

AOC-DNA-9  
 Rev. 7-18  
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 Commonwealth of Kentucky  
 Court of Justice *www.courts.ky.gov*  
 KRS 620.027; KRS Chapter 403  
 FCRPP 17, 21 & 29  
 42 U.S.C. § 675(5)(G)



**ORDER  
 PERMANENT CUSTODY  
 PURSUANT TO KRS 620.027**

Case No. \_\_\_\_\_  
 Court  District  Family  
 County \_\_\_\_\_  
 Division \_\_\_\_\_

**NOTE: The Permanency Hearing Order (DNA-6) may also be used in conjunction with this Order when the child is being released from his or her commitment to the Cabinet or DJJ into a permanent placement in order to ensure compliance with federal requirements.**

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  Counsel for Child  Counsel for Mother
- Counsel for Father  Counsel for Other Person Exercising Custodial Control or Supervision (PECCS)
- Stepparent \_\_\_\_\_
- PECCS \_\_\_\_\_
- Foster Parent(s) \_\_\_\_\_
- Person(s)/Agency providing care \_\_\_\_\_
- Pre-Adoptive Parent(s), if any \_\_\_\_\_
- CASA volunteer  Other Family Member \_\_\_\_\_
- Other \_\_\_\_\_

The child's parents and other appropriate persons  **were**  **were not** notified of this hearing by the Court.  
 Notice was not provided because: \_\_\_\_\_

**ORDER**

WHEREAS, the above-named child was previously found to be dependent OR neglected or abused, and now having need for a permanent placement and custody order, was brought before this Court pursuant to KRS 620.027 and Chapter 403, the Court finds its jurisdiction has been properly sought and based upon the findings of fact and conclusions of law, **IT IS HEREBY ORDERED:**

Doc. Code:

- ODPCR**  If the child is/was committed to CHFS or DJJ the child is hereby discharged from his/her commitment and placed in the permanent custody of the person(s) listed below.
- OPCR**  The child is placed in the permanent custody of the person(s) listed below.

Name, address and relationship to the child of person to whom permanent custody is granted:

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 Relationship: \_\_\_\_\_

- Child Support **ORDERED. (Use AOC-152 Uniform Child Support Order And/Or Wage/Income Withholding Order.)**  
 (KRS 610.170)
- The child having achieved permanency, CHFS or DJJ is hereby relieved of further obligations relating to this case.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

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

The Court having jurisdiction of this matter has considered the length of time the child has been in the care of \_\_\_\_\_, the existence of a stable custodial relationship, the current ability of the parent(s) to provide for the child, and the need for permanency for the child, and hereby makes the following finding(s):

1. It has been established by clear and convincing evidence that:

A.  **PARENT(S):**  The child should be placed in the custody of \_\_\_\_\_, pursuant to the following findings: \_\_\_\_\_

**OR**

B.  **NON PARENT CUSTODIAN:** The court finds that the party or parties petitioning for permanent custody has/have standing to pursue custody under the following facts: \_\_\_\_\_

And the court finds that (name(s) and address): \_\_\_\_\_

IS/ARE entitled to permanent custody due to the following facts: \_\_\_\_\_

**OR**

C.  **GRANDPARENT:** The child is residing with a grandparent(s) in a stable relationship, and the Court hereby recognizes the grandparent(s) as having the same standing as a parent for evaluating what custody arrangements are in the best interest of the child pursuant to KRS 620.027;

**OR**

D.  **DE FACTO CUSTODIAN:** The child is residing with a de facto custodian as defined by KRS 403.270(1)(a) as follows:  
 the person(s) has/have been the primary caregiver for, and financial supporter of, a child who has:  
 Resided with the person(s) for a period of six (6) months or more if the child is under three (3) years of age; or  
 Resided with the person(s) for a period of one (1) year or more if the child is three (3) years of age or older or has been placed by the Department for Community Based Services.

**NOTE: Any period of time after a legal proceeding has been commenced by a parent seeking to regain custody of the child shall not be included in determining whether the child has resided with the person for the required minimum period.**

2.  Pursuant to the authority granted in KRS 620.027, custody is being determined in accordance with the best interests of the child and equal consideration has been given to each parent, grandparent(s), de facto custodian or any other qualified third party over an unfit parent or a parent who has waived his or her superior right pursuant to the following factors (*check all that apply*):

- The wishes of child's parent or parents, and any de facto custodian, as to his/her custody;
- The wishes of child as to his/her custodian;
- The interaction and interrelationship of child with parent(s), siblings, and anyone else who may significantly affect the child's best interests;
- The child's adjustment to his/her home, school and community;
- The mental and physical health of all individuals involved;
- The information, records and evidence of domestic violence as defined in KRS 403.720;
- The extent to which the child has been cared for, nurtured, and supported by any de facto custodian;
- The intent of the parent or parents in placing the child with a de facto custodian;
- The circumstances under which the child was placed or allowed to remain in the custody of a de facto custodian, including whether the parent now seeking custody was previously prevented from doing so as a result of domestic violence as defined in KRS 403.720 and whether the child was placed with a de facto custodian to allow the parent now seeking custody to seek employment, work, or attend school.

3. The Court makes the following additional specific findings (separate page may be attached for lengthier findings):

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**CONCLUSIONS OF LAW**

Pursuant to the above findings, the Court has determined it would be contrary to the welfare of the child to return the child to the home of removal; and, that it is in the best interest of the child to be placed in the permanent custody of his/her grandparent(s), de facto custodian or a qualified third party as determined herein. Reasonable efforts have been made to prevent removal of child from parental care or were not required by KRS 610.127. The court finds that it is in the best interest of the child that permanent custody be granted to the above-named person(s).

Date: \_\_\_\_\_, 2\_\_\_\_. \_\_\_\_\_ Judge

Distribution:

- Court file
- Counsel for PECCS/Person Granted Custody
- Counsel for the Child
- Counsel for Parents
- CHFS and/or DJJ, if applicable