

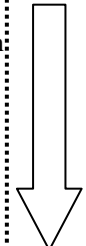
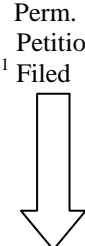
PERMANENCY TIMELINE FOR CHILDREN IN OUT-OF-HOME PLACEMENT

(Timeline shows maximum days for each event)

CHIPS Proceeding

0	3	3-13	28	30	53	63	103	123	180	193	283	335*	365* (Permanency Proceeding Commenced)
Child Removed from home	Petition Served ¹ & EPC Hearing ²	Admit/Deny Hearing ⁴ (ADH)	Sched. Order Filed ⁵	Out of Home Place. Plan Filed ⁶	Pretrial Hearing ⁷	Trial ⁸	Disp. Rev. Hearing if Adj. & Disp. at ADH ¹¹	Adjud. Dispo. ¹⁰	Perm. Progress. Rev. Hearing ¹²	Disp. Review Hearing ¹¹	Disp. Rev. Hearing ¹¹	Perm. Petition Filed	

If child not removed from home: Protective Services Case Plan³



* If multiple CHIPS petitions filed for the child over the past 5 years, and child has already been in out-of-home placement for at least 365 days, then if the agency establishes compelling reason the court may extend the commencement of the permanency proceeding (the Admit/Deny Hearing on the permanency petition) for up to 6 months.

Permanency Proceeding

Termination of Parental Rights (TPR)

335	365	415	425	485	575
TPR Petition Filed ¹³	Admit/Deny Hearing ¹⁴	Pretrial Hearing ¹⁵	Trial ¹⁶ Comm.	Findings Decision Filed ¹⁷	Post-TPR Review Hearing ¹⁸

Transfer of Permanent Legal and Physical Custody to a Relative (TLC)

335	365	415	425	485	575
TLC Petition Filed ¹⁹	Admit/Deny Hearing ²⁰	Pretrial Hearing ²¹	Trial ²² Comm.	Findings Decision Filed ²³	Post-TLC Review Hearing ²⁴

Long Term Foster Care (LTFC)

335	365	415	425	485	575
LTFC Petition Filed ²⁵	Admit/Deny Hearing ²⁶	Pretrial Hearing ²⁷	Trial ²⁸ Comm.	Findings Decision Filed ²⁹	Annual Review Hearing ³⁰

Foster Care for a Specified Period of Time (FSPT)

335	365	415	425	485	575
FSPT Petition Filed ²⁵	Admit/Deny Hearing ²⁶	Pretrial Hearing ²⁷	Trial ²⁸ Comm.	Findings Decision Filed ²⁹	Annual Review Hearing ³⁰

Guardianship and Legal Custody to Comm. of Human Services (GLCHS)

335	365	415	425	485	575
Consent To adopt Filed ³¹				Findings Filed ³²	90-Day Review Hearing ³³

CHIPS Proceeding

- 1 **Summons and Petition:** For a child in out-of-home placement, served at or before EPC hearing. For a child at home, served at least 3 days prior to Admit/Deny Hearing. (RJPP 32.02, subd. 5(a)).
- 2 **EPC:** Within 72 hours of child's removal from home, excluding Saturdays, Sundays, and legal holidays (RJPP 30.01, subd. 1; Minn. Stat. § 260C.178, subd. 1(a))
- 3 **Protective Services Cased Plan** (plan that is filed when child has not been removed from home): Filed by social services at same time as CHIPS petition (RJPP 37.04(a); Minn. Stat. § 626.556, subd. 10).
- 4 **Admit/Deny Hearing (ADH):** If all parties agree, ADH may be combined with EPC. If child removed from home, ADH within 10 days of EPC hearing (RJPP 34.02, subd. 1); if child not removed from home, ADH no sooner than 5 days and no later than 20 days after service of Summons and Petition on parties (RJPP 34.02, subd. 2); if Indian child, ADH at least 10 days after ICWA notice received by tribe and tribe may request additional 20 days (best practice is to schedule for day 30) (RJPP 34.02, subd. 1(d))
- 5 **Scheduling Order:** Issued within 15 days of the Admit/Deny Hearing and must include dates for filing of permanency petition and Admit/Deny Hearing on Permanency Petition. (RJPP 6.02)
- 6 **Out of Home Placement Plan:** Filed by social services agency within 30 days of child's court-ordered placement. (RJPP 37.02, subd. 2; Minn. Stat. § 260C.212, subd 1(b))
- 7 **Pretrial:** At least 10 days prior to trial (RJPP 36.01)
- 8 **Trial:** Commenced within 60 days of EPC or Admit/Deny, whichever is earlier; held on consecutive days; completed within 30 days of commencement (RJPP 39.02, subd. 1(a))
- 9 **Findings/Adjudication Order:** Within 15 days of conclusion of testimony, including time for filing briefs (may extend 15 days for good cause) (RJPP 39.05, subd. 1, 2; RJPP 40.01)
- 10 **Disposition Order:** Preferably issued on same day as adjudication finding, but no later than 10 days from adjudication order (RJPP 41.02)
- 11 **Disposition Review Hearing:** When disposition is custody to agency, review hearing at least every 90 days after disposition is ordered; when disposition is protective supervision, review hearing at least every 6 months (RJPP 41.06, subd. 1)
- 12 **Permanency Progress Review Hearing:** For child under age 8 (and any older or younger siblings), commenced not later than 180 days after court-ordered placement (RJPP 42.01, subd.5(a))

Permanency Proceeding

Termination of Parental Rights (TPR) Proceeding (Minn. Stat. § 260C.201, subd. 11(d)(2) and RJPP 42.08)

