

*****Pending*****

AMENDMENT No. 1 PROPOSED TO

Senate Bill NO. 2310

By Representative(s) Committee

**Amend by striking all after the enacting clause and inserting
in lieu thereof the following:**

21 SECTION 1. Section 43-15-13, Mississippi Code of 1972, is
22 amended as follows:

23 43-15-13. (1) For purposes of this section, "children"
24 means persons found within the state who are under the age of
25 twenty-one (21) years, and who were placed in the custody of the
26 Department of Human Services by the youth court of the appropriate
27 county.

28 (2) The Department of Human Services shall establish a
29 foster care placement program for children whose custody lies with
30 the department, with the following objectives:

31 (a) Protecting and promoting the health, safety and
32 welfare of children;

33 (b) Preventing the unnecessary separation of children
34 from their families by identifying family problems, assisting
35 families in resolving their problems and preventing the breakup of
36 the family where the prevention of child removal is desirable and
37 possible when the child can be cared for at home without
38 endangering the child's health and safety;

39 (c) Remediating or assisting in the solution of problems
40 which may result in the neglect, abuse, exploitation or
41 delinquency of children;

42 (d) Restoring to their families children who have been
43 removed, by the provision of services to the child and the
44 families when the child can be cared for at home without
45 endangering the child's health and safety;

46 (e) Placing children in suitable adoptive homes
47 approved by a licensed adoption agency or licensed social worker,
48 in cases where restoration to the biological family is not safe,
49 possible or appropriate;

50 (f) Assuring safe and adequate care of children away
51 from their homes, in cases where the child cannot be returned home
52 or cannot be placed for adoption. At the time of placement, the
53 department shall implement concurrent planning, as described in
54 subsection (8) of this section, so that permanency may occur at
55 the earliest opportunity. Consideration of possible failure or
56 delay of reunification should be given, to the end that the
57 placement made is the best available placement to provide
58 permanency for the child; and

59 (g) Providing a social worker or social work team for a
60 family and child throughout the implementation of their permanent
61 living arrangement plan. Wherever feasible, the same social
62 worker or social work team shall remain on the case until the
63 child is no longer under the jurisdiction of the youth court.

64 (3) The State Department of Human Services shall administer
65 a system of individualized plans and reviews once every six (6)
66 months for each child under its custody within the State of
67 Mississippi, each child who has been adjudged a neglected,
68 abandoned or abused child and whose custody was changed by court
69 order as a result of such adjudication, and each public or private
70 facility licensed by the department. The State Department of
71 Human Services administrative review shall be completed on each
72 child within the first three (3) months and a Foster Care Review
73 once every six (6) months after the child's initial forty-eight

74 (48) hours shelter hearing. Such system shall be for the purpose
75 of enhancing potential family life for the child by the
76 development of individual plans to return the child to its natural
77 parent or parents, or to refer the child to the appropriate court
78 for termination of parental rights and placement in a permanent
79 relative's home, adoptive home or foster/adoptive home. The goal
80 of the State Department of Human Services shall be to return the
81 child to its natural parent(s) or refer the child to the
82 appropriate court for termination of parental rights and placement
83 in a permanent relative's home, adoptive home or foster/adoptive
84 home within the time periods specified in this subsection or in
85 subsection (4) of this section. In furthering this goal, the
86 department shall establish policy and procedures designed to
87 appropriately place children in permanent homes, such policy to
88 include a system of reviews for all children in foster care, as
89 follows: Foster care counselors in the department shall make all
90 possible contact with the child's natural parent(s) and any
91 interested relative for the first two (2) months following the
92 child's entry into the foster care system. For any child who was
93 in foster care before July 1, 1998, and has been in foster care
94 for fifteen (15) of the last twenty-two (22) months regardless of
95 whether the foster care was continuous for all of those twenty-two
96 (22) months, the department shall file a petition to terminate the
97 parental rights of the child's parents. The time period starts to
98 run from the date the court makes a finding of abuse and/or
99 neglect or sixty (60) days from when the child was removed from
100 his or her home, whichever is earlier. The department can choose
101 not to file a termination of parental rights petition if the
102 following apply:
103 (a) The child is being cared for by a relative; and/or
104 (b) The department has documented compelling and
105 extraordinary reasons why termination of parental rights would not

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106 be in the best interests of the child.

