

NORTH CAROLINA
COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION

IN THE MATTER OF:)

Child.)

**ORDER
PERMANENCY PLANNING REVIEW**

THIS CAUSE, coming on to be heard before the undersigned District Court Judge presiding at the /, _____ session of Juvenile Court in and for _____ County, North Carolina.

Present for the hearing were: /, Foster Care Social Worker with the County Department of Social Services; /, Social Work Supervisor with the County Department of Social Services; /, Coordinator of the Guardian ad Litem Program; /, Esq., Attorney Advocate; and / Esq., Attorney for the _____ County Department of Social Services.

The Court, after considering the evidence presented, makes the following:

FINDINGS OF FACT:

1. That this matter came on for a Permanency Planning Review pursuant to G.S. 7B-907, and the Court has considered the circumstances listed in N.C.G.S. 7B-801 (a) 1-5, and in its discretion finds that this hearing should be closed to the public.

2. That the Child, (name), is currently in the legal care, custody and control of the County Department of Social Services, pursuant to a nonsecure custody Order entered on (date) by the Honorable (judge) and subsequent Disposition Order entered on (date) by the Honorable (judge). (or other)

3. That the Child was adjudicated (what) pursuant to an Order entered on (date) by the Honorable (judge). That the Child is (#) years of age and is currently placed in a County foster home. (or other)

4. That (M) is the mother of the Child, and (F) is the father of the Child, and

_____ That the **mother/father** was not present at this hearing.

_____ That the M was present for the hearing and () was not represented/ () was represented by _____, Esq.

_____ That the F was present for the hearing and () was not represented/ () was represented by _____, Esq.

5. That the **name/whereabouts** of the (mother/father) of the Child is unknown to the _____ County Department of Social Services after diligent efforts to ascertain the (name/whereabouts) of the (parent) in that the Department **(state specifically)**.

(Include all findings)

____ 6. That the Child does not have any other relatives available for placement at this time that are known to the _____ County Department of Social Services.

OR

____ 7. That the Child has the following relatives: (name/relationship/address). That the _____ County Department of Social Services has conducted a study on the home(s) of (names) and makes the following recommendations: ____ that the home of (name) is appropriate for placement of the Child in that (reasons) **OR** ____ that the home of (name) is not appropriate for the placement of the Child in that (reasons) **(provide for each relative named)**

If a relative's home is appropriate

____ 8. That (name), the (relationship) of the Child, is willing and able to provide proper care and supervision for the Child. That the home is located at (address) and is a safe home for the Child.

9. That although (name) is willing and able to provide proper care and supervision for the Child, the Court finds that placement with (name) would be contrary to the best interest of the Child, for the following reasons: **(state specifically)**

10. **Department has to report on Independent Living Program or Plan (if 16 or 17 yro)**

____ 11. That it is possible to return Child to home within six months.

OR

____ 11. That it is not in the best interest of the Child to return to the home of the (parent) within six months.

12. That the best plan of care to achieve a safe, permanent home for the Child within a reasonable period of time is as follows: **(state specifically)**

Court must make specific findings as to the best plan to achieve a safe, permanent home for the Child within a reasonable time period.

(legal guardianship or custody to another person? – what responsibilities will remain with parent) (TPR and adoption? – barriers to adoption?) (remain in current placement or placed in different permanent arrangement, and why)

OR

____ 12. That the best plan of care to achieve a safe, permanent home for the Child within a reasonable period of time was previously found by the Court to be as follows: **(state specifically from appropriate hearing)**. That the following steps are necessary to finalize the permanent placement of the Child: **(state specifically)**

13. That there are no other children remaining in the home of the Child.

OR

____ 13. That there are other children remaining in the home of the Child. That the Court finds that the following investigation was conducted, the following actions were taken, and or other services were provided for the protection of these Childs, as follows **(state specifically)**.

14. That the permanent plan for the Child is termination of parental rights of the mother/father and should be commenced within 60 days.

