

Policy on transfer of juvenile orders into domestic case file:

Orders may be transferred in cases where adjudication and disposition have been entered. DSS has been released from involvement in case and

1. Mother is served, either directly or by publication, and therefore has notice and opportunity to participate
2. Where a father is designated, the child was born during marriage or there is a prior order of paternity, the father is served either directly or by publication and therefore has notice and an opportunity to participate.
3. No father is designated, the child was born out of wedlock, and no order of paternity has been entered, it is not necessary that a “father” be involved in the case for transfer to occur.
4. Transfer should occur only in cases in which custody is awarded, not if guardianship or permanent caretaker status is awarded.
5. In those cases in which both mother and father participate and custody is granted to one or the other.
6. Cases in which custody of all children are awarded to relatives, even though children may be divided among relatives.
7. When children have different fathers and one set of children is returned to the father or mother, even though another set of children may still be in DSS custody.

Cases in which transfer should not occur:

1. DSS is still involved in the case
2. Where custody is returned to both parents.
3. Where custody is returned to the mother and no father is designated and no other relatives are involved
4. Where guardianship or permanent caretaker status is awarded but not custody
5. Where some but not all children are placed with relatives or returned to parents and DSS retains custody of 1 or more children (except in those cases where a set of children is returned to a separate father and DSS involvement with those children is terminated)

Additionally, where all participants agree, an order of transfer may occur. Orders of transfer should be prepared by the GAL attorney or by respondents' attorney but not by the DSS attorney.