I.J.R. 46. Annual Permanency Hearings

Idaho Juvenile Rule 46. Annual Permanency Hearings

(a) If the permanency plan has a permanency goal of termination of parental rights and adoption, the permanency plan shall include a schedule which has the objective of finalizing the termination of parental rights within eighteen (18) months from the date the child was removed from the home, and has the objective of finalizing the adoption within twenty-four(24) months from the date the child was removed from the home. Amendments to the permanency plan to extend the time to finalize the termination of parental rights or the adoption must be approved by the court.

(b) If the court approves a permanency plan with a permanency goal of termination ofparental rights and adoption, the court shall order the department to file a petition to terminate parental rights within thirty (30) days of approval of the permanency plan and shall enter a scheduling order that complies with the time limits set forth in this rule and implements the schedule set forth in the permanency plan. The scheduling order may include, but is not limited to, deadlines for filing the petition for termination of parental rights and service of process, the date and time of hearing in the event the petition is not contested, and the date and time of pretrial conference and trial in the event the petition is contested, with the objective of finalizing the proceedings on the petition within six (6) months of the date of the permanency hearing.

(Revised Rule 46 - adopted August 21, 2006; amended, effective November 13, 2008, amended April 24, 2013, effective July 1, 2013.)

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