

relatives when committing the child to an individual other than the parent.”

- Review Hearings - whenever set by the court
- Permanency Planning hearing - within 12 months of removal.
- Foster parents have the right to notice of the PP Hearing and a right to be heard in the hearing. Foster parents can attend the hearing or write a letter to the judge.

4. What’s a Permanency Plan and why does it matter?

- Permanency Planning requires the courts and the Department to focus on permanency for children in out of home placements to avoid “foster care drift.”
- If reunification cannot be safely accomplished, Dept. must recommend another permanent plan for the child.

5. Permanency plans in descending order of priority, “to the extent consistent with the best interests of the child.”

- Reunification with one or both parents with a specified goal date
- Adoption by a relative
- Custody and Guardianship to a relative.
- Adoption by non-relative
 - FL 5-525(e)(2)(iii) priority is given to a current foster parent who has cared for the child for 12 months over another approved adoptive placement.
- Custody and Guardianship to a non-relative.
- APPLA Another Planned Permanent Living Arrangement (Examples: foster care with a relative or a non-relative, group home, independent living arrangement.)

6. Juvenile Court: Beyond the first twelve months in foster care.

- Court hearings every six months to review progress toward the PP.
- Once the plan is achieved and the Court is satisfied that the child is safe, the CINA case will be closed.
- Examples: reunification, relative placement with custody and guardianship, adoption, independent living, or child ages out of system at 21 years of age.
- If the Court approves a plan of Adoption the Termination of Parental Rights (TPR) petition (a/k/a Guardianship Petition) is filed within 30 days of the PP Hearing.
- The TPR trial is set about 4 months from the date of service on both parents. Service can be delayed for several months if parents can’t be served and publication of the Show Cause notice is required.
- TPR trials require extensive trial preparation and several days of litigation. Foster parents will probably be asked to testify. If the Court grants the TPR petition and terminates the parent’s legal rights, the Department can move toward Adoption.
- EXCEPTION: if the parent files an appeal of the TPR the appeal must be resolved before an adoption can be finalized. An appeal can take 9 to 12 months, or more.
- Child must be in adoptive placement at least 6 months before an adoption petition can be filed.