

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 55th Legislature (2015)

4 HOUSE BILL 1079

By: Ownbey of the House

5 and

6 Simpson of the Senate

7  
8  
9 AS INTRODUCED

10 An Act relating to children; amending 10A O.S. 2011,  
11 Section 1-4-808, which relates to review hearing  
12 reports; permitting foster parent to submit report to  
court for review hearing; and providing an effective  
date.

13  
14  
15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. AMENDATORY 10A O.S. 2011, Section 1-4-808, is  
17 amended to read as follows:

18 Section 1-4-808. A. The Department of Human Services or the  
19 agency having supervision of the case or, if the child has been  
20 removed from the custody of the child's parents, the Department or  
21 the agency or child-placing agency having custody of the child shall  
22 cause to be prepared for each review hearing required herein a  
23 written report concerning each child who is the subject of review.

24 B. The report shall include, but not be limited to:

1 1. A summary of the physical, mental, and emotional condition  
2 of the child, the conditions existing in the out-of-home placement  
3 where the child has been placed, and the adjustment of the child  
4 thereto;

5 2. A report on the progress of the child in school and, if the  
6 child has been placed outside the child's home, the visitation  
7 exercised by the parents of the child or other persons authorized by  
8 the court;

9 3. Services being provided to a child sixteen (16) years of age  
10 or older to assist in the transition from out-of-home care or other  
11 community placement to independent living;

12 4. When the Department is responsible for supervision of the  
13 child or is the legal custodian of the child, a description of:

14 a. progress on the part of the parent or parents to  
15 correct the conditions which caused the child to be  
16 adjudicated deprived,

17 b. changes that still need to occur and the specific  
18 actions the parents would take to make the changes,  
19 and

20 c. services and assistance that have been offered or  
21 provided to the parents since the previous hearing and  
22 the services which are needed in the future;

23 5. A description of the placements of the child by number and  
24 type with dates of entry and exit, reasons for the placement or

1 change in placement, and a statement about the success or lack of  
2 success of each placement;

3 6. The efforts of the Department to locate the parents and  
4 involve them in the planning for the child if the parents are not  
5 currently communicating with the Department;

6 7. Compliance by the Department, as applicable, and the parent  
7 with the court's orders concerning the individualized service plans,  
8 previous court orders, and the Department recommendations;

9 8. Whether the current placement is appropriate for the child,  
10 its distance from the home of the child, and whether it is the least  
11 restrictive, most family-like placement available;

12 9. A proposed timetable for the return of the child to the home  
13 or other permanent placement; and

14 10. Specific recommendations, giving reasons whether:

15 a. trial reunification should be approved by the court,

16 b. trial reunification should be continued to a date  
17 certain as specified by the court,

18 c. the child should remain in or be placed outside of the  
19 home of the parent or legal guardian of the child, or

20 d. the child should remain in the current placement when  
21 the permanency plan is other than reunification with  
22 the parent or legal guardian of the child.

23 C. The attorney representing a child, the foster parents of the  
24 child and the guardian ad litem of a child, if any, whose case is

1 being reviewed may submit a report to the court for presentation at  
2 the review hearing to assist the court in reviewing the placement or  
3 status of the child. The legal custodian shall not deny to a child  
4 the right of access to counsel and shall facilitate such access.

5 SECTION 2. This act shall become effective November 1, 2015.

6

7 COMMITTEE REPORT BY: COMMITTEE ON CHILDREN, YOUTH, AND FAMILY  
8 SERVICES, dated 02/10/2015 - DO PASS, As Coauthored.

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24