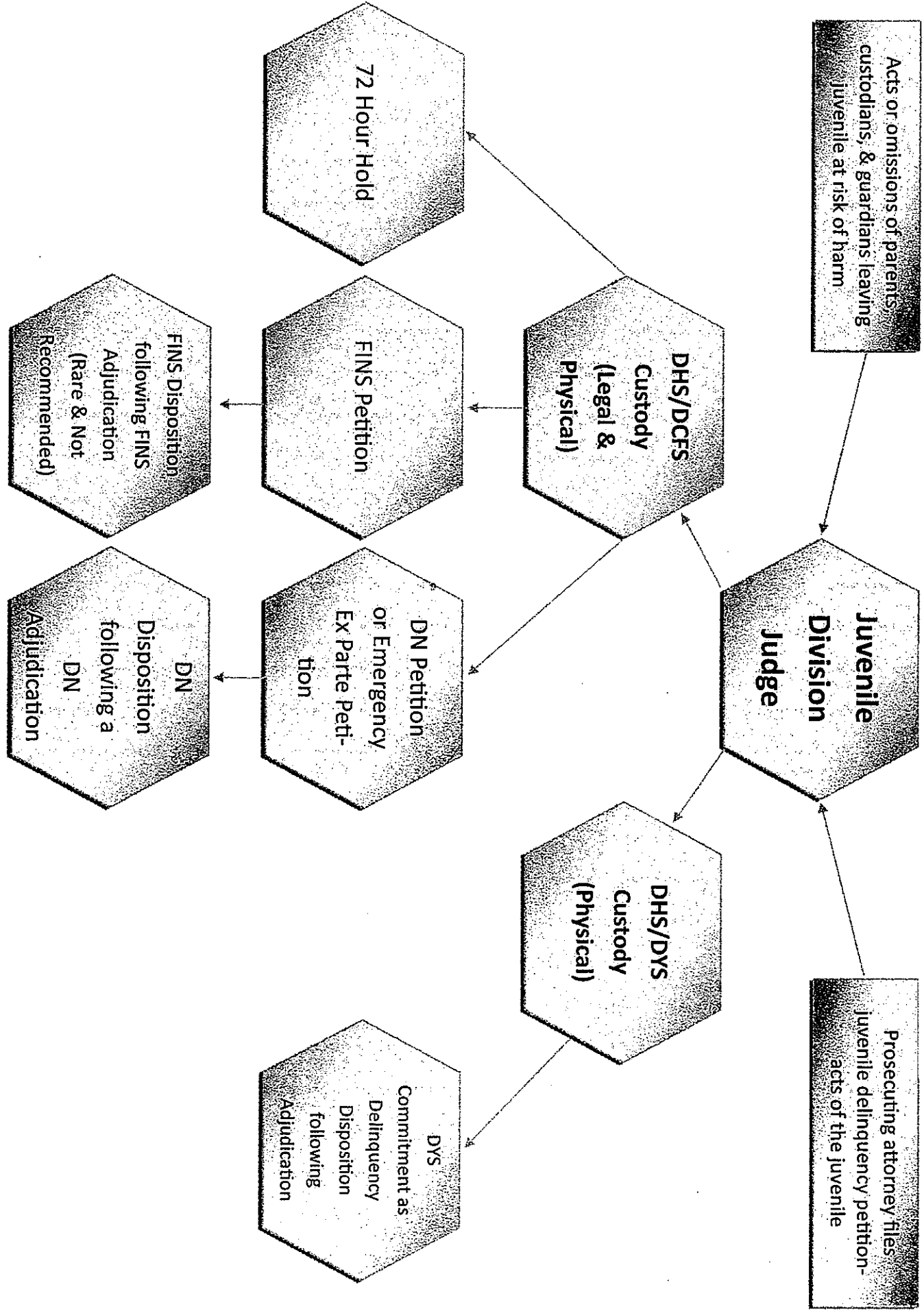


# HANDOUT #1



# DHS/DCFS Custody

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## 72 Hour Hold

A juvenile division of circuit court judge during juvenile proceedings concerning the child or siblings of the child may take a child into protective custody if:

1. The child is subject to neglect under Arkansas Code Annotated section 12-18-103(14)(B) and DHS assesses the family and determines that the newborn and any other children, including siblings, under the custody or care of the mother are at substantial risk of serious harm such that the children need to be removed from the custody or care of the mother; **Ark. Code Ann. § 12-18-1001.**

