

Article - Courts and Judicial Proceedings

3-823.

(h) (1) (i) Except as provided in [subparagraph (ii)] SUBPARAGRAPHS (II) AND (III) of this paragraph, the court shall conduct a hearing to review the permanency plan at least every 6 months until commitment is rescinded.

(ii) The court shall conduct a review hearing every 12 months after the court [grants guardianship of the child to a relative or other person, or] determines that the child shall be continued in out-of-home placement with a specific caregiver who agrees to care for the child on a permanent basis.

(III) 1. UNLESS THE COURT FINDS GOOD CAUSE, A CASE SHALL BE TERMINATED AFTER THE COURT GRANTS CUSTODY AND GUARDIANSHIP OF THE CHILD TO A RELATIVE OR OTHER INDIVIDUAL.

2. IF THE COURT FINDS GOOD CAUSE NOT TO TERMINATE A CASE, THE COURT SHALL CONDUCT A REVIEW HEARING EVERY 12 MONTHS UNTIL THE CASE IS TERMINATED.

(2) At the review hearing, the court shall:

(i) Determine the continuing necessity for and appropriateness of the commitment;

(ii) Determine the extent of compliance with the permanency plan;

(iii) Determine the extent of progress that has been made toward alleviating or mitigating the causes necessitating commitment;

(iv) Project a reasonable date by which a child in placement may be returned home, placed in a preadoptive home, or placed under a legal guardianship;

(v) Evaluate the safety of the child and take necessary measures to protect the child; and

(vi) Change the permanency plan if a change in the permanency plan would be in the child's best interest.

(3) Every reasonable effort shall be made to effectuate a permanent placement for the child within 24 months after the date of initial placement.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply retroactively and shall be applied to and interpreted to affect any case in which custody and guardianship is granted after October 1, 2001.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2002.

Approved May 6, 2002.