107 (4) In the case of any child who is placed in foster care on
108 or after July 1, 1998, except in cases of aggravated circumstances
109 prescribed in Section 43-21-603(7)(c) or (d), the child's natural
110 parent(s) will have a reasonable time to be determined by the
111 court, which shall not exceed a six-month period of time, in which
112 to meet the service agreement with the department for the benefit
113 of the child unless the department has documented extraordinary
114 and compelling reasons for extending the time period in the best
115 interest of the child. If this agreement has not been
116 satisfactorily met, simultaneously the child will be referred to
117 the appropriate court for termination of parental rights and
118 placement in a permanent relative's home, adoptive home or a
119 foster/adoptive home * * *. For children under the age of three
120 (3) years, termination of parental rights shall be initiated
121 within six (6) months, unless the department has documented
122 compelling and extraordinary circumstances, and placement in a
123 permanent relative's home, adoptive home or foster/adoptive home
124 within two (2) months. For children who have been abandoned
125 pursuant to the provisions of Section 97-5-1, termination of
126 parental rights shall be initiated within thirty (30) days and
127 placement in an adoptive home shall be initiated without necessity
128 for placement in a foster home. The department need not initiate
129 termination of parental rights proceedings where the child has
130 been placed in durable legal custody or long-term or formalized
131 foster care by a court of competent jurisdiction.

132 (5) The Foster Care Review once every six (6) months shall
133 be conducted by personnel within the State Department of Human
134 Services or by a designee or designees of the department and may
135 include others appointed by the department, and the review shall
136 include at a minimum an evaluation of the child based on the
137 following:

138 (a) The extent of the care and support provided by the
139 parents or parent, while the child is in temporary custody;

140 (b) The extent of communication with the child by
141 parents, parent or guardian;

142 (c) The degree of compliance by the agency and the
143 parents with the social service plan established;

144 (d) The methods of achieving the goal and the plan
145 establishing a permanent home for the child;

146 (e) Social services offered and/or utilized to
147 facilitate plans for establishing a permanent home for the child;
148 and

149 (f) Relevant testimony and recommendations from the
150 foster parent of the child, the grandparents of the child, the
151 guardian ad litem of the child, representatives of any private
152 care agency which has cared for the child, the social worker
153 assigned to the case, and any other relevant testimony pertaining
154 to the case.

155 Each child's review plan once every six (6) months shall be
156 filed with the court which awarded custody and shall be made
157 available to natural parents or foster parents upon approval of
158 the court. The court shall make a finding as to the degree of
159 compliance by the agency and the parent(s) with the child's social
160 service plan. The court also shall find that the child's health
161 and safety are the paramount concern. In the interest of the
162 child, the court shall, where appropriate, initiate proceedings on
163 its own motion. The State Department of Human Services shall
164 report to the Legislature as to the number of such children, the
165 findings of the foster care review board and relevant statistical
166 information in foster care in a semi-annual report to the
167 Legislature to be submitted to the Joint Oversight Committee of
168 the Department of Human Services. The report shall not refer to
169 the specific name of any child in foster care.

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170 (6) The State Department of Human Services, with the
171 cooperation and assistance of the State Department of Health,
172 shall develop and implement a training program for foster care
173 parents to indoctrinate them as to their proper responsibilities
174 upon a child's entry into their foster care. The program shall
175 provide a minimum of twelve (12) clock hours of training. The
176 foster care training program shall be satisfactorily completed by
177 such foster care parents prior to, or within ninety (90) days
178 after child placement with such parent. Record of such foster
179 care parent's training program participation shall be filed with
180 the court as part of a foster care child's review plan once every
181 six (6) months.

182 (7) When the Department of Human Services is considering
183 placement of a child in a foster home and when the department
184 deems it to be in the best interest of the child, the department
185 shall give first priority to placing the child in the home of one
186 (1) of the child's relatives within the third degree, as computed
187 by the civil law rule. In placing the child in a relative's home,
188 the department may waive any rule, regulation or policy applicable
189 to placement in foster care that would otherwise require the child
190 to have a separate bed or bedroom or have a bedroom of a certain
191 size, if placing the child in a relative's home would be in the
192 best interest of the child and such requirements cannot be met in
193 the relative's home.

