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 (DOB)**)  **STATE’S PROPOSED**

Child(ren), and concerning ) **ADJUDICATORY ORDER**

) **(NON ICWA)**

**MOTHER (DOB)**)

**FATHER (DOB)**)

**JOHN DOE**)

Respondent(s), )

The above-entitled matter having come on for an Adjudicatory Hearing on the       day of      , 20     ; the Honorable      , presiding; the State of South Dakota being represented by its 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 Respondent father, not appearing in person; 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, 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 of      , effective, however, the       day of      , 20     , that being the date of the hearing affording judicial basis for this order.

BY THE COURT:

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

ATTEST: The Honorable

Judge of the Circuit Court

Clerk of Court

BY:      \_\_\_\_\_\_\_\_\_\_

Deputy

(SEAL)