

IN THE DISTRICT COURT OF _____ COUNTY, KANSAS

IN THE INTEREST OF

Name _____

Case No. _____

Year of Birth _____ A male female

EMERGENCY CHANGE OF PLACEMENT FINDINGS ORDER

Pursuant to K.S.A. 38-2259

Now on this _____ day of _____, _____, the Court considers the Secretary's request for findings relating to the emergency change of placement of the child named above which occurred on the _____ day of _____, _____. **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 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.**

(Other parent appearances) _____

- Interested parties appearing are: _____

- The Secretary appears through: _____

- Also present: _____

If the child was removed from the home of the parent, then form 107 applies. Otherwise, the Court finds:

an emergency existed.

OR

the foster facility refused to allow the child to remain.

IT IS SO ORDERED.

Authority

K.S.A. 38-2259.

Notes on Use

The secretary may change the placement of a child and move a child without notice and prior court approval when an emergency exists. The secretary shall notify the court of the action at the earliest practical time and shall request a contrary to welfare finding by the court. If the child was removed from the home of a parent after having been placed in the home for a period of six months or longer, Form 107 shall be used. In entering an order in response to this request, the court shall make a finding as to whether an emergency existed, as provided in the form. The court may enter the order based on documentation submitted by the secretary, or the court may set the matter for hearing. The court shall provide the secretary with a written copy of the order within 45 days of the date of the request.