

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.