

IN THE JUVENILE COURT OF _____ COUNTY, TENNESSEE

STATE OF TENNESSEE)
DEPARTMENT OF CHILDREN'S SERVICES,)
Petitioner,)
v.)
PARENT 1 and)
PARENT 2)
Respondents,)
IN THE MATTER OF:)
CHILD 1, DOB: _____)
CHILD 2, DOB: _____)
Children under the age of 18 years)

Case No. _____

MOTION TO FIND LACK OF REASONABLE EFFORTS DUE TO LACK OF ASSIGNED DCS WORKER AND DUE TO LACK OF COORDINATED VISITATION

Comes now _____, Attorney for Respondent and mother, _____ and _____, Attorney for Respondent and father, _____ and state the following:

- 1. On the ___ day of _____, 20__, the above children were removed from the custody of the parents and placed into foster care.
2. While initially DCS Case Manager, _____, was assigned to assist this family, that individual has since left the position of Case Manager.
3. The minor child, _____, was one month old at the time of removal.
4. During a Child and Family Team meeting held on the ___ day of _____, 20__, the parents reported they had not seen their children since the date of removal (over two months) and were told they would have a four hour visit every other weekend.
5. Since that time (a month and a half ago) there has been only one such visit.

6. This lack of reasonable efforts by the Department is denying the newborn infant his critically important bonding opportunities with his parents.

7. The Preliminary Order entered _____, 20__, lodged _____, 20__ for the hearing held on the ___ day of _____, 20__ sets the Adjudication for _____, 20__ and also states, “DCS should present the permanency plan for ratification at the Adjudicatory hearing.”

8. This lack of reasonable efforts by the Department is denying the parents the guidance and support they need to re-unify with their children.

WHEREFORE, PREMISES CONSIDERED, PETITIONER REQUESTS

1 For the reasons stated above, that this Court find that the State of Tennessee, Department of Children’s Services (DCS) has failed to make reasonable efforts on this matter;

2 That this come before the court on the ____ day of _____, 20__ for a hearing on this motion;

3 That generous make-up visits be awarded to these parents with DCS paying for any additional cost(s) incurred; and

4 Any and all just and proper relief.

Respectfully submitted,

Respectfully submitted,

Attorney for Mother

Attorney for Father

CERTIFICATE OF SERVICE

We, _____ and _____ hereby certify that we have this ____ day of _____, 20__ , hand-delivered, e-mailed and/or deposited in the U.S. Mail, with sufficient postage thereon, a copy of the foregoing Motion addressed to the following:

Assistant General Counsel
Department of Children's Services

Guardian ad Litem

Attorney for Mother

Attorney for Father