

Superior Court of Washington, County of _____
Juvenile Court

In Re:

No:

Order on Hearing re Petition for
Reinstatement of Terminated Parental
Rights

D.O.B.:

Dismiss Petition (ORDSM)
 Order Conditionally Granting (ORCG)
 Review Hearing Set (ORSRH)

Clerk's Action Required: 3.1, 3.4

The court will hear review on [date] _____ at _____ a.m./p.m.
at: _____ Court, Room/Department: _____, located
at: _____

I. Basis

1.1 The court held a threshold hearing in this matter on (date) _____.

1.2 The following persons were present:

<input type="checkbox"/> Child	<input type="checkbox"/> Child's Lawyer
<input type="checkbox"/> Parent 1	<input type="checkbox"/> Parent 1's Lawyer
<input type="checkbox"/> Parent 2	<input type="checkbox"/> Parent 2's Lawyer
<input type="checkbox"/> Guardian or Legal Custodian	<input type="checkbox"/> Guardian's or Legal Custodian's Lawyer
<input type="checkbox"/> Child's GAL	<input type="checkbox"/> GAL's Lawyer
<input type="checkbox"/> DCYF	<input type="checkbox"/> DCYF's Lawyer
<input type="checkbox"/> Tribal Representative	<input type="checkbox"/> Tribal Lawyer
<input type="checkbox"/> Interpreter for parent <input type="checkbox"/> 1 <input type="checkbox"/> 2	<input type="checkbox"/> Other _____
<input type="checkbox"/> Other _____	

II. Findings

2.1 Proper notice of this hearing was was not given.

2.2 **Child's Indian status:**

The child is not an Indian child as defined in RCW 11.38.040 (7), based upon prior findings and order(s). The federal and Washington State Indian Child Welfare Acts do not apply to these proceedings.

The child is an Indian child as defined in RCW 11.38.040 (7), based upon prior findings and order(s). The federal and Washington State Indian Child Welfare Acts apply to these proceedings. The notice and evidentiary requirements of the federal and Washington State Indian Child Welfare Acts were found in previous proceedings and are incorporated here by reference.

Other: _____

2.3 Dependency History:

The child was previously found to be a dependent child under Chapter 13.34 RCW; and the child's parent(s)' parental rights were terminated in a proceeding under Chapter 13.34 RCW; and the petition was filed three or more years after the final order of termination.

The child was:

- at least 12 years old on the date the petition was filed.
- under 12 years of age on the date the petition was filed and the court found that good cause existed for the child to file the petition.

2.4 The court held a threshold hearing and found by a preponderance of the evidence that it was in the best interest of the child to proceed to a hearing on the merits of the child's petition.

2.5 Clear and convincing evidence has established that the permanency plan for the child:

- has has not been achieved; and
- is is not likely to be achieved imminently.
- other:

2.6 Clear and convincing evidence has established that reinstatement of parental rights is is not in the child's best interest. In making this determination, the court considered:

- Whether the parent whose rights are to be reinstated is a fit parent and has remedied their deficits as provided in the record of prior termination proceedings and prior termination orders.
- The age, maturity, and the ability of the child to express their preference.
- Whether the reinstatement of parental rights will present a risk to the child's health, welfare, or safety.
- Other material changes in circumstances, if any, that may have occurred which warrant the granting of the petition.
- The information provided by the DCYF regarding efforts to achieve the permanency plan, including efforts to achieve adoption or permanent guardianship.
- Other:

2.7 Other

III. Order

- 3.1 [] The petition for reinstatement of terminated parental rights is dismissed.
- 3.2 [] The petition for reinstatement of terminated parental rights is conditionally granted and the parent's rights are temporarily reinstated pending further review by the court.
- 3.3 [] The child shall be placed with (*names*) _____
for a six-month period.
- 3.4 [] All parties shall appear at the review hearing (see page one).
- 3.5 [] Within _____ days, DCYF shall develop, serve, and file a permanency plan for the reunification of the child with their parents, including transitional services that DCYF shall provide to the family. The reunification plan shall be subject to review and further order of the court.
- 3.6 Other

Dated: _____ _____
Judge/Commissioner

Presented by: _____

Signature

Print Name WSBA No.

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

Signature of **Child**

Signature of Child's Lawyer

Print Name WSBA No.

Signature of **Child's Guardian ad Litem**

Signature of Lawyer for the Guardian ad Litem

Print Name

Print Name WSBA No.

Signature of **Parent 1**

Signature of Parent 1's Lawyer

Print Name WSBA No.

Signature of **Parent 2**

Signature of Parent 2's Lawyer

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

Print Name

Print Name WSBA No.
Lawyer for _____