

IN THE DISTRICT COURT OF _____ COUNTY, KANSAS

IN THE MATTER OF THE MARRIAGE OF:

VS.

Case No. _____

***CUSTODY ORDER FOR NON-PARENTAL RESIDENCY**

JOURNAL ENTRY ON FILE

Pursuant to K.S.A. 23-2707(a)(3) and 23-3207(c)

(Orders pertaining to more than one child must include findings specific to each child.)

On this _____ day of _____, 20____ this matter comes before the Court, Judge _____ presiding.

THE COURT HEREBY FINDS:

- Appropriate public or private agencies have made reasonable efforts but have failed to maintain the family and prevent the unnecessary removal of the child from the child's home or reasonable efforts are not required to maintain the child in the home because an emergency exists which threatens the safety of the child as follows: *(List findings of fact)*

AND

- The child is likely to sustain harm if not immediately removed from the home; remaining in the home or returning to the home would be contrary to the welfare of the child; and/or, immediate placement is in the best interest of the child. *(List findings of fact)*

THE COURT FURTHER FINDS THERE is probable cause to believe that the child is a Child in Need of Care as defined by subsections (d)(1)(2) or (3) of K.S.A. 38-2202 and amendments thereto or that neither parent is fit to have residency.

IT IS THEREFORE CONSIDERED ORDERED AND DECREED: _____, child of the petitioner and the respondent in the above captioned case, shall be placed in the temporary custody of:

- _____, a grandparent, aunt, uncle or adult sibling.
- The Secretary of the Department for Children and Families.
- _____.

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.

THE COURT FURTHER ORDERS all providers of services, treatment or care of the child and family, even if not specifically referred to herein, to provide information 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 and family, prevent further abuse or neglect, and to provide appropriate treatment to the child and family. This order encompasses the provisions of the Privacy Rule of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 45 C.F.R. 164.512(e)(1).

THE COURT FURTHER FINDS THAT the Indian Child Welfare Act (ICWA) is applicable is not applicable applicability is undetermined. Petitioner has given shall give notice to the Tribe.

IT IS FURTHER ORDERED that a copy of this order and a transcript of this proceeding be delivered to the County/District Attorney within ____ days of this date and that the County/District Attorney shall file a petition as provided in K.S.A. 38-2234 and amendments thereto.

IT IS SO ORDERED THIS _____ day of _____, 20_____.

Judge of the District Court