

**REPORTING FORMS AND INSTRUCTIONS
FOR
PERMANENCY INDICATORS REPORTS
MICHIGAN CIRCUIT COURT - FAMILY DIVISION
(FORM SCAO 66)**

Authorized for Programming and Implementation

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INTRODUCTION

This manual is designed to: 1) instruct vendors what to program in their systems in order to report certain permanency indicator statistics in child protective proceedings; and 2) instruct manually-administered courts what, when, and how to count and report certain permanency indicator statistics in child protective proceedings.

The information collected for this report will provide the circuit courts and the State Court Administrative Office with specific statistical information and data to determine compliance with statutes and court rules and to make management decisions about the effective and timely processing of child protective cases in order to achieve permanency for Michigan's neglected and abused children.

It is imperative that the information collected and reported be accurate and timely.

AUTHORITY FOR REPORTS

The State Court Administrator, under direction of the Supreme Court, shall collect and compile statistical and other data, make reports of the business transacted by the courts, and transmit the reports to the Supreme Court so that the statistics and other data may be used in taking proper action in the administration of justice. [MCR 8.103(5)]

The State Court Administrator, under supervision of the Supreme Court, shall obtain reports from courts, and the judges, clerks, and other officers of the courts, in accordance with rules adopted by the Supreme Court on cases and other judicial business conducted or pending in the courts, and report on them to the Supreme Court. [MCR 8.103(7)]

The clerk of every court shall submit reports as required by the State Court Administrative Office. [MCR 8.119(L)(2)]

The State Court Administrative Office shall publish an annual report evaluating the court regarding its duty under this act to engage in obtaining permanency for children. The report shall include at least information and statistics detailing the court's adherence to each time period prescribed by this act or court rule for the management and disposition of children's cases that are petitioned under MCL 712A.2(b) and, if the court fails to adhere to a time period, the specific reasons for that failure. [MCL 712A.22 (form SCAO 66)]

All trial courts of this state are directed to report to the State Court Administrative Office caseflow management statistics and other caseflow management data required by that office. [Mich Sup Ct AO 2013-12, A.]

GENERAL DEFINITIONS

- **Adjudication:** Adjudication (trial/plea) is the point at which a court enters a finding on the original petition.

If a plea is taken under advisement, no jurisdiction has been taken. Jurisdiction must be taken in order to count as adjudicated.

- **Adjudication date:** The date upon which a court enters a finding on the original petition.
- **Amended petition:** A petition amended and authorized for filing before adjudication.
- **Initial dispositional hearing:** A dispositional hearing is conducted to determine measures to be taken by a court with respect to a child properly within its jurisdiction and, when applicable, against any adult, once that court has determined following trial, plea of admission, or plea of no contest that the child comes within its jurisdiction.
- **Initial dispositional hearing date:** The date upon which the order is entered. (Form JC 17)
- **Initial petition:** A petition that is authorized for filing before adjudication.
- **Jurisdiction:** Jurisdiction is the point at which a child becomes a ward of a court and is under the care, control, and supervision of the Michigan Department of Health and Human Services.
- **Jurisdiction date:** The date upon which a court takes jurisdiction over a child (same as adjudication date).
- **Jurisdiction termination date:** The date upon which a court enters an order terminating its jurisdiction over a child. Jurisdiction can be terminated for a number of reasons, but the most common reasons that are to be used for permanency indicators reporting are: the child has been returned home to the full care, custody, and control of his or her parents; permanency has been achieved; the jurisdiction has been transferred to another county; the child has attained maximum jurisdictional age; or the child has died.
- **Original petition:** The first petition in the child protective proceeding that is assigned a new number and an authorized case-type code. (Form JC 04)
- **Pending petition:** A pending petition is one in which there has been no finding of adjudication on the petition.
- **Permanency:** Permanency is achieved when: 1) a court orders, on the record, the return of a child to the parent(s) or a pre-existing guardian (RET), 2) a written order of adoption is entered (ADO), 3) an acceptance is filed by a guardian in a full guardianship under the Estates and Protected Individuals Code (GUA), 4) a court conducts a 90-day review hearing following the appointment of a juvenile guardian under the Juvenile Code and the court continues that juvenile guardianship (JUG), 5) a written order for permanent relative placement is filed with a court (PPR), or 6) a written approved permanent planned living arrangement is signed and filed with a court (PLA).
- **Permanency planning hearing:** A hearing required by MCL 712A.19a and conducted to review the status of a child and to determine the progress being made to return the child home or to show why the child should not be placed in the permanent custody of a court.

