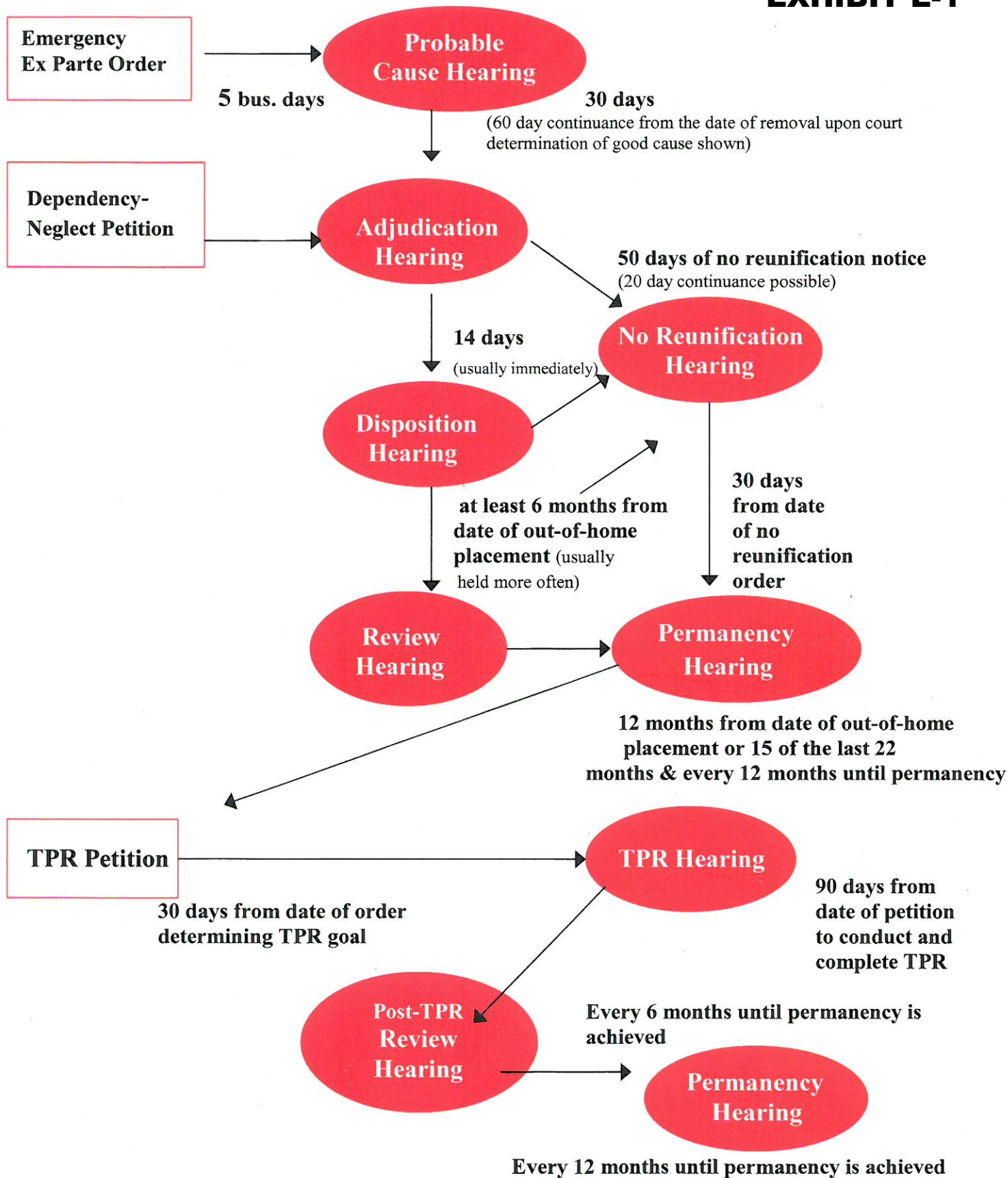
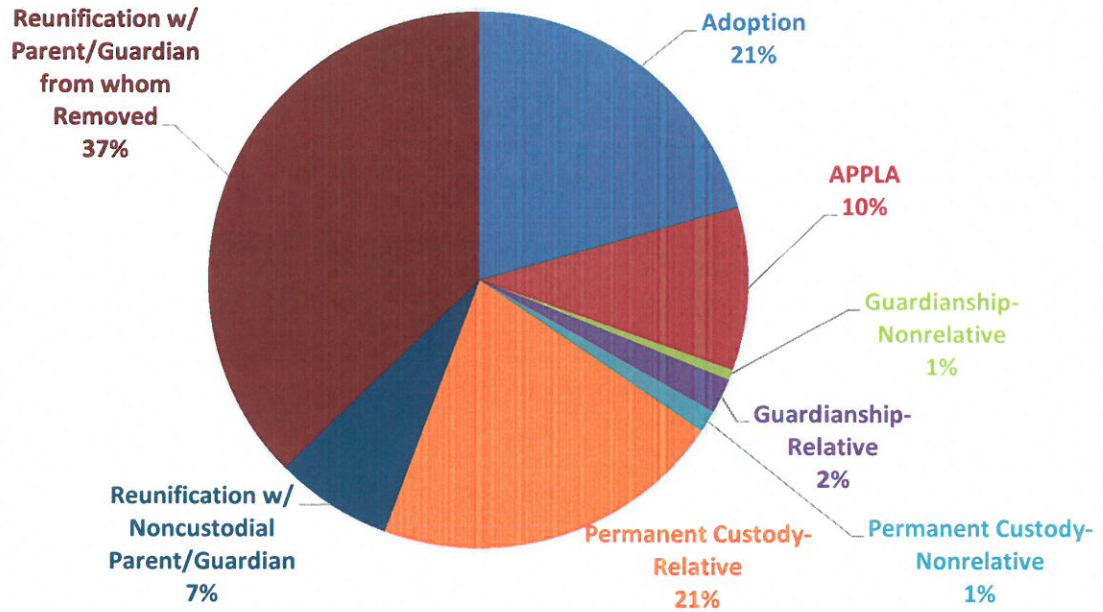


