

PRE-TRIAL FINDINGS/ORDER

JC 14:11(3) NEW 11/07
Neb. Rev. Stat. § 43-247(3)(a)

IN THE JUVENILE COURT OF _____ COUNTY, NEBRASKA

CASE NUMBER: _____

IN THE INTEREST OF

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. Alcohol Drug testing
 - b. Substance abuse treatment
 - c. Parenting education
 - d. Parenting assessment
 - e. Psychological assessment
 - f. (specify): _____
 - g. (specify): _____

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: _____
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- 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: _____
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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.