- **Permanency planning hearing date:** The date on which a permanency planning hearing is held (commenced and completed). If a permanency planning hearing is adjourned, the date used for permanency indicators reporting is the date on which the hearing is finally concluded.
- **Preliminary hearing:** The first hearing on a petition filed in a child protective process.
- **Preliminary hearing date:** The date on which the preliminary hearing is commenced.
- **Removal date:** The date a child is removed from his or her home (taken in custody with or without court order pursuant to MCR 3.963). The removal usually occurs before the preliminary hearing but can occur on the same date as or at some point after the preliminary hearing. Without a court order, the date will most likely be found on the petition (Form JC 04b). With a court order, the date will be found on the order to take into protective custody (either Form JC 05b, JC 11a, JC 11b, or JC 49).

When a child is removed and placed out of home after a petition has been authorized, it is the result of an emergency removal (Form JC 75), and another preliminary hearing is not held.

- **Review hearing:** A proceeding at which a court reviews progress that has been made to comply with disposition orders to ultimately achieve permanency for the child.
- **Review hearing date:** The date on which each review hearing is held (commenced and completed). If a review hearing is adjourned, the date used for permanency indicators reporting is the date on which the hearing is finally concluded.
- **Supplemental petition:** A petition authorized for filing after adjudication.
- **Termination hearing:** A proceeding at which a court determines whether to terminate the parental rights to the child.
- **Termination hearing date:** The date on which a termination hearing is held (commenced and completed). Under MCR 3.973(A) and 3.977(E), termination on the initial or amended petition is to take place at the initial dispositional hearing. If termination is adjourned, the date used for permanency indicators reporting is the date on which the hearing is finally concluded.
- **Trial/Plea:** Trial or plea is the point at which the court adjudicates the petition.
- **Trial/Plea date:** The date on which the trial is commenced (when the first witness has begun testimony) or the plea is offered and accepted. Whether a trial is adjourned or not, the date used for permanency indicators reporting is the date the trial is commenced. This may be the same as the adjudication date and jurisdiction date, but it won't be if the trial has been adjourned. (There is no form for this.)

If a plea is taken under advisement, no jurisdiction has been taken. Jurisdiction must be taken in order to count as adjudicated.

**PERMANENCY INDICATORS REPORTS
FORMATS AND INSTRUCTIONS**

GENERAL INSTRUCTIONS AND REPORTING CRITERIA

1. **Each judge of a court shall report case data individually by bar number** (including cases that are handled by referees). When cases from a judge's caseload are assigned to a judge of another court by SCAO, the court must still report them; however, it is at the court's discretion whether to report assigned cases under the bar number of the original judge or under the bar number of the assigned judge. Do not report them under both. For a case that is reassigned internally, the court must report the case under the bar number of the judge to whom it is assigned at the time the case is disposed, or under the bar number of the judge to whom it is assigned if the case remains pending at the end of the reporting period.
2. Include those events where the event dates fall within the period for which the report is being prepared. For example, if: 1) a trial was commenced on September 15 and the trial is commenced within 63 days of removal of a child, count on the report; or 2) no trial has been commenced and more than 63 days has passed since removal of a child, count on the report. However, if a trial has not been commenced and 63 days has not yet passed since the removal of a child, do not report anything regarding that child for that reporting period. Reasons for delay must be captured in the case management system using the codes provided below (item 8).
3. If jurisdiction is terminated or a child is returned home in any given reporting period, the processing events that would have had to be conducted and reported for each child named in the petition, and that were conducted for each child named in the petition, must be reported. Do not report a particular processing event under this described situation that was not yet due and therefore not conducted.
4. If a particular processing event is not due to occur or to be held within a given reporting period, it shall not be reported. Only those events that are due shall be reported.
5. Data entered will require specific identifying codes and timely entry.
6. Reporting of processing events is based on disposition of each child and not on the parents.
7. The standard reasons for adjournment should be built into the case management system in order to best generate explanation of reasons for delay. All reasons for adjournment must be for good cause, on the record.
8. Reasons for delay codes are as follows:

Indian Child - ICW (notice, tribal extension request, qualified expert witness, placement preferences)

Nonappearance - NOA (nonavailability of attorneys, parties, witnesses)

Service of Process Issues - SVC

Awaiting Outside Agency Action - AOA (Michigan Department of Health and Human Services or other service provider)

Operations Issues - OPI (misplaced files, reassignment, jurist unavailable, staff unavailable, scheduling problems, holidays, etc.)

