

Permanency Options

A child's permanency plan must include whether a child should be returned to his parent, referred for termination of parental rights and adoption, placed with a permanent guardian, or in the case in which DFCS has documented a compelling reason that none of the foregoing options would be in the best interests of the child who is 16 years old or older, whether a child should be placed in another planned permanent living arrangement.

When advocating for permanency, CASA should consider the most permanent placement option that is feasible under the circumstances and give deference to relatives when appropriate. Relatives should be pursued prior to non-relatives for both temporary and permanent placements.

CASA should scrutinize any placement moves that are a step away from permanency or challenge complacency for children aging out of the system without legal permanency.

Reunification

Reunification occurs when the child can be safely returned home to his parents during the required timeframes.

Reunification is appropriate when a parent has completed his case plan and there are no remaining safety threats in the home.

Barriers to reunification may include parental capacity, the severity of a child's needs, and availability of services.

Consider whether reunification could be appropriate if proper support services were in place.

Adoption

Adoption is appropriate:

When reunification is not possible and permanent and legal separation from the birth family is necessary and sanctioned by the court

When a child is capable of accepting and responding to family life and a home of his own (a child 14 years old or older must be willing to consent to the adoption)

When there will be no unintended consequences to terminating parental rights

Advocate for the timely filing of a petition for termination of parental rights and post adoption reviews to ensure the adoption is finalized as expeditiously as possible.

Consider whether adoption subsidies are available for the family and whether the family is connected to this resource if appropriate.

Advocate for the creation of a post-adoption contract agreement with relatives when appropriate.

Permanent Guardianship

Permanent guardianship is a judicially-created and permanent relationship between the child and a relative or non-relative caregiver.

Permanent guardianship is appropriate when adoption has been explored and is not in the best interests of the child. (ex. Medicaid is needed, parent's SSI benefits are needed).

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Permanent guardianship does not sever the birth parents' rights/responsibilities and allows for a continuing bond and connections between the child and family and may include visitation.

Permanent guardianships remain in effect until the child turns 18 years old with limited circumstances to modify or vacate.

Non-reunification findings must be made prior to granting a permanent guardianship.

Waivers are required for a permanent guardianship for a child under 14 years old or who has had his parental rights terminated.

The child must be placed with the caregiver for a period of 6 months prior to DFCS recommending a permanent guardianship.

Permanent guardianship subsidies can be accessed by relatives and non-relatives.

Another Planned Permanent Living Arrangement (APPLA)

APPLA occurs when DFCS maintains care and custody of a youth and arranges a living situation in which the youth is expected to remain until adulthood.

APPLA is permissible for youth over 16 years of age yet only appropriate when other options have been exhausted and compelling reasons exist for why it is not in a child's best interests to achieve permanency through another option.

APPLA could be appropriate when a youth is in safe, stable placement with an adult who is committed to him until he reaches the age of majority or has medical needs requiring state-funded support.

When APPLA must be the permanency plan, CASA should continue to advocate for a youth's well-being, helping to ensure that a youth can participate in activities, engage in as much normalcy as possible, successfully prepare for adulthood, and maintain relationships with a supportive adult. Other legal permanency options can also be revisited.