

Parent Attorney Core Skills Training: *CHIPS Permanency Timeline – Strategies for Parent Attorneys*

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*To provide justice through a system that
assures equal access for the fair and timely
resolution of cases and controversies.*

MJB Mission Statement

Overview of Topics

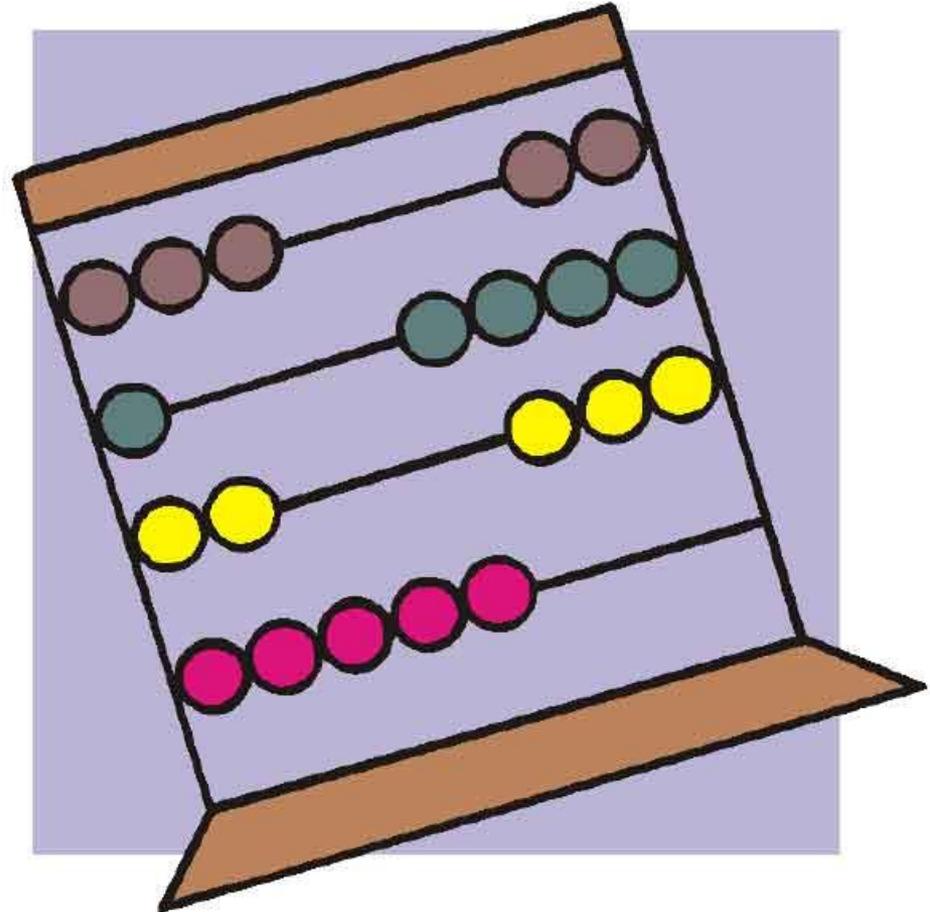
- 1. Purpose and overview of the 12-month timeline**
- 2. Calculating the 12 months**
- 3. Key events along the timeline**
- 4. Legally permissible options for extending timeline beyond 12 months**

Healthy Child Development

- **Healthy child development requires:**
 - ✓ **Safe, stable, permanent homes**
- **Lack of permanency exacerbates trauma**
- **Trauma and ongoing instability can lead to unhealthy development, often times leading to delinquent and criminal acts**
- **1997 Adoption and Safe Families Act (ASFA)**
 - ✓ **Set 12-month permanency timeline to ensure courts did not allow children to linger in foster care one day more than necessary**

Section 2

Calculating the 12-month timeline



Calculating the 12-Month Timeline

12-month timeline starts on date of child's placement, which is earlier of:

- ✓ **60 days after date child placed in voluntary foster care**
- ✓ **First court-ordered placement with non-resident parent or in foster care**
 - **Includes order for immediate custody (ex parte emergency protective care)**

