

PERMANENCY HEARING—GUARDIANSHIP

STATE OF LOUISIANA
IN THE INTEREST OF

D/O/B _____

CASE NO. _____
JUVENILE COURT
PARISH OF _____
STATE OF LOUISIANA

JUDGMENT/ORDER

Present were: ADA _____
 Mother _____
 Father _____
 Attorney for Mother _____
 Attorney for Father _____
 Curator for Mother _____
 Curator for Father _____
 Appearance of parent(s) _____ waived:
 Parent(s) cannot be found
 Parent(s) served but failed to appear
 OCS _____
 Child(ren) _____
 Attorney for Child _____
 Other _____
 Other _____
 Other _____
 Other _____

FINDINGS AND ORDERS:

It is not and will not be safe to return the child home because:

[Note: The finding might describe why returning the child home is not and will not be possible or appropriate. The finding might specifically incorporate or modify the Department's explanation.]

Termination of parental rights is not an appropriate and practical plan because:

[Note: The finding might incorporate or modify the Department's explanation why termination of parental rights is not an appropriate or practical plan for the child. If appropriate, include observations about the desirability of parent-child contacts after the child is placed in a new permanent home.]

The identified individual or couple is/are appropriate permanent caregivers of the child because:

[Note: The finding might incorporate or modify the Department's explanation of why the individual or couple is an appropriate caregiver of the child.]

The following is the timetable of the Department to petition for legal guardianship:

[Note: If additional proceedings are needed to transfer permanent guardianship or custody (e.g., action by another court), the order should set a specific deadline to do so. In addition, it might include specific findings to assist the other court before which the guardianship or custody proceeding will be brought. These might include, for example, findings that because of the past abuse or neglect of the child, a new permanent placement is required and there should be no plan for the child's eventual return home.]

The following shall be the Department's plan to ensure the stability and safety of the child's placement with the legal guardians:

[Note: The findings might incorporate or modify the Department's plan and its supporting explanation of the plan. For example, this might include findings concerning visitation and support arrangements.]

Reasonable Efforts to Finalize Permanency Plan

The following efforts were made, following the placement of the child into foster care, to finalize the child's permanency plan:

[Note: The finding might incorporate or modify the Department's description of the state's efforts to reunify the family.]

The efforts were **reasonable** because [insert narrative]

The efforts were **reasonable** based on information at page [insert page #], paragraph [insert paragraph #] in the **Department's case report** dated [insert date], a copy of which is attached to this order and incorporated by reference herein.

The efforts were **not reasonable** because [insert narrative].

If the child is placed in a home in a different state than the home of the child's parents, leave this space blank. Otherwise, explain why it is necessary to place the child in a different state. The finding might incorporate or modify the Department's explanation. Federal law requires the court to make findings regarding the continuing necessity for out-of-state foster placements. 42 U.S.C. §675(5)(C).]

If the child is 16 or older, the child needs the following services to make the transition from foster care to independent living:

[Note: If the child is less than 16, leave this space blank. If the child is 16 or older, list and explain the services the child needs to transition from foster care to independent living. The finding might incorporate or modify the Department's statement about such services. Federal law requires the court to make findings concerning the services needed to prepare the child for independent living. 42 U.S.C. §675(5)(C).]

THE COURT HEREBY ORDERS:

The Department shall file a petition to establish legal guardianship by _____, 200__.

[Note: If another court is involved, this order might also specify that a certified copy of this order be prepared and attached to the petition for permanent custody or guardianship. Of course, this order is not required if the court hearing the permanency hearing can order permanent custody or guardianship at the permanency hearing.]

Custody of the child shall remain with the Department.

The next hearing in this case shall be to establish legal guardianship and shall take place at ___[a.m.] [p.m.] on _____, 200__.

[Note: This order is not needed if the court can order permanent custody or guardianship at the permanency hearing. When the proceeding for permanent custody or permanent guardianship will be heard in another court, this paragraph would schedule a review hearing to take place perhaps soon after the petition for permanent guardianship or custody is supposed to be filed. This paragraph would specify that the review hearing will be taken off the calendar when the court receives written notice that the petition has been filed.]

Present placement/level of care to be maintained except upon authorization of/notice to the court.

[] The court further orders that:

[Note: This allows the court to provide additional instructions or orders. If none, leave this space blank.]

DATED and signed at Harvey, LA this ____ day of _____, 20____.

JUDGE