

EMERGENCY CUSTODY REQUEST FOR PERSONS WITHOUT AN ATTORNEY

**THIS PETITION IS TO:
REQUEST EMERGENCY TEMPORARY CUSTODY**

**YOU MUST BE ABLE TO SHOW:
THE CHILD IS AT IMMEDIATE RISK OF HARM**

STEPS:

1. Make a child abuse referral to the Department of Children's Services at 1-877-237-0004. Your referral number is: _____
2. Complete the Petition
3. Complete a Summons for each Respondent/Parent
4. Pay the \$112 filing fee plus \$42 service fee for each respondent/parent
5. If the parent's whereabouts are unknown, complete an Affidavit of Diligent Efforts.

AFTER YOU FILE:

1. The Judge or Magistrate will review your Petition.
2. After reviewing the Petition, the Judge or Magistrate will decide whether to grant you emergency temporary custody.
3. If you are granted emergency custody, the Court will give you an order of temporary custody and a court date.
4. If you are NOT granted emergency custody, you will be given a court date to come explain to the court why temporary custody is necessary.

YOU ARE ENCOURAGED TO CONSULT A COMPETENT ATTORNEY. THIS OFFICE CANNOT AND WILL NOT PROVIDE LEGAL ADVICE.

IN THE JUVENILE COURT FOR CHEATHAM COUNTY, TENNESSEE
AT ASHLAND CITY

Petitioner Relationship to Child _____

V.

Docket No. _____

Respondent: Relationship to Child _____

Respondent: Relationship to Child _____

REGARDING CHILDREN UNDER EIGHTEEN (18) YEARS OF AGE

Child 1: _____ DOB: _____

Child 2: _____ DOB: _____

Child 3: _____ DOB: _____

Child 4: _____ DOB: _____

**EMERGENCY PETITION FOR EX PARTE TEMPORARY CUSTODY AND TO
ADJUDICATE AS DEPENDENT AND NEGLECTED UNDER TCA 37-1-102**

Your Petitioner would respectfully show to the Court that:

1. The address of the Petitioner is _____

2. The address where the child/ren can be found is _____

3. The Petitioner states that the children are subject to the continuing exclusive and original jurisdiction of the Juvenile Court of Cheatham County, Tennessee, both in subject matter and personal jurisdiction, because
 they are located in Cheatham County

this court previously entered orders related to these children

4. INFORMATION RELATED TO THE MOTHER OF THE CHILDREN:

The name of the Mother is:

Her address is _____
If her

address is unknown, you must complete an Affidavit of Diligent Efforts.

5. INFORMATION RELATED TO THE FATHER/S OF THE CHILDREN:

The Father of the child/ren is unknown.

The name of the Father is:

His address is _____

He is the father of all of the children only the father of _____

There is another father. His name is _____

He is the Father of _____

His address is _____

There is another father. His name is _____

He is the Father of _____

His address is _____

If any address is unknown, you must complete an Affidavit of Diligent Efforts.

6. To the best of your knowledge, in the past five years, the child/ren have lived in the following places: _____

7. The Petitioner has has not participated (as a party, witness, or any other capacity) in any other litigation concerning custody of the child/ren in this or any other state.

8. The Petitioner does does not know of any person not a party to this proceeding who has physical custody of the child/ren or who claims to have custody of or visitation rights with the child/ren.

9. The Petitioner does does not know of any other proceeding that could affect the current proceeding.

10. The Petitioner states that emergency temporary custody of the children is necessary because _____

11. DCS is is not involved in this case. The worker is _____

12. The Petitioner states they are the fit and proper person to care for the children.

13. The Petitioner states there is no less drastic alternative than an order granting temporary custody of the child/ren and that the child/ren would suffer immediate and irreparable harm should they be removed from the Petitioner's care.

14. The Petitioner states it is proper and in the best interest of the child/ren that they be adjudicated dependent and neglected and that custody of the children be vested with the Petitioner.

