STATE OF INDIANA

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In the Matter Of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

A Delinquent Child Case No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_

# **MODIFIED DISPOSITIONAL ORDER**

**(SECURE PLACEMENT)**

*[Juv. BB Committee strongly recommends avoiding a bare recitation of the proceedings and boilerplate language, you should include specific findings of fact (i.e. including juvenile history, reasonable efforts, how satisfactory they did on each service, etc., placement history)]*

 The State of Indiana appears by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, (Deputy/Prosecuting Attorney). The child, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, appears in person and with/without counsel, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The parent(s) (guardian) (custodian) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ appear(s )in person. Also, (Probation Officer) (Intake Officer) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ appears.

 The Court proceeds with the Disposition Modification Hearing upon finding good cause to modify its prior Dispositional Order.

The Court finds: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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*[here set forth details of probation violation or other facts justifying modification]*

The statements in the Probation Officer’s Report and all attachments are adopted as findings, including any and all statements of reasonable efforts to provide services, and are incorporated by reference herein.

The Court, after reviewing the Probation Officer’s report and hearing state­ments and evidence presented to the Court regarding the disposition of this case, and the Court having considered:

1. The interests of the child and the public;

2. The child's independently held assets and assets available to the child's parent(s);

3. The child's income;

4. The child's liabilities; and

5. The extent of the burden that payment of costs assessed under IC 33-9-11.5-6 would impose on said child, the child's parent(s) and their dependents;

now finds as follows *[Here include findings of fact pursuant to IC 31-37-18-6, 31-37-18-9, which includes the needs of the child and need for participation by the parents.]*: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Child has/has not been identified as a dual status child.

The Court:

[ ] now awards wardship of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, a juvenile, to the Indiana Department of Correction for housing in any correctional facility for children or any community-based correctional facility for children. Said commitment is suspended on the condition that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(name of juvenile)

\_\_\_\_\_\_\_\_\_, comply with the rules of supervision as attached hereto, said commitment and suspension being made for the following reasons *(Here include reasons for the disposition)*:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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[ ] now orders that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ be confined to the

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ days.

(juvenile detention facility) *(Here include the reasons for the disposition)*: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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***If the child has been removed from the home, complete this section:***

***Title IV-E and Statutory Findings:***

**The Court finds that it is in the best interests of the child to be removed from the home environment and remaining in the home would be contrary to the welfare of the child because:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.**

**( ) The Court finds that reasonable efforts to prevent or eliminate removal of the child were not required due to the emergency nature of the situation, as follows:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**-or-**

**( ) The Court finds that reasonable efforts were made by the probation department to prevent or eliminate the need for removal of the child. The statements of reasonable efforts as set forth in the pleadings, reports, and documents of the probation department and/or all other service providers filed herein are incorporated by reference.**

**-or-**

**( ) The Court finds that reasonable efforts were made by the probation department to prevent or eliminate the need for removal of the child, including:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**( ) The court finds that reasonable efforts have been made to finalize the**

**permanency plan, as set forth in the pleadings, reports, and documents of the probation department and/or all other service providers filed herein and incorporated by reference.**

**-or-**

**( ) The Court finds that reasonable efforts have been made to finalize the permanency plan which is: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.**

**(\_) The Court has reviewed the validated risk and needs assessment tool. The tool results are *[if court chose to detain when results did not warrant detention, including reasoning and rationale for doing so]*:**

***(\_) [Omit this section if child is OVER 12*] The child is twelve years of age and *(check one*) (\_)the child poses an imminent risk of harm to the community; or (\_) the court makes a written finding as follows:\_\_\_\_\_\_\_\_\_\_\_\_ that detention is essential to protect the community and no reasonable alternatives exist to reduce the risk*.]***

The Court finds responsibility for the placement and care of the child is ordered or continues to be ordered to the probation department of \_\_\_\_\_\_\_\_\_\_\_ county.

The probation officer shall file a report every three months after the date of this order on the progress made on implementing the decree.

This case is set for a review hearing on: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

The court finds its Disposition is the least restrictive alternative to insure the child’s welfare and rehabilitation and the safety and welfare of the community.

(*If child is not sent to DOC*):

The legal settlement of the child is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

The Probation Department shall provide the notice required by law.

[ ] A Parental Participation Petition having been filed with this Court and jurisdiction obtained upon \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ parents (Custodian or guardian) of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(child’s name), the Court after hearing evidence and being duly advised, now finds that the allegations contained in the Petition for Parental Participation are true and the parents (guardian or custodian) shall participate in a treatment program or pay for services as follows: (Set forth specifically what the parents are to do and for what they are to be financially responsible.)

THE COURT FURTHER FINDS AND ORDERS that:

[ ] The reasonable value of the legal services provided to the child in this case is: $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

[ ]\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Name of Parent(s), Guardian or Custodian) (Address)

is reasonably able to pay for said services and shall pay the sum of $\_\_\_\_\_\_\_\_\_\_, in payments of not less than $ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

per (week) (month).

[ ]\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Name of Parent(s), Guardian or Custodian) (Address)

is reasonably able to pay for said services and shall pay the sum of $\_\_\_\_\_\_\_\_\_\_\_\_\_\_, in payments of not less than $ \_\_\_\_\_\_\_\_\_

per (week) (month).

to the Clerk of Court, to be deposited by the Clerk in the {*Name of Agency/Fund Account}*:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 [ ] The reasonable value of the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ services provided for or on behalf of the child in this case is $\_\_\_\_\_\_\_\_.

[ ]\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Name of Parent(s), Guardian or Custodian) (Address)

is reasonably able to pay for said services and shall pay the sum of $\_\_\_\_\_\_\_\_\_\_\_\_\_\_, in payments of not less than $ \_\_\_\_\_\_\_\_\_\_\_\_\_,

 per (week) (month).

[ ]\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Name of Parent(s), Guardian or Custodian) (Address)

is reasonably able to pay for said services and shall pay the sum of $\_\_\_\_\_\_\_\_\_\_\_\_\_\_, in payments of not less than $ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, per (week) (month).

to the Clerk of Court, to be deposited by the Clerk in the {*Name of Agency/Fund Account}:*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

SO ORDERED \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Judge