

Superior Court of Washington, County of _____
Juvenile Court

Dependency of:

No:

Order of Dependency

Agreed/Contested/Default as to Parent 1 (OROD1)

Agreed/Contested/Default as to Parent 2 (OROD2)

Agreed/Contested/Default as to Both (OROD)

Dismissed (ORDNE) 4.1

Disposition Order (ORDD) Included

Clerk's Action Required. Paragraphs 4.1, 4.3, 4.6 (EDL), 4.7, and the boxes below.

D.O.B.:

The court will hear disposition interim review dependency review permanency planning _____ (type of hearing) on (date) _____, at _____ a.m./p.m. at: _____, Court, Room/Department: _____, located at: _____

Additional clerk's action required: Enter the code(s) that apply.

About today's hearing:

Was adequate and timely notice given to the child's caregiver? Yes (CGATN) No (CGNATN)

Did the court receive a caregiver report? Yes (CGRR) No

The caregiver appeared. Did the caregiver give an oral report? Yes (CGOR) No

I. Hearing

1.1 Petition: A petition was filed by DCYF Other _____ alleging that the above-named child is dependent, and the court held a hearing on (dates) _____.

1.2 Appearance: The following persons appeared at the hearing:

Child

Parent 1

Parent 2

Guardian or Legal Custodian

Child's Lawyer

Parent 1's Lawyer

Parent 2's Lawyer

Guardian's or Legal Custodian's Lawyer

- | | | | |
|--------------------------|-----------------------|--------------------------|-------------------|
| <input type="checkbox"/> | Child's GAL/CASA | <input type="checkbox"/> | GAL/CASA's Lawyer |
| <input type="checkbox"/> | DCYF Worker | <input type="checkbox"/> | Agency's Lawyer |
| <input type="checkbox"/> | Tribal Representative | <input type="checkbox"/> | Current Caregiver |
| <input type="checkbox"/> | Interpreter for _____ | <input type="checkbox"/> | Other: _____ |
| <input type="checkbox"/> | Other: _____ | | |

1.3 Basis: The court heard testimony The parties submitted an agreed order.

1.4 Appointment of Counsel for Child

- The child is 12 years old or older and the court made the inquiry required by RCW 13.34.212.
- The child is at least 8 years old and subject to appointment, under RCW 13.34.212(3), pursuant to the current implementations schedule as developed by the Washington State Office of Civil Legal Aid.
- The child already has counsel.

II. Findings

Except where otherwise indicated, the following facts have been established by a preponderance of evidence:

2.1 Indian Child Welfare Act Findings:

On this date On *(date)* _____, the court asked each participant on the record whether the participant knows or has reason to know the child is or may be an Indian child.

The petitioner has has not made a good faith effort to determine whether the child is or may be an Indian child.

Based upon the following, there is not a reason to know the child is an Indian child, as defined in RCW 13.38.040 and 25 U.S.C. § 1903(4), and the Federal and Washington State Indian Child Welfare Acts do not apply to this proceeding:

Based upon the following information currently available to the court, the child is an Indian child, as defined in RCW 13.38.040 and 25 U.S.C. § 1903(4), and the Federal and Washington State Indian Child Welfare Acts apply to this proceeding, or there is reason to know the child is or may be an Indian child, as defined in RCW 13.38.040 and 25 U.S.C. § 1903(4), and the Federal and Washington State Indian Child Welfare Acts do apply to this proceeding, unless and until it is determined on the record that the child does not meet the definition of an Indian child: _____

Based on the following summary, the petitioner used due diligence to identify and work with the tribes of which there is reason to know the child may be a member or eligible for membership, to verify whether the child is in fact a member (or the biological parent is a member and the child is eligible for membership).

The petitioner has has not provided notice of this proceeding, as required by RCW 13.38.070 and 25 U.S.C. § 1912(a), to all tribes to which the petitioner or court knows or has reason to know the child may be a member or eligible for membership if the biological parent is also a member.

The facts establish by clear, cogent, and convincing evidence, including the testimony of a qualified expert witness that continued custody of the child by Parent 1 Parent 2 Indian custodian is likely to result in serious emotional or physical damage to the child.

DCYF made active efforts by actively working with the parent, parents, or Indian Custodian to engage them in remedial services and rehabilitative programs to prevent the breakup of the Indian family beyond simply providing referrals to such services, but those efforts have been unsuccessful.

