

<b>STATE OF MICHIGAN</b> JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	<b>ORDER OF DISPOSITION</b> <b>(CHILD PROTECTIVE PROCEEDINGS)</b> ORDER ____ OF ____	<b>CASE NO.</b> <b>PETITION NO.</b>
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Court address \_\_\_\_\_ Court telephone no. \_\_\_\_\_

1. In the matter of  
name(s), alias(es), DOB \_\_\_\_\_
2. Date of hearing: \_\_\_\_\_ Judge/Referee: \_\_\_\_\_ Bar no. \_\_\_\_\_
3. Removal date: \_\_\_\_\_ (Specify for each child if different.)
4. An adjudication was held and the child(ren) was/were found to come within the jurisdiction of the court.
5. Release of the parental rights to \_\_\_\_\_ was executed by  
Name(s) of child(ren) \_\_\_\_\_  
Name(s) of parent(s) \_\_\_\_\_ pursuant to the adoption code on \_\_\_\_\_ Date \_\_\_\_\_
6. This hearing is being conducted under MCR 3.974(D)(1) for an Indian child who was removed from the home. The Indian child removal hearing  was held with this hearing.  was previously held.  is scheduled for \_\_\_\_\_

**THE COURT FINDS:**

7. Notice of hearing was given as required by law.
  8. The lawyer-guardian ad litem  has  has not complied with the requirements of MCL 712A.17d.
  9.  a. There is probable cause to believe the legal/putative father(s) is/are:  
(Name each child, his/her father, and whether legal or putative.)  
  
 b. The putative father of \_\_\_\_\_ is unknown and cannot be identified.  
 c. The putative father was notified as required by law and failed to establish paternity within the time set by the court. The putative father waives all rights to further notice, including the right to notice of termination of parental rights and the right to an attorney.
  10. The court has considered the case service plan and other evidence presented. The findings below are specific to this case and are based upon this hearing and  
 the following report(s): \_\_\_\_\_  
Identify report(s) and date(s) of report(s)
- Specific conditions reviewed on the record as required by MCL 712A.18f(4) were
- a. compliance with the case service plan with respect to services provided or offered to the child and his or her parent(s), guardian, or legal custodian and whether the parent(s), guardian, or legal custodian complied with and benefited from those services.
  - b. compliance with the case service plan with respect to parenting time with the child and whether parenting time did not occur or was infrequent and the reasons why.
  - c. the extent to which the parent(s), guardian, or legal custodian complied with each provision of the case service plan, prior court orders, and any agreement between the parent(s), guardian, or legal custodian and the agency.
  - d. likely harm to the child if the child continued to be separated from his or her parent(s), guardian, or legal custodian.
  - e. likely harm to the child if the child was returned to his or her parent(s), guardian, or legal custodian.

**Note:** If it comes to the court's attention or new allegations are made during this hearing that require the removal of the child(ren), removal must be done in accordance with MCR 3.974.

**See additional pages.**

**Use Note:** Use this form when a release has been executed under the adoption code after adjudication and before the dispositional hearing.

**Reference Note:** The term "department" refers to the Department of Health and Human Services.

Do not write below this line - For court use only

PL 96-272, 41 USC 670 *et seq.*, MCL 400.55(h), MCL 400.203,  
MCL 712A.13a, MCL 712A.18, MCL 712A.18f, MCL 712A.19, MCL 712A.20, MCR 3.921(C), MCR 3.973(F)

11. Return of the juvenile to his or her parent  would  would not cause a substantial risk of harm to the juvenile or society.
12.  a. Consistent with the circumstances, reasonable efforts to prevent or eliminate removal of the child(ren) from the home were made as determined in a prior order. **OR**  
 b. Consistent with the circumstances, reasonable efforts were made to prevent or eliminate removal of the child(ren) from the home. Those efforts include: (Specify below.) **OR**  
 c. The child(ren) is/are Indian, and the court finds by clear and convincing evidence and the testimony of a qualified expert witness who has knowledge about the child-rearing practices of the Indian child's tribe, that active efforts  have  have not been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family. These efforts have proved  unsuccessful,  successful, the continued custody of the child(ren) by the parent or Indian custodian  is  is not likely to result in serious emotional or physical damage to the child(ren), and the child(ren)  should  should not be removed from the home.