Dependency-Neglect Proceedings

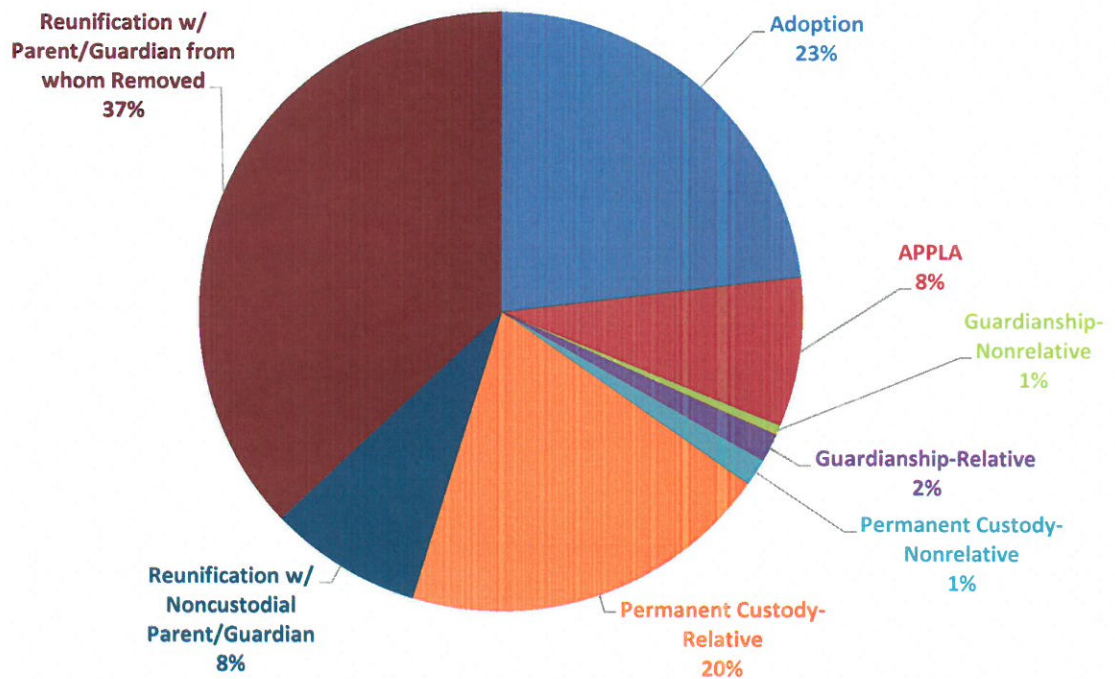
EXHIBIT E-1



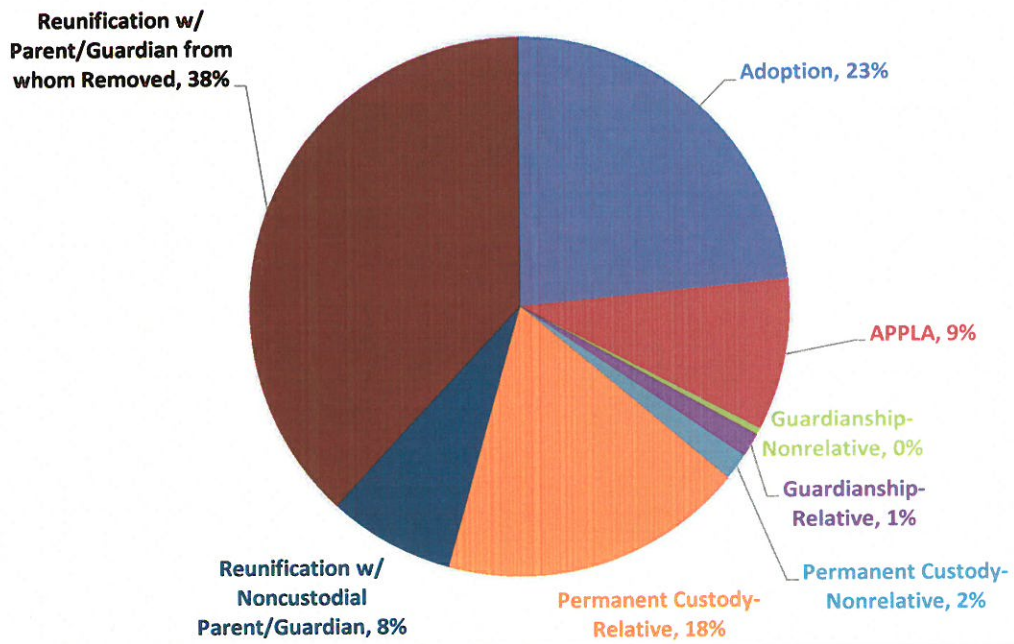
PERMANENCY OUTCOMES 2012-2013



PERMANENCY OUTCOMES 2013-2014



PERMANENCY OUTCOMES 2014-2015



§ 9-27-325. Hearings--Generally

(l)(1) The Department of Human Services shall provide to foster parents and preadoptive parents of a child in department custody notice of any proceeding to be held with respect to the child.

(2) Relative caregivers shall be provided notice by the original petitioner in the juvenile matter.

(3)(A) The court shall allow foster parents, preadoptive parents, and relative caregivers an opportunity to be heard in any proceeding held with respect to a child in their care.

(B) Foster parents, adoptive parents, and relative caregivers shall not be made parties to the proceeding solely on the basis that the persons are entitled to notice and the opportunity to be heard.

(C) Foster parents, preadoptive parents, and relative caregivers shall have the right to be heard in any proceeding.

(m)(1)(A) A grandparent shall be entitled to notice and shall be granted an opportunity to be heard in any dependency-neglect proceeding involving a grandchild who is twelve (12) months of age or younger when:

(i) The grandchild resides with this grandparent for at least six (6) continuous months prior to his or her first birthday;

(ii) The grandparent was the primary caregiver for and financial supporter of the grandchild during the time the grandchild resided with the grandparent;

(iii) The continuous custody occurred within one (1) year of the date the child custody proceeding was initiated; and

(iv) Notice to a grandparent under subdivision (m)(1)(A) of this section shall be given by the department; and

(B) A grandparent shall be entitled to notice and shall be granted an opportunity to be heard in any dependency-neglect proceeding involving a grandchild who is twelve (12) months of age or older when:

(i) The grandchild resides with this grandparent for at least one (1) continuous year regardless of age;

(ii) The grandparent was the primary caregiver for and financial supporter of the grandchild during the time the grandchild resided with the grandparent; and

(iii) The continuous custody occurred within one (1) year of the date the child custody proceeding was initiated.

(2) For purposes of this subsection, "grandparent" does not mean a parent of a putative father of a child.

