State of Alabama
Unified Judicial System

JU-24 Sample
(Front) Rev. 9/2019

ORDER OF SHELTER CARE

Court Case Number

IN THE JUVENILE OR FAMILY COURT OF _____ COUNTY, ALABAMA
(Name of County)

In the Matter of _____ , a child

On _____, a shelter care hearing was held.
(**date**)

Note: Check which parties and attorneys or others who were present at the hearing, place their names in the blanks, and check whether or not the attorneys were appointed or retained:

		☐ Child's Attorney	_____	☐ Appt.	☐ Rtnd.
☐ Child	_____	☐ Guardian ad litem (GAL)	_____	☐ Appt.	☐ Rtnd.
☐ DHR Worker	_____	☐ DHR Attorney	_____	☐ Appt.	☐ Rtnd.
☐ Mother	_____	☐ Atty/GAL	_____	☐ Appt.	☐ Rtnd.
☐ Father (if known)	_____	☐ Atty/GAL	_____	☐ Appt.	☐ Rtnd.
☐ Custodian	_____	☐ Attorney	_____	☐ Appt.	☐ Rtnd.
☐ Other	_____	☐ Attorney	_____	☐ Appt.	☐ Rtnd.
☐ Foster parents	_____	☐ Attorney	_____	☐ Appt.	☐ Rtnd.

The Court, having considered the ☐ agreement ☐ stipulation of facts ☐ relevant and material evidence presented, the Court finds in accordance with the requirements of Public Law 96-272, as amended by Public Law 105-89, and § 12-15-312, Ala. Code 1975, as follows [**CHECK WHICH BOXES ARE APPLICABLE**]:

☐ 1. That continuation of the residence of the child in his or her home would be contrary to the welfare of the child because:

After reviewing the attached Department's written court report dated _____ , p. _____ , and based on the testimony of the parties, I incorporate into this Order the findings in the court report;

After reviewing the attached Department's written court report dated _____ , p. _____ , and based on the testimony of the parties, I modify the findings of the Department in its court report, as follows:

[***In this section, the court must state reasons why the child was removed from the home and cannot be returned home***.]

☐ 2. That the efforts made by the Department to prevent the removal of the child from his or her home:

☐ were ☐ were not reasonable. The Department's efforts consisted of the following:

☐ After reviewing the attached Department's written court report dated _____, p._____, and based on the testimony of the parties, I incorporate into this Order the efforts described in the court report;

☐ After reviewing the attached Department's written court report dated_____, p._____, and based on the testimony of the parties, I modify the findings in the court report, as follows:

_____

_____

☐ 3. That an emergency situation exists which requires the immediate temporary removal of the child from his/her home and that under the conditions described in the Department's attached written court report dated _____ , p. ____, reasonable efforts were not required/appropriate because of the emergency situation, as follows:

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☐ After reviewing the attached Department's written court report dated _____, p. _____, and based on the testimony of the parties, I incorporate into this Order the efforts described in the report;

☐ After reviewing the attached Department's written court report dated _____, p. _____, and based on the testimony of the parties, I modify the findings in the court report, as follows:

[Note: The following items only need to be completed if these situations apply]:

☐ That reasonable efforts are not required to be made because:

☐ the parental rights of ☐ the mother ☐ the father to _____, a sibling, have been involuntary terminated;

☐ this court has determined that ☐ the mother ☐ the father has subjected ☐ the child or ☐ a sibling of the child to an aggravated circumstance, specifically _____, and the risk of child abuse or neglect is too high for the child to remain at home safely or to be returned home.

☐ this court has determined that ☐ the mother ☐ the father committed ☐ murder pursuant to § 13A-6-2, Ala. Code 1975; or ☐ manslaughter pursuant to § 13A-6-3, Ala. Code 1975, of____, ☐ another child of the parent or ☐ the other parent of the child, as shown in Case No. _____;

☐ this court has determined that ☐ the mother ☐ the father aided or abetted, attempted, conspired, or solicited to commit ☐ murder or ☐ manslaughter pursuant to § 13A-4-_____, Ala. Code 1975, of _____, ☐ another child of the parent or ☐ the other parent of the child, as shown in Case No. _____;

☐ this court has determined that ☐ the mother ☐ the father committed ☐ Assault 1st pursuant to § 13A-6-22, Ala. Code 1975; or ☐ Assault 2nd pursuant to § 13A-6-23, Ala. Code 1975, which resulted in the serious bodily injury to the child or _____, ☐ another child of such parent or ☐ the other parent of the child, as shown in Case No. _____;

☐ this court has determined that ☐ the mother ☐ the father was convicted of ☐ rape in the first degree pursuant to § 13A-6-61, Ala. Code 1975; or ☐ sodomy in the first degree pursuant to § 13A-6-63, Ala. Code 1975; or incest pursuant to § 13A-13-3, Ala. Code 1975, as shown in Case No. _____. This court finds that the crime of rape, sodomy, incest, or other sexual abuse actually occurred by the parent against the child in the instance where the parent was convicted.

A permanency hearing is scheduled to take place at_____, which is within 30 days from today's date.

It is hereby **ORDERED, ADJUDGED,** and **DECREED** as follows **[CHECK WHICH BOXES ARE APPLICABLE]:**

☐ The child is released to custody of _____ pending trial under the attached terms and conditions.

☐ Custody of the child is transferred to the _____ County Department of Human Resources, pendente lite, with the Department having discretion in planning and placement pending an adjudicator/disposition hearing in _____ days.

☐ That the ☐ GAL ☐ child's attorney shall perform the following duties:

☐ That the Department shall schedule an Individualized Service Plan meeting with all parties present.

This matter is set for docket call on _____ at _____ for the trial week of _____. All parties and attorneys must be present.

☐ Case is DISMISSED.

☐ Other:

_____

_____

DONE and ORDERED: _____. _____

(Date) (JUDGE)

§§ 12-15-207, 12-15-209, 12-15-308, 12-15-309, and 12-15-312, Ala. Code 1975