

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

IN THE INTEREST OF

Amended

Name _____

**Permanency Hearing Order
Indian Child Welfare Act**

Date of Birth _____

Case No. _____

A Request for Hearing was filed with the court and notice was given to all interested parties.

A hearing was held on [Date] _____, which is the effective date of this Order.

THE COURT REVIEWED THE PERMANENCY PLAN FILED BY THE AGENCY AND FINDS:

- 1. A. The permanency goal for the child/juvenile has been
 - return to the home.
 - adoption.
 - placement with a guardian.
 - permanent placement with a fit and willing relative.
 - placement in some other planned permanent living arrangement that includes an appropriate, enduring relationship with an adult (if 16 years or older).
- B. This goal continues to be is no longer appropriate.

- 2. A. The concurrent permanency goal for the child/juvenile has been
 - return to the home.
 - adoption.
 - placement with a guardian.
 - permanent placement with a fit and willing relative.
 - placement in some other planned permanent living arrangement that includes an appropriate, enduring relationship with an adult (if 16 years or older).
- B. This goal continues to be is no longer appropriate.

3. It is is not appropriate for the child/juvenile to have a concurrent permanency goal.

4. The extent of compliance with the Permanency Plan is as follows:

	in compliance	in partial compliance	not in compliance
<input type="checkbox"/> agency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> service provider	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Parent 1 [Name] _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Parent 2 [Name] _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> child/juvenile	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> child/juvenile's guardian [if any]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments: _____

5. The placement of the child/juvenile continues no longer continues to be necessary, safe and appropriate.
 Placement in a planned permanent living arrangement is the best permanency goal for the child/juvenile at this time. It continues not to be in the best interests of the child/juvenile to be returned home or placed for adoption, with a guardian, or with a fit and willing relative. The reasons for these findings are:

6. Adequate efforts have have not been made to involve the appropriate service providers in meeting the special needs of the child/juvenile and his or her parent(s).

7. Sufficient progress has has not been made in eliminating the causes for the child's/juvenile's out-of-home placement and toward returning the child/juvenile safely to his or her home or toward obtaining a permanent placement for the child/juvenile.

8. The child/juvenile will be returned to his or her home or placed for adoption, with a guardian or in some other planned permanent living arrangement by [Date] _____.

9. The child/juvenile has been placed outside of his or her home in a foster home, group home, nonsecured residential care center for children and youth, or shelter care facility for 15 of the most recent 22 months.

The permanency plan is

- appropriate.
 not appropriate because it fails to sufficiently address the circumstances which prevent the child/juvenile from
- being returned safely to the home;
 - being placed safely in the home of a fit and willing relative;
 - having a petition for involuntary termination of parental rights filed on behalf of the child/juvenile;
 - being placed for adoption;
 - being placed with a guardian;
 - being placed in some other planned permanent living arrangement that includes an appropriate, enduring relationship with an adult (if 16 years or older).

10. Reasonable efforts to achieve the permanency goal of the permanency plan, including through an out-of-state placement if appropriate, were
 made by the department or agency responsible for providing services.

- not made by the department or agency responsible for providing services.

11. Reasonable efforts to place the child/juvenile in a placement that enables the sibling group to remain together were
 made.
 not required because the child/juvenile does not have siblings in out-of-home care.
 not required because it would be contrary to the safety or well-being of the child/juvenile or any of the siblings.

12. Active efforts were were not made to provide remedial services and rehabilitation programs designed to prevent the breakup of the Indian family. **See attached Statement of Active Efforts (IW-1609)**

13. Placement was made in accordance with the order of preference set forth in the Indian Child Welfare Act.

OR

There is good cause to depart from the order of placement preference in the Indian Child Welfare Act.

14. The child/juvenile has a permanency goal of placement in a planned permanent living arrangement, and the agency has taken the following steps, including consulting with the child/juvenile, to ascertain whether the child/juvenile has regular, ongoing opportunities to engage in age or developmentally appropriate activities and to ensure that the caregiver is applying the reasonable and prudent parent standard to decisions concerning participation in those activities:

15. The child/juvenile is subject to an order that terminates at age 21 or is under a voluntary transition to independent living agreement.

A. The transition to independent living plan is is not appropriate.

B. Sufficient progress has has not been made by the child/juvenile toward the transition to successful adulthood.

C. The transition to independent living plan has or has not been complied with as follows:

	complied with	not complied with
<input type="checkbox"/> agency	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> service provider	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> child/juvenile	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> child/juvenile's guardian [if any]	<input type="checkbox"/>	<input type="checkbox"/>

Comments: _____

THE COURT ORDERS:

1. The permanency goal for the child/juvenile remains is changed to
 return to the home.
 adoption.
 placement with a guardian.
 permanent placement with a fit and willing relative.
 placement in some other planned permanent living arrangement that includes an appropriate, enduring relationship with an adult (if 16 years or older).

2. The concurrent permanency goal for the child/juvenile remains is changed to
 return to the home.
 adoption.
 placement with a guardian.
 permanent placement with a fit and willing relative.
 placement in some other planned permanent living arrangement that includes an appropriate, enduring relationship with an adult (if 16 years or older).

3. The parent(s) who appeared in court have been orally advised of the applicable grounds for termination of parental rights (TPR) and the conditions that are necessary for a safe return to the home or a restoration of visitation rights. Written TPR Warnings are attached. Conditions for return/visitation are part of this Order or attached.

4. The child/juvenile has one or more siblings in out-of-home care and the child/juvenile is not placed with all those siblings. The department or agency
 shall make reasonable efforts to provide frequent visitation or other ongoing interaction between the child/juvenile and any siblings.
 is not required to provide for frequent visitation or other ongoing interaction because it would be contrary to the safety or well-being of the child/juvenile or any siblings.

5. Other: _____

6. The department or agency shall file a new permanency plan with the court by [Date] _____.

7. The department or agency shall file a request to change placement with the court by [Date] _____.

THIS IS A FINAL ORDER FOR THE PURPOSE OF APPEAL IF SIGNED BY A CIRCUIT COURT JUDGE.

DISTRIBUTION:

1. Court
2. Child/Juvenile
3. Child's/Juvenile's Guardian ad Litem/Adversary Counsel
4. Parents
5. Parents' Attorney(s)
6. Child's/Juvenile's Guardian/Legal Custodian
7. Relative Caregiver/Foster Parent/Facility
8. District Attorney/Corporation Counsel
9. Caseworker
10. Court Appointed Special Advocate (CASA)
11. Tribe
12. Indian Custodian