THEREFORE, PETITIONER REQUESTS:

1. That the parents be served with a copy of this Petition and be required to answer;
2. That a hearing be set;
3. That temporary custody of the children vest with the Petitioner;
4. That a Guardian ad Litem be appointed to represent the children;
5. For such other, further, and general relief as may be necessary.

Respectfully Submitted,

**THIS IS THE FIRST REQUEST FOR EXTRAORDINARY RELIEF
(EMERGENCY CUSTODY) IN THIS CASE.**

OATH

STATE OF TENNESSEE)
COUNTY OF CHEATHAM)

I _____, being duly sworn according to the law, make oath that the facts stated in the foregoing Petition are true and correct to the best of my knowledge, information, and belief.

Sworn to and subscribed before me this _____
day of _____, 20_____.

Notary Public/Deputy Clerk

My commission expires:

IN THE JUVENILE COURT OF CHEATHAM COUNTY, TENNESSEE

DOCKET NO _____

PETITIONER

VS

RESPONDENT

IN RE: _____ DOB _____

_____ DOB _____

_____ DOB _____

CHILD/REN'S NAME/S

AFFIDAVIT OF DILIGENT EFFORTS TO LOCATE PARENT OR LEGAL GUARDIAN

1. The whereabouts of the following are unknown to me:

☐ Mother: _____

☐ Father: _____ ☐

Legal Custodian: _____ 2. I do not know how to locate the named person/people to notify them of this proceeding.

3. The last time I had contact with them was: _____

4. The last address I am aware of these people living or staying at is: _____

5. I made the following efforts to attempt to contact the named people about this proceeding: ☐

I contacted the following friends, family, or acquaintances of the above people about these proceedings: _____

_____ ☐ I

reached out to the named people through social media.

☐ I called the last known phone number I have for the named people.

6. I have provided the court with all information in my possession that would help the court locate the named people.

7. I understand that I am under a court order to provide the court with any additional information that comes to my attention about how to contact the named people.
8. I understand that if I come in contact with the named people, I am ordered to tell them about these proceedings, about any orders that have been issued by the court, and any court dates that I am aware and to advise them to contact Juvenile Court.

Affiant: _____

Sworn to and subscribed before me this _____ day of _____,
20_____.

Notary / Deputy Clerk

My commission expires _____

CHEATHAM COUNTY JUVENILE COURT
GENERAL DATA FORM---CHILD'S PERSONAL RECORD
(Please Print Legibly and Answer all questions completely)

DOCKET #: _____
DATE: _____
INITIALS: _____

HOME PHONE: _____
CELL PHONE: _____
WORK PHONE: _____

FULL NAME: _____ SOCIAL SECURITY#: _____
CURRENT ADDRESS: _____ CITY/STATE: _____
IN SCHOOL? _____ NAME OF SCHOOL: _____ LAST GRADE COMPLETED: _____ IN SPECIAL ED: _____
DO YOU WORK? _____ EMPLOYER NAME & ADDRESS _____

LIVING ARRANGEMENT OF CHILD:

_____ WITH BOTH BIOLOGICAL PARENTS	_____ WITH REALTIVES	_____ IN AN INSTITUTION
_____ WITH FATHER & STEPMOTHER	_____ WITH ADOPTIVE PARENTS	_____ IN A GROUP HOME
_____ WITH MOTHER & STEPFATHER	_____ INDEPENDENT LIVING	_____ WITH FOSTER FAMILY
_____ WITH MOTHER	_____ UNKNOWN	_____ IN RESIDENTIAL CENTER
_____ WITH FATHER		_____ OTHER

DATE OF BIRTH: _____ AGE: _____ SEX: _____ RACE: _____ MARTIAL STATUS _____
IS THE CHILD OF HISPANIC ORGIN: _____ OTHER ETHNIC ORGIN (PLEASE SPECIFY) _____
PLACE OF BIRTH: _____ NICKNAME/ ALIAS: _____
DOES CHILD HAVE PREVIOUS ADJUDICATIONS FOR OR CONCERNINGS: _____ DELINQUENT OFFENSES
_____ DRUG/ ALCOHOL OFFENSES
_____ STATUS/ UNRULY OFFENSES
_____ DEPENDENCY & NEGLECT
IF YES, WHEN AND WHAT COURT: _____

