IN THE CIRCUIT COURT OF THE STATE OF OREGON
THIRD JUDICIAL DISTRICT
Juvenile Department

In The Matter of:	)	Court No. _____
	)	
_____,	)	DHS No. _____
A child.	)	**JURISDICTION/DISPOSITION JUDGMENT**

This matter came before the Court on _____. The following persons appeared by phone or in person:
☐ Mother ☐ Attorney for Mother ☐ Father ☐ Attorney for Father ☐ Guardian(s) ☐ Attorney for Guardian(s) ☐ Child ☐ Attorney for Child ☐ Tribe ☐ Attorney for Tribe ☐ DHS ☐ AAG ☐ DDA ☐ CASA ☐ Other:_____

DHS Documentation: The Department of Human Services (DHS) ☐ **has** ☐ **has not** prepared a written case plan that complies with the requirements of ORS 419B.343.

1. SUMMONS AND NOTICE FINDINGS AND ORDERS:

► **Parties Summoned**:

☐ Mother was summoned and ☐ appeared. ☐ failed to appear as directed (ORS 419B.815(7)), and she ☐ **is** ☐ **is not** a person in the military who is entitled to the protections of the Servicemembers' Civil Relief Act. 50 USC § 501 *et seq.*

☐ Father was summoned and ☐ appeared. ☐ failed to appear as directed (ORS 419B.815(7)), and he ☐ **is** ☐ **is not** a person in the military who is entitled to the protections of the Servicemembers' Civil Relief Act. 50 USC § 501 *et seq.*

☐ Other: _____ was summoned and ☐ appeared. ☐ failed to appear as directed (ORS 419B.815(7)), and s/he ☐ **is** ☐ **is not** a person in the military who is entitled to the protections of the Servicemembers' Civil Relief Act. 50 USC § 501 *et seq.*

☐ Mother ☐ Father ☐ Other was/were provided the notice of obligations and rights. ORS 419B.117.

► **Current Care Provider(s)/Legal Grandparents:**

☐ The child is in substitute care, and DHS ☐ **did** ☐ **did not** give the current care provider(s) notice of the hearing.
☐ Current care provider(s) attended the hearing and had an opportunity to be heard.

☐ DHS **did** give the legal grandparent(s) notice of the hearing. ORS 419B.875 (7).
☐ DHS **did not** give the legal grandparent(s) notice of the hearing, because: ☐ the grandparent(s) did not ask to be notified ☐ Other: _____
☐ Legal grandparent(s) attended the hearing and had an opportunity to be heard.

2. INDIAN CHILD WELFARE ACT (ICWA) FINDING(S) AND ORDER(S):

☐ The ICWA **does not** apply.
☐ At this time, the Court **does not have reason to believe that the ICWA applies**, but DHS shall continue its inquiry whether the child is an "Indian child" and report the results of the inquiry to the Court. 25 USC § 1903(4).
☐ See ICWA Findings and Order reference this same date, which is incorporated herein by reference.

3. UCCJEA FINDINGS:

This Court ☐ **has jurisdiction** ☐ **does not have jurisdiction** under the UCCJEA to make "a child custody determination." ORS 109.701 to 109.834.

JURISDICTIONAL FINDINGS AND ORDERS:

4. FINDINGS ON THE JURISDICTIONAL ALLEGATIONS:

Evidence Considered: ☐ Stipulations; ☐ Exhibits; ☐ Testimony; ☐ Admissions; ☐ Judicial notice of the following: _____

► The child is a resident of _____ County ☐ and was taken into protective custody by DHS on _____

► **Petition Allegations Admitted**:

MOTHER, on _____, admitted the allegations as ☐ **written** ☐ **amended** in paragraph(s): _____ of the petition(s) filed on: _____

FATHER, on _____, admitted ☐ the allegations as ☐ **written** ☐ **amended** in paragraph(s): _____ of the petition(s) filed on: _____

☐ Other: _____, on _____, admitted the allegations as ☐ **written** ☐ **amended** in paragraph(s): _____ of the petition(s) filed on: _____

☐ Mother ☐ Father ☐ Other stipulates that the facts admitted support a judicial finding of jurisdiction.

