IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF <Enter County>

Date:
Judicial Officer:
Deputy Clerk:

In the matter of: No.

INITIAL DEPENDENCY HEARING

Parties Present:
<Enter party>
<Enter party>

This is the time set for the **INITIAL DEPENDENCY HEARING** on a dependency petition filed <Date of petition filing>.

Open Proceedings:

☐ The Court determines that the proceeding is to remain open to the public and admonishes attendees that they shall not disclose identifying information about the child, siblings, parents, guardians or caregivers, or other persons identified in the proceeding. The Court explains contempt of court to all attendees and possible consequences of violating a court order.

☐ The Court orders that the proceeding be closed based on the following: <Enter reason(s) that proceeding should be closed>.

ICWA: The Court finds that, based upon the assertions of the parties, the Indian Child Welfare Act, 25 U.S.C. §1901 et seq. <DOES / DOES NOT> apply.

Service and Jurisdiction:
The Court determines that service <Enter whether service complete> as to <Name of applicable parent/guardian>, <Enter applicable parent> of <Name of applicable child>.

☐ The Court finds that parent had notice of the hearing and that the notice advised of the consequences of not appearing at this hearing.

☐ The State of Arizona, by and through the Arizona Department of Economic Security, is authorized to initiate this dependency proceeding pursuant to A.R.S. §8-201 et seq. A.R.S. §8-501 et seq. and A.R.S. §8-802 et seq.

☐ This Court has exclusive original jurisdiction over the subject matter pursuant to A.R.S. §8-802, and venue is appropriate in <Enter county> **County** pursuant to A.R.S. §8-206.

☐ **The Court orders** the <Petitioner / ADES> to effectuate service by publication because the party cannot be reasonably located.

☐ This Court has jurisdiction over the <Enter applicable parent> and finds that service of process is complete as to the <Enter applicable parent> pursuant to A.R.S. §8-841 and AZ. R. Juv. Ct. 48.

Counsel: Appointment of counsel is made/affirmed at this time for the following:
<Name of applicable counsel>, <Enter counsel type>;
<Name of applicable counsel>, <Enter counsel type>;

☐ The <Enter applicable parent> is to pay <Amount assessed per month> per month for the cost of counsel.

☐ The <Enter applicable parent> is to pay <Amount assessed per month> per month for the cost of counsel.

☐ The Court confirms that the <Enter applicable parent> has/have met with their counsel and have been advised of their trial rights pursuant to A.R.S. §8-843(B).

☐ The Court advises the parents that appointment is for one year and that new financial information will be required prior to reappointment after that time.

☐ Pursuant to ADES agreement with the dependency petition, **the Court orders** that ADES be substituted as the petitioner in this matter.

Documents Reviewed: The Court has received and reviewed the following documents:
<Enter names of specific documents>.

☐ The Court determines that ADES <has / has not> filed an initial case plan pursuant to A.R.S. §8-824.

Paternity: Paternity for <Applicable child(ren)'s name> <Enter whether or not paternity established> by <Enter how paternity established>.

☐ The Court, therefore, orders <Applicable parent's name> to <Enter how paternity is to be established> so as to establish paternity in this matter.

Services: The Court finds that the services proposed <are / are not> appropriate, necessary, and reasonable to facilitate <Enter permanency plan>.

- ☐ **The Court orders** the agency to provide reunification services.
- ☐ **The Court orders** the parties to participate in the proposed services. <If private petition and party other than ADES to provide services, specify the party and who will be responsible for the cost of services.>
- ☐ As ADES is now substituting as the petitioner, the Court orders ADES to prepare a case plan consistent with the services proposed in this hearing.

Additional orders: <GAL and / or CASA appointment, Protective Orders, Support, etc.>

Plea: The <Enter applicable parent> enters a plea of <Enter applicable plea> to the allegations contained in the <motion / petition>.

- ☐ The Court advises the <Enter applicable parent> of <his / her / their> rights, including their right to request prior to the hearing that any hearing be open to the public. The Court determines that <Enter applicable parent> understands <his / her / their> rights.
- ☐ The Court advises the <Enter applicable parent> that a Permanency Hearing will be held within one year from the child(ren)'s removal from their care. If significant progress toward the case plan of reunification has not occurred by the Permanency Hearing, the case plan goal will be changed.
- ☐ The Court determines that the plea of <Enter applicable plea> made by <Enter applicable parent> <was / was not> made knowingly, intelligently and voluntarily.
- ☐ <IF PRESENT> The Court provides foster parents, pre-adoptive parents or a member of the child's extended family with whom the child has been placed an opportunity to be heard.

Adjudication: The Court, having considered the verified petition/amended petition dated <Date petition filed>, the Court reports filed and admitted into evidence, and the plea of <Enter applicable plea> of the <Enter applicable parent>, finds by <Enter burden of proof> that:

- ☐ The child(ren), <Insert name(s) of applicable child(ren)>, <is / are> dependent <If not as to all parties, state the name(s) and relationship(s) of specific party> as defined by A.R.S. §8-201.

☐ The Court, therefore, orders that <Insert the name(s) of the applicable child(ren)> be made a ward(s) of the Court as a dependent child(ren) as to <Insert name of parent(s)> and placed in the care, custody and control of the Arizona Department of Economic Security.

Disposition: The Court finds, after consideration of the health and safety of the child(ren), the goal of the placement, and the services offered to the family and the child(ren), that the goal of <Enter permanency plan> is appropriate at this time.
Establish concurrent plan if appropriate.

☐ The Court finds that it is contrary to the child(ren)'s best interests to remain in the home based on the following: <INSERT FACTUAL BASIS>.

Reasonable Efforts: The Court finds that <Enter reasonable effort finding> to prevent the removal of <Insert the name of the child(ren)> from the home and this finding is based upon the following facts: <Insert the factual basis for the reasonable efforts finding>.

☐ Pursuant to ICWA standards:

☐ The Court has heard qualified expert testimony and finds by clear and convincing evidence that active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family and that these efforts were unsuccessful; and that continued custody of the child(ren) by the parent(s)/guardian/Indian custodian is likely to result in serious emotional or physical damage to the child (25 U.S.C. §1912) or;

☐ The child was placed pursuant to the standards of ICWA, 25 U.S.C. §1915.

Future Hearings: The Court sets/affirms the following hearings:

☐ <Enter hearing type> as to <Enter applicable parent> is set for <Enter date, time and location of this hearing>.

☐ **The Court vacates** the <Enter hearing type> set for <Enter date, time and location of this hearing>.

☐ **The Court orders** that <Enter the names of all applicable parties, counsel and professionals who should be attending mediation>

attend mediation set for <Enter date, time and location of mediation>.

☐ The Court admonishes the <Enter applicable parent> that:
- Failure to attend future hearings without good cause shown may result in a finding that they have waived their legal rights and are deemed to have admitted the allegation(s) in the petition.
- The hearing may go forward in their absence and may result in a finding of dependency.
- Failure to participate in reunification services may result in the termination of their parental rights or the establishment of a permanent guardianship.

☐ The Court finds that the parent, guardian, or Indian custodian was advised of the consequences of their failure to attend future hearings or participate in reunification services.

☐ The Court orders notification to the foster parents, pre-adoptive parents or a member of the child's extended family with whom the child has been placed be effectuated by <Enter responsible party or manner by which notice to be provided>.

Dated: _____