



## JCIP Model Dependency Forms

### Summary of Changes Effective July 1, 2020

#### (1) Review of Child's Placement in Qualified Residential Treatment Program; New Hearing Requirement

Effective July 1, 2020, [Senate Bill 171 \(2019\)](#) requires that the Department of Human Services (DHS) seek court review of a child's placement in a Qualified Residential Treatment Program (QRTP), a new category of congregate care defined by section (5) of the bill. When a child is placed in a QRTP, DHS is required to ensure that an independent assessment of the child's placement is conducted within 30 days to determine whether the needs of the child can be met at home, through placement in a foster home, or, if not, which setting would provide the most effective and appropriate level of care for the child in the least restrictive environment and consistent with the goals for the child as specified in the child's permanency plan.

Within 30 days of the child's placement in a QRTP, DHS must move the court for approval of the placement. The motion must include the date of the placement, to the extent practicable, the parties' placement preferences, and a copy of the independent assessment. Section (7)(2).

If the assessment is not complete at the time the motion is filed, DHS may file the motion without the assessment and supplement the motion with a copy of the completed assessment immediately following DHS's receipt of the assessment. Upon receipt of the motion, the court shall schedule a hearing to occur within 60 days following the date the child was placed in the QRTP. The court shall enter an order approving or disapproving the placement, and make additional required findings, within 60 days of the child's placement. A new order is available that contains the required findings under section (7) of the bill.

#### (2) Revised Protective Custody Order

A revised order is available to respond to requests to take a child into protective custody filed under ORS 419B.150. These are requests filed before a shelter hearing when the Department of Human Services (DHS) wants to take the child into custody but does not meet the emergency statutory criteria to do so. The order was developed to be consistent with legislative changes made by [House Bill 2849 \(2019\)](#), which went into on January 1, 2020.

Based on feedback we've received from courts since we released the form in late December, we have added language: (1) to allow the court to state the basis upon which it has jurisdiction under the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA); and (2) to clarify that a peace officer entering a dwelling or vehicle to retrieve the child must have probable cause to believe the child is inside.