

(e) (1) If the court continues shelter care on the basis of an alleged emergency, the court shall assess whether the absence of efforts to prevent removal was reasonable.

(2) If the court finds that the absence of efforts to prevent removal was not reasonable, the court shall make a written determination so stating.

(3) The court shall make a written determination as to whether reasonable efforts are being made to make it possible to return the child to the child's home or whether the absence of such efforts is reasonable.

3-816.1.

(A) THE PROVISIONS OF THIS SECTION APPLY TO A HEARING CONDUCTED IN ACCORDANCE WITH § 3-815, § 3-817, § 3-819, OR § 3-823 OF THIS SUBTITLE OR A REVIEW HEARING CONDUCTED IN ACCORDANCE WITH § 5-319 OF THE FAMILY LAW ARTICLE IN WHICH A CHILD IS PLACED UNDER AN ORDER OF GUARDIANSHIP, COMMITMENT, OR SHELTER CARE.

(B) (1) IN A HEARING CONDUCTED IN ACCORDANCE WITH § 3-815, § 3-817, § 3-819, OR § 3-823 OF THIS SUBTITLE, THE COURT SHALL MAKE A FINDING WHETHER THE LOCAL DEPARTMENT MADE REASONABLE EFFORTS TO PREVENT PLACEMENT OF THE CHILD INTO THE LOCAL DEPARTMENT'S CUSTODY.

(2) IN A REVIEW HEARING CONDUCTED IN ACCORDANCE WITH § 3-823 OF THIS SUBTITLE OR § 5-319 OF THE FAMILY LAW ARTICLE, THE COURT SHALL MAKE A FINDING WHETHER A LOCAL DEPARTMENT MADE REASONABLE EFFORTS TO:

(I) FINALIZE THE PERMANENCY PLAN IN EFFECT FOR THE CHILD;
AND

(II) MEET THE NEEDS OF THE CHILD, INCLUDING THE CHILD'S HEALTH, EDUCATION, SAFETY, AND PREPARATION FOR INDEPENDENCE.

(3) THE COURT SHALL REQUIRE A LOCAL DEPARTMENT TO PROVIDE EVIDENCE OF ITS EFFORTS BEFORE THE COURT MAKES A FINDING REQUIRED UNDER THIS SUBSECTION.

(4) THE COURT'S FINDING UNDER THIS SUBSECTION SHALL ASSESS THE EFFORTS MADE SINCE THE LAST ADJUDICATION OF REASONABLE EFFORTS AND MAY NOT RELY ON FINDINGS FROM PRIOR HEARINGS.

(C) IN MAKING ITS FINDINGS IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION, THE COURT SHALL CONSIDER:

(1) THE EXTENT TO WHICH A LOCAL DEPARTMENT HAS COMPLIED WITH THE LAW, REGULATIONS, STATE OR FEDERAL COURT ORDERS, OR A STIPULATED AGREEMENT ACCEPTED BY THE COURT REGARDING THE PROVISION OF SERVICES TO A CHILD IN AN OUT-OF-HOME PLACEMENT;

(2) WHETHER A LOCAL DEPARTMENT HAS ENSURED THAT: