

INFORMAL ADJUSTMENT AGREEMENT (IAA)

La. Ch. C. arts. 628-630

LOUISIANA
CHILD IN NEED OF CARE BENCHBOOK
FOR JUVENILE JUDGES

SECTION

1

INTRODUCTION

A. GENERAL CONSIDERATIONS

An Informal Adjustment Agreement (IAA) is essentially a pre-adjudication diversionary process. It is a viable alternative to prevent unnecessary removals and/or court interventions.¹

An IAA may be utilized regardless of whether the child is still in the custody of his/her parents or Department of Children and Family Services (DCFS). In practice, the IAA is used more frequently when a child is not in DCFS custody. If a Child in Need of Care (CINC) Petition has been filed and the child is still in the home (an “out-of-custody” or “in-home” case), an IAA may be a suitable outcome rather than adjudicating the child in need of care. IAAs are routinely used in some parishes when a CINC case has been initiated by an Instant Safety Plan Order (ISPO)² since the ISPO has a short duration for correcting the conditions of abuse or neglect.

Still there are situations when an IAA may be appropriate for a child who is in DCFS custody. For example, the judge may have granted an Instant Order for Removal with Provisional Custody to DCFS, but at the Continued Custody Hearing (CCH), some of the issues for removal are rectified, and an IAA would be an appropriate resolution of the case.

Attorneys can certainly request that either the court or DA consider an IAA in a particular case. For example, an IAA can be discussed at a CCH or Continued Safety Plan Hearing (CSPH), Answer Hearing, or Pre-Hearing Conference, or even prior to the presentation of evidence at an Adjudication.

B. INITIATION AND APPOINTMENTS

An IAA may be initiated either before or after the filing of a CINC Petition. The decision to proceed with an IAA is generally in the hands of the DA and/or the court (and requires the consent of DCFS if the child is in DCFS custody). The DA may authorize an IAA before a CINC Petition is filed or refer the matter to an intake officer as a Family in Need of Services (FINS) case. The court may also authorize an IAA before the filing of a CINC Petition. After a CINC Petition has been filed, the court authorizes the DA to effect it.

Parents and children have a right to counsel at all stages of the CINC proceedings. The child representation and public defender programs should have been appointed—whether via Instant Order or thereafter. CASA may have been appointed as well.

C. FORM OF AGREEMENT AND APPROVAL

An IAA requires the agreement of the DA, the child’s parents (both parents is best practice if appropriate), all counsel of record, and informed consent of the child (if 12 years of age or older). If the child is in DCFS custody, DCFS shall also consent to the agreement. The Children’s Code does not specifically reference CASA as a signatory to the agreement, but CASA may be included if that is in the child’s best interest.

¹ With the passage of the Family First Prevention Services Act, there will be an increased emphasis on preventing the removal of children from their families. See Family First Prevention Services Act of 2017, H.R. 253, 115th Cong. (2017-2018), <https://www.congress.gov/bills/115/congress/house-bill/253/text>; see also <http://familyfirstact.org/about-law>.

² While an ISPO does not require the agreement of the parents, the IAA does.

The IAA should address what the parents need to do to keep the child in the home or have the child returned and set forth all the requirements that must be met by the parents.³ The terms of the agreement can be likened to the provisions of a DCFS case plan and/or safety plan. For example, the parents may be required to have safe and stable housing that meets the needs of the family, undergo a mental health assessment and follow all recommendations, participate in a substance abuse treatment program, follow the safety plan provisions, etc.⁴ The terms and conditions should be specifically delineated in the agreement itself rather than incorporating the case plan/safety plan by reference. It should be clear to the parents what needs to be accomplished to successfully complete the agreement and also what services DCFS will provide.

If a CINC Petition has been filed and the child is in DCFS custody, the agreement should be submitted to the court for review. If the court approves the agreement, it shall be signed and filed into the record.

