

# Reasonable Efforts to Finalize The Permanent Placement

**Citizen Review Board**

**Every Day Counts Conference 2012**

## Finding #5

DHS made reasonable efforts **in accordance with the case plan to place the child in a timely manner, and complete the steps necessary to finalize the permanent placement, including an interstate placement if appropriate.**



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## Finding #5: Confirm that...

- The goal is **not** “Return to Parent”  
**and**
- The Court has approved implementation of the concurrent plan at a permanency hearing

## Finding #5: Key Terms for Preparation

- Reasonable Efforts
- Case Plan
- Place The Child In A Timely Manner
- Steps To Finalize The Permanent Placement
- ICPC (if appropriate)



# What are “Reasonable Efforts”?

- Efforts to provide services that meet the needs of the individual child/children and family; that preserve safety and well being; and that implement the permanent plan
- Efforts that address existing CRB recommendations and court orders

**“Active Efforts” do not apply to this finding**

# What is “in accordance with the case plan”?

- The case plan is the court-approved permanency plan.
- A goal oriented, time limited individualized plan for the child and the child’s family, developed by the department **and** the parents or legal guardians, to achieve the child’s safety, permanency and well being.
- Updated every 6 months.

- The following are considered to be part of the case plan:

- **Family and Team Decision Meetings**
- **Health and Education Record**
- **Visitation Plan**
- **Child Safety Plan**
- **Youth Transition Plan**

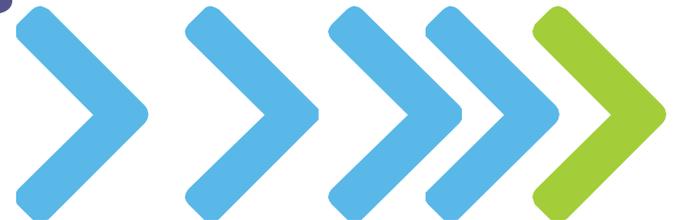
# What is “Place in a Timely Manner”?

- **More than just a goal change or a plan to place**
- **Determine the steps necessary and taken to identify and place the child in his/her permanent home**
- **Determine the expected time frames**

# What is “Finalize the Permanent Placement”?

- **Continual effort and urgency toward finalization of the permanency goal**
- **Ask questions that provide context: who, when, what, where, dates, services, barriers.**

- Note barriers in findings and make recommendations to remedy barriers
- Make an effort to move the case forward –
- **Don't just say yes because the goal is implemented or because DHS is providing a few services**



# What is “including an interstate placement if appropriate”?

- **Determine if an out-of-state placement is appropriate**
- **Determine the steps taken to place the child and monitor the status of the case through the ICPC**



# Consider Efforts

- **Effort to identify the permanent placement**
- **Effort to place the child in the permanent placement**
- **Effort to achieve finalization of the permanent goal**



# Making the Finding

- If DHS efforts were reasonable during the review period then the finding is: “Yes”
- If DHS efforts during the review period were less than reasonable then the finding is: “No”



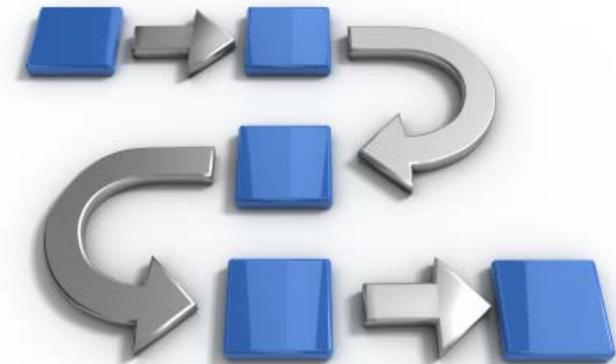
# Making the Finding

- If the DHS time estimate to achieve the permanency goal is “too far” in the future, then the finding is: “No”
- Note: **Any** “No” finding **requires** at least one recommendation to remedy the problem



# Adoption Procedural Task Summary

- **Legally freed: Relinquishment of parental rights and designation of placement, or Termination of Parental Rights in court**
- **TPR process: Legal Assistance Referral (LAR) written, TPR petition filed, trial date docketed, trial occurs and orders signed**



# When the Plan is Adoption

**Reasonable Efforts Towards Adoption includes:**

- **the steps taken to find an adoptive family for the child**
- **to place the child with the adoptive family**
- **and to finalize the adoption including completing the procedural steps to designate the placement for the purpose of adoption**

