

**IN THE DISTRICT COURT OF IOWA, IN AND FOR _____ COUNTY
(JUVENILE DIVISION)**

IN THE INTEREST OF

_____ ,

A Child.

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)

**Juvenile No. _____
ORDER AUTHORIZING NONSECURE
HOLD, SETTING HEARING AND
APPOINTING COUNSEL FOR CHILD**

THERE COMES BEFORE the Court a sworn Application for Order Authorizing Nonsecure Hold of the child in interest filed by Juvenile Court Services/Iowa Department of Human Services. Being fully advised in the premises, the Court **FINDS** that nonsecure hold of the child in interest is required as provided in Iowa Code Section 232.21 and pursuant to 51 I.A.C. Section 51.20 for the following reasons:

SHELTER CARE 232.21

- _____ 1. The juvenile has no parents, guardian, custodian, responsible adult relative, or other adult approved by the Court who will provide proper shelter, care and supervision.
- _____ 2. The juvenile desires to be placed in shelter care.
- _____ 3. It is necessary to hold the juvenile until his/her parents, guardian, or custodian has been contacted and has taken custody of the juvenile.
- _____ 4. It is necessary to hold the juvenile for transfer to another jurisdiction.

The court determines that continuation of the child in the child's home is contrary to the child's welfare. The foregoing findings are made based upon the facts set forth in the Department's Application for Non-secure Hold, which are incorporated hereto by this reference. The Department has made arrangements for placement of the child at the Northeast Iowa Juvenile Holdover Facility in Postville, Iowa.

The Court further **FINDS** that this matter should be set for shelter care hearing and that notice be given to all necessary parties and that counsel should be appointed for the child in interest. This confirms the oral order of the court given at __:__.M. on _____. The Court further **DIRECTS** the (Assistant) County Attorney to file a child in need of assistance petition concerning the child at or before the time set for hearing below. The court pursuant to Iowa Code § 232.21(2)(d) finds the nonsecure hold facility named Northeast Iowa Juvenile Holdover Facility in Postville, Iowa, to be a suitable place designated by the court as an alternative to shelter care.

IT IS THEREFORE ORDERED that the child in interest be placed in the temporary custody of the Iowa Department of Human Services for placement in nonsecure hold in compliance with Iowa Code Sections 232.21 and 232.22 and 51 I.A.C. 51.20, pending further order of court. Said nonsecure hold facility shall have all the rights and responsibilities of A parent to obtain and consent to emergency medical or dental treatment as needed by the child. Transportation to and from any such emergency treatment shall be provided by the Postville Police Department, Allamakee or Clayton County Sheriff's Departments. The nonsecure hold facility staff shall take all reasonable precautions in order to ensure the continued custody of the child. Transportation to the nonsecure hold facility shall be provided by the _____ County Sheriff's Department (Juvenile Court Services).

IT IS FURTHER ORDERED that a shelter care hearing, in compliance with Iowa Code Section 232.44, shall be held at ___:___ M. on the ___ day of _____, 200__, in the designated Juvenile Courtroom of the _____ County Courthouse in _____, Iowa, before the Juvenile Court. The Iowa Department of Human Services shall give notice of the hearing to all parties and counsel either personally or by telephone at least twenty-four hours prior to the hearing and shall certify said service by return filed with the Clerk prior to the hearing. Transportation of the child in interest from the nonsecure hold facility to the Courthouse for said hearing shall be provided by the _____ County Sheriff's Department (Juvenile Court Services).

IT IS FURTHER ORDERED that _____, Attorney at Law, _____, Iowa, is hereby appointed to represent the child in interest at public expense, subject to a claim for reimbursement from the child's parents if they can afford to pay the same.

Clerk to send a copy of this order to child, parents, counsel of record, JCS, _____ Iowa Juvenile Holdover Facility, _____ County Sheriff, and Case Scheduler.

SO ORDERED this November 4, 2003.

BY THE COURT:

**ASSOCIATE/JUVENILE COURT JUDGE
FIRST JUDICIAL DISTRICT OF IOWA**