



ADJUDICATION HEARING



SUMMARY OF KEY QUESTIONS/DETERMINATIONS

- Which allegations of the petition have been proven by clear and convincing evidence or admitted, if any?
- Do the facts prove that the child was without proper parental care and control?
- Do the facts prove that immediate, proper parental care and control is unavailable to the child without state intervention?
- Are there aggravated circumstances?
- Is there a legal basis for continued court and agency intervention?
- Have reasonable efforts been made to prevent the need for placement or safely reunite the family?
- Has the father been identified? If not, what specific actions have been completed to locate him? Is the father an able and willing caretaker? If yes, is adjudication warranted?
- Has family finding been done to identify all possible family and kin?
- Has a determination been made as required by the Indian Child Welfare Act?
- Has the family been offered a Family Group Decision Making conference?
- Is the basis for dependency truancy alone? If so, have the underlying causes been investigated? Are there problems at home preventing the child from attending school? Is there a lack of proper parental care and control? Has the school done an attendance improvement plan? Are the parents and/or the child receiving interventions/services? Does the child have a learning issue that has not been identified? Is the child being bullied in school? Are there transportation and/or safety issues that can be resolved? (See <http://www.ocfcpacourts.us/>)

If the disposition hearing will not immediately follow the adjudication hearing:

- Where will the child live until the disposition hearing?
- Is there a need for further testing or evaluation of the child and/or parents in preparation for disposition?
- Is the agency taking steps to evaluate relatives as possible support for the child or parent?
- Is the agency continuing to try to notify noncustodial parents?
- If the child will be in foster care, what are the plans for parental visitation and sibling visitation?
- If siblings are not placed together, what reasonable efforts has the agency made to prevent or remedy this?
- If the child will be in foster care, will the parent or guardian be able to continue making educational decisions for the child or should an educational decision maker be appointed? Are there any other educational needs to address?

These questions are adapted from the text of this chapter, the *Mission and Guiding Principles for Pennsylvania's Dependency System* and the Adjudication Hearing Checklist provided in the *Resource Guidelines* (NCJFCJ, 1995, p. 52).