# Adoption Procedural Task Summary

- Search for and attempt to place with relatives
- Sibling Planning
- Child Specific Recruitment Efforts
- Adoption Home Study (or update)
- The Adoption Selection Process
- Transition and Supervision Services
- Adoption Assistance Services



- **The Adoption Registry**
- **Designation of the Adoptive Placement**
- **Consent to Adopt**
- **Adoption Petition if applicable**
- **Finalization/Decree**

# Timeline: Relinquishment Case

- **Parent(s) sign relinquishment forms**
- **Within one month:**
  - **Mediation referral (if applicable);**
  - **Recruitment materials to central office;**
  - **Adoption planning summary to central office**

# Adoption “Checklist”

- ✓ Birth Certificate
- ✓ Birth and Medical Records
- ✓ Genetic and Medical History
- ✓ Father Questionnaire Complete
- ✓ ICWA Search Complete
- ✓ Adoption Home Study Complete
- ✓ Diligent Relative Search Complete And Contact with Interested Relatives Documented
- ✓ Suitability Established
- ✓ Absent Parent Search Complete
- ✓ Legal Parties Identified
- ✓ ICPC (If Appropriate)
- ✓ Sibling Planning (If Appropriate)
- ✓ Mediation Agreement (If Appropriate)
- ✓ Adoption Subsidy Agreement Completed

# Timeline: Relinquishment Case

- **Within two months:**
  - Preliminary current caretaker staffing (if appropriate) scheduled
- **Within four months:**
  - Adoption home study completed;
  - Families selected;
  - Adoption committee requested (if needed)

# Timeline: Relinquishment Case

- **Adoption Committee scheduled**
- **After adoption committee:**
  - **1-6 months for formal designation**
  - **3 months for completed adoption assistance application**
  - **6 months adoption assistance agreements**
  - **8 months for vendor attorney selected**
  - **9 months for adoption decree**

# Timeline: Relinquishment Case

- **Twelve Month Placement Policy vs. Best Interest of Child vs. Federal twenty-four month guideline**

# Timeline: Termination Case

- After the court approves the goal change to adoption at permanency hearing:
- Within one month:
  - Write LAR;
  - Request adoption home study

# Timeline: Termination Case

- **Within two months:**
  - Complete adoption planning summary;
  - Recruitment materials;
  - Presumed legal father affidavit (if applicable);
  - Deceased parent affidavit (if applicable)

# Timeline: Termination Case

- **Within three months:**
  - Complete home study;
  - Preliminary current caretaker staffing (if appropriate);
  - TPR petition filed
- **Within 6 months:**
  - TPR trial
- **Receive court order and schedule adoption committee**

# Timeline: Termination Case

- **Following the TPR trial:**
  - **Within three months:**
    - Mediation referral (if appropriate);
    - Formal designation of adoptive home;
    - Adoption assistance agreement
  - **Within six months:**
    - Central Office completion memo;
    - Adoption registry

# Timeline: Termination Case

- **Within nine months:**
  - Finalization memo;
  - Adoption petition filed by the vendor attorney;
- **Within twelve months:**
  - Adoption decree
  - Case dismissal

**Reminder**  
If the child has been legally free for 6 months and has not been placed for adoption or DHS has not initiated adoption proceedings, a permanency hearing is required.

# Scenario #1

- Please stand up and stretch
- Form small groups of 3-6
- If you are at a table with other people from your county please move to another table
- Group introductions: 30 seconds each
- Read scenario #1 and answer the questions listed under the scenario



# Guardianship

- Consult with the child if 14 or older
- Seek input from the child as developmentally appropriate
- Assess parent acceptance of the plan and potential parent-child contact

Note:  
Parental rights  
are not  
terminated or  
relinquished

# Guardianship

- **If DHS selects substitute caregiver as potential guardian, ensure that:**
  - Diligent efforts were made to identify, contact, and place with a relative and/or to place siblings together
  - Foster care certification is current
  - Tribal approval obtained (if guardian is certified for foster care by the tribe)

# Guardianship

- If the guardian is not a current caretaker there needs to be a stable and positive relationship with a child for at least six months
- ICPC approval obtained (if appropriate)
- Updated home study completed
- Adequate financial resources

Note:  
Why might a relative  
prefer guardianship?