This finding is based on the following: _____

DCYF has not made active efforts. This finding is based on the following:

Releasing the child to either parent would not subject the child to substantial and immediate danger or threat of such danger, and the child must immediately be returned to the care of Parent 1 Parent 2.

Although DCYF did not make active efforts, returning the child to the parent or Indian custodian would subject the child to substantial and immediate danger or threat of such danger.

The Petitioner improperly removed the child, under RCW 13.38.160, and the court should decline jurisdiction over the petition and the child should be immediately returned to Parent 1 Parent 2.

2.2 Facts:

Facts establishing dependency have not been proved.

The following facts establishing dependency have been agreed upon proved:

2.3 Statutory Basis:

The child is dependent, according to RCW 13.34.030(6), in that the child:

has been abandoned, as defined in RCW 13.34.030;

is abused or neglected, as defined in Chapter 26.44 RCW, by a person legally responsible for the care of the child; and/or

has no parent, guardian or custodian capable of adequately caring for the child, such that the child is in circumstances which constitute a danger of substantial damage to the child's psychological or physical development.

2.4 Placement:

If the court schedules a separate disposition hearing, the child should remain in the placement and care authority of DCYF pending further order of the court.

The child should be placed or remain in the home of Parent 1 Parent 2
 Legal custodian Guardian

It is currently contrary to the child's welfare to return home. The child should be placed or remain in the custody, control, and care of DCYF a relative another suitable person for the following reasons:

- there is no parent or guardian available to care for the child; and/or
- the parent or guardian is unwilling to take custody of the child; and/or
- the court finds by clear, cogent, and convincing evidence that a manifest danger exists that the child will suffer serious abuse or neglect if the child is not removed from the home, and an order, under RCW 26.44.063, will not protect the child from danger.

The child should be placed or remain in:

Relative placement.

Placement with a suitable person and this placement is in the child's best interests.

Adoptive parent or other person with whom the child's siblings or half-siblings live.

Licensed care:

pending completion of DCYF investigation of relative placement options.

because there is no relative or other suitable person who is willing, appropriate, and available to care for the child, with whom the child has a relationship and is comfortable.

because there is reasonable cause to believe that relative placement would jeopardize the safety or welfare of the child; and/or hinder efforts to reunite the parent(s) and child.

The child is an Indian child, as defined in RCW 13.38.040, and this placement complies with the placement priorities in RCW 13.38.180 and 25 U.S.C. § 1915.

2.5 Reasonable Efforts:

DCYF made reasonable efforts to prevent or eliminate the need for removal of the child from the child's home.

This finding is based upon the following:

Those efforts were unsuccessful because the health, safety, and welfare of the child cannot be adequately protected in the home.

Specific services have been offered or provided to the parent(s), guardian or legal custodian and have failed to prevent the need for out-of-home placement and make it possible for the child to return home. The following services have been offered or provided to the child and the child's parent(s), guardian or legal custodian:

housing assistance, if applicable.

The whereabouts of Parent 1 Parent 2 alleged Parent 3 guardian

legal custodian or _____ are unknown.

Additional Reasonable Efforts Findings:

Reasonable efforts are not required at this time to attempt to reunify the child with their parent(s), guardian, or legal custodian because:

The child has been abandoned.

Aggravated circumstances exist and reasonable efforts are not in the child's best interests, as determined by clear, cogent, and convincing evidence. In determining whether aggravated circumstances exist by clear, cogent, and convincing evidence, the court considered and found:

that the following factor(s) listed in RCW 13.34.132, exist:

Other: _____

The court ordered the child removed from the home, pursuant to RCW 13.34.130(1)(b), and DCYF has recommended that a petition be filed seeking termination of the parent-child relationship between the child's Parent 1 Parent 2 and the child. Because of abandonment of the child and/or the existence of aggravated circumstances as set forth above, filing of a termination petition is in the child's best interest, and DCYF is not required to make reasonable efforts to reunify the family.

DCYF did **not** make reasonable efforts to prevent or eliminate the need for removal of the child from the child's home.

