



2003 Child Abuse and Neglect State Statutes Series Statutes-at-a-Glance Reasonable Efforts to Reunify Families

What Are Reasonable Efforts?

Reasonable efforts refers to efforts made by State social services agencies to provide the assistance and services needed to preserve and reunify families.

Nearly all the States have enacted statutes requiring the provision of services that will assist families in remedying the conditions that brought the child and family into the child welfare system. The statutes in most States, however, use a broad definition of what constitutes reasonable efforts. Some terms commonly used include “family reunification,” “family preservation,” “family support,” and “preventive services.”

When Reasonable Efforts Are Required

Federal law¹ has long required State agencies to demonstrate that reasonable efforts have been made to provide assistance and services to prevent the unnecessary removal of a child from his or her home, and make it possible for a child who has been placed in out-of-home care to be reunified with his or her family.

In many States, the statutes also require that when a determination is made that reunification of the family is not in the best interest of the child, efforts be made to finalize another permanent placement for the child. Under the Adoption and Safe Families Act of 1997 (ASFA), while reasonable efforts to preserve and reunify families are still required, the child's health and safety constitute the paramount concern in determining reasonable efforts to be made.²

When Reasonable Efforts Are Not Required

ASFA mandates that reasonable efforts to preserve the family are not required when:

- The parent has subjected the child to aggravated circumstances (as defined by State law, which definition may include, but need not be limited to, abandonment, torture, chronic abuse, and sexual abuse).
- The parent has committed murder of another child of the parent.
- The parent has committed voluntary manslaughter of another child of the parent.
- The parent has aided or abetted, attempted, conspired, or solicited to commit such a murder or such voluntary manslaughter.
- The parent has committed a felony assault that results in serious bodily injury to the child or another child of the parent.
- The parental rights of the parent to a sibling of the child have been terminated involuntarily.



The Clearinghouses are services of the Children's Bureau, Administration for Children and Families, U.S. Department of Health and Human Services.

¹ Beginning with the Adoption Assistance and Child Welfare Act of 1980 (P.L. § 96-272).

² States must comply with the requirements outlined in ASFA as a condition for receiving certain Federal funds.

Approximately³ 14 States and Puerto Rico provide for one or more of these additional grounds for not providing reasonable efforts:

- Failure of the parent to comply with the terms of a reunification plan.
- Incarceration of the parent for a long term in relation to the child's age where there is no suitable relative to care for the child.
- Mental illness of the parent of such duration or severity that there is little likelihood of the parent being able to resume care for the child within a reasonable time.
- Chronic abuse of drugs or alcohol where the parent has refused or failed a treatment plan.

The Statutes-at-a-Glance listings summarize specific sections of each State's code. While every attempt has been made to be as complete as possible, additional information on these topics may be found in other sections of a State's code as well as in agency regulations, case law, and informal practices and procedures. Readers interested in interpretation of specific statutory provisions within an individual jurisdiction should consult with professionals within the State familiar with the statutes' implementation.

Statutes-at-a-Glance publications also are available on the Clearinghouse Web site (<http://nccanch.acf.hhs.gov/general/legal/statutes/index.cfm>). Our online State Statutes database is searchable by State or Region.

³ The word *approximately* is used throughout the State Statutes Series to stress the fact that statutes are constantly revised and updated.

Alabama**What Are Reasonable Efforts****Statute: § 12-15-65(m)**

'Reasonable efforts' refers to efforts to preserve and reunify families.

When Reasonable Efforts Are Required**Statute: § 12-15-65(m)**

- Prior to the placement of a child in foster care
- To prevent or eliminate the need for removing the child from the child's home
- To make it possible for a child to safely return home

When Reasonable Efforts Are NOT Required**Statute: § 12-15-65(m)**

When a parent's parental rights to a sibling have been involuntarily terminated or where a court has determined that a parent has done any of the following:

- Subjected the child to aggravated circumstances, including abandonment, torture, chronic abuse, substance abuse, or sexual abuse
 - Committed murder or voluntary manslaughter of another child
 - Aided or abetted, attempted or conspired to commit murder or voluntary manslaughter of another child
 - Committed a felony assault which resulted in serious bodily injury to the child or another child of the parent
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Alaska**What Are Reasonable Efforts****Statute: § 47.10.086**

The department's duty includes the duty to:

- Identify family support services that will assist the parent or guardian in remedying the conduct or conditions in the home that made the child a child in need of aid
- Actively offer the parent or guardian, and refer the parent or guardian to, those services
- Document the department's actions that are taken

When Reasonable Efforts Are Required**Statute: § 47.10.086**

The department shall make timely efforts to provide family support services to the child and parents that are designed to prevent out-of-home placement of the child or to enable the safe return of the child to the family home, when appropriate.

