

STATE OF VERMONT

SUPERIOR COURT
Unit

FAMILY DIVISION
Docket No.

In Re:	DOB
--------	-----

CONDITIONAL CUSTODY ORDER

A hearing was held in this matter on _____.

The following persons were present:

- | | |
|--|---|
| <input type="checkbox"/> Child | <input type="checkbox"/> Child's Attorney |
| <input type="checkbox"/> State's Attorney | <input type="checkbox"/> Department for Children and Families (DCF) |
| <input type="checkbox"/> Mother | <input type="checkbox"/> Attorney for Mother |
| <input type="checkbox"/> Father | <input type="checkbox"/> Attorney for Father |
| <input type="checkbox"/> Guardian ad Litem | |
| <input type="checkbox"/> Foster Parent/pre-adoptive parent/relative caregiver: _____ | |
| <input type="checkbox"/> Other: _____ | |

Based on the:

- | | |
|---|---|
| <input type="checkbox"/> Stipulation of the parties | <input type="checkbox"/> Testimony presented at the hearing |
| <input type="checkbox"/> Affidavit filed by DCF | <input type="checkbox"/> Disposition case plan |

it is hereby **ORDERED** that _____ shall have legal custody of the above named child subject to conditions attached to this order.

It is further **ORDERED** that:

- ☒ the child shall be subject to protective supervision by the Department for Children and Families. DCF shall have the right to make unannounced home visits in order to ensure compliance with the conditions of custody.
- ☐ the custodian shall permit the child's attorney and/or Guardian ad Litem to meet with the child at reasonable times and places, with reasonable advance notice to the custodian.

This order will remain in effect until:

- ☐ the merits hearing scheduled on _____ at _____ ☐ AM ☐ PM.
- ☐ the disposition hearing scheduled on _____ at _____ ☐ AM ☐ PM
- ☐ a review hearing to be scheduled _____ months from the date of this order.
No later than six months from the date of disposition or CCO, whichever occurs later.
- ☐ Other: _____

A CCO is for a period of up to 6 months unless extended by the Court. 33 V.S.A. § 5258a, 5320a

FAILURE TO COMPLY WITH THESE CONDITIONS MAY RESULT IN THE CHILD'S REMOVAL FROM HOME AND IMMEDIATE PLACEMENT IN DCF CUSTODY.

This section to be filled out only when custody is transferred from a parent to a person who is not a parent of the child.

In transferring custody from a parent to the person named above who is not a parent of the child, the court makes the following findings:

1. Conditional custody is in the best interest of the child. Remaining in the home is contrary to the child's best interests because:
 - ☐ the child's safety cannot be reasonably assured if the child remains in the home.
 - ☐ the child is at risk of harm to self or others.
2. The factual basis supporting transfer of custody is:
 - ☐ Facts stated in the Emergency Order dated _____ transferring custody to DCF.

3. Reasonable Efforts Finding:

Based on information of record, the Court finds pursuant to 33 V.S.A. § 5102 (25):

- ☐ Reasonable efforts were made: DCF exercised due diligence to use appropriate and available services to prevent the child's unnecessary removal from the home.
- ☐ Reasonable efforts not required: No services were appropriate or reasonable due to emergency circumstances.
- ☐ Reasonable efforts not required: Reasonable efforts were not made due to one of the following aggravated circumstances:
 - ☐ Abandonment of child
 - ☐ Torture or chronic abuse of child
 - ☐ Murder or manslaughter by parent
 - ☐ Felony by parent with serious bodily injury to child or other child
 - ☐ Sexual abuse of child
 - ☐ TPR of child's sibling
- ☐ Reasonable efforts were not made: DCF has not made reasonable efforts to prevent the child's unnecessary removal from the home.
- ☐ There is insufficient evidence in the record and/or the parties do not agree regarding reasonable efforts. A hearing on whether reasonable efforts were made will be held on _____ (within 60 days of the date of the child's removal from home).

Dated

Superior Court Judge

Conditions of Custody

I have received a copy of this Order. I have read it or have had it explained to me. I understand.

Parent	Date	Parent	Date
Child	Date	Guardian ad Litem	Date
DCF	Date	Legal Guardian (if not parent)	Date