

ASFA Timeline for Concurrent Planning

ASFA Timeline. When looking at whether DHS has made sufficient efforts in developing the concurrent plan, it is helpful to look at the ASFA timeline. Honoring a child's sense of time, the following Adoption and Safe Families Act (ASFA) timeline is required *unless an exception is allowed by law*.

A. Placement Date: _____
B. Jurisdiction Date: _____
C. Permanency Hearing
Due: _____
A + 14 months=C or _____
B + 12 months=C _____
(whichever date is earliest)

15 of 22 Month Rule. DHS shall simultaneously file a petition to terminate the parental rights of a parent and recruit and approve an adoptive family, if a child has been in substitute care for 15 of the most recent 22 months, unless an exception is allowed by law. The ASFA "15 of 22 month rule" is cumulative, stopping and starting, as the child leaves and re-enters care. ORS 419B.498. The following is an example of how this cumulative "15 of 22 month" rule is calculated:

1/15/01	Child Enters Care
4/15/01	Child Leaves Care and Stays Home for Six Months
10/15/01	Child Re-Enters Foster Care
10/15/02	If child remains in care for another 12 months, the state will apply the "15 of 22" rule on 10/15/02 because the child will have been in foster care for a cumulative total of 15 out of the previous 22 months.

Exceptions. Compelling reasons for determining that the filing of a termination of parental rights would not be in the best interest of the child include, but are not limited to:

- The parent is successfully participating in services that will make it possible for the child to safely return home within reasonable time;
- Another permanent plan is better suited to meet the health and safety needs of the child;
- The court *or* CRB in a prior hearing or review determined that DHS did not make reasonable efforts, or if ICWA applies active efforts, to make it possible for the child to safely return home



ASFA Timeline for Lindsay Hart and Colton Stevens

A permanency hearing will be held 14 months from placement or 12 months from jurisdiction, whichever date is earliest. A *permanency hearing may be held sooner* if a parent is not working toward making changes.

Lindsay Hart ASFA

Age 16

A. Placement Date: _____

B. Jurisdiction Date: _____

C. Permanency Hearing

Due: _____

A + 14 months = C or

B + 12 months = C

(Permanency Hearing is due on
whichever date is earliest)

Colton Stevens ASFA

Age 6 months

A. Placement Date: _____

B. Jurisdiction Date: _____

C. Permanency Hearing

Due: _____

A + 14 months = C or

B + 12 months = C

(Permanency Hearing is due on
whichever date is earliest)

If a youth is age 14 or older, the youth must consent to the adoption (ORS 109.328). The caseworker must consult with a team of individuals knowledgeable about the *child's* needs, including the parents, parents' attorneys, child or young adult when developmentally appropriate, CASA, the child's attorney, and a tribal representative if ICWA, to determine which of the following concurrent plans meet the child's needs for safety, permanency and well-being, in the preferential order shown below, starting at the bottom stair step.

Another Planned Permanent Living Arrangement (APPLA)

Permanent Placement with a Fit and Willing Relative

Legal Guardianship

Adoption