



**Michigan Supreme Court
State Court Administrative Office**

Michigan Hall of Justice
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November 18, 2010

TO: Circuit Court Judges
Probate Judges
Circuit Court Administrators
Probate Court Administrators
Probate and Juvenile Registers
Circuit Court Clerks

FROM: Steven D. Capps, Director of Trial Court Services
Kelly Howard, Director of Child Welfare Services

RE: Permanency Indicators Report

MCL 712A.22 requires the State Court Administrative Office (SCAO) to publish an annual report regarding courts' duties under the Juvenile Code to obtain timely permanency for children. The report is required to include information and statistics detailing the courts adherence to "each time period prescribed by this act or court rule" for the management and disposition of neglect and abuse cases. In addition, if the court fails to adhere to a time period, the specific reasons for that failure.

To comply with MCL 712A.22, a workgroup reviewed the time frames contained in the statutes and court rules and developed proposed reporting forms and instructions. Please review these proposed forms and instructions, as well as the proposed format of the annual report and submit comments to Trial Court Services by December 31, 2010.

Permanency Indicators Report

A copy of the Permanency Indicators Report of Michigan Circuit Court – Family Division, Reporting Forms and Instructions is attached. The instructions are designed to educate vendors on what to program in their systems to report certain permanency indicator statistics and educate courts on what, when, and how to count and report certain permanency indicator statistics.

The data collected for this report will provide the circuit courts and the SCAO with specific statistical information and data to determine compliance with statutes and court rules. This data will also assist circuit courts to make effective management decisions for the timely processing of child protective cases.

Project Timeline

The law requires SCAO to collect and report this information. Even more important, the information will assist courts in improving neglected and abused children's well-being by achieving timely permanency. The SCAO proposes the following timeline to allow courts time to comply with MCL 712A.22:

- November 15, 2010 to December 31, 2010 – public comment on the proposed forms, reporting instructions, and annual report.
- January 2011– SCAO to analyze comments, and concerns and finalize collection instruments.
- February 2011 through May 2011 – Workgroup to develop output reports for use by the courts.
- May 2011 – Finalize output reports.
- June 30, 2011 – Distribute collection instruments, output reports, and programming specifications.
- July 2011 through December 2012 – SCAO will respond to programming questions from case management providers during the programming phase and make adjustments as necessary.
- December 2011 – SCAO to distribute upload file format specifications to case management providers.
- January 1, 2013 – Courts to begin data entry into local case management systems.
- January 30, 2014 – Courts are required to submit the first report for the 2013 reporting year.

Permanency Indicators Report Summary

The Permanency Indicators Report requires the courts to submit a variety of statistical data regarding permanency for children who have been removed from their homes. The Permanency Indicators Report consists of 11 individual reports. Reports 1 through 9 collect data regarding the courts' compliance with statutory and court rule time frames for the following hearings/trials:

Report 1: Preliminary Hearing Commenced Within 24 Hours of Removal from Home

Report 2: Number of Days from Removal From Home to Adjudication¹

Report 3: Expedited Permanency Planning Hearings

Report 4: Initial Dispositional Hearing

Report 5: Initial Dispositional Review Hearing

Report 6: Dispositional Review Hearing (Following Emergency Removal Hearing)

Report 7: Initial and Annual Permanency Planning Hearing

Report 8: 182-Day Review Hearings

Report 9: Termination Hearing

¹ This report is based on MCR 3.972(A), which requires the court to "commence" the trial not later than 63 days after the removal. This report does not track when the trial commences, it tracks conclusion of the trial or plea. This change was made in order to minimize additional data entry (clerks are not currently required to enter data when a trial is commenced) and to ensure the data is meaningful for tracking permanency. If the commenced date is used, the data only tells us that trials have started that may or may not move the case toward permanency for the child. Using the conclusion date will provide data that supports that the court is moving a child closer to permanency.

For each of the first nine reports the court will report the total number of children for whom the required hearing was held within the mandated time frame. If the hearing/trial was not held within the mandated time frame, the court must report the name of the child, the petition number, the case number, the date the hearing was held (if it has been held), and the reason(s) for the delay.

Reports 10 and 11 track the number of days from when a child is first removed from the home until permanency is achieved (report 10) or if permanency is not achieved within 24 months of removal (report 11). For report 10, the data collected includes the name of the child, the file number, the petition number, the child's date of birth, the original removal date, the most recent removal date, the date the child became a permanent ward (if the child was a permanent ward), the date permanency was achieved, the type of permanency achieved, and the date the court terminated jurisdiction (if it has been terminated). For the purposes of this report, permanency is achieved when: 1) the court orders, on the record, the return of a child to the parent(s) or a preexisting guardian; 2) a written order of adoption is entered; 3) an acceptance is filed by a guardian in a full guardianship under the Estates and Protected Individuals Code; 4) the court conducts a 90-day review hearing following the appointment of a juvenile guardian under the Juvenile Code and the court continues that juvenile guardianship; 5) a written order for permanent relative placement is entered; or 6) a written order for another planned permanent living arrangement is entered. The only data collected for report 11 is file number, petition number, name of child, and original removal date.

