

1 **SENATE FLOOR VERSION**

2 March 24, 2015

3 ENGROSSED HOUSE
4 BILL NO. 1079

By: Ownbey, Nelson and Peterson
of the House

5 and

6 Simpson and **Treat** of the
7 Senate

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

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

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

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

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

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 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
7 March 24, 2015 - DO PASS
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