

**SUPERIOR COURT OF WASHINGTON**  
**COUNTY OF \_\_\_\_\_**  
**JUVENILE COURT**

Dependency of:

D.O.B.:

NO:

**ORDER OF DEPENDENCY  
(OROD)**

- Agreed
- Contested
- Default
- Clerk's Action Required. Paragraphs 4.1, 4.4, 4.13

**I. HEARING**

1.1 A petition was filed alleging that the above-named child is dependent, and a hearing was held on \_\_\_\_\_ (Date).

1.2 Persons appearing at the hearing were:

- |  |   |
|--|---|
| <input type="checkbox"/> Child                       | <input type="checkbox"/> Child's Lawyer                         |
| <input type="checkbox"/> Mother                      | <input type="checkbox"/> Mother's Lawyer                        |
| <input type="checkbox"/> Father                      | <input type="checkbox"/> Father's Lawyer                        |
| <input type="checkbox"/> Legal Guardian or Custodian | <input type="checkbox"/> Legal Guardian's or Custodian's Lawyer |
| <input type="checkbox"/> Child's GAL                 | <input type="checkbox"/> GAL's Lawyer                           |
| <input type="checkbox"/> Agency Worker               | <input type="checkbox"/> Agency's Lawyer                        |
| <input type="checkbox"/> Probation Counselor         | <input type="checkbox"/> Other _____                            |

1.3  Testimony was taken.

**II. FINDINGS**

2.1 Indian status:

- The child is Indian as defined in 25 U.S.C. 1903 (4).
- The child is not Indian as defined in 25 U.S.C. 1903 (4).
- It has not been determined whether the child is Indian as defined in 25 U.S.C. 1903 (4).

2.2 Indian Child:

- Based upon clear, cogent and convincing evidence, including the testimony of a qualified expert witness, continued custody of the child by the  mother  father  Indian custodian is likely to result in serious physical or emotional harm to the child.

- Active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the break-up of the Indian family, but those efforts have been unsuccessful.
- 2.3  Facts establishing dependency have not been proved.
- 2.4  The following facts establishing dependency have been proved:
  
- 2.5  The child is dependent according to RCW 13.34.030, in that the child:
  - (a)  has been abandoned, as defined in RCW 13.34.030;
  - (b)  is abused or neglected, as defined in Chapter 26.44 RCW, by a person legally responsible for the care of the child; or
  - (c)  has no parent, guardian or custodian capable of adequately caring for the child, such that the child is in circumstances which constitute a danger of substantial damage to the child's psychological or physical development.
  
- 2.6  The child should be placed or remain in the home of the  mother  father  legal custodian  guardian.
- 2.7  It is currently contrary to the child's welfare to return home. The child should be placed or remain in the custody, control, and care of \_\_\_\_\_ [DSHS/Supervising agency] because:
  - there is no parent or guardian available to care for the child;
  - the parent or guardian is unwilling to take custody of the child;
  - the court finds by clear, cogent, and convincing evidence that a manifest danger exists that the child will suffer serious abuse or neglect if the child is not removed from the home, and an order under RCW 26.44.063 will not protect the child from danger;
  
- 2.8  Reasonable efforts have been made by \_\_\_\_\_ [DSHS/Supervising Agency] to prevent or eliminate the need for removal of the child from the child's home and have been unsuccessful because:
  - The health, safety, and welfare of the child cannot be adequately protected in the home;
  - Specific services have been offered or provided to the parent(s), guardian or legal custodian and have failed to prevent the need for out-of-home placement and make it possible for the child to return home. The following services have been offered or provided to the child and the child's parent(s), guardian or legal custodian:
    - as listed in the social study (ISSP); and/or
    - \_\_\_\_\_
    - \_\_\_\_\_;
  - The whereabouts of the  mother  father  alleged father  guardian or  legal custodian is unknown;
  - Other: \_\_\_\_\_
  - \_\_\_\_\_
  - \_\_\_\_\_

- 2.9  Reasonable efforts are not required at this time to attempt to reunify the child with his/her parent(s), guardian or legal custodian because:
- The child has been abandoned;
  - the existence of aggravated circumstances make it unlikely that services will effectuate the return of the child to the parent in the near future. In determining whether aggravated circumstances exist, the court considered and found:
    - that the following factor(s) listed in RCW 13.34.132, exist:
   
\_\_\_\_\_
   
\_\_\_\_\_
   
\_\_\_\_\_
    - other: \_\_\_\_\_.
- 2.10  The child has been removed from the home pursuant to RCW 13.34.130(1)(b), and the supervising agency has recommended that a petition be filed seeking termination of the parent-child relationship between the child's  mother  father and the child. Because of  abandonment of the child and/or  the existence of aggravated circumstances as set forth above, filing of a termination petition is in the child's best interest and \_\_\_\_\_ [DSHS/Supervising agency] is not required to make reasonable efforts to reunify the family.
- 2.11  The child should be placed or remain in:
- relative placement;
  - licensed care:
    - pending completion of agency investigation of relative placement resources;
    - because there is not a relative, willing and available to care for the child, with whom the child has a relationship and is comfortable;
    - because there is reasonable cause to believe that relative placement would jeopardize the safety or welfare of the child; and/or hinder efforts to reunite the parent(s) and child.
- 2.12  The child has been removed from the home and it  is  is not in the child's best interest to have contact or visits with these siblings: \_\_\_\_\_

\_\_\_\_\_.

and, a) the court has jurisdiction over the child(ren) listed above; b) contact or visitation is in the best interest of each child under the court's jurisdiction, and c) there is no reasonable cause to believe that the health, safety, or welfare of any child would be jeopardized or that efforts to reunite the parent and child would be hindered by visitation.

