

**STATE'S PROPOSED
ADJUDICATORY ORDER
(NON ICWA)**

STATE OF SOUTH DAKOTA:

IN CIRCUIT COURT

SS:

COUNTY OF _____

_____ JUDICIAL CIRCUIT

THE PEOPLE OF THE STATE OF SOUTH
DAKOTA IN THE INTEREST OF,

File No: _____

(DOB: _____)

Child(ren), and concerning

(DOB: _____)

(DOB: _____)

Respondent(s),

**STATE'S PROPOSED
ADJUDICATORY ORDER
(NON ICWA)**

The above-entitled matter having come before the Court for an Adjudicatory Hearing on the (DAY) day of (MONTH), (YEAR), the Honorable (ENTER NAME), presiding; the State of South Dakota being represented by its (STATE'S / DEPUTY STATE'S) Attorney, (ENTER NAME); the South Dakota Department of Social Services appearing through Family Services Specialist, (ENTER NAME); (ENTER NAME), the Respondent mother, (APPEARING IN PERSON / NOT APPEARING IN PERSON) (AND / BUT) (REPRESENTED BY COUNSEL / NOT REPRESENTED BY COUNSEL), (ENTER NAME); (ENTER NAME), the Respondent father, (APPEARING IN PERSON / NOT APPEARING IN PERSON) (AND / BUT) (REPRESENTED BY COUNSEL / NOT REPRESENTED BY COUNSEL), (ENTER NAME); the minor child not appearing in person but represented by counsel, (ENTER NAME); CASA (APPEARING THROUGH ITS DESIGNATED AGENT / NOT APPEARING); the Court, having reviewed the records and files herein and being fully informed in the

premises, and having made and entered its Findings of Fact and Conclusions of Law for Adjudication by clear and convincing evidence, does now hereby:

ORDER, that the minor child is adjudicated to be an abused or neglected child as defined by SDCL § 26-8A-2 due to the actions and/or omissions of the Respondent parents, and it is further

ORDERED, 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 his parents and these efforts have been unsuccessful and it would be injurious 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 legal and physical custody with the Department of Social Services; and it is further

ORDERED, that returning custody of the child to the parents would be injurious to the child's welfare.

Dated this (DAY) day of (MONTH), (YEAR) effective, however, the (DAY) day of (MONTH), (YEAR), that being the date of the hearing affording judicial basis for this order.

BY THE COURT:

ATTEST:

Clerk of Court

BY: _____

Deputy (NAME)

(SEAL)

The Honorable (NAME)
Judge of the Circuit Court