

# Minnesota's Permanency Progress Review Hearing

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**PERMANENCY PROGRESS REVIEW  
HEARINGS**

# When is a PPRH held?

- Within 6 months of the child's removal and placement in foster care or in the home of the "other" parent

# What is the permanency progress review hearing (PPRH)?

- ✓ In court hearing
- ✓ Supported by written report to the court
- ✓ Court reviews:
  1. Parents' progress on the case plan including parents' visitation with child
  2. Agency's reasonable efforts, or active efforts for an Indian child, for reunification
  3. Agency's reasonable efforts to finalize the permanent plan for the child
  4. For ICWA cases, active efforts to prevent the breakup of the Indian family and to make a placement according to the placement preferences in ICWA

# Elements of the PPRH

“In court hearing”

On the record

Due process requirements are met by notice to:

- Parents
- Child
- Child’s GAL
- Attorneys for all parties
- Relatives

# Elements of the PPRH

Supported by written report to the court

- Court rules require report to be submitted by the agency and child's GAL at least 5 days prior to hearing
- Report is on:
  - parent's progress on the case plan
    - Out-of-home placement plan (foster care)
    - "case plan" (when child is with "other" parent)
  - reasonable efforts/active efforts of the agency (#2, 3, and 4 in slide 4)

# Elements of the PPRH: court review

1. Parents progress on the case or placement plan
  - Placement plan is required to be filed with the court by 30 days of foster care
  - Court has authority to order assessments and evaluations as soon as it orders foster care
  - Court oversees Reasonable Efforts of the agency as soon as the child is in foster care

# Elements of the PPRH: court review

## 2. Agency's reasonable/active efforts

- Reunification
- Finalize the permanent plan for the child
  - Non-ICWA
  - ICWA – prevent breakup of Indian family and make placement according to ICWA placement preferences



# What does RE/AE mean?

- (1) **reunify** the child with the parent from whom the child was removed;
- (2) assess a **noncustodial parent's ability** to provide day-to-day care for the child and, where appropriate, provide services necessary to enable the noncustodial parent to safely provide the care;
- (3) conduct a **relative search** to identify and provide notice to adult relatives;
- (4) **place siblings** removed from their home **in the same home** for foster care or adoption, or transfer permanent legal and physical custody to a relative; and
- (5) when the child cannot return to the parent from whom the child was removed, to **plan for and finalize a safe and legally permanent alternative home for the child**, and consider permanent alternative homes for the child.

*Minn. Stat. § 260.012 (e)*

# Additional important components of the case plan reviewed by the court:

Parents' visitation with the child

- Important predictor (but not guarantee) of reunification

How placement meets the needs of the child

10 factors for matching child with best placement

# Elements of the PPRH

- Relatives get notice of hearing and have the opportunity to challenge agency's decision about placement and to get in the queue to be the legally permanent home for the child, if the child cannot return home.

# Potential Outcomes of PPRH

- Court finds the parents is visiting the child, complying with the court-ordered plan and would benefit from reunification:
  - Return the child home when the conditions have been corrected and it is safe; or
  - Continue up to 6 more months

# Potential Outcomes of PPRH

- If the parent is not complying with the case plan or visiting, the court may order to the agency to:
  - Develop a plan for the legally permanent placement of the child away from the parent
  - Work with one or more permanency resources from the child's relatives and foster parent
    - Do home study, if one has not already been completed
    - Make referrals under the ICPC for out-of-state relatives
    - File a petition

# What happens after the hearing?

- Return home with additional supportive services (THV is good option that supports successful reunification)
- Child can remain in foster care or with the “other” parent up to 6 more months for additional services for reunification – and concurrent permanency planning
- When court orders, agency planning moves more to “Plan B” including filing a petition within 30 days of PPRH and trial within 60 days

# Important supporting policies for meaningful PPRH and for achieving timely permanency:

- Concurrent permanency planning
- Relative search and engagement
- Visitation between parent and child
- Sibling policy
  - Placement for foster care/adoption
  - Visitation between siblings
- Emphasis on early service delivery
- Attorneys for parents/children over age 10
- GAL for all children

# Minnesota Outcomes

- Reduced the number of children in foster care by 36% over the CY 2002 to 2010
  - Reduced entries – Family Assessment Response by CP
  - Increased exits – increased emphasis on timely permanency decisions by court
- Number of CHIPS filings reduced by 17% over CY 2002 to 2011
- Reduced time in foster care
  - 2001 Report to the Minnesota Legislature on ***CPP***
    - 30 fewer days in foster care
    - Reduced number of moves
    - Increased likelihood that child would exit foster care for a permanent home
  - Reduced days in foster care for children adopted from 657 days in 2001 to 499 days in 2010



Questions?

