

A child needs a safe and permanent home...

Sometimes a child spends a long time in foster care. Yet parents still don't make the changes needed for the child to be safe with them.

The law limits the time parents have to make changes. If a child cannot be safely placed with a parent, the court will have a permanency hearing. This hearing will be held no later than 14 months after a child is removed from home.

At this hearing, a concurrent plan may become the goal for the child. If a child cannot be safely placed with a parent, the concurrent plan should be put into place quickly.

NOTE: The law is complex and each case is different. Contact your local DHS child welfare office or your caseworker if you have questions about this information.

DHS will not discriminate against anyone. This means DHS will help all who qualify. DHS will not deny help to anyone based on age, race, color, national origin, gender, sexual orientation, religion, political beliefs or disability. You can file a complaint if you think DHS singled you out because of any of these things. If you have questions or need this document in a different format, please contact your local DHS office.



Oregon Department of Human Services
Children, Adults and Families
500 Summer Street NE, Salem, OR 97301
Telephone: 503-945-5651
Web site: <http://www.scf.hr.or.us/asfa/index.htm>
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What is ASFA?

In 1997, Congress made major changes to the federal child abuse and neglect law. These changes became the Adoption and Safe Families Act (ASFA). ASFA focuses on the health and safety of a child. Oregon law already supported that main goal.

If a child is not safe at home, Department of Human Services child welfare staff and the courts may become involved. A child who is not safe with a parent may be removed from his/her home temporarily. A child removed from home may be placed with relatives or foster parents.

During this time, parents can make changes. ASFA and Oregon law shortened the time a parent has to make changes. In most cases, DHS will work with parents to make changes to address concerns about the child's safety.

Oregon law also requires a concurrent plan (such as adoption, permanent placement with a relative or guardianship) be developed for the child. This concurrent plan will be used if the parents cannot provide a safe home for a child. The family should help build this plan, if possible.

Relatives, foster parents, or others in the community may help build both plans. This is usually done in a Family Decision Meeting. Foster parents or relatives may provide support to parents. They can also help with visits between the child and parents.

If a child cannot be safely placed with a parent, the court will have a permanency hearing. This hearing will be held no later than 14 months after a child is removed from home. The permanency hearing may be held sooner if a parent is not working toward making changes. The hearing may result in a plan for parental rights to be relinquished or terminated and place the child for adoption, place the child with a legal guardian or relative, or provide the child with another safe and permanent living arrangement.

ASFA puts the child first

The main goal of the Adoption and Safe Families Act is to assure the health and safety of a child.

If parents cannot provide safe care for a child, the court and DHS child welfare staff may become involved.

If a child must be removed from home to be safe, the child may be placed with relatives or foster parents. During this time, parents must make changes to meet the needs of the child.

Parents have limited time to make changes

Most parents will be given the chance to make changes. Changes may include better parenting skills or alcohol and drug treatment. DHS and others will work with parents to make these changes.

The law allows only a limited time to make changes so a child can be safely placed with a parent.

Making a Concurrent Plan

The law requires a concurrent plan be made in case a child cannot be safely placed with a parent. This plan will be used if parents cannot provide a safe home for a child. Families should help build this plan, if possible.

The concurrent plan may be adoption. Other concurrent plans may be

permanent placement with a relative, guardianship or emancipation for an older child.

If a concurrent plan becomes the goal for a child, the court must approve that plan.

Aggravated Circumstances

A court may decide that a parent has done something that seriously harms or results in the death of any child – like murder, torture or sexual abuse. If so, the court may say DHS does not have to work with that parent to return a child to that parent. Then DHS may look for another permanent home for the child right away.



NOTE: WHAT THESE HEARINGS ARE CALLED MAY VARY FROM COUNTY TO COUNTY. PLEASE CONTACT YOUR CASEWORKER IF YOU HAVE QUESTIONS.