

The Process of Gaining Permanency:

The flow of a dependency case goes something like this:

When children are removed from home due to abuse and neglect the court is required to hold a “Shelter Hearing” within 24 hours of removal to determine if it is appropriate to continue the child/ren in an out of home placement. At this shelter hearing, a Counsel is appointed for the parents and the child and CASA is also appointed. The next hearing is scheduled at the end of the “shelter hearing” this next hearing is usually a “settlement hearing” or a “review hearing.”

A settlement hearing is held in order for the court to gain jurisdiction over the parents and the child through the admission of the allegations by one or both parents. Once jurisdiction is established the court will hold periodic “review hearings” in order to check in on the progress of the parents and the needs of the child/ren. These “review hearings” can happen as frequently as the court sees necessary but usually happen either within 30, 60 or 90 days.

A “permanency hearing” is to be held no later than 12 months after the child/ren was found within the jurisdiction of the court or 14 months after the child/ren was placed in substitute care, whichever comes first. This is important to note and track as you work on your case. In some cases sometimes settlement takes several months if the parents are unwilling to admit to the allegations so knowing when the child/ren went into substitute care and when jurisdiction was established is a key piece to working on the permanent plan.

The Permanency Hearing:

“The permanency hearing represents a deadline for the court to determine the final plan to move the child out of foster care and into a safe, nurturing and permanent home. “ At a permanency hearing a decision is made as to whether the case will proceed with the current plan (usually reunification) or if the plan will be changed to the concurrent plan, which is usually adoption or guardianship with a relative, but in some cases permanent foster care or APPLA are designated the most appropriate permanency option for the child/ren.

* **Please note that you should be working on the permanency plan during the entire life of the case.

One of your primary goals as a CASA is to advocate for a safe, permanent home as soon as possible, honoring the child’s culture and sense of time. For children 12 months is a long time since they are achieving large milestones developmentally in very short amounts of time.

The need for timely permanency is the reason your role relies heavily on encouraging “concurrent planning,” which means working on two plans at the same time from the beginning of the case: one to return the child home and another to find an alternative permanent placement.

So what are the options for “concurrent planning?”

Permanency Options:

When looking at permanency options for the youth we serve there are a few options:

Reunification – where the child/ren is returned to one legal parent after all safety threats that were identified by DHS have been eliminated.

**Please keep in mind that when looking at reunification with biological parents. DHS is looking for the minimum standard for the home. This may mean that this home does not have as much to offer

as the current foster home but research has shown that children do better when placed with their parents and most children truly want to be with their parents.

Adoption – the legal process by which a designated placement gains full legal rights to parent a child through the process of adoption.

Guardianship – where a responsible party agrees to act as a child's legal guardian but legal ties are not severed with the biological parents.

Another Planned Permanent Living Arrangement - (APPLA) – This could be permanent foster care or placement in a facility if the child's needs cannot be met in a home setting or if the child is an older youth who would not benefit from adoption or guardianship.

Although we tend to frown on the idea of adopting an APPLA plan for youth under the right circumstances this can be a successful plan. As a CASA our goal is to help the child/ren gain a PERMANENT safe and loving home. In some cases APPLA can seem just the opposite, but what if the child is 16 or 17 years old and working hard to graduate high school and gain independence. What if this youth has identified one or more adults that support them and will continue to support them as they learn and continue to grow into contributing, successful adults? It should be the focus of the CASA to assist the child in achieving the best plan for them and in some cases that plan could be APPLA. CASA's should consider encouraging older youth to attend court so that their wants can be heard by the judge, especially if the case seems to be moving towards an APPLA arrangement. This helps to ensure that APPLA is the right plan for the youth.

Additional Information:

http://www.casaforchildren.org/site/c.mtJSJ7MPiE/b.5534747/k.7FEF/Permanency_Planning_and_Kinship_Care_Annotated_Bibliography.htm

A bibliography of articles that discuss permanency planning and kinship care provided by National CASA.

http://www.dhs.state.or.us/caf/safety_model/procedure_manual/ch05/ch5-section16.pdf

A document that talks about how APPLA is viewed in the perspective of DHS. There is a key tip on the first page that talks about identifying supportive resources for the youth.

http://www.dhs.state.or.us/caf/safety_model/procedure_manual/ch05/ch5-section16.pdf

A presentation that talks about how an APPLA plan is approached.

<http://www.ncsl.org/documents/cyf/movingchildrenoutofcare.pdf>

A document that talks about achieving permanency for children in care as a whole including a view on APPLA.

http://nc.casaforchildren.org/files/public/community/judges/March_2011/Edwards_2.pdf

An article from the National CASA website about Achieving