Plan	<input type="checkbox"/> Other (Specify)			

AFTER FULL CONSIDERATION OF ALL THE TESTIMONY AND EVIDENCE PRESENTED BY THE PARTIES, THIS COURT MAKES THE FOLLOWING FINDING OF FACT AND CONCLUSION OF LAW:

(date)

The child is is not **SAFE** in the current placement/living situation as of _____ (Explain of Specific Orders page)

ADJUDICATORY HEARING DETERMINATION

Upon hearing By agreement
 The COURT finds that the child is is not dependent based upon clear and convincing evidence.
 The COURT defers adjudication of dependency of said child

The COURT FINDS that:

- It is is not **CONTRARY TO THE HEALTH, SAFETY OR WELFARE OF THIS CHILD** to continue in the home and (if applicable)
- DHS has has not made **REASONABLE EFFORTS** prior to placement to **PREVENT REMOVAL** of this child from the home;

OR

- if preventive services were not offered due to necessity for an **EMERGENCY PLACEMENT**, the lack of services was was not **REASONABLE UNDER THE CIRCUMSTANCES** (Explain as needed on Specific Orders Page.)

AGGRAVATED CIRCUMSTANCES

DHS and/or the child's attorney have/has alleged the following aggravated circumstances: (Use Specific Orders page for more detail.)

No aggravated circumstances have been alleged
 The Court _____ from clear and convincing evidence that the alleged aggravating circumstances exist
 Reasonable efforts to prevent or eliminate the need for removing the child from the home or to preserve and reunify the family shall be made or continue to be made.
 No new or additional reasonable efforts to prevent or eliminate the need for removing the child from the home or to preserve and reunify the family shall be made.

Family Name:	J#:	DHS #:	Date:
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ADJUDICATORY HEARING ORDER

DHS Supervision Ordered Stands Is Discharged Petition is Discharged
 Temporary Commit to DHS Ordered Stands Is Discharged

Full Commit to DHS retroactive to

IT IS ORDERED that:

- The child shall be returned to the MOTHER FATHER OTHER
- The child is temporarily committed to the legal custody of (specify name and relationship):
- Permanent legal custody of the child shall be transferred to (specify name and relationship):
- Custody of the child is transferred to the Juvenile Court of another state. (Specify conditions and location under Specific Orders)

Placement will be: Continued Modified Terminated
 Other disposition best suited to the protection and physical, mental, moral welfare of this child
 (explain under Specific Orders.)

Parental rights voluntarily relinquished Mother Natural Father Putative Father Legal Father Other

Commitment to the Department of Human Services Stands is Discharged Petition Discharged DHS to Supervise

FOR A CHILD WHO HAS BEEN IN PLACEMENT SIX (6) MONTHS OR LONGER

The Court finds that DHS has has not made REASONBLE EFFORTS to reunify the child with his/her family, or to make and finalize an alternate permanent placement. (See Specific Orders page)

DHS has has not submitted a Family Service Plan/Permanency Plan to the Court.

There has has not been progress made toward alleviating the circumstances which necessitated the initial placement (On Specific Orders page, specify incidents of abuse, abandonment, neglect and progress since last hearing.)

The current placement is is not necessary and appropriate (See Specific Orders Page):

For a child placed outside of the Commonwealth the current placement: DOES DOES NOT
 Continue to be best suited to the protection and physical, mental and moral welfare of the child.

The Court finds that the Family Service/Permanency Plan developed for the child
 IS IS NOT being complied with by any some all parties. (See Specific Orders page)

The DHS Permanency goal of IS IS NOT appropriate and feasible. (See Specific Orders Page)
 The Family Service/Permanency Pland developed for the child IS IS NOT appropriate and feasible. (See Specific Orders Page)
 If the child is age 16 years or older, the following services are needed to assist the child to make the transition to independent living:

The Court ACCEPTS AMENDS the Family Service/Permanency Plan (See Specific Orders page)

PERMANENCY REGARDING TERMINATION OF PARENTAL RIGHTS

- The child has been in placement for at least 15 of the last 22 months, OR
 - The Court has determined that Aggravated Circumstances exist AND the reasonable efforts to prevent or eliminate the need to remove the child, or preserve and reunify the family need not be made or continue to be made.
- DHS HAS HAS NOT filed or sought to join a Petition to Terminate Parental Rights and to identify, recruit, process and approve a qualified family to adopt the child.