► **Petition Allegations Contested and Proved**:
☐ The allegations as ☐ **written** ☐ **amended** in paragraph(s): _____
of the petition(s) filed on: _____ was/were proved by:
☐ **a preponderance of** ☐ **clear and convincing** evidence.

► **Petition Allegations Contested and Not Proved**:
☐ The allegations as ☐ **written** ☐ **amended** in paragraph(s): _____
of the petition(s) filed on: _____ **was/were not proved**
and the allegation(s) is/are ☐ dismissed ☐ continued for further proceedings.

5. JURISDICTION/WARDSHIP - FINDINGS AND ORDERS:

► **Jurisdiction and Wardship**:
☐ The child is within the jurisdiction of the Court, and is made/continued as a ward of the Court. ORS 419B.328.

☐ The child is not within the jurisdiction of the Court.

DISPOSITIONAL FINDINGS AND ORDERS:

6. PLACEMENT/CUSTODY FINDINGS AND ORDERS:

Evidence Considered: ☐ Stipulations; ☐ Exhibits; ☐ Testimony; ☐ Admissions; ☐ Judicial notice of the following: _____

► **In-Home Placement:**
☐ The Court finds that it is in the child's best interest and welfare to be placed in the home, and, **THEREFORE, the child shall be placed/continued in the custody of** ☐ Mother ☐ Father ☐ Other:
subject to the following conditions: _____
_____ ORS 419B.331.

☐ The Court finds that it is in the child's best interest and welfare to be placed in the legal custody of DHS for in-home placement, and, **THEREFORE, the Court commits the child to the legal custody of DHS for care, placement and supervision in the physical custody of** ☐ Mother ☐ Father ☐ Other: _____

► **Out-of-Home Placement:**
☐ The Court finds that the child's removal from home/continued out-of-home placement is in the child's best interest and welfare, based on the jurisdictional findings under ORS 419B.100 and because the child cannot be safely returned home/maintained in the home without further danger of suffering physical injury or emotional harm or endangering or harming others. ORS 419B.337(1). (this paragraph not marked if ICWA add-on included)

Additional related findings: _____

☐ The Court further finds that it is in the child's best interest and welfare to be placed:
☐ in the legal custody of DHS for placement in substitute care, and, **THEREFORE, the Court commits the child to the legal custody of DHS for care, placement and supervision**.

☐ in substitute care, pursuant to ☐ ORS 419B.331 ☐ ORS 419B.334 ☐ ORS , and,
THEREFORE, the Court orders that: _____
_____

► **Diligent Efforts:**
Relative Placement: ☐ The child is in substitute care, and DHS ☐ **has made** ☐ **has not made** diligent efforts to place the child with a relative/person who has a caregiver relationship with the child. ORS 419B.192.

Sibling Placement: ☐ The child does not have minor siblings. ☐ The child is in substitute care and has one or more minor siblings, and DHS ☐ **has made** ☐ **has not made** diligent efforts to place the child with a sibling. ORS 419B.192.

► **Placement Preferences:**
☐ The Court finds that the selected placement: ☐ **is** ☐ **is not** the least restrictive, most family-like setting that meets the health and safety needs of the child. 42 USC § 675(5)(A).

7. REASONABLE/ACTIVE EFFORTS FINDINGS AND ORDERS:

► **Reasonable/Active Efforts Findings Not Required**
☐ This is not an ICWA case, and the Court has determined that one or more of the circumstances described in ORS 419B.340(5) exist and found that DHS is not required to make reasonable efforts to prevent or eliminate the need for removal from, or to make it possible for the child to safely return to, the home of ☐ Mother ☐ Father ☐ Other.
☐ A copy of the *Special Circumstances Findings and Judgment* is attached to this judgment.

