

# Post-Termination Review Hearing

MCR 3.978 | MCL 712A.19c | SCAO Form JC 76

*If a child remains in placement following termination of parental rights, the court must conduct post-termination review hearings to determine the appropriateness of the child's placement, appropriateness of the permanency plan, and determine whether reasonable efforts are being made to achieve permanency for the child.*

## Procedural Issues

Must hold the hearing:

- When the child is committed to the MCI under Act 296 or Act 220, or when the child is a permanent court ward.
- Within 91 days of termination of parental rights and:
  - Every 91 days for the first year.
  - Every 182 days the second year and beyond.

Was legally sufficient notice given to the necessary parties?

Do the foster or pre-adoptive parents have information regarding the child they want to share with the court?

## Reasonable Efforts to Finalize Permanency

What is the child's permanency plan?

Has the child been consulted about the permanency plan in a developmentally appropriate manner?

Have the non-custodial parent, putative father, or other relatives been identified for permanent placement? If not, what efforts are being made?

Review the Permanent Ward Treatment Plan/Service Agreement. Have the foster parent and child over age 11 signed the treatment plan?

What is the anticipated date of permanency?

Are there barriers to achieving the permanency plan? What is the agency doing to remove the barriers?

If APPLA is the permanency goal:

- Describe the compelling reasons why each of the other permanency goals is inappropriate.
- Has the caseworker provided a written, supervisor approved long term plan for the child that the court also believes is appropriate?
- Has an adult signed an agreement to continue regular and positive contact with the child?

## Child Well-Being

Has the child changed placements since the last court hearing? List the reasons for the move.

Is sibling visitation occurring, if appropriate?

If the child is an Indian child, are the child's tribal connections being maintained?

If the child is over age 14, are services being provided to prepare for independent living?

Are the child's physical, mental health, and educational needs being met? What services have been provided?

Is the child currently enrolled and attending school or a preschool program?

Are there any barriers to the child remaining enrolled at the current school?

## ★ Required Judicial Findings/Orders

Determine if reasonable efforts have been made towards finalizing the permanency plan. Describe efforts.

Determine the appropriateness of the permanency goal based on the child's needs and desires.

Order actions by agency to expedite the permanency plan, if necessary.

If the permanency plan is Another Planned Permanent Living Arrangement (APPLA), list the compelling reasons why the other goals are not appropriate.

Continue to place the child with DHS for care and supervision.

Schedule next hearing.