



Juvenile Forms Summary of Changes

Juvenile Shelter Care and Dependency Forms.

All the Juvenile Shelter Care, Dependency, and Termination forms were updated with gender neutral language and coding. Indian child language was updated when appropriate.

<p>1.</p>	<p>JU 03 100 Dependency Petition</p>	<p><u>Changed</u> DSHS to DCYF.</p> <p><u>Added</u> sex and contact information to the information about parents or legal guardians.</p> <p><u>Changed</u> Indian Child language to address language change.</p> <p><u>Added</u> underlined language to section 1.5 (b) in response to a comment that the paragraph does not accurately state the law without the underlined language: ...the child is abused or neglected as defined in chapter 26.44 RCW <u>by a person legally responsible to care for the child;</u></p> <p><u>Added</u> "(youth in grade 6 – 12)" to educational liaison title for clarification.</p> <p><u>Added</u> a certification for when the Petitioner is not DCYF.</p>
<p>2.</p>	<p>JU 02 210 Motion to Take a Child into Custody</p>	<p><u>Changed</u> based on HB 1227 changes to RCW 13.34.050.</p> <p><u>Added</u> signature line to motion for the petitioner.</p> <p><u>Changed/added/removed</u> the following:</p> <p>2.1 A petition has been filed with the Juvenile Court <u>alleging that with sufficient corroborating evidence showing that the child is dependent and that removal of the child is necessary to prevent imminent physical harm due to abuse or neglect.</u> if the child is not taken into custody, the child's health, safety, and welfare will be seriously endangered.</p> <p>2.2 There are reasonable grounds to believe that the child is dependent and <u>removal of the child is necessary to prevent imminent physical harm due to child abuse or neglect.</u> the child's health, safety, and welfare will be seriously endangered if the child is not taken into custody.</p>

		<p><u>2.3 [] There are extraordinary circumstances that prevent visitation between the [] Parent 1 [] Parent 2 and the child within the first 72 hours from the child being delivered into custody of DCYF.</u></p> <p><u>2.4 [] Parent 1 [] Parent 2 should be prohibited from attending the child’s medical and dental appointments pending the 72 hour shelter care hearing based on the following facts.</u></p> <p><u>2.5 Child’s Indian Status:</u> <u>[] There is not a reason to know the child is or may be an Indian Child. This paragraph does not apply.</u> <u>[] There is a reason to know the child is or may be an Indian Child.</u> <u>[] The Department has made or initiated the following active efforts to prevent the breakup of the Indian Family:</u> <u>[] Emergency removal or placement is necessary to prevent imminent physical damage or physical harm to the child:</u></p> <p><u>2.6 [] There was insufficient time to serve [] Parent 1 [] Parent 2 with the Dependency Petition and hold a hearing prior to the child’s removal, based on the following factual information;</u></p>
<p>3.</p>	<p>JU 02 110 Order Taking a Child into Custody</p>	<p><u>Changed</u> based on HB 1227 changes to RCW 13.34.050:</p> <p>2.2 It is currently contrary to the child’s welfare for the child to remain at home. The petition and/or supporting declarations and affidavits establish reasonable grounds to believe that the child is dependent and that, <u>removal of the child is necessary to prevent imminent physical harm due to child abuse or neglect.</u> if the child is not taken into custody, the child’s health, safety, and welfare will be seriously endangered.</p> <p>2.3 The petitioner <u>filed a petition with sufficient corroborating evidence to establish the child is dependent, there are reasonable grounds to believe removal is necessary to prevent imminent physical harm to the child due to abuse or neglect.</u> has demonstrated that there is a risk of imminent harm to the child in the child’s home. The assessment of risk by petitioner constitutes reasonable efforts to prevent or eliminate the need for removal of the child from the child’s home and: <u>[] because of the risk of imminent physical harm to the child, there are no reasonably available services that can be provided to the parent(s) to maintain the child in the child’s home at this time;”</u></p> <p><u>Changed</u> the following Indian Child language:</p>

