

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER TO TAKE CHILD(REN) INTO PROTECTIVE CUSTODY (CHILD PROTECTIVE PROCEEDINGS), PAGE 1	CASE NO. PETITION NO.
Court address		Court telephone no.

1. In the matter of

name(s), alias(es), DOB

(see reverse side for other identifying information)

2. Date of entry of order: _____ Judge/Referee: _____ Bar no.

Upon presentation of proofs as required by the court, **IT APPEARS:**
3. ☐ a. There are reasonable grounds for this court to remove the child(ren) from the parent(s), guardian, or legal custodian in compliance with ☐ MCL 712A.2(b) and MCR 3.963(B) ☐ MCR 3.974(B)(1) because conditions or surroundings of the child(ren) are such as to endanger the health, safety, or welfare of the child(ren), and it is **contrary to the welfare** of the child(ren) to remain in the home because:

☐ b. The child(ren) has/have already been removed from the parent(s), guardian, or legal custodian and is/are absent without leave from court-ordered placement.

4. ☐ a. Reasonable efforts to prevent removal of the child(ren) from the home were not made.

☐ b. Reasonable efforts were made to prevent removal of the child(ren) from the home. Those efforts include: (specify)

☐ 5. a. Reasonable efforts are not required to prevent the child(ren)'s removal from the home due to
☐ the ☐ mother ☐ father subjecting the child(ren) to the aggravated circumstance(s) of _____ as provided in section MCL 722.638(1) and (2), and as evidenced by _____.

<input type="checkbox"/> the	<input type="checkbox"/> mother's	<input type="checkbox"/> father's	conviction for murder of another child of the parent.
<input type="checkbox"/> the	<input type="checkbox"/> mother's	<input type="checkbox"/> father's	conviction for voluntary manslaughter of another child of the parent.
<input type="checkbox"/> the	<input type="checkbox"/> mother's	<input type="checkbox"/> father's	conviction for aiding or abetting in the murder or manslaughter of another child of the parent, attempting to murder the child(ren) or another child of the parent, or conspiring or soliciting to commit the murder of the child(ren) or another child of the parent.
<input type="checkbox"/> the	<input type="checkbox"/> mother's	<input type="checkbox"/> father's	conviction for felony assault that resulted in serious bodily injury to the child(ren) or another child of the parent.
<input type="checkbox"/> the	<input type="checkbox"/> mother's	<input type="checkbox"/> father's	involuntary termination of parental rights to a sibling of the child(ren).

b. Reasonable efforts to preserve and reunify the family to make it possible for the child(ren) to safely return home are
☐ not required because the parent subjected the child or another child of the parent to one of the circumstances stated above.
OR
☐ still recommended because:

(when item 5 is checked, schedule a permanency planning hearing within 30 days of this determination)

☐ 6. The child(ren) is/are Indian as defined in MCR 3.002(5), subject to the exclusive jurisdiction of a tribal court but temporarily located off the reservation, and removal of the child(ren) is necessary to prevent imminent physical harm to the child(ren).

(SEE SECOND PAGE)

Do not write below this line - For court use only

STATE OF MICHIGAN JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	ORDER TO TAKE CHILD(REN) INTO PROTECTIVE CUSTODY (CHILD PROTECTIVE PROCEEDINGS), PAGE 2	CASE NO. PETITION NO.
Court address		Court telephone no.

In the matter of

IT IS ORDERED:

TO: _____
 (specify whether child protective services worker, an officer, or other person deemed suitable by the court pursuant to MCR 3.963[B](1))

7. The child(ren) shall be taken into protective custody and

- ☐ a. placed with/returned to the Department of Human Services for care and supervision.
- ☐ b. placed at _____ for medical observation and
 treatment until medically released to _____
 for placement at _____.

Placement shall continue until resumption of the next scheduled hearing.

8. To effect this order you are authorized to enter the premises located at _____
 _____.

- ☐ 9. The parent(s), guardian, or legal custodian of the child(ren) shall be directed to appear for a preliminary hearing in this matter
 to be held on _____ at _____.
 (Item 9 is not applicable for orders to take children into custody who are absent without leave from court-ordered placement.)

10. This authorization to enter the premises and take the child(ren) into protective custody expires _____.
☐ Enter on LEIN

 Date

 Judge

NOTE to parent(s), guardian, or legal custodian: If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you to fully participate in court proceedings, please contact the court immediately to make arrangements.

MCL 722.638 - AGGRAVATED CIRCUMSTANCES

- (1) The Department shall submit a petition for authorization by the court under Section 2(b) of Chapter XIIA of 1939 PA 288, MCL 712A.2, if one or more of the following apply:
- (a) The Department determines that a parent, guardian, or legal custodian, or a person who is 18 years of age or older and who resides for any length of time in the child's home, has abused the child or a sibling of the child and the abuse included one or more of the following:
 - (i) Abandonment of a young child.
 - (ii) Criminal sexual conduct involving penetration, attempted penetration, or assault with intent to penetrate.
 - (iii) Battering, torture, or other severe physical abuse.
 - (iv) Loss or serious impairment of an organ or limb.
 - (v) Life threatening injury.
 - (vi) Murder or attempted murder.
 - (b) The Department determines that there is risk of harm to the child and either of the following is true:
 - (i) The parent's rights to another child were terminated as a result of proceedings under Section 2(b) of Chapter XIIA of 1939 PA 288, MCL 712A.2, or a similar law of another state.
 - (ii) The parent's rights to another child were voluntarily terminated following the initiation of proceedings under Section 2(b) of Chapter XIIA of 1939 PA 288, MCL 712A.2, or a similar law of another state.
- (2) In a petition submitted as required by subsection (1), if a parent is a suspected perpetrator or is suspected of placing the child at an unreasonable risk of harm due to the parent's failure to take reasonable steps to intervene to eliminate that risk, the Department of Human Services shall include a request for termination of parental rights at the initial dispositional hearing as authorized under Section 19b of Chapter XIIA of 1939 PA 288, MCL 712A.19b.

IDENTIFYING INFORMATION							
Name	Race	Sex	Height	Weight	Hair color	Eye color	Date of birth
Name	Race	Sex	Height	Weight	Hair color	Eye color	Date of birth
Name	Race	Sex	Height	Weight	Hair color	Eye color	Date of birth
Name	Race	Sex	Height	Weight	Hair color	Eye color	Date of birth
Home address			City	State	Zip	Telephone number	
Father's name		Address		City	State	Zip	Telephone number
Mother's name		Address		City	State	Zip	Telephone number
Pickup radius <input type="checkbox"/> Statewide <input type="checkbox"/> Other:				Court ORI MI			
Reason for removal is stated in item 3 on page 1 of the order to take child(ren) into protective custody.							

OFFICER'S CUSTODY STATEMENT AND RECORD OF NOTIFICATION

1. I certify and return that I have taken

Child(ren)'s name(s)

into custody on

Date

at

Time

and have delivered the child(ren) to

Place of temporary placement

.
2. I
☐ notified
☐ attempted to notify the parent(s), guardian, or legal custodian listed below that the child(ren) has/have been taken into protective custody and that a preliminary hearing will be held on

Date and time

at

Place

.

NAME	METHODS USED (reasons for failure to notify must be noted)	DATE	TIME
Father			
Mother			
Guardian/Legal custodian			
Other			

I declare that this custody statement has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Date

Signature

Agency name