STATE OF SOUTH DAKOTA ) IN CIRCUIT COURT

) SS.

COUNTY OF       )       JUDICIAL CIRCUIT

)

The People of the State of )

South Dakota in the Interest of, ) COURT FILE NO:

)

**CHILD** )

Child(ren), and concerning ) **PERMANENCY HEARING** ) **ORDER**

) **(non ICWA)**

**MOTHER** )

**FATHER** )

Respondent(s), )

The above-entitled matter having come before the Court for a Permanency Hearing on the       day of      , 20     , the Honorable       presiding; the State of South Dakota represented by Deputy State’s Attorney, \_\_\_\_\_\_\_\_\_\_\_the South Dakota Department of Social Services appearing through Family Services Specialist      ;      , the Respondent mother, appearing in person and represented by counsel      ;      , the Respondent father, appearing in person and represented by counsel,      ; the minor child not appearing in person but represented by counsel,      ; CASA appearing through its designated agent; the Court, having reviewed the records and files herein and being fully informed in the premises; the Court does now hereby:

ORDER; that the minor child shall remain in the Department of Social Services’ legal and physical custody through the pendency of the proceedings; and it is further

ORDERED, that the Department of Social Services has made reasonable efforts to achieve the permanent plan of reunification of the child with the Respondent parents and these efforts have been unsuccessful, and it would contrary to the child’s welfare to be returned home; and it is further

ORDERED, that the least restrictive alternative available in the child’s best interest is continued placement in the legal and physical custody of the Department of Social Services; and it is further

ORDERED, that the Department of Social Services is authorized to move forward with an In-Home Safety Plan providing that it is safe to do so; and it is further

ORDERED, that all parties are to be notified of the intent to return the child to the home on an In-Home Safety Plan and if any party requests a hearing a hearing shall be set on the calendar as soon as possible; and it is further

ORDERED, that if the child is returned to the Respondent parents with an In-Home Safety Plan in place prior to the next hearing and the In-Home Safety Plan is not successful, the Department has the authority to return the child to the physical custody of the Department and immediately notify all parties.

Dated this       day of       effective however the       day of      , 20     , that being the date of the hearing affording judicial basis for this order.

BY THE COURT:

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

The Honorable

ATTEST: Judge of the Circuit Court

Clerk of Court

BY:

Deputy

(SEAL)