**Neglect** shall also include causing a newborn to be born with an illegal substance (a drug prohibited to be used or possessed without a prescription under the Arkansas Code Annotated sections 5-1-101 *et seq.*) present in the child's bodily fluids or bodily substances as a result of the pregnant mother knowingly using an illegal substance before the birth of the newborn. A test of the child's or mother's bodily fluids or bodily substances may be used as evidence to establish neglect pursuant to this subsection. **Ark. Code Ann. § 12-18-103(14)(B).**

2. The child is dependent as defined by **Ark. Code Ann. § 9-27-303(17)**; or

### **Dependent juvenile means**

A child of a parent who is in DHS custody;

A child whose parent or guardian is incarcerated and has no appropriate relative or friend willing or able to provide care for the child;

A child whose parent or guardian is incapacitated so they cannot care for the juvenile and they have no appropriate relative or friend to care for the child;

A child whose custodial parent dies and no appropriate relative or friend is willing or able to care for the child;

A child who is an infant relinquished to the custody of DHS for the sole purpose of adoption;

A safe-haven baby;

A child who has disrupted his or her adoption, and the adoptive parents have exhausted resources available to them; or

A child who has been a victim of human trafficking as a result of threats, coercion, or fraud. **Ark. Code Ann. § 9-27-303(17).**

## DHS/DCFS Custody

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3. Circumstances or conditions of the child are such that continuing in his or her place of residence or in the care and custody of the parent, guardian, custodian, or caretaker presents an immediate danger to the health or physical well-being of the child. **Ark. Code Ann. § 12-18-1001(a)(3).**

### Dependency-Neglect

#### DN Petition

Only a law enforcement officer, prosecuting attorney, or DHS or its designee may file a dependency-neglect petition seeking ex parte emergency relief. **Ark. Code Ann. § 9-27-310(b)(2).**

Any adult or any member ten (10) years or older of the immediate family alleged in need of services can file a dependency-neglect or FINS petition. **Ark. Code Ann. § 9-27-310(b)(3).**

#### Ex Parte Order

Court shall issue an ex parte order to remove the juvenile from the custody of the parent, guardian, or custodian when probable cause exists that immediate emergency custody is necessary to:

Protect the juvenile's health or physical well-being from immediate danger; or

Prevent juvenile's removal from state. **Ark. Code Ann. § 9-27-314(a)(1).**

#### Probable Cause Hearing

To determine if probable cause to issue an emergency ex parte order continues to exist. **Ark. Code Ann. § 9-27-315(a)(1)(A).**

- a. Court shall issue an ex parte order to remove the juvenile from the custody of the parent, guardian, or custodian when probable cause exists to believe that immediate emergency custody is necessary to:

- (1) Protect the juvenile's health or physical well-being from immediate danger; or

- (2) Prevent juvenile's removal from state. **Ark. Code Ann. § 9-27-314(a)(1).**

- b. Court shall issue an ex parte order to provide specific appropriate

## DHS/DCFS Custody

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safeguards to protect the juvenile when there is probable cause to believe an emergency order is necessary to protect the health or physical well-being of the juvenile from immediate danger. **Ark. Code Ann. § 9-27-314(a)(2)(A).**

Specific appropriate safeguards shall include without limitation the court's ability to restrict a legal custodian's right to:

- (1) having contact with the juvenile; or
- (2) removing the juvenile from a placement if the legal custodian placed or allowed the child to remain in that home for more than six (6) months, and DHS has no immediate health or physical well-being concerns with the placement. **Ark. Code Ann. § 9-27-314(a)(2)(B).**

### **Disposition Hearing: Transfer custody to DHS – DN Dispositional Alternative**

#### **Requirements Prior to Removing a Juvenile from Home into DCFS Custody**

- a. Prior to ordering a juvenile to be removed from his or her parent, guardian, or custodian and placed with DHS, another licensed agency responsible for the care of a juvenile, or a relative or other individual, the court shall order family services to prevent removal unless the health and safety of the juvenile warrant immediate removal for the juvenile's protection. **Ark. Code Ann. § 9-27-328(a).**
- b. When the court orders such initial removal, the court shall make the following specific findings in the initial order:
  - (1) Whether it is contrary to the welfare of the juvenile to remain at home;
  - (2) Whether removal and the reasons for removal are necessary to protect the health and safety of the juvenile; and
  - (3) Whether removal is in the best interest of the juvenile. **Ark. Code Ann. § 9-27-328(b)(1).**

*DHS sought to challenge a judge's placement with the agency claiming she failed to comply with Arkansas Code Annotated section 9-27-328(a)(2) by not making specific findings of fact that family services were made available before the child was removed from the grandmother's home. The issue is moot because at a later disposition hearing and prior to the agency filing a notice of appeal, the judge placed custody with the*

