

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, KANSAS

IN THE INTEREST OF

Name \_\_\_\_\_  
DOB xx /xx / \_\_\_\_ A  male  female

Case No. \_\_\_\_\_

Name \_\_\_\_\_  
DOB xx /xx / \_\_\_\_ A  male  female

Case No. \_\_\_\_\_

Name \_\_\_\_\_  
DOB xx /xx / \_\_\_\_ A  male  female

Case No. \_\_\_\_\_

**CHANGE IN PLACEMENT FINDINGS ORDER**

Pursuant to K.S.A. 38-2258

Now on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, the Court considers the change of placement of the child(ren) named above.  **The Secretary has requested findings relating to the change in placement; the Court relies on the documentation submitted by the Secretary and there are no appearances.** or  **The matter comes on for hearing and the following appear:**

- The petitioner appears by \_\_\_\_\_  **County/District Attorney or designee**  **other** \_\_\_\_\_.
- The child(ren) appears**  **in person and**  **not in person, but by the child(ren's) guardian ad litem,** \_\_\_\_\_.
- Name of Mother, the mother  **appears in person pro se**  **appears in person, and through her attorney,** \_\_\_\_\_  **appears not in person, but by and through her attorney** \_\_\_\_\_  **does not appear.**
- Name of Father, the  **father**  **putative father of** Name of child,  **appears in person pro se**  **appears in person, and through his attorney,** \_\_\_\_\_  **appears not in person, but by and through his attorney,** \_\_\_\_\_  **does not appear.**
- Name of Father, the  **father**  **putative father of** Name of child,  **appears in person pro se**  **appears in person, and through his attorney,** \_\_\_\_\_  **appears not in person, but by and through his attorney,** \_\_\_\_\_  **does not appear.**
- Name of Father, the  **father**  **putative father of** Name of child,  **appears in person pro se**  **appears in person, and through his attorney,**

- \_\_\_\_\_  appears not in person, but by and through his attorney,  
 \_\_\_\_\_  does not appear.
- (Other parent appearances) \_\_\_\_\_  
 \_\_\_\_\_
- Interested parties appearing are:  
 \_\_\_\_\_
- The Secretary is present through \_\_\_\_\_  
 \_\_\_\_\_
- Also present is/are: \_\_\_\_\_  
 \_\_\_\_\_

The Court finds that:

the change in placement planned by the Secretary is not in the best interests of the child(ren) and the Secretary shall make an alternative placement. The Court recommends the following placement: \_\_\_\_\_.

or

the change in placement planned by the Secretary is in the best interests of the child(ren)

The Court further finds  the child(ren) is likely to sustain harm if not immediately removed from the home  allowing the child(ren) to remain in the home is contrary to the welfare of the child(ren) or  immediate placement of the child(ren) is in the best interest of the child(ren) (Specify basis for finding for each child) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

and

reasonable efforts have been made to maintain the family unit and prevent the unnecessary removal of the child or  an emergency exists which threatens the safety of the child. (Specify basis for finding for each child) \_\_\_\_\_

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IT IS SO ORDERED.

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Judge of the District Court

Authority

K.S.A. 38-2258.

Notes on Use

Except when an emergency exists, as provided in K.S.A. 38-2259, the secretary shall give written notice of any plan to move a child to a different placement if the child has been placed in a parent's or relative's home, or if the child has been in the same foster home or shelter facility for six months or longer, unless the move is to the selected preadoptive family for the purpose of facilitating adoption. A parent, foster parent, guardian *ad litem* or child (if 12 years of age or more) may request a hearing on whether or not the change in placement is in the best interest of the child, or it may be heard on the court's own motion. When a hearing is requested or scheduled, the secretary shall not change the placement of the child, except for the purpose of adoption, unless the change is approved by the court. After hearing a request to review the secretary's planned change in placement, the court may find that the planned placement is not in the best interest of the child, and the secretary shall make an alternative placement. Or the court may approve the change in placement, finding that it is in the best interest of the child. If the court so finds and the change of placement is the removal of the child from the home, after having been placed in the home for six months or longer, ASFA requirements apply, and the court must make the reasonable efforts and contrary to welfare findings set out in the form. If a hearing is not requested, and the change of placement is the removal of the child from the home, after having been placed in the home for six months or longer, the secretary shall request findings from the court that meet the ASFA requirements, as set out in the form. In that case the court may rely on documentation submitted to the court in making the findings. The court shall provide the secretary with a copy of the findings within 45 days of the request.