

**PERMANENCY HEARING--ALTERNATIVE PERMANENT LIVING
ARRANGEMENT**

**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:

When the decision is to permanently place the child with non-relative foster parents, complete the following eight findings:

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

[Note: The finding might specify why return home would endanger or harm the child or is otherwise impractical or the finding might incorporate or modify the Department's explanation.]

Termination of parental rights and adoption are not in the best interests of the child because:

[Note: The finding might incorporate or modify the Department's explanation.]

It is not in the best interest of the child to permanently place the child with an individual or couple serving as [legal guardian or custodian free of Department oversight or supervision because:

[Note: The finding might incorporate or modify the Department's explanation.]

It is not in the best interests of the child to place the child with relatives who will be permanent foster parents because:

[Note: The finding might incorporate or modify the Department's explanation.]

The current foster parents are fully capable of and committed to permanently caring for the child because:

[Note: The finding might incorporate or modify the Department's explanation.]

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, the placement continues to be appropriate and in the child's best interests for the following reasons:

[Note: If the child is placed in the same state as one or both 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).]

When the decision is to continue the child in a group, residential, or institutional placement, complete the following six findings:

[] The child cannot and will not be able to adjust or function in a family setting because:

[Note: The finding might specify why the child will not be able to function in a family setting or the finding might specifically incorporate or modify the Department's explanation. In either case, the explanation should describe specific behavior or reactions of the child that make the child unable to function in a family environment.]

[] The following is the plan for continuing parental involvement while the child remains in foster care, including visitation with the child's parents and siblings, if possible. If such involvement is not possible, the following is a plan for the child to form and maintain a close relationship with another adult or adults, who will function as parents to the child.

[Note: The finding might incorporate or modify the Department's plan for the child's continuing involvement and visits with parents and siblings, as well as with other adults.]

[] The following plan will prepare the child to live in the least restrictive possible setting at the earliest appropriate time:

[Note: The finding might incorporate or modify the Department's plan for moving the child into the least restrictive practical setting as well as the Department's goal for the child after the child reaches adulthood (i.e., whether the child is to be returned home, adopted, etc.).]

[] 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 and, if applicable, to arrange and finalize another permanent home for the child.]

[] If the child is placed in a home in a different state than the home of the child's parents, the placement continues to be appropriate and in the child's best interests for the following reasons:

[Note: If the child is placed in the same state as one or both 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).]

When the decision is to approve some other type of APLA, complete the following 10 findings:

[] It will not be safe to return the child home because:

[Note: The finding might specify why return home would endanger or harm the child or is otherwise impractical or the finding might very specifically incorporate or modify the Department's explanation.]

[] Termination of parental rights and adoption are not in the best interests of the child because:

[Note: The finding might incorporate or modify the Department's explanation.]

[] It is not in the best interest of the child to permanently place the child with an individual or couple serving as [legal guardian or custodian free of Department oversight or supervision] because:

[Note: The finding might incorporate or modify the Department's explanation.]

[] It is not in the best interests of the child to place the child with relatives who will be permanent foster parents because:

[Note: The finding might incorporate or modify the Department's explanation.]

[] The arrangement for the child is permanent rather than temporary because:

[Note: The finding might incorporate or modify the Department's explanation.]

[] There will be stability, predictability, and continuity in the arrangement because:

[Note: The finding might incorporate or modify the Department's explanation.]

[] The child will maintain permanent ties with parents, family members, or other adults functioning as advocates, parent figures, and mentors because:

[Note: The finding might incorporate or modify the Department's explanation.]

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, the placement continues to be appropriate and in the child's best interests for the following reasons:

[Note: If the child is placed in the same state as one or both 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 child shall remain in the Department's [custody] and be placed on a permanent basis with his/her current foster parents [names of foster parents] on a permanent basis.

OR

The child shall remain in the Department's [custody] and continue on a permanent basis in a group, residential, or institutional foster care placement, with the following plan to achieve permanency.

OR

The child shall remain in the Department's custody in another planned permanent living arrangement for the child as follows:

_____.

[Note: This might incorporate or modify the Department's proposed planned permanent living arrangement.]

[] The Department shall implement the following plan to ensure the continuity and stability of the planned permanent living arrangement:

[Note: The court-approved plan might incorporate or modify the Department's proposed

plan.]

[] The next hearing in this case shall be a [review] hearing and shall take place at ____ [a.m.] [p.m.] on _____, 200__.

[] **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____.

J U D G E