

**CONTINUED CUSTODY HEARING
CH.C. ARTS. 624-627**

**STATE OF LOUISIANA
IN THE INTEREST OF**

D/O/B _____

CASE NO. _____
JUVENILE COURT
PARISH OF _____
STATE OF LOUISIANA

JUDGMENT/ORDER

Continued Custody Hearing taken up on ___/___/___ pursuant to an instanter order issued on ___/___/___.

- Present were: ADA _____
 Mother _____
 Father _____
 Attorney for Mother _____
 Attorney for Father _____
 Appearance of parent(s) _____ waived:
 Parent(s) cannot be found
 Parent(s) served but failed to appear
 Curator for Mother
 Curator for Father
 OCS _____
 Child(ren) _____
 Attorney for Child _____
 Other _____
 Other _____
 Other _____
 Other _____

Advisement:

Court advised parent(s) [and child] of nature of proceedings, allegations, right to an adjudication hearing, and right to counsel.

Appointments (check all that apply):

Court appoints _____ as attorney for child and orders notice of appointment to be served promptly.

Court appoints _____ as attorney for mother and orders notice of appointment to be served promptly.

Appointments (continued)

Court appoints _____ as attorney for father and orders notice of appointment to be served promptly.

Court appoints _____ as curator for the absentee, _____, and orders notice of appointment to be served promptly.

Court appoints CASA for child and orders prompt notice of appointment.

Probable Cause (¶Contrary to the Welfare):

Court finds **no reasonable grounds** to believe the child is in need of care and/or that continued custody is necessary for the child's safety and protection and orders the child returned.

Based on the information contained in the Department's affidavit in support of the instanter order dated __/__/____ (a copy of which is attached hereto and incorporated by reference herein) and based on the testimony of the parties, the Court finds **reasonable grounds** to believe the child is in need of care, that continuation in the home is contrary to the welfare of the child and that continued custody is necessary for the child's safety and protection.

The Court finds **reasonable grounds** to believe the child is in need of care, that continuation in the home is contrary to the welfare of the child and that continued custody is necessary for the child's safety and protection. Specific facts which demonstrate this include:

Reasonable Efforts:

Note: The finding might incorporate or modify the Department's description of the state's efforts to reunify the family.

[] The **Department's** efforts **to prevent removal** were **reasonable** because [narrative].

OR

[] Based on the information contained in the Department's **affidavit** in support of the instant order dated ___/___/___ (a copy of which is attached hereto and incorporated by reference herein) and based on the testimony of the parties, the Court finds that the Department has made **reasonable efforts** to prevent or eliminate the need for removal of the child from his home and, after removal, to make it possible for the child to safely return home and that in making such efforts the child's health and safety were the paramount concern.

Note: There are occasions where the Department may not have been able to make reasonable efforts, e.g., the parent could not be found, the child sustained serious injury, or some other emergent circumstance.

[] Reasonable efforts were deemed to have been made and further **efforts were not required** due to the fact that the Department's first contact with the family occurred during an **emergency** in which the child could not safely remain at home even with reasonable in-home services provided to the family, **specifically [insert narrative]**

OR

[] **Reasonable efforts were not required** due to a judicial determination that a parent subjected the child to **aggravated circumstances**, the parent committed murder or voluntary manslaughter of another child of the parent, the parent has aided or abetted, attempted, conspired, or solicited to commit such a murder or such a voluntary manslaughter, the parent committed a felony assault that resulted in serious bodily injury to the child or another child of the parent, or the parental rights of the parent to a sibling have been terminated involuntarily, **specifically [insert narrative]**

OR

[] The **Department's** efforts **to prevent removal** were **not reasonable** because [insert narrative].

Stipulation:

[] Parent(s) stipulate to custody being maintained with OCS, **and the Court finds that remaining in custody is in the best interests of the child.**

Custody:

Prior order of custody [] maintained [] revoked.

Court orders custody of child:

be returned to the parent(s)_____.

be maintained with OCS.

be granted to suitable person/relative _____.

be returned home under a protective order.

Advisement if continued in custody of the state:

Court advises parents(s) of the child's need to have a safe and stable relationship with caretakers, either his parents or, if necessary, others who are willing and able to assume parental responsibility and provide a permanent home, and to have these caretaker decisions made as quickly as possible.

Court advises parent(s) of their responsibility to keep the department apprised of their current address, to cooperate in preparing a case plan and otherwise in meeting the needs of their child, and if their child cannot safely return home, to assist the child's adjustment to other caretakers.

Court further orders:

interim services:_____

visitation: _____

present placement/level of care be maintained except upon authorization of/notice to the court.

The Department shall conduct a diligent search for relatives.

Service:

[] Parties present served with notice to appear for if and when petition is filed.

Dated and signed at Harvey, LA this the _____ day of _____, 200____.

J U D G E