The majority of the data requested in these reports is already input into your case file management systems. However, some programming changes will be necessary. One of the required programming changes will be to capture the reasons for delay. The report limits the reasons the court may report for the delay to the following five categories:

- 1) Nonappearance – This reason code should be used when a party, attorney, witness, or other necessary person does not appear for the hearing or trial, as long as they were properly served, and the nonappearance results in the court delaying the hearing or trial.
- 2) Service Issues – This reason code should be used if a party or witness is not properly served and it causes a delay that results in the court not holding a hearing.
- 3) No Report Submitted – This reason code should be used if a party, witness, service provider, or other person required to submit a report to the court fails to submit the report in a timely manner and that failure results in the court delaying the hearing.
- 4) Operations Issues – This reason code should be used if the reason the court delayed the hearing is due to operational issues in the court. This includes, but is not limited to, no jurist available, congested docket, missing files, emergency court closure, etc.
- 5) Stipulation to Adjourn – This reason code should be used if the parties stipulated to adjourn the hearing or trial.

For each delay, the court may report multiple reason codes.

Proposed Annual Report

MCL 712A.22 requires the SCAO to annually publish a report evaluating the courts regarding its duty under the Juvenile Code to engage in obtaining permanency for children. Attached you will find a sample report, titled "*Permanency for Children 2013 Statewide Statistical Summary*." The sample is designed to give courts an idea of how the information would be reported by the SCAO. All of the data in the sample annual report are fictitious.

Comments and Concerns

Please review the forms, instructions, reporting requirements, timeline, and proposed annual report. If you have any questions, comments, or concerns please submit them to one of the following by **December 31, 2010**: Jennifer Warner – warnerj@courts.mi.gov, Angel Sorrells – sorrellsa@courts.mi.gov, or Amy Byrd – byrda@courts.mi.gov

attachment

**PERMANENCY INDICATORS REPORTS
OF
MICHIGAN CIRCUIT COURT - FAMILY DIVISION
REPORTING FORMS AND INSTRUCTIONS**

Authorized for Programming and Implementation

June 2011

Produced by the
State Court Administrative Office

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INTRODUCTION

This manual is designed to: 1) instruct vendors what to program in their systems in order to report certain permanency indicator statistics in child protective proceedings; and 2) instruct manual courts what, when, and how to count and report certain permanency indicator statistics in child protective proceedings.

The information collected for this report will provide the circuit courts and the State Court Administrative Office with specific statistical information and data for determining compliance with statutes and court rules and making management decisions with regard to the effective and timely processing of child protective cases in order to achieve permanency for Michigan's neglected and abused children.

It is imperative that the information collected and reported be accurate and timely.

QUESTIONS

Questions about the report format and instructions should be directed to:

State Court Administrative Office
Trial Court Services
PO Box 30048
Lansing, Michigan 48909
(517) 373-7496

AUTHORITY FOR REPORTS

The State Court Administrator, under the direction of the Supreme Court, shall collect and compile statistical and other data, make reports of the business transacted by the courts, and transmit the reports to the Supreme Court so that the statistics and other data may be used in taking proper action in the administration of justice. [MCR 8.103(5)]

The State Court Administrator, under the supervision of the Supreme Court, shall obtain reports from courts, and the judges, clerks, and other officers of the courts, in accordance with rules adopted by the Supreme Court on cases and other judicial business conducted or pending in the courts, and report on them to the Supreme Court. [MCR 8.103(7)]

The clerk of every court shall submit reports as required by the State Court Administrative Office. [MCR 8.119(G)(2)]

The State Court Administrative Office shall publish an annual report evaluating the court regarding its duty under this act to engage in obtaining permanency for children. The report shall include at least information and statistics detailing the court's adherence to each time period prescribed by this act or court rule for the management and disposition of children's cases that are petitioned under MCL 712A.2(b) and, if the court fails to adhere to a time period, the specific reasons for that failure. [Circuit Court Caseload, MCL 712A.22 (SCAO 31)]

All trial courts of this state are directed to report to the State Court Administrative Office caseload management statistics and other caseload management data required by that office. [Mich Sup Ct AO 2003-7, A.]