### III. CONCLUSIONS OF LAW

- 3.1 The court has jurisdiction over:
- |                                     |  |
|-------------------------------------|--|
| <input type="checkbox"/> the child  | <input type="checkbox"/> the mother                      |
| <input type="checkbox"/> the father | <input type="checkbox"/> the legal guardian or custodian |
- 3.2 The  mother  father  legal guardian or custodian received timely and proper notice.
- 3.3 Indian Child.
- The child's  tribe and/or  Indian custodian received proper and timely notice.

- The identity or location of the child's  mother  father  Indian custodian  tribe cannot be determined, and the Secretary of Interior (Bureau of Indian Affairs) received proper and timely notice.
- 3.4  The child is not dependent and the matter should be dismissed.
- 3.5  The  mother  father  legal guardian or custodian failed to appear and thus defaulted.
- 3.6 Except where otherwise indicated, the foregoing facts have been established by a preponderance of the evidence.
- 3.7 The child should be found dependent pursuant to RCW 13.34.030.
- 3.8  A termination petition should be filed pursuant to RCW 13.34.132.

#### IV. ORDER

IT IS ORDERED that:

- 4.1  The child is not dependent and the matter is dismissed.
- 4.2  The child is dependent pursuant to RCW 13.34.030.
- 4.3  A social study shall be conducted by \_\_\_\_\_ [Agency] and returned to the court by \_\_\_\_\_ (Date)
- 4.4  A disposition hearing shall be held:  
 On: \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.  
 (Date) (Time)  
 At: \_\_\_\_\_ Court, Room/Department: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_
- 4.5  The child shall be placed or remain in the home of the  mother  father  legal custodian  guardian
- 4.6  The child is placed in the custody, control, and care of \_\_\_\_\_ [DSHS/Supervising agency] which shall have the authority to place and maintain the child in:
  - Relative placement with \_\_\_\_\_ (Name), contingent upon his/her cooperation with the agency case plan and compliance with this and all subsequent court orders regarding parent-child contact, sibling contact and any other conditions related to the child's care and supervision; or
  - Licensed care.
    - pending completion of agency investigation of relative placement resources. \_\_\_\_\_ [DSHS/Supervising agency] is authorized to place the child with a suitable relative without further order of the court;
      - because there is not a relative willing and available to care for the child with whom the child has a relationship and is comfortable;
      - because there is reasonable cause to believe that relative placement would jeopardize the safety or welfare of the child and/or hinder efforts to reunite the parent and the child.
  - A separate restraining order has been entered pursuant to RCW 26.44.063.
- 4.7  The parents shall cooperate with reasonable requests by \_\_\_\_\_ [DSHS/Supervising agency] and provide the department with income and asset information necessary to

establish and maintain the child's eligibility for medical care, evaluations, counseling and other remedial services, foster care reimbursement, and other related services and benefits.

- 4.8 The person or agency having custody of the child shall have full power to authorize and provide all necessary, routine and emergency medical, dental, or psychological care as recommended by the child's treating doctor or psychologist.
- 4.9  The disposition plan and disposition order entered pursuant to RCW 13.34.130 shall be as set forth in the  agency  GAL  parent recommendations to the court, which shall be filed and are hereby adopted:
- in entirety.
  - with the following amendment(s):

Time limits for each court-ordered service and parental requirement shall be:

- as set forth in the recommendations; and/or
- as follows:

- The following is the disposition plan and disposition order entered pursuant to RCW 13.34.130 including time limits for each court-ordered service and parental requirement:

- 4.10  Due to the  abandonment of the child and/or  the existence of aggravated circumstances as found by this court, filing of a termination petition is in the child's best interests and \_\_\_\_\_ [DSHS/Supervising agency] is not required to make reasonable efforts to reunify the family. Within sixty (60) days, \_\_\_\_\_ [DSHS/Supervising agency] shall file a petition to terminate the parent-child relationship between the child's  mother  father and the child. A permanency planning review hearing shall be held within thirty (30) days.

- 4.11  Other:

- 4.12  The agency report for the next review hearing shall be submitted to the court at least \_\_\_\_\_ days, and to all parties at least \_\_\_\_\_ days, prior to the hearing.

- 4.13  The matter is set for a  review  permanency planning hearing:

On: \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.

(Date) (Time)  
At: \_\_\_\_\_ Court, Room/Department: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

Dated: \_\_\_\_\_  
\_\_\_\_\_ JUDGE/COMMISSIONER

Presented by:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Type or Print Name/Title/Bar Number

Copy Received; Approved for Entry; Notice of  
Presentation Waived:

\_\_\_\_\_  
Mother

\_\_\_\_\_  
Father

\_\_\_\_\_  
Mother's Lawyer

\_\_\_\_\_  
Father's Lawyer

\_\_\_\_\_  
Type or Print Name/Bar Number

\_\_\_\_\_  
Type or Print Name/Bar Number

\_\_\_\_\_  
Guardian Ad Litem

\_\_\_\_\_  
Supervising Agency Representative

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Guardian Ad Litem's Lawyer

\_\_\_\_\_  
Supervising Agency's Lawyer

\_\_\_\_\_  
Type or Print Name/Bar Number

\_\_\_\_\_  
Type or Print Name/Bar Number

**NOTICE**

**A PETITION FOR PERMANENT TERMINATION OF THE PARENT-CHILD RELATIONSHIP MAY BE FILED IF THE CHILD IS PLACED OUT-OF-HOME UNDER AN ORDER OF DEPENDENCY. (RCW 13.34.180.)**