

(e) (1) Detention OR COMMUNITY DETENTION may not be continued beyond emergency detention OR COMMUNITY DETENTION unless, upon an order of court after a hearing, the court has found that one or more of the circumstances stated in subsection (b) of this section exist.

(2) A court order under this paragraph shall:

(I) [contain] CONTAIN a written determination of whether or not the criteria contained in subsection (c)(1) and (2) of this section have been met; AND

(II) SPECIFY WHICH OF THE CIRCUMSTANCES STATED IN SUBSECTION (B) OF THIS SECTION EXIST.

(3) (I) IF THE COURT HAS NOT SPECIFICALLY PROHIBITED COMMUNITY DETENTION, THE DEPARTMENT OF JUVENILE JUSTICE MAY RELEASE THE CHILD FROM DETENTION INTO COMMUNITY DETENTION AND PLACED THE CHILD IN:

1. SHELTER CARE; OR

2. THE CUSTODY OF THE CHILD'S PARENT, GUARDIAN, CUSTODIAN, OR OTHER PERSON ABLE TO PROVIDE SUPERVISION AND CARE FOR THE CHILD AND TO RETURN THE CHILD TO COURT WHEN REQUIRED.

(II) IF A CHILD WHO HAS BEEN RELEASED BY THE DEPARTMENT OF JUVENILE JUSTICE OR THE COURT INTO COMMUNITY DETENTION VIOLATES THE CONDITIONS OF COMMUNITY DETENTION, AND IT IS NECESSARY TO PROTECT THE CHILD OR OTHERS, AN INTAKE OFFICER MAY AUTHORIZE THE DETENTION OF THE CHILD.

(III) THE DEPARTMENT OF JUVENILE JUSTICE SHALL PROMPTLY NOTIFY THE COURT OF:

1. THE RELEASE OF A CHILD FROM DETENTION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH; OR

2. THE RETURN TO DETENTION OF A CHILD UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH.

(f) Shelter care may only be continued beyond emergency shelter care if the court has found that:

(1) Continuation of the child in the child's home is contrary to the welfare of the child; and

(2) (i) Removal of the child from the child's home is necessary due to an alleged emergency situation and in order to provide for the safety of the child; or

(ii) Reasonable but unsuccessful efforts were made to prevent or eliminate the need for removal of the child from the home.