

ELEMENTS OF A JUVENILE PETITION:

- The specific section of dependency being alleged
- The facts which bring the child within the jurisdiction of the court. These case-specific facts support the definition of dependency or dependency and abuse. So, the petitioner looks to the definition of dependency (and abuse if relevant) and puts forth the facts that support it. The petition sets the limits of evidence to be admitted in court by telling the parties what the issues are, and what the petitioner is trying to prove.

The petitioner must include all relevant facts needed to prove the allegation. Failure to include all relevant facts in the petition serves to exclude their consideration at the adjudicatory hearing. However, only facts that can be proven should be included.

For example, if the petition alleges abuse based on inadequate supervision, evidence of cigarette burns cannot be admitted. Similarly, events occurring after the filing of the petition may not be admissible to prove the original allegations. An amended petition can be filed to include new information.

- A statement that it is in the best interest of the child and the public that the proceeding be brought.
- The name, age and current residence of the child.
- A statement as to where the child last resided
- A statement as to whether the child is of native American descent
- The names and addresses of the parents, guardian, or custodian of the child and of the spouse, if any, of the child.
- If the address of a parent is unknown, the name and address of the nearest relative
- Whether or not the child is in custody. If the child is in custody, you must provide the place of his/her detention and the time he/she was taken into custody.
- The reasonable efforts taken by the agency to prevent the placement OR a statement of the emergency nature of the situation which did not allow for reasonable efforts to be made.
- If appropriate, facts the county agency or the child's attorney intends to present to support an allegation of aggravated circumstances. The county agency or the child's attorney should also be prepared to make recommendations to the court regarding reasonable efforts to reunify the family should the court not find aggravated circumstances.