

IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, KANSAS

IN THE MATTER OF

Name \_\_\_\_\_ Case No. \_\_\_\_\_

Year of Birth \_\_\_\_\_ A  male  female

**\*PERMANENCY HEARING JOURNAL ENTRY AND ORDER**

Pursuant to K.S.A. 38-2365 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.)*

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, this matter comes before the Court,  to establish a permanency plan and/or  for review of the plan for permanency, progress being made towards the goals of the plan and the viability of those goals.

THE COURT, having reviewed the file, received the evidence, and heard statements of counsel, FINDS jurisdiction and venue are proper. Notice to parties and those required to receive notice has been given as required by K.S.A. 38-2365(f).

- The State appears by \_\_\_\_\_ County/District Attorney or designee.
- The juvenile appears  in person and  not in person, but by the juvenile’s attorney, \_\_\_\_\_.
- The mother  is present  is not present.
- The father  is present  is not present.
- CSO is present through \_\_\_\_\_
- The Commissioner is present through \_\_\_\_\_
- Also present \_\_\_\_\_

THE COURT FURTHER FINDS AND ORDERS:

*(If this is the first order removing a child from parental custody, complete and attach Form 309).*

1.  a. Appropriate public or private agencies have made reasonable efforts to assist and support the family 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 assist and support the family to accomplish the current permanency goal(s) set out in the permanency plan.
- 2.  b. The progress of the parents and/or juvenile to achieve the permanency plan goal(s) of \_\_\_\_\_  
 **is**  **is not** adequate.
- 3. The juvenile’s needs  **are**  **are not** being adequately met.
- 4. The Court has considered in-state and out-of-state permanent placement options. The juvenile  **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 juvenile.
- 5.  a. Reintegration **continues to be** a viable permanency goal for the juvenile.  
*(Check appropriate status from list below:)*
  - approves and adopts the permanency plan submitted by \_\_\_\_\_.
  - Out of home placement is recommended and the Commissioner shall not return the juvenile to the home from which he or she was removed without first notifying the Court of the plan.
  - The juvenile may return home  **immediately**  **with a target date of** \_\_\_\_\_ **day of** \_\_\_\_\_, \_\_\_\_\_,  **if the following conditions are met:** \_\_\_\_\_
  - Services set out in the permanency plan necessary for a safe return of the juvenile have not been provided.
  - Within 30 days, a new plan for reintegration should be prepared and submitted to the Court with measurable goals, objectives and time frame.

That 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 issued:**

a. Sentencing alternative pursuant to K.S.A. 38-2361

b. See Sentencing Order from this hearing.

**OR**

b. Reintegration **is no longer** a viable permanency goal for the juvenile.  
*(Check appropriate status from list below:)*

The juvenile is in a stable placement with a relative.

Either adoption or permanent custodianship might be in the best interests of the juvenile and the County/District Attorney or designee shall file a Child in Need of Care pleading to terminate parental rights or establish a permanent custodianship within 30 days.

Adoption and permanent custodianship have been considered and the state has documented a compelling reason in support of another planned permanent living arrangement.

THE COURT FURTHER FINDS:

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THE COURT FURTHER ORDERS:

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THE COURT FURTHER ORDERS all providers of services including educational services, treatment, education or care of the juvenile and family, even if not specifically referred to herein, to provide information including any and all educational records to the Commissioner,

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 juvenile, prevent further abuse or neglect, and to provide appropriate treatment, care and services to the juvenile 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 COURT FURTHER ORDERS this matter set for \_\_\_\_\_ hearing before  **the Court**  **the CRB** on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_  
 **a.m**  **p.m.**

IT IS SO ORDERED THIS \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Judge of the District Court

Authority

K.S.A. 38-2365

Notes on Use

A permanency hearing for juveniles placed out of the home shall be held within 12 months from the date of the first removal, and at least every 12 months thereafter. So long as the juvenile remains placed out of the home ASFA and Supreme Court Rule 174 apply and this form, or an alternative permanency hearing form approved by the Supreme Court, must be completed and filed.