EXCEPTIONS

- The child is being cared for by a relative best suited to the welfare of the child (Identify and explain of Specific Orders Page)
- The court finds that DHS has documented the following compelling reasons(s) that filing a Petition to Terminate Parental Rights would not serve the needs or welfare of this child or be in the child's best interest (Identify and explain of Specific Orders Page)
- The child's family has not been provided with necessary services to achieve safe return of the child to the family within the time set forth in the Family Service/Pemanency Plan. (Explain of Specific Orders Page)

The projected date for return home or other permanent placement is :

- The child shall be placed for adoption and DHS will file for termination of parental rights.
- There is compelling reason that it would not serve the child's physical, mental or emotional health, safety or morals to return home, be referred for termination of parental rights or be placed for adption.
- Thechild will be placed in another living arrangement, intended to be permanent in nature, and approved by this Court. (See under Specific Orders)

Family Name:	J#:	DHS #:	Date:
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PETITION

AND NOW, Petitioner, the Department of Human Services, request a(n) Adjudicatory Permanency Nonplacement Review
 Combined Goal Change/Termination hearing to:

- * If appropriate, adjudicate the child dependent;
- * Determine whether the child be returned to parents, guardians or other custodian; or placed for adoption; or placed with a legal custodian or in other living arrangements intended to be permanent in nature and approved by the Court;
- * Determine the continuing necessity for and appropriateness of placement;
- * Assess adequacy of and compliance with the Family Service Plan and extent of progress made toward alleviating problems which necessitated placement;
- * Project a likely date by which permanency for the child might be achieved;
- * Determine whether reasonable efforts are being made for the child to return home or to provide the child with permanency;
- * Determine appropriateness and feasibility of current placement goal;
- * Determine whether child is safe
- * Determine services needed to assist child age 16 or older to make the transition to independent living;
- * If child is placed outside of the Commonwealth, determine whether placement continues to be best suited to the protection and physical, mental and moral welfare of the child;
- * Determine whether aggravated circumstances exist, and if so, whether reasonable efforts should be made or continued to prevent removal of child from the home, or to preserve and reunify the family;
- * Determine whether DHS should file or join a Petition to Terminate Parental Rights, and identify, recruit, process and approve a qualified family to adopt the child, or if one of the exceptions applies.

SPECIFIC ORDERS

- * In-Home services specified below are necessary and appropriate to prevent out-of-home placement of the child.
- * Parent(s) Ordered to comply with drug & alcohol evaluations and services, and recommendations of mental health or other evaluation(s).

df

Juvenile Court Representative _____

THE COURT ORDERS that

- Adjudicatory Permanency Combined Goal Change - Termination Nonplacement Review Status

hearing is scheduled on _____ at _____ **at 1801 Vine Street, Courtroom**

JUDGE _____

PARENTS ARE INFORMED THAT FAILURE TO COMPLY WITH SERVICES OR TO REMEDY THE CAUSE OF COURT INTERVENTION MAY RESULT IN TERMINATION OF PARENTAL RIGHTS

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
COURT OF COMMON PLEAS - FAMILY DIVISION - JUVENILE BRANCH
POST-ADJUDICATION HEARING AND ORDER**

PERMANENCY

STATUS

NONPLACEMENT

Hearing Date: Time: at: DHS#

IN RE DP # J # COURT APPROVED GOAL DATE REMOVED

COUNSEL/CASA (check if present)

- for Child -
- for Mother -
- for Caregiver
- Other -
- Other -

- for DHS - ACS
- for Father -
- CASA -
- Other -
- Other -

PARTIES/OTHERS

Notice Given

- Child -
- Mother -
- Caregiver -
- Other -
- Other -

PARTIES/OTHERS

Notice Given

- DHS - REP
- Father -
- Other -
- Other -
- Other -

DOCUMENTS REVIEWED BY COURT:

- Petition Home Study Medical Records Oral DHS Report Psych. Evaluation CASA Report Pre-Hearing Conf. Recommendation Family Service Plan
- Other (Specify)

AFTER FULL CONSIDERATION OF ALL THE TESTIMONY AND EVIDENCE PRESENTED BY THE PARTIES, **THIS COURT MAKES THE FOLLOWING FINDING OF FACT AND CONCLUSION OF LAW:**

The child IS IS NOT **SAFE** in the current placement/living situation as of _____ (Date) _____ (Explain of Specific Orders page)

PERMANENCY HEARING DETERMINATIONS

DHS HAS HAS NOT submitted a Family Service Plan/Permanency Plan to the Court.
 There HAS HAS NOT been progress made toward alleviating the circumstances which necessitated the initial placement
(On Specific Orders page, specify incidents of abuse, abandonment, neglect and progress since last hearing.)