§ 9-27-334. Disposition--Dependent-neglected--Generally

(a) If a juvenile is found to be dependent-neglected, the circuit court may enter an order making any of the following dispositions:

(2)(A) If it is in the best interest of the juvenile, transfer custody of the juvenile to the Department of Human Services, to another licensed agency responsible for the care of juveniles, or to a relative or other individual.

(B) If the court grants custody of the juvenile to the department, the juvenile shall be placed in a licensed or approved foster home, shelter, or facility or an exempt child welfare agency as defined at § 9-28-402(12).

§ 9-27-335. Disposition--Dependent-neglected--Limitations

(b)(1) For purposes of this section, the court shall not specify a particular provider for placement or family services if the department is the payor or provider.

(2)(A) The court may order a child to be placed or to remain in a placement if the court finds the placement is in the best interest of the child after hearing evidence from all parties.

(B) A court may also order a child into a licensed or approved placement after a hearing where the court makes a finding that it is in the best interest of the child based on bona fide consideration of evidence and recommendations from all the parties.

(C) The court shall not order a child to be placed or remain in a placement in a foster home that has been closed or suspended by a child placement agency.

(D)(i) If the health or welfare of a child is in immediate danger while in a court-ordered placement, the department may immediately remove the child from the court-ordered placement.

(ii) The department shall notify all parties within twenty-four (24) hours of the change in placement under subdivision (b)(2)(D)(i) of this section.

(iii) A party may request a hearing on the change in placement made under subdivision (b)(2)(D)(ii) of this section, and the hearing shall be held within five (5) business days of receiving the request.

§ 9-28-105. Preference to relative caregivers for a child in foster care

In all custodial placements by the Department of Human Services in foster care or adoption, preferential consideration shall be given to an adult relative over a nonrelated caregiver, if:

- (1) The relative caregiver meets all relevant child protection standards; and
- (2) It is in the best interest of the child to be placed with the relative caregiver.

§ 9-28-107. Notice when juvenile transferred to custody of department

(a) The Department of Human Services shall exercise due diligence to identify and provide notice to all adult grandparents, all parents of a sibling of the juvenile where the parent has legal custody of the sibling, and other adult relatives of a juvenile transferred to the custody of the department.

(b) The notice provided under this subsection shall:

(1) Be provided within thirty (30) days after the juvenile is transferred to the custody of the department; and

(2) Include adult grandparents or adult relatives suggested by the parent or parents of the juvenile.

(c) The department is not required to provide notice under subsection (b) of this section to an adult grandparent or other adult relative if the adult grandparent or other adult relative has:

(1) A pending charge or past conviction or plea of guilty or nolo contendere for family or domestic violence; or

(2) A true finding of child maltreatment in the Child Maltreatment Central Registry.

(d) The notice required under subsection (b) of this section shall state:

(1) That the juvenile has been or is being removed from the parent;

(2) The option to participate in the:

(A) Care of the child;

(B) Placement with the child; and

(C) Visitation with the child.

(3) That failure to respond to the notice may result in loss of options listed under subdivision (d)(2) of this section;

(4) The requirements to become a provisional foster home and the additional services and supports that are available for children in a foster home; and

(5) That if kinship guardianship is available, how the relative could enter into a kinship guardianship agreement with the department.

(e) The department may provide notice of a juvenile transferred to the custody of the department to persons who have a strong, positive emotional tie to the juvenile and have a positive role in the juvenile's life but are not related by blood, adoption, or marriage.

(f)(1) As used in this section, a "sibling" includes an individual who would have been considered a sibling of the child but for a termination or other disruption of parental rights.

(2) This section shall not be construed as subordinating the rights of foster or adoptive parents of a child to the rights of the parents of a sibling of that child.

§ 9-28-108. Placement of juveniles

(a) As used in this section:

(1) "Fictive kin" means a person not related to a child by blood or marriage, but who has a strong positive emotional tie to the child and has a positive role in the child's life, such as a godparent, neighbor, or family friend; and

(2) "Relative" means a person within the fifth degree of kinship by virtue of blood or adoption.

(b)(1)(A) After the Department of Human Services removes a juvenile or the circuit court grants custody of the juvenile to the department, the juvenile shall be placed in a licensed or approved foster home, shelter, or facility or an exempt child welfare agency, as defined under [§ 9-28-402](#).