Calculating the 12-Month Timeline

- **What counts toward the 12 months:**
 - ✓ **All days in home of non-resident parent or foster care**
 - ✓ **All days in trial home visit**
 - ✓ **All days in protective supervision with non-resident parent**
 - ✓ **All days in court-ordered foster care or home of non-resident parent in last 5 years if prior petition(s) – cumulative start counting where last days ended**

Section 3

Permanency Timeline Events



PERMANENCY TIMELINE FOR CHILDREN IN OUT-OF-HOME PLACEMENT

(Timeline shows the latest date for each event)

CHIPS Proceeding

0	3	13	28	30	53	63	103	123	180	193	283	335*	365* (Permanency Proceeding Commenced)
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Child Removed from home	Petition Served ¹ & EPC Hearing ² & attorneys appear	Admit/Deny Hearing ⁴ (ADH)	Sched. Order Filed ⁵ Plan Filed ⁶	Out of Home Place.	Pretrial Hearing ⁷	Trial Rev. Hearing ⁸ if Adj. & ADH ⁹	Disp. Hearing	Adj. & Dispo. ¹¹ Order	Perm. Review Hearing ¹²	Disp. Review Hearing ⁹	Disp. Review Hearing ⁹	Perm. Petition Filed
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GAL and SW reports must be filed and served at least 5 days prior to each hearing³⁵

◆ If child not removed from home: Protective Services Case Plan must be filed with petition.³

Permanency Proceeding (in order of statutory preference¹³)

Termination of Parental Rights (TPR) (leading to adoption)

Preferred permanency¹³:
Adoption through either TPR or Consent to Adopt

335	365	415	425	485	575
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TPR Petition Filed ¹⁴	Admit/Deny Hearing ¹⁵	Pretrial Hearing ¹⁶	Trial Start ¹⁷	Findings Decision Filed ¹⁸	Post-TPR Review Hearing ¹⁹
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Consent To adopt Filed ²⁰				Findings Filed ²¹	90-Day Review Hearing ²²
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Guardianship to Commissioner of Human Services – Consent to Adopt (GLCHS)

Transfer of Permanent Legal and Physical Custody to a Relative (TPLPC)

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Permanent Custody to the Agency for Placement in Foster Care (PCA)

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Temporary Legal Custody to the Agency for Specified Period of Time (TLCSP)

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TLCSP Petition Filed ²⁹	Admit/Deny Hearing ³⁰	Pretrial Hearing ³¹	Trial Start ³²	Findings Decision Filed ³³	Annual Review Hearing ³⁴
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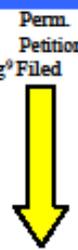
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Temporary Legal Custody to the Agency for Specified Period of Time (TLCSPPT)

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Child's Removal from Home

- **Child can be removed by:**
 - ✓ **Law enforcement – 72 hour police hold**
 - ✓ **County ex parte motion for immediate custody (emergency protective care)**
- **12-month clock starts with court ordered placement or 60 days after voluntary placement**

PERMANENCY TIMELINE FOR CHILDREN IN OUT-OF-HOME PLACEMENT

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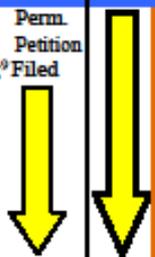
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Permanent Custody to the Agency for Placement in Foster Care (PCA)

Temporary Legal Custody to the Agency for Specified Period of Time (TLCSP)

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Emergency Protective Care (EPC) Hearing

- **Must commence within 72 hours of removal**
- **Summons and petition served on parties, participants and attorneys**
- **Purpose is to determine whether child can be safely returned home or must be continued in protective care**
- **Parent attorneys should be present at EPC hearing**
- **Findings and decisions**
 - ✓ **Prima facie determination**
 - ✓ **Endangerment**
 - ✓ **ICWA**
- **Other decisions**
 - ✓ **Visitation**
 - ✓ **Identification of relatives**
 - ✓ **Assessments: medical, chemical health, mental health, parenting capacity**

