

# OCC POST-TERMINATION OF PARENTAL RIGHTS HEARING CHECKLIST

## A.C.A. 9-27-360

### Purpose:

- Court shall determine if case plan, services and placement meet the special needs and best interest of the child.
- Court shall determine if DHHS has made reasonable efforts to finalize an appropriate permanent placement for the juvenile
- Court shall determine if the case plan is moving toward an appropriate permanency plan for the juvenile. 9-27-360(b)

### Time constraints:

Shall be held at least 3 months following an order for termination of parental rights when the goal is adoption and in all other cases 6 months until permanency is achieved. 9-27-360(a)

### Hearing Issues:

- Whether DHHS has made reasonable efforts to achieve the permanency goal for the juvenile
- Whether the case plan, services and current placement meet the special needs and best interest of the juvenile, with the juvenile's health, safety and education specifically addressed.
- Whether the case plan is moving towards permanency.
- Whether juvenile is connecting with a healthy, nurturing adult.
- Whether progress is being made on concurrent plan.

### Pre-Trial Activities:

- Attend Staffing
- Ensure AAL and CASA, if appointed, have notice of hearing
- Communicate with caseworker about case and obtain witness list and exhibits
- Provide notice of hearing to adoption specialist if the goal of the case is adoption
- Provide notice of hearing to the Independent Living Coordinator if the goal of the case is APPLA
- Identify and contact witnesses to discuss testimony. Issue subpoenas for witnesses. Obtain witness fee check.
- Mark and copy each exhibit
- Share exhibits with counsel
- Determine if counsel objects to entry of an exhibit so that the witness can be present to introduce the exhibit
- Determine if juvenile has been excused from attendance at hearing
- Ensure that the caseworker has provided notice of hearing to the foster parent or custodian
- File court report, including the adoption specialist's report if the goal is adoption, and certificate of service and distribute court report at least 7 business days prior to the hearing

### Post Trial Activities:

- A written order shall be filed by the court or by a party or party's attorney as designated by the court within 30 days of the date of the hearing, or prior to the next hearing, which ever is sooner.
- Distribute a copy of the order to all parties, CASA and CFS within 30 days.
- Inform caseworker and adoption specialist, if the goal is adoption, of date and time of next hearing (Pulaski staff add to docket calendar)
- Key data in legal screens on CHRIS.