

# INDIANA COURT IMPROVEMENT PROGRAM POST-TPR BENCHCARD

## *PERMANENCY PLAN: ADOPTION (CHILD IN PRE-ADOPTIVE HOME)*

Post-termination of parental rights hearings should focus on the efforts to finalize the permanency plan. The hearings must be “meaningful,” in that all Parties are engaged and held accountable for progress towards the permanency plan.

**CHILD** — TAKE A FEW MINUTES TO EXPLAIN TO THE CHILD WHAT THE HEARING IS ABOUT, WHAT IS HAPPENING NOW AND WHAT WILL HAPPEN NEXT. ASK THE CHILD SPECIFICALLY IF THEY UNDERSTAND.

- HOW IS YOUR PLACEMENT GOING?
- WHAT DISCUSSIONS HAVE YOU HAD ABOUT ADOPTION?
  - A. WHAT DOES ADOPTION MEAN TO YOU?
  - B. DO YOU WANT TO BE ADOPTED? IF NO, WHY NOT?
  - C. HOW HAVE YOU BEEN INVOLVED IN DECIDING WHO WILL BE YOUR ADOPTIVE PARENTS?
- IF YOU WERE IN MY POSITION, WHAT WOULD YOU WANT ME TO KNOW?
- DO YOU HAVE ANY QUESTIONS FOR ME?

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## PRE-ADOPTIVE PARENTS

- HOW IS THE CHILD DOING IN YOUR HOME?
- WHAT WOULD YOU LIKE THE COURT TO KNOW ABOUT THE CHILD?
- ARE YOU COMMITTED TO PROVIDING A HOME FOR THIS CHILD? IF NO, WILL YOU BE SUPPORTIVE OF ADOPTION RECRUITMENT EFFORTS TO FIND THE CHILD A PERMANENT HOME?
- HAVE YOU HIRED COUNSEL TO HELP YOU COMPLETE THE ADOPTION PROCESS?
  - A. HAS AN ADOPTION PETITION BEEN FILED? (IF SO, WHEN? IN WHAT COURT?) (IF NOT, WHY NOT?)
  - B. WHAT IS THE STATUS OF THE CASE?
  - C. HOW SOON CAN THE ADOPTION BE FINALIZED?
- HAVE YOU COMPLETED ALL THE PAPERWORK DCS HAS REQUESTED OF YOU?
- HAS DCS ASKED YOU FOR ANYTHING YOU HAVE NOT BEEN ABLE TO PROVIDE?
- ARE YOU WAITING FOR ANYTHING FROM DCS? CAN THE COURT BE OF ANY ASSISTANCE?
- DO YOU HAVE ANY QUESTIONS FOR ME?

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## GAL/CASA

- TELL ME ABOUT YOUR LAST VISIT WITH THE CHILD (WHEN, WHERE, WHAT WAS DISCUSSED)
- WHAT WOULD YOU LIKE THE COURT TO KNOW ABOUT THIS CHILD?
- DO YOU HAVE ANY CONCERNS ABOUT THE CURRENT PERMANENCY PLAN?
- DO YOU HAVE ANY QUESTIONS FOR ME?

## FAMILY CASE MANAGER (FCM)

- WHEN WAS THE CHILD PLACED IN THE PRE-ADOPTIVE HOME?
  - A. IF THE CHILD IS AN INDIAN CHILD, DOES THE HOME MEET THE PLACEMENT PREFERENCES UNDER ICWA? (IF NOT, WHY NOT?)
- DO YOU HAVE ANY CONCERNS ABOUT THE PERMANENCY PLAN?
- WHAT SERVICES IS THE CHILD RECEIVING TO PREPARE HIM/HER FOR ADOPTION?
- IS THE CHILD OF AN AGE WHERE HIS/HER CONSENT IS REQUIRED? IF SO, HAS THE CHILD SIGNED THE CONSENT TO ADOPTION?
- HAS THE CHILD'S ELIGIBILITY FOR ADOPTION ASSISTANCE BEEN DETERMINED?
  - A. HAS THE INDIANA ADOPTION PROGRAM APPLICATION BEEN COMPLETED?
  - B. HAS THE ADOPTION PROGRAM ELIGIBILITY DETERMINATION BEEN COMPLETED?
  - C. HAVE THE PRE-ADOPTIVE PARENTS SUBMITTED THE REQUIRED INFORMATION AND SUPPORTING DOCUMENTATION NEEDED TO NEGOTIATE ADOPTION ASSISTANCE PAYMENTS?
  - D. CAN THE COURT BE OF ANY ASSISTANCE?

**NOTE: THE TPR APPEAL PROCESS DOES NOT NEED TO BE COMPLETED BEFORE THIS PROCESS CAN START**

- DO YOU HAVE ANY QUESTIONS FOR ME?