D. DURATION AND HEARING

An IAA can last up to 12 months if the child is not in DCFS custody. For these cases, the maximum length of an initial IAA is 6 months and can be extended up to an additional 6 months, if agreed to by all parties to the original agreement. If the child is in DCFS custody, an IAA can last up to 6 months. For these cases the maximum length of an initial IAA is 3 months and can be extended up to an additional 3 months, if agreed to by all parties to the original agreement. Any agreement to extend the time period must be knowing and voluntary.

If an IAA is entered into, the Children's Code does not require that a hearing be set. However, best practice is to set a Status Hearing if the court is overseeing the IAA, perhaps halfway through its duration.

Whether a signatory to the agreement or not, DCFS will be involved in these cases if the court so orders. DCFS will refer the family to the services set forth in the agreement. DCFS will also monitor the parents' efforts with the terms of the agreement and report these efforts to the court. Thus, when DCFS is supervising the case, the court should require DCFS to file a court report even though not required by the Children's Code. If DCFS is supervising the IAA, the court can order that DCFS submit a report to the court and all counsel of record 10 days prior to the Status Hearing and/or the expiration of the IAA with a recommendation to terminate the IAA, extend the IAA, or develop a new agreement.

E. EFFECT AND NEXT STEPS

An IAA suspends the proceedings on the acts alleged in the Petition. If the parents successfully complete the terms and conditions of the IAA, they are discharged from supervision. If a CINC Petition was previously filed, it shall be dismissed with prejudice.

If the IAA is not successful, the case can be re-evaluated for the next steps. For example, the case may proceed to Adjudication if a CINC Petition was previously filed. (The DA could move to terminate the IAA and set the matter for Adjudication.). Or the DA could file a CINC Petition if one has not already been filed. In addition, the DA could decide not to go forward with the case. There could also be a referral to another program, such as FINS. The determination about how to proceed will be based on the individual circumstances of the case and any remaining safety concerns.

If the case proceeds to an Adjudication, evidence of the IAA cannot be admitted. Incriminating statements made by parents in discussions attempting to reach an agreement may not be admitted as evidence at an Adjudication Hearing or a criminal trial. However, incriminating statements made by a parent incident to the IAA may be considered at a Disposition Hearing or for the purposes of a presentence investigation after a criminal conviction

³ If there is an ISPO and an IAA is then put into place, the conditions in the ISPO would be superseded by the IAA. It is likely that best practice is to put the ISPO provisions into the IAA.

⁴ It may also be possible to include terms for older children to meet, such as attending school or counseling.






F. ENFORCEMENT

The Children's Code does not set forth any enforcement mechanism for the IAA. Of course, if there is court involvement, the court may always exercise its general contempt authority. Pursuant to Article 1509(D), an adult person adjudged guilty of contempt of court in connection with a juvenile proceeding may be fined (\$500 or less), imprisoned (6 months or less), or both.

G. EXAMPLES OF WHEN TO CONSIDER AN IAA

- The court issued an ISPO, parents are following the safety plan, and DCFS wants more time to work with the family. (Unlike an ISPO, the IAA suspends proceedings on the acts alleged in CINC Petition. The court may also dismiss the CINC Petition or allow the Petition to remain pending during the period of informal adjustment.).
- There is a Drug Court or Family Preservation Court case.
- A CINC Petition has been filed with the child remaining in the home ("out-of-custody" or "in-home" or "court-ordered Family Services" case).
- There was an initial need for removal that is no longer present.
- The child is in DCFS custody, one of the parents is a victim of domestic violence by a significant other who is not a parent, and DCFS is working with the parent to safely get the child back with that parent.

OUTLINE

-  **A. TIMING AND GENERAL REQUIREMENTS**
-  **B. FORM OF AGREEMENT AND APPROVAL**
-  **C. DURATION**
-  **D. EFFECT OF AGREEMENT**
-  **E. APPENDIX**

- (1) INFORMAL ADJUSTMENT AGREEMENT BENCH CARD
- (2) INFORMAL ADJUSTMENT AGREEMENT TEMPLATE
- (3) INFORMAL ADJUSTMENT AGREEMENT ORDER TEMPLATE



OVERVIEW

A. TIMING AND GENERAL REQUIREMENTS

ARTICLES 424.1, 607-8, 628, 630

(1) TIMING:⁵

- An IAA may be initiated either before or after a CINC Petition is filed.
- If the child is in DCFS custody, the consent of DCFS is required for an IAA.