## DHS/DCFS Custody

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*child's mother in another county. The court does not issue advisory opinions nor review matters when the complaining litigant received the relief it requested. Ark. Dep't of Human Servs. v. State, 318 Ark. 294 (1994).*

- c. If the court finds that reasonable efforts to deliver family services could have been made with the juvenile safely remaining at home but were not made, the court may:
- (1) Order family services reasonably calculated to prevent the need for out-of-home placement; **Ark. Code Ann. § 9-27-335(e)(2)(B)**;
  - (2) Authorize or continue removal but shall note the failure of DHS in the record of the case; or **Ark. Code Ann. § 9-27-328(d)**.
    - (A) The court may transfer custody of the juvenile despite the lack of reasonable efforts by the department to prevent the need for out-of-home placement, if such a transfer of custody is necessary:
    - (B) To protect the juvenile's health and safety; or
    - (C) To prevent the juvenile from being removed from the jurisdiction of the court. **Ark. Code Ann. § 9-27-335(e)(2)(C)**.
  - (3) Dismiss the petition. **Ark. Code Ann. § 9-27-335(e)(2)(A)**.
  - (4) The court shall note in the record the department's failure to deliver services, **Ark. Code Ann. § 9-27-328(d)**, or
- d. Custody of a juvenile may be transferred to a relative or other individual only after a home study of the placement is conducted by DHS or by a licensed social worker and submitted to the court in writing and the court determines that the placement is in the best interest of the juvenile. The court shall order a transfer of custody only after determining that reasonable efforts have been made by DHS to deliver family services designed to prevent the need for out-of-home placement and that the need for out-of-home placement exists.
- (1) The juvenile's health and safety shall be the paramount concern of the court in determining if DHS could have made reasonable efforts to prevent the juvenile's removal. **Ark. Code Ann. § 9-27-335(d)-(e)**.

## DHS/DCFS Custody

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- e. In all instances of removal of a juvenile from the home of his or her parent, guardian, or custodian by a court, the court shall set forth in a written order:
- (1) Evidence supporting decision to remove;
  - (2) Facts regarding the need for removal; and
  - (3) Findings required by this section. **Ark. Code Ann. § 9-27-328(e)(1)(A)-(C).**

*The statute requires specific findings when the court orders removal from a custodial parent. Ark. Dep't of Human Servs. v. R.P., 333 Ark. 516, 970 S.W.2d 225 (1998).*

### Transfer Custody

- a. If it is in the best interest of the juvenile, the court may transfer custody to DHS, to another licensed agency responsible for care of juveniles, to relatives, or to other individuals. **Ark. Code Ann. § 9-27-334(a)(2)(A).**
- (1) Prior to the court placing a juvenile in a residential placement the court shall comply with the mental health assessments required by Act 1959 of 2005. **Ark. Code Ann. §§ 9-27-601-603.**
  - (2) Custody may be transferred to a relative or other individual only after a home study is conducted by DHS or a licensed social worker and submitted to the court in writing and the court determines that the placement is in the juvenile's best interest. **Ark. Code Ann. § 9-27-335(d).**

*The juvenile division of chancery court, having found a child to be dependent or neglected, has the authority to make an award of custody of the child between competing parents. Nance v. Ark. Dep't of Human Servs., 316 Ark. 43 (1994).*

- (3) The court shall order parents or any other person named in the petition to pay a reasonable sum for support, maintenance, or education of the juvenile to any person, agency, or institution to whom custody is awarded if it appears at adjudication or disposition hearing that the parents or other person are required by law to support juvenile and are able to contribute to support of juvenile. **Ark. Code Ann. § 9-27-346(a).**

## DHS/DCFS Custody

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The court shall order such person to pay a reasonable sum pursuant to the Guidelines for Child Support and the Family Support Chart. **Ark. Code Ann. § 9-27-346(a); Administrative Order Number 10.**

- (4) If the court grants custody to DHS, the juvenile shall be placed in a licensed or approved foster home, shelter, or facility or an exempt child welfare agency as defined by Arkansas Code Annotated section 9-28-402(12). **Ark. Code Ann. § 9-27-334(a)(2)(B); Ark. Code Ann. § 9-27-355(b)(3)(A).**
- (5) If the court grants custody of a juvenile to a relative or other person, the juvenile shall not:
  - (A) Be placed in the custody of DHS while remaining in the relative's or other person's home, and
  - (B) The juvenile shall not be removed from the custody of the relative or other person, placed in the custody of DHS, and then remains or return to the home of the relative or other person while remaining in the custody of DHS. **Ark. Code Ann. § 9-27-355(b)(4)(A).**
- (6) If the court transfers custody to DHS, the court shall issue an order regarding educational issues of the juvenile including determining whether the parent or guardian:
  - (A) May have access to the juvenile's school records;
  - (B) Obtain information on the current placement of the child, including the name and address of the child's foster parent or provider, if the parent or guardian has access to the child's school records; and
  - (C) May participate in school conferences or similar activities at the child's school. **Ark. Code Ann. § 9-28-113(a)(6)(A).**
- (7) If custody transferred to DHS, the circuit court may appoint a person to consent to an initial evaluation and serve as a surrogate parent, pursuant to the Individuals with Disabilities Education Act (IDEA). **Ark. Code Ann. § 9-28-113(b)(6)(B).**