GENERAL DEFINITIONS

- **Adjudication:** Adjudication (trial/plea) is the point at which the court enters a finding on the original petition.

If a plea is taken under advisement, no jurisdiction has been taken. Jurisdiction must be taken to count as adjudicated.

- **Adjudication date:** The date upon which the court enters a finding on the original petition.
- **Amended petition:** A petition amended and authorized for filing before adjudication.
- **Initial dispositional hearing:** A dispositional hearing is conducted to determine measures to be taken by the court with respect to the child properly within its jurisdiction and, when applicable, against any adult, once the court has determined following trial, plea of admission, or plea of no contest that the child comes within its jurisdiction.
- **Initial dispositional hearing date:** The date upon which the order is entered. (Form JC 17)
- **Initial petition:** A petition is authorized for filing before adjudication.
- **Jurisdiction:** Jurisdiction is the point at which the child becomes a ward of the court and is under the care, control, and supervision of the Department of Human Services.
- **Jurisdiction date:** The date upon which the court takes jurisdiction over a child (same as adjudication date).
- **Jurisdiction termination date:** The date upon which the court enters an order terminating the jurisdiction of the court over the child. Jurisdiction can be terminated for a number of reasons, but the most common reasons to be used for permanency indicators reporting are: the child has been returned home to the full care, custody, and control of his or her parents; permanency has been achieved; the jurisdiction has been transferred to another county; the child has attained maximum jurisdictional age; or the child has died.
- **Original petition:** The first petition in the child protective proceeding that is assigned a new number and an authorized case-type code. (Form JC 04)
- **Pending petition:** A pending petition is one in which there has been no finding of adjudication on the petition.
- **Permanency:** Permanency is achieved when: 1) the court orders, on the record, the return of a child to the parent(s) or a pre-existing guardian (RET), 2) a written order of adoption is entered (ADO), 3) an acceptance is filed by a guardian in a full guardianship under the Estates and Protected Individuals Code (GUA), 4) the court conducts a 90-day review hearing following the appointment of a juvenile guardian under the Juvenile Code and the court continues that juvenile guardianship (JUG); 5) a written order for permanent relative placement is filed with the court (PPR), or 6) a written approved permanent planned living arrangement is signed and filed with the court (PLA).
- **Permanency planning hearing:** A hearing required by MCL 712A.19a and conducted to review the status of the child and to determine the progress being made to return the child home or to show why the child should not be placed in the permanent custody of the court.

- **Permanency planning hearing date:** The date on which the permanency planning hearing is held (commenced and completed). If a permanency planning hearing is adjourned, the date used for permanency indicators reporting is the date on which the hearing is finally concluded.
- **Preliminary hearing:** The first hearing on a petition filed in a child protective process.
- **Preliminary hearing date:** The date on which the preliminary hearing is commenced.
- **Removal date:** The date upon which a child is removed from his or her home (taken into custody with or without court order pursuant to MCR 3.963). This usually occurs prior to the preliminary hearing, but can occur on the same date as or at some point after the preliminary hearing. Without a court order, the date will most likely come off the petition (Form JC 04b). With a court order, the date will come off the order to take into protective custody (Form JC 05b).

When a child is placed after disposition, it is usually considered the result of an emergency removal (Form JC 75), and then a preliminary hearing would not need to be held again.

- **Review hearing:** A proceeding at which the court reviews the progress made to comply with the disposition orders and to ultimately achieve permanency for the child.
- **Review hearing date:** The date on which each review hearing is held (commenced and completed). If a review hearing is adjourned, the date used for permanency indicators reporting is the date on which the hearing is finally concluded.
- **Supplemental petition:** A petition authorized for filing after adjudication.
- **Termination hearing:** A proceeding at which the court determines whether to terminate the parental rights to the child.
- **Termination hearing date:** The date on which the termination hearing is held (commenced and completed). Under MCR 3.973(A) and 3.974(D), termination on the initial or amended petition is to take place at the initial dispositional hearing. If termination is adjourned, the date used for permanency indicators reporting is the date on which the hearing is finally concluded.
- **Trial/Plea:** Trial or plea is the point at which the court adjudicates the petition.
- **Trial/Plea date:** The date on which the trial is commenced (when first witness has begun testimony) or the plea is offered and accepted. Whether a trial is adjourned or not, the date used for permanency indicators reporting is the date the trial is commenced. This may be the same as the adjudication date and jurisdiction date, but it won't be if the trial has been adjourned. (No form for this).

If a plea is taken under advisement, no jurisdiction has been taken. Jurisdiction must be taken in order to count as adjudicated.

