

ANNE E. LOPEZ 7609
Attorney General

JULIO C. HERRERA 7038
ERIN K. S. TORRES 8612
IAN T. TSUDA 10057
REGINA ANNE M. SHIMADA 9990
Deputy Attorneys General
Department of the Attorney General,
State of Hawai'i
Kapolei Building
1001 Kamokila Boulevard, Suite 211
Kapolei, Hawai'i 96707
Telephone: (808) 693-7081
Facsimile: (808) 693-7815
julio.c.herrera@hawaii.gov
erin.k.torres@hawaii.gov
ian.t.tsuda@hawaii.gov
reginaanne.m.shimada@hawaii.gov

Attorneys for the Department of
Human Services

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

In the Interest of

[NAME],

Born on ;

[NAME],

Born on .

FC-S No.

ORDER GRANTING EX PARTE MOTION
FOR PROTECTIVE CUSTODY

ORDER GRANTING EX PARTE MOTION FOR PROTECTIVE CUSTODY

Based upon the records and/or evidence presented by the Department of Human Services (“Department”), including the Report for Orders for Protective Custody and Temporary Foster Custody, and having fully considered all relevant information, the Court finds that:

A. There is reasonable cause to believe that [NAME] [and NAME] (“the Child(ren)”) is/are subject to imminent harm because there is reasonable cause to believe that harm to the Child(ren) will occur or reoccur and no reasonable efforts other than removal of the Child(ren) from the family home will adequately prevent the harm;

B. Continuation in the family home would be contrary to the immediate welfare of the Child(ren);

C. Under the circumstances that are presented by this case, reasonable efforts were made by the Department to prevent or eliminate the need for removal of the Child(ren) from the family home; and

D. There is reasonable cause to believe that placement in temporary foster custody is necessary to protect the Child(ren) from imminent harm.

Based upon the foregoing considerations and findings, and reasonable cause appearing from the Ex Parte Motion for Protective Custody;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. The Ex Parte Motion for Protective Custody is granted;
2. A police officer shall immediately take the Child(ren) into protective custody and transfer custody to the Department;

3. The Department shall assume temporary foster custody, including the responsibility for placement and care, of the Child(ren) pursuant to Hawaii Revised Statutes (“HRS”) § 587A-8(b);

4. A police officer shall make every reasonable effort to personally serve the Child(ren)’s parents with copies of: (1) the Report for Orders for Protective Custody and Temporary Foster Custody, (2) the Petition for Order Awarding Temporary Foster Custody, (3) the Summons, (4) the Ex Parte Motion for Protective Custody, and (5) this Order Granting Ex Parte Motion for Protective Custody;

5. A police officer shall make every reasonable effort to personally serve any person who has physical custody of the Child(ren) with copies of: (1) the Ex Parte Motion for Protective Custody, and (2) this Order Granting Ex Parte Motion for Protective Custody; and

6. All parties are ordered to appear at a temporary foster custody hearing in the Family Court at the Ronald T.Y. Moon Kapolei Courthouse, 4675 Kapolei Parkway, 2nd Floor, Kapolei, Hawai‘i 96707, on _____ at _____ ☐ a.m. / ☐ p.m., before the presiding judge.

DATED: Kapolei, Hawai‘i, _____

JUDGE OF THE ABOVE ENTITLED COURT