Stipulation to Adjourn - STA

PERMANENCY INDICATORS REPORTS

Report 1: Preliminary Hearing Commenced Within 24 Hours of Removal From Home [MCR 3.965(A), MCL 712A.13a(2)]

Count each child for whom the removal date plus 1 day or more falls within this reporting period and the removal date is less than or equal to the authorization date. Do not include hearings conducted under MCR 3.974(C)(3)(a). Report the children for whom the preliminary hearing was or was not commenced within the time frame using the following lines and columns.

Line	Time Frame	Number of Children
1	Commenced Within 1 Day From Removal	

Line	Time Frame	File Number	Petition Number	Name of Child	Removal Date	Preliminary Hearing Date	Reason(s) for Delay							
							ICW	NOA	SVC	AOA	OPI	STA		
2	Commenced + 1 Day From Removal													
3	Preliminary Hearing Not Commenced													

Line 1: Count the total number of children for whom the preliminary hearing was commenced within 1 day of the removal date.

Line 2: List each child for whom a preliminary hearing was commenced during this reporting period and more than 1 day has passed since the removal date of that child. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

Line 3: List each child for whom a preliminary hearing was not commenced during this reporting period and more than 1 day has passed since the removal date of that child. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

PERMANENCY INDICATORS REPORTS

Report 2: Number of Days From Removal From Home to Adjudication or Dismissal

Report the children for whom adjudication was or was not completed within the time frame using the following lines and columns. Include children for whom the petition was dismissed at trial. **Do not** count petitions dismissed without trial. Count each child for whom the removal date plus 63 days or more falls within this reporting period.

Line	Time Frame	Number of Children
1	Within 63 Days From Removal	
2	64-91 Days From Removal	

Line	Time Frame	File Number	Petition Number	Name of Child	Removal Date	Adjudication/Dismissed Date	Reason(s) for Delay					
							ICW	NOA	SVC	AOA	OPI	STA
3	Over 91 Days From Removal											
4	Adjudication Not Completed											

Line 1: Count the total number of children for whom adjudication or dismissal was completed within 63 days of the removal date.

Line 2: Count the total number of children for whom adjudication or dismissal was completed from 64 to 91 days of the removal date.

Line 3: List each child for whom adjudication or dismissal was completed during this reporting period and more than 91 days has passed since the removal date of that child. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

Line 4: List each child for whom adjudication or dismissal was not completed during this reporting period and more than 91 days has passed since the removal date of that child. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

Exception: The time requirement under MCR 3.972(A) is based on the date the trial was commenced or the plea was offered. However, this particular report is based on the date the trial was completed or the plea was accepted or the order dismissing was entered.

PERMANENCY INDICATORS REPORTS

Report 3: Expedited Permanency Planning Hearing Completed Within 28 Days of Judicial Determination on Reasonable Efforts to Reunify [MCR 3.976(B)(1), MCL 712A.19a(2)]

Report the children for whom the expedited permanency planning hearing was or was not completed within the time frame using the following lines and columns. Count each child for whom a judicial determination was made that reasonable efforts to reunify the child and family are not required when the date these findings were made on the record plus 28 days or more falls within this reporting period. These findings can be found on SCAO-approved forms JC 11a, JC 11b, or JC 49.

Line	Time Frame	Number of Children
1	Within 28 Days of Judicial Determination	

Line	Time Frame	File Number	Petition Number	Name of Child	Judicial Determination Date	Exp. Permanency Planning Hearing Date	Reason(s) for Delay							
							ICW	NOA	SVC	AOA	OPI	STA		
2	+28 Days From Judicial Determination													
3	Expedited Hearing Not Completed													

Line 1: Count the total number of children for whom the expedited permanency planning hearing was completed within 28 days of the date of the judicial determination regarding reasonable efforts to reunify.

Line 2: List each child for whom the expedited permanency planning was completed more than 28 days from the date of the judicial determination regarding reasonable efforts to reunify. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

Line 3: List each child for whom the expedited permanency planning hearing was not completed and more than 28 days has passed since the date of the judicial determination regarding reasonable efforts to reunify. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

PERMANENCY INDICATORS REPORTS

Report 4: Initial Dispositional Hearing Completed Within 28 Days of Adjudication [MCR 3.973(C)]

Count each child for whom the adjudication date plus 28 days or more falls within this reporting period. An initial dispositional hearing is completed upon entry of the order following the hearing. Report the children for whom the initial dispositional hearing under MCR 3.973(C) was or was not completed within the time frame using the following lines and columns.

Line	Time Frame	Number of Children
1	Within 28 Days of Adjudication	

Line	Time Frame	File Number	Petition Number	Name of Child	Date of Adjudication	Date of Initial Dispositional Hearing	Reason(s) for Delay							
							ICW	NOA	SVC	AOA	OPI	STA		
2	+28 Days From Adjudication													
3	Dispositional Hearing Not Completed													

Line 1: Count the total number of children for whom the initial dispositional hearing was completed within 28 days of the date of the adjudication.

