PPA COMPLETION | PPA CONTENT | SELECTION OF PERMANENT PLAN | STATUTORY EXCEPTIONS TO ADOPTION | ADOPTION PROBABLE—CHILD DIFFICULT TO | LEGAL GUARDIANSHIP | LONG TERM FOSTER CARE | ASSIGNMENTS | TDM | DOCUMENTATION | ATTACHMENTS AND CWS/CMS DATA | HYPERLINKS | OTHER SOURCES | ONLINE FORMS | HARD COPY FORMS | CWS/CMS FORMS | BROCHURES | REQUIRED ACTIONS—INITIAL PPA | REQUIRED ACTIONS—SUBSEQUENT PPA

ORANGE COUNTY SOCIAL SERVICES AGENCY
CFS OPERATIONS MANUAL

Effective Date: March 1, 1989 **Number: G-0313**
Revised: April 7, 2010

Permanent Planning Assessments (PPAs)

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Purpose

To provide guidelines for completion of Permanent Planning Assessments (PPAs) for dependent children.

Approved

This policy was approved by Mike Ryan, Director of CFS, on April 7, 2010. *Signature on file*.

Background

Senate Bill 243, which went into effect on January 1, 1989, brought about several significant changes in the Welfare and Institutions Code (WIC). Among these changes were:

- The creation of the Permanency Hearing as detailed in WIC Section 366.26
- The use of Status Review hearings to terminate Family Reunification (FR) services
- The expansion of the adoption review process to include assessment of prospective guardians as well as prospective adoptive parents, now known as the PPA
- The creation of a special procedure for children identified as difficult to place

The PPA seeks to assess a child's readiness for permanent placement in an Adoptive, Legal Guardianship (LG), or Long Term Foster Care (LTFC) placement.

The PPA is completed prior to a judicial hearing when family reunification efforts either will not be offered or will be terminated. The *Permanent Planning Assessment (F063-18-242*) form is utilized to assess the child, the placement, the intentions of the caretaker, relations with siblings, and parental involvement with the child. Taken together, these factors determine the most appropriate plan for the child's permanent placement.

In some cases, the PPA's recommendation may be negated by statutory exceptions found in WIC which indicate that, although the child is adoptable, it would be detrimental to the child to terminate parental rights.

Legal Mandates

Welfare and Institutions Code § 360 states that prior to a legal guardianship being created at the dispositional stage of the Jurisdictional/Dispositional hearing, a permanency assessment must be completed.

Welfare and Institution Code § 361.5 (g) states that when a 366.26 hearing is calendared at a Jurisdictional/Dispositional hearing, a permanency assessment must be completed. It also details information to be included in the assessment.

Welfare and Institution Code § 366.21(i) states that if the Court sets a 366.26 hearing at a Status Review hearing, the Court will direct Children and Family Services (CFS) and the Adoption program to prepare an assessment concerning the permanent placement of the child.

Welfare and Institution Code § 366.22(c) states that if the Court sets a 366.26 hearing at a Permanency Review hearing, the Court will direct CFS and the Adoption program to prepare an assessment concerning the permanent placement of the child.

Welfare and Institution Code § 366.25(b) states that if the Court sets a 366.26 hearing at a Subsequent Permanency Review hearing, the Court will direct CFS and the Adoption program to prepare an assessment concerning the permanent placement of the child.

Welfare and Institution Code § 366.26(c) describes the exceptions to a permanent plan of adoption and preferences for LG and LTFC.

Welfare and Institution Code § 366.3 (c) states that the review held for a child in LG will determine if the permanent plan continues to be appropriate or if a 366.26 hearing is required to determine a new permanent plan.

Welfare and Institution Code § 366.3(h) states that the review held every six months for a child in LTFC will determine if the permanent plan continues to be appropriate or if a 366.26 hearing is required to determine a new permanent plan.

California Rules of Court 5.725 details the selection of a permanent plan and the exceptions to adoption or LG as permanency options.

All County Letter 09-09 explains changes made to the WIC regarding permanency options for relatives.

Definitions

Concurrent Planning is a process that involves working toward family reunification while at the same time establishing an alternative permanent plan should reunification efforts fail.

Extended Family Member will be defined by the law or custom of the Indian child's tribe or, in the absence of such law or custom, will be a person who has reached the age of 18 and who is the Indian child's grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or stepparent.

Indian custodian is any Indian person who has legal custody of an Indian child under tribal law or custom or under state law or to whom temporary physical care, custody, and control has been transferred by the parent of such child.

POLICY

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PPA Completion

The assigned Senior Social Worker (SSW) will complete and forward a new *Permanent Planning Assessment (F063-18-242)* to an Adoption Senior Social Services Supervisor (SSSS) **prior** to:

A. The Jurisdictional/Dispositional hearing.

B. The Six Month Review hearing, Twelve Month Review hearing, Eighteen Month Review hearing, or Twenty-Four Month Review hearing when the recommendation is to terminate FR services and proceed to a 366.26 hearing.

