

Rule 33. Contents of Agency Report for Permanency Hearing

The report for the permanency hearing shall do the following:

- (a) Address those matters specified in Rule 29(b)(1)-(19);
- (b) Make a recommendation as to the permanency plan for the child;
- (c) When the report recommends that a child be returned home on a date certain, set forth:
 - (1) How the conditions or circumstances leading to the removal of the child have been corrected;
 - (2) The frequency of recent visitation and its impact on the child; and
 - (3) A plan for the child's safe return home and follow-up supervision after family reunification;
- (d) When an extension of foster care for a time certain is proposed with a goal of reunification, set forth:
 - (1) Facts and circumstances showing that the parents and child have a strong and positive relationship, that the parents have made substantial progress toward the child's return home, and that return home is likely within the next six months; and
 - (2) A plan to achieve reunification within six months;
- (e) When the report recommends termination of parental rights, set forth:
 - (1) Facts and circumstances supporting the grounds for termination; and
 - (2) A plan to place the child for adoption;
- (f) When an award of guardianship or legal custody to an individual or couple is recommended, set forth:
 - (1) Facts and circumstances establishing a compelling reason why termination of parental rights is unwarranted (demonstrating the fitness of the parents), or showing that although the child cannot be placed with the parents, termination is not in the best interest of the child; and
 - (2) Facts and circumstances demonstrating the appropriateness of the individual or couple to serve as permanent caretaker of the child; and
 - (3) A plan to ensure the stability of the placement;
- (g) When placement in an alternative planned permanent living arrangement is recommended, including placement with a kinship caregiver, another relative placement or other family setting, set forth:
 - (1) Facts and circumstances establishing a compelling reason why termination of parental rights is unwarranted (demonstrating the fitness of the parents), or showing that although the child cannot be placed with parents, termination is not in the best interest of the child;
 - (2) Facts and circumstances providing compelling reasons why an award of guardianship or legal custody is not practical or appropriate;
 - (3) Facts and circumstances demonstrating the appropriateness of the individual or couple and their commitment to eminently caring for the child; and
 - (4) A plan to ensure the stability of the placement;
- (h) When placement in an institutional setting, including a group home, is recommended because the child cannot function in the family setting, set forth:
 - (1) Facts and circumstances leading to that recommendation; and
 - (2) A plan to prepare the child to live in a family setting at the earliest possible time and for visitation with parents and siblings.

(i) When long term foster care in connection with independent living arrangements is recommended, set forth:

(1) Facts and circumstances establishing a compelling reason why termination of parental rights is unwarranted (demonstrating the fitness of the parents), or showing that although the child cannot be placed with parents, termination is not in the best interest of the child;

(2) Facts and circumstances explaining why continued custody or foster care is not appropriate at the same time that independent living services are being provided; and

(3) A plan to prepare the child for independent living and recommendations regarding visitation between the child and his or her parents and siblings.

(j) Address the reasonable efforts that have been made to reunify the family (unless there has been a determination that reunification efforts are not required) or to carry out the permanency plan established for the child and whether the agency has provided the services specified in the case plan that are necessary to permit the child's safe return home or to accomplish the permanency plan.