

# 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.



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DHS 9123 04/05

## Where Will Your Child Grow Up?

# PARENTS

**A child's sense of time is different  
from an adult's ...**

**... a year can seem like  
forever to a child.**

## **Making a Concurrent Plan**

The law requires a concurrent (or alternate) plan be made in case your child cannot be safely placed with a parent. This plan will be used if you cannot provide a safe home for your child. You 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 your child, the court must approve that plan.

# Your child's future depends on you

- You must act quickly to make positive changes in your life.
- If your child is removed from home, he/she still needs regular contact with you. This can include visits, phone calls, cards and letters. Positive visits are essential to develop or maintain a healthy relationship with your child. You and your caseworker will work together to develop a plan for visits to meet your child's attachment needs.
- DHS will help you make changes. You can also get help from relatives, church, community agencies, foster parents and neighbors.

The law states if a child is in care for 15 out of the most recent 22 months, the state must file a petition to terminate parental rights. There are only a few exceptions to this requirement.

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 to terminate or relinquish parental rights 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.

# What is ASFA?

## The law requires parents to keep their child safe and to meet their child's needs.

Your child needs:

- The love and support of a safe and permanent family.
- Freedom from abuse and neglect.
- Food, clothing and shelter.
- Medical care by a doctor and a dentist.
- An opportunity for an education.

## The child comes first

If you cannot provide safe care for your child, the court and DHS child welfare may become involved.

If your child is removed from home to be safe, your child may be placed with relatives or foster parents while you work on meeting the needs of your child.

Your child must not stay in foster care too long. Foster care is temporary. Usually, DHS will work with you to place your child with you or another legal parent.

Families and DHS should be partners in meeting the needs of your child. You can work with DHS to build a plan for your child to have a safe, permanent home.

Family Decision Meetings with relatives and community partners may be used to help build a plan for your child. The plan will consider your culture and the strengths and needs of your family. The court must approve this 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.