This finding is based on the following:

2.6 Sibling Contact:

- If disposition is heard separately, reserved pending dispositional hearing.
- The court ordered the child removed from the home and it is is not in the child's best interest to be placed with or to have contact or visits with these siblings (which could include step-siblings if there is a pre-existing relationship and the child is comfortable with the step-siblings):

and, *a*) the court has jurisdiction over the child(ren) listed above or the parents of the child(ren) for whom there is no jurisdiction are willing to agree; and *b*) there is no reasonable cause to believe that the health, safety, or welfare of any child would be jeopardized or that efforts to reunite the parent and child would be hindered by placement, contact, or visitation.

2.7 Child's School:

- If disposition is heard separately, reserved pending dispositional hearing.
- The court found that the child should be removed from the home, pursuant to RCW 13.34.130(1)(b) and placed into out-of-home care. A placement that allows the child to remain in the same school they attended prior to the start of the dependency proceeding is is not practical and is is not in the child's best interests.
- The child meets the criteria for appointment of an educational liaison. DCYF recommends that the court appoint (*name*) _____ as the child's educational liaison.
- The parents are not able to serve as the educational liaison because:

2.8 Other:

III. Conclusions of Law

3.1 Jurisdiction:

The court has jurisdiction over:

- | | |
|-----------------------------------|--|
| <input type="checkbox"/> Child | <input type="checkbox"/> Parent 1 |
| <input type="checkbox"/> Parent 2 | <input type="checkbox"/> Guardian or Legal custodian |

3.2 Notice:

The following have received timely and proper notice of these proceedings:

- Parent 1 Parent 2 Guardian or legal custodian Child if 12 or older.

3.3 Default:

The following have failed to appear and a default order has been entered:

- Parent 1 Parent 2 Guardian or legal custodian.

3.4 Dependency:

- The child is not dependent and the matter should be dismissed.
 The child should be found dependent, pursuant to RCW 13.34.030.

3.5 Termination Petition:

- A termination petition should be filed, pursuant to RCW 13.34.132.

3.6 Other: _____

IV. Order

4.1 Dependency:

- The child is not dependent and the matter is dismissed.
 The child is dependent, pursuant to RCW 13.34.030(6) (a) (b) (c).

4.2 Social Study:

- DCYF has conducted a social study, a report of which was filed and provided to the parties.
 DCYF has not conducted a social study and shall return a report to the court and to the parties on a timely basis.

4.3 Disposition Hearing:

- A disposition hearing has been held.
 A disposition hearing is set for the date and time on page 1.

4.4 Placement:

- If disposition is heard at a later date, the child shall remain in the placement and care authority of DCYF pending further order of the court.
 The child shall be placed or remain in the home of Parent 1 Parent 2 legal custodian guardian. Subject to the following conditions:

-
-
- The child is placed in the custody, control, and care of DCYF, which shall have the authority to place and maintain the child in:
 - Relative placement with *(name)* _____
 - Placement with a suitable person: *(name)* _____
 - The home of an adoptive parent or other person with whom the child's siblings or half-siblings live.
 - Licensed care:
 - pending completion of DCYF investigation of relative placement options.
 - because there is no relative or other suitable person with whom the child has a relationship and who is willing, appropriate, and available to care for the child.
 - because there is reasonable cause to believe that relative placement or placement with a proposed other suitable person would jeopardize the safety or welfare of the child and/or hinder efforts to reunite the parent(s) and child.

Absent good cause, DCYF shall follow the wishes of the natural parent regarding the placement of the child in accordance with RCW 13.34.260.

- The child is placed into the custody, control, and care of:
 - a relative, *(name/s)* _____, without supervision of this placement by DCYF.
 - another suitable person: *(name/s)* _____, without supervision of this placement by DCYF.
- DCYF is authorized to place the child with a relative who is willing, appropriate, and available, with prior reasonable notice to the parties, subject to review by the court.
- The ordered placement is subject to the following placement conditions:

4.5 Services:

- If disposition is heard separately, reserved pending dispositional hearing.
- Services for the parents/guardians/legal custodians entered, pursuant to RCW 13.34.130 [any evaluation must comply with RCW 13.34.370]:
 - see attached service plan.
 - as follows:

DCYF shall provide and the child shall participate in the following examinations, evaluations, or services:

SAY evaluation, and the child was notified that they may request an attorney.

The child is 12 or older and agrees to the services was notified of the services was notified that they may request an attorney.