194 (8) The Legislature recognizes that the best interests of
195 the child require that the child be placed in the most permanent
196 living arrangement as soon as is practicably possible. To achieve
197 this goal, the Department of Human Services is directed to conduct
198 concurrent planning so that a permanent living arrangement may
199 occur at the earliest opportunity. Permanent living arrangements
200 may include prevention of placement of a child outside the home of
201 the family when the child can be cared for at home without

202 endangering the child's health or safety; reunification with the
203 family, when safe and appropriate, if temporary placement is
204 necessary; or movement of the child toward the most permanent
205 living arrangement and permanent legal status. When a child is
206 placed in foster care or relative care, the department shall first
207 ensure and document that reasonable efforts were made to prevent
208 or eliminate the need to remove the child from the child's home.
209 The department's first priority shall be to make reasonable
210 efforts to reunify the family when temporary placement of the
211 child occurs or shall request a finding from the court that
212 reasonable efforts are not appropriate or have been unsuccessful.

213 A decision to place a child in foster care or relative care shall
214 be made with consideration of the child's health, safety and best
215 interests. At the time of placement, consideration should also be
216 given so that if reunification fails or is delayed, the placement
217 made is the best available placement to provide a permanent living
218 arrangement for the child. The department shall adopt rules
219 addressing concurrent planning for reunification and a permanent
220 living arrangement. The department shall consider the following
221 factors when determining appropriateness of concurrent planning:

- 222 (a) The likelihood of prompt reunification;
- 223 (b) The past history of the family;
- 224 (c) The barriers to reunification being addressed by
225 the family;
- 226 (d) The level of cooperation of the family;
- 227 (e) The foster parents' willingness to work with the
228 family to reunite;
- 229 (f) The willingness and ability of the foster family or
230 relative placement to provide an adoptive home or long-term
231 placement;
- 232 (g) The age of the child; and
- 233 (h) Placement of siblings.

234 (9) If the department has placed a child in foster care or
235 relative care pursuant to a court order, the department may not
236 change the child's placement unless the department specifically
237 documents to the court that the current placement is unsafe or
238 unsuitable or that another placement is in the child's best
239 interests * * * unless the new placement is in an adoptive home or
240 other permanent placement. * * * Except in emergency
241 circumstances as determined by the department or where the court
242 orders placement of the child pursuant to Section 43-21-303, the
243 foster parents, grandparents or other relatives of the child shall
244 be given an opportunity to contest the specific reasons documented
245 by the department at least seventy-two (72) hours prior to any
246 such departure, and the court may conduct a review of such
247 placement unless the new placement is in an adoptive home or other
248 permanent placement. When a child is returned to foster care or
249 relative care, the former foster parents or relative placement
250 shall be given the prior right of return placement in order to
251 eliminate additional trauma to the child.

252 (10) The Department of Human Services shall provide the
253 foster parents, grandparents or other relatives with at least a
254 seventy-two-hour notice of departure for any child placed in their
255 foster care or relative care, except in emergency circumstances as
256 determined by the department or where the court orders placement
257 of the child pursuant to Section 43-21-303. The parent/legal
258 guardian, grandparents of the child, guardian ad litem and the
259 court exercising jurisdiction shall be notified in writing when
260 the child leaves foster care or relative care placement,
261 regardless of whether the child's departure was planned or
262 unplanned. The only exceptions to giving a written notice to the
263 parent(s) are when a parent has voluntarily released the child for
264 adoption or the parent's legal rights to the child have been
265 terminated through the appropriate court with jurisdiction.

266 (11) The Department of Human Services shall extend the
267 following rights to foster care parents:

268 (a) A clear understanding of their role as foster
269 parents and the roles of the birth parent(s) and the placement
270 agency in respect to the child in care;

271 (b) Respect, consideration, trust and value as a family
272 who is making an important contribution to the agency's
273 objectives;

274 (c) Involvement in all the agency's crucial decisions
275 regarding the foster child as team members who have pertinent
276 information based on their day-to-day knowledge of the child in
277 care;

278 (d) Support from the social worker in efforts to do a
279 better day-to-day job in caring for the child and in working to
280 achieve the agency's objectives for the child and the birth family
281 through provision of:

282 (i) Pertinent information about the child and the
283 birth family.

284 (ii) Help in using appropriate resources to meet
285 the child's needs.

286 (iii) Direct interviews between the social worker
287 and the child, previously discussed and understood by the foster
288 parents.