Line 2: List each child for whom the initial disposition hearing was completed after 28 days of the date of adjudication. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

Line 3: List each child for whom the initial dispositional hearing was not completed during this reporting period and more than 28 days has passed since the date of adjudication of that child. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

PERMANENCY INDICATORS REPORTS

Report 5: Initial Dispositional Review Hearing Completed Within 182 Days of Removal [MCR 3.975(C), MCL 712A.19(3) and (4), MCL 712A.19a(1)]

A dispositional review hearing must be completed not more than 182 days after a child’s removal from his/her home and no later than every 91 days after that for the first year that the child is subject to the jurisdiction of the court. This report is concerned only with the initial 182-day review; there is no reporting requirement for the 91-day review hearings. Report the children who were removed from the home before disposition and for whom the first dispositional review hearing following removal was or was not completed within the time frame using the following lines and columns. Do not include children for whom both parents’ rights were terminated before this hearing became due. Do not include children who were at home or returned home at disposition and who were subsequently removed at a removal hearing under MCR 3.974(B) or (C) and the initial dispositional review hearing is being conducted under MCR 3.974(D)(2). See Report 6 instead. Count each child for whom a dispositional review hearing was due within this reporting period.

Line	Time Frame	Number of Children
1	Within 182 Days	

Line	Time Frame	File Number	Petition Number	Name of Child	Date of Removal	Date of Review Hearing	Reason(s) for Delay					
							ICW	NOA	SVC	AOA	OPI	STA
2	+182 Days											
3	Review Hearing Not Completed											

Line 1: Count the total number of children for whom the initial dispositional hearing was completed within 182 days of the removal date of that child.

Line 2: List each child for whom the initial dispositional review hearing was completed after 182 days of the removal date of that child. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

Line 3: List each child for whom the initial dispositional review hearing was not completed during this reporting period and more than 182 days has passed since the removal date of that child. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

PERMANENCY INDICATORS REPORTS

Report 6: Dispositional Review Hearing Commenced Within 14 Days of Postdisposition Out-of-Home Placement [MCR 3.974(D)(2)]

A dispositional review hearing must be commenced not more than 14 days after a child’s postdisposition removal from his/her home pursuant to hearing on a petition for removal under MCR 3.974(B) or (C) and every 182 days thereafter (see Report 8). Report the children who were removed from the home postdisposition and for whom the dispositional review hearing following removal was or was not commenced within the time frame using the following lines and columns. Count each child for whom a dispositional review hearing under MCR 3.974(D)(2) was due within this reporting period.

Line	Time Frame	Number of Children
1	Within 14 Days	

Line	Time Frame	File Number	Petition Number	Name of Child	Date of Removal	Date of Initial Dispositional Hearing	Reason(s) for Delay							
							ICW	NOA	SVC	AOA	OPI	STA		
2	+14 Days													
3	Review Hearing Not Commenced													

Line 1: Count the total number of children for whom the dispositional review hearing under MCR 3.974(D)(2) was commenced within 14 days of the removal date of that child.

Line 2: List each child for whom the dispositional review hearing under MCR 3.974(D)(2) was commenced after 14 days of the removal date of that child. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

Line 3: List each child for whom the dispositional review hearing under MCR 3.974(D)(2) was not commenced during this reporting period and more than 14 days has passed since the removal date of that child. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

PERMANENCY INDICATORS REPORTS

Report 7: Initial and Annual Permanency Planning Hearing Completed [MCR 3.976(B)(2), (3), MCL 712A.19a(1)]

The court must complete an initial permanency planning hearing no later than one year after removal from the home where there was no request for termination in the original or amended petition. When termination is requested in the original or amended petition, the initial permanency planning hearing is called an expedited permanency planning hearing (see Report 3 for reporting these hearings). Additionally, during the continuation of foster care, the court must complete permanency planning hearings beginning one year after the initial/expedited permanency planning hearing. Report the children for whom the permanency planning hearing was or was not completed within the time frame using the following lines and columns. Count each child for whom the initial permanency planning hearing described in MCR 3.976(B)(2) or the annual permanency planning hearing described in MCR 3.976(B)(3) plus 364 days or more falls within this reporting period.