(2) PRIOR TO THE FILING OF A CINC PETITION:

- The court or DA may authorize an IAA.

PRACTICE TIPS:

- **Appointment of Attorneys:** Parents and children have a right to counsel at all stages of the CINC proceedings. The child representation and public defender programs should have been appointed—whether via an Instant Order or thereafter.
- **Appointment of CASA:** CASA may have already been appointed as well. If the court decides to appoint CASA, it would order that the local CASA program be appointed, subject to the assignment of a qualified CASA volunteer, to advocate for the best interest of the child in the proceedings and that the program be given notice of appointment and served with a copy of the pleadings.
- **Refer to Family in Need of Services (FINS):** The court or DA may refer the matter to a FINS intake officer as a FINS case. While referring a matter to FINS is not a regular practice, it is authorized.

(3) AFTER THE FILING OF A CINC PETITION:

- The court may authorize the DA to effect an IAA.
- As to the CINC Petition the court may:
 - Dismiss the CINC Petition; OR
 - Allow the CINC Petition to remain pending during the period of informal adjustment.

PRACTICE TIP:

- **Suspend:** If the court suspends the proceedings while leaving the Petition pending, the timeframes for CINC hearings need not be met.

⁵ In computing a period of time prescribed by law, the date of the event after which the period begins to run is not included; the last day of the period is included but if a legal holiday—including Saturdays and Sundays—then the period runs until the end of the next day which is not a legal holiday. La. Ch. C. art. 114.

B. FORM OF AGREEMENT AND APPROVAL

ARTICLE 629

(1) WRITING:

- The IAA shall set forth the terms and conditions in writing.

PRACTICE TIPS:

- **Terms and Conditions:** An IAA must clearly delineate the parents' obligations and services DCFS will provide in the agreement itself. It should be individualized, depending on the circumstances of the case and issues at the time it is executed. The requirements, terms, and conditions can look similar to safety plans or case plans, or a hybrid, and should be listed in the body of the IAA (rather than being incorporated by reference to the plan). It should be clear to the parents what needs to be accomplished to successfully complete the IAA and also what services DCFS will provide.
- **Understandable:** To ensure everyone grasps the terms of the IAA, best practice is to use clear wording that can be understood by those with a 6th grade reading level.

HELPFUL GUIDANCE:

- **Obligations of Parents:** An IAA may include multiple obligations that the parents must fulfill including, but not limited, to the following provisions:
 - Maintain safe and stable housing that meets the needs of the family;
 - Allow access to the home during scheduled and/or unscheduled home visits;
 - Participate in a substance use assessment and follow all recommendations;
 - Attend, participate, and successfully complete a substance abuse treatment program, if indicated by the assessment;
 - Cooperate with random urine, hair, and/or fingernail drug and/or alcohol screens as requested by DCFS and/or the treatment provider;
 - Participate in a mental health assessment and follow all recommendations;
 - Participate in a psychological evaluation and/or psychiatric evaluation and follow all recommendations;
 - Follow all of the safety plan provisions as follows: _____;
 - Attend scheduled court hearings and/or Family Team Meetings (FTM);
 - Participate in scheduled visits; AND
 - Participate in and successfully complete a parenting education program approved by DCFS and show understanding of child safety needs.
- **Supports/Services for Children:** The IAA could also include supports and services for the child, if indicated, to help make for a holistic plan.⁶ For example:
 - Participate in substance abuse counseling or a 12-step recovery group (i.e., Alateen); AND/OR
 - Participate in individual or family counseling.

⁶ It is important to have the input of all services and supports to make the agreement effective and workable.

(2) SIGNATURE:

- The IAA shall be signed by:
 - DA;
 - DCFS, if the child is in DCFS custody;
 - Parents;
 - Child, if 12 or older; AND
 - All counsel of record.

PRACTICE TIPS:

- **Stipulation:** As with any stipulation, the court shall engage in an examination of parents on the record to determine whether the parents understand the conditions of the agreement, as well as the implications of the IAA.
- **Parents:** All parents should be part of the agreement if at all possible, whether they are living together or not.⁷ DCFS has an obligation to attempt to locate all parents.

(3) APPROVAL:

- When the child is in DCFS custody, and the CINC Petition has been filed, the IAA shall be submitted to the court for consideration.
- If the IAA is approved the:
 - Court shall sign it and file it in the record; AND
 - IAA is the case plan for services.

HELPFUL GUIDANCE:

- **Court Involvement:** The Children's Code is silent with regard to court approval when a CINC Petition is filed, and the child is not in DCFS custody. However, in some jurisdictions, the IAA is submitted to the court in these instances.
- **DCFS Supervision:** Whether the child is in DCFS custody or not, the court may want to consider ordering that the IAA be filed in the court record and issue a specific court order as to whether DCFS is to supervise the case for the duration of the IAA. Otherwise, DCFS may not know whether to continue or start to supervise the family.
- **Model DCFS Case Plans:** The terms of the IAA may model case plans and/or safety plans utilized in a DCFS Family Services/Foster Care case. They should be individualized for the family and address the underlying safety concerns. The terms and conditions should be specifically delineated in the agreement itself. All requirements that parents must fulfill and the services that DCFS will provide should be clear.

C. DURATION

(1) CHILDREN NOT IN DCFS CUSTODY:

- When the child is not in DCFS custody, the period of informal adjustment is not to exceed 6 months.
- The IAA may be extended:
 - For 1 additional period;
 - Not to exceed 6 months; AND
 - With the consent of all signatories to the original agreement.

⁷ However, caution should be exercised if one of the parents is perpetrating violence on the other parent. A Protective Order (PO) may be appropriate in those circumstances along with an IAA involving the parent who is the victim.

PRACTICE TIPS:

- **Duration:** The IAA should set forth when the agreement becomes effective and when it terminates.
- **Hearing Not Required:** If an IAA is entered into, the Children's Code does not require that a hearing be set. However, best practice is to set a Status Hearing if the court is overseeing the IAA, perhaps halfway through its duration.
- **Extension:** If the parents agree to an extension, that agreement must be knowing and voluntary.
- **12 Months Total:** The IAA can last for a total of up to 12 months if the child is not in DCFS custody.

(2) CHILDREN IN DCFS CUSTODY:

- When the child is in DCFS custody, the period of informal adjustment is not to exceed 3 months from the date of the child's entry into foster care.
- The IAA may be extended:
 - For 1 additional period;
 - Not to exceed 3 months; AND
 - With the consent of all signatories to the original agreement.

PRACTICE TIPS:

- **Hearing Not Required:** If an IAA is entered into, the Children's Code does not require that a hearing be set. However, best practice is to set a Status Hearing if the court is overseeing the IAA, perhaps halfway through its duration.
- **Extension:** If the parents agree to an extension, that agreement must be knowing and voluntary.
- **6 Months Total:** The IAA can last for a total of up to 6 months if the child is in DCFS custody.
- **Court Report:** If DCFS is supervising the IAA, the court can order that DCFS submit a report to the court and all counsel of record 10 days prior to the Status Hearing and/or the expiration of the IAA with a recommendation to terminate IAA, extend IAA, or develop a new agreement.

HELPFUL GUIDANCE:

- **Duration:** The shorter duration for children in DCFS custody is due to the importance of expediting permanency.

D. EFFECT OF AGREEMENT

ARTICLE 630

(1) SUSPENDS/DOES NOT SUSPEND:

- An IAA suspends the proceedings on the acts alleged in the CINC Petition.
- An IAA does not suspend the elapse of time authorizing the termination of parental rights (TPR) consistent with Title X.

