

IN THE DISTRICT COURT OF _____ COUNTY, KANSAS

IN THE INTEREST OF

Name _____ Case No. _____
Year of Birth _____ A male female

*** QUALIFIED RESIDENTIAL TREATMENT PROGRAM PLACEMENT
PERMANENCY HEARING JOURNAL ENTRY AND ORDER FOR ANOTHER
PLANNED PERMANENT LIVING ARRANGEMENT**
(ONLY USE FOR CHILDREN 16 YEARS OF AGE OR OLDER)

Pursuant to K.S.A. 38-2264 and 42 U.S.C. 671 *et seq.*

(Orders pertaining to more than one child must include findings specific to each child listed in the caption.)

NOW on this _____ day of _____, 20_____, the above-captioned matters come on for a permanency hearing to establish a permanency plan and/or for review of the plan for permanency or progress being made towards the goals of the plan and the viability of those goals.

THE COURT FINDS jurisdiction and venue are proper. Notice to parties, interested parties and those required to receive notice has been given as required by law.

The child is 14 years of age or older and has been given notice of the time and place of the permanency hearing.

The Court finds that the Indian Child Welfare Act (ICWA) is not applicable. (If there is reason to know the child is an Indian child, use the appropriate ICWA form.)

The petitioner appears by _____ County/District Attorney or designee other _____.

The child appears in person and not in person, but by the child guardian *ad litem*,

Interested parties appearing are: _____

The Secretary appears through: _____

Also present: _____

The Court finds termination/relinquishment of all parental rights occurred on:

THE COURT FINDS:

1. a. Appropriate public or private agencies have made reasonable efforts to accomplish the current permanency goal(s) set out in the permanency plan.
OR
 b. Appropriate public or private agencies have not made reasonable efforts to accomplish the current permanency goal(s) set out in the permanency plan.
2. The progress toward achieving the permanency plan goal(s) of _____
_____ is is not adequate.
3. The child's needs are are not being adequately met. (*If the child's needs are not being met, explain.*) _____

4. The reasonable and prudent parenting standard has been has not been met. _____

5. The child has had has not had regular, on-going opportunities to engage in age or developmentally appropriate activities. _____

6. The Court has considered in-state and out-of-state permanent placement options. The child is is not in out-of-state placement, and such placement continues does not continue to be appropriate and in the best interest of the child.
7. a. The child is currently placed in a qualified residential treatment program. The ongoing assessment of the strengths and needs of the child **continues to support** that the needs of the child cannot be met through placement in a foster family home; placement in a qualified residential treatment program provides the most effective and appropriate level of care for the child in the least restrictive environment; and the placement is consistent with the short-term and long-term goals for the child, as specified in the permanency plan for the child.

- i. Treatment or service needs are being or will be met in the qualified residential treatment program. The child is expected to need the treatment or services for _____ more months.
- ii. The Secretary has made the following efforts to prepare the child to be placed in a family home setting (*return home or be placed with a fit and willing relative, a legal guardian, or an adoptive parent, or in a foster home*):

OR

- b. The child is currently placed in a qualified residential treatment program. The ongoing assessment of the strengths and needs of the child **does not support** continued placement in a qualified residential treatment program.
8. The Court finds that at this time the child cannot return home, be placed with a fit and willing relative, a legal guardian or an adoptive parent because permanency efforts have been unsuccessful. (*Identify unsuccessful efforts*) _____

 9. The Court finds the permanency plan to be another planned permanent living arrangement. It continues to not be in the best interest of the child to return home or be placed with a fit and willing relative, a legal guardian or an adoptive parent due to the following compelling reasons: (*List finding of facts*) _____

 10. The Court finds that the Secretary has made the following efforts to help the child prepare for the transition from custody to a successful adulthood. _____

 11. The child was provided the opportunity to provide input on the preferred permanency outcome.
 12. The Court **approves and adopts the proposed permanency plan as the plan for permanency in the present matter or** **does not approve the proposed permanency plan and orders a new permanency plan submitted to the Court within 30 days.**
 13. The above name child shall remain in custody of the Secretary.

14. The previous orders of this Court shall continue in full force and effect except as hereby modified are hereby rescinded and the following orders are hereby issued pursuant to K.S.A. 38-2255.

THE COURT FURTHER FINDS:

THE COURT FURTHER ORDERS:

THE COURT FURTHER ORDERS all providers of services including educational services, treatment, education or care of the child and family, even if not specifically referred to herein, to provide information including any and all educational records to the secretary, any entity providing services to the child and family, counsel for the parties including the county or district attorney, appointed CASA, Citizen Review Board members, the court, and each other to the extent needed to ensure the safety of the child, prevent further abuse or neglect, and to provide appropriate treatment, care and services to the child and family. This order encompasses and complies with the provisions of the Family Education Rights and Privacy Act (20 U.S.C. 1232g; 34 C.F.R. 99 and the Privacy Rule of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 45 C.F.R. 164.512(e)(1).

The Secretary Court Services _____ shall complete reports and submit them to the Court by _____.

THE COURT FURTHER ORDERS this matter set for _____ hearing before the Court the CRB on the _____ day of _____, 20_____, at _____:____ a.m. p.m.

IT IS SO ORDERED THIS _____ day of _____, 20_____.