When Reasonable Efforts Are NOT Required**Statute: § 47.10.086**

- The parent has subjected the child to circumstances that pose a substantial risk of harm, including abandonment, sexual abuse, torture, chronic mental injury, or chronic physical harm
 - The parent has committed or attempted to commit murder of the other parent or of a child, or has committed felony assault that results in serious physical injury
 - The parent has failed, during the preceding 12 months, to participate in family support services
 - The department cannot identify and locate the parent
 - The parent has a mental illness and will be unable to care for the child in the foreseeable future
 - Previous substantiated abuse
 - Inability to protect the child from harm
 - Rights to another child have been previously terminated and conditions in the home not remedied
 - Incarceration of the parent for a substantial period of time
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American Samoa**What Are Reasonable Efforts**

Not addressed in statutes reviewed

When Reasonable Efforts Are Required

Not addressed in statutes reviewed

When Reasonable Efforts Are NOT RequiredNot addressed in statutes reviewed

Arizona**What Are Reasonable Efforts**

Not specified in statutes reviewed

When Reasonable Efforts Are Required**Statute: § 8-846**

If the child has been removed from the home, the court shall order reasonable efforts to the child and the child's parent to facilitate reunification of the family.

When Reasonable Efforts Are NOT Required**Statute: § 8-846**

Reunification services not required if the court finds by clear and convincing evidence that one of the following aggravated circumstances exist:

- The parent cannot be identified or located
 - The parent suffers from a mental illness that will likely prevent the parent from resuming care of the child within 12 months
 - Previous incident of physical or sexual abuse
 - The child has suffered severe physical or emotional injury
 - Failure of reunification services
 - Parent's rights to another child have been terminated and conditions not remedied
 - The parent has been convicted of murder or manslaughter, sexual abuse or sexual assault of a child, or aiding or abetting any such crimes
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Arkansas**What Are Reasonable Efforts****Statute: § 9-27-303**

'Reasonable efforts' means efforts to preserve the family, or reasonable care and diligence on the part of the department or agency to utilize all available services related to meeting the needs of the juvenile and the family.

When Reasonable Efforts Are Required**Statute: § 9-27-303**

- Prior to the placement of a child in foster care to prevent the need for removing the child from the child's home
- To reunify a family after a child has been placed out of home to make it possible to return safely home
- To obtain permanency for a child who has been in placement more than 12 months, or 15 of the last 22 months

When Reasonable Efforts Are NOT Required**Statute: § 9-27-303**

Reunification shall not be required if a court finds by clear and convincing evidence that the parent has:

- Subjected the child to aggravated circumstances, which may include abandonment, chronic abuse, cruelty, or sexual abuse
 - Committed or attempted to commit murder or voluntary manslaughter of any child
 - Committed felony battery or assault to any child that results in serious bodily injury
 - Had parental rights terminated to a sibling of the child
 - Has abandoned an infant
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California**What Are Reasonable Efforts****Statute: Welf. & Inst. § 361.5**

- Child welfare services
- Court ordered counseling and other treatment services, for the reunification of the child with the child's family

When Reasonable Efforts Are Required**Statute: Welf. & Inst. § 361.5**

Whenever a child is removed from a parent's or guardian's custody.

- For a child age 3 or older, services may not exceed a period of 12 months from the date the child entered foster care
- For a child under age of 3 years, services may not exceed a period of 6 months from the date the child entered foster care

When Reasonable Efforts Are NOT Required**Statute: Welf. & Inst. § 361.5**

Reunification services need not be provided when the court finds, by clear and convincing evidence, any of the following:

- The whereabouts of the parent are unknown
 - The parent has a mental disability that makes him or her incapable of utilizing services
 - There is a prior adjudication of physical or sexual abuse of a child
 - The parent caused the death of another child through abuse or neglect
 - The infliction of severe physical or sexual abuse on the child or a sibling
 - The child was conceived as a result of a sexual offense
 - The parent has willfully abandoned the child
 - Parent's rights to another child have been terminated and conditions not remedied
 - The parent has been convicted of a violent felony
 - The parent has a history of chronic use of drugs or alcohol and refused to comply with a treatment program
 - The parent has indicated a lack of interest in reunification services
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Colorado**What Are Reasonable Efforts****Statute: § 19-1-103(89)**

The exercise of diligence and care, to provide supportive and rehabilitative services to the family that are required to prevent unnecessary placement of the children outside the home and to foster safe reunification of a child with the child's family, or, when it is appropriate, to find and finalize an alternative permanent plan for the child.

