Status Hearing Checklist

Statutory

Prior to the Hearing:

- ☐ Hearing 60 days after DFPS appointed TMC, unless aggravated circumstances
- ☐ Persons given 10 days' notice of hearing
- ☐ If parent is unrepresented, inform of right to counsel, determine indigency, and appoint attorney
- ☐ Visitation Plan filed at least 10 days before
- ☐ Family Plan of Service filed no later than 45th day after DFPS appointed TMC
- ☐ Developmentally appropriate assessment no later than 45th day after DFPS appointed TMC
- ☐ Notice of Education Decision-Maker (Form 2085-E) filed
- ☐ Designation of Medical Consenter (Form 2085-B) filed
- ☐ Dismissal date set

At the Hearing:

- ☐ Identify parties present and served
- ☐ DFPS due diligence to locate parties
- ☐ DFPS provided notice to relatives
- ☐ Need for language interpretation
- ☐ Inform parents of right to attorney
- ☐ Paternity issues/Paternity Registry
- ☐ Child Placement Resources Form filed
- ☐ Review current and alternative placements
- ☐ Child provided opportunity to provide information about possible relative or other caregiver
- ☐ If present, give caregiver opportunity to provide information
- ☐ If child with relative, inform about Permanency Care Assistance (PCA)
- ☐ If the child is placed in a RTC or QRTP, whether continued placement in an RTC or QRTP is appropriate
- ☐ Review conservatorship and substitute care of the child
- ☐ Inquire about Indian/Native American Heritage
- ☐ DFPS held or plans to hold Permanency Planning Meeting
- ☐ If AAL hasn't seen client, determine good cause
- ☐ Address citizenship issues
- ☐ Review child's medical care

Family Plan of Service (SP)

- ☐ Determine if:
  - SP developed jointly with parents
  - Each term reviewed/discussed with parents; parents understand
  - Parents informed of rights with SP process
  - Noted if parent not able or willing to participate in development of SP
  - Plan has primary and concurrent goal
  - Plan is signed by parents and DFPS
- ☐ Parent has opportunity to comment on SP
- ☐ Court can modify SP at any time

Visitation Plan (VP)

- ☐ Review VP:
  - Age and safety of child at/during visitation
  - Desires of each parent regarding visitation
  - Location of each parent and child
  - Transportation to/from visits
  - DFPS/other resources available to support visitation
- ☐ Court may modify VP at any time
- ☐ If find visitation not in child's best interest, include in order reasons and specific steps parent must take to have visitation

Status Hearing Checklist

continued

Court Findings

At the End of the Hearing:

- ☐ Determine whether SP narrowly tailored for specific issues identified by DFPS
- ☐ Determine whether any SP with goal of reunification adequately ensures that reasonable efforts made to enable parents to provide safe environment for child
- ☐ Advise/warn parents & parties:
  - Custodial rights and duties subject to restriction or termination or child not returned unless parent demonstrates willingness and ability to provide child with safe environment
  - Progress under SP reviewed at all hearings, including review of newly acquired knowledge or skills
- ☐ Incorporate SP into court order and render additional, appropriate orders to require compliance with or implement SP
- ☐ **ISSUE COURT ORDER:**
  - Dismissal date
  - May transfer to court of continuing, exclusive jurisdiction, if CCEJ exists

Best Practices

- ☐ Set first Permanency Hearing Before Final Order and announce in open court
- ☐ Check status of initiated home studies
- ☐ Engage parties with direct questions
  - *Do you understand the purpose of the Service Plan?*
  - *What about this plan is narrowly tailored to address specific issues present in Ms. Smith's case?*
- ☐ Ask direct and specific questions of the Department about reasonable efforts:
- ☐ Consider the following questions:
  - *What is preventing this child from returning home today?*
  - *How is my decision specific to this child and this family?*
  - *Are there issues impacting this family that we need to understand?*

Well-being Issues

- ☐ School stability, education goals, progress, and issues, and Education Decision-Maker
- ☐ Medical Consenter may need to be identified or updated
- ☐ Child received Texas Health Steps exam no later than 30th day after DFPS appointed TMC.
- ☐ Review psychiatric care, especially if child or youth prescribed psychotropic medication
- ☐ Young adult presence at hearing or opinion about education or medical care