# DHS/DCFS Custody

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## Family In Need Of Services (FINS)

### FINS Petition

Any adult or any member ten (10) years or older of the immediate family alleged in need of services can file a dependency-neglect or FINS petition. **Ark. Code Ann. § 9-27-310(b) (3).**

### FINS Disposition Hearing: FINS Dispositional Alternative –Transfer to DHS custody

#### Requirements Prior to Removing a Juvenile from Home

- a. Before a circuit court may order a juvenile to be removed from his or her parent, guardian, or custodian and placed with DHS or another licensed agency responsible for the care of a juvenile, relative, or other individual, the court shall order family services to prevent removal, unless the health and safety of the juvenile warrant immediate removal for the juvenile's protection. **Ark. Code Ann. § 9-27-328(a).**
- b. When the court orders such removal, the court shall make the following specific findings:
  - (1) The initial order shall provide:
    - (A) Whether it is contrary to the welfare of the juvenile to remain at home;
    - (B) Whether removal and the reasons for removal are necessary to protect the health and safety of the juvenile; and
    - (C) Whether removal is in the best interest of the juvenile.
  - (2) Within sixty (60) days of removal, the court must find:
    - (a) Which family services were made available to family prior to removal;
    - (B) What efforts were made to provide family services relevant to the needs of the family prior to removal, taking into consideration whether the juvenile could remain safely at home with services;



## DHS/DCFS Custody

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- (C) Why efforts made to provide family services described did not prevent removal; and
- (D) Whether efforts made to prevent removal of juvenile were reasonable based upon the family's and juvenile's needs. **Ark. Code Ann. § 9-27-328(b).**

*In a FINS case, the mom appealed a permanent custody order placing her child with the paternal grandparents. The court of appeals reversed the trial court and held that the findings required by Arkansas Code Annotated section 9-27-328(b) were not made and could not be supported by the record. **Robbins v. State, 80 Ark. App. 204 (2002).***

- (3) The department is deemed to have made reasonable efforts to prevent or eliminate the need for removal when its first contact with family occurred during an emergency in which the juvenile could not remain at home safely, even if reasonable services were provided. **Ark. Code Ann. § 9-27-328(c).**

Upon the court's finding that DHS's preventative and reunification efforts have not been reasonable, but further efforts could not permit juvenile to remain safely in home, the court may authorize or continue removal. **Ark. Code Ann. § 9-27-328(d).**

- d. Custody can be transferred only after determining that reasonable efforts have been made by DHS to deliver family services designed to prevent the need for an out-of-home placement and that the need for an out-of-home placement exists. **Ark. Code Ann. § 9-27-335(e)(1)(A).**
- e. In all instances of removal of a juvenile from the home of his or her parent, guardian, or custodian, the court shall set forth in a written order:
  - (1) evidence supporting decision to remove;
  - (2) facts regarding the need for removal; and
  - (3) findings required by this section. **Ark. Code Ann. § 9-27-328(e)(1).**

## DHS/DCFS Custody

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### Transfer of Custody

- a. Transfer of custody to DHS (foster care) is limited to a finding that it is in the juvenile's best interest and because of acts or omissions by the parent, guardian, or custodian that removal is necessary to protect the juvenile's health and safety. **Ark. Code Ann. § 9-27-332(a)(2)(B).**
  - (1) If the court transfers custody to DHS, the court shall issue orders regarding educational issues of the juvenile including:
    - (A) determining if the parent or guardian shall have access to the juvenile's school records
    - (B) determining if the parent or guardian who has access to school records is entitled to obtain information on the child's placement (name and address of foster parent or provider), and
    - (iii) determining if the parent or guardian may participate in school conferences or similar activities. **Ark. Code Ann. § 9-28-113(6)(A).**
  - (2) If custody is transferred to DHS, the circuit court may appoint a person to consent to an initial evaluation and serve as a surrogate parent, pursuant to the Individuals with Disabilities Education Act (IDEA). **Ark. Code Ann. § 9-28-113(6)(B).**
  - (3) If the court grants custody of a juvenile and any siblings or step-siblings to a relative or other person, the juvenile shall not:
    - (A) be placed in the custody of DHS while remaining in the relative's home; and
    - (B) the juvenile shall not be removed from the custody of the relative or other person placed in the custody of DHS, and then remains or return to the home of the relative or other person while remaining in the custody of DHS. **Ark. Code Ann. § 9-27-355(b)(4).**
  - (4) Custody of a juvenile **shall not** be transferred to DHS when a delinquency petition or case is converted to a FINS petition or case. **Ark. Code Ann. § 9-27-333(g).**

