

PRE-TRIAL FINDINGS/ORDER

IN THE JUVENILE COURT OF _____ COUNTY, NEBRASKA

IN THE INTEREST OF

CASE NUMBER: _____

CHILD/CHILDREN UNDER EIGHTEEN YEARS OF AGE

**PRE-TRIAL FINDINGS/
ORDER**

1. On _____, _____, this matter came on before the Court for a Pre-Trial Hearing on the original petition subsequent petition supplemental petition other (specify): _____.

2. Appearing in court were:
 Child(ren) (Name, DOB, etc): _____

GAL for child(ren): _____

Attorney for child(ren): _____

Mother: _____

Attorney for mother: _____

Father: _____

Attorney for father: _____

Father: _____

County attorney: _____

NDHHS: _____

Facilitator: _____

CASA: _____

Other: _____

3. **EXHIBITS OFFERED AND ADMITTED INTO EVIDENCE:**
 None Case Plan/ Court Report CASA Report GAL Report Visitation Report
 Caregiver Information Form FCRB Report Other: _____

THE COURT FINDS AND ORDERS:

4. Notice of the date, time, and location of the hearing was properly given as required by law.

5. The child(ren)'s legal **removal date** from the parental home is: _____, _____. The child(ren) have been in out-of-home placement for _____ months.

6. **CHILD(REN) NOT DETAINED**
a. Services that would prevent the need for further detention are available.
b. The child(ren) is returned to the custody of: mother
 father: _____
 other (specify): _____

- c. The child(ren) and mother father: _____
 other (specify): _____ are placed under the supervision of NDHHS for a minimum of 6 months pursuant to their voluntary agreement to informal supervision and the provision of services as set forth in the case plan.

CHILD(REN) DETAINED

- a. Placement in the parent's or legal guardian's home is contrary to the child(ren)'s best interests, health, safety, and welfare because/until: _____
- b. Reasonable efforts were made to prevent or eliminate the need for removal from the home, including:
1. _____
 2. As in Exhibit _____
 3. As in Case Plan Court Report _____
 4. Other _____
- but out-of-home placement is necessary at this time.
- Reasonable efforts were **not** made to prevent or eliminate the need for removal from the home.
- Reasonable efforts to prevent or eliminate the need for removal are not required because:
1. The parent has subjected the child to aggravated circumstances in accordance with § 43-283.01, Subd. 4(a).
 2. The parent of the child has committed or attempted to commit murder or voluntary manslaughter or committed felony assault, in accordance with § 43-283.01, Subd. 4(b).
 3. The parental rights of the parent to a sibling of the child have been involuntarily terminated.
- Reasonable efforts would not have prevented removal because the child(ren) were unsafe.
- c. The child(ren) remain or shall be placed in the protective custody of NDHHS.
- d. The child(ren) remain or shall be placed in:
- The assessed home of a relative
 - An emergency shelter
 - Other suitable licensed place
- e. Services, including those set forth in 8, are to be provided to the family as soon as possible to reunify the child(ren) with the family.
- f. The children were removed from the Indian custodian or parent to prevent imminent physical damage or harm to the child.
- g. Relative Placement
- There is a relative who is able, assessed and willing to care for the child.
 - A relative who is able, assessed, and willing to care for the child is not available.
 - There is a relative who is willing to care for the child, and NDHHS shall assess the relative as a placement option.
 - NDHHS shall actively search for a relative who is willing and able to care for the child.

7. The child(ren): _(specify)_____ is or may be an Indian child under the Indian Child Welfare Act and NDHHS must provide notice of the proceeding and of the tribe's right to intervene in the proceeding to all identified tribes and to the Bureau of Indian Affairs if the identity or location of a parent, an Indian custodian, or a tribe cannot be determined. Proof of such notice must be filed with this Court.

8. The following services will be offered and provided pending further proceedings:
- | Service | Mother | Father: _____ | Other: _____ |
|---|--------------------------|--------------------------|--------------------------|
| a. <input type="checkbox"/> Alcohol <input type="checkbox"/> Drug testing | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. <input type="checkbox"/> Substance abuse treatment | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. <input type="checkbox"/> Parenting education | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. <input type="checkbox"/> Parenting assessment | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e. <input type="checkbox"/> Psychological assessment | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f. <input type="checkbox"/> (specify): _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| g. <input type="checkbox"/> (specify): _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

9. Notice and the right to be heard has been provided to the foster/preadoptive parents/relative caregiver by the Court as required by N.R.S. § 43-1314.

10. A Family Group Conference in this matter shall be arranged by NDHHS and held as soon as possible.

11. Other: _____

12. The next hearing is scheduled as follows:

Hearing Date: _____ **Time:** _____ **Court Room:** _____

- a. Adjudication Hearing
- b. Disposition Hearing
- c. Pre-trial hearing
- d. Settlement conference
- e. Other: _____

The permanency planning hearing is scheduled as follows:

Hearing Date: _____ **Time:** _____ **Court Room:** _____

13. All prior orders not in conflict with this order remain in full force and effect.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED AS HEREIN ABOVE SET.

DATED: _____, _____

BY THE COURT:

_____, JUDGE

REGARDING ALLEGATIONS OF ABUSE OR NEGLECT

NOTICE: PLACEMENT OF YOUR CHILD IN FOSTER CARE MAY RESULT IN YOUR LOSS OF YOUR RIGHTS TO YOUR CHILD. IF YOUR CHILD STAYS IN FOSTER CARE FOR 15 OF THE MOST RECENT 22 MONTHS, THE COUNTY ATTORNEY OR GUARDIAN AD LITEM MAY BE REQUIRED BY LAW TO FILE A PETITION TO TERMINATE YOUR PARENTAL RIGHTS AND UNDER CERTAIN CIRCUMSTANCES MAY FILE BEFORE THE END OF THE 15-MONTH PERIOD.