

## Juvenile Protective Custody Orders

This process applies to juvenile protective custody orders issued under ORS 419B.150.

**IMPORTANT: When opening a dependency case to process a Juvenile Protective Custody Order, the case will default to a Confidential case security. This security will automatically change after a Petition for Dependency is filed with the court.**

Only a written or oral declaration is required to request an order, but in some situations additional documents may also be filed.

*NOTE: For restraining and protective orders filed under family law statutes, see the processes under Abuse Prevention Overview.*

*Statistically Relevant Data:*

- **Declaration – Protective Custody (DEPC)**
- **Motion- Protective Order (MOPO)**
- **Order – Protective Custody (ORPR)**
- 

## Request for a Protective Custody Order

Does an open Dependency Case Exist for the Child?

Does Case Exist | No

1. Create a new **Juvenile Dependency** case record.
2. Enter the case *Detail (F12+D)*.
  - a. Add any known case cross reference numbers.
    - i. Select the appropriate case cross reference number **Type**:
      - **DHS – Child Welfare Services (DHS)**
      - **Juvenile Justice Information System (JJIS)**
  - b. Add any known related cases.
    - i. Select the appropriate related case *Reason*:
      - **Related – Same Family (RSF)**
      - **Related – Same Juvenile (RSJ)**
3. Add the *Parties (F12+P)*.
  - a. Add the **Juvenile (JUV)** and any party identifiers.
  - b. Add the **Parent(s) (PAR)** or **Guardians (GUA)**.
    - i. *If adding a guardian:* add the party using the following settings:
      - Select **All Types**.
      - Select a *Connection* of **Guardian (GUA)**.
      - Add the guardian(s) as a **Party**.

*NOTE: Add a party style of “Mother” or “Father” to the parents in the Modify Case Party Details dialog box to distinguish between the parties.*

- c. Add the **Department of Human Services (DHR)**.
- d. Add the **Juvenile Department (JDP)**.
- e. Add any known attorneys for the parties.
- f. Add the tribe, if there is reason to know the child is an Indian child

4. Click **Save (Alt+S)**.
5. Add the appropriate case event(s) requesting the protective order:
  - **Affidavit – Protective Custody (AFJP)**
  - **Declaration – Protective Custody (DEPC)**
  - **Motion – Protective Order (MOPO)**
  - a. Verify the **Date** filed.
  - b. Verify **[PARTYPICKER]** the **Filed By** party.
  - c. **Link/Relate/Scan** the document.

*NOTE: The documents filed may vary by court or by case. Statute does not require a motion be filed, only an affidavit, declaration, or oral statement under oath (that is recorded). Use the appropriate events above as needed to properly reflect the document(s) filed with the court.*

### Does an Open Case Exist | Yes

1. Locate the existing case record.
2. Verify the parties on the case are correct, including:
  - **Juvenile (JUV)**
  - **Parent(s) (PAR) or Guardian(s) (GUA)**
  - **State of Oregon (STA)**
  - **Department of Human Services (DHR)**
  - **Juvenile Department (JDP)**
  - **Any assigned attorneys**
  - **The tribe, if there is reason to know an Indian child is involved**
3. Add the appropriate case event(s) requesting the protective order:
  - **Affidavit – Protective Custody (AFJP)**
  - **Declaration – Protective Custody (DEPC)**
  - **Motion – Protective Order (MOPO)**
  - a. Verify the **Date** filed.
  - b. Verify **[PARTYPICKER]** the **Filed By** party.
  - c. **Link/Relate/Scan** the document.

*NOTE: The documents filed may vary by court or by case. The statute does not require a motion be filed, only an affidavit, declaration or oral statement under oath (that is recorded). Use the appropriate events above as needed to properly reflect the document(s) filed with the court.*

## Protective Custody Order Signed

### Is the Order Granted?

#### No

1. Add the **Order – Denial (ORDN)** event.
  - a. Enter the **Signed** date.
  - b. Select the **Judicial Officer**.
  - c. **Link/Relate/Scan** the document.

#### Yes

1. Add the **Order – Protective Custody (ORPR)** event.
  - a. Enter the **Signed** date.
  - b. Select the **Judicial Officer**.
  - c. **Link/Relate/Scan** the document.

### If Needed, Add a Protective Order Warrant

If the court issues a protective custody warrant, add the **Warrant – Active (WAAC)** case event.

1. Add the **Warrant – Active (WAAC)** event.
  - a. Verify the **Date** filed.
  - b. Relate **[PARTYPICKER]** the **Juvenile**.
  - c. **Link/Relate/Scan** the document.

## **H5: References**

ORS 419B.150