## **DYS Commitment**

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The court may commit the juvenile to the Division of Youth Services (DYS), using the risk assessment distributed and administered by the Administrative Office of the Courts. **Ark. Code Ann. § 9-27-330(a)(1)(B)(i).**

*Appellant argued that the court erred in committing her to DHS because there was evidence of alternative dispositions. While this order is moot since the juvenile has already been released from DHS, The appellate court affirmed the circuit court's disposition as appropriate in this case. Appellant also argued that the disposition order was void because the trial court ordered that prior to being released from DHS, DHS was required to provide notice to the trial court in order for a hearing to be scheduled. Appellant argued that this interfered with DHS' sole release authority. The appellate court held that the issue was moot. DHS requested the court to reach the merits of the argument because according to agency data this language occurs in one quarter of the cases. The appellate court declined to do so because DHS admitted it routinely notified the court prior to a juvenile's release and in the current case the juvenile was released and no hearing was held. **L.C. v. State, 2012 Ark. App. 666.***

No court may commit a juvenile found solely in criminal contempt to DHS. **Ark. Code Ann. § 9-27-331(i); Ark. Code Ann. § 9-28-208(a)(2).**

In the commitment order, the court may recommend that a juvenile be placed in a treatment program or community-based program instead of a youth services center and shall make specific findings in support of such placement in the order. The court shall also specifically request its recommendation for a DHS aftercare plan upon the juvenile's release. **Ark. Code Ann. § 9-27-330(a)(1)(B)(iii).**

***Note:** Arkansas Code Annotated section 9-28-209 grants DHS the authority to make placement decisions once a juvenile is committed to DHS.*

The order of commitment to DHS shall state that the juvenile was found delinquent and shall state information regarding the underlying facts of the adjudication. **Ark. Code Ann. § 9-28-208(a)(1).**

Upon entry of a detention order and commitment to DHS, a court shall transmit the following information to the division:

- 1) a copy of the commitment order;
- 2) a copy of the risk assessment instrument;
- 3) records or information pertaining to the juvenile compiled by the juvenile intake or probation officer that shall include:
  - information on the juvenile's background, history, behavioral tendencies, and family status;

## DYS Commitment

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- the reasons for commitment;
- the name of the school in which the juvenile is currently or was last enrolled;
- the juvenile's offense history;
- the juvenile's placement history;
- a copy of all psychological or psychiatric evaluations or examinations performed on the juvenile admitted into evidence or ordered by the court while under the court's jurisdiction or supervision of court staff;
- a comprehensive list of all current medications taken by the juvenile; and
- a comprehensive list of all medical treatment currently being provided to the juvenile. **Ark. Code Ann. § 9-28-208(b).**

Upon receiving an order of commitment with recommendations for placement, DYS shall consider the recommendations of the committing court in placing a juvenile in a youth services center or a community-based alternative. **Ark. Code Ann. § 9-27-330(a)(1)(B)(iv); Ark. Code Ann. § 9-28-208(e).**

Upon receipt of an order of commitment, the division or its contracted provider or designee shall prepare a written treatment plan that:

- 1) States the treatment plan for the juvenile, including the types of programs and services that will be provided to the juvenile;
- 2) States the anticipated length of the juvenile's commitment;
- 3) States recommendations as to the most appropriate post-commitment placement for the juvenile.

If the juvenile cannot return to the custody of his or her parent, guardian, or custodian because of child maltreatment, which includes the parent, guardian, or custodian refusing to take responsibility for the juvenile, the Division of Youth Services shall immediately contact DHS's Office of Chief Counsel; and

The Office of Chief Counsel shall petition the committing court to determine the issue of custody of the juvenile;

## DYS Commitment

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- 4) States any post-commitment community-based services that will be offered to the juvenile and to his or her family by the division or the community-based provider; and
- 5) Outlines an aftercare plan, if recommended, including specific terms and conditions required of the juvenile and the community-based provider.

If the juvenile progresses in treatment and an aftercare plan is no longer recommended or the terms of the aftercare plan need to be amended as a result of treatment changes, any change in the terms of the aftercare plan and conditions shall be provided in writing and shall be explained to the juvenile.

