CHILD'S NAME:	CASE NUMBER:

TWELVE-MONTH PERMANENCY ATTACHMENT: REUNIFICATION SERVICES TERMINATED

(Welf. & Inst. Code, § 366.21(f))

1. By a preponderance of the evidence, the return of the child to their parent or legal guardian would create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child. The factual basis for this conclusion is stated on the record.

2. **Reunification services are terminated.**

3. ☐ The child is an Indian child or there is reason to know that the child is an Indian child, and as set out in detail in the record,
   a. affirmative, active, thorough, and timely efforts ☐ have ☐ have not been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family;
   b. these efforts ☐ did ☐ did not include assisting the parent(s) or Indian custodian through the steps of the case plan and with accessing or developing the resources necessary to satisfy the case plan;
   c. to the maximum extent possible, the efforts ☐ were ☐ were not provided in a manner consistent with the prevailing social and cultural conditions and way of life of the child's tribe;
   d. these efforts and the case plan ☐ have ☐ have not been conducted and developed to the maximum extent possible in partnership with the Indian child, the parents, extended family members, Indian custodians, and the tribe, and utilized the available resources of the Indian child's extended family, tribe, tribal and other Indian social service agencies, and individual Indian caregivers; and
   e. the active efforts have proved ☐ successful ☐ unsuccessful.

4. ☐ The child is an Indian child or there is reason to know that the child is an Indian child, and
   a. ☐ qualified expert witness testimony was provided by *(name):* ; and
   b. ☐ evidence regarding the prevailing social and cultural practices of the child's tribe was provided; and
   c. ☐ there is clear and convincing evidence that continued physical custody by the following person is likely to cause serious emotional or physical damage to the child:
      ☐ Mother ☐ Biological father ☐ Legal guardian
      ☐ Presumed father ☐ Indian custodian
      ☐ Other *(specify):*
      ☐ Other *(specify):*

Placement

5. **The child's out-of-home placement is necessary.**

6. ☐ **The child's current placement is appropriate.**

7. ☐ For a child placed in a short-term residential therapeutic program or community treatment facility, the court has considered the evidence and documentation submitted under Welf. & Inst. Code, § 366.1(m) when determining the continuing necessity for and appropriateness of the placement.

8. ☐ The child has left their placement, and their whereabouts are unknown. Out-of-home placement continues to be necessary. The placement ☐ was ☐ was not appropriate. The county agency ☐ has ☐ has not made reasonable efforts to locate the child.

9. ☐ The child is currently detained in juvenile hall. Out-of-home placement continues to be necessary. The placement ☐ was ☐ was not appropriate.

10. ☐ **The child's current placement is not appropriate.** The county agency must locate an appropriate placement for the child.
    a. ☐ The matter is continued to the date and time indicated in form JV-435, item 28, for a ☐ written ☐ oral report by the county agency on the progress made in locating an appropriate placement.
    b. ☐ Other *(specify):*

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11. ☐ There has been a change in the child's placement, and the child is an Indian child or there is reason to know that the child is an Indian child. Currently, *(check one)*

a. ☐ the child is placed with a member of the child's extended family as defined by 25 U.S.C. § 1903; or

b. ☐ a diligent search was made for a placement with a member of the child's extended family, the efforts are documented in detail in the record, and the child is placed in a foster home licensed, approved, or specified by the Indian child's tribe; or

c. ☐ a diligent search was made for a placement with a member of the child's extended family or in a foster home licensed, approved, or specified by the Indian child's tribe; the efforts are documented in detail in the record; and the child is placed in an Indian foster home licensed or approved by an authorized non-Indian licensing authority; or

d. ☐ a diligent search was made for a placement with a member of the child's extended family, in a foster home licensed, approved, or specified by the Indian child's tribe, or in an Indian foster home licensed or approved by an authorized non-Indian licensing authority; the efforts are documented in detail in the record; and the child is placed in an institution for children approved by an Indian tribe or operated by an Indian organization that has a program suitable to meet the Indian child's needs; or

e. ☐ the child is placed in accordance with the preferences established by the tribe; or

f. ☐ the court finds by clear and convincing evidence that there is good cause to depart from the placement preferences based on the reasons set out in the record.

12. ☐ **The child is placed outside the state of California, and that out-of-state placement**

a. ☐ continues to be the most appropriate placement for the child and is in the best interest of the child.

b. ☐ is no longer the most appropriate placement for the child and is not in the best interest of the child. The matter is continued to the date and time indicated in form JV-435, item 28, for a ☐ written ☐ oral report by the county agency on the progress made toward

(1) ☐ returning the child to California and locating an appropriate placement within California.

(2) ☐ locating an out-of-state placement that is the most appropriate placement for the child and in the best interest of the child.

(3) ☐ Other *(specify):*

Family finding and engagement

13. a. ☐ The county agency has exercised due diligence to identify, locate, and contact the child's kin who could provide family support or possible placement, and the names of the kin and results of the diligent efforts are documented.

b. ☐ The county agency has not exercised due diligence to identify, locate, and contact the child's kin.

(1) The county agency is ordered to make such diligent efforts, except for individuals the agency has determined to be inappropriate to contact because of their involvement with the family or domestic violence.

