

**IN THE COURT OF COMMON PLEAS
OF [COUNTY] COUNTY, PENNSYLVANIA**

IN RE:

FAMILY DIVISION
JUVENILE SECTION

[NAME], a minor

Docket No.: [NUMBER]
FID No.: [NUMBER]

**EMERGENCY MOTION TO RETURN
CHILD TO FATHER**

Filed on behalf of:
[NAME], minor child

Counsel for the minor child:
[NAME]
Pa. I.D. # [NUMBER]

[ADDRESS]
[PHONE]

**IN THE COURT OF COMMON PLEAS
OF [COUNTY] COUNTY, PENNSYLVANIA**

IN RE:

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[NAME], a minor

Docket No.: [NUMBER]
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NOTICE OF PRESENTATION

TO: [COUNSEL]

KINDLY TAKE NOTICE that the within Motion will be presented before Judge [NAME], Court of Common Pleas of [COUNTY] County, Family Division, Juvenile Section, [ADDRESS] on [DATE] at [TIME], at which time you should appear to voice any objection.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within Motion and the Notice of Presentation was sent to the above-listed parties via electronic transmission and/or First Class USPS mail on [DATE].

/s/[NAME]
[NAME]

**IN THE COURT OF COMMON PLEAS
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JUVENILE SECTION

[NAME], a minor

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EMERGENCY MOTION TO RETURN CHILD TO FATHER

NOW COMES [NAME], minor child, by and through his counsel, [NAME], who respectfully requests this Honorable Court order that the child be immediately returned to his Father, and in support thereof avers the following:

1. [NAME], age 16, is a dependent child who is currently placed at [CONGREGATE CARE].
The permanency goal for the child is Reunification.
2. [NAME] would like to return home to his Father, [NAME]. Father currently resides in his own home with his wife. This home has been previously assessed by [CHILD WELFARE AGENCY] and was approved for the child to have visitation in the home.
3. The Commonwealth of Pennsylvania is currently dealing with a pandemic due to an outbreak of the COVID-19 virus. Governor Tom Wolf has asked that individuals practice social distancing in an effort to limit contact and the spread of this virus.
4. The facilities have attempted to take precautions; however, there are still staff members who come and go from the facility which can potentially put the child at risk. The child remains in close quarters with these staff members as well as other residents.
5. [CHILD] believes that it will be easier for him to practice social distancing outside of a congregate care facility.

6. In addition, [COUNSEL] and [CHILD] believe that the child's mental health needs are not being adequately met in the child's current placement.
7. [STAFF] have expressed that [CHILD'S] initial placement at the facility, and now the COVID outbreak, have caused a significant increase in his anxiety.
8. [CHILD] reports that staff often restrict him to his room, which further isolates him and increases his anxiety.
9. Staff have indicated to [COUNSEL] that [CHILD] is compliant with his programs and services in the facility. [STAFF] do not feel that [CHILD] can progress any further at the facility.
10. [CHILD] was working with a therapist at [MH PROVIDER] prior to his placement at [CONGREGATE CARE], and he is interested in reconnecting with this provider upon his return home.
11. The family has not had any meaningful contact since the COVID outbreak.
12. Prior to placement in [CONGREGATE CARE], [CHILD] was having overnight visits at Father's home. Father and [CHILD] report that these visits were going well.
13. Father has maintained his housing and employment, and is addressing his goals established by the Court.
14. Father's wife is not currently employed and will be able to provide consistent supervision while Father is at work.
15. Given the concerns listed above and Father's commitment to his goals, [COUNSEL] asks that [CHILD] be returned home.

WHEREFORE, it is respectfully requested that this Honorable Court order that [CHILD] be returned to the care of his Father.

Respectfully submitted,

/s/[NAME]

[NAME]

Counsel for [CHILD]

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VERIFICATION

I, [NAME], Counsel of record for the above-named minor child, verify that the statements made in this Motion are based upon information provided to me and are true and correct to the best of my personal knowledge, information or belief. I understand that false statements are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

Date: [DATE]

/s/[NAME]
[NAME]
Counsel for [CHILD]

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ORDER OF COURT

AND NOW, this _____ day of _____ 2020, upon consideration of the foregoing Motion, it is hereby ORDERED, ADJUDGED and DECREED as follows:

_____ [CHILD] is to be immediately returned to the care of his Father, [NAME].

_____ The foregoing motion is denied.

_____ A hearing on the Motion is hereby scheduled for the _____ day of _____, 2020 before Judge [NAME].

BY THE COURT:

_____, J.