		<p><input type="checkbox"/> There is not a reason to know the child is or may be an Indian child. This paragraph does not apply.</p> <p><input type="checkbox"/> There is a reason to know the child is or may be an Indian child.</p> <p><input type="checkbox"/> DCYF made or initiated active efforts to prevent the breakup of the Indian family, including</p> <p><input type="checkbox"/> DCYF did not make or initiate active efforts to prevent the breakup of the Indian family.</p> <p><input type="checkbox"/> DCYF did not make or initiate active efforts to prevent the breakup of the Indian family; however</p> <p><input type="checkbox"/> Releasing the child to either parent would subject the child to substantial and immediate danger or threat of such danger.</p> <p><input type="checkbox"/> Because active efforts were not possible or required, emergency removal or placement is necessary to prevent imminent physical damage or physical harm to the child.</p> <p><u>Added section 2.6: “[] There was insufficient time to serve the parents and hold a hearing before taking the child into custody because:”</u></p> <p><u>Added</u> an option to deny the motion.</p> <p><u>Added</u> the underlined to section 3.2 due to changes to RCW 13.34.060:</p> <p><u>After informing the child’s parent, guardian, or legal custodian unless they cannot be reached, DCYF may authorize evaluations of the child’s physical or emotional condition, routine medical and dental examination and care, and all necessary emergency care. DCYF must provide the parent, guardian, or legal custodian an opportunity to attend the appointment unless a parent is prohibited from attending below.</u></p> <p><u>[] Parent 1 [] Parent 2 is prohibited from attending any appointments.</u></p> <p><u>Added</u> an “Other” line to the Order.</p>
4.	JU 02 200 Shelter Care Hearing Order	<p><u>Changed</u> “Default as to” in the caption to <u>“Did not appear”</u> to better reflect the legal reality that a party cannot be in default at a Shelter Care hearing.</p> <p><u>Replaced</u> “reasonable” with “diligent” in section 2.1 to comply with change to RCW 13.34.065 (4)(a).</p> <p><u>Added</u> a section reappointment of counsel for a child and move 12 and older counsel there along with the 8 and older OCLA attorney rollout.</p>

		<p><u>Added/changed</u> Indian Child language and added a section regarding the department making active efforts to comply with <u>In re Dependency JMW</u>:</p> <p>The court asked each participant on the record whether the participant knows or has reason to know that the child is or may be an Indian child.</p> <p>The petitioner <input type="checkbox"/> has <input type="checkbox"/> has not made a good faith effort to determine whether the child is an Indian Child.</p> <p><input type="checkbox"/> Based upon the following, there is not a 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 not apply to this proceeding:</p> <p><input type="checkbox"/> Based upon the following information currently available to the court, <input type="checkbox"/> 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 <input type="checkbox"/> 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:___</p> <p><input type="checkbox"/> DCYF made or initiated active efforts to prevent the breakup of the Indian family, including,___</p> <p><input type="checkbox"/> DCYF did not make or initiate active efforts to prevent the breakup of the Indian family; however</p> <p><input type="checkbox"/> Releasing the child to either parent would subject the child to substantial and immediate danger or threat of such danger.</p> <p><input type="checkbox"/> Because active efforts were not possible or required, emergency removal or placement is necessary to prevent imminent physical damage or physical harm to the child.</p> <p><input type="checkbox"/> DCYF did not make or initiate active efforts to prevent the breakup of the Indian family.</p> <p><input type="checkbox"/> 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 <input type="checkbox"/> Parent 1 <input type="checkbox"/> Parent 2.</p> <p><input type="checkbox"/> The Petitioner improperly removed the child under RCW 13.38.160 and the court should decline jurisdiction</p>
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		<p>over the petition and the child should be immediately returned to <input type="checkbox"/> Parent 1 <input type="checkbox"/> Parent 2.</p> <p><u>Changed</u> the housing assistance language to make it clearer if assistance was provided.</p> <p><u>Removed</u> removal standard from section 2.6 regarding reasonable efforts as it was duplicative.</p> <p><u>Changed</u> the reasonable efforts, Shelter Care, and Placement sections to the following:</p> <p>Reasonable Efforts:</p> <p><input type="checkbox"/> Petitioner <input type="checkbox"/> has <input type="checkbox"/> has not made reasonable efforts to prevent or eliminate the need for removal of the child from the child's home for the reasons set forth in the dependency petition, supporting declarations and affidavits, and the testimony presented to the court.</p> <p>This finding is also based on the following: __</p> <p><input type="checkbox"/> Specific services offered or provided to the parent(s) have been unable to remedy the unsafe conditions in the home and make it possible for the child to return home including the following specific services:</p> <p><input type="checkbox"/> DCYF did not make reasonable efforts to prevent or eliminate the need for removal of the child from the child's home.</p> <p><input type="checkbox"/> This finding is based on the following:</p> <p>2.8 Shelter Care:</p> <p><input type="checkbox"/> The court does not find reasonable cause to believe that shelter care is needed.</p> <p><input type="checkbox"/> The parent, guardian, or custodian to whom the child could be released has been charged with violating RCW 9A.40.060 or 9A.40.070, or</p> <p><input type="checkbox"/> The child has no parent, guardian, or legal custodian to provide supervision and care for such child, or</p> <p><input type="checkbox"/> Removal of the child is necessary to prevent imminent physical harm to the child due to child abuse or neglect including that which results from sexual abuse, sexual exploitation, or a pattern of severe neglect; and</p> <p><input type="checkbox"/> Taking in the explicit restrictions set forth in RCW 13.34.065(5)(a)(ii)(B)(l), a causal relationship between the conditions in the home and the imminent physical harm to the child exists, including: ____.</p> <p><input type="checkbox"/> It is contrary to the welfare of the child to be returned home, and</p>
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		<p>in the following agreed upon examinations, evaluations, or immediate services: <input type="checkbox"/> Parent 1 agrees to shall participate in the following: <input type="checkbox"/> Parent 1 agrees to participate in the following service and it is a condition of the child remaining in the home: <input type="checkbox"/> Parent 2 agrees to shall participate in the following: <input type="checkbox"/> Parent 2 agrees to participate in the following service and it is a condition of the child remaining in the home: <input type="checkbox"/> Alleged Parent 3 (name) agrees to shall participate in the following: <input type="checkbox"/> Alleged Parent 3 agrees to participate in the following service and it is a condition of the child remaining in the home: <input type="checkbox"/> The guardian/legal custodian agrees to shall participate in the following:</p> <p><u>Added</u> the underlined to section 3.8: <u>If a child is place in the custody of DCYF, DCYF may authorize evaluations of the child's physical or emotional condition, routine medical and dental examination and care, and all necessary emergency care. DCYF must inform the child's parent, guardian, or legal custodian of the appointment unless they cannot be reached. DCYF must provide the parent, guardian, or legal custodian an opportunity to attend the appointment unless the parent is prohibited from attending below.</u> <input type="checkbox"/> Parent 1 <input type="checkbox"/> Parent 2 is prohibited from attending any appointments.</p> <p><u>Changed</u> the release of information section to allow the release to be optional when services are not court-ordered for placement of the child.</p> <p><u>Added</u> section 3.12: Placement moves while the child is in shelter care and DCYF's failure to comply with court orders while the child is in shelter care will be considered in determining whether DCYF made reasonable efforts under RCW 13.34.110 and moved other section down.</p> <p><u>Added</u> a checkbox requiring parents to disclose if the child is an Indian child.</p>
<p>5.</p>	<p>JU 02 220 <u>Authorizing Regarding Continued Shelter Care</u></p>	<p><u>Added</u> to Findings: New Language Change in Circumstances as 2.1</p>

