

Dispositional Hearing Checklist - CHIPS

This checklist is designed to highlight key questions that the court should ask at a Dispositional Hearing in a Child in Need of Protection or Services (CHIPS) case. It is not necessarily an exhaustive list and may need to be modified based on the specific circumstances of the case.

- Procedures related to Dispositional Hearing found in §§ 48.335, 48.345, 48.347, 48.355, and 48.356.
- Ask if a court report has been submitted (if not found in the court file or online) and if the parties have received a copy.
 - A report recommending that the child remain in the home may be presented orally if all the parties consent.
 - A written report shall be submitted if it recommends placement of child in out-of-home care.
- 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 conditions of supervision AND specific services to be provided to the child and family.
- Specify the expiration date for the order.
- State the name of the child's placement.

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 that wish to be heard?
- 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-1611). 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 of the permanency plan (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 form (JD-1753).
- Consider scheduling a hearing to review progress with terms of Dispositional Orders.