

## Post Jurisdiction Dependency Petition Draft, Version 9.5

### UTCR 11.130 NEW DEPENDENCY PETITION ALLEGATIONS, WHEN CHILD IS A WARD

- (1) When a child is already a ward of the court under ORS 419B.100 and ORS 419B.328, any new petition containing allegations under ORS 419B.100 must be filed under the ward's existing dependency case number, unless otherwise permitted under ORS 419B.118.
- (2) If there is more than one dependency case number for the ward for the current wardship episode, a petition filed under subsection (1) must be filed under the first case number established for the ward during that wardship episode.
- (3) In addition to the requirements of ORS 419B.809, ORS 419B.863, and ORS 419B.866, a petition filed under an existing wardship must:
  - (a) Include in the document title the sequential number of the petition before the word "PETITION", e.g., "SECOND PETITION"; and
  - (b) Include in the body of the petition:
    - (i) the date of the initial judgment establishing jurisdiction over the ward during the current wardship episode;
    - (ii) the existing bases of jurisdiction and the date each basis was established in a judgment of jurisdiction and whether each allegation was admitted or otherwise proved;
    - (iii) Any allegations that remain pending from a previous petition and the title of that petition.
  - (c) An allegation filed in an existing wardship petition must be numbered consecutively to allegations listed in the previous petition.
- (4) A copy of any new petition containing allegations under ORS 419B.100 filed during an existing wardship must be served with a summons in accordance with ORS 419B.815.

### UTCR 11.140 DEPENDENCY JUDGMENTS OF JURISDICTION AND DISPOSITION

- (1) A judgment of jurisdiction entered under ORS Chapter 419B must state how each allegation in the petition(s) under consideration is resolved: whether it is admitted, proved, dismissed or pending.
- (2) A judgment of jurisdiction entered under ORS Chapter 419B that is based on a post-jurisdiction dependency petition filed during an existing wardship must include:
  - (a) In the document title, in parentheses, the title of the petition or petitions it is resolving, e.g., JUDGMENT OF JURISDICTION (SECOND PETITION);
  - (b) the bases of jurisdiction previously established during the existing wardship that have not been dismissed;
  - (c) the date each basis of jurisdiction was established in a judgment of jurisdiction; and

- (d) the date of the first judgment establishing jurisdiction over the ward during the current wardship episode.
- (3) A separately entered judgment of disposition that is based on a post-jurisdiction dependency petition filed during an existing wardship must include the title of the petition it is based on in parenthesis in the document title.

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