# Guardianship Assistance

- **Negotiated agreement to offset ongoing needs of the child, which may include:**
  - **Monthly payments;**
  - **Medical coverage; and**
  - **Reimbursement of nonrecurring expenses**
- **Relative guardian can receive assistance**



# Guardianship Assistance

- **Non-relative foster parent can receive guardianship assistance if:**
  - **Compelling reason why adoption is not achievable;**
  - **The court approved goal is guardianship; and**
  - **Has cared for the child at least 12 months**
- **Step-parent is “generally” a parent and not typically a relative for assistance purposes**

# Scenario #2



- **Switch tables - Sit with people from another county – meet new people!**
- **Group introductions: 30 seconds each**
- **Read scenario #2 and answer the questions listed under the scenario**

# APPLA

- Another Planned Permanent Living Arrangement:
  - A stable secure living arrangement for a child or young adult that includes building relationships with significant people in the child's life that may continue after substitute care.

# APPLA

- “Planned” means intended, designed, and deliberate
- “Permanent” means enduring and stable



# APPLA - Least Preferred Goal

- **Selected only if there is a compelling reason that all other goals are not in the child's best interest:**
- **Therefore requires a high level of service to achieve a higher level of permanency if appropriate**

# APPLA - New Policy

- **Permanent Foster Care**
  - Caregiver committed to care and well-being of child or young adult;
  - Enters into a permanent foster care agreement

# An APPLA Plan

- Describes how permanent ties with family members and other supportive relationships will be established and maintained
- Identifies who can provide the child lifelong support
- Provides services to meet the child's emotional, medical, educational, cultural and physical needs
- Provides services to nurture identified relationships
- Provides services to prepare the child to live in the least restrictive setting possible
- Provides service to give child the opportunity to achieve a higher level of permanency

# APPLA - New Policy

- **Permanent Connections and Support**
  - Independent living housing subsidy;
  - In psychiatric residential facility, DD placement, or residential treatment facility and will not be discharged while DHS maintains custody

# APPLA Approval

- Meets the child's needs
- Sibling contacts maintained
- If 14 or older ensure ILP services and transition plans considered



# Attachments and Relationships

- **DHS compile a description of the child or young adult's attachments and relationships with:**
  - Each parent
  - Siblings
  - Other family members
  - Advocate
  - Substitute caregiver
  - And other persons who provide continuity, belonging, stability, support, nurturing, and caring relationships and cultural connections while in care and after DHS custody has ended

# APPLA Reasonable Efforts

- **If 14 or older:**
  - **ILP referral**
  - **T2 designed and periodically updated**
- **Specialized services – DD services for example**
- **Health, medical, dental, vision, education, mental health**

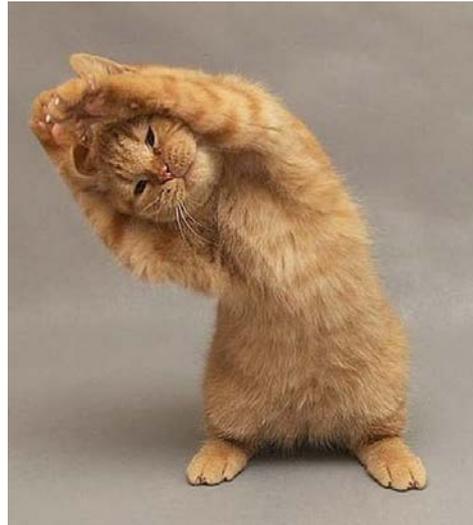


# APPLA Reasonable Efforts

- **Additional services that could lead to a more preferred permanency goal**
- **Make recommendations to move the case forward**



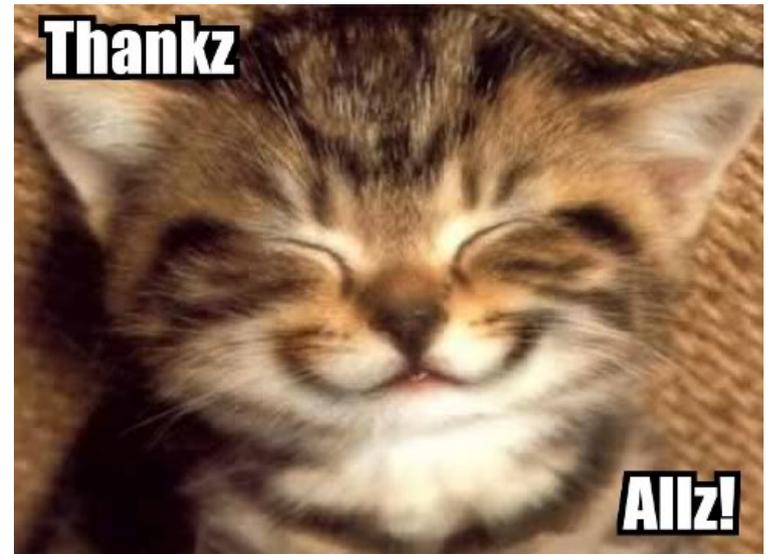
# Scenario #3



- **Stretch!**
- **Switch tables - meet new people!**
- **Group introductions: 30 seconds each**
- **Read scenario #3 and answer the questions below**
- **Small group discussion**
- **Large group discussion**

