
Using This Form

1. Copies
 - a. Original – to court.
 - b. Copy – sent by the court to the child, if s/he is twelve years of age or older.
 - c. Copy – sent by the court to the guardian *ad litem* for the child.
 - d. Copy – sent by the court to each parent, unless parental rights have been terminated.
 - e. Copy – sent by the court to any person standing *in loco parentis* to the child at the time the agency obtained custody or placed the child.
 - f. Copy – sent by the court to the person or agency with custody of the child or placement responsibility for the child.
 - g. Copy – sent by the court to the attorney for the person or agency with custody of the child or placement responsibility for the child.
 - h. Copy – sent by the court to the foster parent or foster parents or other care providers of the child, except the section of the foster care plan describing the reasons why the child cannot be returned home and the alternative chosen.
 - i. Copy – sent by the court to such other persons as the court may direct, including but not limited to pre-adoptive parents, if any.
 - j. Copy – sent by the court to all attorneys of record not listed above.
2. Prepared and filed by the public or private child-placing agency with custody or placement responsibility for the child.
3. Attachments
 - a. Foster Care Plan – Review (Agency Form).
 - b. Adoption Progress Report (Department of Social Services Form), as appropriate.
 - c. New Foster Care Plan (for change in child’s foster care plan goal).
 - d. Form DC-510, SUMMONS, if the parent or guardian of the child did not appear at the initial foster care plan hearing held pursuant to § 16.1-281 and was not noticed to return for the foster care review hearing.
 - e. Form DC-512, NOTICE OF HEARING.
4. Preparation details
 - a. It is suggested that the agency with custody of or placement responsibilities for the child should provide the court with enough copies of the petition and foster care plan for service on or notice to the parties.
 - b. The copy sent to the child should be to his or her own address, not the custodial or placement agency’s address.
 - c. A parent whose residual parental rights to the child have been terminated should not be sent a copy of the petition or foster care plan.

PETITION FOR FOSTER CARE REVIEW HEARING

Commonwealth of Virginia Va. Code §§ 16.1-282, 16.1-282.1 A2, 16.1-282.2

Court Case No. **1**

Agency Case No. **2**

3 Juvenile and Domestic Relations District Court

In re: **4**
NAME OF CHILD

5 **6** Male Female **7**
AGE (YEARS/MONTHS) DATE OF BIRTH

8 has been placed through an agreement with the local board of social services OR
 is in legal custody of the local board of social services or a child welfare agency.

Transfer of custody or placement occurred on **9** to **10**
DATE PUBLIC OR PRIVATE CHILD-PLACING AGENCY

I, the undersigned Petitioner, state under oath to the best of my knowledge and belief that the following are true:

- 11** {
1. The above-named child is the subject of a foster care review hearing pursuant to Virginia Code § 16.1-282 because a foster care plan was filed in this court pursuant to Virginia Code § 16.1-281 and, since the dispositional hearing held on at which the foster care plan was reviewed, the child has been:
 - placed through an agreement with the board of social services where legal custody remains with the parents or guardian and such agreement has not been dissolved by court order; or
 - in the legal custody of the board or child welfare agency and the child has not had a petition to terminate parental rights granted, filed or ordered to be filed on his or her behalf; has not been placed in permanent foster care; or is age 16 or over and the plan for the child is not independent living.
 - OR**
 - The above-named child is the subject of a semi-annual foster care review hearing pursuant to Virginia Code § 16.1-282.1 A2 because a hearing was held on and placement of the child in another planned permanent living arrangement was approved as the plan for the child for a maximum of 6 months.
 - OR**
 - The above-named child is the subject of an annual foster care review hearing pursuant to Virginia Code § 16.1-282.2 because a hearing was held on and the child:
 - has had a petition to terminate parental rights granted, filed or ordered to be filed on his or her behalf; or
 - is placed in permanent foster care; or
 - has been admitted to the United States as a refugee or asylee and is age 16 or over and the plan for the child is independent living.

2. The following documents are attached and incorporated herein:
 - 12** foster care plan with the goal of (review) and Adoption Progress Report or
FOSTER CARE PLAN GOAL
 - new foster care plan with the goal of (change in goal).
FOSTER CARE PLAN GOAL

Wherefore, Petitioner requests that the Court grant the following relief and such other relief as the child's best interest requires:

1. Docket the case for review to be held within 30 days if a hearing was not previously scheduled pursuant to Virginia Code § 16.1-281 E, § 16.1-282 E, § 16.1-282.1 A2 or § 16.1-282.2 A.
2. Provide notice of hearing and a copy of the petition, pursuant to Virginia Code § 16.1-282 C, to the following at addresses provided on the attached transmittal form:
 - Child, if he/she is twelve years of age or older;
 - Guardian *ad litem* for the child;
 - Child's parents and any person standing *in loco parentis* at the time agency assumed custody;
 - Foster parents or other care providers of child;
 - Petitioning board of social services or other child welfare agency; and
 - Such other persons as the Court may direct, including but not limited to pre-adoptive parents, if any.