289 (e) The opportunity to develop confidence in making
290 day-to-day decisions in regard to the child;

291 (f) The opportunity to learn and grow in their vocation
292 through planned foster parent education;

293 (g) The opportunity to be heard regarding agency
294 practices that they may question; and

295 (h) Reimbursement for costs of the foster child's care
296 in the form of a board payment based on the age of the foster
297 child as prescribed in Section 43-15-17.

298 (12) The Department of Human Services shall require the
299 following responsibilities from participating foster parents:

300 (a) Understanding the department's function in regard
301 to the foster care program and related social service programs;

302 (b) Sharing with the department any information which
303 may contribute to the care of foster children;

304 (c) Functioning within the established goals and
305 objectives to improve the general welfare of the foster child;

306 (d) Recognizing the problems in foster home placement
307 that will require professional advice and assistance and that such
308 help should be utilized to its full potential;

309 (e) Recognizing that the foster family will be one of
310 the primary resources for preparing a child for any future plans
311 that are made, including return to birth parent(s), termination of
312 parental rights or reinstitutionalization;

313 (f) Expressing their view of agency practices which
314 relate to the foster child with the appropriate staff member;

315 (g) Understanding that all information shared with the
316 foster parents about the child and his/her birth parent(s) must be
317 held in the strictest of confidence;

318 (h) Cooperating with any plan to reunite the foster
319 child with his birth family and work with the birth family to
320 achieve this goal; and

321 (i) Attending dispositional review hearings and
322 termination of parental rights hearings conducted by a court of
323 competent jurisdiction, or providing their recommendations to the
324 court in writing.

325 SECTION 2. Section 43-21-603, Mississippi Code of 1972, is
326 amended as follows:

327 43-21-603. (1) At the beginning of each disposition
328 hearing, the judge shall inform the parties of the purpose of the
329 hearing.

330 (2) All testimony shall be under oath unless waived by all
331 parties and may be in narrative form. The court may consider any
332 evidence which is material and relevant to the disposition of the
333 cause, including hearsay and opinion evidence. At the conclusion
334 of the evidence, the youth court shall give the parties an
335 opportunity to present oral argument.

336 (3) If the child has been adjudicated a delinquent child,
337 prior to entering a disposition order, the youth court should
338 consider, among others, the following relevant factors:

- 339 (a) The nature of the offense;
- 340 (b) The manner in which the offense was committed;
- 341 (c) The nature and number of a child's prior
342 adjudicated offenses; and
- 343 (d) The child's need for care and assistance.

344 (4) If the child has been adjudicated a child in need of
345 supervision, prior to entering a disposition order, the youth
346 court should consider, among others, the following relevant
347 factors:

- 348 (a) The nature and history of the child's conduct;
- 349 (b) The family and home situation; and
- 350 (c) The child's need of care and assistance.

351 (5) If the child has been adjudicated a neglected child or
352 an abused child, prior to entering a disposition order, the youth
353 court shall consider, among others, the following relevant
354 factors:

- 355 (a) The child's physical and mental conditions;
- 356 (b) The child's need of assistance;
- 357 (c) The manner in which the parent, guardian or
358 custodian participated in, tolerated or condoned the abuse,
359 neglect or abandonment of the child;
- 360 (d) The ability of a child's parent, guardian or
361 custodian to provide proper supervision and care of a child; and

362 (e) Relevant testimony and recommendations, where
363 available, from the foster parent of the child, the grandparents
364 of the child, the guardian ad litem of the child, representatives
365 of any private care agency which has cared for the child, the
366 social worker assigned to the case, and any other relevant
367 testimony pertaining to the case.

368 (6) After consideration of all the evidence and the relevant
369 factors, the youth court shall enter a disposition order which
370 shall not recite any of the facts or circumstances upon which such
371 disposition is based, nor shall it recite that a child has been
372 found guilty; but it shall recite that a child is found to be a
373 delinquent child, a child in need of supervision, a neglected
374 child or an abused child.

