

Permanency Options, Part 1

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, the CASA should consider the most permanent placement option that is feasible under the circumstances, taking into careful consideration the extent of the child-parent relationship. Deference should be given 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 is the most preferred permanency outcome and occurs when the child can be safely returned home to their parents;

Family engagement, to include ample family time/visitation, is critical for creating a successful reunification;

Reunification may be appropriate even when a parent has not completed their entire case plan if there are no remaining safety threats in the home; and

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

CASA should:

- Remember that best interest advocacy is driven by the guiding principle that children grow and develop best with their family of origin if that can be safely achieved;

- Consider that reunification can be appropriate if proper support services are in place or other responsible adults live in the home;

- Contemplate whether the parents can provide a minimum sufficient level of care;

- Consider what conditions should exist for return to the home prior to case plan completion; and

- Advocate for time-limited, after-care monitoring to assist in permanency preservation and ensuring needs of the family continue to be met.

Adoption:

When a child is adopted, he has the same legal rights/benefits as if born into the family;

Termination of Parental Rights and adoption are appropriate when:

- Reunification is not possible and continuation of the parent-child relationship is harmful to the child;

- The parent-child relationship is irretrievably broken and no bond exists between the parent and child. Remember, the court does not consider whether a child would be better off with a foster family when deciding to sever the natural parent-child relationship;

- A child is capable of accepting and adjusting to becoming a member of an adoptive family. A child 14 years old and older must be willing to consent to an adoption.

CASA should:

- Assess the potential adoptive resource's willingness to maintain connections, skill at handling challenges, reasonableness of expectations, and familiarity with the child and their needs;

- Advocate for the timely filing of a petition for termination of parental rights & 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; and

- Advocate for the creation of a postadoption contract and the ability to maintain familial connections whenever possible and appropriate.