**PERMANENCY INDICATORS REPORTS
FORMATS AND INSTRUCTIONS**

GENERAL INSTRUCTIONS AND REPORTING CRITERIA

1. If jurisdiction is terminated or a child is returned home in any given reporting period, any petition processing events that would have had to be conducted and reported for each child named in the petition, and that were conducted for each child named in the petition, must be reported. If, however, a particular processing event was not conducted under this described situation because it was not yet due, then reporting of that event shall not occur.
2. If a particular processing event is not due to occur or to be held within a given reporting period, it shall not be reported. Only those events that are due shall be reported.
3. Data entry will require specific codes and timely entry.
4. Reporting of processing events is based on disposition of each child and not on the parents.
5. The standard reasons for adjournment should be built into the case management system in order to best generate explanation of reasons for delay. All reasons for adjournment must be for good cause, on the record.
6. Reasons for delay codes are as follows:

Nonappearance - NOA (nonavailability of attorneys, parties, witnesses)

Service Issues - SVC

No Report Submitted - NRS

Operations Issues - OPI (misplaced files, reassignment, jurist unavailable, staff unavailable, scheduling problems, etc.)

Stipulation to Adjourn - STA

PERMANENCY INDICATORS REPORTS

For purposes of reporting case age processing, count the events associated with each child removed from home and for whom the court has taken jurisdiction. Include those events where the event dates fall within the period for which the report is being prepared. For example, if: 1) a trial was commenced on September 15 and the trial is within 63 days of removal of the child, count on the report; or 2) no trial has been commenced and more than 63 days has passed since removal of the child, count on the report. However, if a trial has not been commenced and 63 days has not yet passed since the removal of a child, do not report anything regarding that child for that reporting period. Reasons for delay must be captured in the case management system using the descriptions provided on page 5 (General Instructions and Reporting Criteria).

Report 1: Preliminary Hearing Commenced Within 24 Hours of Removal From Home [MCR 3.965(A) MCL 712A.13a(2)]

Count each child for whom the removal date plus 1 day or more falls within this reporting period and the removal date is less than the adjudication date, if jurisdiction has been taken. Report the children for whom the preliminary hearing was or was not commenced within the time frame using the following lines and columns.

Line	Time Frame	Number of Children
1	Commenced Within 1 Day From Removal	

Line	Time Frame	File Number	Petition Number	Name of Child	Removal Date	Preliminary Hearing Date	Reason(s) for Delay				
							NOA	SVC	NRS	OPI	STA
2	Commenced + 1 Day From Removal										
3	Preliminary Hearing Not Completed										

Line 1: Count the total number of children for whom the preliminary hearing was commenced within 1 day of the removal date.

Line 2: List each child for whom a preliminary hearing was commenced during this reporting period and more than 1 day has passed since the removal date of that child. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

Line 3: List each child for whom a preliminary hearing was not commenced during this reporting period and more than 1 day has passed since the removal date of that child. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

PERMANENCY INDICATORS REPORTS

Report 2: Number of Days From Removal From Home to Adjudication

Report the children for whom adjudication was or was not completed within the time frame using the following lines and columns. Count each child for whom the removal date plus 63 days or more falls within this reporting period.

Line	Time Frame	Number of Children
1	Within 63 Days From Removal	
2	64-91 Days From Removal	

Line	Time Frame	File Number	Petition Number	Name of Child	Removal Date	Adjudication Date	Reason(s) for Delay				
							NOA	SVC	NRS	OPI	STA
3	Over 91 Days From Removal										
4	Adjudication Not Completed										

Line 1: Count the total number of children for whom adjudication was completed within 63 days of the removal date.

Line 2: Count the total number of children for whom adjudication was completed from 64 to 91 days of the removal date.

Line 3: List each child for whom adjudication was completed during this reporting period and more than 91 days has passed since the removal date of that child. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

Line 4: List each child for whom adjudication was not completed during this reporting period and more than 91 days has passed since the removal date of that child. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

Exception: The time requirement under MCR 3.972(A) is based on the date the trial was commenced or the plea was offered. However, this particular report is based on the date the trial was completed or the plea was accepted.

PERMANENCY INDICATORS REPORTS

Report 3: Expedited Permanency Planning Hearing Completed Within 28 Days of Judicial Determination on Reasonable Efforts to Reunify [MCR 3.976(B)(1), MCL 712A.19a(2)]

Report the children for whom the expedited permanency planning hearing was or was not completed within the time frame using the following lines and columns. Count each child for whom a judicial determination was made that reasonable efforts to reunify the child and family are not required when the date these findings were made on the record plus 28 days or more falls within this reporting period. These findings can be found on SCAO-approved forms JC 11a, JC 11b, or JC 49.

