

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

IN THE INTEREST OF

Name \_\_\_\_\_

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

Year of Birth \_\_\_\_\_ A  male  female

**JOURNAL ENTRY AND ORDER  
OF REHEARING OF DISPOSITION**

Pursuant to K.S.A. 38-2256 and 42 U.S.C. § 671 *et seq.*

*(Orders pertaining to more than one child must include findings specific to each child listed in the caption.)*

Now on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, the above-captioned matter comes on for rehearing of disposition,  on the Court's own motion  on the motion of \_\_\_\_\_.

The Court finds that each child named above has been adjudicated a Child in Need of Care, and that the Indian Child Welfare Act (ICWA) is not applicable. *(If there is reason to know the child is an Indian child, use ICWA Form 218.)*

The Court finds that jurisdiction and venue are proper. Notice to parties, interested parties and those required to receive notice has been given as required by K.S.A. 38-2254.

The petitioner appears by \_\_\_\_\_  County/District Attorney or designee  other \_\_\_\_\_.

The child appears  in person and  not in person, but by the child's guardian *ad litem*, \_\_\_\_\_.

\_\_\_\_\_, 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.

\_\_\_\_\_, the  father  putative father of \_\_\_\_\_,  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.

Interested parties appearing: \_\_\_\_\_

The Secretary appears through \_\_\_\_\_

\_\_\_\_\_

Also present: \_\_\_\_\_

\_\_\_\_\_

THE COURT FINDS:

1. The child named above has been adjudicated a Child in Need of Care and the Court's previous findings and orders:

- shall remain in full force and effect.
- shall remain in full force and effect to the extent that they are not inconsistent with any findings or orders in the present order, and except that it is now in the best interest of the child.

2. Appropriate public and private agencies  **have made**  **have not made** reasonable efforts to facilitate the permanency plan. (*Specify basis for the finding.*)

\_\_\_\_\_

\_\_\_\_\_

3. The Court  **approves and adopts the proposed permanency plan as the plan for permanency in the present matter** or  **does not approve the proposed permanency plan and orders a new permanency plan submitted to the Court within 30 days.**

4. THE COURT FURTHER FINDS:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5. THE COURT THEREFORE FINDS AND ORDERS:

(If this is the first order removing a child from parental custody, complete and attach Form 107.)

A grandparent has requested custody and, in evaluating what custody, visitation and residency arrangements are in the best interests of the child, substantial consideration is given to the wishes of the parents, child, and grandparent; the extent that the grandparent has cared for the child; the intent and circumstances under which the child is placed; and the physical and mental health of all involved individuals.

The above name child  **shall be**  **shall remain** placed in custody of:

- \_\_\_\_\_ a parent.
- \_\_\_\_\_ a relative.
- \_\_\_\_\_ an unlicensed person with close emotional ties to the child.
- \_\_\_\_\_ a youth residential facility.

- \_\_\_\_\_ a shelter facility.
- The Secretary, if the child is 15 years of age or younger, or 16 or 17 years of age if the child has no identifiable parental or family resources or shows signs of physical, mental, emotional or sexual abuse.

AND

- A child support order shall issue.
  - Each parent shall submit information to the child support office for a child support order to be prepared, or present documentation of a current child support order within \_\_\_\_\_ days.
6. THE COURT ORDERS all providers of services including educational services, treatment, education or care of the child and family, even if not specifically referred to herein, to provide information including any and all educational records to the secretary, any entity providing services to the child and family, counsel for the parties including the county or district attorney, appointed CASA, Citizen Review Board members, the court, and each other to the extent needed to ensure the safety of the child, prevent further abuse or neglect, and to provide appropriate treatment, care and services to the child and family. This order encompasses and complies with the provisions of the Family Education Rights and Privacy Act (20 U.S.C. 1232g; 34 C.F.R. 99 and the Privacy Rule of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 45 C.F.R. 164.512(e)(1).

7. THE COURT FURTHER ORDERS:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

8.  A restraining order shall be filed against \_\_\_\_\_.

9.  **The Secretary**  **Court Services**  \_\_\_\_\_ shall complete reports and submit them to the Court by \_\_\_\_\_.

THE COURT FURTHER ORDERS this matter set for review hearing before  the Court  the CRB on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_  a.m.  p.m. and for permanency hearing before  the Court  the CRB on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_  a.m.  p.m.

IT IS SO ORDERED THIS \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.