		<p><input type="checkbox"/> There has not been a change in circumstances regarding placement. The <i>Shelter Care Order</i> on placement shall not be modified.</p> <p>There is reasonable cause to believe that the requirements of RCW 13.34.065 have been satisfied and that the child should remain in shelter care for an additional 30 days or until a shelter care hearing is held pursuant to RCW 13.34.065(7) upon the request of any party or by the court, whichever occurs first.</p> <p><input type="checkbox"/> There has been a change in circumstances regarding placement. The change is:</p> <p>The change in circumstances requires an amended <i>Shelter Care Order</i>. A <i>Shelter Care Order - Amended</i> is entered.</p> <p><u>Added</u> the following to comply with Indian Child Welfare Act:</p> <p><input type="checkbox"/> 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), based upon prior findings and order(s). The federal and Washington State Indian Child Welfare Acts apply to this proceeding. The notice and evidentiary requirements of the federal and Washington State Indian Child Welfare Acts were found in previous hearings and are incorporated here by reference.</p> <p><input type="checkbox"/> The petitioner <input type="checkbox"/> has <input type="checkbox"/> has not made preliminary efforts to notify all tribes to which the petitioner or court knows or has reason to know the child, may be a member, or eligible for membership of this proceeding.</p> <p><input type="checkbox"/> The child's placement in shelter care is necessary to prevent imminent physical damage or harm to the child.</p> <p><input type="checkbox"/> Active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family and these efforts have proved unsuccessful. This finding is based on the following:</p> <p><input type="checkbox"/> Active efforts have not been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family. This finding is based on the following:</p> <p><input type="checkbox"/> Although active efforts have not been made, releasing the child to either parent would subject the child to substantial and immediate danger or threat of such danger.</p>
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		<p><input type="checkbox"/> A party _____ has presented a report to the court, but has not overcome the presumption that supervision or monitoring will no longer be necessary following a continued shelter care order. Visitation between the <input type="checkbox"/> Parent 1 <input type="checkbox"/> Parent 2 and the child shall be modified to unsupervised.</p> <p><input type="checkbox"/> A party _____ has presented a report to the court including evidence establishing presence of threats or danger to the child requires the constant presence of an adult to ensure the safety of the child therefore removing visit supervision or monitoring would create a risk to the child's safety. <input type="checkbox"/> Supervision <input type="checkbox"/> monitoring of visitation must continue.</p>
<p>6.</p>	<p>JU 03 500 Order After Hearing –Dependency Review/Permanency Planning</p>	<p><u>Added</u> appointment of counsel for a child section.</p> <p><u>Changed</u> Indian Child language and added active efforts language.</p> <p><u>Changed</u> minor guardianship language to reflect how it is referred to in the minor guardianship process.</p> <p><u>Changed</u> section 2.15 to better comply with current law:</p> <p>Out of Home</p> <p><input type="checkbox"/> Currently out of the home: The child remains placed out of home. There is a continuing need for out-of-home placement for the child and it would be contrary to the child's welfare to return home. The child should remain in the custody, control, and care of:</p> <p><input type="checkbox"/> DCYF <input type="checkbox"/> a relative <input type="checkbox"/> another suitable person to be placed or remain in:</p> <p><input type="checkbox"/> Relative <u>or suitable adult care with (name).</u></p> <p><input type="checkbox"/> <u>Relative placement, although preferred, is not in the child's best interest.</u></p> <p><input type="checkbox"/> <u>Relative placement or suitable adult placement although preferred is not available because the child's health safety and welfare would be jeopardized or reunification hindered, and the child shall continue to remain in or be placed in:</u></p> <p><input type="checkbox"/> Foster care (For QRTP also complete section D below).</p> <p><input type="checkbox"/> <u>pending completion of DCYF investigation of relative placement options.</u></p> <p><input type="checkbox"/> <u>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.</u></p> <p><input type="checkbox"/> Placement with an adoptive parent or other person with whom the child's siblings or half-siblings live.</p> <p><input type="checkbox"/> Other:</p>

