

WHAT IS PERMANENCY?

Permanency most simply means that every child has a legally permanent, safe, and nurturing family through successful reunification, guardianship, or adoption. In addition, it describes emotional influences that help the child develop permanent relationships, cultural identity and sense of self.

WHAT IS A PERMANENCY PLAN?

A permanency plan is a document designed to ensure that a child placed in out-of-home care is safely reunified with his or her family, whenever appropriate, or that the child quickly attains a safe and permanent home. The caseworker gathers information from the parents/caregivers, children, family team members, and providers to make decisions about:

The family's progress toward achieving change and permanence.

The effectiveness of service delivery related to achieving goals.

WHAT ARE OPTIONS FOR PERMANENCY?

Each permanency plan includes at least one goal and may also include a concurrent goal for permanency for the child. The possible options for permanency include:

REUNIFICATION

A child returns to the care of either parent or a guardian from whom they were removed.

ADOPTION

The rights of the child's parent are terminated and new adults become the child's parent(s) and are legally and financially responsible for the child's care.

GUARDIANSHIP

An adult assumes the legal and financial responsibilities for the child while the child's parent retains limited parental rights.

**PLACEMENT WITH A FIT AND WILLING RELATIVE*

When the child resides with a relative that demonstrates capacity to meet the child's needs, and when reunification, adoption, and guardianship are not in the child's best interest.

**OTHER PLANNED PERMANENT LIVING ARRANGEMENT (OPPLA)*

Commonly referred to as OPPLA is an arrangement that is planned with the intent to establish a long-term relationship with a supportive adult. OPPLA can only be listed if the child is over 16 years old.

**Although Placement with a Fit and Willing Relative and Other Planned Permanent Living Arrangement (OPPLA) are options for permanency plans, these goals do not support legal permanency through the development of permanent relationships, cultural identity, and sense of self, so use of these goals is discouraged.*

WHEN IS A PERMANENCY PLAN REQUIRED?

A permanency plan must be developed for every child:

1. If they are living in any of the following settings.

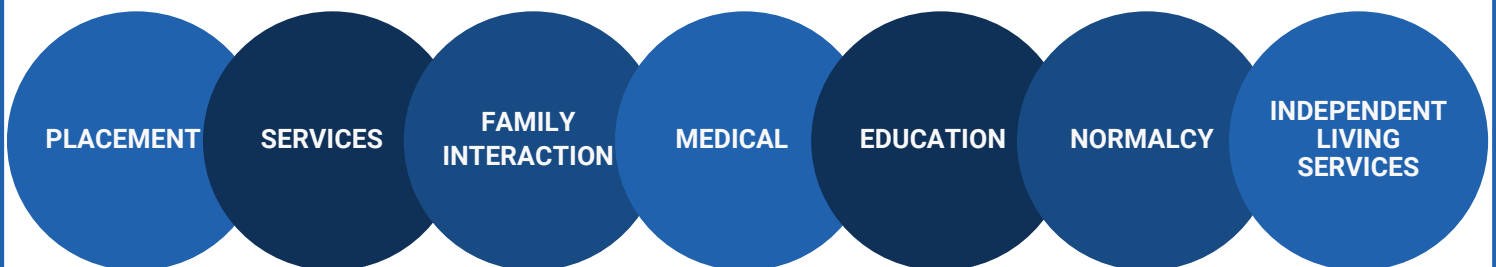


2. And any *one or more* the following apply and the child is:

Being held in physical custody: • Non-Secure Custody (<i>s. 48.207</i>) • Juvenile Detention (<i>s. 48.208</i>) • County Jail (<i>s. 48.209</i>)	In the legal custody of the agency	Under a consent decree <i>(s. 48.32(1)(b))</i>
	Under the supervision of the agency <i>(s. 48.64(2))</i>	Under a court order <i>(s. 48.355)</i>
Placed under a voluntary agreement between the agency and the child's parent <i>(s. 48.63(1)(a) OR s. 48.63(1)(bm) OR s. 48.63(5)(b))</i>		Placed under a voluntary transition-to-independent living agreement <i>(s. 48.366(3))</i>
Placed with their minor parent in any of the above placements	Under the guardianship of the agency	
In care that is to be paid for under aid to families with dependent children (<i>s. 49.19</i>) unless the child's care is paid for under Subsidized Guardianship (<i>s. 48.623</i>)		

WHAT IS INCLUDED IN A PERMANENCY PLAN?

Wisconsin laws under Chapter 48.38(2) Wis. Stats and Chapter 938.38(2) Wis. Stats provide a list of all content required to be included in the permanency plan. The content includes, but is not limited to*:



**Panel members should refer to s. 48.38(2) Wis. Stats. or s. 938.38(2) Wis. Stats. for all permanency plan content requirements*

WISCONSIN INDIAN CHILD WELFARE ACT CONSIDERATIONS

In cases where the child is an Indian child, the Permanency Plan must contain all of the following:

- The name, address, and telephone number of the Indian child's custodian and tribe.
- Evidence of the Active Efforts taken by the agency under ***s. 48.028(4)(d)2. Wis. Stats.***
- A statement as to whether the Indian child's placement is in compliance with the order of placement preferences under ***s. 48.028(7) Wis. Stats.*** If it is not in compliance, a statement as to whether there is good cause must be included.

WHEN ARE PERMANENCY PLANS REVIEWED?