Line	Time Frame	Number of Children
1	Within 28 Days of Judicial Determination	

Line	Time Frame	File Number	Petition Number	Name of Child	Judicial Determination Date	Exp. Permanency Planning Hearing Date	Reason(s) for Delay				
							NOA	SVC	NRS	OPI	STA
2	+ 28 Days From Judicial Determination										
3	Expedited Hearing Not Completed										

Line 1: Count the total number of children for whom the expedited permanency planning hearing was completed within 28 days of the date of the judicial determination regarding reasonable efforts to reunify.

Line 2: List each child for whom the expedited permanency planning was completed more than 28 days from the date of the judicial determination regarding reasonable efforts to reunify. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

Line 3: List each child for whom the expedited permanency planning hearing was not completed and more than 28 days has passed since the date of the judicial determination regarding reasonable efforts to reunify. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

PERMANENCY INDICATORS REPORTS

Report 4: Initial Dispositional Hearing Completed Within 28 Days of Adjudication [MCR 3.973(C)]

Count each child for whom the adjudication date plus 28 days or more falls within this reporting period. An initial dispositional hearing is completed upon entry of the order following the hearing. Report the children for whom the initial dispositional hearing was or was not completed within the time frame using the following lines and columns.

Line	Time Frame	Number of Children
1	Within 28 Days of Adjudication	

Line	Time Frame	File Number	Petition Number	Name of Child	Date of Adjudication	Date of Initial Dispositional Hearing	Reason(s) for Delay				
							NOA	SVC	NRS	OPI	STA
2	+ 28 Days From Adjudication										
3	Dispositional Hearing Not Completed										

Line 1: Count the total number of children for whom the initial dispositional hearing was completed within 28 days of the date of the adjudication.

Line 2: List each child for whom the initial disposition hearing was completed after 28 days of the date of adjudication. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

Line 3: List each child for whom the initial dispositional hearing was not completed during this reporting period and more than 28 days has passed since the date of adjudication of that child. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

PERMANENCY INDICATORS REPORTS

Report 5: Initial Dispositional Review Hearing Completed Within 182 Days of Removal [MCR 3.975(C), MCL 712A.19(3) and (4), MCL 712A.19a(1)]

A dispositional review hearing must be completed not more than 182 days after a child's removal from his/her home and no later than every 91 days after that for the first year that the child is subject to the jurisdiction of the court. This report is concerned only with the initial 182-day review; there is no reporting requirement for the 91-day review hearings. Report the children who were removed from the home before disposition and for whom the first dispositional review hearing following removal was or was not completed within the time frame using the following lines and columns. Do not include children who were at home or returned home at disposition and who were subsequently removed at an emergency removal hearing under MCR 3.974(B). See Report 6 instead. Count each child for whom a dispositional review hearing was due within this reporting period.

Line	Time Frame	Number of Children
1	Within 182 Days	

Line	Time Frame	File Number	Petition Number	Name of Child	Date of Removal	Date of Review Hearing	Reason(s) for Delay				
							NOA	SVC	NRS	OPI	STA
2	+ 182 Days										
3	Review Hearing Not Completed										

Line 1: Count the total number of children for whom the initial dispositional review hearing was completed within 182 days of the removal date of that child.

Line 2: List each child for whom the initial dispositional review hearing was completed after 182 days of the removal date of that child. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

Line 3: List each child for whom the initial dispositional review hearing was not completed during this reporting period and more than 182 days has passed since the removal date of that child. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

PERMANENCY INDICATORS REPORTS

Report 6: Dispositional Review Hearing Commenced for Children Removed After Disposition Pursuant to Emergency Removal Hearing [MCR 3.974(C)]

A dispositional review hearing must be commenced not more than 14 days after a child's removal from his/her home pursuant to an emergency removal hearing under MCR 3.974(B) and every 182 days thereafter (see Report 8). Report the children who were removed from the home after disposition and for whom the dispositional review hearing following emergency removal was or was not commenced within the time frame using the following lines and columns. Count each child for whom a dispositional review hearing was due within this reporting period.

Line	Time Frame	Number of Children
1	Within 14 Days	

Line	Time Frame	File Number	Petition Number	Name of Child	Date of Removal	Date of Review Hearing	Reason(s) for Delay				
							NOA	SVC	NRS	OPI	STA
2	+ 14 Days										
3	Review Hearing Not Commenced										

Line 1: Count the total number of children for whom the dispositional review hearing under MCR 3.974(C) was commenced within 14 days of the emergency removal date of that child.