The current placement IS IS NOT necessary and appropriate *(See Specific Orders Page):*
 For a child placed outside of the Commonwealth the current placement: DOES DOES NOT Continue to be best suited to the protection and physical, mental and moral welfare of the child.
 The Court finds that the Family Service/Permanency Plan developed for the child IS IS NOT being complied with by any some all parties. *(See Specific Orders page)*

AGGRAVATED CIRCUMSTANCES

DHS and/or the child's attorney have/has alleged the following aggravated circumstances: *(Use Specific Orders page for more details)*

- No aggravated circumstances have been alleged
- Aggravated circumstances were previously found to exist by clear and convincing evidence.
- The Court _____ from clear and convincing evidence that the alleged aggravating circumstances exist
- Reasonable efforts to prevent or eliminate the need for removing the child from the home or to preserve and reunify the family shall be made or continue to be made.
- No new or additional reasonable efforts to prevent or eliminate the need for removing the child from the home or to preserve and reunify the family shall be made.

Family Name:	J#:	DHS #:	Date:
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The DHS Permanency goal of IS IS NOT appropriate and feasible. *(See Specific Orders Page)*
 The Family Service/Permanency Plan developed for the child IS IS NOT appropriate and feasible. *(See Specific Orders Page)*
 If the child is age 16 years or older, the following services are needed to assist the child to make the transition to independent living:

The Court ACCEPTS AMENDS the Family Service/Permanency Plan *(See Specific Orders page)*

PERMANENCY REGARDING TERMINATION OF PARENTAL RIGHTS

- The child has been in placement for at least 15 of the last 22 months, OR
- The Court has determined that Aggravated Circumstances exist AND the reasonable efforts to prevent or eliminate the need to remove the child, or preserve and reunify the family need not be made or continue to be made.
- DHS HAS HAS NOT filed or sought to join a Petition to Terminate Parental Rights and to identify, recruit, process and approve a qualified family to adopt the child.

EXCEPTIONS

- The child is being cared for by a relative best suited to the welfare of the child *(Identify and explain of Specific Orders Page)*
- The court finds that DHS has documented the following compelling reasons(s) that filing a Petition to Terminate Parental Rights would not serve the needs or welfare of this child or be in the child's best interest *(Identify and explain of Specific Orders Page)*
- The child's family has not been provided with necessary services to achieve safe return of the child to the family within the time set forth in the Family Service/Permanency Plan. *(Explain of Specific Orders Page)*

The Court finds that DHS HAS HAS NOT made REASONABLE EFFORTS to reunify the child with his/her family, or to make and finalize an alternate permanent placement. *(See Specific Orders page)*

The projected date for return home or other permanent placement is :

PERMANENCY HEARING ORDER

IT IS ORDERED that:

- The child shall be returned to the** MOTHER FATHER OTHER
- The child is temporarily committed to the legal custody of (specify name and relationship):**
- Permanent and legal custody of the child shall be transferred to (specify name and relationship):**
- Custody of the child is transferred to the Juvenile Court of another state. (Specify conditions and location under Specific Orders)**
- The child shall be placed for adoption and DHS will file for termination of parental rights.
- There is a compelling reason that it would not serve the child's physical, mental or emotional health, safety or morals to return home, be referred for termination of parental rights or be placed for adoption.
- The child will be placed in another living arrangement, intended to be permanent in nature, and approved by this Court. *(See under Specific Orders)*

- Placement will be: Continued Modified Terminated
 Other disposition best suited to the protection and physical, mental, moral welfare of this child (explain under Specific Orders.)
- Parental rights involuntarily terminated Mother Natural Father Putative Father Legal Father Other
 Parental rights voluntarily relinquished Mother Natural Father Putative Father Legal Father Other
 Commitment to the Department of Human Services Stands is Discharged Petition Discharged
 DHS to Supervise

