

IN THE INTEREST OF

Amended

\_\_\_\_\_  
Name

**Dispositional Order – Delinquency**

\_\_\_\_\_  
Date of Birth

Case No. \_\_\_\_\_

A Petition has been filed with the Court.

This dispositional hearing was held on [Date] \_\_\_\_\_, which is the effective date of this Order.

**THE COURT FINDS:**

1. The child is under the jurisdiction of the Court and is delinquent because:

Count	Description	Tribal Code Sections	Plea	Date of Petition

2. The child is  non-Indian;  Indian (Menominee Enrolled)  Indian (Menominee Descent); or is  Indian (Non-Menominee): \_\_\_\_\_

3. The juvenile committed an act that

A. would be designated as a crime subject to a fine and/or imprisonment under tribal law.

B. is one of the following traffic offenses:

- Driving under the influence of intoxicating liquor or drugs;
- Diving while under the influence of intoxicating liquor or drugs causing injury;
- Failure to stop or leaving the scene of an accident causing death or personal injuries;
- Fleeing an officer through use of a motor vehicle;
- Operating a vehicle without the consent of the owner;
- Reckless driving;
- Homicide by vehicle.

C. Violated a civil law or ordinance under tribal law (described above).

4. The child is placed out-of-home.

A. Placement in the home at this time  is  is not contrary to the welfare of the child and the community.

B. Reasonable efforts to prevent removal were [Complete one of the following]

made by the department or agency responsible for providing services.

made by the department or agency responsible for providing services, although an emergency situation resulted in immediate removal of the child from the home.

required, but the department or agency responsible for providing services failed to make reasonable efforts.

C. Reasonable efforts to place the child in a placement that enables the sibling group to remain together were

made.

not required because the child does not have siblings in out-of-home care.

not required because it would be contrary to the safety or well being of the child or any of the siblings.

D. Permanency plan was

- not filed.  
 filed and reasonable efforts to achieve the permanency goal of the permanency plan, including through an out-of-state placement if appropriate, were

[Complete one of the following only if a permanency plan was filed]

- made by the department or agency responsible for providing services as follows: \_\_\_\_\_  
 not made by the department or agency responsible for providing services as follows: \_\_\_\_\_
- E. All presents present were asked to provide the names and other identifying information of three adult relatives of the child or other adult individuals whose home the parent requests the court to consider as placements for the child, unless that information was previously provided.

5. As to the department or agency recommendation:

- A. The placement location recommended by the department or agency is adopted.  
OR  
 B. After giving bona fide consideration to the recommendations of the department or agency and all parties, the placement location recommended is not adopted.

6. Least Restrictive Alternatives

- Placement ordered has the least restrictive conditions or placement consistent with the best interest of the child and the safety of the community.  
 Detention or orders imposing conditions of release of the child that are not the least restrictive alternative are necessary and justified for the following reasons:  
\_\_\_\_\_

6. The rehabilitation and treatment/care of the child cannot be accomplished by means of voluntary consent of the parent(s)/guardian, and a transfer of legal custody is necessary.

7. Restitution.

- A. The child alone is financially able to pay restitution of \$ \_\_\_\_\_ and/or a forfeiture of \$ \_\_\_\_\_.  
 B. The child is physically able to perform services for the victim [under age 14, 40 hour limit] and the victim agrees to accept such services.  
 C. The custodial parent is financially able to pay reasonable restitution of \$ \_\_\_\_\_ and/or a forfeiture of \$ \_\_\_\_\_.

8. Other: \_\_\_\_\_

#### THE COURT ORDERS:

1. The child is placed under court jurisdiction.

2. Placement.

A. In-home at \_\_\_\_\_  
Expiration date of this Order: [not to exceed 1 year] \_\_\_\_\_

B. Placement out-of-home at \_\_\_\_\_  
and into the placement and care responsibility of the Menominee Tribal Family Services Department or Youth Services Department, which has primary responsibility for providing services.

i. Unless otherwise specified, the expiration date of this order shall be the later of the following:

- One year from the date of this Order;
- The date the child reaches his or her 18<sup>th</sup> birthday;
- The date the child is granted a high school or high school equivalency diploma or the date the child reaches his or her 19<sup>th</sup> birthday, whichever occurs first, if the child is enrolled fulltime in a secondary school or vocational or technical equivalent and reasonably expected to complete the program prior to age 19;
- The date the child is granted a high school or high school equivalency diploma or the date the child reaches his or her 21<sup>st</sup> birthday, whichever occurs first, if ALL of the following apply:
  - The child is a fulltime student in secondary school or vocational or technical equivalent.
  - An individualized education program is in effect for the child.
  - The child or guardian, on behalf of the child, agrees to this Order.
  - The child is 17 years of age or older when this Order is entered.

OR

Expiration date of this Order: \_\_\_\_\_.

