

# Dispositional Hearing Checklist - CHIPS

- See §§ 48.335, 48.345, 48.347, 48.355, and 48.356.
- Confirm notice of the hearing was provided to all of the parties and caregiver (if any).
- If plea was taken by a court commissioner, review the admission at the beginning of the Dispositional Hearing. See § 48.30(9).
- Check case file to verify if the court report has been filed. Sec. 48.293(2) requires it to be provided at least 48 hours before the hearing, unless there is a different local rule.
  - While a court report to be made orally for in-home placements if all the parties consent, it is recommended that a written report always be required unless the case proceeds directly to disposition following an admission.
- Ask if the parties have received a copy of the court report.
- Ask the parties if they disagree with anything stated in the court report or with any of the recommendations.
  - If any party disagrees with anything stated in the court report or with any of the recommendations, testimony and/or evidence may be received.
  - See § 48.299 for general hearing procedures. Neither statutory nor common law rules of evidence apply at Dispositional Hearings.
- State the name of the child's placement.
- State the conditions of supervision.
- State the specific services to be provided by the agency to the child and family.
- Specify the expiration date for the order.

## Out-of-Home Placements

- Were the parents asked to provide the names of three adult relatives of the child or other adult individuals for placement consideration?
- Are there any caregivers who wish to be heard?
- Read the conditions for return to the parents.

- ❑ State your findings and reasons on the record (there also needs to be written findings of fact and conclusions of law -- read from Dispositional Order, JC-1611T or IW-1611T). Those findings must include:
  - State whether WICWA applies or not (see WICWA Checklist if it applies).
  - Continued placement in the home is or is not contrary to the child's welfare (state the specific reasons).
  - Whether the agency made reasonable efforts to prevent removal of the child from his or her home while assuring its health and safety (state the efforts made).
  - Whether reasonable efforts to place the child in a placement that enables the sibling group to remain together were made or not required (state the efforts made).
  - If the children were not placed together – whether reasonable efforts were made to provide frequent visitation.
  - If a permanency plan has been filed, whether reasonable efforts have been made to achieve the permanency goal (state the efforts made).
  
- ❑ Designate amount of child support or refer to child support.
  
- ❑ Advise parents of applicable grounds for TPR and of the conditions necessary for the child to be returned to the home or for the parent to be granted visitation.
  - I am notifying you that pursuant to Wis. Stat. § 48.356 that your child has been found to be in need of protection or services and placed outside your home. The state could bring an action resulting in the termination of your parental rights to the child named in the order.
  - If not already done, list the conditions for return/visitation.
  - Read the applicable grounds from the Notice Concerning Grounds to Terminate Parental Rights (on form JD-1753 or JC-1611T).
  
- ❑ Consider scheduling a hearing to review progress with terms of Dispositional Order.