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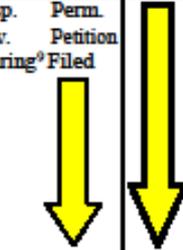
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Admit/Deny Hearing

- **Within 10 days of EPC hearing**
- **May be combined with EPC if all agree**
- **If child Indian child, can't commence ADH until tribe and parents receive notice**
- **Purpose is for parent who is legal custodian to admit or deny**

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Scheduling Order

- **Purpose:** To ensure dates for key events along 12-month continuum are specified as a reminder to parent, judge, county attorney and others
- **Timing**
 - ✓ Must be issued in every CHIPS case
 - ✓ Must be issued at or within 15 days of the admit/deny hearing on the CHIPS petition
 - ✓ Must be stated on record and put in writing
- **Content:** Must address pre-trial, trial, case plan, permanency progress review hearing, date for perm petition, and admit/deny on perm petition

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Pretrial Hearing and Trial

- **If parent enters a denial, pretrial must be at least 10 days prior to trial**
 - ✓ **Opportunity to settle or narrow issues**
 - ✓ **Identify witnesses and exhibits**
- **Trial must commence within 60 days of denial**
- **Trial must be over consecutive days and completed within 30 days of commencement**
- **Judge will either grant CHIPS petition or dismiss petition**

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***Only three exceptions:** The Admit/Deny Hearing (ADH) on the permanency petition may be continued beyond month 12 ONLY if: (1) the child is on a trial home visit (THV) at the time the permanency petition is supposed to be filed, and then the ADH may be confirmed for the remaining length of the THV (a THV may last no more than 6-months); or (2) the child is in protective supervision with the parent from whom the child was removed; or (3) at least one other CHIPS petition has been filed within the last 5 years and the child has been in out-of-home placement for 365 days on those prior petition(s), then, if the agency establishes a compelling reason, the court may continue the ADH on the permanency petition for up to 6 months.¹⁵

335	365	415	425	485	575
TPR Petition Filed ¹⁴	Admit/Deny Hearing ¹⁵	Pretrial Hearing ¹⁶	Trial Start ¹⁷	Findings Decision Filed ¹⁸	Post-TPR Review Hearing ¹⁹
335	365	415	425	485	575
Consent To adopt Filed ²⁰				Findings Filed ²¹	90-Day Review Hearing ²²
335	365	415	425	485	575
TLC Petition Filed ²³	Admit/Deny Hearing ²⁴	Pretrial Hearing ²⁵	Trial Start ²⁶	Findings Decision Filed ²⁷	Post-TLC Review Hearing ²⁸
335	365	415	425	485	575
PCA Petition Filed ²⁹	Admit/Deny Hearing ³⁰	Pretrial Hearing ³¹	Trial Start ³²	Findings Decision Filed ³³	Annual Review Hearing ³⁴
335	365	415	425	485	575
TLCSP Petition Filed ²⁹	Admit/Deny Hearing ³⁰	Pretrial Hearing ³¹	Trial Start ³²	Findings Decision Filed ³³	Annual Review Hearing ³⁴

Adjudication

- **If parent admits, or if trial and county meets burden of proof, court will adjudicate child to be in need of protection or services**
- **If county does not meet burden of proof, court will dismiss petition and child returned home**

PERMANENCY TIMELINE FOR CHILDREN IN OUT-OF-HOME PLACEMENT

(Timeline shows the latest date for each event)

CHIPS Proceeding

	0	3	13	28	30	53	63	103	123	180	193	283	335*
Child Removed from home													
Petition Served ¹ & EPC Hearing ² (ADH) & attorneys appear													
Admit/Deny Hearing ⁴ Filed													
Schedule Order Filed													
Out of Home Plan Filed ⁶													
Pretrial Hearing ⁷													
Trial ⁸													
Disp. Rev. Hearing ⁹ if Adj. & Disp. at ADH ⁹													
Adj. & Dispo. ¹⁰ Order													
Perm. Progress Review Hearing ¹²													
Disp. Review Hearing ⁹													
Disp. Rev. Hearing ⁹ Filed													
Perm. Petition Filed													