# Wrap Up

- Summary
- Questions and Comments
- Dissemination to local boards
- Research or information needed?
- Thank you for attending!  
It is a pleasure to work with you!



# APPLA - Least Preferred Goal

- **Selected only if there is a compelling reason that all other goals are not in the child's best interest:**
  - Placement with parent is ruled out;
  - Placement for adoption is ruled out;
  - Placement for guardianship is ruled out; and
  - Diligent efforts were made to identify, contact, and place with a relative and/or to place with a sibling

# APPLA - New Policy

- **Permanent Foster Care**
  - Caregiver committed to care and well-being of child or young adult;
  - Enters into a permanent foster care agreement

# APPLA - New Policy

- **Permanent Connections and Support**
  - Independent living housing subsidy;
  - In psychiatric residential facility, DD placement, or residential treatment facility and will not be discharged while DHS maintains custody

# APPLA Approval

- **Permanency committee clarify how APPLA meets safety, permanency, and well-being, and is the best interest of the child or young adult;**
- **Parent acceptance of the plan and any potential contact**

**Note:  
No relinquishment or  
TPR**

# APPLA Approval

- Meets the child's needs
- Sibling contacts maintained
- If 14 or older ensure ILP services and transition plans considered



# APPLA Implementation

- **After committee approval:**
  - Set permanency hearing
  - Receive court approval to implement goal
  - If APPLA permanent foster care: agreement signed in court

## Note:

Every 6 months DHS must reevaluate goal to determine if a more permanent goal has become the best interest

# Attachments and Relationships

- **DHS compile a description of the child or young adult's attachments and relationships with:**
  - Each parent
  - Siblings
  - Other family members
  - Advocate
  - Substitute caregiver
  - And other persons who provide continuity, belonging, stability, support, nurturing, and caring relationships and cultural connections while in care and after DHS custody has ended

# APPLA Reasonable Efforts

- **If 14 or older:**
  - **ILP referral**
  - **T2 designed and periodically updated**
- **Specialized services – DD services for example**
- **Health, medical, dental, vision, education, mental health**

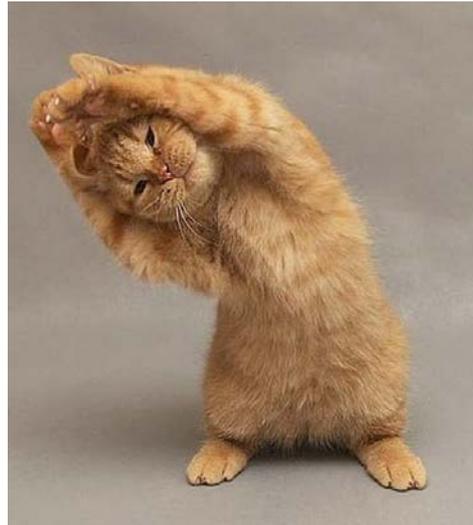


# APPLA Reasonable Efforts

- **Additional services that could lead to a more preferred permanency goal**
- **Make recommendations to move the case forward**



