

POST-TPR REVIEW HEARING

TIMEFRAME

A Post-TPR hearing must be held if an adoption petition has not been filed within 6 months of the TPR order. Hearings continue at least every 6 months thereafter for as long as the child remains unadopted.

PURPOSE

To review the child's circumstances and determine what efforts have been made to ensure the child is adopted.

- ▶ Refer to the **At Every Hearing** guide for findings, practices, and considerations that apply across all hearings.

COURT FINDINGS

In addition to the findings on the **At Every Hearing** guide, the court must:

- Make written findings of fact regarding whether reasonable efforts have been made to move the child to permanency;
- Evaluate whether the permanency plan for the child remains appropriate; and
- Enter an order furthering adoption or, if appropriate, another permanency option, including but not limited to ordering a different placement.



If the child has lived with a caregiver for at least 12 months and that individual expresses a desire and willingness to adopt, the court must consider their testimony and evidence.

If the child has lived with a foster parent, relative, or other caregiver for at least 12 months (ending fewer than 90 days before the petition was filed) and that individual expresses a desire and willingness to adopt, the court must consider their testimony and evidence. The evidence may include the level of attachment and bonding between the child and caregiver and the child's health, safety, and well-being.

PREPARING FOR THE HEARING

Preparing for this hearing means focusing on what specifically stands between the child and a finalized adoption and what support they will need through that transition.

QUESTIONS TO CONSIDER

- Which relationships and attachments are most important to this child right now?
- Will the child be able to be adopted with their siblings?
- Is the proposed caregiver prepared for the child's emotional, behavioral, physical, and cultural needs?
- What supports will the child need during the transition to permanency?
- Does the child understand their proposed permanency plan?
- Are reasonable efforts genuinely being made to finalize permanency, or has the case stalled?
- Is the permanency plan still appropriate for the child?
- Has enough time passed, and have circumstances changed enough, that it may be appropriate for the child to petition for reinstatement of parental rights? See the ***Reinstatement of Parental Rights Hearing*** guide for more information.



PRACTICE POINTS

- Continue to visit the child and monitor the case until adoption is finalized or permanency is achieved.
- When a potential adoptive resource has been identified, assess their ability and willingness to provide long-term commitment to a child who has experienced trauma.
- Identify and assist in resolving any barriers to a timely adoption, including whether adoption subsidies are needed and whether any required adoption conversion studies (home studies) have been completed.
- Ensure the child has had a life history completed.
- If a sibling waiver has been granted and siblings will achieve permanency separately, confirm there is a plan to maintain their connection long-term.
- If a voluntary post-adoption contact agreement (open adoption) is appropriate, discuss the opportunity with the parties and caregivers as applicable.
- Submit a report focused on what is needed to finalize permanency, outlining any barriers, with recommendations supported by best interest factors.

AT THE HEARING



PRACTICE POINTS

- If the caregiver wishes to adopt and meets the 12-month threshold, ensure their testimony regarding bonding, attachment, and the child's well-being is presented.