STATE OF INDIANA

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_COURT

CAUSE NO. 00X00-0000-XX-00000

In the Matter of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

a [Child Alleged to be a] Delinquent Child/Child in Need of Services

**ORDER ON 60 DAY REVIEW OF PLACEMENT IN**

**QUALIFIED RESIDENTIAL TREATMENT PROGRAM (QRTP)**

Hearing on Review of Placement in QRTP is commenced and completed. The following parties appear: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Pursuant to 42 U.S.C. § 675a(c)(2), the Court has considered the Qualified Residential Treatment Program (QRTP) Determination Report including the assessment, determination, and documentation provided and, being duly advised, now FINDS and ORDERS as follows:

1. The needs of the child can be met through placement with family members, in a foster family home, or in another approved non-residential setting. [*Note: If needs can be met with family members at home or in foster family home or another non-residential setting, Child shall be discharged and placed accordingly. The lack of available foster family homes may not be the basis for a finding that the Child’s needs cannot be met through placement in a foster family home.*]

[OR]

The needs of the child can NOT be met through placement with family members, in a foster family home, or in another approved non-residential setting.

1. Placement in a Qualified Residential Treatment Program (QRTP) provides the child with the most effective and appropriate level of care in the least restrictive environment.

[OR]

Placement in a Qualified Residential Treatment Program (QRTP) does NOT provide the child with the most effective and appropriate level of care in the least restrictive environment.

1. Placement in a Qualified Residential Treatment Program (QRTP) is consistent with the short-term and long-term goals of the child as specified in the child’s permanency plan.

[OR]

Placement in a Qualified Residential Treatment Program (QRTP) is NOT consistent with the short-term and long-term goals of the child as specified in the child’s permanency plan.

1. The Court specifically Finds as follows: [State additional facts supporting the findings contained herein, this could include information derived from the QRTP Determination Report and related documentation].
2. The Court [does][does not] approve continued placement in a Qualified Residential Treatment Program (QRTP).
3. Delinquency: Probation recommends placement at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. DCS [does] [does not] concur with said recommendation by Probation. Said placement [is] [is not] a Qualified Residential Treatment Facility.

CHINS: DCS recommends placement at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Said placement [is] [is not] a Qualified Residential Treatment Facility.

[*Determination of acceptability of DCS recommendations*]

1. The Court accepts the recommendation of the DCS regarding placement, services, and programs.

—OR—

[*Paragraphs 8 and 9 are to be utilized when the Court is NOT accepting recommendations of DCS]*

8. The Court finds that the recommendations of the DCS are unreasonable based on

the facts and circumstances of the case or are contrary to the welfare and best

interests of the Child as follows: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The Court ORDERS a change in the Child’s current placement to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (alternative placement). Said placement is an emergency required to protect the health and welfare of the Child for the following reasons: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

1. Within three days, or if post-disposition seven days, of the date of this order, DCS may submit a consideration report to the court, stating whether the department approves or disapproves the proposed service, program, or placement. The department may recommend an alternative service, program, or placement for the Child. The court shall accept the recommendations of the department unless it finds the recommendation is unreasonable, based on the facts and circumstances of the case; or contrary to the welfare and best interests of the Child.
2. The court further finds that the legal settlement of the Child is \_\_\_\_\_\_\_\_\_ and DCS or Probation Officer shall provide notice required by IC 20-26-11-9.
3. The Court authorizes placement at: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ after considering all testimony, evidence, and recommendations. [*If it is unclear at the 60 Day Hearing which of multiple potential placements will ultimately serve as placement, or a specific QRTP has not yet been determined, the same can be indicated here in lieu naming a specific placement*]. Said placement [is] [is not] consistent with the recommendation of the Qualified Individual’s Determination Report.

[*If the Court does not approve continued placement in a QRTP, issue appropriate Orders for discharge and alternative placement. If the Court approves continued placement in a QRTP include the paragraphs below*:]

1. All parties are advised that the Court will consider the following evidence that the DCS Family Case Manager or the Probation Officer is required to submit and any other evidence submitted by a party at all future hearings scheduled for the duration of such placement:
2. Documentation of ongoing assessment of the child’s strength and needs.
3. Documentation of the specific treatment and/or service needs to be met for the child in QRTP placement.
4. Documentation of the length of time the child is expected to need such treatment and/or services.
5. Whether the QRTP continues to provide the child the most effective and appropriate level of care in the least restrictive environment.
6. Whether the QRTP remains consistent with the short-term and long-term goals of the child.
7. Whether the child’s needs can now be met with family members, in a foster family home, or in another approved setting.
8. Documentation of efforts to prepare the child to return home or be placed with family members, in a foster family home, with a legal guardian, or with an adoptive parent.
9. The Court sets this matter for ongoing Review of Placement on the \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_ at \_\_\_\_\_\_\_\_\_\_. [Note: Increased review by the State is required for Children under age thirteen (13) who have been in placement for at least six (6) months and Children thirteen (13) and over who have been in placement for at least twelve (12) consecutive months or eighteen (18) non-consecutive months. FFPSA Workgroup recommends conducting Review Hearings for Children in residential placement every ninety (90) days].

So ORDERED on [DATE].

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

 Judge