

PERMANENCY HEARING - PMC

Role	Name	Attorney
Child		
Father		
Mother		
GAL		
Dept		

Before Hearing Evidence:

- Department filed a permanency progress report 10 days before the hearing. 263.502(a)
- Roll call. 263.5031(1)
- Notice given to all persons described in 263.0021, including child's caregiver. 263.5031(2)
- The child shall attend each permanency hearing in accordance with Section 263.302. 263.501(f).
- Determine whether the child's caregiver is present and allow the caregiver to testify if the caregiver wishes to provide info about the child. 263.0021(f).
- Ask whether the department has informed the caregiver of the option to become verified by a licensed child-placing agency to operate an agency foster home. 263.5031(3)(A)
- Ask whether the department has informed the caregiver of the permanency care assistance program under Chapter 264. 263.5031(3)(B).

Review of permanency progress report:

- The child has opportunities to engage in age-appropriate normalcy activities. 263.503(c).
- The safety and well-being of the child and whether the child's needs, including any medical or special needs, are being adequately addressed. 263.5031(4)(A)
- Whether the child has been provided the opportunity to identify any adult who could be a relative or designated caregiver for the child. 263.5031(4)(B)

- Whether the department placed the child with a relative or other designated caregiver and the continuing necessity and appropriateness of the placement of the child, including with respect to a child who has been placed outside of this state, whether the placement continues to be in the best interest of the child. 263.5031(4)(C)
- If the child is placed in institutional care, whether efforts have been made to ensure that the child is placed in the least restrictive environment consistent with the child's best interest and special needs. 263.5031(4)(D)
- The appropriateness of the primary and alternative permanency goals for the child, whether the department has made reasonable efforts to finalize the permanency plan, including the concurrent permanency goals, in effect for the child, and whether:
 - 263.5031(4)(E)
 - The department has exercised due diligence in attempting to place the child for adoption if parental rights to the child have been terminated and the child is eligible for adoption; or
 - Another permanent placement, including appointing a relative as permanent managing conservator or returning the child to a parent, is appropriate for the child.
- For a child whose permanency goal is another planned permanent living arrangement: 263.5031(4)(F)
 - the desired permanency outcome for the child, by asking the child
 - whether, as of the date of the hearing, another planned permanent living

arrangement is the best permanency plan for the child and, if so, provide compelling reasons why it continues to not be in the best interest of the child to

- return home;
 - be placed for adoption;
 - be placed with a legal guardian; or
 - be placed with a fit and willing relative;
 - whether the department has conducted an independent living skills assessment under Section 264.121(a-3);
 - whether the department has addressed the goals identified in the child's permanency plan, including the child's housing plan, and the results of the independent living skills assessment;
 - if the youth is 16 years of age or older, whether there is evidence that the department has provided the youth with the documents and information listed in Section 264.121(e); and
 - if the youth is 18 years of age or older or has had the disabilities of minority removed, whether there is evidence that the department has provided the youth with the documents and information listed in Section 264.121(e-1);
 - ☐ If the child is 14 years of age or older, whether services that are needed to assist the child in transitioning from substitute care to independent living are available in the child's community. 263.5031(4)(G)
 - ☐ Whether the child is receiving appropriate medical care and has been provided the opportunity, in a developmentally appropriate manner, to express the child's opinion on any medical care provided. 263.5031(4)(H)
 - ☐ For a child receiving psychotropic medication, whether the child: 263.5031(4)(I)
 - has been provided appropriate nonpharmacological interventions, therapies, or strategies to meet the child's needs; or
 - has been seen by the prescribing physician, physician assistant, or advanced practice nurse at least once every 90 days;
 - ☐ Whether an education decision-maker for the child has been identified, the child's education needs and goals have been identified and addressed, and there are major changes in the child's school performance or there have been serious disciplinary events; 263.5031(4)(J)
 - ☐ For a child for whom the department has been named managing conservator in a final order that does not include termination of parental rights, whether to order the department to provide services to a parent for not more than six months after the date of the permanency hearing if: 263.5031(4)(K)
 - the child has not been placed with a relative or other individual, including a foster parent, who is seeking permanent managing conservatorship of the child; and
 - the court determines that further efforts at reunification with a parent are:
 - in the best interest of the child; and
 - likely to result in the child's safe return to the child's parent; and
 - ☐ Whether the department has identified a family or other caring adult who has made a permanent commitment to the child. 263.5031(4)(L)
- After Hearing Evidence:**
- ☐ Schedule next permanency hearing
 - ☐ If the parents have not been terminated, permanency hearings must be every 6 months. If the parents have been terminated, the first permanency hearing must be within 90 days, and then every six months thereafter. 263.501(a) and (b)