15. That the visitation plan recommended by the _____ County Department of Social Services is as follows: (state specifically)

16. That the _____ County Department of Social Services has made reasonable efforts in this matter to prevent or eliminate the need for placement with the Department, and to develop and implement a permanent plan for the Child in that the Department has **(state specific efforts)**.

17. That the _____ County Department of Social Services shall continue to make reasonable efforts to (*whatever*).

OR

If reasonable efforts no longer required

17. That pursuant to G.S. 7B-507, the _____ County Department of Social Services is no longer required to make reasonable efforts in this matter to reunify this family as those efforts would clearly be futile or would be inconsistent with the Child's health and safety, and need for a safe, permanent home within a reasonable period of time.

18. That the _____ County Department of Social Services Court Report, marked as DSS #1, (and the Guardian ad Litem Court Report, marked as GAL #1), was/were admitted into evidence. (any other Exhibits)

19. That the conditions that led to the custody of the Child by the County Department of Social Services and removal from the home of the (relation) continue to exist and that the return of this Child to the home of the parents would be contrary to the welfare of this Child.

20. That the Court received evidence from all parties listed in N.C.G.S. 7B-907 (a) who were present at the hearing and expressed a desire to present evidence to the Court.

BASED on the foregoing, the Court CONCLUDES AS A MATTER OF LAW:

1. That this matter is properly before the Court and the Court has jurisdiction over the parties and the subject matter of this action.

2. That it is in the best interest of the Child that (his/her) custody remain with the County Department of Social Services.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

1. That this hearing is closed to the public.

2. That it is in the best interest of the Child, (name), that his/her custody remain with the _____ County Department of Social Services, with placement in the Department's discretion to provide or arrange for foster care or other placement, and with the authority to authorize necessary medical, dental, psychological and psychiatric services for the Child.

____ 3. That placement of the Child shall be in the home of (name), the (relationship) of the Child.

OR

____ 3. That based upon the facts found herein, the placement of the Child shall not be in the home of (name), the (relationship) of the Child.

4. That the visitation plan between the (relation's name) and the Child is approved as follows: (state specifically)

5. That the _____ County Department of Social Services is to arrange, supervise or facilitate the visitation plan.

6. That the _____ County Department of Social Services is to make reasonable efforts to place the Child (where) in a timely manner in accordance with the permanency plan set out in Finding #12 above, to complete any steps necessary to finalize the

permanent placement of the Child, and to document those actions in the Child's case plan. The uncompleted steps are as follows: **(state specifically)**

OR

____ 6. That the Court finds that making further reasonable efforts with the parents would be futile and the _____ County Department of Social Services is no longer required to make reasonable efforts in this matter.

If TPR is plan, Court must Order Department to initiate TPR proceedings. (unless permanent plan is guardianship, custody to relative or other suitable person) (specific findings made as to why TPR not in best interest) (Department has not provided services necessary when reasonable efforts are still required to return to home)

____ 7. That the termination of parental rights petition must be filed within 60 days of this hearing (unless Court makes written findings why cannot be filed, and then **must specify time frame for filing petition**)

____ 8. **(If R.E. are ceased)** That a Permanency Planning hearing in this matter shall be held within 30 calendar days on (date).

9. That pursuant to G.S. 7B-907, the next Permanency Planning Hearing hearing in this matter shall be held on (date).

10. That there are no other children remaining in the home of the Child.

OR

____ 10. That there are other children remaining in the home of the Child. That the Court finds that the following investigation was conducted, the following actions were taken, and or other services were provided for the protection of these children, as follows **(state specifically)**.

11. That the Child's placement and care are the responsibility of the County Department of Social Services and the Department is to provide or arrange for foster care or other placement of the Child.

Entered this the / day of /, _____.

Signed this the _____ day of _____,

District Court Judge Presiding

IV-E requires that the PPH be held with 12 months of the date the child entered foster care. At the present time, the date the child entered foster care is the earlier of (1) the adjudication hearing or (2) 60 days after the child is actually removed from the home.

In effect this gives us 14 months to get the PPH done. They then require that a PPH be held ever 12 months thereafter.