The terms and conditions shall be provided also to the prosecuting attorney, the juvenile's attorney, and to the juvenile's legal parent, guardian, or custodian by the division or its designee before the juvenile's release from the division. **Ark. Code Ann. § 9-27-330(a)(1)(B)(v).**

Violations of conditions of aftercare may be reported to the prosecutor who may petition the court for revocation of aftercare. **Ark. Code Ann. § 9-27-364(b)(1).**

- 6) The treatment plan shall be filed with the committing court no later than thirty (30) days from the date of the commitment order or before the juvenile's release, whichever is sooner.

A copy of the written treatment plan shall be provided and shall be explained to the juvenile.

A copy shall be provided to the prosecutor, the juvenile's attorney, and to the juvenile's legal parent, guardian, or custodian and shall be filed in the court files of any circuit court where a dependency-neglect or FINS case concerning that juvenile is pending. **Ark. Code Ann. § 9-27-330(a)(1)(B)(v)(f).**

Upon commitment to DYS or detained in a juvenile detention facility, the court shall order the parent or guardian to provide DYS information on the juvenile's private health insurance coverage when available, including a copy of the juvenile's health insurance policy and pharmacy card. **Ark. Code Ann. § 9-27-330(a)(14).**

The court shall notify DYS in its commitment order of the court's order of probation including the juvenile's compliance with aftercare, if provided in the treatment plan. **Ark. Code Ann. § 9-27-339(a)(2).**

## DYS Commitment

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An order of commitment shall remain in effect for an indeterminate period not exceeding two (2) years, subject to extension by the committing court for additional periods of one (1) year until the juvenile's 21st birthday if the court finds such extension necessary to safeguard the welfare of the juvenile or the public interest. **Ark. Code Ann. § 9-27-331(a)(2)-(3); Ark. Code Ann. § 9-28-208(c).**

The length of commitment and the final decision to release shall be the exclusive responsibility of DYS, except when the juvenile is an EJJ offender. **Ark. Code Ann. § 9-27-331(a)(5).**

**Juvenile's Social History**

**School Performance**

Honor Student or  C or better.....0

Currently Truant  Suspension w/in last year or  Expulsion w/in last year.....1

Last grade juvenile successfully completed: \_\_\_\_\_ Total Points 0 (1 max points)

**Support System – Juvenile**

Parents/Caregivers do not provide structure or support for juvenile.....2

Siblings/Household members are negative influence to juvenile.....1

Total Points 0 (3 max points)

**Peer relationships-Relationships the juvenile has with friends he/she spends time with**

Positive and consistent friends.....0

Negative/Anti- social friends or friends engaging in delinquent/criminal activity.....1

Gang involved .....2

Gang Affiliation: \_\_\_\_\_ Total Points 0 (3 max points)

**Mental health diagnosis by a licensed professional or prior reports of suicidal ideation or suicide attempts**

Not Applicable

Mental health diagnosis  prior suicidal ideation  prior suicide attempts.....1

Total Points 0 (1 max points)

Diagnosis: \_\_\_\_\_ Total # reported suicidal ideation: \_\_\_\_\_ reported suicide attempts: \_\_\_\_\_ (attach records)

**Physical health diagnosis by a licensed professional**

Not Applicable

Physical health diagnosis .....1

Diagnosis: \_\_\_\_\_ (attach records) Total Points 0 (1 max points)

**Child Abuse and Neglect**

Not Applicable

History of child abuse and/or neglect.....1

Current or prior dependency-neglect adjudication.....2

If history or prior adjudication of abuse or neglect: Total Points 0 (2 max points)

Abused by:	Parent	Sibling	Other (describe relationship)
Physical Abuse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Abuse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Neglect	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**History of household members engaged in delinquent/criminal activity or incarcerated**

Not Applicable

Any siblings/household members engaged in current delinquent/criminal activity.....1

Parents/caregivers currently engaged in criminal activity .....1

Parents/caregivers currently incarcerated .....2

Total Points 0 (4 max points)

**History of Sexual Behavior**

No history.....0

Multiple sex partners  STDS  Sexual relations resulting in pregnancy  Reports of sexual aggression or deviant sexual activity  Treatment for sex offending behavior.....1

Prior sex offender registration.....2

Total Points 0 (3 max points)

**History of Aggression/Violence**

Not Applicable

Verbal aggression towards  parents/caregivers  teachers/school officials  authority figures  
 \_\_\_\_\_ (describe).....1

Physical aggression towards  parents/caregivers  siblings/household members  
 teachers/school officials  authority figures \_\_\_\_\_ (describe).....2

