

If the court is considering a modification of the disposition, proceed as if an original disposition hearing. (See the Dispositional Bench Cards addressing Special Provisions for Protective Supervision, Legal Custody, Permanent Custody, and Planned Permanent Living Arrangement.) [R.C. 2151.417(B)] and [R.C. 2151.353(E)(2)]

FINDINGS

- Determine whether the child can and should be returned home with or without orders of protective supervision. [R.C. 2151.417(G)(3)]
- If the child cannot be returned home, determine if the child should remain in the custody of the agency or whether custody should be transferred to another public children services agency, private child-placing agency or another individual. [R.C. 2151.417(G)(3)]
- If the child has been in the temporary custody of one or more public children services agencies or private child-placing agencies for 12 or more months of a consecutive 22-month period, the agency shall file a motion in court requesting permanent custody, unless any of the following apply:
 - the agency documented in the case plan or permanency plan a compelling reason that permanent custody is not in the child's best interest

OR

- the agency has not provided the services required by the case plan to the parents or the child to ensure the safe return home if the court required the agency to make reasonable efforts to return the child to the home. [R.C. 2151.413(D)]

- Determine whether the agency filed a request for an extension of custody for a period not to exceed 6 months. [R.C. 2151.415(D)]

Determine whether the agency included in the motion an explanation of the progress on the case plan and the expectations of reunifying the child with the family or placing the child in an alternative permanent placement during the period of the extension. [R.C. 2151.415(D)]

FIRST EXTENSION OF TEMPORARY CUSTODY

- Determine, by clear and convincing evidence, whether the extension of the temporary custody is in the child's best interest, if there has been significant progress on the case plan of the child, and if there is reasonable cause to believe the child will be reunified with one of the parents or otherwise permanently placed during the period of the extension. [R.C. 2151.415(D)]
- Court must appoint a guardian as soon as possible after a request for extension of temporary custody is filed, except when the child is 6 months or younger in age. HB 213. [R.C. 2151.281(G)]

SECOND EXTENSION OF TEMPORARY CUSTODY

- If an additional extension of temporary custody has been requested for up to 6 months, determine, by clear and convincing evidence, whether the additional extension is in the best interest of the child, if there has been substantial additional progress since the original extension of temporary custody toward reunifying the child with one parent, or otherwise permanently placing the child, and if there is reasonable cause to believe the child will be reunified with one of the parents or otherwise placed in a permanent setting before the expiration of the additional extension period. [R.C. 2151.415(D)]
- Court must appoint a guardian as soon as possible after a request for extension of temporary custody is filed, except when the child is 6 months or younger in age. HB 213. [R.C. 2151.281(G)]



No court shall grant an agency more than two extensions of temporary custody and the court shall not order an existing temporary custody order to continue beyond 2 years after the date on which the complaint was filed or the child was first placed into shelter care, whichever date is earlier, regardless of whether any extensions have been previously ordered [R.C. 2151.414(D) (2) (b) and 2151.415(D) (4)]