

1 ENGROSSED HOUSE
2 BILL NO. 1079

By: Ownbey, Nelson and Peterson
of the House

3 and

4 Simpson of the Senate
5

6
7 An Act relating to children; amending 10A O.S. 2011,
8 Section 1-4-808, which relates to review hearing
9 reports; permitting foster parent to submit report to
10 court for review hearing; and providing an effective
11 date.

12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

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

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

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

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

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

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

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

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

21 5. A description of the placements of the child by number and
22 type with dates of entry and exit, reasons for the placement or
23 change in placement, and a statement about the success or lack of
24 success of each placement;

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

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

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

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

12 10. Specific recommendations, giving reasons whether:

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

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

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

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

21 C. The attorney representing a child, the foster parents of the
22 child and the guardian ad litem of a child, if any, whose case is
23 being reviewed may submit a report to the court for presentation at
24 the review hearing to assist the court in reviewing the placement or

1 status of the child. The legal custodian shall not deny to a child
2 the right of access to counsel and shall facilitate such access.

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

4 Passed the House of Representatives the 12th day of February,
5 2015.

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8 Presiding Officer of the House
of Representatives

9 Passed the Senate the ____ day of _____, 2015.

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12 Presiding Officer of the Senate
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