GAL and SW reports must be filed and served at least 5 days prior to each hearing³⁵

➔ If child not removed from home: Protective Services Case Plan must be filed with petition.³

Permanency Proceeding (in order of statutory preference¹³)

Termination of Parental Rights (TPR) (leading to adoption)

Preferred permanency¹³:

Adoption through either TPR or Consent to Adopt

Guardianship to Commissioner of Human Services – Consent to Adopt (GLCHS)

Transfer of Permanent Legal and Physical Custody to a Relative (TPLPC)

Permanent Custody to the Agency for Placement in Foster Care (PCA)

Temporary Legal Custody to the Agency for Specified Period of Time (TLCSPPT)

	335	365*	415	425	485	575
335						
TPR Petition Filed ¹⁴		Admit/Deny Hearing ¹⁵	Pretrial Hearing ¹⁶	Trial Start ¹⁷	Findings Decision Filed ¹⁸	Post-TPR Review Hearing ¹⁹
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Consent To adopt Filed ²⁰					Findings Filed ²¹	90-Day Review Hearing ²²
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TLC Petition Filed ²³		Admit/Deny Hearing ²⁴	Pretrial Hearing ²⁵	Trial Start ²⁶	Findings Decision Filed ²⁷	Post-TLC Review Hearing ²⁸
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PCA Petition Filed ²⁹		Admit/Deny Hearing ³⁰	Pretrial Hearing ³¹	Trial Start ³²	Findings Decision Filed ³³	Annual Review Hearing ³⁴
335						
TLCSPPT Petition Filed ²⁹		Admit/Deny Hearing ³⁰	Pretrial Hearing ³¹	Trial Start ³²	Findings Decision Filed ³³	Annual Review Hearing ³⁴

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Out of Home Placement Plan

- **Must be filed within 30 days of child's removal**
- **If child not removed, protective services case plan must be filed along with petition**
- **Road map for case**
 - ✓ **What parent must do to correct conditions**
 - ✓ **Services agency must provide to assist parent**

PERMANENCY TIMELINE FOR CHILDREN IN OUT-OF-HOME PLACEMENT

(Timeline shows the latest date for each event)

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GAL and SW reports must be filed and served at least 5 days prior to each hearing³⁵

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335	365	415	425	485	575
TLCSP Petition Filed ²⁹	Admit/Deny Hearing ³⁰	Pretrial Hearing ³¹	Trial Start ³²	Findings Decision Filed ³³	Annual Review Hearing ³⁴

Interim Disposition Review Hearing (IDH)

- **Once adjudication, review hearing at least every 90 days**
- **More frequent if chemical or mental health issues**
- **Purpose**
 - ✓ **Review parent progress on case plan**
 - ✓ **Review services provided by agency – what more is needed for parent to be successful**
 - ✓ **Review child's wellbeing – medical, dental, eyes, education**
 - ✓ **Relatives identified**
- **GAL and SW reports filed 5 days prior to hearing so parents have time to review and discuss with attorney**

PERMANENCY TIMELINE FOR CHILDREN IN OUT-OF-HOME PLACEMENT

(Timeline shows the latest date for each event)

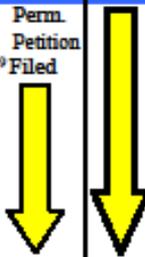
CHIPS Proceeding

0	3	13	28	30	53	63	103	123	180	193	283	335*	365* (Permanency Proceeding Commenced)
Child Removed from home	Petition Served ¹ & EPC Hearing ² (ADH) & attorneys appear	Admit Deny Hearing ⁴	Sched. Order Filed ⁵	Out of Home Place. Plan Filed ⁶	Pretrial Hearing ⁷	Trial ⁸	Disp. Rev. Hearing if Adj. & Disp. at ADH ⁹	Adjud. & Dispo. Order	Perm. Progress Review Hearing ¹¹	Disp. Review Hearing ⁹	Disp. Rev. Hearing ⁹	Perm. Petition Filed	

