

	<b>INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY</b>	
	<b>Chapter 6:</b> Court	<b>Effective Date:</b> October 1, 2013
	<b>Section 9:</b> Periodic Case Review Hearing	<b>Version:</b> 5

<b>STATEMENTS OF PURPOSE</b>
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The Indiana Department of Child Services (DCS) will participate in a Periodic Case Review Hearing:

1. Six (6) months after the date of the child’s removal from the child’s parent, guardian, or custodian or after the date of the Dispositional Decree, whichever comes first; and
2. Every six (6) months thereafter; or
3. More often if ordered by the court.

**Note:** Additional Periodic Case Review Hearings are encouraged and may be held upon order of the Court.

DCS will provide notice of a Periodic Case Review Hearing at least 10 calendar days before the hearing to the following:

1. The child;
2. The child’s parent, guardian, or custodian;
3. An attorney who has entered an appearance on behalf of the child’s parent, guardian, or custodian;
4. Court Appointed Special Advocate (CASA) or Guardian ad Litem (GAL);
5. Resource parent<sup>1</sup> or long-term resource parent. See [Related Information](#) for further details; and
6. Witnesses for the hearing.

DCS will present the permanency plan for the child and the child’s views on his or her permanency in the Progress Report prepared for the Periodic Case Review Hearing.

Code References

1. [IC 31-34-21-2: Periodic case review](#)
2. [IC 31-34-21-3: Progress report required before case review](#)
3. [IC 31-34-21-4: Notice of case review; testimony in periodic case review](#)
4. [IC 31-34-21-4.6: Long-term Foster Parent](#)
5. [IC 31-34-21-5: Determination; findings](#)
6. [IC 31-34-21-7: Permanency Hearing](#)
7. [42 USC 675 Section 475 \(5\)\(B\)](#)

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<sup>1</sup> For purposes of DCS policy, the term Resource Parent includes a foster/adoptive parent, foster parent, and relative or kinship caregiver.

## PROCEDURE

The Family Case Manager (FCM) will:

1. Convene a Child and Family Team (CFT) meeting to review the permanency plan and develop a [Case Plan \(SF 2956\)](#). See Practice Guidance;
2. Provide the [Progress Report](#) to the court. See separate policy, [6.8 Three Month Progress Report](#);
3. Ensure required parties are notified of the periodic review hearing and receive the [Progress Report](#) at least 10 calendar days prior to the hearing. See separate policy, [6.4 Providing Notice](#);
4. Attend and participate in the Periodic Case Review Hearing for a child:
  - a. Six (6) months after the date of the child's removal from the child's parent, guardian, or custodian or after the date of the Dispositional Decree, whichever comes first; and
  - b. Every six (6) months thereafter; or
  - c. More often if ordered by the court.
5. Enter court hearing data in the Management Gateway for Indiana's Kids (MaGIK) including the court's findings related to Reasonable Efforts toward the Permanency Plan.

The FCM Supervisor will:

1. Review and approve the [Case Plan \(SF 2956\)](#) and the [Progress Report](#);
2. Assist the FCM in preparation for the Periodic Case Review Hearing; and
3. Ensure all required data and court findings were entered into MaGIK.

## PRACTICE GUIDANCE

### **Factors to Discuss During the CFT meeting to prepare for the Periodic Case Review Hearing**

1. Determine the child's future status (e.g., whether the child is to return to his or her parent, guardian, or custodian, continue in out-of-home care, be placed for adoption, with an appointed legal guardian, with a fit and willing relative, or under another planned permanent living arrangement).
2. Determine whether it is in the child's best interest for the juvenile court to retain jurisdiction;
3. Determine whether an existing Permanency Plan will be modified, taking into account the recommendations of individuals who have a significant relationship with the child. See separate policies, [6.10 Permanency Plan](#), and [5.8 Developing a Case Plan](#);
4. Evaluate whether continuation of the decree with or without modification has a reasonable chance of success;
5. Identify procedural safeguards used by DCS to protect parental rights;
6. Determine whether DCS has made Reasonable Efforts to finalize the Permanency Plan that is in effect;
7. Determine whether responsibility for Placement and Care of the child should remain with DCS; and
8. Identify objectives of the Dispositional Decree that have not been met.

### **Child's Voice in Permanency Planning**

The CFT should have a meaningful and informed discussion with the child regarding his or her views on leaving the current home and how he or she feels about reunification, adoption, guardianship, another planned permanent living arrangement, or placement with a fit and willing relative. The child's views should be taken into consideration when reviewing and revising the permanency plan.

### **FORMS AND TOOLS**

1. [Notice of Periodic Case Review \(SF 48997\)](#) – Available in MaGIK
2. [Progress Report](#) - Available in MaGIK
3. [Case Plan \(SF 2956\)](#) – Available in MaGIK

### **RELATED INFORMATION**

#### **Reasonable Efforts to Preserve and Reunify Families**

In determining the extent to which reasonable efforts to reunify or preserve a family are appropriate, the child's health and safety are of paramount concern.

DCS will make Reasonable Efforts to preserve and reunify families as follows:

1. Efforts to prevent or eliminate the need for removing the child from the child's home if the child has not been removed from his or her home; and
2. Efforts to make it possible for the child to return safely to his or her home as soon as possible if the child has been removed;

#### **Resource Parent**

For purposes of DCS policy, the term Resource Parent includes a foster/adoptive parent, foster parent, and relative or kinship caregiver.

#### **Long-term Resource Parent**

Per IC 31-34-21-4.6 a Long-term Foster Parent is a resource parent who has provided care and supervision for a child for at least:

1. The 12 most recent months; or
2. Fifteen (15) months of the most recent 22 months.