- 13 **TPR Petition:** Petition must be filed not later than 30 days prior to Admit/Deny Hearing (by month 11) (see exception*) (RJPP 42.04; Minn. Stat. § 260C.201, subd. 11(b))
- 14 **Admit/Deny Hearing:** For any child (regardless of age) who remains in foster care, the ADH must be commenced not later than 12 months after court-ordered placement (see exception*) (Minn. Stat. § 260C.201, subd. 11(a); RJPP 42.04(b), and RJPP 42.01, subd. 5(b))
- 15 **Pretrial Hearing:** At least 10 days prior to trial (RJPP 36.01)
- 16 **Trial:** Commenced within 60 days of the Admit/Deny Hearing; held on consecutive days; completed within 30 days of commencement (RJPP 39.02, subd. 1(c); Minn. Stat. § 260C.201, subd. 11 (c))
- 17 **Findings and Decision:** Within 15 days of conclusion of testimony, including time for filing briefs (may extend 15 days for good cause) (RJPP 39.05, subd. 1)
- 18 **Post-TPR Review Hearing:** At least every 90 days following TPR decision until adoption finalized. (RJPP 42.08, subd. 5) If adoption not finalized within two years, can modify disposition to state ward for LTFC (RJPP 42.11, subd 3(a)1)

Transfer of Permanent Legal and Physical Custody to a Relative (TPLPC) Proceeding (Minn. Stat. § 260C.201, subd. 11(d)(1) and RJPP 42.07)

- 19 **TPLPC Petition:** Petition must be filed not later than 30 days prior to Admit/Deny Hearing (by month 11) (see exception*) (RJPP 42.04; Minn. Stat. § 260C.201, subd. 11(b))
- 20 **Admit/Deny Hearing:** For any child (regardless of age) who remains in foster care, the ADH must be commenced not later than 12 months after court-ordered placement (see exception*) (Minn. Stat. § 260C.201, subd. 11(a); RJPP 42.04(b), and RJPP 42.01, subd. 5(b))
- 21 **Pretrial Hearing:** At least 10 days prior to trial (RJPP 36.01)
- 22 **Trial:** Commenced within 60 days of the Admit/Deny Hearing; held on consecutive days; completed within 30 days of commencement (RJPP 39.02, subd. 1(c); Minn. Stat. § 260C.201, subd. 11 (c))
- 23 **Findings and Decision:** Within 15 days of conclusion of testimony, including time for filing briefs (may extend 15 days for good cause) (RJPP 39.05, subd. 1)
- 24 **Post-TPLPC Review Hearing:** Not required unless judge so orders; however, best practice is to order review hearings for 30-60 days to ensure smooth transition and needs of child are being met (RJPP 42.07, subd.7)

Long Term Foster Care (LTFC) and Foster Care for Specified Period of Time (FSPT) Proceedings (Minn. Stat. § 260C.201, subd. 11(d)(3) and (4) and RJPP 42.11 and 42.12)

- 25 **LTFC or FSPT Petition:** Petition must be filed not later than 30 days prior to Admit/Deny Hearing (by month 11) (see exception*) (RJPP 42.04; Minn. Stat. § 260C.201, subd. 11(b))
- 26 **Admit/Deny Hearing:** : For any child (regardless of age) who remains in foster care, the ADH must be commenced not later than 12 months after court-ordered placement (see exception*) (Minn. Stat. § 260C.201, subd. 11(a); RJPP 42.04(b), and RJPP 42.01, subd. 5(b))
- 27 **Pretrial Hearing:** At least 10 days prior to trial (RJPP 36.01)
- 28 **Trial:** Commenced within 60 days of the Admit/Deny Hearing; held on consecutive days; completed within 30 days of commencement (RJPP 39.02, subd. 1(c); Minn. Stat. § 260C.201, subd. 11 (c))
- 29 **Findings and Decision:** Within 15 days of conclusion of testimony, including time for filing briefs (may extend 15 days for good cause) (RJPP 39.05, subd. 1)
- 30 **Post-LTFC Review Hearing:** At least annually until child discharged from foster care; best practice is more frequent hearings for older youth age 17+ who are about to be discharged from foster care to ensure a smooth transition and understand details of adult life from checking accounts to rent to groceries to basic necessities (RJPP 42.11, subd. 4; RJPP42.12)

Guardianship and Legal Custody to Commissioner of Human Services (Minn. Stat. § 260C.201, subd. 11(d)(5) and RJPP 42.09 and 42.10)

- 31 **Consent to Adopt by an identified adoptive home:** A permanency petition is not filed but, instead, the parent signs a consent to adopt by an adoptive parent that has been agreed to by the agency. Unless the matter is governed by ICWA, the consent is irrevocable unless the child's parent didn't receive notice of the irrevocable nature of the consent or unless there is fraud. Acceptance of the consent does not automatically terminate parental rights, but it does vest with the commissioner of human services all legal authority regarding the child, including guardianship and legal custody of the child as if the child were a state ward after termination of parental rights. If an adoption is not finalized within 12 months of the execution of the consent to adopt, the commissioner or agency shall pursue adoptive placement in another home unless the commissioner certifies that the failure to finalize is not due to either an action or a failure to act by the prospective adoptive parent.
- 32 **Findings and Decision:** Within 15 days of the consent (may extend 15 days for good cause), court must issue findings and order transferring guardianship and legal custody. (RJPP 42/10)
- 33 **Post-Consent Review Hearing:** At least every 90 days following consent until adoption finalized. (RJPP 42.09, subd. 3) If adoption not finalized within two years, can modify disposition to state ward for LTFC (RJPP 42.11, subd. 3(a)1)

* = **Exception:** If multiple CHIPS petitions filed for child over past 5 years, and child has been in foster care for 12 months, then if agency shows compelling reasons court may extend up to 6 months.