

1 AN ACT relating to dependency, neglect, and abuse.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 620.140 is amended to read as follows:

4 (1) In determining the disposition of all cases brought on behalf of dependent,
5 neglected, or abused children, the juvenile session of the District Court, in the best
6 interest of the child, shall have but shall not be limited to the following
7 dispositional alternatives:

8 (a) Informal adjustment of the case ***by agreement, which may be entered into at***
9 ***any time. Informal adjustment may include an agreed plan by which:***

10 ***1. The parent or other person exercising custodial control or supervision***
11 ***agrees that grounds exist for a finding of dependency, neglect, or***
12 ***abuse, and agrees to the conditions of protective orders under***
13 ***paragraph (b) of this subsection for a duration of up to one (1) year;***

14 ***2. The action will be dismissed by the court, without hearing, at the end***
15 ***of the period agreed upon if no motion is brought alleging a violation***
16 ***of a protective order; and***

17 ***3. If a motion is brought alleging a violation of a protective order, a***
18 ***hearing will be held at which the parent or other person exercising***
19 ***custodial control or supervision may contest the alleged violation, but***
20 ***may not contest the original grounds for a finding of dependency,***
21 ***neglect, or abuse. If a violation is found to have occurred, the court***
22 ***may consider other dispositional alternatives pursuant to this section;***

23 (b) Protective orders, such as the following:

24 1. Requiring the parent or any other person to abstain from any conduct
25 abusing, neglecting, or making the child dependent;

26 2. Placing the child in his or her own home under supervision of the
27 cabinet or its designee with services as determined to be appropriate by

- 1 the cabinet; and
- 2 3. Orders authorized by KRS 403.715 to 403.785 and by KRS Chapter
- 3 456;
- 4 (c) Removal of the child to the custody of an adult relative, fictive kin, other
- 5 person, or child-caring facility or child-placing agency, taking into
- 6 consideration the wishes of the parent or other person exercising custodial
- 7 control or supervision. Before any child is committed to the cabinet or placed
- 8 out of his or her home under the supervision of the cabinet, the court shall
- 9 determine that reasonable efforts have been made by the court or the cabinet
- 10 to prevent or eliminate the need for removal and that continuation in the home
- 11 would be contrary to the welfare of the child. If a child is to be placed with an
- 12 adult relative or fictive kin the parent or other person exercising custodial
- 13 control or supervision shall provide a list to the cabinet of possible persons to
- 14 be considered;
- 15 (d) Commitment of the child to the custody of the cabinet for placement for an
- 16 indeterminate period of time not to exceed his or her attainment of the age
- 17 eighteen (18), unless the youth elects to extend his or her commitment beyond
- 18 the age of eighteen (18) under paragraph (e) of this subsection. Beginning at
- 19 least six (6) months prior to an eligible youth attaining the age of eighteen
- 20 (18), the cabinet shall provide the eligible youth with education,
- 21 encouragement, assistance, and support regarding the development of a
- 22 transition plan, and inform the eligible youth of his or her right to extend
- 23 commitment beyond the age of eighteen (18); or
- 24 (e) Extend or reinstate an eligible youth's commitment up to the age of twenty-
- 25 one (21) to receive transitional living support. The request shall be made by
- 26 the youth prior to attaining nineteen (19) years of age. Upon receipt of the
- 27 request and with the concurrence of the cabinet, the court may authorize

- 1 commitment up to the age of twenty-one (21).
- 2 (2) An order of temporary custody to the cabinet shall not be considered as a
- 3 permissible dispositional alternative.