4.6 Educational Liaison:

(Name) _____ is appointed as the child's educational liaison to carry out the responsibilities described in RCW 13.34.046. The educational liaison must complete criminal background checks required by DCYF.

4.7 Visitation:

If disposition is heard separately, reserved pending dispositional hearing and prior orders remain in effect.

The specific visitation plan between the child and Parent 1 shall be:

as set forth in the visitation attachment.

as follows:

Visitation between Parent 1 and the child may be expanded upon agreement of the parties.

The specific visitation plan between the child and Parent 2 shall be:

as set forth in the visitation attachment.

as follows:

Visitation between Parent 2 and the child may be expanded upon agreement of the parties.

Visitation between the parent/custodian (name) _____ and the child may be expanded upon agreement of the parties.

The specific plan for visitation or contact between the child and child's siblings shall be as follows:

4.8 Restraining Order:

The court entered a separate restraining order, pursuant to RCW 26.44.063.

4.9 Parental Cooperation:

The parents shall cooperate with reasonable requests by DCYF and provide DCYF with income and asset information necessary to establish and maintain the child's eligibility for medical care, evaluations, counseling, and other remedial services, foster care reimbursement, and other related services and benefits.

4.10 Health Care: If a child is placed in the custody of DCYF, it shall have full power to authorize and provide all necessary, routine and emergency medical, dental, or psychological care as recommended by the child's treating doctor or psychologist, subject to review by the court, as needed.

4.11 Release of Information: Parties and their counsel are authorized to receive court-ordered service providers' records and reports. Unless specifically prohibited by state or federal law, parties are permitted to discuss and present to the court information, reports, records, etc., in their possession relating to the provision of, participation in, or parties' interaction with court-ordered or voluntary services.

Parents shall sign releases of information and allow all court-ordered service providers' to make all records available to DCYF and the guardian ad litem or attorney for the child. Such information shall be provided immediately upon request.

Except as follows: _____

DCYF may continue to make reasonable efforts to locate and investigate an appropriate relative or other suitable person who is available and willing to care for the child, and is authorized to share information about the child, as necessary, with potential relative or other suitable person placement resources to determine their suitability and willingness as a placement for the child.

4.12 Reports:

DCYF shall submit a report for the next review hearing to the court and to the parties in a timely manner.

4.13 Termination Petition:

Due to abandonment of the child and/or existence of aggravated circumstances as found by this court, filing of a termination petition is in the child's best interests and DCYF is not required to make reasonable efforts to reunify the family. DCYF shall file within _____ days a petition to terminate the parent-child relationship between the child's

Parent 1 Parent 2 and the child. A permanency planning review hearing shall be held within 30 days.

4.14 Child's Indian Status:

Any party who subsequently receives information that provides a reason to know the child is or may be an Indian child, under 25 C.F.R. § 23.107, shall inform the court.

Parents shall provide any known information regarding possible membership in or descent from an Indian tribe.

4.15 All parties shall appear at the next scheduled hearing (see page 1).

4.16 **Other:**

Dated: _____ **Judge/Commissioner**

Presented by:

Signature

Print Name/Title WSBA No.

Notice: A petition for permanent termination of the parent-child relationship may be filed if the child is placed out-of-home under an order of dependency. (RCW 13.34.180.)

Copy Received; Approved for Entry; Notice of Presentation Waived:

Signature of **Child**

 Signature of Child's Lawyer

Print Name WSBA No.

 Signature of **Parent 1**
 Pro Se, Advised of Right to Counsel

 Signature of Parent 1's Lawyer

Print Name WSBA No.

 Signature of **Parent 2**
 Pro Se, Advised of Right to Counsel

 Signature of Parent 2's Lawyer

Print Name WSBA No.

 Signature of **Guardian or Legal Custodian**
 Pro Se, Advised of Right to Counsel

 Signature of Guardian or Legal Custodian's Lawyer

Print Name WSBA No.

 Signature of Child's **GAL**

 Signature of Lawyer for the Child's GAL

Print Name

Print Name WSBA No.

 Signature of **DCYF Representative**

 Signature of DCYF Representative's Lawyer

Print Name

Print Name WSBA No.

 Signature of **Tribal Representative**

 Signature of Tribal Representative's Lawyer

Print Name

Print Name WSBA No.
Lawyer for _____