

IN THE JUVENILE COURT OF MEMPHIS AND SHELBY COUNTY, TENNESSEE

IN THE MATTER OF

, DOB

Docket Number

A child(ren) under 18 years of age

WAIVER OF PRELIMINARY HEARING

I, _____

Address: _____

(mother, father, or legal guardian) of the above named child(ren) understand that a petition has been filed alleging grounds of dependency and neglect and that based upon that petition said child(ren) has/have been removed from my legal custody. I have received a copy of the petition and understand that I have a right to a preliminary hearing which shall be held no later than three (3) days after the child(ren)'s removal, excluding Saturdays, Sundays and legal holidays, to determine whether such child's removal is required under *Tennessee Code Annotated, Section 37-1-114* – which states:

- (a) A child taken into custody shall not be detained or placed in shelter care prior to the hearing on the petition unless there is probable cause to believe that the child:
- (2) Is a neglected, dependent or abused child, and in either case the child's detention or shelter care is required because the child is subject to an immediate threat to the child's health or safety to the extent that delay for a hearing would be likely to result in severe or irreparable harm, or the child may abscond or be removed from the jurisdiction of the court, and in either case, there is no less drastic alternative to removal of the child from the custody of the child's parent, guardian or legal custodian available that would reasonably and adequately protect the child's health or safety or prevent the child's removal from the jurisdiction of the court pending a hearing.

Understanding the nature of the petition and my rights to a hearing (and without admitting or denying the allegations made) I wish to waive my right to a hearing and accept the protective custody order which has been entered.

Parent or guardian

Parent or guardian's attorney

Date: _____

Date: _____