Under Wisconsin law, the court is responsible for reviewing Permanency Plans **every six (6) months** after the removal of the child from his or her home. However, reviews do not always have to occur in court. Reviews can occur:

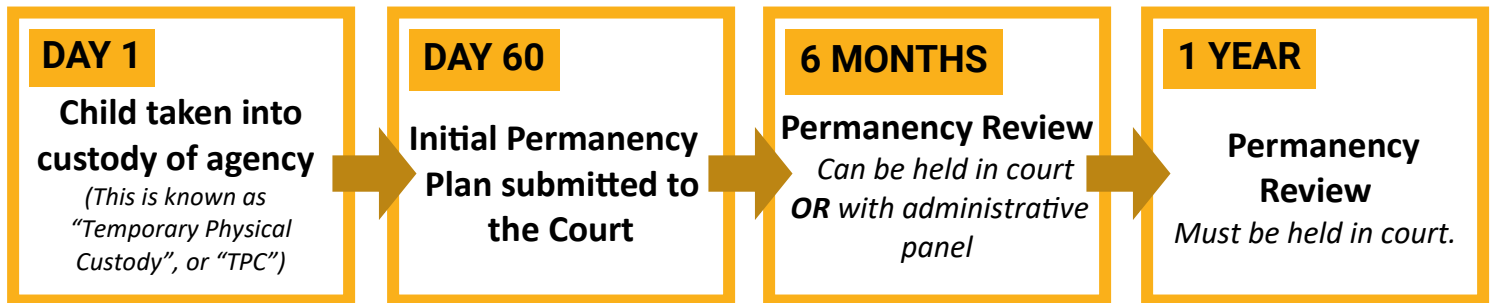
In court with a
PERMANENCY REVIEW HEARING

OR

At the child welfare agency with an
ADMINISTRATIVE REVIEW PANEL

At least one time **every twelve (12) months** after the removal of the child from his or her home, the Permanency Plan must be reviewed **in court** through a Permanency Review Hearing.

If the court determines it will only review the Permanency Plan one time during each twelve (12) month period, the court can appoint a panel to review the plan at the opposite six (6) month time points. *You are a member of a Permanency Plan Administrative Review Panel and have been appointed by the court to review the permanency plan on behalf of the court.*



WHO CAN BE A MEMBER OF THE ADMINISTRATIVE REVIEW PANEL?

The Permanency Plan Administrative Review Panel must consist of **three (3) people** designated by either the agency that created the permanency plan, or by an independent agency approved by the court. A majority of the panel members cannot be employees of either the agency that created the permanency plan or an agency that is providing services to the child or parents.

At least two (2) of the required three (3) panel members cannot be employees of the agency that created the permanency plan or any agency that is providing services.



WHAT ARE RESPONSIBILITIES OF PANEL MEMBERS?

Each panel member is responsible for the following:



Ensure Confidentiality

Members must keep all information they receive confidential and return written materials to the agency.



Review Materials

Agency is required to make the related materials available for panel review at least 5 days prior to the meeting.



Ask Questions

Members should request and review any additional information from the child's record, when applicable.



Make Determinations

Panel must make specific determinations regarding the child's permanency plan, as outlined on the next page.



Respectful Review

Members should be able to share thoughts, ideas, and concerns in a respectful way.



Additional Needs

Members should inform the agency of any additional needs they may have, including training needs.

DETERMINATIONS REQUIRED TO BE MADE BY PANEL

The Permanency Plan Administrative Review Panel must make the following determinations:

- Is the continuation of the placement necessary? If yes, is the placement safe and appropriate?
- Is the child's permanency goal Other Planned Permanent Living Arrangement (OPPLA)? If so—is this the best permanency goal for the child?
- Have all of the following individuals and agencies been compliant with the Permanency Plan?
 - The agency Other involved service providers The child's parent
 - The child The child's guardian (*if applicable*)
- Has the agency utilized appropriate services, including services provided by outside agencies, to meet the needs of the child and/or their parent(s)?
- Has progress been made to eliminate the causes for the child's placement into out-of-home care and toward safely returning the child home or to identify an alternative permanent placement?
- By which date is it likely that the child will be returned to their home or placed in an alternative permanent placement?
- Is the identified permanency goal appropriate given the details of this case? If no, what is a more appropriate permanency goal?
- Is a concurrent permanency goal identified for this case? If no, should a concurrent goal be added to the permanency plan?
- If applicable*, is the identified concurrent permanency goal appropriate given the details of this case? If no, what is a more appropriate goal?
 - If the child has been placed into out-of-home care for 15 or more of the most recent 22 months*, what circumstances are preventing the child from reaching permanency through reunification, adoption, guardianship, placement with a fit and willing relative, or an other planned permanent living situation (OPPLA)?
- Has the agency made reasonable efforts to achieve the goal(s) of the permanency plan?
 - If the permanency goal identified is OPPLA*, has the agency taken steps to ensure the child has regular, ongoing opportunities to engage in age or developmentally appropriate activities, and has the agency determined that the child's caregiver is appropriately utilizing the Reasonable and Prudent Parent Standard to allow the child's participation in these activities?
 - If the child has one or more siblings who were also removed from the home*, has the agency made reasonable efforts to place the sibling group together, unless it is determined that it is not in the best interest of the child for placement with their sibling?
 - If siblings are not placed together*, has the agency made reasonable efforts to ensure that the sibling group has ample opportunity for interaction?
 - If the child is an Indian child placed outside of their parental home*, has the agency made active efforts to prevent the breakup of the Indian child's family?
 - If the child is an Indian child placed outside of their parental home*, and active efforts to prevent the breakup of the Indian child's family were unsuccessful, is the child's placement in compliance with the placement preferences of the associated tribe, and if not, is there good cause for the agency to depart from those placement preferences?
 - If the child is under a Voluntary Transition to Independent Living Agreement*, are the child, their caregiver, and the agency compliant with that agreement and have efforts been made to ensure the child's successful transition to adulthood?