

**PETITION FOR PERMANENCY PLANNING HEARING**

Commonwealth of Virginia VA. CODE § 16.1-282.1

Court Case No.: .....

Agency Case No.: .....

..... Juvenile and Domestic Relations District Court

**In re:** .....

NAME OF CHILD

Male

Female

AGE (YEARS/MONTHS)

DATE OF BIRTH

who was placed in the custody of or through an agreement with the

..... on .....

PUBLIC OR PRIVATE CHILD-PLACING AGENCY

DATE

**I, the undersigned Petitioner, state under oath to the best of my knowledge and belief that the following are true:**

1. The above-named child is now subject to a permanency planning hearing pursuant to Virginia Code § 16.1-282.1 because:

(a) the child

i. was the subject of a foster care plan filed in this court pursuant to Virginia Code § 16.1-281, has not previously been the subject of a permanency planning hearing at which the court approved a permanent plan goal, and

ii. has not been returned to his/her prior family, placed in an adoptive home, in permanent foster care or in another planned permanent living arrangement, or provided with services to achieve independent living status in accordance with the provisions of Virginia Code § 16.1-282.1 A.

OR

(b) the child was the subject of a hearing at which the Court made a determination that reasonable efforts to reunite the child with parents are not required, in accordance with the provisions of Virginia Code § 16.1-281 B.

OR

(c) the child was the subject of a permanency planning hearing pursuant to Virginia Code § 16.1-282.1 at which the Court approved an interim plan for the child.

2.  A new foster care plan for review at this permanency planning hearing is attached hereto and incorporated herein;

AND

(a) the new foster care plan changes the permanent goal of the child to one of the following placement alternatives:

transfer custody of child to his/her prior family, namely

.....  
NAME

transfer custody of the child to a relative other than the child's prior family or dissolve the board's or public agency's placement agreement and return the child to his prior family, namely

.....  
NAME

approve adoption as the permanent plan for the child, and, upon separate petitions  filed  to be filed, terminate residual parental rights pursuant to Virginia Code § 16.1-283.

provide the child with services to achieve independent living status, the child having attained age 16 years.

place child in permanent foster care.  A permanent foster care agreement is appended.

place the child in another planned permanent living arrangement.

OR

(b) The local department of social services or other child-placing agency has thoroughly investigated the feasibility of all other alternatives listed in Virginia Code § 16.1-282.1 A (i) - (v) and alleges that none of these alternatives is in the best interest of the child and, therefore, petitions the court for the following relief:

continue custody with the board or agency or placement with the board or public agency through a parental agreement; or

transfer custody to the board or child welfare agency from the parents or guardian of a child who has been in foster care through an agreement where the parents or guardian retained legal custody.

3.  If 2(b) above is applicable, a foster care plan pursuant to Virginia Code § 16.1-282.1 B, which includes the provisions for accomplishing the permanent plan goal, namely .....

PERMANENT PLAN GOAL

within 6 months and summarizes the investigation conducted of placement alternatives listed in Virginia Code § 16.1-282.1 A (i) - (v) and states why they are not in the best interest of the child, is attached hereto and incorporated herein.

**Wherefore, Petitioner requests that the Court grant the following relief and such other relief as the child's best interest requires:**

1.  Docket the case for a permanency planning hearing to be held within thirty days, since a hearing was not previously scheduled pursuant to Virginia Code § 16.1-282 E or § 16.1-281 B.
2. Provide notice of the hearing and a copy of the petition, pursuant to Virginia Code §§ 16.1-282.1 B and 16.1-282 B, to the following at addresses provided on the attached transmittal form:
  - Child, if he/she is 12 years of age or older;
  - Guardian *ad litem* for child;
  - Child's parents and any person standing *in loco parentis* at time agency assumed custody;
  - Foster parents or other care providers of the child;
  - Petitioning board, public agency or other child welfare agency; and
  - Such other persons as the court may direct, including, but not limited to, pre-adoptive parents, if any.

3. Enter a finding that:

- Reasonable efforts  have been made  have not been made by the agency to reunite the child with his or her parents, guardian or other person standing *in loco parentis* to the child
- Reasonable efforts to reunite the child with parents are not required pursuant to Virginia Code § 16.1-281 B.
- The board or agency has identified a permanent goal for the child other than returning home and reasonable efforts  have been made  have not been made to achieve the permanent goal identified in the interim plan.

4. Enter an order of disposition that adopts and approves the attached permanency plan for the child.

5.  Schedule a future hearing date and give notice to all parties of the following:

- a second permanency planning hearing pursuant to Virginia Code § 16.1-282.1 C to be held within six months of this permanency planning hearing, if a continuation of foster care is the interim plan for the child.
- a hearing date within 6 months to review the foster care plan for a child who is placed in another planned permanent living arrangement.
- the filing of an Adoption Progress Report in six months pursuant to Virginia Code § 16.1-277.01 E, 16.1-277.02 D, 16.1-278.3 E, or 16.1-283 F; and/or
- a hearing date within 12 months to review the foster care plan for a child who is receiving services to achieve independent living status but who remains in legal custody of the board, public agency or child welfare agency or for whom termination of parental rights has been filed or ordered, but for whom a final order of adoption has not been entered.

.....  
PUBLIC OR PRIVATE CHILD-PLACING AGENCY

.....  
DATE

.....  
PETITIONER

Subscribed and sworn to before me this .....

DATE

- 
- INTAKE OFFICER  CLERK
  - NOTARY PUBLIC (My commission expires .....