 **PRACTICE TIP:**

- **TPR:** If a CINC Petition has been filed, the Notice that is served with the CINC Petition alerts parents that a TPR Petition may be filed. Nevertheless, advisements to the parents by the court should also make this clear.
-

(2) ADJUDICATION:

- An IAA shall not be considered an Adjudication.
 - Evidence of the IAA shall not be admissible at any Adjudication Hearing or a criminal trial.
 - If any terms of the IAA are violated, the case may proceed to an Adjudication Hearing on the allegations.
-

 **HELPFUL GUIDANCE:**

- **Possible Next Steps:** If the agreement is not fully completed, the case can be re-evaluated for next steps. The case may proceed immediately to Adjudication if a CINC Petition was previously filed, for example. Or the DA could file a CINC Petition if one has not already been filed. In addition, the DA could decide not to go forward with the case. There could also be a referral to another program, such as FINS. The determination about how to proceed will be based on the individual circumstances of the case and any remaining safety concerns.
-

(3) SATISFYING THE TERMS:

- If the parents satisfy the terms of the IAA, then:
 - They are discharged from further supervision; AND
 - The pending complaint or CINC Petition shall be dismissed with prejudice.

(4) CERTIFICATION FOR ADOPTION:

- The following is admissible in a certification for an adoption proceeding:
 - Evidence of an IAA; AND
 - The parents' compliance or lack thereof.

(5) INCRIMINATING STATEMENTS:

- Any incriminating statement made by the parents to a person giving counsel or advice and in discussions or conferences incident to an IAA shall not be used against the declarant over an objection in an Adjudication Hearing or criminal trial.
 - Any incriminating statement made by the parents to a person giving counsel or advice and in discussions or conferences incident to an IAA may be used in a Disposition Hearing in the court or for purpose of a presentence investigation after a criminal conviction.
-

 **PRACTICE TIP:**

- **Purpose:** This Article expressly prohibits the admissibility of incriminating statements in an Adjudication Hearing or criminal trial in order to promote free and open discussion in attempting to reach an agreement. See Authors' Notes to Article 630(D).
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See [Informal Adjustment Agreement Template](#) and [Informal Adjustment Agreement Order Template](#).



APPENDIX

INFORMAL ADJUSTMENT AGREEMENT (IAA)

■ La. Ch. C. arts. 628-630

B E N C H
C A R D



PURPOSE

IAA may be utilized regardless of whether child is in the parents' custody or that of DCFS; essentially a pre-adjudication diversionary process and viable alternative to prevent unnecessary removals and/or court interventions.

TIMING AND GENERAL REQUIREMENTS

■ ARTICLES 424.1, 607-8, 628, 630

- IAA may be initiated either before or after CINC Petition filed.
- If child in DCFS custody, consent of DCFS is required for IAA.
- Before CINC Petition filed, court or DA may authorize IAA.
- After CINC Petition filed, court may authorize DA to effect IAA.
- Court may dismiss CINC Petition or allow Petition to remain pending during period of informal adjustment.

PRACTICE TIP | Appointments: Parents and children have a right to counsel at all stages of the CINC proceedings. Child representation and public defender programs should have been appointed—whether via Instant Order or thereafter. CASA may have been appointed as well.

FORM OF AGREEMENT AND APPROVAL

■ ARTICLE 629

- (1) **FORM:** IAA shall set forth terms and conditions in writing; IAA shall be signed by DA, DCFS (if child in DCFS custody), parents, child (if 12 or older), and counsel.
- (2) **APPROVAL:** When child in DCFS custody and CINC Petition has been filed, IAA shall be submitted to court for consideration. If approved, court shall sign it and file it in the record; and IAA is the case plan for services.

PRACTICE TIP | Requirements: IAA must clearly delineate parents' obligations and services DCFS will provide. It should be individualized, depending on trajectory of case and issues at time it is executed. Requirements can look similar to safety plans or case plans, or a hybrid, and should be listed in body of IAA (rather than incorporated by reference to the plan).

PRACTICE TIP | Stipulation: As with any stipulation, the court shall engage in an examination of parents on the record to determine whether parents understand conditions and implications of IAA. If parents agree to extension of IAA, must be knowing and voluntary.

PRACTICE TIP | DCFS Supervision: Whether child is in DCFS custody or not, court may want to consider ordering that the IAA be filed in the court record and issue a specific court order as to whether DCFS is to supervise the case for duration of the IAA. Otherwise, DCFS may not know whether to continue or start to supervise the family.

EFFECT OF AGREEMENT

■ ARTICLE 630

- IAA shall not be considered an Adjudication.
- Evidence of IAA shall not be admissible at any Adjudication Hearing or criminal trial.
- IAA suspends the proceedings on the acts alleged in CINC Petition. If any terms of IAA are violated, case may proceed to an Adjudication Hearing on the allegations.
- If parents satisfy IAA terms, they are discharged from further supervision, and a pending CINC Petition shall be dismissed with prejudice.
- IAA does not suspend the elapse of time authorizing TPR consistent with Title X of the Children's Code.
- Evidence of an agreement and parents' compliance or lack thereof is admissible in certification for adoption proceeding.
- Any incriminating statement made by parents to person giving counsel or advice and in discussions or conferences incident to IAA shall not be used against declarant over objection in an Adjudication Hearing or criminal trial.
- Any incriminating statement made by parents to person giving counsel or advice and in discussions or conferences incident to IAA may be used in a Disposition Hearing or for purpose of a presentence investigation after a criminal conviction.

PRACTICE TIP | Purpose: This Article expressly prohibits the admissibility of incriminating statements in an Adjudication Hearing or criminal trial to promote free and open discussion in attempting to reach an agreement. See Authors' Notes to Article 630(D).

PRACTICE TIP | Status Hearing: If an IAA is entered into, Children's Code does not require hearing. However, best practice is to set Status Hearing if court is overseeing IAA, perhaps halfway through its duration. If DCFS is supervising the IAA, court could order that DCFS submit a report to the court and all counsel of record 10 days prior to the Status Hearing and/or the expiration of the IAA with a recommendation to terminate IAA, extend IAA, or develop a new agreement.

DURATION

ARTICLE 629

- (1) **CHILD NOT IN DCFS CUSTODY:** Period of informal adjustment not to exceed 6 months. See Article 114.
 - May be extended additional period for up to 6 months with consent of all signatories to original agreement.
- (2) **CHILD IN DCFS CUSTODY:** Period of informal adjustment not to exceed 3 months from date of child's entry into DCFS custody.
 - May be extended additional period for up to 3 months with consent of all signatories to original agreement.

PRACTICE TIP | [Effective:](#) IAA should set forth when agreement becomes effective and when it terminates.

EXAMPLES OF WHEN TO CONSIDER IAA

- Instant Safety Plan Order (ISPO) issued, parents are following safety plan, and DCFS wants more time to work with family. (Unlike ISPO, IAA suspends proceedings on the acts alleged in CINC Petition. Court may also dismiss Petition or allow Petition to remain pending during period of informal adjustment.)
- Drug Court or Family Preservation Court case.
- CINC Petition has been filed and child is still in the home.
- Initial need for removal is no longer present.
- Child in DCFS custody, one parent is victim of domestic violence by non-parent, and DCFS working with parent to safely get child back.

See [Informal Adjustment Agreement Template](#) and [Informal Adjustment Agreement Order Template](#).

STATE OF LOUISIANA

DOCKET NUMBER: _____

IN THE INTEREST OF

SECTION: _____

_____ DOB: _____

COURT: _____

_____ DOB: _____

PARISH OF _____

_____ DOB: _____

STATE OF LOUISIANA

Filed: _____

DEPUTY CLERK: _____

INFORMAL ADJUSTMENT AGREEMENT

PURSUANT TO LOUISIANA CHILDREN'S CODE ARTICLE 628, et seq., the parties to this proceeding submit the following Informal Adjustment Agreement:

I.

