

STATE OF INDIANA )  
) SS:  
MADISON COUNTY )

IN THE MADISON SUPERIOR 2 COURT  
CAUSE NO: 48D02-1011-JC-000438

QUEST FILE/COMPLAINT NO(S): 28354/2  
Date Filed: November 23, 2010

IN THE MATTER OF: Leah Shirley,  
*A Child Alleged to be a Child In Need of Services*

### ORDER ON INITIAL/DETENTION HEARING

**THE FOLLOWING APPEAR FOR THE HEARING:**

- ██████████ (Court Appointed Special Advocate (48D02-1011-JC-000438))
- ██████████ (Madison County DCS Staff Attorney (48D02-1011-JC-000438))
- ██████████ (DCS Case Manager (48D02-1011-JC-000438))
- ██████████ (Mother of Leah Shirley)
- ██████████ (Private Attorney (48D02-1011-JC-000438))
- ██████████ (Father of Leah Shirley)

Failing to appear despite proper notice of the time, place and purposed of this Hearing are:

Pursuant to IC 31-34-10, a Guardian Ad Litem, Court Appointed Special Advocate or both is appointed.

Under IC 31-32-6-2, the public is excluded from all proceedings in this case.

**The Court now proceeds to an Initial Hearing.**

The Court advises Amber L. Portwood (Mother - Both Physical and Legal Custody) and Gary Lee Shirley (Father) of the material allegations of the petition, the rights of the parent(s) and child, the right to be represented by counsel, the dispositional alternatives available to the Court if the Child is adjudicated to be in need of services, the potential for parental participation, consequences for failure to comply, and financial responsibility.

The Court advises Amber L. Portwood (Mother - Both Physical and Legal Custody) of her right to counsel, and Amber L. Portwood (Mother - Both Physical and Legal Custody) state the desire to hire a private attorney in this matter.

The Court advises Gary Lee Shirley (Father) of his right to counsel, and said right is waived.

Amber L. Portwood (Mother - Both Physical and Legal Custody)denies the allegations of the petition and the matter is set for **Fact Finding hearing on Fact-Finding Hearing on 1/19/2011 at 1:30 PM in Superior Crt 2.**

**The Court now proceeds to a Detention Hearing.**

The removal of the child was authorized under IC 31-34-2 or 2.5, and necessary to protect the child. It is in the best interest of the child to be removed from the home environment and remaining in the home would be contrary to the health and welfare of the child based on the

STAFF OF INDIANA ) IN THE MADISON SUPERIOR COURT 2  
JSS.  
MADISON COUNTY ) CAUSE NO 48D02-1011-JC-000438

DATE: December 14, 2010

IN THE MATTER OF: Leah Shirley (28374)

SUBPOENA

TO: Gary Lee Shirley (Father)



You are commanded to appear and give testimony and produce the

any and all documentation, video footage, reports, or other items which may address issues relating to the Rule to Show Cause and Citation filed by DCS in this matter

for a(n) Fact-Finding Hearing on 1/19/2011 at 1:30 PM in Superior Crt 2 at the Madison Superior Court, Div 2 located at the Madison County Superior Court Div. II, 16 E. 9th St. Anderson, IN 46016.

Dated: 12/14/10

Ludy Watkins, Clerk

This summons came to hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and I served the same (1) by reading the same to and in the hearing of and by delivering copies of the summons and complaint (except in actions for divorce, custody of children and determinations of incompetency or mental illness, or as otherwise ordered by the court, where service of complaint is not required) to:

(or)

(2) by leaving a copy of the summons and complaint (except in actions for divorce, custody of children and determination of incompetency or mental illness, or as otherwise ordered by the court, where service of complaint is not required) at:

\_\_\_\_\_ which is the last and usual residence and place of abode of \_\_\_\_\_ and by mailing a copy of the summons to

\_\_\_\_\_ at \_\_\_\_\_  
(name) (address)  
his/her last known address.