An Act

ENROLLED HOUSE
BILL NO. 1079

By: Ownbey, Nelson and Peterson of the House

and

Simpson and Treat of the Senate

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

SUBJECT: Review hearing reports for cases involving children alleged or adjudicated to be deprived

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10. Specific recommendations, giving reasons whether:

a. trial reunification should be approved by the court,

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

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

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

C. The attorney representing a child, the foster parents of the child and the guardian ad litem of a child, if any, whose case is being reviewed may submit a report to the court for presentation at the review hearing to assist the court in reviewing the placement or status of the child. The legal custodian shall not deny to a child the right of access to counsel and shall facilitate such access.

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

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

Jeffrey W. Hickman
Presiding Officer of the House of Representatives

Passed the Senate the 7th day of April, 2015.

Eddie Fields
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 8th day of April, 2015, at 3:58 o'clock P M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 10th day of April, 2015, at 9:46 o'clock A M.

Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 10th day of April, 2015, at 1:48 o'clock P. M.

By: Chris Dorris