Line 2: List each child for whom the dispositional review hearing under MCR 3.974(C) was commenced after 14 days of the removal date of that child. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

Line 3: List each child for whom the dispositional review hearing under MCR 3.974(C) was not commenced during this reporting period and more than 14 days has passed since the removal date of that child. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

PERMANENCY INDICATORS REPORTS

Report 7: Initial and Annual Permanency Planning Hearing Completed [MCR 3.976(B)(2), (3), MCL 712A.19a(1)]

The court must complete an initial permanency planning hearing no later than one year after removal from the home where there was no request for termination in the original or amended petition. When termination is requested in the original or amended petition, the initial permanency planning hearing is called an expedited permanency planning hearing (see Report 3 for reporting these hearings). Additionally, during the continuation of foster care, the court must complete permanency planning hearings beginning one year after the initial/expedited permanency planning hearing. Report the children for whom the permanency planning hearing was or was not completed within the time frame using the following lines and columns. Count each child for whom the initial permanency planning hearing described in MCR 3.976(B)(2) or the annual permanency planning hearing described in MCR 3.976(B)(3) plus 364 days or more falls within this reporting period.

Line	Time Frame	Number of Children
1	Within 364 Days of Removal or Previous Hearing	

Line	Time Frame	File Number	Petition Number	Name of Child	Date of Removal or Previous Hearing	Date of Permanency Planning Hearing	Reason(s) for Delay				
							NOA	SVC	NRS	OPI	STA
2	+ 364 Days From Removal or Previous Hearing										
3	Permanency Planning Hearing Not Completed										

Line 1: Count the total number of children for whom the initial permanency planning hearing was completed within 364 days of the removal date. Count the total number of children for whom each subsequent permanency planning hearing was completed within 364 days of the previous permanency planning hearing.

Line 2: List each child for whom the initial permanency planning hearing was completed after 364 days of the removal date. List each child for whom each subsequent permanency planning hearing was completed after 364 days of the previous permanency planning hearing. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

Line 3: List each child for whom the initial permanency planning hearing was not completed during this reporting period and more than 364 days has passed since the removal date for that child. List each child for whom a subsequent permanency planning hearing was not completed during this reporting period and more than 364 days has passed since the previous permanency planning hearing. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

PERMANENCY INDICATORS REPORTS

Report 8: 182-Day Review Hearings Completed [MCR 3.975(C), MCL 712A.19(4)]

Count each child for whom the last review hearing date plus 182 days or more falls within this reporting period. Report the children for whom the review hearing was or was not completed within the time frame using the following lines and columns.

Line	Time Frame	Number of Children
1	Within 182 Days of Permanency Planning/Last Review Hearing	

Line	Time Frame	File Number	Petition Number	Name of Child	Date of Last Review Hearing	Date of Review Hearing	NOA	Reason(s) for Delay			STA
								SVC	NRS	OPI	
2	Over 182 Days From Last Review Hearing										
3	182-Day Review Hearing Not Completed										

Line 1: Count the total number of children for whom the review hearing was completed within 182 days of the date of the date of the last review hearing.

Line 2: List each child for whom the review hearing was completed after 182 days of the date of the last review hearing. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

Line 3: List each child for whom the review hearing was not completed during this reporting period and more than 182 days has passed since the date of the last review hearing for that child. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

PERMANENCY INDICATORS REPORTS

Report 9: Termination Hearing Completed Within 42 Days of Filing of Supplemental Petition [MCR 3.977(F)(2), (H)(1)(b)]

The court shall complete a termination hearing when a supplemental petition is filed pursuant to MCR 3.977(F) or (H). Count each child for whom the filing of the supplemental petition plus 42 days or more falls within this reporting period if termination was requested on a supplemental petition. Report the children for whom a termination hearing was or was not completed within the time frame using the following lines and columns.

Line	Time Frame	Number of Children
1	Within 42 Days of Date Supplemental Petition Filed	

Line	Time Frame	File Number	Petition Number	Name of Child	Date Supplemental Petition Filed	Date of Termination Hearing	Reason(s) for Delay				
							NOA	SVC	NRS	OPI	STA
2	Over 42 Days From Date Supplemental Petition Filed										
3	Termination Hearing Not Completed										

Line 1: Count the total number of children for whom a termination hearing was completed within 42 days of the date the petition was filed.

Line 2: List each child for whom a termination hearing was completed more than 42 days from the date the petition was filed. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

Line 3: List each child for whom a termination hearing was not completed during this reporting period and more than 42 days has passed since the date the petition was filed for that child. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

PERMANENCY INDICATORS REPORTS

Report 10: Number of Days from Removal to Permanency

Count each child for whom a permanency outcome falls within this reporting period. Use the definition for permanency on page 2 in determining whether a permanency outcome has been achieved. Specify the type of permanency achieved using the codes in the definitions on page 2. If a child is not a permanent ward, the field for "Permanent Ward Date" does not apply. If the court has not terminated jurisdiction on a child, the field for "Date Court Jurisdiction Terminated" does not apply.