375 (7) In the event that the youth court orders that the
376 custody or supervision of a child who has been adjudicated abused
377 or neglected be placed with the Department of Human Services or
378 any other person or public or private agency, other than the
379 child's parent, guardian or custodian, the youth court shall find
380 and the disposition order shall recite that:

381 (a) (i) Reasonable efforts have been made to maintain
382 the child within his own home, but that the circumstances warrant
383 his removal and there is no reasonable alternative to custody; or

384 (ii) The circumstances are of such an emergency
385 nature that no reasonable efforts have been made to maintain the
386 child within his own home, and that there is no reasonable
387 alternative to custody; and

388 (b) That the effect of the continuation of the child's
389 residence within his own home would be contrary to the welfare of
390 the child and that the placement of the child in foster care is in
391 the best interests of the child; or

392 (c) Reasonable efforts to maintain the child within his
393 home shall not be required if the court determines that:

394 (i) The parent has subjected the child to
395 aggravated circumstances including, but not limited to,
396 abandonment, torture, chronic abuse and sexual abuse; or

397 (ii) The parent has been convicted of murder of
398 another child of such parent, voluntary manslaughter of another
399 child of such parent, aided or abetted, attempted, conspired or
400 solicited to commit such murder or voluntary manslaughter, or a
401 felony assault that results in the serious bodily injury to the
402 surviving child or another child of such parent; or

403 (iii) The parental rights of the parent to a
404 sibling have been terminated involuntarily; and

405 (iv) That the effect of the continuation of the
406 child's residence within his own home would be contrary to the
407 welfare of the child and that placement of the child in foster
408 care is in the best interests of the child. * * *

409 Once the reasonable efforts requirement is bypassed, the
410 court shall have a permanency hearing pursuant to Section
411 43-21-613 within thirty (30) days of such finding.

412 (8) Upon a written motion by a party, the youth court shall
413 make written findings of fact and conclusions of law upon which it
414 relies for the disposition order.

415 SECTION 3. Section 43-21-609, Mississippi Code of 1972, is
416 amended as follows:

417 43-21-609. In neglect and abuse cases, the disposition order
418 may include any of the following alternatives, giving precedence
419 in the following sequence:

420 (a) Release the child without further action;

421 (b) Place the child in the custody of his parents, a
422 relative or other person subject to any conditions and limitations
423 as the court may prescribe. If the court finds that temporary
424 relative placement, adoption or foster care placement is
425 inappropriate, unavailable or otherwise not in the best interest

426 of the child, durable legal custody may be granted by the court to
427 any person subject to any limitations and conditions the court may
428 prescribe; such durable legal custody will not take effect unless
429 the child or children have been in the physical custody of the
430 proposed durable custodians for at least one (1) year under the
431 supervision of the Department of Human Services. The requirements
432 of Section 43-21-613 as to disposition review hearings does not
433 apply to those matters in which the court has granted durable
434 legal custody. In such cases, the Department of Human Services
435 shall be released from any oversight or monitoring
436 responsibilities;

437 (c) Order terms of treatment calculated to assist the
438 child and the child's parent, guardian or custodian which are
439 within the ability of the parent, guardian or custodian to
440 perform;

441 (d) Order youth court personnel, the Department of
442 Human Services or child care agencies to assist the child and the
443 child's parent, guardian or custodian to secure social or medical
444 services to provide proper supervision and care of the child;

445 (e) Give legal custody of the child to any of the
446 following but in no event to any state training school:

447 (i) The Department of Human Services for
448 appropriate placement; or

449 (ii) Any private or public organization,
450 preferably community-based, able to assume the education, care and
451 maintenance of the child, which has been found suitable by the
452 court. Prior to assigning the custody of any child to any private
453 institution or agency, the youth court through its designee shall
454 first inspect the physical facilities to determine that they
455 provide a reasonable standard of health and safety for the child.

456 SECTION 4. Section 43-21-613, Mississippi Code of 1972, is
457 amended as follows:

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458 43-21-613. (1) If the youth court finds, after a hearing
459 which complies with the sections governing adjudicatory hearings,
460 that the terms of a delinquency or child in need of supervision
461 disposition order, probation or parole have been violated, the
462 youth court may, in its discretion, revoke the original
463 disposition and make any disposition which it could have
464 originally ordered. The hearing shall be initiated by the filing
465 of a petition which complies with the sections governing petitions
466 in this chapter and which includes a statement of the youth
467 court's original disposition order, probation or parole, the
468 alleged violation of that order, probation or parole, and the
469 facts which show the violation of that order, probation or parole.
470 Summons shall be served in the same manner as summons for an
471 adjudicatory hearing.

