

TEMPORARY CUSTODY

Attached is a form packet for a temporary custody procedure. By local rule, the Fairfield County Juvenile Court has adopted the following procedures in a temporary custody action where **all parties are in agreement**:

PLEASE NOTE: THIS WILL NOT BE ACCEPTED WITHOUT AGREEMENT BY BOTH PARENTS

- ◆ Once the attached documents are completed (***must be typewritten***), the same can be filed with the Fairfield County Juvenile Court between the hours of 8:00 a.m. to 4:00 p.m., Monday through Friday.
- ◆ A \$280 filing fee is required at the time of filing. (\$54 will be applied towards costs and the remaining will be placed on deposit for payment of the required home investigation. Any remaining funds will be refunded to the petitioner.)
- ◆ After the documents have been filed, the Court will schedule a non-oral hearing in approximately 30 to 45 days. The court's investigator, Kathleen Bates, will contact the petitioners to arrange a mutually convenient time prior to the hearing date to conduct a home investigation.
- ◆ If the home investigation is favorable, the Court will grant the entry for temporary custody, the same to be reviewed after one year.
- ◆ If the information on the documents is incomplete or the Court has questions concerning the information, an oral hearing will be scheduled and the parties will be required to attend.
- ◆ Upon granting an order for temporary custody, the Court will set a non-oral hearing to review the matter for the following year. Notice will be given to the parties. It will be the responsibility of the petitioners to file a request for extension of temporary custody (attaching current waiver and consent of the parties) prior to that review date. If a request for an extension is not filed, the Court will schedule an oral hearing for the parties to appear and advise the Court of the status of the child.
- ◆ If, at any time, any of the parties wish to dismiss the temporary custody, said request must be made in writing, signed and filed with the Court. The Court will schedule an oral hearing, at which the parties will be required to attend, prior to ruling on the request.
- ◆ If all parties are in agreement that the temporary custody order should be dismissed, a request must be made in writing, signed by all parties and filed with the Court. The Court will review the request and most likely grant the same. In some situations, the Court may first set the matter for an oral hearing.

CHECKLIST

For your convenience, please use our checklist to make sure everything is complete prior to filing with the Court.

- Documents are typewritten.** (Handwritten pleadings will not be accepted as all records are computer imaged and would not be legible.)
- All information blanks are filled in.** If something does not apply or is unknown please indicate.
- \$280 filing fee is attached.**
- All signatures have been notarized.**
- A waiver & consent is attached for each parent and petitioner.**