FAMILY HISTORY

MOTHER: _____ SOCIAL SECURITY#: _____
ADDRESS: _____ CITY/ STATE/ ZIP: _____
MARRIED: _____ RACE: _____ BIRTHDATE: _____ OCCUPATION: _____
HOME PHONE: _____ EMPLOYER: _____
WORK PHONE: _____ WORK ADDRESS: _____
CELL PHONE: _____ EMAIL ADDRESS: _____

FATHER: _____ SOCIAL SECURITY#: _____
ADDRESS: _____ CITY/ STATE/ ZIP: _____
MARRIED: _____ RACE: _____ BIRTHDATE: _____ OCCUPATION: _____
HOME PHONE: _____ EMPLOYER: _____
WORK PHONE: _____ WORK ADDRESS: _____
CELL PHONE: _____ EMAIL ADDRESS: _____

LEGAL GUARDIAN: _____ SOCIAL SECURITY#: _____
ADDRESS: _____ CITY/ STATE/ ZIP: _____
MARRIED: _____ RACE: _____ BIRTHDATE: _____ OCCUPATION: _____
HOME PHONE: _____ EMPLOYER: _____
WORK PHONE: _____ WORK ADDRESS: _____
CELL PHONE: _____ EMAIL ADDRESS: _____

STEP PARENT: _____ SOCIAL SECURITY#: _____
ADDRESS: _____ CITY/ STATE/ ZIP: _____
MARRIED: _____ RACE: _____ BIRTHDATE: _____ OCCUPATION: _____
HOME PHONE: _____ EMPLOYER: _____
WORK PHONE: _____ WORK ADDRESS: _____

STATE OF TENNESSEE CHEATHAM COUNTY JUVENILE COURT	SUMMONS	CASE FILE NUMBER:
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PETITIONER(S):	RESPONDENT(S):
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TO: (NAME AND ADDRESS OF RESPONDENT)

TO BE SERVED VIA _____

List each Respondent on a separate summons.

YOU ARE HEREBY SUMMONED TO DEFEND A JUVENILE ACTION FILED AGAINST YOU IN THE JUVENILE COURT, CHEATHAM COUNTY, TENNESSEE. YOUR DEFENSE MUST BE MADE WITHIN THIRTY (30) DAYS FROM THE DATE THIS SUMMONS IS SERVED UPON YOU. YOU ARE DIRECTED TO FILE YOUR DEFENSE WITH THE CLERK OF THE COURT AND SEND A COPY TO THE PETITIONER AT THE ADDRESS LISTED BELOW. IF YOU FAIL TO DEFEND THIS ACTION BY THE ABOVE DATE, A JUDGMENT BY DEFAULT CAN BE RENDERED AGAINST YOU FOR THE RELIEF SOUGHT IN THE PETITION.

PETITIONER: (Name, address and telephone number)	FILED, ISSUED & ATTESTED _____ HOLLY WALLER, JUVENILE COURT CLERK 100 Public Square, Suite 115, Ashland City, TN-Phone: 615/792-7566 By: Deputy Clerk
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TO THE SHERIFF: Please execute this summons and make your return within ninety (90) days of issuance as provided by law.	DATE RECEIVED _____ SHERIFF
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RETURN ON PERSONAL SERVICE OF SUMMONS

I hereby certify and return that I served this Summons together with the Petition to the Respondent.

SHERIFF/PRIVATE PROCESSOR/NOTARY PUBLIC By: Sheriff/Private Processor/Notary Public	DATE OF PERSONAL SERVICE:
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NOTICE OF PERSONAL PROPERTY EXEMPTION NOTICE TO THE RESPONDENT(S):

Tennessee law provides a ten thousand dollars (\$10,000.00) debtor's equity interest personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer. Mail list to: Cheatham County Juvenile Court, 100 Public Square, Suite 115, Ashland City, Tennessee 37015 (Phone: 615/792-7566)