

AOC-DNA-5
 Rev. 1-21
 Page 1 of 3
 Commonwealth of Kentucky
 Court of Justice www.kycourts.gov
 KRS 610.010, .050, .070, .080, .110
 KRS 610.160, .170
 KRS 620.023, .027, .100, .140, .220
 FCRPP 21; 27(a) & (b); 42 U.S.C. § 675(5)(G)



**ORDER
 DISPOSITION HEARING**

Case No. _____
 Court District Family
 County _____
 Division _____
 Hearing Type: Disposition (D)

IN THE INTEREST OF: _____, A CHILD

| DOB | Sex | Race | SSN |
|-----|-----|------|-----|
| | | | |

The following persons were present at today's hearing:

- Mother Father Child County Attorney CHFS Worker _____
- Other Person Exercising Custodial Control or Supervision (PECCS) _____
- Counsel for Child _____ Counsel for Mother _____
- Counsel for Father _____ Counsel for PECCS _____
- CASA _____ Stepparent(s) _____
- Foster Parent(s) _____
- Person(s)/Agency providing care _____
- Other _____

FINDINGS OF FACT/CONCLUSIONS OF LAW

NOTE: If additional space is needed for findings, attach as an addendum.

The Court having considered the sworn testimony and evidence, and being otherwise sufficiently advised, hereby finds and concludes:

- The facts **do not** support removal or continued removal of the child, or there are less restrictive alternatives to removal that are adequate to reasonably protect the child.

OR

- The facts **do** support removal or continued removal of the child, or there are no less restrictive alternatives to removal that are adequate to reasonably protect the child. **The specific findings are as follows:**

- The child's *best interests* **require** **do not require** the Court to order a change of custody of the child.

- Continuation in the home of removal** **is** **is not contrary to the welfare of the child.**

4. REASONABLE EFFORTS:

- Reasonable efforts were made to prevent the child's removal from the home.
- Reasonable efforts to preserve or reunify the child with his/her family are not required pursuant to KRS 610.127.
- Reasonable efforts were not made to prevent the child's removal or continued removal from the home.
- ICWA Cases Only.** Active efforts have been made to provide services to the family to prevent removal of the American Indian child from his/her parent(s) or American Indian custodian(s) and to reunify the American Indian child with his/her parent(s) or American Indian custodian(s) (if removed).

- 5. The Court **has** **has not** received from the Cabinet for Health and Family Services (CHFS) an AOC-DNA-12, Dependency/Neglect or Abuse Dispositional Report, concerning disposition of the child.
- 6. Pursuant to KRS 610.170, the parent(s) or other person(s) exercising custodial control or supervision of the child **is** **is not** able to contribute to the support, maintenance or education of the child. If able to contribute, child support may be ordered using an AOC-152, Uniform Child Support Order And/Or Wage/Income Withholding Order.

ORDER

WHEREAS, the above-named child has been brought before this Court pursuant to KRS 610.010, the Court finds its jurisdiction has been properly sought and based upon the findings of fact and conclusions of law, **IT IS HEREBY ORDERED THIS CHILD SHALL:**

Doc. Code:

- 1. **ODCOM** Be committed, or remain committed, to CHFS.
- ODTCR** Be placed/Remain out of the home of removal with relative(s) or other appropriate person(s) or agency named below.
- ODRR** Be returned/released to home of removal.
- ODREM** Remain in the home.

NOTE: *An Order of Temporary Custody to CHFS IS NOT a permissible dispositional alternative. (KRS 620.140(2))*

Name, address and relationship of person(s) with whom custody is granted if other than commitment to CHFS:

Name: _____

Address: _____

Relationship: _____

- 2. The parent(s), guardian(s) or other person(s) exercising custodial control or supervision shall cooperate with CHFS and actively participate in any treatment or social service program. (KRS 610.160)
- 3. The AOC-DNA-12, Dependency/Neglect or Abuse Dispositional Report, with the recommendations of CHFS *has been received, accepted and is incorporated herein as ORDERS of this Court.*

OR

The AOC-DNA-12, Dependency/Neglect or Abuse Dispositional Report, with the recommendations of CHFS *has been received, accepted and is incorporated herein as ORDERS of this Court WITH THE EXCEPTION OF THE FOLLOWING:*

OR

The Court **has** **has not** received an AOC-DNA-12, Dependency/Neglect or Abuse Dispositional Report. However, in lieu of any recommendations included in the AOC-DNA-12, the Court makes the following ORDERS:

4. **APPOINTMENT OF COUNSEL: Counsel as provided for in KRS 620.100(1) has been/will be appointed by separate order, AOC-DNA-10, Order Appointing Counsel.**

5. Pursuant to KRS 610.080, the child and the parent(s) have waived their right to two (2) distinct hearings being held on separate days after consultation with the child's attorney; and, further waive the right to a formal predisposition investigation report and move that an adjudication and a disposition hearing be held the same day. Further:

If the disposition is to be commitment, DCBS/DJJ has also consented to the waiver.

6. **For commitment under KRS 620.140:** Child needs protection extraordinary services (KRS 600.050).

7. OTHER ORDERS:

_____.

NEXT HEARING WILL BE HELD _____, 2_____, at _____ a.m. p.m. at the following location:

Hearing Type: Review (REV) 6 Month Permanency Progress Review (PPR) Independent Living Review (ILR)
 Annual Permanency Hearing (APR) Other (OH) _____

The following persons shall be present:

ALL PARTIES AND COUNSEL OF RECORD Except: _____

AND:

- CASA _____
- Stepparent(s) _____
- Foster Parent(s) _____
- Person(s)/Agency providing care _____
- Other _____

_____, 2_____
Date

Judge's Signature

Distribution:

- Court File
- Certified copy to Cabinet for Health and Family Services or facility or agency where the child is committed or placed
- All counsel of record and/or parent(s)/custodian(s) if the child not represented by counsel