472 (2) On motion of a child or a child's parent, guardian or
473 custodian, the youth court may, in its discretion, conduct an
474 informal hearing to review the disposition order. If the youth
475 court finds a material change of circumstances relating to the
476 disposition of the child, the youth court may modify the
477 disposition order to any appropriate disposition of equal or
478 greater precedence which the youth court could have originally
479 ordered.

480 (3) (a) Unless the youth court's jurisdiction has been
481 terminated, all disposition orders for supervision, probation or
482 placement of a child with an individual or an agency shall be
483 reviewed by the youth court judge or referee at least annually to
484 determine if continued placement, probation or supervision is in
485 the best interest of the child or the public. For children who
486 have been adjudicated abused or neglected, the youth court shall
487 conduct a permanency hearing within twelve (12) months after the
488 earlier of:

489 (i) An adjudication that the child has been abused

490 or neglected; or

491 (ii) Sixty (60) days from the child's removal from
492 the allegedly abusive or neglectful custodian/parent. Notice of
493 such hearing shall be given in accordance with the provisions of
494 Section 43-21-505(5). In conducting the hearing, the judge or
495 referee may require a written report, information or statements
496 from the child's youth court counselor, parent, guardian or
497 custodian which includes, but is not limited to, an evaluation of
498 the child's progress and recommendations for further supervision
499 or treatment. The judge or referee shall, at the permanency
500 hearing determine the future status of the child, including, but
501 not limited to, whether the child should be returned to the
502 parent(s) or placed with suitable relatives, * * * placed for
503 adoption, placed for the purpose of establishing durable legal
504 custody or should, because of the child's special needs or
505 circumstances, be continued in foster care on a permanent or
506 long-term basis. If the child is in an out-of-state placement,
507 the hearing shall determine whether the out-of-state placement
508 continues to be appropriate and in the best interest of the child.
509 The judge or referee may find that reasonable efforts to maintain
510 the child within his home shall not be required in accordance with
511 Section 43-21-603(7)(c).

512 (b) The court may find that the filing of a termination
513 of parental rights petition is not in the child's best interest
514 if:

515 (i) The child is being cared for by a relative;
516 and/or

517 (ii) The State Department of Human Services has
518 documented compelling and extraordinary reasons why termination of
519 parental rights would not be in the best interests of the child.

520 (c) (i) In the event that the youth court either
521 orders or continues the custody or supervision of a child to be

522 placed with the Department of Human Services or any other person
523 or public or private agency, other than the child's parent,
524 guardian or custodian, * * * unless the reasonable efforts
525 requirement is bypassed under Section 43-21-603(7)(c), the youth
526 court shall find and the * * * order shall recite that the effect
527 of the continuation of the child's residence within his own home
528 would be contrary to the welfare of the child and that placement
529 or continued placement of the child in foster care is in the best
530 interest of the child, and that:

531 1. Reasonable efforts have been made to
532 maintain the child within his own home, but that the circumstances
533 warrant his removal and there is no reasonable alternative to
534 custody; or

535 2. The circumstances are of such an emergency
536 nature that no reasonable efforts have been made to maintain the
537 child within his own home, and that there is no reasonable
538 alternative to custody.

539 (ii) The youth court also shall find and the order
540 shall recite that:

541 1. Reasonable efforts were made to reunify
542 the child safely with his family if the removal could not be
543 prevented; or

544 2. If reasonable efforts were not made to
545 prevent the child's removal from home or to reunify the child with
546 his family, that reasonable efforts are or were not required; or

547 3. If the permanent plan for the child is
548 adoption, guardianship, or some other permanent living arrangement
549 other than reunification, that reasonable efforts were made to
550 make and finalize that alternate permanent placement.

551 (d) The provisions of this subsection shall also apply
552 to review of cases involving a dependent child; * * * however,
553 such reviews shall take place not less frequently than once each

554 one hundred eighty (180) days. A dependent child shall be ordered
555 by the youth court judge or referee to be returned to the custody
556 and home of the child's parent, guardian or custodian unless the
557 judge or referee, upon such review, makes a written finding that
558 the return of the child to the home would be contrary to the
559 child's best interests.

560 (e) Reviews are not to be conducted unless explicitly
561 ordered by the youth court concerning those cases in which the
562 court has granted durable legal custody. In such cases, the
563 Department of Human Services shall be released from any oversight
564 or monitoring responsibilities.

565 SECTION 5. This act shall take effect and be in force from
566 and after its passage.