GAL and SW reports must be filed and served at least 5 days prior to each hearing³⁵

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335	365	415	425	485	575
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Consent To adopt Filed ²⁰				Findings Filed ²¹	90-Day Review Hearing ²²
335	365	415	425	485	575
TLC Petition Filed ²³	Admit/Deny Hearing ²⁴	Pretrial Hearing ²⁵	Trial Start ²⁶	Findings Decision Filed ²⁷	Post-TLC Review Hearing ²⁸
335	365	415	425	485	575
PCA Petition Filed ²⁹	Admit/Deny Hearing ³⁰	Pretrial Hearing ³¹	Trial Start ³²	Findings Decision Filed ³³	Annual Review Hearing ³⁴
335	365	415	425	485	575
TLC SPT Petition Filed ²⁹	Admit/Deny Hearing ³⁰	Pretrial Hearing ³¹	Trial Start ³²	Findings Decision Filed ³³	Annual Review Hearing ³⁴

Guardianship to Commissioner of Human Services – Consent to Adopt (GLCHS)

Transfer of Permanent Legal and Physical Custody to a Relative (TPLPC)

Permanent Custody to the Agency for Placement in Foster Care (PCA)

Temporary Legal Custody to the Agency for Specified Period of Time (TLC SPT)

Permanency Progress Review Hearing

- **No later than 6 months (180 days) after child's court ordered placement in foster care or home of nonresident parent**
- **Required for all children in foster care or home of nonresident parent, regardless of child's age**

Permanency Progress Review Hearing

- **Court must review and make findings on whether:**
 - ✓ **Parent making adequate progress OHP**
 - ✓ **Parent maintaining regular contact**
 - ✓ **Child will benefit from ongoing relationship**
 - ✓ **Agency providing necessary services and reasonable or active efforts**
- **Determination**
 - ✓ **Proceed immediately to permanency**
 - ✓ **Continue for up to 6 additional months**

PERMANENCY TIMELINE FOR CHILDREN IN OUT-OF-HOME PLACEMENT

(Timeline shows the latest date for each event)

CHIPS Proceeding

	0	3	13	28	30	53	63	103	123	180	193	283	35*
Child Removed from home	Petition Served ¹ & EPC Hearing ² (ADH) & attorneys appear	Admit Deny Hearing ⁴	Sched. Order Filed ⁵	Out of Home Place. Plan Filed ⁶	Pretrial Hearing ⁷	Trial ⁸	Disp. Rev. if Adj. & Disp. at ADH ⁹	Adjud. & Dispo. Order	Perm. Review Hearing	Disp. Review Hearing ⁹	Disp. Review Hearing ⁹	Perm. Petition Filed	

GAL and SW reports must be filed and served at least 5 days prior to each hearing³⁵

➔ If child not removed from home: Protective Services Case Plan must be filed with petition.³

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Temporary Legal Custody to the Agency for Specified Period of Time (TLCSP)

	365* (Permanency Proceeding Commenced)	365	415	425	485	575
TPR Petition Filed ¹⁴	Admit/Deny Hearing ¹⁵	Pretrial Hearing ¹⁶	Trial Start ¹⁷	Findings Decision Filed ¹⁸	Post-TPR Review Hearing ¹⁹	
Consent To adopt Filed ²⁰				Findings Filed ²¹	90-Day Review Hearing ²²	
TLC Petition Filed ²³	Admit/Deny Hearing ²⁴	Pretrial Hearing ²⁵	Trial Start ²⁶	Findings Decision Filed ²⁷	Post-TLC Review Hearing ²⁸	
PCA Petition Filed ²⁹	Admit/Deny Hearing ³⁰	Pretrial Hearing ³¹	Trial Start ³²	Findings Decision Filed ³³	Annual Review Hearing ³⁴	
TLCSP Petition Filed ²⁹	Admit/Deny Hearing ³⁰	Pretrial Hearing ³¹	Trial Start ³²	Findings Decision Filed ³³	Annual Review Hearing ³⁴	