		<p><input type="checkbox"/> To be removed from the home now: The child was in the home and is now removed from the home. It is currently contrary to the child's welfare to remain in the home. Reasonable efforts have been made to prevent the removal of the child, and those efforts were unsuccessful. The child should be placed in the custody, control, and care of:</p> <p><input type="checkbox"/> DCYF <input type="checkbox"/> a relative <input type="checkbox"/> another suitable person to be placed or remain in:</p> <p><input type="checkbox"/> Relative or suitable person care with (name) .</p> <p><input type="checkbox"/> <u>Relative placement, although preferred, is not in the child's best interest.</u></p> <p><input type="checkbox"/> Foster care (For QRTP also complete section D below).</p> <p><input type="checkbox"/> pending completion of DCYF investigation of relative placement options.</p> <p><input type="checkbox"/> 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.</p> <p><input type="checkbox"/> 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.</p> <p><u>Changed</u> section 2.20</p> <p>From</p> <p>2.20 <input type="checkbox"/> The presence of threats or danger to the child requires the constant presence of an adult to ensure the safety of the child when visiting with the <input type="checkbox"/> Parent 1 <input type="checkbox"/> Parent 2.</p> <p><input type="checkbox"/> Under the prior court order, visitation between the <input type="checkbox"/> Parent 1 <input type="checkbox"/> Parent 2 and the child was <input type="checkbox"/> supervised or <input type="checkbox"/> monitored. DCYF has presented a report to the court including evidence that establishing that removing visit supervision or monitoring would create a risk to the child's safety. <input type="checkbox"/> Supervision <input type="checkbox"/> monitoring of visitation must continue.</p> <p>To</p> <p>2.20 <input type="checkbox"/> Under the prior court order, visitation between the <input type="checkbox"/> Parent 1 was <input type="checkbox"/> supervised or <input type="checkbox"/> monitored; <input type="checkbox"/> Parent 2 and the child was <input type="checkbox"/> supervised or <input type="checkbox"/> monitored.</p> <p><input type="checkbox"/> The parties agree that visitation between the <input type="checkbox"/> Parent 1 <input type="checkbox"/> Parent 2 shall be modified to unsupervised.</p> <p><input type="checkbox"/> A party _____ has presented a report to the court, but has not overcome the presumption that supervision or monitoring will no longer be necessary</p>
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		<p>following a continued shelter care order. Visitation between the <input type="checkbox"/> Parent 1 <input type="checkbox"/> Parent 2 and the child shall be modified to unsupervised.</p> <p><input type="checkbox"/> A party _____ has presented a report to the court including evidence establishing presence of threats or danger to the child requires the constant presence of an adult to ensure the safety of the child therefore removing visit supervision or monitoring would create a risk to the child's safety. <input type="checkbox"/> Supervision <input type="checkbox"/> monitoring of visitation must continue.</p> <p><u>Changed</u> section 3.6 Release of Information section allowing for limitations on releases and disclosure of information.</p>
7.	JU 03 400 Order of Dependency	<p><u>Added</u> appointment of counsel for a child section.</p> <p><u>Changed</u> Indian Child language. Similar to above.</p> <p><u>Changed</u> Release of Information language as listed above.</p>
8.	JU 03 410 Order of Disposition on Dependency	<p><u>Changed</u> Indian Child language.</p> <p><u>Added</u> a checkbox to 4.9 Parental Cooperation.</p> <p><u>Changed</u> Release of Information language as listed above.</p>