NONPLACEMENT REVIEW ORDER

- DHS Supervision Continued DHS Supervision Discharged DHS Petition is Discharged
- Child **COMMITTED** to DHS Child **RE-COMMITTED** to DHS

For a child who is COMMITTED or RE-COMMITTED to DHS the Court finds that:

1. It IS IS NOT contrary to the health, safety or welfare of this child to continue in the home, and *(if applicable)* 0
 2. DHS HAS HAS NOT made reasonable efforts prior to placement to prevent removal of this child from the home; OR
 3. If preventative services were not offered due to the necessity for an **EMERGENCY PLACEMENT**, the lack of services
- WAS WAS NOT **REASONABLE UNDER THE CIRCUMSTANCES.** *(Explain as needed on Specific Orders page)*

Family Name:	J#:	DHS #:	Date:
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PETITION

AND NOW, Petitioner, the Department of Human Services, request a(n) Permanency Nonplacement Review
 Combined Goal Change/Termination hearing to:

- * Determine whether the child should be returned to parents, guardians or other custodian; or placed for adoption; or placed with a legal custodian or in another living arrangement intended to be permanent in nature and approved by the Court;
- * Determine the continuing necessity for and appropriateness of placement;
- * Assess the adequacy of and compliance with the Family Service Plan and extent of progress made toward alleviating problems which necessitated placement;
- * Project a likely date by which permanency for the child might be achieved;
- * Determine whether reasonable efforts are being made for the child to return home or to provide the child with permanency;
- * Determine appropriateness and feasibility of current placement goal;
- * Determine whether child is safe
- * Determine services needed to assist child age 16 or older to make the transition to independent living;
- * If child is placed outside of the Commonwealth, determine whether placement continues to be suited to the protection and physical, mental and moral welfare of the child;
- * Determine whether aggravate circumstances exist, and if so, whether reasonable efforts should be made or continued to prevent removal of child from the home, or to preserve and reunify the family;
- * Determine whether DHS should file or join a Petition to Terminate Parental Rights, and identify, recruit, process and approve a qualified family to adopt the child, or if one of the exceptions applies.

SPECIFIC ORDERS

- * In-Home services specified below are necessary and appropriate to prevent out-of- home placement of the child.
- * Parent(s) Ordered to comply with drug & alcohol evaluations and services, and recommendations of mental health or other evaluations

df

Juvenile Court Representative _____

THE COURT ORDERS that

Adjudicatory Permanency Nonplacement Review Combine Goal Change - Termination Status

hearing is scheduled on _____ at _____ at 1801Vine Street,

Judge _____

PARENTS ARE INFORMED THAT FAILURE TO COMPLY WITH SERVICES OR TO REMEDY THE CAUSE OF COURT INTERVENTION MAY RESULT IN TERMINATION OF PARENTAL RIGHTS

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
COURT OF COMMON PLEAS - FAMILY DIVISION - JUVENILE BRANCH**

IN RE

DP #

J #

Hearing Date: Time: Date Adjudicated: Date Removed From The Home:

COUNSEL/CASA (check if present)

- | | |
|--------------------------------------|----------------------------------|
| <input type="checkbox"/> for Child - | <input type="checkbox"/> CASA - |
| <input type="checkbox"/> Other - | <input type="checkbox"/> Other - |

PARTIES/OTHERS

- | | |
|--------------------------------------|----------------------------------|
| <input type="checkbox"/> Child - | <input type="checkbox"/> DHS - |
| <input type="checkbox"/> Caregiver - | <input type="checkbox"/> Other - |
| <input type="checkbox"/> Other - | <input type="checkbox"/> Other - |

AARC -PERMANENCY REVIEW HEARING AND ORDER

SERVICE OF PROCESS

- Service was adequate to Foster Parent/Caregiver (*Name:*)
 Service was inadequate to Foster Parent/Caregiver (*Name:*)

Service was not attempted because (*Specify*)

- Notice given to child's caregiver/pre-adoptive parents.