Animal cruelty  Fire Setting .....2

Total Points 0 (5 max points)

## Arkansas Circuit Court Juvenile Division Risk Assessment

Name:	Date of Birth:	Social Security #
Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female	Race: <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Biracial	<input type="checkbox"/> Black <input type="checkbox"/> Hispanic
		<input type="checkbox"/> Native American <input type="checkbox"/> White
<b>Age of the juvenile at the time of the first delinquency adjudication:</b>		
		<input type="checkbox"/> Not Applicable
<input type="checkbox"/> 12 and under.....		4
<input type="checkbox"/> 13.....		3
<input type="checkbox"/> 14.....		2
<input type="checkbox"/> 15.....		1
<input type="checkbox"/> 16 and above.....		0
		Total Points <u>0</u> (4 max points)
<b>Number of prior delinquency adjudications and adjudicated probation revocations and aftercare violations:</b>		
		<input type="checkbox"/> Not Applicable
<input type="checkbox"/> One or more delinquency adjudications .....		2
<input type="checkbox"/> One or more adjudicated probation revocations or aftercare violations.....		1
		Total Points <u>0</u> (3 max points)
<b>Total number of delinquency adjudications    probation revocations    aftercare violations</b>		
<b>Number of delinquency adjudications for offenses involving weapons/firearms:</b>		
		<input type="checkbox"/> Not Applicable
<input type="checkbox"/> One or more.....		1
		Total Points <u>0</u> (1 max points)
<b>Total Number of delinquency adjudications for offenses involving weapons/firearms</b>		
<b>Number of delinquency adjudications for misdemeanors or felonies against persons and residential and commercial burglary</b>		
		<input type="checkbox"/> Not Applicable
<input type="checkbox"/> One or more misdemeanors.....		1
<input type="checkbox"/> One or more felonies.....		2
<input type="checkbox"/> Class Y felony.....		3
		Total Points <u>0</u> (6 max points)
<b>Total number of adjudicated misdemeanors    Total number of adjudicated felonies</b>		
<b>Total number of adjudicated Y felonies</b>		
<b>Number of FINS adjudications</b>		
		<input type="checkbox"/> Not Applicable
<input type="checkbox"/> One or more .....		1
		Total Points <u>0</u> (1 max points)
<b>Number of runs/escapes</b>		
		<input type="checkbox"/> Not Applicable
<input type="checkbox"/> One or more from shelter, treatment or staff secure facility.....		1 Total # <u>    </u>
<input type="checkbox"/> Five or more from home, including foster care, for more than 24 hours in the last year.....		1 Total # <u>    </u>
<input type="checkbox"/> One or more from DYS or detention.....		2 Total # <u>    </u>
Total number of runs <u>    </u>	Total number of escapes <u>    </u>	Total Points <u>0</u> (4 max points)
<b>Number of placements in DYS, post adjudication detention, or out-of-home placements</b>		
		<input type="checkbox"/> Not Applicable
<input type="checkbox"/> One or more placements in DYS, juvenile detention, or five out-of-home placements within the last year....		2
Total number placements: <u>    </u>		Total Points <u>0</u> (2 max points)
<b>Attach detailed information on known placements including type of placement and dates</b>		
<b>Known history of use/abuse of illegal drugs, alcohol, and/or prescription drugs</b>		
		<input type="checkbox"/> Not Applicable
Use of <input type="checkbox"/> illegal drugs <input type="checkbox"/> alcohol		
Abuse of <input type="checkbox"/> illegal drugs <input type="checkbox"/> alcohol <input type="checkbox"/> prescription drugs.....		1
		Total Points <u>0</u> (1 max points)
<b>Total Risk History Score: <u>0</u> (maximum risk points 22)</b>		