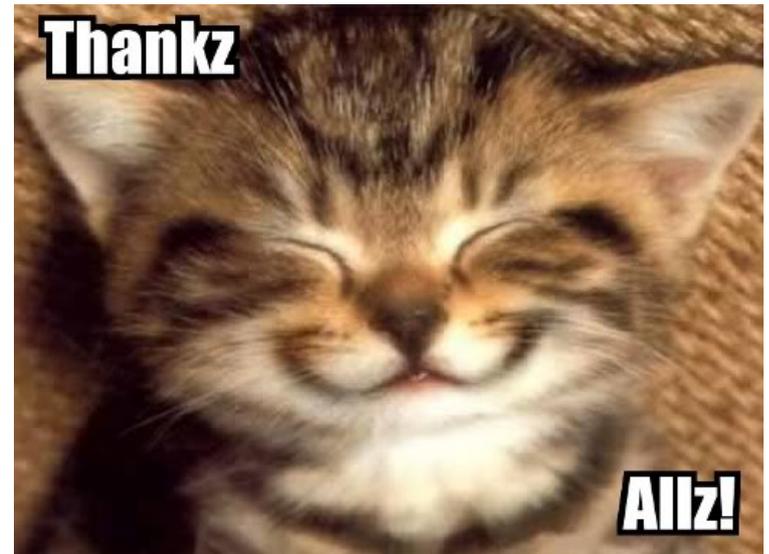
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- **Stretch!**
- **Switch tables - meet new people!**
- **Group introductions: 30 seconds each**
- **Read scenario #3 and answer the questions below**
- **Small group discussion**
- **Large group discussion**

# Wrap Up

- Summary
- Questions and Comments
- Dissemination to local boards
- Dissemination to partners and stakeholders
- Research or information needed?
- Thank you for attending!  
It is a pleasure to work with you!



### **Scenario # 1 – Adoption**

Eleven-year-old Ronny was placed in a non-relative foster home on 10/29/10, when his mother was arrested for drunk driving and his father was incarcerated for five years. There have been two previous CRB reviews. On 11/15/11 the court changed the permanency goal to adoption. You are now at the 3<sup>rd</sup> CRB review on 04/04/12.

In the interim, in 06/2011 a maternal aunt in California and a paternal relative in Washington contacted DHS to be placement considerations for Ronny and in 07/2011 DHS requested ICPC home studies for both relatives. DHS staffed the case in 10/2011 to consider the concurrent goal. On 11/15/11 the court approved the plan of adoption. On 12/11/11 the mother indicated she would relinquish her parental rights if Ronny were adopted by his maternal aunt. On 2/27/12 the father indicated he planned to relinquish his parental rights for Ronny to be adopted by a relative. The ICPC home studies are now completed and both relatives are approved for placement.

1. Discuss the case and design 3 questions to ask the parties at the review.
2. What are the major issues you need to know to make the finding?
3. Design 2 recommendations to move the case forward.

## Scenario #2 – Guardianship

Ronny came in to care on 10/29/10. There have been two previous CRB reviews. On 11/15/11, the court changed the permanency plan to guardianship. You are now at the third review on 04/04/12.

In the interim, Ronny's mother had disengaged from case planning and was whereabouts unknown. A maternal aunt in California was approved for placement through an ICPC home study, and Ronny was transitioned into her home on 05/09/11. He has continued to progress in mental health counseling and his behavioral issues have improved. He has an IEP in place for math, reading, and emotional issues. He has contact with a paternal relative in Washington.

The caseworker reported the California relative prefers the plan of guardianship to adoption due to concerns that Ronny's behavior problems will resurface or escalate. The caseworker indicated she recently staffed the case and planned to approach the court for permission to implement the goal of guardianship. The caseworker indicated that after the goal is changed the agency plans to finalize the guardianship within the next six months.

1. Discuss the case and design 3 questions to ask the parties at the review.
2. What are the major issues you need to consider to make the finding?
3. Design 2 recommendations to move the case forward.

### **Scenario #3 -- Another Planned Permanent Living Arrangement**

Ronny came in to care on 10/29/10. There have been two previous CRB reviews. On 11/15/11, the court changed the permanency plan to Another Planned Permanent Living Arrangement (APPLA). You are now at the third review on 04/04/12.

In the interim, Ronny is doing well in his initial non-relative foster care home. He participates in individual counseling for emotional issues, minor behavior concerns, and grief and loss. He has an IEP for math and reading. His mother's whereabouts remain unknown. The agency has not located a fit and willing relative placement resource. The foster parents were interested in being a permanent resource. The agency has staffed the case, and on 11/15/11 the court changed the goal to Another Planned Permanent Living Arrangement (APPLA).

The caseworker reported she received a call on 12/15/11 from a paternal relative in Washington expressing a desire to have increased contact with Ronny. It was reported that Ronny's therapist has recommended closing his treatment plan because Ronny has met his treatment goals and is not exhibiting emotional issues or behavioral concerns. The caseworker stated that Ronny has improved in all academic areas.

1. Discuss the case and design 3 questions to ask the parties at the review.
2. What are the major issues you need to consider to make the finding?
3. Design 2 recommendations to move the case forward.