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PERMANENCY TIMELINE FOR CHILDREN IN OUT-OF-HOME PLACEMENT

(Timeline shows the latest date for each event)

CHIPS Proceeding

0 3 13 28 30 53 63 103 123 180 193 283 **335*** 365* (Permanency Proceeding Commenced)

Child Removed from home
 Petition Served¹ & EPC Hearing² (ADH) & attorneys appear
 Admit Deny Hearing⁴ Filed⁵
 Sched. Order Filed⁵
 Out of Home Place. Plan Filed⁶
 Pretrial Hearing⁷
 Trial⁸
 Disp. Rev. Hearing if Adj. & Disp. at ADH⁹
 103 123 180 193 283

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Temporary Legal Custody to the Agency for Specified Period of Time (TLCSPT)

335	365	415	425	485	575	
TPR Petition Filed ¹⁴	Admit/Deny Hearing ¹⁵	Pretrial Hearing ¹⁶	Trial Start ¹⁷	Findings Decision Filed ¹⁸	Post-TPR Review Hearing ¹⁹	
335	365	415	425	485	575	
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335	365	415	425	485	575	
TLC Petition Filed ²³	Admit/Deny Hearing ²⁴	Pretrial Hearing ²⁵	Trial Start ²⁶	Findings Decision Filed ²⁷	Post-TLC Review Hearing ²⁸	
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335	365	415	425	485	575	
TLCSPT Petition Filed ²⁹	Admit/Deny Hearing ³⁰	Pretrial Hearing ³¹	Trial Start ³²	Findings Decision Filed ³³	Annual Review Hearing ³⁴	

Permanency Petition Filed

- **Termination of Parental Rights: Implications**
 - **Involuntary TPR**
 - ✓ **Parent presumed to be palpably unfit to parent so new child will be immediately removed (Dept. of Health matching system)**
 - ✓ **Called “CHIPS bypass” or “expedited permanency”**
 - ✓ **Burden of proof switches and parent must rebut presumption of palpable unfitness and prove change of circumstances and capacity to parent**
 - **Voluntary TPR**
 - ✓ **No expedited permanency for new born child – may proceed to CHIPS**

Permanency Petition Filed

- **Transfer of permanent legal and physical custody to a relative (TPLPC)**
 - ✓ **Northstar – child eligible for financial benefits**
 - **Relative must be licensed for 6 months**
 - **Child must live in home for 6 months**
 - **Order for TPLPC must be deferred pending finalization of Northstar eligibility requirements**
- **Permanent custody to agency**
 - ✓ **Formerly long term foster care**
 - ✓ **Only for children age 16+ (and sibling groups)**
 - ✓ **May be requested only by social worker**
- **Temporary custody to agency for specified period of time**
 - ✓ **Based on child's behavior**

PERMANENCY TIMELINE FOR CHILDREN IN OUT-OF-HOME PLACEMENT

(Timeline shows the latest date for each event)

CHIPS Proceeding

0	3	13	28	30	53	63	103	123	180	193	283	335*	365*
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GAL and SW reports must be filed and served at least 5 days prior to each hearing³⁵

➔ If child not removed from home: Protective Services Case Plan must be filed with petition.³

Permanency Proceeding (in order of statutory preference¹³)

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Admit/Deny Hearing on Permanency Petition

- **If not safe for child to return home, court must commence admit/deny hearing on permanency petition no later than 12 months after child is ordered into foster care or in the care of a nonresident parent**
- **If denial, trial must start by day 425, must be over consecutive days, and must end within 30 days at day 455 or sooner**
- **Trial must be over consecutive days**
- **Court has 15 days to issue order –may extend for up to 15 additional days**

