

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

IN THE INTEREST OF

Amended

Name

**Consent Decree
(Out-of-Home Placement Only)**

Date of Birth

Case No. _____

The parties entered into a stipulation on [Date] _____ for a Consent Decree.
 an amended Consent Decree.

THE COURT FINDS:

1. The victim/family was given an opportunity to make a statement.
2. If restitution/repairs are ordered, the child/juvenile alone is financially able to pay or the custodial parent is financially able to pay.
3. If the child/juvenile is providing services for the victim, the child/juvenile is physically able to perform services for the victim *[Under age 14, 40 hour limit]* and the victim agrees to accept such services.
4. The stipulation for consent decree is in the child's/juvenile's best interest and the terms and conditions are incorporated herein.
5. The child's/juvenile's placement out-of-the home is maintained.
 - A. Placement in the home at this time is is not contrary to the child's/juvenile's welfare.

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/juvenile from the home.

 not required under §§48.355(2d) and 938.355(2d), Wis. Stats. _____

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

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

- not required because the child/juvenile 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/juvenile or any of the siblings.

D. Permanency plan

- was not filed.
- was 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.

not made by the department or agency responsible for providing services.

E. The placement is certified as a Qualified Residential Treatment Program.

- a. The standardized assessment and recommendation by a qualified individual have been submitted.
 1. The needs of the child/juvenile can cannot be met through placement in a foster home.
 2. The placement does does not provide the most effective and appropriate level of care for the child/juvenile in the least restrictive environment.
 3. The placement is is not consistent with the short-term and long-term goals for the child/juvenile, as identified in the permanency plan.
 4. The placement is approved disapproved.

OR

- b. The agency primarily responsible for providing services will submit the standardized assessment and recommendation by a qualified individual by: _____. *[no later than 30 days from date of placement]*

F. 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.

THE COURT ORDERS:

1. The child/juvenile is placed at _____, and into the placement and care responsibility of the department in the county where this order is issued, or the Division of Milwaukee Child Protective Services if this order is issued in Milwaukee County under Ch. 48, which has primary responsibility for providing services.
2. The child/juvenile has one or more siblings in out-of-home care and the child/juvenile 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/juvenile 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/juvenile or any siblings.
3. The appointment of the guardian ad litem for the child/juvenile
 - terminates until further order of the court.
 - is continued to allow the guardian ad litem to perform any of the duties under §48.235(4) or §938.235(4), Wis. Stats.
 - is continued for the following purpose(s): _____
4. The appointment of the attorney for the

| | | | |
|-----------------------------------|-----------------------------------|---------------------------------------|--|
| <input type="checkbox"/> Parent 1 | <input type="checkbox"/> Parent 2 | <input type="checkbox"/> Other: _____ | terminates until further order of the court. |
| [Name] _____ | [Name] _____ | | |
| <input type="checkbox"/> Parent 1 | <input type="checkbox"/> Parent 2 | <input type="checkbox"/> Other: _____ | is continued through the term of this Order. |
| [Name] _____ | [Name] _____ | | |
| <input type="checkbox"/> Parent 1 | <input type="checkbox"/> Parent 2 | <input type="checkbox"/> Other: _____ | is continued for the following purpose(s): |
| [Name] _____ | [Name] _____ | | |

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5. The parties must comply with all terms and conditions of the stipulation for Consent Decree.
 6. Failure to comply with this Consent Decree may result in reinstatement of these proceedings. If not reinstated, the original petition is dismissed at the end of the appropriate period without further order of the court.
 7. Expiration date: _____.
[If amending the Consent Decree, the expiration date may not be extended beyond the original expiration date.]

DISTRIBUTION:

1. Court
2. Child – if 12 years or older/Juvenile
3. Child's/Juvenile's Guardian ad Litem/Adversary Counsel
4. Parents
5. Parents' Attorney(s)
6. Child's Guardian/Legal Custodian
7. District Attorney/Corporation Counsel
8. Caseworker