THE PARTIES TO THIS PROCEEDING are the minor child(ren), _____, the parent(s) of the minor children, _____ and _____, the State of Louisiana, ☐ and the Louisiana Department of Children and Family Services (DCFS).

II.

THE TERMS AND CONDITIONS of this Informal Adjustment Agreement are as follows:

The requirements of this agreement start on ____ day of _____, 20____, and continue to be in force until ____ day of _____, 20____, unless ended sooner by the Court or extended by agreement of all parties; *(check all that are applicable as to each parent)*

A. PARENT: _____

- ☐ Parent will have safe and stable housing that meets the needs of the family as determined by DCFS;
- ☐ Parent will allow DCFS staff members into his/her home and all rooms during scheduled and/or unscheduled home visits;

- ☐ Parent will report any changes in the household, including phone number, address, and employment to DCFS within seventy-two (72) hours;
- ☐ Parent will participate in a mental health assessment;
- ☐ Parent will follow the recommendations of the mental health assessment;
- ☐ Parent will participate in a: ☐ psychological evaluation and follow all recommendations; *(and/or)*
- ☐ psychiatric evaluation and follow all recommendations;
- ☐ Parent will participate in a substance use assessment and will follow all recommendations;
- ☐ Parent will attend, participate, and successfully complete a substance abuse treatment program, if indicated by the assessment;
- ☐ While providing care, Parent will not use substances that affect his/her ability to keep the child(ren) safe;
- ☐ Parent will cooperate with random urine, hair, and/or fingernail drug and/or alcohol screens as requested by DCFS and/or the treatment provider;
- ☐ All of the following safety plan provisions will be followed: _____
- _____;
- ☐ Parent will visit with his/her child(ren), _____,
- at _____ or by agreement of DCFS and the Parent;
- ☐ Parent will attend scheduled Court hearings and/or Family Team Meetings (FTM);
- ☐ Parent will participate in and successfully complete a parenting education program approved by DCFS and show understanding of child safety needs;
- ☐ Parent will sign consent forms so that DCFS can get reports and updates from all providers to share with the parties;
- ☐ Other: _____
- _____.

B. PARENT: _____

- ☐ Parent will have safe and stable housing that meets the needs of the family as determined by DCFS;

- ☐ Parent will allow DCFS staff members into his/her home and all rooms during scheduled and/or unscheduled home visits;
- ☐ Parent will report any changes in the household, including phone number, address, and employment to DCFS within seventy-two (72) hours;
- ☐ Parent will participate in a mental health assessment;
- ☐ Parent will follow the recommendations of the mental health assessment;
- ☐ Parent will participate in a: ☐ psychological evaluation and follow all recommendations; *(and/or)*
☐ psychiatric evaluation and follow all recommendations;
- ☐ Parent will participate in a substance use assessment and will follow all recommendations;
 - ☐ Parent will attend, participate, and successfully complete a substance abuse treatment program, if indicated by the assessment;
- ☐ While providing care, Parent will not use substances that affect his/her ability to keep the child(ren) safe;
- ☐ Parent will cooperate with random urine, hair, and/or fingernail drug and/or alcohol screens as requested by DCFS and/or the treatment provider;
- ☐ All of the following safety plan provisions will be followed: _____

_____;
- ☐ Parent will visit with his/her child(ren), _____,
at _____ or by agreement of DCFS and the Parent;
- ☐ Parent will go to scheduled Court hearings and/or Family Team Meetings (FTM);
- ☐ Parent will participate in and successfully complete a parenting education program approved by DCFS and show understanding of child safety needs;
- ☐ Parent will sign consent forms so that DCFS can get reports and updates from all providers to share with the parties;
- ☐ Other: _____
_____.

III.

THIS AGREEMENT CONTAINS all the terms and conditions of this Informal Adjustment Agreement. Any changes to the terms and conditions of this agreement must be in writing and agreed to by all the parties and approved by the Court.

IV.

BY SIGNING BELOW, the parties acknowledge the terms and conditions of this Informal Adjustment Agreement and agree to abide by the above terms and conditions.

