

State of Minnesota

District Court

County

Judicial District:	_____
Court File Number:	_____
Case Type:	Juvenile

In the Matter of the Welfare of the Child(ren) of:

Scheduling Order

Parent Legal Custodian

Parent Legal Custodian

Pursuant to Rule 6 of the Rules of Juvenile Protection Procedure, this Order establishes the following deadlines or specific dates for the proceedings in this matter:

1. **Discovery (Rule 17)**

- A. Inspection and copying of documents or other tangible evidence shall be completed by _____.
- B. By _____ the parties shall identify the names and addresses of all persons intended to be called as witnesses at trial, and shall allow all other parties to inspect and copy such witnesses' written or recorded statements, within the party's knowledge, relating to the case.
- C. By _____ the parties shall identify the names and addresses of all persons intended to be called as expert witnesses at trial, the subject matter about which each expert is expected to testify, and a summary of the grounds for each opinion to be offered.
- D. The following additional pretrial preparation and discovery is authorized and the reports from such discovery shall be completed and disclosed to the other parties by _____:
 - (i) physical examination of _____.
 - (ii) psychological examination of _____.
 - (iii) depositions of _____.
- E. The parties shall disclose other information as required in [Rule 17](#).

2. **Case Plan (Rule 37)**

- A. The case plan proposed by the responsible Social Services agency shall be filed with the court and served upon the parties, or their legal counsel if represented, and the foster parent, if any, by _____ *(if the child is in out-of-home placement, the out-of-home placement plan must be filed and served within 30 days of the court order placing the child in foster care or an order for protective care or an order transferring legal custody to the agency, whichever is earliest ; if the child has not been removed from home, the protective services case plan must be filed and served at the time the petition is filed unless the agency*

includes in the petition an explanation of why it has not been possible to develop the plan, which may include exigent circumstances or the non-cooperation of the child's parents or guardian, and the court orders it filed at a later date).

B. The court will review the proposed case plan and will approve or modify it not later than _____.

C. The Court may modify the case plan if a parent or child files a Notice of Motion and Motion to Modify Case Plan by _____.

3. **Pretrial Motions (Rule 15)**

A. All pretrial motions shall be filed and served by _____.

B. A pretrial hearing on any such motions shall be held on _____.

4. **CHIPS Pretrial Hearing (Rule 36)**

A. A Pretrial Hearing shall be held on _____ (*at least 10 days before the date of the trial*).

B. The parties and their legal counsel shall come to the Pretrial Hearing prepared to determine whether a settlement of any or all issues has occurred or is possible, and to discuss the issues set forth in [Rule 36.02](#).

5. **CHIPS Trial (Rule 39)**

A. Trial in this matter shall begin on _____ (*must be commenced within 60 days from the date of the Emergency Protective Care Hearing or the Admit/Deny Hearing, whichever is earlier.*)

B. The trial shall not be continued or adjourned for more than one week unless the court finds that the continuance or adjournment is in the best interests of the child (*whenever, possible the trial should be over consecutive days*).

C. The trial shall continue until completed; it is anticipated that at least _____ court business days are necessary to complete the trial (*testimony shall be concluded within 30 days from the date of commencement of the trial*).

D. The trial shall be conducted pursuant to the procedure set forth in Rule 39.03.

6. **Disposition Hearing (Rule 41)**

A. If the court adjudicates the child as is in need of protection or services, the disposition hearing shall be held on _____ (*the same day as adjudication, if possible, but not later than 10 days after the court issues its adjudicatory findings*).

B. Pre-disposition reports, if any, shall be filed with the court and served upon the parties by _____ (at least 48 hours prior to the date of the disposition hearing).

7. **Disposition Review Hearings ([Rule 41.06](#))**

A. If the child continues in out-of-home placement, an in-court hearing to review the disposition, including the child's needs, the services provided by the agency, and the parent's progress on the case plan, shall be held at least every 90 days from the date of disposition to the date of the permanency hearing (at least every 90 days from the date of disposition to the date of the permanency hearing).

