

**ADVISORY HEARING
ORDER**

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)

**ADVISORY HEARING
ORDER**

The above-entitled matter having come before the Court for an Advisory Hearing on the (DAY) day of (MONTH), (YEAR), the Honorable (ENTER NAME), presiding; the State of South Dakota being represented by (DEPUTY STATE'S / STATE'S ATTORNEY), (ENTER NAME); the South Dakota Department of Social Services appearing through Family Services Specialist (ENTER NAME); the Respondent mother, (APPEARING IN PERSON / NOT APPEARING IN PERSON) (AND/BUT) (REPRESENTED BY COUNSEL / IS NOT REPRESENTED BY COUNSEL), (ENTER NAME); the Respondent father, (APPEARING IN PERSON / NOT APPEARING IN PERSON) (AND / BUT), (REPRESENTED BY COUNSEL / IS NOT REPRESENTED BY COUNSEL), (ENTER NAME); the Respondent father 2, (APPEARING IN PERSON / NOT APPEARING IN PERSON) (AND / BUT), (REPRESENTED BY COUNSEL / IS NOT REPRESENTED BY COUNSEL), (ENTER NAME); the minor child (APPEARING IN PERSON / NOT APPEARING IN PERSON) (AND IS / BUT) represented by counsel, (ENTER NAME); CASA (APPEARING THROUGH ITS

DESIGNATED AGENT / IS NOT APPEARING); the Court, having reviewed the records and files herein and being fully informed in the premises, does now hereby:

ORDER, that the Indian Child Welfare Act does not apply to this case; and it is further

ORDERED, that the minor children 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 children with the Respondent parents and those efforts have been unsuccessful and it would be contrary to the children's welfare to be returned at this time; and it is further

ORDERED, that the least restrictive alternative available commensurate with the best interest of the children is continued custody with the Department of Social Services as return of custody of the minor child to the Respondent parents would be injurious to the minor children'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