

STATE OF WISCONSIN, CIRCUIT COURT, \_\_\_\_\_ COUNTY

IN THE INTEREST OF

\_\_\_\_\_  
Name

**Order for Change in Placement  
(In-Home to Out-of-Home Placement Only)  
Indian Child Welfare Act**

\_\_\_\_\_  
Date of Birth

Case No. \_\_\_\_\_

**THE COURT FINDS:**

1. The child/juvenile is currently under a dispositional order.
2. A Request for Change in Placement has been filed.
3. The hearing on the request was held on [Date] \_\_\_\_\_, which is the effective date of this Order.
4. The allegations of the request are not proven.
5. The allegations of the request are proven and the court adopts them as findings of fact.
  - A. The child/juvenile is subject to the Indian Child Welfare Act.
  - B. The child/juvenile is placed out-of-home.
    - 1) Continued custody of the child/juvenile by the parent or Indian custodian  is  is not likely to result in serious emotional or physical damage to the child/juvenile, based on the testimony of one or more qualified expert witnesses.  
\_\_\_\_\_
    - 2) Active efforts  were  were not made to provide remedial services and rehabilitation programs designed to prevent the breakup of the Indian family.  
\_\_\_\_\_  
 See attached Statement of Active Efforts (IW-1609)
- 3)  Placement has been made in accordance with the order of preference set forth in the Indian Child Welfare Act.  
*OR*  
 There is good cause to depart from the order of placement preference in the Indian Child Welfare Act:  
\_\_\_\_\_  
\_\_\_\_\_
- 4) Placement in-home at this time  is  is not contrary to the child's/juvenile's welfare.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5) Reasonable efforts to prevent removal were [Complete one of the following]

made by the department or agency responsible for providing services as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

made by the department or agency responsible for providing services, although an emergency situation resulted in immediate removal of the child/juvenile from the home as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

not required under §48.355(2d), Wis. Stats. \_\_\_\_\_

required, but the department or agency responsible for providing services failed to make reasonable efforts.

6) Reasonable efforts to place the child/juvenile in a placement that enables the sibling group to remain together were

made.

not required because the child/juvenile does not have siblings in out-of-home care.

not required because it would be contrary to the safety or well being of the child/juvenile or any of the siblings.

7) As to the department or agency recommendation:

A. The placement location recommended by the department or agency is adopted.

OR

B. After giving bona fide consideration to the recommendations of the department or agency and all parties, the placement location recommended is not adopted.

8) The  mother  father was present and was asked to provide the names and other identifying information of three adult relatives of the child/juvenile or other adult individuals whose home the parent requests the court to consider as placements for the child/juvenile, unless that information was previously provided.

9) Other: \_\_\_\_\_

#### THE COURT ORDERS:

The request for change in placement is

1. denied.

2. granted.

A. The child/juvenile is placed out-of-home at \_\_\_\_\_ and into the placement and care responsibility of the department in the county where this order is issued, or the Division of Milwaukee Child Protective Services if this order is issued in Milwaukee County under Ch. 48, which has primary responsibility for providing services.

Unless otherwise specified, the expiration date of this order shall be the later of the following:

- One year from the date of this order;
- The date the child/juvenile reaches his or her 18<sup>th</sup> birthday;
- The date the child/juvenile is granted a high school or high school equivalency diploma or the date the child/juvenile reaches his or her 19<sup>th</sup> birthday, whichever occurs first, if the child/juvenile is enrolled fulltime in a secondary school or vocational or technical equivalent and reasonably expected to complete the program prior to age 19;
- The date the child/juvenile is granted a high school or high school equivalency diploma or the date the child/juvenile reaches his or her 21<sup>st</sup> birthday, whichever occurs first, if ALL of the following apply:

- The child/juvenile is a fulltime student in secondary school or vocational or technical equivalent.
- An individualized education program is in effect for the child/juvenile.
- The child/juvenile or guardian, on behalf of the child/juvenile, agrees to this order.
- The child/juvenile is 17 years of age or older when this order is entered.

OR

Expiration date of this order \_\_\_\_\_.

B. Transportation to the new placement shall be provided by \_\_\_\_\_.

C. The child/juvenile has one or more siblings in out-of-home care and the child/juvenile is not placed with all those siblings. The department or agency

shall make reasonable efforts to provide frequent visitation or other ongoing interaction between the child/juvenile and any siblings.

is not required to provide for frequent visitation or other ongoing interaction because it would be contrary to the safety or well being of the child/juvenile or any siblings.

D. The department or agency shall conduct a diligent search in order to locate and provide notice as required by §48.357(2v)(d) or §938.357(2v)(d), Wis. Stats., to all adult relatives of the child/juvenile, including the three adult relatives provided by the parents under §48.357(1)(c)2m. or §938.357(1)(c)2m., Wis. Stats., no later than 30 days from the date of the child's/juvenile's removal from the home, unless the search was previously conducted and notice provided.

E. A permanency plan consistent with the court's order shall be filed no later than 60 days from the date of the child's/juvenile's removal from the home and shall be made part of this order.

F. The parent(s) shall contribute toward the expenses of custody/services in the amount of

\$ \_\_\_\_\_.

to be determined by [Agency] \_\_\_\_\_

G. The amount of support to be paid by the parent(s), guardian or trustee for the out-of-home placement is

\$ \_\_\_\_\_ or \_\_\_\_\_% of gross income payable by wage assessment.

to be set by the child support agency.

The support obligation begins on the date of placement.

H. All provisions of the dispositional order not changed by this order remain in full force and effect.

I. The parent(s) who appeared in court have been orally advised of the applicable grounds for termination of parental rights (TPR) and the conditions that are necessary for a safe return to the home or a restoration of visitation rights. Written TPR Warnings are attached. Conditions for return/visitation are part of this order or attached.

J. Other: \_\_\_\_\_

**THIS IS A FINAL ORDER FOR THE PURPOSE OF APPEAL IF SIGNED BY A CIRCUIT COURT JUDGE.**

DISTRIBUTION:

1. Court
2. Child/Juvenile/Attorney/Guardian ad Litem
3. Parents/Guardian/Indian Custodian
4. Legal and/or Physical Custodian/Attorney (if any)
5. Case Worker
6. Foster Parent/Treatment Foster Parent (if any)
7. District Attorney/Corporation Counsel
8. Tribe
9. Other: \_\_\_\_\_