- C. Juvenile Corrections.
- D. Serious juvenile offender program.
- E. Type 2 residential care center for children and youth.
- F. Other: \_\_\_\_\_

3. This is an out-of-home placement. The child has one or more siblings in out-of-home care and the child is not placed with all those siblings. The department or agency
- shall make reasonable efforts to provide frequent visitation or other ongoing interaction between the child and any siblings.
  - is not required to provide for frequent visitation or other ongoing interaction because it would be contrary to the safety or well being of the child or any siblings.

4. This is an out-of-home placement. The department or agency shall conduct a diligent search in order to locate and provide notice to all adult relatives of the child, including the three adult relatives provided by the parents, no later than 30 days from the date of the child's removal from the home, unless the search was previously conducted and notice provided.

5. This is an out-of-home placement. If a permanency plan has been prepared, filed and is consistent with this Order, this Order contains the plan. Otherwise, a permanency plan consistent with the court's Order shall be filed no later than 60 days from the date of the child's removal from the home and shall be made part of this Order.

6. Conditions of supervision and/or return as follows:  See attached

\_\_\_\_\_

7. Specific services to be provided to child and family as follows:  See attached

\_\_\_\_\_

8. Total restitution is \$ \_\_\_\_\_, and  See restitution supplement.  
 \$ \_\_\_\_\_, to be paid.

Make repairs or provide services agreeable to the victim. *[Under ag 14, 40 hour limit]*

The child is in an out-of-home placement and receiving income; the child shall pay \_\_\_\_\_% of that income for restitution.

9. Forfeiture of \$ \_\_\_\_\_, to be paid \_\_\_\_\_.

10. Supervised work program/community service. \_\_\_\_\_ hours

11. Legal custody transferred to
- Menominee Tribal Department of Family Services.
  - Menominee Tribal Department of Youth Services.
  - Wisconsin Department of Children and Families.
  - Other: \_\_\_\_\_

12. Conditions of supervision and/or return.  See attached

\_\_\_\_\_

13. Special treatment or care as follows:  See attached

\_\_\_\_\_

14. If the child is placed outside of the home, the parent(s) shall provide a statement of income, assets, debts, and living expenses to the county department or agency.
- A. The parent(s)/guardian shall contribute toward the expenses of custody/services.

- Parent/Guardian 1 [Name] \_\_\_\_\_
  - \$\_\_\_\_\_ per month commencing on [Date] \_\_\_\_\_.
  - to be determined by [Agency] \_\_\_\_\_.
- Parent/Guardian 2 [Name] \_\_\_\_\_
  - \$\_\_\_\_\_ per month commencing on [Date] \_\_\_\_\_.
  - to be determined by [Agency] \_\_\_\_\_.

B. The parent(s), guardian or trustee shall contribute an amount of child support for the out-of-home placement.

- Parent/Guardian 1 [Name] \_\_\_\_\_
  - \$\_\_\_\_\_ per month commencing on date of placement.
  - to be set by further court order or referral to the child support agency.
- Parent/Guardian 2 [Name] \_\_\_\_\_
  - \$\_\_\_\_\_ per month commencing on date of placement.
  - to be set by further court order or referral to the child support agency.

15. Driver's license suspension or revocation for [Period of Time] \_\_\_\_\_

16. Sex offender registration.

17. The parent(s) who appeared in court have been orally advised of the applicable grounds for suspension or termination of parental rights (SPR/TPR) and the conditions that are necessary for the child to be returned to the home or restoration of visitation rights. Conditions for return/visitation are part of this Order or attached.

18. Other: \_\_\_\_\_

The child was advised of possible sanctions for violations of the conditions of this order.

**NOTICE:** If requested by a parent/guardian/legal custodian, child (14 years of age or over), the agency providing care or services for the child or that has legal custody of the child must disclose to, or make available for inspection, the contents of any records kept or information received by the agency about the child or expectant mother unless the agency determines that imminent danger would result.

**THIS IS A FINAL ORDER FOR THE PURPOSE OF APPEAL IF SIGNED BY A TRIBAL COURT JUDGE.**

Tribal Court Judge Signature ▶
Print Name
Date

**DISTRIBUTION:**

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| <ul style="list-style-type: none"> <li>1. Court</li> <li>2. Child/Guardian ad Litem</li> <li>3. Parents/Guardian/Legal Custodian/Indian Custodian</li> <li>4. Attorney(s)</li> <li>5. Case worker/Agency Staff Person</li> </ul> | <ul style="list-style-type: none"> <li>6. Foster Parent/Physical Custodian</li> <li>7. Tribal Prosecutor/Counsel</li> <li>8. Court Appointed Special Advocate, if any</li> <li>9. Tribe</li> <li>10. Other: _____</li> </ul> |
|--|--|