B. If the child is returned to the care of the parent(s) under protective supervision, an in-court hearing to review the disposition, including the child's needs, the services provided by the agency, and the parent's progress on the case plan, shall be held at least every 6 months from the date of disposition to the date of the permanency hearing, including the following date(s): _____ and _____ (at least every 6 months from the date of disposition to the date of the permanency hearing).

C. Any party may request a disposition review hearing before the 90 days.

8. **Permanency Progress Review Hearing ([Minn. Stat. 260C.204](#))**

A. If the child, regardless of age, continues in placement out of the home of the parent or guardian from whom the child was removed, the court shall conduct a Permanent Placement Progress Review Hearing no later than _____ (within 6 months of the date of the child's court ordered out-of-home placement), unless the child is returned home or unless a petition to terminate parental rights or other permanency petition has been filed.

B. The purpose of the Permanency Progress Review Hearing shall be to review:

- (1) the parent's progress on the case plan or out-of-home placement plan, whichever is applicable;
- (2) the agency's reasonable, or in the case of an Indian child, active efforts for reunification and its provision of services;
- (3) the agency's reasonable efforts to finalize the permanent plan for the child under Minn. Stat. § [260.012](#)(e), and to make a placement as required under Minn. Stat. § [260C.212, subd. 2](#), in a home that will commit to being the legally permanent family for the child in the event the child cannot return home according to the timelines in this section; and
- (4) in the case of an Indian child, active efforts to prevent the breakup of the Indian family and to make a placement according to the placement preferences under 25 U.S.C. ch. 21, § 1915.

9. **Permanency Petition ([Minn. Stat. § 260C.505](#))**

- A. Unless the child is returned home from the care of the noncustodial parent or foster parent, a termination of parental rights petition or permanency petition shall be filed with the court and served upon the parties by the county attorney on or before _____ (*no later than 11 months from the date of the child's court-ordered out-of-home placement*).
- B. A petition is not required if the agency intends to recommend that the child return to the care of the parent from whom the child was removed at or prior to the time the court is required to hold the admit-deny hearing on the permanency petition.

10. **Permanency Hearing – Admit/Deny Hearing on TPR or Permanency Petition ([Minn. Stat. § 260C.507](#))**

An admit-deny hearing on any permanency or termination of parental rights petition shall be held on _____ (*not later than 12 months from the date of the order placing the child in foster care or in the care of a noncustodial or nonresident parent*).

11. **TPR or Permanency Pre-Trial Hearing ([Rule 36](#))**

- A. If a denial to the TPR or Permanency Petition is entered, a Pretrial Hearing regarding the TPR or Permanency Petition shall be held on _____ (*at least 10 days before the date of the trial on the permanency petition*).
- B. The parties and their legal counsel shall come to the Pretrial Hearing prepared to determine whether a settlement of any or all issues has occurred or is possible, and to discuss the issues set forth in [Rule 36.02](#).

12. **TPR or Permanency Trial ([Minn. Stat. § 260C.509](#))**

- A. If a denial to the TPR or Permanency Petition is entered, a Trial regarding the TPR or Permanency Petition shall be commenced on _____ (*within 60 days of the Admit/Deny Hearing*).
- B. The trial shall not be continued or adjourned for more than one week unless the court finds that the continuance or adjournment is in the best interests of the child (*whenever, possible the trial should be over consecutive days*).
- C. The trial shall continue until completed; it is anticipated that at least _____ court business days are necessary to complete the trial (*testimony shall be concluded within 30 days from the date of commencement of the trial*).
- D. The trial shall be conducted pursuant to the procedure set forth in Rule 39.03.

13. Other Provisions:

14. Amendment of Scheduling Order

This Order is subject to revision as necessary to serve the best interests of the child and the interests of justice, so long as the permanency timelines are not delayed.

IT IS SO ORDERED.

Date: _____

By The Court:

District Court Judge