(Specify below.)

The efforts for 12b or 12c are: (Specify the efforts from 12b or 12c here. If the child is an Indian child, specify active efforts as defined by MCR 3.002[1] and MCL 712B.3[a].)

- d. Reasonable efforts to prevent or eliminate removal of the child(ren) from the home were not made.  
 e. Reasonable efforts to prevent or eliminate removal were not required as determined in a prior order.
13. a. Reasonable efforts are not required to prevent or eliminate the child(ren)'s removal from the home due to the  mother  father subjecting the child(ren) to the aggravated circumstance(s) of \_\_\_\_\_ as provided in section MCL 722.638(1) and (2), and as evidenced by \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- mother's  father's conviction for murder of another child of the parent.  
 mother's  father's conviction for voluntary manslaughter of another child of the parent.  
 mother's  father's conviction for aiding or abetting in the murder or manslaughter of another child of the parent, attempting to murder the child(ren) or another child of the parent, or conspiring or soliciting to commit the murder of the child(ren) or another child of the parent.  
 mother's  father's conviction for felony assault that resulted in serious bodily injury to the child(ren) or another child of the parent.  
 mother's  father's involuntary termination of parental rights to a sibling of the child(ren) and failure by that parent to rectify the conditions that led to that termination.  
 mother  father being required to register under the Sex Offender Registration Act.

- b. Reasonable efforts to preserve and reunify the family to make it possible for the child(ren) to safely return home are  not required because the parent subjected the child or another child of the parent to one of the circumstances stated above.  
**OR**  
 still recommended because:

(When item 13 is checked, either complete item 15 below or schedule a permanency planning hearing within 28 days of this determination.)

14.  a. Reasonable efforts shall be made to preserve and reunify the family to make it possible for the child(ren) to safely return home.
- b. Reasonable efforts shall not be made to preserve and reunify the family because it would be detrimental to the child(ren)'s health and safety.
- c. Reasonable efforts to preserve and reunify the family were not previously required, but due to a change in circumstances, reasonable efforts are now required. Those reasonable efforts have begun and include: (Specify reasonable efforts, and if applicable, the reasons for return.)

The child(ren) should be released to \_\_\_\_\_  
Name(s) of parent(s), guardian, or legal custodian

15. Because reasonable efforts to prevent or eliminate removal or to reunite the child(ren) and family are not required, a permanency planning hearing was conducted. (Use and attach form JC 19, Order Following Dispositional Review/Permanency Planning Hearing.)

16. Custody of the child(ren) with the parent/guardian/legal custodian

- a. presents a substantial risk of harm to the child(ren)'s life, physical health, or mental well-being.
- No provision of service or other arrangement except removal of the child(ren) is reasonably available to adequately safeguard the child(ren) from the risk of harm to the child(ren)'s life, physical health, or mental well-being.
- Conditions of custody at the placement away from the home and with the individual with whom the child(ren) is/are placed are adequate to safeguard the child(ren)'s health and welfare.
- b. does not present a substantial risk of harm to the child(ren)'s life, physical health, or mental well-being.
- c. are not relevant because the parent(s) released the child(ren) pursuant to the adoption code.