(2) The county agency must submit a report to the court on or before *(date):* detailing the diligent efforts made and the results of such efforts.

c. Each relative whose name has been submitted to the agency ☐ has ☐ has not been evaluated.

Important individuals

14. ☐ **For a child who is 10 years of age or older,**

a. ☐ the county agency has made reasonable efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.

b. ☐ the county agency has not made reasonable efforts to identify individuals who are important to the child and to maintain the child's relationships with those individuals, consistent with the child's best interest.

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14. c. ☐ to identify individuals who are important to the child and to maintain the child's relationships with those individuals, the county agency must provide the services
   (1) ☐ as stated on the record.
   (2) ☐ as follows:

Health

15. ☐ The ☐ mother ☐ biological father ☐ Other *(specify):*
   ☐ presumed father ☐ legal guardian ☐ Other *(specify):*
   is ☐ unable ☐ unwilling ☐ unavailable to make decisions regarding the child's needs for medical, surgical, dental, or other remedial care, and the right to make these decisions is suspended under Welf. & Inst. Code, § 369 and vested with the county agency.

Selection of permanent plan

16. ☐ **By clear and convincing evidence, there is a compelling reason for determining that a hearing under Welf. & Inst. Code, § 366.26 is not in the best interest of the child** because the child is not a proper subject for adoption at this time and a potential legal guardian has not been identified.

   a. ☐ The child's permanent plan is permanent placement with *(name):* , a fit and willing relative.
      The likely date by which the child's permanent plan will be achieved is *(date):*

   b. ☐ The child is ordered to remain in foster care with a permanent plan of
      (1) ☐ return home.
      (2) ☐ adoption.
      (3) ☐ tribal customary adoption.
      (4) ☐ legal guardianship.
      (5) ☐ placement with a fit and willing relative.

   c. ☐ The child is 16 years of age or older, there is a compelling reason that no other preferred permanent plan is in the child's best interest, and the child is ordered placed in another planned permanent living arrangement with ongoing and intensive efforts to
      ☐ return home. ☐ establish legal guardianship.
      ☐ place for adoption. ☐ place with a relative.
      ☐ Other *(specify):*
      The likely date by which the child's permanent plan will be achieved is *(date):*

   d. ☐ The court finds that the barriers to achieving the child's permanent plans are *(describe):*

17. ☐ **For children 16 years of age or older placed in another planned permanent living arrangement,**

   a. the court asked the child where the child wants to live, and the child provided the following information *(describe):*

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17. b. the court has considered the evidence before it and finds that another planned permanent living arrangement is the best permanent plan because *(describe):*

c. the compelling reasons why the other permanent plan options are not in the child's best interest are *(describe):*

18. ☐ a. **The matter is ordered set for hearing under Welf. & Inst. Code, § 366.26 to select the most appropriate permanent plan for the child.**

b. By clear and convincing evidence, reasonable services have been provided or offered to the child's parents, legal guardian, or in the case of an Indian child, active efforts have been made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family.

c. The county agency and the licensed county adoption agency or the California Department of Social Services, acting as an adoption agency, will prepare and serve an assessment report as described in Welf. & Inst. Code, § 366.21(i). The county agency report must include evidence of all inquiry done throughout the life of the case to determine whether the child is or may be an Indian child, including evidence that inquiry has been made of the child, the parents, and available extended family members, and the results of that inquiry.

d. The court advised all parties present in court that to preserve any right to review on appeal of this order, a party must seek an extraordinary writ by filing a notice of intent to file a writ petition and a request for the record, which may be submitted on *Notice of Intent to File Writ Petition and Request for Record to Review Order Setting a Hearing Under Welfare and Institutions Code Section 366.26 (California Rules of Court, Rule 8.450)* (form JV-820), and a petition for extraordinary writ, which may be submitted on *Petition for Extraordinary Writ* (form JV-825). A copy of each form is available in the courtroom. The court advised all parties present in court that, as to them, a notice of intent to file a writ petition and request for record must be filed with the juvenile court clerk within seven days of the date of this hearing. The clerk of the court must provide written notice as stated in rule 5.590(b)(2) of the California Rules of Court to any party not present.

e. The court advised each parent present in court of the date, time, and place of the hearing set under Welf. & Inst. Code, § 366.26; their right to counsel; the nature of the proceedings; and the requirement that at the proceedings the court must select and implement a plan of adoption, guardianship, placement with a fit and willing relative, or another planned permanent living arrangement, or in the case of an Indian child, in consultation with the child's tribe, tribal customary adoption for the child. The court ordered each parent present in court to appear for the hearing set under Welf. & Inst. Code, § 366.26 and directed that each parent be notified hereafter by first-class mail to their usual place of residence or business only.

f. ☐ The court orders that no notice of the hearing set under Welf. & Inst. Code, § 366.26 be provided to the person named below, who is a mother, a presumed father, or an alleged father and who has relinquished the child for adoption where the relinquishment has been accepted and filed with notice under Family Code section 8700, or an alleged father who has denied paternity and has executed section 2 of *Statement Regarding Parentage (Juvenile)* (form JV-505).

(1) *(name):*

(2) *(name):*

g. **The likely date** by which the child may be placed for adoption, tribal customary adoption, legal guardianship, or with a fit and willing relative is *(specify date):*

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