☐ Reasonable/active efforts findings are not required, because this judgment does not authorize the removal of the child from the home, and ☐ the child was not removed from the home prior to entry of this judgment ☐ the child was removed from the home prior to entry of this judgment and has been safely returned home, and the Court previously determined that DHS made the required efforts to prevent or eliminate the need for the removal.

► **Reasonable Efforts Findings Required** (this section not marked if ICWA add-on included)
☐ This judgment commits the child to the legal custody of DHS, and, having considered the circumstances of the child and parent(s)/guardian() and the child's health and safety, the Court finds that DHS ☐ **has made** ☐ **has not made** reasonable efforts ☐ to prevent or eliminate the need for removal ☐ to make it possible for the child to safely return home. The court adopts as a recitation of those efforts the facts ☐ **in the DHS report(s) marked as Exhibit(s)** _____ ☐ **made on the record in this matter**, which are incorporated herein by this reference. ORS 419B.185(1).

☐ Although DHS did not make the required reasonable efforts to prevent or eliminate the need for removal and/or to make it possible for the child to safely return home, additional preventive/reunification efforts would not permit the child to remain safely in the home; therefore, the Court may authorize/continue the removal.

8. CASE PLAN FINDINGS AND ORDERS:

► **The Current Case Plan Is**: ☐ Return to parent/guardian ☐ Other plan: _____, by _____
☐ Maintain placement in-home.

► **The Concurrent Case Plan Is**: ☐ Adoption ☐ Guardianship ☐ Other plan: _____
☐ There is no concurrent plan because the child is placed in-home.

► **The Court Orders That**:
☐ Mother shall: ☐ Comply with the Action Agreement; Participate in the following services: ☐ Domestic Violence ☐ Drug and Alcohol (including random observed urinalysis with ETG testing per DHS); ☐ Mental Health; ☐ Parenting; ☐ Psychological; ☐ Sex Offender; ☐ Other: _____

_____

☐ Father shall: ☐ Comply with the Action Agreement; Participate in the following services: ☐ Domestic Violence ☐ Drug and Alcohol (including random observed urinalysis with ETG testing per DHS); ☐ Mental Health; ☐ Parenting; ☐ Psychological; ☐ Sex Offender; ☐ Other: _____

_____

☐ DHS ☐ Other: _____ shall: _____

_____

☐ DHS ☐ Other custodian: _____ is made/continued as the child's guardian. ORS 419B.370.

9. VISITATION: ORS 419B.337(3).

DHS ☐ **has** ☐ **has not** developed an adequate plan for visitation by the child's ☐ parents ☐ sibling(s).

☐ DHS shall develop/modify the visitation plan to include the following provisions: _____

_____

_____

10. DHS DISCLOSURE OF RECORDS AND REPORTS:

The Court authorizes DHS to disclose court records and reports associated with the petition(s) in this matter, if such disclosure is reasonably necessary to perform its official duties related to the involvement of the child with the juvenile court and complies with ORS 419A.255 through ORS 419A.257, and ORS 419B.035.

11. OTHER ORDERS/FINDINGS:

_____

_____

_____

_____

12. PARTIES PRESENT ARE ORDERED TO APPEAR AS FOLLOWS:

☐ Settlement conference for ☐ Mother ☐ Father ☐ Guardian(s) on _____ at _____ AM/PM.

☐ Trial for ☐ Mother ☐ Father ☐ Guardian(s) on _____ at _____ AM/PM.

☐ Because the child is in the legal custody of DHS and placed in substitute care, and because, under these circumstances, a CRB review satisfies the state and federal 6-month review requirements, the CRB shall conduct a review of this case ☐ in six months ☐ in three months. _____ _____

☐ Review hearing for ☐ Mother ☐ Father ☐ Guardian(s) on _____ at _____ AM/PM.

☐ Permanency hearing for ☐ Mother ☐ Father ☐ Guardian(s) on _____ at _____ AM/PM.

☐ **No further hearings required.**

_____ _____

Date Circuit Court Judge

Distribution: Records/Parents/DHS/OYA/PO: _____ /Attys: _____ /Other: _____