



**DISPOSITION ORDER
PUBLIC OFFENSE**

Case No. _____
Court [] District [] Family
County _____
Division _____

IN THE INTEREST OF: _____, A CHILD

FINDINGS OF FACT and CONCLUSIONS OF LAW

The Court being sufficiently advised makes the following Findings of Fact and Conclusions of Law:

1. The child was present and properly before this Court pursuant to KRS 610.010 and 610.020.
2. The child was represented by counsel whose name is: _____.
3. The Court has found beyond a reasonable doubt that the child committed the following offense(s):

4. The Court has reviewed a suitable predisposition investigation report pursuant to KRS 610.100 dated _____.
5. The predisposition investigation report has been waived by the child, who is represented by counsel, and the Department of Juvenile Justice has consented to the waiver as appropriate.
6. Additionally, the Court has received the following written or oral report(s):

7. **CONTRARY TO THE WELFARE DETERMINATION.** (Check **one** if applicable. If the court finds that continuation in the home is not contrary to the welfare of the child or that placement of the child is not in the child's best interest, do not check either box.)
 Continuation of the child's residence in the home is contrary to the welfare of the child; **or**
 Placement of the child would be in the child's best interest.
8. **REASONABLE EFFORTS DETERMINATION.** (Check **a, b, or c** if applicable. Failure to make one of these findings indicates the Court believes that reasonable efforts were required and were not made.)
 - a. Reasonable efforts were made to prevent the child's removal from the home.
 - b. Reasonable efforts to preserve or reunify the child with his/her family are not required because: (check one)
 - i. The parent has subjected the child to aggravated circumstances (as defined by state law, which may include but is not limited to abandonment, torture, chronic abuse, and sexual abuse); **or**
 - ii. The parent has:
 - Committed murder of another child of the parent;
 - Committed voluntary manslaughter of another child of the parent;
 - Aided or abetted, attempted, conspired, or solicited to commit such a murder or voluntary manslaughter;
 - Sexually abused the child; or sexually abused another child of the parent; or is required to register on a sex offender registry under 42 U.S.C. sec. 16913, the Adam Walsh Child Protection and Safety Act of 2006; **or**
 - Committed a felony assault that results in serious bodily injury to the child or another child of the parent.
 - iii. The parental rights of the parent with respect to a sibling have been terminated involuntarily.
 - c. **ICWA Cases Only.** Active efforts have been made to provide services to the family to prevent removal of an American Indian child from his/her parent or American Indian custodian.
9. Pursuant to KRS 610.170 the Court finds that the parent or other person exercising custodial control or supervision of the child **is** **is not** able to contribute to the support, maintenance, or education of the child.

ORDER

IT IS HEREBY ORDERED:

- 1. The child has waived a separate disposition hearing.
- 2. A fine of \$_____ is imposed.
- 3. Restitution or reparation in the amount of \$_____ shall be paid by:
 - Parent, guardian or person exercising custodial control _____ (the Court having provided notice of this hearing and an opportunity to be heard, and having found that the person's failure to exercise reasonable control or supervision was a substantial factor in the child's delinquency).
 - Child
as follows: _____

- 4. The child is hereby ordered to be supervised by his or her parent, in the child's own home or in a suitable home or boarding home, _____ subject to the following conditions:

Duration of supervision: _____ Days _____ Months _____ Years

- 5. Probation: Terms or Conditions placed on the child, pursuant to JCRPP 18:

To be monitored by:

- Department of Juvenile Justice
- Court
- Other suitable third party: (Name) _____

Graduated sanctions shall be imposed by the monitoring agency or party pursuant to KRS 635.060(2)(b)2. and JCRPP 18 prior to seeking court-imposed sanctions for probation violations.

Duration of probation: _____ Days _____ Months _____ Years

The following sanctions may be imposed by the Court if the terms or conditions of probation are violated:

- 6. Detention: The child shall be confined in an approved secure detention facility or detention program.
 - To be served beginning: _____
 - Duration of detention: _____ Days _____ Months _____ Years
 - Probated for the following term: _____ Days _____ Months _____ Years
 - Subject to the following: _____

- 7. Commitment: The child is ordered committed or recommitted to the custody of the Department of Juvenile Justice.

The child shall remain in community placement until the Department of Juvenile Justice finalizes placement.

Duration of commitment: _____ Days _____ Months _____ Years

- The commitment is probated under the following conditions:

for the following term: _____ Days _____ Months _____ Years

Failure to comply with the terms of the probated commitment may result in the following sanctions:

The commitment is suspended under the following conditions:

for the following term: _____ Days _____ Months _____ Years

Failure to comply with the terms of the suspended commitment may result in the following sanctions:

The Court's advisory recommendations authorized by KRS 635.060, if any, with regard to this child are:

- 8. (If the child is committed or otherwise placed outside the home) CHILD SUPPORT is ordered as indicated on **AOC-152, Uniform Child Support Order And/Or Wage/Income Withholding Order.** KRS 610.170.
- 9. That the Department of Public Advocacy attorney fees are assessed in the amount of \$ _____, payable to: _____ County Circuit Court Clerk and are due on or before _____, 2_____.
- 10. That Court costs in the amount of \$ _____ are assessed against the child the child's parent / legal guardian whose name / address is _____

(not to be assessed if parent / guardian is victim or complainant). If assessed against the child alone, to be paid:

- in full;
- in installments as follows: _____; or
- by community labor as follows, at the state minimum wage rate: _____.

- 11. Parent or Guardian: Pursuant to KRS 610.160, you are ordered to cooperate and actively participate in any treatment or other programs the Court has ordered for your child. Failure to do so may, after hearing, subject you to contempt of court sanctions.

This matter shall be set for Review on: _____, 2_____ at _____ a.m. p.m.

THIS ORDER SHALL BE EFFECTIVE THROUGH: _____, 2_____

THIS IS A FINAL AND APPEALABLE ORDER.

Date

That the superintendent/principal of _____ school at the following address _____ attended by the child, be given notice of this Disposition pursuant to KRS 610.345(3).

_____, 2_____.
Date

Judge

DISTRIBUTION:

Original to Court File

- Child
- Child's Attorney
- Child's Parent/Guardian/PECCS
- County Attorney
- Pursuant to KRS 610.110, a certified copy of this Order must be sent to the Department of Juvenile Justice, or the facility or child-caring or child-placing agency to which the child is committed.
- Superintendent/principal, if ordered