Line	File Number	Petition Number	Name of Child	Date of Birth	Original Removal Date	Most Recent Removal Date	Permanent Ward Date	Date Permanency Achieved	Type of Permanency Achieved	Date Court Jurisdiction Terminated
1										

Line 1: List each child for whom permanency was achieved.

Report 11: Permanency Not Achieved Within 24 Months

Count each child for whom the original removal date plus 728 days (24 months) falls within this reporting period if permanency has not been achieved. Use the definition for permanency on page 2 in determining whether a permanency outcome has been achieved.

Line	File Number	Petition Number	Name of Child	Original Removal Date	Most Recent Removal Date
1					

Line 1: List each child for whom permanency has not been achieved within 728 days of the original removal date.

**Michigan Supreme Court
State Court Administrative Office**

**Permanency for Children
2013 Statewide Statistical Summary
(MCL 712A.22)**

April 1, 2014

**This report is available on the web at:
<http://courts.michigan.gov/scao/resources/publications/reports/summaries.htm>**

Introduction

The State Court Administrative Office is required to publish an annual report evaluating the courts regarding their duty to engage in obtaining permanency for children. *MCL 712A.22*. The report is required to include information and statistics detailing the court's adherence to statutory and court rule time periods for the management and disposition of neglect and abuse cases and, if the courts fail to adhere to a time period, the specific reasons for that failure.¹

This report is divided into two sections. The Permanency Highlights section provides statewide statistics on achieving permanency for children who have been removed from the home. The Timing of Proceedings section provides statewide statistics on the court's adherence to time frames for the various proceedings related to children removed from the home.

Acknowledgements

The judges, staff, and case management system providers of Michigan's family divisions of the circuit courts provided data to the State Court Administrative Office for this report. Their efforts in recording and submitting these data are invaluable to producing this report and statewide efforts to improve permanency for children.

¹ All data provided in this draft template are fictitious.

Permanency Highlights

In 2013, the family divisions of circuit courts in Michigan achieved permanency for 88 percent of children within 24 months of removal from the home.

For the remaining children removed from the home for whom permanency has not been achieved within 24 months, the most common reason for delay were issues related to nonappearance, followed by service, and late submission of reports. The reasons for delay are provided in Table 1.²

<u>Reason</u>	<u>Number of Occurrences</u>
Nonappearance or nonavailability of parties, attorneys, or witnesses	55
Service	44
Late submission of reports from caseworkers and agencies	33
Stipulations to adjourn	22
Issues associated with trial court operations	11

Of the children removed from the home for whom permanency was achieved in 2013, the most common type of permanency achieved was return to the home. The types of permanency achieved for all children are provided in Table 2.

<u>Type of Permanency</u>	<u>Number of Children</u>
Return to the home	66
Permanent relative placement	55
Approved permanent planned living arrangement	44
Adoption	33
Guardianship under EPIC	22
Juvenile guardianship under the Juvenile Code	11

The children removed from the home for whom permanency has not yet been achieved will continue to be supervised by and receive services from the court and/or the Department of Human Services until jurisdiction is terminated.

² Each reason can be reported no more than once per hearing per child.

Timing of Proceedings

In meeting overall permanency for children removed from the home, there were various required proceedings conducted within varying required time frames. These proceedings and the court's adherence to the time frames associated with those proceedings are summarized below.

Preliminary Hearing Commenced Within 24 Hours of Removal From Home

The court commenced 88 percent of its preliminary hearings (one hearing per child named) within one day from removal and 10 percent after one day from removal. Two percent are pending as of December 31, 2013. The reasons for delay are provided in Table 3.³

Table 3: Reasons for Delay in Commencing Preliminary Hearings

<u>Reason</u>	<u>Number of Occurrences</u>
Nonappearance or nonavailability of parties, attorneys, or witnesses	44
Service	55
Late submission of reports from caseworkers and agencies	33
Stipulations to adjourn	22
Issues associated with trial court operations	11

Number of Days From Removal From Home to Adjudication⁴

Of the children removed from the home for whom the court took jurisdiction, the court completed adjudication within 63 days of removal for 33 percent of the children, within 64 to 91 days of removal for 33 percent of the children, and over 91 days of removal for 30 percent of the children. Adjudication is pending for 4 percent of the children as of December 31, 2013. The reasons for delay over 91 days are provided in Table 4.⁵

Table 4: Reasons for Delay in Adjudication

<u>Reason</u>	<u>Number of Occurrences</u>
Nonappearance or nonavailability of parties, attorneys, or witnesses	44
Service	11
Late submission of reports from caseworkers and agencies	55
Stipulations to adjourn	33
Issues associated with trial court operations	22

³ Each reason can be reported no more than once per hearing per child.