DOCUMENTS REVIEWED BY COURT:

- Petition Home Study Medical Records DHS Report Psych. Evaluation CASA Report
 Pre-Hearing Conf. Recommendation Family Service Plan.
 Other (*Specify*)

PLACEMENT

The current placement safe in the current placement/living situation (*explain*)

The Court finds that DHS made reasonable efforts to make and initialize an alternative placement (*specify*):

Visitation occurred between siblings/other interested person(s) (*specify circumstances*):

Regarding VISITATION, the Court ORDERS:

DHS submitted a Family Service Plan / Permanency Plan for services with the Court pursuant to *(cite)*:

The Court finds that the Family Service/Permanency Plan developed for the child being complied with by parties.

The current placement goal of IS IS Not appropriate and feasible (*explain*)

The projected date by which the goal for the child might be achieved:

The Court ACCEPTS AMENDS The Family Service Plan / Permanency Plan and ORDERS (*specify*):

IMPEDIMENTS TO ADOPTION:

REMEDIES TO IMPEDIMENTS:

SERVICES

The Court makes a finding that the following services are necessary and appropriate and ORDERS that they shall be implemented as follows:

- SCOH By whom: By date:
- Independent Living Services By whom: By date:
- Child Day Care By whom: By date:
- Evaluation By whom: By date:
- Mental Health Services By whom: By date:
- Vocational Services By whom: By date:
- D&A Screening/Service By whom: By date:
- Family Counseling By whom: By date:
- Other By whom: By date:

AARC CHECKLIST

- Report of Intent to Adopt Filed By whom: By date:
- Petition to Adopt Filed By whom: By date:
- Report of Intermediary Filed/Submitted By whom: By date:
- Post-Placement Home Study Submitted By whom: By date:
- Birth Parent Medical Info. Packet Submitted By whom: By date:
- Other (specify) By whom: By date:
- Other (specify) By whom: By date:
- Other (specify) By whom: By date:

The child shall be returned to (Specify):

The child shall be placed for adoption

The child will be placed in another living arrangement intended to be permanent in nature, and approved by this Court (specify)

IT IS ORDERED that commitment to the Department of Human Services: Stands Is discharged
Placement will be Continued Modified Terminated

Other disposition best suited to the protection and physical, mental and moral welfare of this child (specify):

AND NOW, based on Petitioner's request a Permanency Status Permanency Review Hearing is scheduled on
at 1801 Vine Street to:

- * Determine whether the child should be placed for adoption or placed with a legal custodian or in another living arrangement intended to permanent in nature and approved by the Court.
- * Assess adequacy of and compliance with the Family Service Plan.
- * Detrmine the continuing necessity for and appropriateness of placement.
- * Project a likely date by which permanency by which permanency for the child might be achieved
- * Determine whether reasonable efforts are being made to provide the child with permanency.
- * Determine appropriateness and feasibility of current placement goal.
- * Determine whether child is safe.
- * Deterermine services needed to assist child age 16 or older to make the transition to independent living.
- * If said child is placed outside of the Commonwealth determine whether placement continues to be best suited to protection and physical mental and moral welfare of the child.

Juvenile Court Representative

J.

PHILADELPHIA COURT OF COMMON PLEAS * FAMILY DIVISION
HEARING AND ORDER
INVOLUNTARY DRUG & ALCOHOL TREATMENT SERVICES
(ACT 53 of 1997)

IN RE:

Juvenile #
DP#

HEARING DATE:

(Name and Check if Present)

- | | |
|--|--|
| <input type="checkbox"/> Counsel
for Minor: | <input type="checkbox"/> Father: |
| <input type="checkbox"/> Minor: | <input type="checkbox"/> Legal guardian: |
| <input type="checkbox"/> Mother: | <input type="checkbox"/> Other: |

HEARING AND ORDER

AND NOW, this _____ it is hereby Ordered and Decreed that
the above said minor be committed to _____ for a period not to
exceed _____ days to receive inpatient / outpatient drug & alcohol treatment unless discharged sooner.

- To allow the minor to remain at home would be contrary to his / welfare.
- Although no services were offered by DHS to prevent removal of the child from the home, this level of effort was reasonable due to the emergency nature of the situation, safety considerations, and circumstances of the family.
- Upon review, above said minor is to remain as committed for a period not to exceed _____ days unless discharged sooner.
- Upon review, above said minor is discharged from the facility.

