

Nothing about me without me



Permanency hearings

PURPOSE OF HEARING

The purpose of permanency hearings in general is to compel a resolution of the case so the child does not remain indefinitely “in the system.” The court conducts a permanency hearing to determine what permanency plan is in the child’s best interest. §32A-4-25.1; Rule 10-325. The court must conduct an initial permanency hearing and then conduct permanency hearings at least annually. §32A-4-25.1(F).

A Teens sense of permanency



Permanency Includes:

- Maintaining life-long relationships with family and friends
- Maintaining cultural heritage and connections
- Planning for the child's long-term goals and future
- A place to call "home"

Youth's Concerns

- Too old
- Biological parents reluctant to give up parental rights
- Case worker's involvement
- They are seen as "bad" and no one will adopt older children
- Focus is on independent living, for survival skills
- Adopted friends
- Disappeared
- Contact with siblings or other bio family members
- Permanency means "your stuck"

Permanency Planning For Youth

- Primary Issue is Believing it's Possible
 - You gotta believe before you can find, otherwise why would you even look
 - We have to address our attitudes and beliefs around permanency for youth that are “too old and too difficult”
- Begins with **talking to, educating, and listening to**, youth during monthly face-to-face contacts

Perm. Planning for Youth (Cont)

- All ages of youth* must be allowed to participate in decision making which effects their life
- Means defining permanency differently

Permanency

Permanency planning is the process of assisting the transition of children from a biological parent(s) to a foster home or other care provider.

The goal of permanency planning is to provide a child with a safe, stable environment in which to grow up, while in the care of a nurturing caregiver, who is committed to a life long relationship with that child.

The permanent arrangements may include, in order of legal preference, and when in the best interest of the child:

Permanency

1. Reunification
2. Adoption
3. Guardianship
4. Permanent placement with relative
5. Planned permanent living arrangement
6. Independent living

Use of APPLA

Not a default plan – must be a compelling reason that it would not be in the best interests of the child to be placed on a permanent basis with a parent; in an adoptive home; in a guardianship, or in a permanent placement with a fit and willing relative

- An older teen who rejects all of the more favored permanency plans
- An adult with whom the child has formed a permanent attachment is unable or unwilling to adopt the child or become the child's guardian
- Child's tribe has identified APPLA as the preferred plan

Rule Out All Other Permanency Plans

- Reunification
 - Assess whether return to parent's possible even after TPR
- Adoption
 - Teens don't know what it is, are afraid of rejection, afraid they won't be able to see parents/siblings, don't want to move or change their name
 - Child specific recruitment
- Arrange Guardianship
 - May oppose TPR but be willing to do subsidized guardianship
- Permanent Placement With a Fit and Willing Relative
 - Need for sufficient support and training

Explain to the Teen why the interview is taking place.

- *What a permanency hearing is*
- *What the child's permanency plan is*
- *The Judge wants to hear what the child's input regarding their permanency plan*



Age Appropriate Consultation Middle adolescence (13-17 years)

Developmental Considerations:

- Strong peer alliance, individuating from family, may be conflicted with adult caregivers
- Struggling with sense of identity, defining and testing their own values and beliefs
- May exhibit mood changes, risk-taking, experimentation
- Ability to understand and apply abstract concepts although concrete thinking may emerge as a part of developing identity
- Self-absorbed, world revolves around them

Adolescence (13-17 years)

Permanency Questions:

- Where do you want to live? Where do you wish you lived?
- Do you get to see your birth mom or dad? How often? Do you wish you could see them more or less?
- Who is important to you in your life? Who do you call family? Do you have enough contact with these people? Do you miss family members or friends that you don't see much?
- What are your plans for your future? Do you know how to reach your goals? Who can assist you? Do you have an adult mentor?
- Do you participate in extracurricular activities?

Adolescence (13-17 years)

Permanency Observations:

- Observe youth's demeanor in answering the questions-are they reluctant to choose one placement over another?
- Remember that older youth are individuating as a part of their development and therefore may express ambivalence about living with any adult.

Main objective

- Help the child to understand their permanency plan
- Ask their opinion and receive suggestions about their permanency plan
- Ask if there is anything they are wanting the judge to know

Questions & Statements to avoid

- Do you like your foster mom or your birth mom better?
- You need to choose where you want to live.
- You should be happy to be in a better place.
- Do you want to go back home?