⁴ This data is based on the date adjudication was completed; whereas, the time requirement in court rule is based on the date the adjudicative process is commenced. There is no statutory time requirement for commencing or completing adjudication.

⁵ Each reason can be reported no more than once per hearing per child.

Expedited Permanency Planning Hearing Completed Within 28 Days of Judicial Determination on Reasonable Efforts to Reunify

The court completed 69 percent of its expedited permanency planning hearings (one hearing per child named) within 28 days and 29 percent after 28 days. Two percent are pending as of December 31, 2013. The reasons for delay are provided in Table 5.⁶

<u>Reason</u>	<u>Number of Occurrences</u>
Nonappearance or nonavailability of parties, attorneys, or witnesses	44
Service	55
Late submission of reports from caseworkers and agencies	33
Stipulations to adjourn	11
Issues associated with trial court operations	22

Initial Dispositional Hearing Completed Within 28 Days of Adjudication

The court completed 83 percent of its initial dispositional hearings (one hearing per child named) within 28 days and 15 percent after 28 days. 2 percent are pending as of December 31, 2013. The reasons for delay are provided in Table 6.⁷

<u>Reason</u>	<u>Number of Occurrences</u>
Nonappearance or nonavailability of parties, attorneys, or witnesses	33
Service	11
Late submission of reports from caseworkers and agencies	55
Stipulations to adjourn	44
Issues associated with trial court operations	22

⁶ Each reason can be reported no more than once per hearing per child.

⁷ Each reason can be reported no more than once per hearing per child.

Dispositional Review Hearing Commenced for Children Removed After Disposition Pursuant to Emergency Removal Hearing

The court commenced 96 percent of its dispositional review hearings (one hearing per child named) within 14 days and 2 percent after 14 days. Two percent are pending as of December 31, 2013. The reasons for delay are provided in Table 7.⁸

Table 7: Reasons for Delay in Commencing Dispositional Review Hearings

<u>Reason</u>	<u>Number of Occurrences</u>
Nonappearance or nonavailability of parties, attorneys, or witnesses	44
Service	55
Late submission of reports from caseworkers and agencies	33
Stipulation to adjourn	11
Issue associated with trial court operations	22

Initial and Annual Permanency Planning Hearing Completed

The court completed 77 percent of its permanency planning hearings (one hearing per child named) within the required 364 days and 21 percent after the required 364 days. Two percent are pending as of December 31, 2013. The reasons for delay are provided in Table 8.⁹

Table 8: Reasons for Delay in Completing Permanency Planning Hearings

<u>Reason</u>	<u>Number of Occurrences</u>
Nonappearance or nonavailability of parties, attorneys, or witnesses	44
Service	11
Late submission of reports from caseworkers and agencies	55
Issues associated with trial court operations	33
Stipulations to adjourn	22

⁸ Each reason can be reported no more than once per hearing per child.

⁹ Each reason can be reported no more than once per hearing per child.

182-Day Review Hearings Completed

The court completed 78 percent of its 182-day review hearings (one hearing per child named) within the required 182 days and 20 percent after 182 days. Two percent are pending as of December 31, 2013. The reasons for delay are provided in Table 9.¹⁰

Table 9: Reasons for Delay in Completing 182-Day Review Hearings

<u>Reason</u>	<u>Number of Occurrences</u>
Nonappearance or nonavailability of parties, attorneys, or witnesses	33
Service	22
Late submission of reports from caseworkers and agencies	55
Stipulations to adjourn	11
Issues associated with trial court operations	44

Termination Hearing Completed Within 42 Days of Filing of Supplemental Petition

The court completed 89 percent of its termination hearings (one hearing per child named) within 42 days of filing of a supplemental petition and 9 percent after 42 days. Two percent are pending as of December 31, 2013. The reasons for delay are provided in Table 10.¹¹

Table 10: Reasons for Delay in Completing Termination Hearings

<u>Reason</u>	<u>Number of Occurrences</u>
Nonappearance or nonavailability of parties, attorneys, or witnesses	44
Service	22
Late submission of reports from caseworkers and agencies	55
Stipulations to adjourn	33
Issues associated with trial court operations	11

¹⁰ Each reason can be reported no more than once per hearing per child.

¹¹ Each reason can be reported no more than once per hearing per child.