(B) For a juvenile placed out of state, the placement shall be approved under the Interstate Compact on the Placement of Children, [§ 9-29-201 et seq.](#)

(2) When it is in the best interest of each of the juveniles, the department shall attempt to place:

(A) A sibling group together while they are in foster care and adoptive placement; and

(B) An infant of a minor mother together with the minor mother in foster care.

(c)(1) A relative of a juvenile placed in the custody of the department shall be given preferential consideration for placement if:

(A) The relative meets all required child protection standards; and

(B) It is in the best interest of the juvenile to be placed with the relative.

(2) Placement or custody of a juvenile in the home of a relative or other person shall not relieve the department of its responsibility to actively implement the goal of the case.

(3) If a relative or other person inquires about the placement of a juvenile in his or her home, the department shall discuss the following two (2) options with the relative or other person considering the placement of the juvenile:

(A) Becoming a department foster home; or

(B) Obtaining legal custody of the juvenile.

(4)(A) The juvenile shall remain in a licensed or approved foster home, shelter, or facility or an exempt child welfare agency as defined under [§ 9-28-402](#) until:

- (i) The home is opened as a regular foster home;
 - (ii) The home is opened as a provisional foster home, if the person is a relative or fictive kin to one (1) of the children in the sibling group, including step-siblings; or
 - (iii) The court grants custody of the juvenile to the relative or fictive kin after a written approved home study is presented to the court.
- (B) For placement with a relative or fictive kin:
- (i) The juvenile and his or her siblings or step-siblings may be placed in the home of a relative or fictive kin of the juvenile on a provisional basis no more than six (6) months pending the home of the relative or fictive kin being opened as a regular foster home;
 - (ii) If the relative or fictive kin chooses to have his or her home opened as a provisional foster home, the relative or fictive kin shall not be paid a board payment until:
 - (a) The relative or fictive kin meets all of the foster home requirements; and
 - (b) The home of the relative or fictive kin is opened as a regular foster home;
 - (iii) The relative or fictive kin may apply for and receive benefits that the relative or fictive kin may be entitled to based on the placement of the juvenile in the home, such as benefits under the Transitional Employment Assistance Program, [§ 20-76-401](#), and Supplemental Nutrition Assistance Program (SNAP), until the home of the relative or fictive kin is opened as a regular foster home; and
 - (iv) If the home of the relative or fictive kin is not fully licensed as a foster home after six (6) months of the placement of the juvenile and any siblings or step-siblings in the home:
 - (a) The department shall remove the juvenile and any siblings or step-siblings from the relative or fictive kin's home and close the provisional foster home of the relative or fictive kin; or
 - (b) The court shall remove custody of the juvenile and any siblings or step-siblings from the department and grant custody to the relative or fictive kin subject to the limitations outlined in subdivision (c)(5) of this section.
- (5) If the court grants custody of the juvenile and any siblings or step-siblings to the relative or other person:
- (A)(i) The juvenile and any siblings or step-siblings shall not be placed back in the custody of the department while remaining in the home of the relative or other person.
 - (ii) The juvenile and any siblings or step-siblings shall not be removed from the custody of the relative or other person, placed in the custody of the department, and then remain or be returned to the home of the relative or other person while remaining in the custody of the department;
- (B) The relative or other person shall not receive any financial assistance, including board payments, from the department, but may receive other financial assistance that the relative or other person has applied for and qualifies for under other program guidelines, such as the Transitional Employment Assistance Program, [§ 20-76-401](#), food stamps, Medicaid, and the federal adoption subsidy; and

(C) The department shall not be ordered to pay the equivalent of board payments or adoption subsidies to a relative or other person as reasonable efforts to prevent removal of custody from the relative.

(d)(1) A juvenile who is in the custody of the department shall be allowed to have a trial placement with the juvenile's parents or the person from whom custody was removed for a time period not to exceed sixty (60) days.

(2) After sixty (60) days, the court shall either:

(A) Place custody of the juvenile with the parents or the person from whom custody was removed; or

(B) Remove the juvenile from the parent or person from whom custody was removed and return the juvenile to the department for placement in a licensed or approved foster home, shelter, or facility or an exempt child welfare agency as defined in [§ 9-28-402\(12\)](#).

(e) When a juvenile leaves the custody of the department and the court grants custody to the parent or another person, the department shall not be the legal custodian of the juvenile, even if the juvenile division of circuit court retains jurisdiction.