C. The 366.26 hearing (if the permanent plan or placement has changed).

D. The Periodic Review hearing if the permanent plan is LTFC or the plan of LG is no longer appropriate.

Exception: For Jurisdictional/Dispositional hearings, the Concurrent Planning (CP) SSW will be responsible for completing the *Permanent Planning Assessment (F063-18-242)* on all new cases where FR services have been ordered.

The *Permanent Planning Assessment (F063-18-242)* will be prepared **no later than 45 calendar days** prior to the hearing where FR services are terminated. The exception is the *Permanent Planning Assessment (F063-18-242)* prepared by CP SSWs. The CP SSW has a shorter period of time in which to complete the *Permanent Planning Assessment (F063-18-242).*

PPA Content

The assigned or CP SSW is responsible for completing Section A of *Permanent Planning Assessment (F063-18-242)*, which includes the following topical areas:

A. Court information.

B. Evaluation of child’s medical, emotional, mental, developmental, and scholastic needs.

C. Child’s current placement and interest of current caretaker in adopting. Placement information will include criminal and child abuse histories.

D. Child’s relationship with siblings.

E. Nature and extent of parental contact.

F. Child’s interest in adoption.

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Selection of Permanent Plan

The Adoption SSSS will be responsible for reviewing Section A of the *Permanent Planning Assessment (F063-18-242)* and completing Section B. Based on the information provided in Section A, the Adoption SSSS will recommend a permanent plan in the following order of preference:

- Adoption
- LG with a relative
- Adoption as the permanent plan with a continuance of 180 days to identify a suitable adoptive placement
- LG with a non-relative
- LTFC

Statutory Exceptions to Adoption

The child may have characteristics that indicate adoptability but statutory factors suggest that termination of parental rights is detrimental or undesirable. The Adoption SSSS will **not** recommend termination of parental rights when one or more of the following circumstances exist:

A. The child is currently living with a relative who is unable or unwilling to adopt the child because of exceptional circumstances that do not include an unwillingness to accept legal or financial responsibility for the child. The relative is willing and capable of providing the child with a stable and permanent environment through LG and removal of the child from the physical custody of the relative would be detrimental to the emotional well being of the child.

   Note: For purposes of an Indian child, the term relative includes an "extended family member" as defined in the Indian Child Welfare Act (ICWA). Refer to "Definitions" section above.

B. The parent(s) has maintained regular visitation and contact with the child, the parent(s) acts in a parental role (not like a friendly visitor or extended relative), and the child would benefit from continuing the relationship to such a degree that the relationship with the biological parent outweighs the permanence and stability of an adoptive home and the child would be greatly harmed by severing the parent/child relationship.

C. The child is 12 years or older and objects to the termination of parental rights.

D. The child is placed in a residential treatment facility, adoption is unlikely or undesirable, and continuation of parental rights will not prevent finding the child a permanent family placement if the parents cannot resume custody when residential care is no longer needed.

E. The child is living with a foster parent or Indian custodian who is unable or unwilling to adopt the child because of exceptional circumstances that do not include an unwillingness to accept legal or financial responsibility for the child. The foster parent or Indian custodian is willing and capable of providing the child with a stable and permanent environment and removal of the child from the physical custody of the foster parent or Indian custodian would be detrimental to the emotional well being of the child.

   - This exception cannot be used if the child is under six years of age or is a member of a sibling group where there is at least one sibling under six years of age and the siblings are or should be permanently placed together, per WIC § 366.26(c)(1)(v).

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F. There would be substantial interference with a child's sibling relationship, taking into consideration the nature and extent of the relationship including but not limited to:

- Whether the child was raised with the sibling in the same home
- Whether the child shared significant common experiences or has existing close and strong bonds with a sibling
- Whether ongoing contact is in the child's best interest including the child's long term emotional interest, as compared to the benefit of legal permanence through adoption

G. The child is an Indian child and there is a compelling reason that termination of parental rights would not be in the best interest of the child, including, but not limited to:

- Substantial interference with the child's connection to tribal community or the child's tribal membership rights
- The child's tribe has identified LG or LTFC with a fit and willing relative, or another planned permanent living arrangement for the child

Adoption Probable—Child Difficult to Place

In some instances, the child may be difficult to place for adoption and there is no identified or available home. In these circumstances, the Adoption SSSS will recommend adoption as a permanent plan but request a continuance of 180 days to identify an adoptive placement. This recommendation will apply to children who meet one or more of the following criteria:

- Member of a sibling group
- Seven years or older
- Diagnosed medical, physical, or mental handicap

Legal Guardianship

The Adoption SSSS will recommend LG when the child is not identified as adoptable but the current caretaker is willing to be the child's legal guardian.

Long Term Foster Care

The Adoption SSSS will recommend LTFC when the child is not adoptable and no one is willing to be the child's legal guardian.

Assignments

When appropriate, the Adoption SSSS will make case assignments in Section C of the *Permanent Planning Assessment (F063-18-242)*. Case assignments will be as follows:

- Adoption legal worker if adoption is likely or probable
- Private Agency Adoption Reimbursement Program (PAARP) liaison if adoption is likely or probable and a home study is needed
- CFS Adoption applicant worker if the prospective adoptive parent(s) has a criminal background, child abuse record, or problematic clinical issues
- Secondary adoption worker if the child is adoptable but lacks an adoptive placement

TDM

At the time that FR is terminated or the permanent plan is no longer appropriate, a Permanency Plan TDM will be held. See CFS P&P Team Decision Making (D-0308) for additional information and direction.

