Rule 4A. Order for Custody -- Following the Shelter Care Hearing

(a) Issuance.   During the pendency of a case, a judicial officer, upon motion of a party, or sua sponte, may issue a custody order for a respondent who has run away or absconded from the legal custody of the person or agency with whom he or she has been placed by the Court. Upon application of a law enforcement officer, social worker, parent, guardian, or custodian, the judicial officer may issue a custody order for a respondent where there are reasonable grounds to believe that the child is in abscondence.

(b) Application.   A law enforcement officer or social worker shall submit an application for an order for custody to the assigned judicial officer or his or her designee. The application shall be supported by testimony or a concise written statement by the social worker assigned to the case or his or her supervisor which contains the specific circumstances surrounding the abscondence and the actions the assigned social worker wishes to be taken once the respondent is taken into custody. The application shall be in writing and shall include:

   (1) The name and title of the applicant with office address and telephone number;

   (2) A statement of the grounds for taking the child into custody; and

   (3) The circumstances surrounding the child's abscondence and the organization or person from whom the child has absconded.

(c) Form.   The order for custody shall be signed by a judicial officer. It shall be issued under the title of the Superior Court of the District of Columbia, Family Court, and shall contain the name of the judicial officer to whom the case is assigned, if known; the date of the issuance of the custody order; the name of the respondent; any description by which the respondent can be identified with reasonable certainty; the respondent's age and address; and the location at which the respondent last resided. Where it is likely that the respondent has returned to a parent, the parent's address shall also be included. The order shall command that the respondent be taken into custody and shall state whether the respondent should be brought before the Court pending the next regularly scheduled session of the Court or whether the respondent should be brought before a representative of the Child and Family Services Agency for a determination of placement pending appearance in Court.

(d) Execution and return.

   (1) By whom. An order for custody shall be executed by a law enforcement officer or Child and Family Services Agency social worker.

   (2) Territorial limits. An order for custody may be executed at any place in the District of Columbia, but not more than one year after the date of issuance or reissuance.

   (3) Manner. The order for custody shall be executed by taking into custody the child named therein. The officer or social worker need not have the order in his or her possession at the time of the taking into custody, but upon request the officer or social worker shall show the order to the child and to the parent, guardian, or custodian within 24 hours or before the next hearing, whichever is sooner. The officer or social worker shall provide notice as required by Rule 6 below.

   (4) Return. On or before the return day, the person to whom an order for custody was delivered for execution shall make a return thereof to the judicial officer. At the request of the Corporation Counselor his or her designee, an order for custody returned unexecuted and not canceled may be delivered by the judicial officer to a law enforcement officer for

execution. At the request of the Corporation Counsel, or his or her designee, any unexecuted order for custody shall be returned and canceled by the judicial officer.