

**CHECKLIST FOR MOTION FOR ORDER OF TEMPORARY CUSTODY WITH PETITION FOR NEGLECT, UNCARED-FOR, ABUSED / WHERE NEGLECT IS PREVIOUSLY FILED / COTERMINOUS**

DCF-2017  
5/2021 (New)



Child/ren's Name:	Date to be Filed:
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Case Name:

<input type="checkbox"/> OTC with Neglect	<input type="checkbox"/> OTC with Neglect Previously Filed	<input type="checkbox"/> OTC with Coterminous Petition
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**DOCUMENTS TO BE FILED IN COURT**

- JD-JM-58 Motion/Order of Temporary Custody/Order to Appear** (Populated by e-services)
- JD-JM-58A Notice of Temporary Custody/Order to Appear** (Populated by e-services)
- Social Worker Affidavit.** Must be notarized. Make sure all exculpatory information has been included. (see sample template)
- Supporting Affidavits if applicable.** Must be notarized. (i.e., Affidavits from doctors, nurses, providers, etc.)
- JD-JM-30 Custody Affidavit –** Must be notarized. One original for each child. Do not forget to include protective orders, restraining orders, family arrangements, or 96-hour holds that may affect custody.
- JD-JM-106 – Specific Steps (JD-JM-106)** One form for each parent or guardian. Please make sure the goals and provider sections are completed appropriately and the expectations mirror your goals established in your case plan.
- DCF-3009 Notification to Court of Out of Town Placement** This must be filed if the child is placed in a town other than where the child resides.
- DCF-906 Report to Superior Court for Juvenile Matters Regarding Child's Foster Home Placement.** File with OTC if placement known. Otherwise file prior to 10-day hearing.
- DCF-3004 Letter to Counsel for Children –** One for each child. Must be filed with the court no later than 24 hours after OTC is granted.
- Confidential Address -** Whenever a parent asks that his or her address remain confidential for safety reasons, check the confidential box in e-filing. Any future forms or studies should state "confidential address" where applicable.

**ADDITIONAL DOCUMENTS TO BE FILED IN COURT FOR OTC WITH NEGLECT**

- JD-JM-98 Petition: Neglected, Uncared-For, Abused (JD-JM-98)** (Populated by e-services)
- Summary of Facts Substantiating Allegations of Neglect** (see sample template)

**ADDITIONAL DOCUMENTS TO BE FILED IN COURT FOR OTC WHERE NEGLECT PETITIONS ARE PREVIOUSLY FILED**

- If there has not been an adjudication –** Submit request to AAG for Motion to Amend Neglect Petition (AAG must file within 24 hours of OTC being granted)
- If child has been adjudicated and disposition entered –** Submit request to AAG for Motion to Open and Modify Disposition (AAG must file within 24 hours of OTC being granted)

**ADDITIONAL DOCUMENTS TO BE FILED IN COURT FOR OTC WITH COTERMINOUS PETITION**

- JD-JM-98 Petition: Neglected, Uncared-For, Abused (JD-JM-98)** (Populated by e-services)
- JD-JM-40 Petition for Termination of Parental Rights**
- Summary of Facts to Substantiate Petitions of Neglect and Termination of Parental Rights–**(see sample template)

### SERVICE OF PROCESS

**Instructions to the Marshal** – Using the process in your local area office, provide instructions for the Marshal on how to locate the parent to provide in-hand service. This is the preferred method of service. As an alternative, the Marshal may leave the paperwork at the abode of the parent. It will be the Social Worker's responsibility to testify as to how they know the parent resides at that residence.

**IF WHEREABOUTS OF PARENT IS UNKNOWN (publication):**

- DCF-2037 – Affidavit of Diligent Search for the Parent
- DCF-2010 – Motion for Order of Notice
- JD-JM-61 – Order of Notice (Used when identity is known)
- JD-JM-61a – Order of Notice (Used for coterminous petition where identity is unknown)
- Form Letter to Newspaper

**Note:** Publication on John Doe is not required unless this is a coterminous petition. (None of the above are filed for a John Doe)

### SUBSEQUENT FILINGS

- Social Study in support of petition** - Must be filed 3 days prior to the plea date
- JD-JM-172 Military Affidavit** – Must be notarized. One original for each respondent. (File prior to OTC hearing)

### ADDITIONAL REQUIREMENTS

- DCF-3006 Letter to Parents requesting Relative Information** – Mail to the parents (not filed in court)
- DCF-3005 Letter to Relatives of Children Taken into Care, with DCF-3007 Services Available to Relative Caregivers**- Within 30 days of placement a diligent search shall be completed to identify and notify all relatives of placement and their rights (not filed in court)
- DCF-604 Notice of School Placement Decision** (not filed in court)
- VS-39P Request for Acknowledgment of Paternity** (provide the results to the AAG)
- ICWA** - If any party has Indian Ancestry or ancestry is unknown, consult with legal staff for notification

Completed By

Date

Additional Notes