When Reasonable Efforts Are Required**Statute: § 19-1-115**

- To prevent or eliminate the need for removal of the child from the home
- If legal custody has been awarded to the department, efforts will be made to reunite the child and the family

When Reasonable Efforts Are NOT Required**Statute: § 19-1-115**

Reasonable efforts are not required to prevent the child's removal from the home or to reunify the child and the family in the following circumstances:

- When the court finds that the parent has subjected the child to aggravated circumstances as described in § 19-3-604
- When the parental rights of the parent with respect to a sibling of the child have been involuntarily terminated, unless the prior sibling termination resulted from a parent delivering a child to a firefighter or a hospital staff member pursuant to § 19-3-304.5
- When the court finds that the parent has been convicted of murder or voluntary manslaughter of another child of the parent; aiding, abetting, or attempting to commit such crimes; or a felony assault that resulted in serious bodily injury to the child or to another child of the parent

Connecticut**What Are Reasonable Efforts****Statute: § 46B-129**

Services to be provided to the parent and steps the parents may take to address the problem that prevents the child from safely reuniting with the parent.

When Reasonable Efforts Are Required**Statute: § 46B-129**

At a permanency hearing, the court shall determine whether to continue reasonable efforts.

When Reasonable Efforts Are NOT Required**Statute: § 17a-111b**

The court may determine such efforts are not appropriate if:

- The parent has subjected the child to aggravated circumstances
 - The child has been abandoned
 - The parent has inflicted sexual molestation or exploitation or severe physical abuse or engaged in a pattern of abuse of the child
 - The parent has killed a sibling of the child or committed assault against the child or a sibling resulting in serious bodily injury
 - The parental rights to a sibling have involuntarily terminated
 - The parent was convicted of sexual assault resulting in conception of the child
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Delaware**What Are Reasonable Efforts****Statute: Tit. 29, § 9003**

The Division of Family Services will provide family preservation services.

When Reasonable Efforts Are Required**Statute: Tit. 29, § 9003**

Services will be provided to those families whose children are at imminent risk of out-of-home placement when it is determined that out-of-home placement can be avoided.

When Reasonable Efforts Are NOT Required**Statute: Tit. 13, § 1103**

Reunification services are not required when the grounds for termination of parental rights are:

- The child has been abandoned
 - The parent has committed or attempted to commit a felony offense against the person where the victim was a child
 - The parent committed or attempted to commit the offense of dealing in children
 - The parent committed the felony of endangering the welfare of a child
 - The parent's rights to another child have been terminated
 - The parent has subjected the child to torture, chronic abuse, sexual abuse, or life-threatening abuse
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District of Columbia**What Are Reasonable Efforts****Statute: § 4-1301.09a**

Efforts by the agency to preserve and reunify the family

When Reasonable Efforts Are Required**Statute: § 4-1301.09a**

- Prior to the removal of the child from the home to prevent or eliminate the need for removing the child
- To make it possible for the child to safely return home
- If return home is inconsistent with the child's permanency plan, efforts to place the child in accordance with that plan in order to finalize a permanent placement

When Reasonable Efforts Are NOT Required**Statute: § 4-1301.09a**

Reasonable efforts to reunify are not required if the parent:

- Subjected a sibling or other child to cruelty, abandonment, torture, chronic abuse, or sexual abuse
 - Committed or attempted to commit murder or voluntary manslaughter of a sibling or other child
 - Committed a felony assault against the child, a sibling, or other child
 - Had his or her parental rights terminated involuntarily with respect to a sibling
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Florida**What Are Reasonable Efforts****Statute: § 39.521(1)(f)**

'Reasonable effort' means the exercise of reasonable diligence and care by the department to provide the services ordered by the court or delineated in the case plan.

When Reasonable Efforts Are Required**Statute: § 39.521(1)(f)**

The court shall make a finding regarding whether reasonable efforts have been made:

- Whether or not prevention or reunification services were indicated
- A written description of what appropriate and available efforts were made
- Why further efforts could or could not have prevented or shortened the separation of parent and child

When Reasonable Efforts Are NOT Required**Statute: § 39.521(1)(f)**

A reasonable effort has been made if the appraisal of the home situation indicates the severity of conditions is such that reunification efforts were inappropriate.

Georgia**What Are Reasonable Efforts****Statute: § 15-11-58**

Efforts to preserve and reunify families made by the Division of Family and Children Services and other appropriate agencies

When Reasonable Efforts Are Required**Statute: § 15-11-58**

Reasonable efforts shall be made to preserve and reunify families:

- Prior to placement of a child in the custody of the department to prevent or eliminate the need for removing the child from the child's home
- To make it possible for a child to return safely to the child's home

When Reasonable Efforts Are NOT Required**Statute: § 15-11-58**

Reasonable efforts are not required when a court determines that:

- The parent has subjected the child to aggravated circumstances, which may include abandonment, torture, chronic abuse, and sexual abuse
 - The parent has committed or attempted to commit murder or voluntary manslaughter or felony assault that resulted in serious bodily injury of another child of the parent
 - The parental rights to a sibling have been terminated involuntarily
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Guam**What Are Reasonable Efforts**

Not addressed in statutes reviewed

When Reasonable Efforts Are Required

Not addressed in statutes reviewed

When Reasonable Efforts Are NOT RequiredNot addressed in statutes reviewed

Hawaii**What Are Reasonable Efforts****Statute: § 587-26**

A written service plan that sets forth the steps that will be necessary to make the family home safe and to terminate the agency's intervention into the family.

The service plan should include steps that are structured and balance the priority, intensity, and quantity of services needed with the family's ability to benefit from those services.

When Reasonable Efforts Are Required**Statute: § 587-26**

- To facilitate the return of the child to a safe family home if the proposed placement of the child is in foster care
- To allow the child to remain in a safe family home with the assistance of a service plan

When Reasonable Efforts Are NOT Required**Statute: §§ 587-26; 587-71**

The court need not order a service plan if the court finds that aggravated circumstances are present:

- The parent has committed, aided, attempted, or conspired to commit murder or voluntary manslaughter of another child of the parent
 - The parent has committed a felony assault that results in serious bodily injury to the child or another child
 - The parental rights to a sibling have been judicially terminated
 - The parent has tortured the child
 - The child is an abandoned infant
 - A court has determined regarding a sibling under § 587-73 that the parent is not willing and able to provide a safe family home
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Idaho**What Are Reasonable Efforts**

Not specified in statutes reviewed

When Reasonable Efforts Are Required**Statute: §§ 16-1615; 16-1610**

- Prior to the placement of the child in care to prevent the removal of the child from the child's home
- To reunify the family in a timely manner in accordance with the case plan
- To complete the steps necessary to finalize the permanent placement of the child

When Reasonable Efforts Are NOT Required**Statute: § 16-1608(f)**

- Reasonable efforts were made but were not successful in eliminating the need for foster placement of the child
 - Reasonable efforts were not made because of immediate danger to the child
 - Reasonable efforts to temporarily place the child with a relative were not successful
 - Reasonable efforts were not required because the parent subjected the child to aggravated circumstances, including abandonment, torture, chronic abuse, sexual abuse, murder or the attempt to commit murder, voluntary manslaughter or the attempt, felony assault that results in serious bodily injury, or the parental rights of the parent to a sibling have been terminated involuntarily
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Illinois**What Are Reasonable Efforts****Statute: Ch. 20, § 505/5**

The department shall offer family preservation services to help families, including adoptive and extended families.

The child and his family shall be eligible for services as soon as a report is determined to be 'indicated.'

When Reasonable Efforts Are Required**Statute: Ch. 20, § 505/5**

- To prevent the placement of children in substitute care when the children can be cared for at home
- To reunite children with their families
- To maintain an adoptive placement

When Reasonable Efforts Are NOT Required**Statute: Ch. 20, § 505/5; Ch. 705, § 405/2-13.1**

When a court determines that further reunification services would be ineffective.

When a parent has had parental rights to another child involuntarily terminated.

