

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE MANUAL	
	Chapter 6: Court	Effective Date: September 1, 2012
	Section 10: Permanency Plan	Version: 4

POLICY [REVISED]

The Indiana Department of Child Services (DCS) will identify and recommend to the court a Permanency Plan and a Concurrent or Alternative Plan for every child adjudicated as a Child in Need of Services (CHINS). See separate policy, [5.15 Concurrent Planning](#).

The Permanency Plan will be identified in the [Case Plan \(SF 2956/DCS0046\)](#) no later than 45 days after the date the child is removed from the home or date of disposition, whichever comes first.

DCS will make reasonable efforts to reunify the child with his or her family unless the court finds that reasonable efforts to reunify are not required.

Note: If the court determines no reasonable efforts are required, a Permanency Hearing must be held within 30 days of the finding.

When reunification is not appropriate or possible, DCS will make and recommend to the court an alternate Permanency Plan in a timely manner. DCS will seek court approval of all Permanency Plans and subsequent changes.

DCS will inform the child and document the child's views in the Permanency portion of the [Progress Report](#).

Note: If the child is at least 16 years of age and the proposed Permanency Plan provides for the transition of the child from out-of-home placement to independent living, the court will:

- a. Require DCS to send notice of the Permanency Hearing to the child, and
- b. Provide the child an opportunity to be heard and to make recommendations to the court. See separate policies, [5.8 Developing a Case Plan](#), and [6.11 Permanency Hearing](#).

Code References

1. [IC 31-34-21-5.6: Exceptions to requirement to make reasonable efforts to preserve and reunify families](#)
2. [IC 31-34-21-5.7: Permanency plan; requirement; approval; reports and orders not required](#)
3. [IC 31-34-21-7: Permanency hearing](#)
4. [IC 31-34-21-7.5: Permanency plans prohibited if household contains certain individuals; exceptions](#)
5. [IC 31-34-21-7.7: Permanency plan; guardianship](#)
6. [45 CFR 1356.21: Application of the permanency hearing requirements](#)
7. [31-34-21-5.8 Out-of-home or permanent placement; progress reports and case](#)

PROCEDURE

As part of the case planning process, the Family Case Manager (FCM) will:

1. Discuss the potential Permanency and Concurrent Plans or any changes to existing plans which are no longer in the child's best interest during a Child and Family Team (CFT) Meeting;

Note: If a CFT is not convened, a Case Conference must be held. See separate policy, [5.8 Developing the Case Plan](#).

2. Make reasonable efforts to implement the Permanency Plan;
3. Seek court approval of the Permanency Plan or any changes to existing Permanency Plan. See separate policy, [6.11 Permanency Hearing](#);
4. Have the Regional Permanency Team approve all decisions to change the Permanency Plan to Another Planned Permanent Living Arrangement (APPLA). A Permanency Plan of APPLA must be approved by the Regional Manager and be referred for a Permanency Round table.
5. Document for the court the reasonable efforts that have been made to implement the plan;
6. **[REVISED]** Ensure that within nine (9) months from the child's removal from the home or from the date of the original Disposition Decree, a finding of reasonable efforts to finalize the Permanency Plan is obtained in a court order; and
7. Update the court findings of Reasonable Efforts to finalize the Permanency Plan in the Management Gateway for Indiana's Kids (MaGIK).

The Supervisor will ensure that the Permanency Plan is documented in the [Case Plan \(SF 2956/DCS0046\)](#).

PRACTICE GUIDANCE

[NEW] The CFT should participate in shared decision-making and strength-based approach to assisting with the development of the child's Permanency Plan. Formal and informal supports should be engaged to achieve the development of the Permanency Plan. DCS will hear and understand the family's voice and provide assistance to the family as the Permanency Plan is developed.

FORMS AND TOOLS

1. [Case Plan \(SF 2956/DCS0046\)](#) - Available in MaGIK
2. [Progress Report \(PermRptR1070108\)](#) - Available in MaGIK

RELATED INFORMATION

Concurrent Planning

Concurrent Planning requires the FCM and CFT to plan and work towards both reunification and another permanency plan. The intent of Concurrent Planning is that both plans will be pursued simultaneously and aggressively. Concurrent Planning will be considered for all CHINS cases. See separate policy, [5.15 Concurrent Planning](#) for more information on when to use Concurrent Planning.

Permanency Plan

The Permanency Plan is the intended permanent or long-term arrangement for care and custody of the child. The Permanency Plan may include any of the following goals that the court considers most appropriate and consistent with the best interest of the child:

1. Reunification;
2. Adoption;
3. Guardianship;
4. Another Planned Permanent Living Arrangement (APPLA); or
5. Placement with a Fit and Willing Relative.

Reasonable Efforts to Preserve and Reunify Families

In determining the extent to which reasonable efforts to reunify or preserve a family are appropriate, the child's health and safety are of paramount concern.

DCS will make Reasonable Efforts to preserve and reunify families as follows:

1. If a child has not been removed from the child's home, efforts to prevent or eliminate the need for removing the child from the child's home;
2. If a child has been removed from the child's home, efforts to make it possible for the child to return safely to the child's home as soon as possible; or
3. **[REVISED]** If a Permanency Plan has been approved, Reasonable Efforts to finalize the Permanency Plan are required. The court must issue a finding that DCS has made Reasonable Efforts to Finalize the Permanency Plan every nine (9) months. Reasonable Efforts to finalize a Permanency Plan are required to assure that a child continues to be eligible for federal funding to reimburse the costs of substitute care and DCS's administrative expenditures.

Note: The FCM should work to complete the Permanency Plan prior to the Permanency Hearing. However, the Permanency Plan may not always be complete prior to the hearing.