## Juvenile's Social History

<b>School Performance</b>			
<input type="checkbox"/> Honor Student or <input type="checkbox"/> C or better.....	0		
<input type="checkbox"/> Currently Truant <input type="checkbox"/> Suspension w/in last year or <input type="checkbox"/> Expulsion w/in last year.....	1		
Last grade juvenile successfully completed: .....			Total Points <u>0</u> (1 max points)
<b>Support System – Juvenile</b>			
<input type="checkbox"/> Parents/Caregivers do not provide structure or support for juvenile.....	2		
<input type="checkbox"/> Siblings/Household members are negative influence to juvenile.....	1		
			Total Points <u>0</u> (3 max points)
<b>Peer relationships-Relationships the juvenile has with friends he/she spends time with</b>			
<input type="checkbox"/> Positive and consistent friends.....	0		
<input type="checkbox"/> Negative/Anti- social friends or friends engaging in delinquent/criminal activity.....	1		
<input type="checkbox"/> Gang involved .....	2		
Gang Affiliation .....			Total Points <u>0</u> (3 max points)
<b>Mental health diagnosis by a licensed professional or prior reports of suicidal ideation or suicide attempts</b>			
<input type="checkbox"/> Mental health diagnosis <input type="checkbox"/> prior suicidal ideation <input type="checkbox"/> prior suicide attempts.....			<input type="checkbox"/> Not Applicable
			Total Points <u>0</u> (1 max points)
Diagnosis .....	Total # reported suicidal ideation .....	reported suicide attempts .....	(attach records)
<b>Physical health diagnosis by a licensed professional</b>			
<input type="checkbox"/> Physical health diagnosis .....			<input type="checkbox"/> Not Applicable
Diagnosis .....			Total Points <u>0</u> (1 max points)
(attach records)			
<b>Child Abuse and Neglect</b>			
<input type="checkbox"/> History of child abuse and/or neglect.....			<input type="checkbox"/> Not Applicable
			1
<input type="checkbox"/> Current or prior dependency-neglect adjudication.....			2
If history or prior adjudication of abuse or neglect:			Total Points <u>0</u> (2 max points)
Abused by:	Parent	Sibling	Other (describe relationship)
Physical Abuse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Abuse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Neglect	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>History of household members engaged in delinquent/criminal activity or incarcerated</b>			
<input type="checkbox"/> Any siblings/household members engaged in current delinquent/criminal activity.....			<input type="checkbox"/> Not Applicable
			1
<input type="checkbox"/> Parents/caregivers currently engaged in criminal activity .....			1
<input type="checkbox"/> Parents/caregivers currently incarcerated .....			2
			Total Points <u>0</u> (4 max points)
<b>History of Sexual Behavior</b>			
<input type="checkbox"/> No history.....			0
<input type="checkbox"/> Multiple sex partners <input type="checkbox"/> STDS <input type="checkbox"/> Sexual relations resulting in pregnancy <input type="checkbox"/> Reports of sexual aggression or deviant sexual activity <input type="checkbox"/> Treatment for sex offending behavior.....			1
<input type="checkbox"/> Prior sex offender registration.....			2
			Total Points <u>0</u> (3 max points)
<b>History of Aggression/Violence</b>			
Verbal aggression towards <input type="checkbox"/> parents/caregivers <input type="checkbox"/> teachers/school officials <input type="checkbox"/> authority figures			<input type="checkbox"/> Not Applicable
(describe).....			1
Physical aggression towards <input type="checkbox"/> parents/caregivers <input type="checkbox"/> siblings/household members			
<input type="checkbox"/> teachers/school officials <input type="checkbox"/> authority figures (describe).....			2
<input type="checkbox"/> Animal cruelty <input type="checkbox"/> Fire Setting .....			2
			Total Points <u>0</u> (5 max points)

## Arkansas Circuit Court Juvenile Division Risk Assessment

Values and Beliefs	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Does not respect authority figures.....	-1
<input type="checkbox"/> Does not think that rules apply to him/her <input type="checkbox"/> Does not follow rules .....	-1
<input type="checkbox"/> Denies, excuses, blames others, minimizes, or justifies behavior.....	-1
<b>Total Points</b>	<b>0 (3 max points)</b>

**Social History Score: Total Points** \_\_\_\_\_  
 (maximum social history score 26 prior to deduction for mitigating factors)

<b>Mitigating Social History</b>	
<input type="checkbox"/> Good student <input type="checkbox"/> Earned GED or <input type="checkbox"/> Graduated.....	-1
<input type="checkbox"/> Parents/Caregivers provide structure and support to juvenile.....	-2
<input type="checkbox"/> One or more household member (not including parent/caregiver) <input type="checkbox"/> adult positive role model (not including parent/caregiver) or <input type="checkbox"/> peer relationships that provide positive influence and support.....	-1
<input type="checkbox"/> Resolves conflict appropriately.....	-1
<input type="checkbox"/> Generally understands and follow rules .....	-1
<input type="checkbox"/> Accepts responsibility for behavior.....	-1
<b>Total Points</b>	<b>0 (-7 max points)</b>

**Total Social History Score: (social history score minus mitigating social history score)** = **0**

<b>Risk History and Social History</b>			
Risk History Score	Social History Score		
	0-9	10-19	20-26
0-5	Low	Low	Moderate
6-11	Low	Moderate	High
12-16	Low	Moderate	High
17-22	Moderate	High	High

**Additional Comments (Attach additional page if needed):**

.....

Print/Type name of person completing risk assessment

Print/Type Title

Signature: \_\_\_\_\_

Date: \_\_\_\_\_