17.  a. All siblings are in joint placement.
- b. All siblings are not in joint placement because:

Sibling contact  is occurring according to law.  is not occurring because (see item 25 to order sibling contact):

18. Parenting time with \_\_\_\_\_, even if supervised, may be harmful to the child(ren).

**IT IS ORDERED:**

19. \_\_\_\_\_ is warned and the jurisdiction of the court is terminated.  
Name
20. Notice is to be given to the legal/putative father(s) as required by law.  The father was not present and must appear at the next hearing.  The putative father was present at the hearing and shall establish paternity within 14 days.
21. The child(ren) is/are in the temporary custody of this court and
- a. is/are placed with the department for care and supervision, and
- 1) the parent, guardian, or legal custodian shall execute all documents necessary to release confidential information regarding the child(ren), including medical, mental, and educational reports, and shall also, within 7 days, provide the department with the name(s) and address(es) of the medical provider(s) for the child(ren). Any medical provider of the child(ren) shall release the medical records of the child(ren) to the department.
  - 2) if a home study has not yet been completed, then one shall be performed by the department and a copy of the home study submitted to the court not more than 30 days after the placement.
  - 3) upon request, the department shall release to the foster parent the information concerning the child(ren) in accordance with MCL 712A.13a(15).

**IT IS ORDERED:** (continued)

b. remain home with or is/are released to \_\_\_\_\_ under the supervision of the  
Name(s) of parent(s), guardian, or legal custodian  
department.  The following terms and conditions apply to the parent(s)/guardian/legal custodian:

c. because the parent(s) released the child(ren) pursuant to the adoption code, the child(ren) is/are  
 committed to the department for permanency planning, supervision, care, and placement under MCL 400.203.  
 other:

A posttermination review hearing will be held \_\_\_\_\_ .  
Date

22. While the child(ren) is/are placed out of the home, the friend of the court shall redirect current support due on behalf of the child(ren) to the person with whom the child(ren) is/are placed as long as that person is not receiving foster care maintenance payments. Unpaid child support that charged during the unfunded placement shall also be redirected unless otherwise assigned.

23. The director of the department is appointed special guardian to receive any benefits now due or to become due the child(ren) from the government of the United States.

24.  a. The parent(s), guardian, or legal custodian shall comply with, and benefit from, the case service plan.  In addition,

b. The parent(s) need not comply with, and benefit from, the case service plan because parental rights were released pursuant to the adoption code.

c. The parent(s) need not comply with, and benefit from, the case service plan because jurisdiction of the court is terminated.

25. Sibling contact shall be as follows:

26.  a. Parenting time of \_\_\_\_\_ is  
 unsupervised.  supervised until further order of the court.  
 The department has discretion to allow unsupervised or supervised parenting time by its designee.

b. Parenting time of \_\_\_\_\_ is  
 unsupervised.  supervised until further order of the court.  
 The department has discretion to allow unsupervised or supervised parenting time by its designee.

c. Parenting time of \_\_\_\_\_ is  
 unsupervised.  supervised until further order of the court.  
 The department has discretion to allow unsupervised or supervised parenting time by its designee.

d.

27. Reimbursement:

**IT IS ORDERED:** (continued)

28. Other: (Attach separate sheet if needed.) (An order for child support must comply with MCR 3.973[F][5] and MCR 3.211.)

29. Prior orders remain in effect except as modified by this order.

30. Review hearings shall be held as follows:

(Note: The review hearing shall not be delayed beyond the number of days required regardless whether a petition to terminate parental rights or another matter is pending. MCL 712A.19a provides that the permanency planning hearing shall not be delayed beyond 12 months from the date of removal of the child and every 12 months thereafter.)

dispositional review hearing \_\_\_\_\_  dispositional review hearing \_\_\_\_\_  
 permanency planning hearing \_\_\_\_\_

The supervising agency shall provide documentation of progress relating to all aspects of the last court-ordered treatment plan, including copies of evaluations and therapy reports and verification of parenting time, not later than 5 business days before the scheduled hearing.

31.  Notice of the next hearing has been provided as required by law.  Notice of the next hearing shall be provided.

Recommended by: \_\_\_\_\_ Date \_\_\_\_\_  
Referee signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge