

State	APPLA Law and Policy
Connecticut	<p>State statute: “At a permanency hearing held in accordance with the provisions of subdivision (1) of this subsection, the court shall approve a permanency plan that is in the best interests of the child or youth and takes into consideration the child's or youth's need for permanency. The child's or youth's health and safety shall be of paramount concern in formulating such plan. Such permanency plan may include the goal of (A) revocation of commitment and reunification of the child or youth with the parent or guardian, with or without protective supervision; (B) transfer of guardianship; (C) long-term foster care with a relative licensed as a foster parent or certified as a relative caregiver; (D) adoption and filing of termination of parental rights; or (E) such other planned permanent living arrangement ordered by the court, provided the Commissioner of Children and Families has documented a compelling reason why it would not be in the best interest of the child or youth for the permanency plan to include the goals in subparagraphs (A) to (D), inclusive, of this subdivision. Such other planned permanent living arrangement may include, but not be limited to, placement of a child or youth in an independent living program or long term foster care with an identified foster parent.” Ct. Gen. Stat. § 46b-129(k)(2).</p> <p>Department policy (summary): APPLA is not long-term foster care. In rare cases, based on a child’s unique circumstances, APPLA may be used as a short term interim option while more permanent plans are pursued. APPLA may only be used for children 14 or younger if needed to preserve sibling placement. Requires review by full Permanency Planning Team. Documentation of team’s decision must include reasons, based on facts of case, for selection of APPLA goal, counseling regarding adoption for those youth who oppose adoption and specific steps towards other more permanent concurrent plans. Steps must be outlined to ensure youth has enduring relationships. If APPLA chosen, a concurrent plan of reunification, adoption or guardianship shall continue to be pursued and services and supports necessary to maintain child in least restrictive and most permanent placement must be implemented. APPLA decisions must be formally reassessed every 6 months and the reasons for maintaining that goal documented. Decision of permanency planning team may be appealed by social worker or supervisor. APPLA may be considered a goal for Native American children when tribe has placed child with a non-relative tribal member for purposes of permanent living arrangement. Connecticut Department of Children and Families, Policy Manual § 48-14-6.1.</p>

<p>Maine</p>	<p>State statute: “The District Court may adopt another planned permanent living arrangement as the permanency plan for the child only after the department has documented to the court a compelling reason for determining that it would not be in the best interests of the child to be returned home, be referred for termination of parental rights or be placed for adoption, be cared for by a permanency guardian or be placed with a fit and willing relative.” Maine Rev. Stat. tit. 22, chap. 1071, § 4038-B.</p> <p>Department policy: same as statute</p>
<p>Massachusetts</p>	<p>State statute: “The [permanency] plan shall address whether and, if applicable, when: (1) the child will be returned to the parent; (2) the child will be placed for adoption and the steps the department will take to free the child for adoption; (3) the child will be referred for legal guardianship; (4) the child will be placed in permanent care with relatives; or (5) the child will be placed in another permanent planned living arrangement. The department shall file a permanency plan prior to a permanency hearing that shall address the above placement alternatives. The court shall consult with the child in an age-appropriate manner about the permanency plan developed for the child.” Mass. Gen. Laws, chap. 119, § 29B (amended version to go into effect January 3, 2011). Amendments include that this section will apply to children 18-22 who are in the care of the Commonwealth; and that a transition plan will be required for every child in care at age 17 years, nine months).Department policy: A revised Permanency Planning Policy is currently under development to reflect the revision included in the recent amendment to Mass. Gen. Laws, chap. 119, § 29B, among other updates to reflect current practices.</p>
<p>New Hampshire</p>	<p>State statute: “At a permanency hearing, the court shall determine whether and, if applicable, when the child will be returned to the parent or parents, pursuant to RSA 169-C:23. If the standard for return pursuant to RSA 169-C:23 is not met, the court shall identify a permanency plan other than reunification for the child. Other options for a permanency plan include:</p> <ul style="list-style-type: none"> (a) Termination of parental rights or parental surrender when an adoption is contemplated; (b) Guardianship with a fit and willing relative or another appropriate party; or (c) Another planned permanent living arrangement.” <p>N.H. Rev. Stat. Ann. § 169-C:24-b.</p> <p>Department policy (summary): APPLA is intended, designed, and deliberate and includes physical placement, supervision, quality of care, nurture and permanent connections to family of origin and other families important to</p>

	<p>child. When all other permanency options have been exhausted, APPLA may be considered. No youth age 13 or younger should be considered for APPLA unless permanency planning team has reviewed and DCYF administrator or DJJS Bureau Chief gives prior approval. APPLA is a permanent plan when all other options eliminated and 1) child has significant bond with birth family but is unable to safely reunify, 2) child has significant bond with foster family, another family, or adult, or 3) the child is not willing to consider adoption at this time. Youth must be provided with opportunity to build relationships with adults such as relatives, school staff, foster parents, etc. There must be ongoing discussions with older youth regarding adults in their lives that may provide long-term care and support. When group home is most appropriate placement, DCYF and DJJS will support and/or encourage permanent relationships with adults. The foster parent will enter into written agreement that outlines expectations. Spells out duties of CPSW and Adolescent Worker. New Hampshire Division of Children, Youth and Families Policy Manual, 703 Permanency Options for Children and Youth in Foster Care.</p>
<p>Rhode Island</p>	<p>State statute: “Each child continued in foster care shall be afforded a permanency hearing not less frequently than every twelve (12) months during the continuation of foster care, which hearing shall determine the permanency plan for the child that includes whether, and if applicable when, the child will be returned to the parent or placed for adoption with the state filing a petition for termination of parental rights, or referred for legal guardianship, or that the child be placed in another planned permanent living arrangement in cases where the department has documented to the court a compelling reason for determining that it would not be in the best interests of the child to return home, or be referred for termination of parental rights, or be placed for adoption, or be placed with a fit and willing relative, or with a legal guardian.” R.I. Gen. Laws, § 40-11-12.1(g).</p> <p>Department policy (summary): APPLA includes: Permanent Placement with a Fit and Willing Relative, Planned Living Arrangement/Independent Living (when appropriate for youth over age 16), and Planned Living Arrangement/Other. Service plan must document efforts to implement APPLA goal and must specify who will be permanent connection for youth, if identified, and how department is working to maintain that connection. APPLA is appropriate only when court has been provided with compelling reason why all other options are unacceptable. These reasons shall be reexamined at each administrative review and every permanency hearing. Under ASFA, fit and willing relative can provide APPLA with no need for TPR and no need for relative to consider guardianship or adoption. Determining APPLA with fit and willing relative requires consideration of</p>

	relationships among child, parents and relative. Compelling reason is documented to court addressing established relationships and why neither guardianship nor adoption is viable option. Rhode Island Department of Children, Youth and Families, Policy Manual, Comprehensive Assessment and Service Planning.
Vermont	<p>State statute: Provides as a permanency option that “the child will remain in the same living arrangement or be placed in another planned permanent living arrangement because the commissioner has demonstrated to the satisfaction of the court a compelling reason that it is not in the child’s best interest to return home, have residual parental rights terminated and be released for adoption, or be placed with a fit and willing relative or legal guardian.” Vt. Stat. tit. 33, § 5321.</p> <p>Department policy: None</p>