

Oregon's Dependency Court Process

Reasonable Efforts Affidavit: required if removed by court order.

DHS files with the court:
 * Reasonable Efforts Documentation
 * Dependency Petition

No later than **30** days from the petition file date all parties shall comply with the discovery requirements in ORS 419B.300.
 No later than **30** days from the petition file date each person about whom allegations have been made shall admit or deny the allegations.

The court may order that this hearing be continued for good cause. If the court grants a continuance beyond the 60 days, the matter becomes the highest priority for rescheduling on the court docket. The permanency hearing date should be set during this proceeding.

At these reviews the CRB will determine if reasonable/active efforts have been made. A party adversely affected by the findings of the CRB may request court review within 10 days of receipt of the CRB Findings & Recommendations Document.

ORS 419B.470 requires that the court conduct a Permanency Hearing no later than 12 months after the child was found to be within the jurisdiction of the court or 14 months after the child was placed in substitute care, whichever is **earlier**.
 Subsequent Permanency Hearings are held every 12 months. If permanent foster care placement disrupts; a permanency hearing is required within 90 days of the disruption.

ORS 419B.476 requires the agency to make reasonable/active efforts for 12 months after the date that the child was found to be within the jurisdiction of the court or 14 months after the date that the child was placed in substitute care, whichever is **earlier**.

Part of this analysis is the applicability of the 15 of 22 month rule. If none of the exceptions under ORS 419B.498 exists then adoption is the appropriate plan. **Exceptions to TPR include:**

1. Child is cared for by a relative
2. There is documentation of a compelling reason why adoption is not in the best interest of the child:
 - a) Parents are working on a plan to reunite
 - b) Another permanent plan is in the best interest of the child (**hierarchy of plans**)
 - i. Guardianship/Custody
 - ii. Permanent Foster Care
 - iii. Other planned permanent living arrangement
 - c) DHS has not made reasonable/active efforts to reunify
 3. DHS has not provided, consistent with the time period in the case plan, services necessary for reunification