Parent of the minor child(ren)

Parent of the minor child(ren)

Minor child

Minor child

Public Defender

Attorney for parent

LA. BAR NO.: _____

(Address)

(City, State, Zip Code)

(Office Number)

(Email Address)

Public Defender

Attorney for parent

LA. BAR NO.: _____

(Address)

(City, State, Zip Code)

(Office Number)

(Email Address)

Assistant District Attorney

Attorney for the State of Louisiana

LA. BAR NO.: _____

(Address)

(City, State, Zip Code)

(Office Number)

(Email Address)

(SLLS/ALSC/MHAS)

Attorney for minor child(ren)

LA. BAR NO.: _____

(Address)

(City, State, Zip Code)

(Office Number)

(Email Address)

Department of Children and Family Services Representative

(Address)

(City, State, Zip Code)

(Office Number)

(Email Address)

STATE OF LOUISIANA

DOCKET NUMBER: _____

IN THE INTEREST OF

SECTION: _____

_____ DOB: _____

COURT: _____

_____ DOB: _____

PARISH OF _____

_____ DOB: _____

STATE OF LOUISIANA

Filed: _____

DEPUTY CLERK: _____

INFORMAL ADJUSTMENT AGREEMENT ORDER

IT IS ORDERED, ADJUDGED, AND DECREED that the Informal Adjustment Agreement entered into on the _____ day of _____, 20____, by the parties, _____, and other undersigned signatories, _____, is accepted by the court.

IT IS FURTHER ORDERED that the proceedings on the acts alleged in the Child in Need of Care (CINC) Petition remain pending during the period of informal adjustment.

☐ **IF A PETITION HAS BEEN FILED, IT IS FURTHER ORDERED** that the CINC Petition is hereby:

☐ Dismissed; *(OR)*

☐ Not dismissed.

☐ **IT IS FURTHER ORDERED** that the Department of Children and Family Services (DCFS)

☐ Supervise ☐ Not supervise the Informal Adjustment Agreement.

☐ **IT IS FURTHER ORDERED** that DCFS shall submit a report to the court and all counsel of record 10 days prior to the ☐ Status Hearing *(and/or)* ☐ expiration of the agreement with a recommendation to terminate the agreement, extend the agreement, or develop a new agreement.

☐ **IT IS FURTHER ORDERED** that the local CASA program be and is hereby appointed, unless previously appointed, subject to the assignment of a qualified volunteer to advocate for the best interest of the child(ren),

_____, in these proceedings. CASA must
be given notice of appointment and served with a copy of the pleadings filed herein.

☐ **IT IS FURTHER ORDERD THAT:** _____

_____.

A STATUS HEARING is set for _____ day of _____, 20_____, at _____ am/___pm.

THUS DONE AND SIGNED ON THIS _____ day of _____, 20_____, in _____

_____, Louisiana.

JUDGE

Please serve the agreement and order on all signatories and counsel of record as follows:

Parent: _____
Street: _____
City, State, Zip: _____
Email Address: _____

Parent's Attorney: _____
Street: _____
City, State, Zip: _____
Fax Number: (____) _____
Email Address: _____

Parent: _____
Street: _____
City, State, Zip: _____
Email Address: _____

Parent's Attorney: _____
Street: _____
City, State, Zip: _____
Fax Number: (____) _____
Email Address: _____

Child(ren)'s Attorney: _____
Street: _____
City, State, Zip: _____
Fax Number: (____) _____
Email Address: _____

Assistant District Attorney: _____
Street: _____
City, State, Zip: _____
Fax Number: (____) _____
Email Address: _____

Department of Children and Family Services Staff/Representative:

Street: _____
City, State, Zip: _____
Fax Number: (____) _____
Email Address: _____

CASA: _____
Street: _____
City, State, Zip: _____
Fax Number: (____) _____
Email Address: _____

Other: _____
Role: _____
Street: _____
City, State, Zip: _____
Fax Number: (____) _____
Email Address: _____