

Rule 23. Stipulated Disposition

(a) Generally. A stipulated disposition may be used to determine the disposition of the case following a fact-finding hearing or a stipulation in lieu of fact-finding pursuant to Rule 18, provided the requirements of Rules 18-20 regarding notice and the filing of reports have been met. Written stipulations shall be signed by all counsel including the guardian ad litem or counsel for the child; by the parent, guardian or custodian who is party to the agreement; and by the representative of the agency providing supervision and services.

(b) Contents. The parties shall address at least the following issues in any proposed stipulated disposition:

- (1) The legal custody and placement of the child;
- (2) The changes that are needed to end the Court's involvement;
- (3) Services to be provided to the child and family; and
- (4) If a child is to be placed away from home:

- (A) The type of placement;
- (B) Terms of visitation with parents, siblings and other relatives and other parental involvement, including information about the child to be provided to the parents; and
- (C) Any aspect of the case plan that the parties agree should be included in the Court's order.

(5) If a child has been in shelter care or third party custody during the proceedings or the agency's recommendation includes placement of the child away from home, the proposed stipulated disposition shall also address reasonable efforts to prevent removal or reunify the family. Unless a finding has been made earlier that efforts to prevent removal or to reunify the family are not required, the proposed stipulated disposition shall:

- (A) Provide a description of the efforts, if any, made by the agency to prevent the need for placement;

- (B) Provide a description of the efforts since placement to reunify the family, including services that have been offered or provided;

- (C) When the agency's recommendation includes placement of the child away from home, include an explanation why the child cannot be protected from the identified problems in the home even with the provision of services; and

- (D) State whether the agency recommends that no reasonable efforts to reunify the family be made because the conditions of D.C. Code § 4-1301.09a (d) have been met.

(c) Ensuring consent to stipulation is voluntary and intelligent. Before accepting a stipulation of disposition, the Court shall determine that the parties understand the contents of the stipulation and its consequences and that they voluntarily consent to its terms. Written copies of the stipulation shall be provided to the parties and their counsel.

(d) Reasonable efforts and contrary to welfare determination. Findings shall be made as required by Rule 14(c)-(e) regarding reasonable efforts, whether continuation in the home is contrary to the welfare of the child and the date of removal of the child from the home.