

## Legally Correct Use of CHIPS and Permanency Dispositions: Dismissed, Termination of Jurisdiction, and Reunified

### Purpose

This document is intended as guidance for judges and attorneys who draft court orders. It is not intended as guidance to court administration staff about what dispositions to enter into MNCIS.

### What Happened to the Case AND What Happened to the Child?

When “closing” a CHIPS or permanency case, it’s important to specify what happened to the case (e.g., the petition was dismissed or jurisdiction was terminated) AND what happened to the child (e.g., she was reunified or adopted). Minnesota Statutes Chapter 260C and the Minnesota Rules of Juvenile Protection Procedure specify when district courts should order the dispositions of “dismissed,” “termination of jurisdiction,” and “reunified.” It’s important to understand the differences between these concepts as each has a different purpose, each has different legal ramifications for children and parents, and each impacts your county’s permanency data in different ways. For CHIPS and permanency decisions in your county to be legally correct and your CHIPS and permanency data to be accurate, it’s important to properly use the dispositions of “termination of jurisdiction,” “dismissed,” and “reunified” as discussed below.

### Dismissed

Court orders should state the court is “dismissing a petition” only when the case is being closed and there has been no adjudication on the case, such as:

- In an EPC hearing the court finds the petition does not establish a prima facie showing that a juvenile protection matter exists (Juv. Prot. Rule 42.08, subd. 1(a);
- The county withdraws its petition prior to adjudication; or
- The case proceeds to trial and the court finds that the petitioner did not meet the burden of proof (Juv. Prot. Rule 49.04, subd. 2 (CHIPS) and Juv. Prot. Rule 58.04 (TPR and Permanency)).

When a case is dismissed, the child is returned to the care of the parent but “reunified” is not used because there has been no adjudication.

### Termination of Jurisdiction

Court orders should state the court is “terminating jurisdiction” **only when** the court ceases to have jurisdiction, such as when there has been an adjudication that the child needs protection or services, and the case is now being closed either because the child is being permanently returned home or there has been another permanency option ordered for the child.

- It’s important to remember that this disposition explains what happened to the case (it’s closed) but does not explain what happened to the child (e.g., was she reunified, or was there a TPR or a transfer of permanent legal and physical custody to a relative). As such, this disposition should be used in conjunction with a permanency disposition such as “reunified” that tells us what happened to the child.
- If an order includes a disposition of only “termination of jurisdiction” without also including a disposition of “reunified” (or other permanency disposition), your county’s Length of Time to

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Permanency report will show the case as having an unintended disposition of “termination of jurisdiction without a permanency order” because there is a disposition of the case but no order indicating the disposition or permanency status of the child (i.e., “reunified”). This can show up as an error on compliance monitoring reports and can affect your county’s overall performance measurements.

### Reunified

Reunification of the child with the child’s parent is the preferred permanency goal (disposition) when it is safe to do so. “Reunification” refers to situations where, following a CHIPS adjudication, the child has been ordered into foster care and now is being permanently returned to the care of the parent. See Minn. Stat. [§ 260.012\(a\)](#); [§ 260C.001, subd. 2\(b\)\(7\)\(i\)](#); [§ 260C.007, subd. 7](#); [§ 260C.505\(b\)](#); and [§ 260C.515, subd. 1](#).

Court orders should state the child is being reunified **only when** there has been a CHIPS adjudication, the child has been in foster care and is now being permanently returned to the care of the parent, and the case is being closed.

Do not use a disposition of “reunified” when ordering a child into a “trial home visit” or “protective supervision” as both of those are interim placement dispositions under [Minn. Stat. § 206C.201](#), not final permanency dispositions under [Minn. Stat. § 260C.515](#).

### Case Closed

This is **not a disposition** permitted under either the juvenile protection statutes or rules and should never be used in orders CHIPS, TPR, or other permanency matters.



#### Example of Correct Use of Dispositions

When a child has been adjudicated as in need of protection or services, was placed in foster care, is being permanently returned to the care of the parent, and the case is being closed, the order should state:

1. The child shall be reunified with the child’s mother/father effective immediately.
2. The court’s jurisdiction over this proceeding is terminated effective immediately.



#### Include Dispositions in “Order Provisions,” Not in “Findings Provisions”

For your county’s permanency data to be accurate, court staff must be able to easily see the dispositions in the court’s orders, which means **all permanency dispositions should be in the “order” portion, not in the “findings” portion, of the order.**

If you have questions regarding dispositions, please contact CJJ staff at [cji@courts.state.mn.us](mailto:cji@courts.state.mn.us)