Line	Time Frame	Number of Children
1	Within 364 Days of Removal or Previous Hearing	

Line	Time Frame	File Number	Petition Number	Name of Child	Date of Removal or Previous Hearing	Date of Permanency Planning Hearing	Reason(s) for Delay							
							ICW	NOA	SVC	AOA	OPI	STA		
2	+364 Days From Removal or Previous Hearing													
3	Permanency Planning Hearing Not Completed													

Line 1: Count the total number of children for whom the initial permanency planning hearing was completed within 364 days of the removal date. Count the total number of children for whom each subsequent permanency planning hearing was completed within 364 days of the previous permanency planning hearing.

Line 2: List each child for whom the initial permanency planning hearing was completed after 364 days of the removal date. List each child for whom each subsequent permanency planning hearing was completed after 364 days of the previous permanency planning hearing. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

Line 3: List each child for whom the initial permanency planning hearing was not completed during this reporting period and more than 364 days has passed since the removal date for that child. List each child for whom a subsequent permanency planning hearing was not completed during this reporting period and more than 364 days has passed since the previous permanency planning hearing. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

PERMANENCY INDICATORS REPORTS

Report 8: 182-Day Review Hearings Completed [MCR 3.975(C), MCL 712A.19(4)]

Count each child for whom the last review hearing date plus 182 days or more falls within this reporting period. Include children for whom the NA case is reinstated after revocation of a juvenile guardianship (JG) and the 42-day dispositional review hearing has been held. Report the children for whom the review hearing was or was not completed within the time frame using the following lines and columns.

Line	Time Frame	Number of Children
1	Within 182 Days of Permanency Planning/Last Review Hearing	

Line	Time Frame	File Number	Petition Number	Name of Child	Date of Last Review Hearing	Date of Review Hearing	Reason(s) for Delay							
							ICW	NOA	SVC	AOA	OPI	STA		
2	Over 182 Days From Last Review Hearing													
3	182-Day Review Hearing Not Completed													

Line 1: Count the total number of children for whom the review hearing was completed within 182 days of the date of the last review hearing.

Line 2: List each child for whom the review hearing was completed after 182 days of the date of the last review hearing. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

Line 3: List each child for whom the review hearing was not completed during this reporting period and more than 182 days has passed since the date of the last review hearing for that child. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

PERMANENCY INDICATORS REPORTS

Report 9: Termination Hearing Completed Within 42 Days of Filing of Supplemental Petition [MCR 3.977(F)(2), (H)(1)(b)]

The court shall complete a termination hearing when a supplemental petition is filed pursuant to MCR 3.977(F) or (H). Count each child for whom the filing of the supplemental petition plus 42 days or more falls within this reporting period if termination was requested on a supplemental petition. Report the children for whom a termination hearing was or was not completed within the time frame using the following lines and columns.

Line	Time Frame	Number of Children
1	Within 42 Days of Date Supplemental Petition Filed	

Line	Time Frame	File Number	Petition Number	Name of Child	Date Supplemental Petition Filed	Date of Termination Hearing	Reason(s) for Delay							
							ICW	NOA	SVC	AOA	OPI	STA		
2	Over 42 Days From Date Supplemental Petition Filed													
3	Termination Hearing Not Completed													

Line 1: Count the total number of children for whom a termination hearing was completed within 42 days of the date the petition was filed.

Line 2: List each child for whom a termination hearing was completed more than 42 days from the date the petition was filed. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

Line 3: List each child for whom a termination hearing was not completed during this reporting period and more than 42 days has passed since the date the petition was filed for that child. Using the descriptions on page 5, for each child, report all applicable reasons for delay. Report each applicable reason only once.

PERMANENCY INDICATORS REPORTS

Report 10: Permanency Achieved During Reporting Period

Count each child for whom permanency was achieved during the reporting period. Use the definition for permanency on page 3 in determining whether a permanency outcome has been achieved. Specify the type of permanency achieved using the codes in the definitions on page 3; do not include children who have aged out of the system. If a child is not a permanent ward, the field for “Permanent Ward Date” does not apply. If the court has not terminated jurisdiction over a child, the field for “Date Court Jurisdiction Terminated” does not apply.

Line	File Number	Petition Number	Name of Child	Date of Birth	Original Removal Date	Most Recent Removal Date	Permanent Ward Date	Date Permanency Achieved	Date Permanency Achieved	Date Court Jurisdiction Terminated
1										

Line 1: List each child for whom permanency was achieved.

Report 11: Permanency Not Achieved by End of Reporting Period

Count each child for whom permanency has not been achieved by the end of the reporting period and the original removal date was at least 728 days before the end of the reporting period; do not include children who have aged out of the system. Use the definition for permanency on page 3 in determining whether a permanency outcome has been achieved.

Line	File Number	Petition Number	Name of Child	Original Removal Date	Most Recent Removal Date
1					

Line 1: List each child for whom permanency has not been achieved within 728 days of the original removal date.