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Three Legally Permissible Options for Extending Timeline – Strategies for Parents

1. Trial home visit (THV)

- ✓ Can only be with parent from whom removed
- ✓ Can be for up to 6 months
- ✓ Cannot be ordered prior to adjudication
- ✓ May be ordered only when parent has made substantial progress on case plan, is demonstrating capacity to appropriately care for child, and child will be safe
- ✓ Parent has physical custody, but agency has legal custody and can remove child without court order if necessary
- ✓ 12-month clock doesn't stop, but extra time for parent to work on case plan

Three Legally Permissible Options for Extending Timeline – Strategies for Parents

2. Protective Supervision

- ✓ Child returned to parent from whom child removed under protective supervision of agency
- ✓ Parent has legal and physical custody
- ✓ No time limit
- ✓ Permanency clock stops
- ✓ Court jurisdiction continues
- ✓ Regular monitoring to allow parent to increase and demonstrate capacity to safely parent child
- ✓ Agency must seek order to remove child

Three Legally Permissible Options for Extending Timeline – Strategies for Parents

3. **Prior CHIPS petitions where child in OHP 365+ days**
 - ✓ **Because child is already at 12 months, county required to immediately proceed to permanency**
 - ✓ **But, county could file motion to proceed to CHIPS if compelling reason**
 - ✓ **If court agrees, can proceed to CHIPS for up to 6 months**
 - ✓ **At end of 6 months, must either reunify only if safe or proceed to permanency**

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CHIPS Proceeding

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Child Removed from home	Petition Served ¹	Admit Deny Hearing ⁴	Sched. Order Filed ⁵	Out of Home Place. Plan Filed ⁶	Pretrial Hearing ⁷	Trial ⁸	Disp. Rev. if Adj. & Disp. at ADH ⁹	Adjud. & Dispo. ¹¹	Perm. Progress Review Hearing ¹²	Disp. Review Hearing ⁹	Disp. Rev. Hearing ⁹	Perm. Petition Filed		

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Preferred permanency¹³:
Adoption through either TPR or Consent to Adopt

Guardianship to Commissioner of Human Services – Consent to Adopt (GLCHS)

Transfer of Permanent Legal and Physical Custody to a Relative (TPLPC)

Permanent Custody to the Agency for Placement in Foster Care (PCA)

Temporary Legal Custody to the Agency for Specified Period of Time (TLCSP)

	335	365	415	425	485	575
TPR Petition Filed ¹⁴	Admit/Deny Hearing ¹⁵	Pretrial Hearing ¹⁶	Trial Start ¹⁷	Findings Decision Filed ¹⁸	Post-TPR Review Hearing ¹⁹	
335	365	415	425	485	575	
Consent To adopt Filed ²⁰				Findings Decision Filed ²¹	90-Day Review Hearing ²²	
335	365	415	425	485	575	
TLC Petition Filed ²³	Admit/Deny Hearing ²⁴	Pretrial Hearing ²⁵	Trial Start ²⁶	Findings Decision Filed ²⁷	Post-TLC Review Hearing ²⁸	
335	365	415	425	485	575	
PCA Petition Filed ²⁹	Admit/Deny Hearing ³⁰	Pretrial Hearing ³¹	Trial Start ³²	Findings Decision Filed ³³	Annual Review Hearing ³⁴	
335	365	415	425	485	575	
TLCSP Petition Filed ²⁹	Admit/Deny Hearing ³⁰	Pretrial Hearing ³¹	Trial Start ³²	Findings Decision Filed ³³	Annual Review Hearing ³⁴	

***Only three exceptions:** The Admit/Deny Hearing (ADH) on the permanency petition may be continued beyond month 12 ONLY if: (1) the child is on a trial home visit (THV) at the time the permanency petition is supposed to be filed, and then the ADH may be continued for the remaining length of the THV (a THV may last no more than 6-months); or (2) the child is in protective supervision with the parent from whom the child was removed; or (3) at least one other CHIPS petition has been filed within the last 5 years and the child has been in out-of-home placement for 365 days on those prior petition(s), then, if the agency establishes a compelling reason, the court may continue the ADH on the permanency petition for up to 6 months.¹⁵

