|  |  |
| --- | --- |
| District Court, \_\_\_\_\_\_\_ County, Colorado  Court Address:  Phone Number:  SCHOOL DISTRICT \_\_\_\_\_\_\_\_\_  IN THE INTEREST OF:  [STUDENT], Respondent Student,  And Concerning:  [PARENTS/LEGAL GUARDIANS],  Respondent Parent/Guardian | **▲ Court Use Only ▲**  Case Number:  Division: |
| **SECURE PLACEMENT AS DISPOSITION FOR VIOLATION OF VALID COURT ORDER PURSUANT TO COLORADO RULES OF JUVENILE PROCEDURE 3.8** | |

**This matter** comes before the Court in the exercise of its jurisdiction provided by §19-1-104, C.R.S. upon the petition of the       concerning the above-named Respondent Student. This matter was heard before the Honorable      , Judge of the Juvenile Court of       County, Colorado on the Petition which alleges that said Respondent Student is in violation of a valid court order issued by this Court on the       day of       20     . Said Respondent Student was previously adjudicated guilty on the Petition      and is a status offender as that term is defined in 28 CFR Sec. 31.304(h) and *In the Interest of J.E.S.*, 817 P.2d 508, 512 n. 6 (Colo. 1991) (“Status offenders are youths who commit acts, such as running away and truancy, that would not constitute a criminal offense if committed by an adult, but that nevertheless subject youths to the jurisdiction of the juvenile court.”).

1. At the hearing, the following individuals were present:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, on behalf of the Petitioner, \_\_\_\_\_\_\_\_\_\_ School District.

Respondent Student, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Respondent Parent, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Respondent Guardian, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Attorney for Respondent Student, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Guardian ad litem, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

2. At the hearing, present by service of process were:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, on behalf of the Petitioner, \_\_\_\_\_\_\_\_\_\_ School District.

Respondent Student, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Respondent Parent, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Respondent Guardian, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Attorney for Respondent Student, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Guardian ad litem, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

3. Counsel present for the child was: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

4.Upon testimony of the witnesses, the evidence received, reports received, statements and arguments of counsel, and the entire record, the Court finds:

that the Respondent Student has, within a reasonable time, been served with a written copy of the charges;

that the Respondent Student has been informed he/she has the right to a hearing on the matter before the court;

that the Respondent Student has been informed of the nature of this proceeding and the possible consequences associated with it;

that the Respondent Student has been informed that he/she has a right to legal counsel and that counsel can be appointed at no charge to the Respondent Student if he/she is indigent and cannot afford counsel;

that the Respondent Student has been informed that he/she has the right to call witnesses in his/her own behalf and to confront and cross-examine witnesses against him/her;

that the Respondent Student has been informed that he/she has a right to have a transcript or record of this proceeding;

that a probable cause hearing or adjudicatory hearing was held on the       day of       20      at      a.m./p.m. which is within 48 hours of the Respondent Student’s placement in secure detention which occurred at      a.m./p.m. on the       day of       20     ;

that this violation hearing is within 72 hours of the Respondent Student’s placement in secure detention which occurred at      a.m./p.m. on the       day of       20     ;

that proof beyond a reasonable doubt exists that said Respondent Student has violated the Valid Court Order issued by the Court on the      day of      20     , in the following respects:

that the Court has reviewed the written report prepared by      , a public agency independent of the court and law enforcement, has reviewed the account provided therein of the Respondent Student’s behavior and the circumstances which brought the Respondent Student before the Court, and has reviewed the assessment of whether all dispositions other than secure confinement have been exhausted or are clearly inappropriate;

that there is no less restrictive alternative appropriate to the needs of the Respondent Student and the community;

that the Respondent Student should be placed in secure detention to best serve the interests of the Respondent Student and the community;

that the Respondent Student was informed he/she has a right to appeal this Order; within the meaning of the Colorado Children’s Code.

**IT IS, THEREFORE ORDERED:**

1. That      , who violated a Valid Court Order, is placed in the custody of the Department of Youth Services in a secure detention facility for a period of \_\_\_\_\_ days as the disposition of this court.
2. It is further ordered:

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ BY THE COURT:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

District Court Judge