Specific Orders:

Court Representative _____

Important - Hearing Information

Case is listed

Date: _____ **Time:** _____ **At:** **1801 Vine St., Phila., PA**

Judge _____

In the Court of Common Pleas of Philadelphia County
Family Court Division

In the interests of

Date:

Petition #:

J #:

Order and Decree

And Now, this

, it is hereby **Ordered** and **Decreed** that:

By the Court:

In the Court of Common Pleas of Philadelphia County

Family Court Division

In the interest of

:

: Date:

: Petition #:

: J #:

Certification

I hereby Certify, that on the

THE

HAS ORDERED THE ABOVE NAMED CHILD BE

DECLARED AS AN EMANCIPATED MINOR AS OF THIS DATE

By the Court:

Court Representative

J.

**DEPENDENCY COURT PRE-HEARING CONFERENCE
REPORT & RECOMMENDATIONS**

Date: _____ Time: _____ Juvenile Name: _____ D.O.B.: _____

Juvenile #: _____ Petition #: _____ Hearing Type: _____

PRE-HEARING CONFERENCE PARTICIPANTS

DHS SW: DHS COURT REP CITY SOLICITOR LEGAL ASSISTANT CHILD ADVOCATE CHILD ADVOCATE SW CHILD: SCOH:	MOTHER: ATTORNEY: FATHER: ATTORNEY: FACILITATOR: CEU: OTHER: OTHER:
---	--

As outcome of the pre-hearing conference held today, the parties agree to the following Recommendations

ADJUDICATION AND DISPOSITION

<input type="checkbox"/> Where is the child currently? <input type="checkbox"/> Adjudicate; commit to DHS <input type="checkbox"/> Retroactive to: <input type="checkbox"/> Adjudicate; with DHS supervision <input type="checkbox"/> Retroactive to: <input type="checkbox"/> Defer adjudication; with DHS supervision <input type="checkbox"/> Discharge petition <input type="checkbox"/> Discharge commit <input type="checkbox"/> Clearance: Who:	<input type="checkbox"/> Temporary commit <input type="checkbox"/> Retroactive to: <input type="checkbox"/> Temporary physical custody to: <input type="checkbox"/> Temporary legal custody to: <input type="checkbox"/> Remain as committed and placed <input type="checkbox"/> Supervision to stand <input type="checkbox"/> Discharge supervision <input type="checkbox"/> Home Evaluation Where:
---	--

VISITATION

<input type="checkbox"/> Mother	<input type="radio"/> Supervised <input type="radio"/> Unsupervised	<input type="checkbox"/> Weekly <input type="checkbox"/> Liberal	<input type="checkbox"/> Every other Week <input type="checkbox"/> As arranged by the parties	<input type="checkbox"/> DHS <input type="checkbox"/> Provider <input type="checkbox"/> Other	<input type="checkbox"/> Family Court <input type="checkbox"/> Home
<input type="checkbox"/> Father	<input type="radio"/> Supervised <input type="radio"/> Unsupervised	<input type="checkbox"/> Weekly <input type="checkbox"/> Liberal	<input type="checkbox"/> Every other Week <input type="checkbox"/> As arranged by the parties	<input type="checkbox"/> DHS <input type="checkbox"/> Provider <input type="checkbox"/> Other	<input type="checkbox"/> Family Court <input type="checkbox"/> Home
<input type="checkbox"/> Siblings	<input type="radio"/> Supervised <input type="radio"/> Unsupervised	<input type="checkbox"/> Weekly <input type="checkbox"/> Liberal	<input type="checkbox"/> Every other Week <input type="checkbox"/> As arranged by the parties	<input type="checkbox"/> DHS <input type="checkbox"/> Provider <input type="checkbox"/> Other	<input type="checkbox"/> Family Court <input type="checkbox"/> Home
<input type="checkbox"/> Other	<input type="radio"/> Supervised <input type="radio"/> Unsupervised	<input type="checkbox"/> Weekly <input type="checkbox"/> Liberal	<input type="checkbox"/> Every other Week <input type="checkbox"/> As arranged by the parties	<input type="checkbox"/> DHS <input type="checkbox"/> Provider <input type="checkbox"/> Other	<input type="checkbox"/> Family Court <input type="checkbox"/> Home

Transportation or other special arrangements

This document is not legally binding and it is subject to revision by the court; the court order is final.