PERMANENCY TIMELINE FOR CHILDREN IN OUT-OF-HOME PLACEMENT

(Timeline shows the latest date for each event)

CHIPS Proceeding

	0	3	13	28	30	53	63	103	123	180	193	283	335*	365*
Child Removed from home		Petition Served ¹ & EPC Hearing ² & attorneys appear	Admit Deny Hearing ⁴ (ADH)	Sched. Order Filed ⁵	Out of Home Place. Plan Filed ⁶	Pretrial Hearing ⁷	Trial ⁸	Disp. Rev. Hearing if Adj. & ADH ⁹	Adj. & Dispo. ¹⁰ Order	Perm. Progress Review Hearing ¹²	Disp. Review Hearing ⁹	Disp. Rev. Hearing ⁹	Perm. Petition Filed	

GAL and SW reports must be filed and served at least 5 days prior to each hearing³⁵

➔ If child not removed from home: Protective Services Case Plan must be filed with petition.³

Permanency Proceeding (in order of statutory preference¹³)

Termination of Parental Rights (TPR) (leading to adoption)

Preferred permanency¹³:
Adoption through either TPR or Consent to Adopt

Guardianship to Commissioner of Human Services – Consent to Adopt (GLCHS)

Transfer of Permanent Legal and Physical Custody to a Relative (TPLPC)

Permanent Custody to the Agency for Placement in Foster Care (PCA)

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***Only three exceptions:** The Admit/Deny Hearing (ADH) on the permanency petition may be continued beyond month 12 ONLY if: (1) the child is on a trial home visit (THV) at the time the permanency petition is supposed to be filed, and then the ADH may be continued for the remaining length of the THV (a THV may last no more than 6-months); or (2) the child is in protective supervision with the parent from whom the child was removed; or (3) at least one other CHIPS petition has been filed within the last 5 years and the child has been in out-of-home placement for 365 days on those prior petition(s), then, if the agency establishes a compelling reason, the court may continue the ADH on the permanency petition for up to 6 months.¹⁵

	335	365	415	425	485	575
TPR Petition Filed ¹⁴						
Admit/Deny Hearing ¹⁵						
Pretrial Hearing ¹⁶						
Trial Start ¹⁷						
Finding Decision Filed ¹⁸						
Post-TPR Review Hearing ¹⁹						
Consent To adopt Filed ²⁰						
Finding Decision Filed ²¹						
90-Day Review Hearing ²²						
TLC Petition Filed ²³						
Admit/Deny Hearing ²⁴						
Pretrial Hearing ²⁵						
Trial Start ²⁶						
Finding Decision Filed ²⁷						
Post-TLC Review Hearing ²⁸						
PCA Petition Filed ²⁹						
Admit/Deny Hearing ³⁰						
Pretrial Hearing ³¹						
Trial Start ³²						
Finding Decision Filed ³³						
Annual Review Hearing ³⁴						
TLCSP Petition Filed ²⁹						
Admit/Deny Hearing ³⁰						
Pretrial Hearing ³¹						
Trial Start ³²						
Finding Decision Filed ³³						
Annual Review Hearing ³⁴						

Section 4

Applying Your Knowledge



Applying Your Knowledge

- By what day must out of home placement plan be filed?**
- By what day must the permanency progress review hearing be commenced?**
- By what day must the county file the permanency petition?**
- By what day must the court commence the admit/deny hearing on the permanency petition?**

Applying Your Knowledge

- ❑ How long may a trial home visit last?
- ❑ What about protective supervision?
- ❑ In a trial home visit, who has legal custody?
Physical custody?
- ❑ Under protective supervision, who has legal custody? Physical custody?
- ❑ True or False: If parent had a prior *voluntary* TPR, county not permitted to proceed directly to TPR for new born child?

Questions

