

SIX MONTH REVIEW CHECKLIST

The purpose of the *Six Month Review Hearing* is to assess progress of the parties and make any necessary adjustments to the dispositional order. In addition, the Court must determine if reasonable efforts are being made to reunify the family. *§14-3-440(f)* requires this determination be made at all hearings.

**1. Timely Hearing:**

\_\_\_ **Date** Child Removed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_ **Date** of *Six Month Review Hearing*: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(*Note*: The *Six Month Review Hearing* shall be held within 6 months from the date of the

child’s removal from home and every six months thereafter. *§14-3-431(c)*).

**2. Notice of Hearing:**

\_\_\_ Determine if the proper parties were notified of the time, place and purpose of the

*Six Month Review Hearing*:

\_\_\_ Child’s mother and attorney. *§14-3-413(a)(iii).*

\_\_\_ Child’s father, including putative father, and attorney. *§14-3-413(a)(iii).*

\_\_\_ Child’s guardians/custodian, if no parent, and attorney. *§14-3-413(a)(iii).*

\_\_\_ Child and GAL and/or attorney. ( *Note: §14-3-413(a)(iv)* requires orders

to appear to be issued to children 14 years or older*. See also §14-3-416).*

\_\_\_ Tribe (If ICWA applies). *25 U.S.C. § 1901 et. seq.*

\_\_\_ Foster parents, preadoptive parents, or relative caretakers.

(*Note*: ASFA requires notice and opportunity to be heard at all review hearings. 42 U.S.C. *§* 675 (5)(G)).

**3. Who Should Be Present:**

|  |  |
| --- | --- |
| \_\_ **Judge** | \_\_ **Child(ren)** |
| \_\_ **County/District Attorney** | \_\_ **Guardian ad Litem** *§14-3-416* |
| \_\_ **Mother** | \_\_ **Child’s Attorney**  *§14-3-211* |
| \_\_ **Father** Including putative.  *§ 14-3-409(a)* | \_\_ **CASA** |
| \_\_ **Guardians/Custodial Parents, if no parents**  *§14-3-409(a)* | \_\_ **Spouse of Child, if any** *§§ 14-3-412(b)(ii) and 14-3-413(a)(iii)* |
| \_\_**Parents’ Attorneys** | \_\_ **Court Reporter** |

Suggested Additional Persons: (Best practices)

|  |  |
| --- | --- |
| \_\_ DFS **Caseworker** | \_\_ **Service Providers** |
| \_\_ **Age Appropriate Children** | \_\_ **Adult/Juvenile Probation Officer** |
| \_\_ **Extended Family Members** | \_\_ **Other Witnesses** |
| \_\_ **Foster/Preadoptive parents** | \_\_ **Security Personnel** |
| \_\_ **Law Enforcement** | \_\_ **Friends of the Family** |

**4. Procedure:**

*§14-3-424(a)* requires “*Disposition Hearings”* to be of record and *§14-3-426(d)* states that

all material and relevant evidence helpful to determining questions may be received by the Court and relied upon for probative value. The rules of evidence *do not* apply. *§14-3-426(d*)).

\_\_\_ Explain the purpose of the Review Hearing.

\_\_\_ Advise the parent(s) of possibility of termination of parental rights if child

has been in foster care for 15 of 22 months. *§§ 14-2-309 (a)(v)* & *14-3-431(m).*

\_\_\_ Receive all material and relevant evidence helpful to determine parental

compliance with the case plan, child’s placement, reunification efforts, and

proposed permanency/concurrent plan. (See Section 5 for review hearing issues).

\_\_\_ Allow parties the opportunity to testify, present evidence, present arguments, and

cross-examine witnesses. (*Note*: *§14-3-426(d)* allows parties to examine and controvert

written reports received as evidence and cross-examine the persons making the reports).

\_\_\_ Receive evidence, recommendations and/or accept reports from:

\_\_\_ DFS (i.e. permanency plan, updated MDT/PDR reports, home-studies);

\_\_\_ County Attorney;

\_\_\_ GAL/CASA;

\_\_\_ Parent(s); and

\_\_\_ Service providers.

\_\_\_ Make findings of reasonable efforts. (*Note*: Ask DFS to submit an affidavit of

reasonable efforts outlining the efforts they have made to reunify the family since the last hearing.)

**5. Review Hearing Issues:**

\_\_\_ Review the proposed permanency/concurrent plan recommended by DFS and

determine if it is the best plan for the child.

\_\_\_ Determine if all parties are in agreement of proposed permanency plan.

\_\_\_ Determine if the child is safe, healthy and happy. *§14-3-431(c)(i).*

\_\_\_ Determine the child’s wishes (age appropriate) concerning permanency plan.