Data Elements, *page one*

1. Insert court case number.
2. Insert the public or private child-placing agency case number.
3. Insert name of court.
4. Insert name of child who is the subject of the case.
5. Insert age of child.
6. Check appropriate box for gender of child.
7. Insert date of birth of child.
8. Check appropriate box.
9. Insert date transfer of custody or placement occurred.
10. Insert name of the public or private child-placing agency to which legal custody was transferred or with which child was placed.
11. Check applicable box(es) and if appropriate, insert date on which permanency planning hearing was held.
12. Check box(es) to indicate documents attached, and insert foster care plan goal on the line provided.

3. Enter a finding that:
2. reasonable efforts have been made by the agency to reunite child with his or her parents, guardian or other person standing *in loco parentis*; or
- reasonable efforts have not been made by agency to reunite child with his or her parents, guardian or other person standing *in loco parentis*; and/or
- reasonable efforts to reunite child with parents are not required pursuant to Virginia Code § 16.1-281 B.
- reasonable efforts have been made to place the child in a timely manner in accordance with the foster care plan and to monitor the child's status in another planned permanent living arrangement.
- reasonable efforts have been made to place the child in a timely manner in accordance with the foster care plan and to complete the steps necessary to finalize the permanent placement of the child.

4. Enter an order of disposition consistent with the dispositional alternatives available to the court at the original hearing, specifically, approving and adopting the attached foster care plan as being in the best interest of the child.

5. As the child is before the court for a foster care review hearing pursuant to Virginia Code § 16.1-282:
- Schedule a date for a permanency planning hearing to be held pursuant to Virginia Code § 16.1-282.1 within 5 months of this requested foster care review hearing; or
- Schedule a date for an annual foster care review hearing to be held pursuant to Virginia Code § 16.1-282.2 within 12 months of this requested foster care review hearing for a child who remains in the legal custody of a board or child welfare agency and: on whose behalf a petition to terminate parental rights has been granted, filed or ordered to be filed; who is placed in permanent foster care; or who has been admitted to the United States as a refugee or asylee and is age 16 or over and for whom the plan is independent living.
- OR**
3. As the child is before the court for a foster care review hearing pursuant to Virginia Code § 16.1-282.1 A2, schedule a date in 6 months for review of the child's placement in another planned permanent living arrangement.
- OR**
- As the child is before the court for an annual foster care review hearing pursuant to Virginia Code § 16.1-282.2:
- Schedule a date in 6 months for filing the next Adoption Progress Report; and/or
- Schedule a date for an annual foster care review hearing to be held pursuant to Virginia Code § 16.1-282.2 within 12 months of this requested foster care review hearing for a child who remains in the legal custody of the board or child welfare agency and: on whose behalf a petition to terminate parental rights has been granted, filed or ordered to be filed; who is placed in permanent foster care; or who has been admitted to the United States as a refugee or asylee and is age 16 or over and for whom the plan is independent living.

6. 4. Other:

6
DATE

5
PUBLIC OR PRIVATE CHILD-PLACING AGENCY
7
PETITIONER

Subscribed and sworn to before me this 8 DATE

9
[] INTAKE OFFICER [] CLERK

FOR NOTARY PUBLIC'S USE ONLY:

State of 10 [] City [] County of 11

Acknowledged, subscribed and sworn to before me this 12 day of 12, 2012

13
NOTARY REGISTRATION NUMBER

14
NOTARY PUBLIC
(My commission expires: 14)

Data Elements, page two

1. Insert court case number.
2. Check box(es) to indicate the findings requested by petitioner.
3. Check appropriate box to indicate review(s) requested.
4. Check box and insert any other requests.
5. Insert name of petitioning public or private child-placing agency.
6. Insert date signed by petitioner.
7. Signature of petitioner.
8. Insert date on which signature of petitioner is verified.
9. Signature of officer verifying signature of petitioner. Check box to indicate title.
10. If acknowledgment taken by a notary public (Data Elements Nos. 10 to 14), insert state in which acknowledgment is taken.
11. Locality in which acknowledgment is taken. Check the applicable box to indicate the city or county.
12. Insert date of acknowledgment.
13. Insert notary's registration number.
14. Provide signature of notary public taking acknowledgment and expiration date of commission