**IN THE JUVENILE COURT OF DAVIDSON COUNTY, TENNESSEE**

**)**

**STATE OF TENNESSEE, )**

**DEPARTMENT OF CHILDREN’S SERVICES, )**

**)**

**Petitioner, )**

**Angela Harris, CPS )**

**)**

**) File No.**

**v. Docket No.**

**Marilyn Steward**

**416 Rambling Rd.**

**Your City, TN 37954**

**Richard Collins**

**894 Summer Circle**

**Bovine, VA 22193**

**Respondents.**

**IN THE MATTER OF:**

**Travis Collins, d.o.b. 05/04/xx (16 years old)**

**Michael Collins, d.o.b. 06/27/xx (14 years old)**

**Children under Eighteen Years of Age**

**PROTECTIVE CUSTODY ORDER**

Based upon the facts stated in the verified petition filed in this cause, the Court finds:

1. This Court has jurisdiction over this action, and venue is appropriate in this County.

2. There is probable cause to believe that Travis and Michael Collins are dependent and neglected pursuant to Tenn. Code Ann. § 37-1-102(b)(13).

3. The children are subject to an immediate threat to the children’s health or safety to the extent that delay for a hearing would be likely to result in severe or irreparable harm.

4. There is no less drastic alternative to removal available that would reasonably and adequately protect the children’s health and safety pending a hearing.

5. It is contrary to the children’s welfare to remain in the home for the reasons set out in the petition.

1. Based upon sections III and IV of the petition:

The Department of Children’s Services make reasonable efforts to prevent removal of the children by completing an Immediate Protection Agreement and offering services to the mother; however, she was unwilling to protect the children from their brother, Andrew Newel. The children stated they did not want to return home with their mother. The father resides in Virginia and was unable to take custody of the children at this time.

**IT IS, THEREFORE, ORDERED:**

1. That Travis and Michael Collins are hereby brought into the protective jurisdiction of this Court.

2. That the temporary legal custody of Travis and Michael Collins are awarded to the State of Tennessee, Department of Children’s Services until further order of this Court.

3. That the Department of Children’s Services shall provide appropriate placement and services for the children and is granted authority to consent to any ordinary or necessary medical, surgical, hospital, educational, institutional, psychiatric, or psychological care pending further order of this Court.

4. That the preliminary hearing in this cause is set for\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 20\_\_, at \_\_\_\_\_\_\_\_o’clock a.m./p.m. at Davidson County Juvenile Court.

5. That unless the children are released from state custody, the parents of the child shall make an appointment with Child Support Enforcement to determine the ability of each parent to pay child support. Each parent shall bring documentation of current income including recent pay stubs to said appointment. Failure to attend said appointment may result in contempt of this Court order and failure appear at any hearing held by child support enforcement or the hearings associated with this cause of action may result in the issuance of a default judgment.

6. That parents’ willful failure to support or visit his or her child or children for four (4) months or more could constitute abandonment and be used as a ground to terminate parental rights to that child/those children.

1. That all state, county, or local agencies with information or records

relevant to the children’s situation, including any public or private medical or mental health treatment resources and all educational facilities, shall release such information or records as are necessary for the management of this case to the Department of Children’s Services and to its agents.

8. That all records produced by the Department of Children’s Services’ during these proceedings, either in response to a discovery request or distributed at a hearing, shall be maintained by the parties and their counsel as confidential records and shall not be disclosed or re-released to anyone for any purpose other than the proceedings currently before this Court without further authorization from the Department of Children’s Services or the individual identified in the record.

9. That at the conclusion of these proceedings, all such records containing protected health information (including medical, mental health, and substance abuse treatment records) in the possession of the parties and their counsel shall be returned to the Department of Children’s Services or destroyed.

10. It is further ordered Travis and Michael Collins have no contact with Andrew Newel.

ENTER this the \_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_.

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

Judge Melanie Green

PREPARED BY:

Roberta Sullivan,

Associate Counsel