STATE OF INDIANA

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COURT

CAUSE NO. 00X00-0000-XX-00000

In the Matter of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

A [Child Alleged to be a] Delinquent Child/Child in Need of Services

**MOTION FOR RESIDENTIAL PLACEMENT &**

**MOTION TO SET HEARING**

 Comes now [ ]State [ ]Probation [ ]Child [ ]CASA [ ] GAL [ ]Child’s Parent(s)/Guardian(s)/Custodian(s) [ ]Department of Child Services (DCS) [Service provider \_\_\_\_\_\_(name)] and requests the Child be placed in a Residential Treatment Program.

The Movant alleges as follows:

1. The Child’s current placement is: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ which began on \_\_\_\_\_\_\_\_\_\_\_\_\_\_.
2. The recommended placement is: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
3. Said placement (select one):

 [ ] is a Qualified Residential Treatment Program (QRTP).

 [ ] is NOT a Qualified Residential Treatment Program (QRTP).

1. The following facts support the necessity of such residential placement:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[NOTE: *If the Child has already been placed at the recommended facility on an emergency basis or the Movant is requesting authorization for immediate placement at the recommended facility, include the following:* The foregoing circumstances constitute an emergency and justify an emergency change in the Child’s residence pursuant to Indiana Code 31-34-23-3.]

1. The Movant has conferred with all other parties regarding the recommended placement and the position of each party is as follows:
	1. State:
	2. Probation:
	3. Child:
	4. CASA/GAL:
	5. Child’s Parent(s)/Guardian(s)/Custodian(s):
	6. DCS:
	7. Placement (if applicable):
2. The Movant further advises [select one of the following as applicable]:

**[Option 1]**

[ ] The Child has not yet been placed at the recommended facility and will remain in his/her current placement pending hearing on this Motion.

**[Option 2]**

[ ] The Child has not yet been placed at the recommended facility. The Movant requests authorization to place the Child at said placement on an emergency basis pending Hearing on this Motion.

Such placement (choose one):

[ ] will be

[ ] will not be

a removal from the Child’s home of origin.

[NOTE: *If this is the initial removal from the home, include the following:* The Movant additionally advises that this removal will constitute an initial emergency detention from the Child’s home of origin and Hearing must be set within forty-eight (48) hours of the removal excluding intervening weekends and legal holidays pursuant to Ind. Code 31-34-5-1.]

**[Option 3]**

[ ] The Child was placed at \_\_\_\_\_\_\_\_\_\_\_\_\_ (name of facility) on an emergency basis on the \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_\_ a.m/p.m. pending Hearing on this Motion.

Such placement (choose one):

[ ] will be

[ ] will not be

a removal from the Child’s home of origin.

[NOTE: *If this is the initial removal from the home, include the following:* The Movant additionally advises that this removal will constitute an initial emergency detention from the Child’s home of origin and Hearing must be set within forty-eight (48) hours of the removal excluding intervening weekends and legal holidays pursuant to Ind. Code 31-34-5-1.]

1. Based upon the foregoing, the Movant requests the Court (select one):

[ ] set this matter for hearing.

[ ] authorize preliminary placement as recommended above and set this matter for hearing.

8. The Movant further requests that the Court Order completion of an assessment by a Qualified Individual within thirty (30) days of placement to determine whether a QRTP is an appropriate setting for the Child pursuant to 42 U.S.C. §675a(c)(1)(A). [NOTE: *If the child was already referred for completion of an assessment, use the following instead:* The Movant advises that the Child was referred for completion of an Assessment by a Qualified Individual to be completed within thirty (30) days of the Child’s placement to determine whether the QRTP is an appropriate setting for the Child pursuant to 42 U.S.C. §675a(c)(1)(A).]

*[NOTE: If the Child has been in the same out-of-home placement for one (1) year, include the following:* DCS or Probation has given notice to the persons effected and provided notice that the placement may file a written objection to the Motion not later than fifteen (15) days after receipt of notice.]

*9.* The Movant also requests that the Court Order and set a Review Hearing within sixty (60) days to review the propriety of the residential placement and to formally approve or disapprove continued placement of the child in the QRTP.

Respectfully submitted and moved this \_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 (Signature line)

**Certificate of Service**

 I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Counsel for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby certify that this document was served on the following Parties:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_ by registered/certified mail/e-notice First Class Mail.