

	<b>INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE MANUAL</b>	
	<b>Chapter 6:</b> Court Involvement	<b>Effective Date:</b> January 1, 2009
	<b>Section 10:</b> Permanency Plan	<b>Version:</b> 2

<b>POLICY</b>
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The Indiana Department of Child Services (DCS) will identify and recommend to the court a Permanency Plan, as well as a Concurrent Plan, for every child adjudicated as a Child in Need of Services (CHINS). See Related Information for further details.

**[REVISED]** The Permanency Plan will be identified in the [Case Plan \(SF 2956/DCS0046\)](#) no later than 45 days after the date the child is removed from the home.

**[REVISED]** If a temporary out-of-home placement is necessary to ensure the immediate safety of the child, DCS will make reasonable efforts to reunify the child with his or her family. However, there are certain instances where DCS is not required to make reasonable efforts to reunify. See Related Information for further details.

**Note:** If the court determines No Reasonable Efforts are required, a Permanency Hearing is to be held within 30 days of the finding.

**[REVISED]** When reunification is not appropriate or possible, DCS will make and recommend to the court alternate Permanency Plans in a timely manner. See Related Information for further details.

DCS will seek court approval of all Permanency Plans and subsequent changes.

**[REVISED]** DCS will consult with the age-appropriate child and document the child's views to be included in the Permanency portion of the [Progress Report](#). See Related Information for further details.

See separate policies, [5.8 Developing a Case Plan](#), and [6.11 Permanency Hearing](#).

Code References

1. [IC 31-34-21-5.6: Exceptions to requirement to make reasonable efforts to preserve and reunify families](#)
2. [IC 31-34-21-5.7: Permanency plan; requirement; approval; reports and orders not required](#)
3. [IC 31-34-21-7: Permanency hearing](#)
4. [IC 31-34-21-7.5: Permanency plans prohibited if household contains certain individuals; exceptions](#)
5. [IC 31-34-21-7.7: Permanency plan; guardianship](#)
6. [45 CFR 1356.21: Application of the permanency hearing requirements](#)

## PROCEDURE

As part of the case planning process, the Family Case Manager (FCM) will:

1. Facilitate a Child and Family Team (CFT) discussion to help the team determine the Permanency and Concurrent Plans that are in the best interest of the child;
2. Make reasonable efforts to implement the Permanency Plan;
3. Seek court approval of the Permanency Plan. See separate policy, [6.11 Permanency Hearing](#);
4. Convene the CFT if at any point the current Permanency Plan is no longer in the child's best interest;

**Note:** If a CFT is not convened, a Case Conference must be held. See separate policy, [5.8 Developing the Case Plan](#).

5. Seek court approval of the Permanency Plan or any changes to the plan;
6. **[NEW]** If the court has already approved a Permanency Plan, document for the court the reasonable efforts that have been made to implement the plan; and
7. **[NEW]** Update the court findings of Reasonable Efforts toward the Permanency Plan in the Indiana Child Welfare Information System (ICWIS).

The Supervisor will ensure the Permanency Plan matches the objectives of the [Case Plan \(SF 2956/DCS0046\)](#).

## PRACTICE GUIDANCE

N/A

## FORMS AND TOOLS

1. [Case Plan \(SF 2956/DCS0046\)](#) - Available in ICWIS
2. [Progress Report \(PermRptR1070108\)](#) - Available in ICWIS

## RELATED INFORMATION

### **Concurrent Planning**

Concurrent Planning is a process of proceeding with a plan of reunification while at the same time working toward an alternative Permanency Plan, such as adoption. Ideally, Concurrent Planning should happen early in all cases, especially those cases where outcomes of particular facts have demonstrated that reunification is unlikely to be successful.

Examples of when Concurrent Planning should be considered:

1. A second drug positive baby is born to a parent whose rights to their first child were voluntarily terminated and adoption occurred; or
2. One or both parents have extensive involvement in the criminal justice system, along with drug use, failed treatment attempts, and there is involvement with DCS and concerns for the child's safety.

Concurrent Planning can occur in almost every case. The above are common examples of situations FCMs may encounter when considering Concurrent Planning.

### **Permanency Plan**

The Permanency Plan is the intended permanent or long-term arrangement for care and custody of the child. The Permanency Plan may include any of the following goals that the court considers most appropriate and consistent with the best interest of the child:

1. Reunification;
2. Adoption;
3. Legal Guardianship;
4. Another Planned Permanent Living Arrangement (APPLA); or
5. Placement with a Fit and Willing Relative.

### **Reasonable Efforts to Preserve and Reunify Families**

In determining the extent to which reasonable efforts to reunify or preserve a family are appropriate, the child's health and safety are of paramount concern.

DCS will make Reasonable Efforts to preserve and reunify families as follows:

1. If a child has not been removed from the child's home, efforts to prevent or eliminate the need for removing the child from the child's home;
2. If a child has been removed from the child's home, efforts to make it possible for the child to return safely to the child's home as soon as possible; or
3. **[REVISED]** If a Permanency Plan has been approved, Reasonable Efforts to implement the Permanency Plan are required. The court must issue a finding that DCS has made Reasonable Efforts to Finalize the Permanency Plan at least every six (6) months. Reasonable Efforts to finalize a Permanency Plan are required to assure that a child continues to be eligible for federal funding to reimburse the costs of substitute care and DCS's administrative expenditures.

**[REVISED] Exception:** If the court finds Reasonable Efforts to reunify are not required due to certain circumstances, prior Involuntary Termination of Parental Rights (TPR) of a sibling in a CHINS, or the child having been an abandoned infant, the Permanency Plan must be developed prior to the Permanency Hearing.