

IN THE JUVENILE COURT OF _____ COUNTY
STATE OF GEORGIA

IN THE INTEREST OF:

SEX:
File #

DOB:
Case #

A Child Under 18 Years of Age

ORDER ON MOTION FOR EXTENSION/PERMANENCY ORDER

The above and foregoing matter came before the Court on _____, based upon a Motion for Extension filed by the _____ County Department of Family and Children Services alleging that said child continues to be a deprived child and requesting that said child be continued in the temporary custody and control of the _____ County Department of Family and Children Services.

Based upon the evidence presented, the Court makes the following Findings of Fact and Conclusions of Law by clear and convincing evidence.

FINDINGS OF FACT

1.

Present in Court were:

- | | |
|-----------------------------|--------------------|
| () Mother _____ | () Attorney _____ |
| () Father _____ | () Attorney _____ |
| () (Legal) _____ | () Attorney _____ |
| () (Putative) _____ | () Attorney _____ |
| () DFACS _____ | () SAAG _____ |
| () Other Petitioner _____ | () Attorney _____ |
| () Guardian ad Litem _____ | |
| () Other _____ | |

The following interested part(y)(ies) was/were NOT present: _____

2.

The child is of the age and sex and has the name set forth above. The child is a resident of _____ County, Georgia.

3.

The mother of the child, _____, was/was not present in Court for the hearing. She was notified of the proceedings by (personal service) (certified mail) (publication). (She was not notified of the proceedings because _____.)

The (putative) (legal) father of the child, _____, was/was not present in Court for the hearing. He was notified of the proceedings by (personal service) (certified mail) (publication). (He was not notified of the proceedings because _____.)

4.

The child was removed from his/her home on _____, and entered foster care on _____. The Order granting custody to the Georgia Department of Human Resources through its agent the _____ County Department of Family and Children Services will expire on _____. Since the child was placed in custody, the _____ County Department of Family and Children Services has provided the following services to assist in the reunification of this family: (list the services provided here)

5.

The parents have not availed themselves of these services and have failed to comply with their case plan for reunification as follows: (state how parents have failed to comply)

[5].

[The parents have actively participated in the case plan for reunification and have worked diligently to improve their circumstances. However, immediate reunification is not feasible because (state why).]

[5.]

[The parents have substantially complied with the case plan for reunification and have accomplished the goals required by the Court. The Court finds that the child can be safely returned to the home at this time.]

6.

An extension of the Court's Order entered on _____, is necessary to accomplish the purposes of the Order.

[6]

[An extension of the Court's Order is not appropriate.]

7.

The Department stated that it intends to file a Petition to terminate the parents' parental rights within 60 days and thereafter place the child for adoption.

[The Department stated that it does not intend to file a Petition to terminate the parents' parental rights but to continue to pursue reunification.]

[The Department stated that it does not intend to file a Petition to terminate the parents' parental rights. The child has a bond with the parents and does not wish to have that connection legally severed. The child is placed with the _____ foster family with whom a long term foster care agreement has been signed.]

CONCLUSIONS OF LAW

Based upon the above findings of fact, the Court concludes as follows:

The Court has subject matter jurisdiction over this action and personal jurisdiction over the child and the child's parents. Venue is proper in this Court.

This child is a deprived child as defined in O.C.G.A. Section 15-11-2(8)(A) in that he/she is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for his/her physical, mental or emotional health or morals. [The child is no longer a deprived child.]

The _____ County Department of Family and Children Services made reasonable efforts to make it possible for the child to return home. Return to the home would be contrary to the welfare of the child and continued removal of the child from the home is in the child's best interest. [Continued removal of the child from the home is not in the child's best interest.]

DISPOSITION

The Court HEREBY ORDERS that temporary custody and control of said child be and hereby is continued with the _____ County Department of Family and Children Services.

[The Motion for Extension is HEREBY DENIED. The child is returned to the custody of the parents.] [End of Order]

Permanency Plan: Adoption following Termination of Parental Rights. Prompt filing of a Petition for Termination of Parental Rights is part of making reasonable efforts to find permanency for this child. Failure of the _____ County Department of Family and Children Services to file its Petition for Termination of Parental Rights in a timely manner could result in a finding by the Court that reasonable efforts to achieve the permanency plan in place have not been made. Reunification services shall continue until a termination of parental rights is granted. The _____ County Department of Family and Children Services shall actively pursue obtaining an appropriate adoptive placement of the child.

[Permanency Plan: Reunification with the parents. The facts supporting continued efforts toward reunification are (state facts). It is too early to specify a time certain for reunification because (state why). The plan to achieve reunification within 6 months includes: (state steps to achieve prompt anticipated reunification).

[Permanency Plan: Permanent placement in another planned permanent living arrangement, to wit: permanent placement in the _____ foster home, as shown by a long-term foster care agreement, submitted to the court, which has been signed by the child, the child's parents, the foster parents and the Department representative. The Court has considered reunification, adoption, referral for legal guardianship and permanent placement with a fit and willing relative as possible permanency plans for the child and finds that there is a compelling reason that these plans are not in the child's best interest because

The plan to ensure the stability of this placement is (state plan here).

IT IS FURTHER ORDERED that the _____ County Department of Family and Children Services is authorized to obtain for said child physical examinations, ordinary medical care, and such additional medical treatment and care which, in the opinion of a licensed physician, is necessary for the care and well being of the child.

This Order shall expire on _____, unless sooner terminated by Order of this Court.

IT IS SO ORDERED this ____ day of _____, 20__.

JUDGE, ASSOCIATE JUDGE
_____ County Juvenile Court