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Documentation

The *Permanent Planning Assessment (F063-18-242)* will be completed by the assigned or CP SSW in CWS/CMS, per guidelines outlined in CWS/CMS Data Entry Standards—Generating a Permanent Planning Assessment Document and the Procedure section below.

When the *Permanent Planning Assessment (F063-18-242)* is completed by the Adoption SSSS, the assigned SSW will print and file on the Adoption/Concurrent Planning Acco, per CFS P&P Case Filing (E-0102).

REFERENCES

Attachments and CWS/CMS Data Entry Standards

Hyperlinks are provided below to access attachments to this P&P and any CWS/CMS Data Entry Standards that are referenced.

- CWS/CMS Data Entry Standards—Generating a Permanent Planning Assessment Document

Hyperlinks

Users accessing this document by computer may create a direct connection to the following references by clicking on them.

- CFS P&P Case Filing (E-0102)
- CFS P&P Team Decision Making (D-0308)

Other Sources

Other printed references include the following:

None.

REQUIRED FORMS

Online Forms

Required forms listed below may be printed out and completed, or completed online, and may be accessed by clicking on the link provided.

Form Name	Form Number
None.	

Hard Copy Forms

Forms listed below must be completed in hard copy (including multi-copy NCR forms). ***For reference purposes only,*** links are provided to view these hard copy forms, where available.

Form Name	Form Number
None.	

CWS/CMS Forms

The following required forms may **only** be obtained in CWS/CMS. ***For reference purposes only,*** links are provided to view these CWS/CMS forms, where available.

Form Name	Form Number
Permanent Planning Assessment	F063-18-242

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Brochures Brochures to distribute in conjunction with this procedure include:

Brochure Name	Brochure Number
None.	

PROCEDURE

Required Actions—Initial PPA	The following steps will be taken when completing the initial *Permanent Planning Assessment (F063-18-242)* prior to the Jurisdictional/Dispositional hearing.	
Staff Responsible	**Step**	**Required Action**
CP Unit Clerk	**1.**	Access daily investigation assignment logs for MOB and SFS, per standard procedure.
	2.	Give secondary assignment in CWS/CMS for each new FR case to the appropriate CP SSW, per standard procedure.
CP SSW	**3.**	Read CWS/CMS case, and contact Investigations SSW to gather information for permanency assessment.
	4.	If the Investigations SSW indicates a fair to poor prognosis for FR for the child, see the child in person to assess the following factors: • Medical Concerns • Emotional problems • Mental Functioning • Developmental Delays • Scholastic problems (if applicable)
	5.	Complete Part A of *Permanent Planning Assessment (F063-18-242)* and save in CWS/CMS.
	6.	Email name of child to Adoption SSSS for completion of assessment.
Adoption SSSS	**7.**	Access *Permanent Planning Assessment (F063-18-242)* in CWS/CMS for child named in step 6 above.
	8.	Check appropriate box in Section B of *Permanent Planning Assessment (F063-18-242).*
	9.	Check assignment box in Section C of *Permanent Planning Assessment (F063-18-242)*, following guidelines set forth in “Assignments” Policy section above.
	10.	Save *Permanent Planning Assessment (F063-18-242)* to CWS/CMS.

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	11.	Email *Permanent Planning Assessment (F063-18-242)* to Adoption Assignment Clerk.
Adoption Assignment Clerk	**12.**	Assign, per standard procedure.

Required Actions—Subsequent PPA	The following steps will be taken when the assigned SSW completes a subsequent *Permanent Planning Assessment (F063-18-242).*	
Staff Responsible	**Step**	**Required Action**
Assigned SSW	**1.**	Open the child's CWS/CMS case.
	2.	Create new *Permanent Planning Assessment (F063-18-242)*.
	3.	Complete Part A of *Permanent Planning Assessment (F063-18-242)* in accordance with policy section above.
	4.	Save to CWS/CMS.
	5.	Email *Permanent Planning Assessment (F063-18-242)* to assigned Adoption SSSS, per standard program procedure.
Adoption SSSS	**6.**	Open email attachment and copy 19-digit case number from *Permanent Planning Assessment (F063-18-242)* into CWS/CMS search engine.
	7.	Within the child's case, retrieve latest version of *Permanent Planning Assessment (F063-18-242)*.
	8.	Complete Section B of *Permanent Planning Assessment (F063-18-242).*
	9.	Complete Section C of *Permanent Planning Assessment (F063-18-242)* following guidelines set forth in "Assignments" Policy section above.
	10.	Save to CWS/CMS.
	11.	Send *Permanent Planning Assessment (F063-18-242)* via email to assigned SSW, assigned SSSS (If applicable), Program Secretary (if applicable), focus unit supervisor, and Adoption Assignment Clerk.
Adoption Assignment Clerk	**12.**	Make assignments in accordance with step 9 above, per standard procedure.

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