\_\_\_ Determine the continuing necessity and appropriateness for the placement and

whether it is still the least restrictive. *§14-3-431(c)(ii) and (iii).*

\_\_\_ Determine the appropriateness of the case plan including the permanent place-

ment of the child. *§14-3-431(c)(v).*

\_\_\_ Determine if progress has been made toward alleviating or mitigating the causes

necessitating placement outside home and extent of progress. *§14-3-431(c)(vi).*

\_\_\_ Determine the date the child is expected to be returned to the home or placed for

adoption or legal guardianship.  *§14-3-431(c)(vii).*

\_\_\_ Determine the reasonableness of efforts made to reunify the family and the con-

sistency of those efforts with the case plan.  *§14-3-431(c)(iv).*

\_\_\_ Review well-being issues. (*See Section 7).*

\_\_\_ Review paternity and child support.

**6. Prioritized Preferences/Options for Permanency**

ASFA prioritizes permanency options as the following:

\_\_\_ Reunification. **Date** the child is expected to be returned home: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_ Adoption/Termination of Parental Rights.

\_\_\_ Permanent guardianship.

\_\_\_ Another planned permanent living arrangement. (*Note*: Any other permanent

planned living arrangement which does not fit reunification, adoption/TPR, guard-

ianship, or placement with relative, shall still have aspects that are planned and

permanent for the child.)

**7. Child’s Well-being & Family Services:**

Services:

\_\_\_ Ask DFS to address if the services offered to family have alleviated the

need for the child’s continued removal from the home. (*Note*: *§14-3-440(e)* requires

that services be accessible, available and appropriate).

\_\_\_ If services have not been successful in alleviating the need for continued removal,

ask DFS what services are recommended at this time for the child and family.

Review services offered to the child and parent(s):

\_\_\_ Home visits/monitoring by DFS/CASA/others.

\_\_\_ Parenting classes. *§14-3-429(d).*

\_\_\_ Physical and/or mental examinations. *§14-3-419 and §14-3-429(d)(ii).*

\_\_\_ Counseling (i.e. substance abuse/mental health).

\_\_\_ Substance abuse/psychological evaluations.

\_\_\_ Urinalysis/breathalyzers.

\_\_\_ Child care.

*\_\_\_* Medical care including vaccinations, medications, eyes, dental. *§14-3-420*

\_\_\_ Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_ Review any evaluations of the parent/child if not already done so.

\_\_\_ Impose other elements, requirements, limitations, and restrictions on the family to

move case toward successful completion. *§14-3-429(d)(i).*

\_\_\_ Order restraining orders/no contact orders expelling an allegedly abusive parent

from the home, limiting associations, or limiting travel. *§14-3-430(a) and (b).*

Visitation:

\_\_\_ Review visitation plan and determine if any modifications need to be made.

\_\_\_ Order DFS to make any needed visitation changes. *§14-3-430(b)(iii).*

\_\_\_ Remind parent(s) that timely appearance and sobriety is expected and to contact

DFS if unable to make visit.

Educational issues:

The *Predisposition Report* that is ordered after a *Petition* is filed shall address: a) the child’s education needs, *§14-3-427(a)*; b) performance of the child in school, *§14-3-427(a)(ii);* andc) learning disabilities, *14-3-427(a)(ii)*. *Best Practices* recommend that a child’s education status be addressed at all hearings regarding a child’s placement. Statistics show a definite link between school mobility and school difficulties.

\_\_\_ Ask DFS to provide status report on the child’s education services and if

educational needs are being met. (See *Disposition Checklist* for complete list of

educational issues.)

**8. Reasonable Efforts Findings:**

Ask DFS to prepare an Affidavit outlining their reasonable efforts. This will assist the Court in making detailed and child specific findings.)

\_\_\_ If reunification is the permanency goal, make a finding as to whether DFS is

making reasonable efforts to reunify the family.

\_\_\_ If reunification is not the permanency goal, make a finding as to whether DFS is

making reasonable efforts to finalize a permanent home.

(*Note*: See *Disposition Checklist* for statutory requirements in waiving reasonable efforts.)

**9. Schedule Next Hearing:**

\_\_\_ *Permanency Hearing* **Date**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*(Note: §14-3-440(g)* requires that a *Permanency Hearing* be held within 30 days of the Court’s determination that reasonable efforts to preserve and reunify the family are not needed under *§14-2-309(a)(v)*, *(b)* or *(c)*, *otherwise a permanency hearing must be held within 12 months of child’s removal from the home*).

\_\_\_ TPR Hearing **Date** (If goal is to terminate parental rights): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_