When the parent has been convicted of:

- First degree murder of another child
- Attempt, conspiracy, or solicitation to commit first or second degree murder of another child
- Aggravated battery, aggravated battery of a child, or felony domestic battery that has resulted in serious bodily injury to the child or another child of the parent

Indiana**What Are Reasonable Efforts****Statute: § 31-34-21-5.5**

Efforts to preserve and reunify families

When Reasonable Efforts Are Required**Statute: § 31-34-21-5.5**

- If the child has not been removed from the home, to prevent or eliminate the need for removing the child
- If the child has been removed from the home, to make it possible for the child to return safely home as soon as possible

When Reasonable Efforts Are NOT Required**Statute: § 31-34-21-5.6**

When a court finds any of the following:

- A parent has been convicted of causing a suicide, involuntary manslaughter, rape, criminal deviate conduct, child molesting or exploitation
- A parent has been convicted of murder or involuntary manslaughter of a victim who is the parent's child
- A parent has been convicted of attempting, aiding, or conspiring to commit any of the above crimes
- A parent has been convicted of battery, aggravated battery, criminal recklessness, or neglect of a dependent
- The parental rights of a parent with respect to a sibling have been involuntarily terminated
- The child is an abandoned infant

Iowa**What Are Reasonable Efforts****Statute: § 232.102**

Efforts made to preserve and unify a family.

Reasonable efforts may include intensive family preservation services or family-centered services if the child's safety in the home can be maintained during the time the services are provided.

When Reasonable Efforts Are Required**Statute: § 232.102**

- Prior to out-of-home placement of a child in foster care to eliminate the need for removal of the child
- To make it possible for the child to safely return to the family's home

When Reasonable Efforts Are NOT Required**Statute: § 232.102**

If the court determines by clear and convincing evidence that aggravated circumstances exist, the court may waive the requirement for making reasonable efforts. Aggravated circumstances include:

- The parent has abandoned the child
 - The court finds the child in need of assistance based on a finding of physical or sexual abuse or neglect
 - The parental rights to another child have been terminated and there is evidence that services will not correct the conditions within a reasonable time
 - The parent has been convicted of murder or voluntary manslaughter of another child or the attempt to commit either crime
 - The parent has been convicted of a felony assault of the child or another child that has resulted in serious bodily injury
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Kansas**What Are Reasonable Efforts****Statute: § 38-1563(h)**

Efforts to maintain the family unit

When Reasonable Efforts Are Required**Statute: § 38-1563(h)**

To maintain the family unit and prevent unnecessary removal of the child from the child's home

When Reasonable Efforts Are NOT Required**Statute: § 38-1563(h)**

Reintegration may not be viable when:

- The parent has committed murder or voluntary manslaughter of a child
 - The parent has aided, attempted, or conspired to commit such crime
 - The parent has committed felony battery that resulted in bodily injury to the child or another child
 - The parent has subjected the child to aggravated circumstances, including abandonment, torture, chronic abuse, sexual abuse, or chronic, life-threatening neglect of a child
 - The parental rights of the parent to another child have been terminated involuntarily
 - The child has been in extended out of home placement, which is 15 of the most recent 22 months
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Kentucky**What Are Reasonable Efforts****Statute: § 620.020**

'Reasonable efforts' means the exercise of ordinary diligence and care by the department to utilize all preventive and reunification services available to the community necessary to enable to child to live safely at home.

When Reasonable Efforts Are Required**Statute: § 620.020**

- To strengthen the family unit
- To secure reunification of the family and child where appropriate, as quickly as practicable
- To prevent the future removal of the child from the family

When Reasonable Efforts Are NOT Required**Statute: §§ 610.127; 620.020**

Reasonable efforts shall not be required if a court determines that the parent has:

- Subjected the child to aggravated circumstances:
 - The parent has not had contact with the child for not less than 90 days
 - The parent is incarcerated for at least 1 year and there is no appropriate relative to care for the child
 - The parent has sexually abused the child and refused available treatment
 - The parent has engaged in abuse of the child that required removal 2 or more times in the last 2 years
 - The parent has caused serious physical injury
- Been convicted of having caused the death of another child of the parent
- Committed a felony assault that resulted in serious bodily injury to the child or another child of the parent
- Engaged in a pattern of conduct due to alcohol or drug abuse that has rendered the parent incapable of caring for the immediate and ongoing needs of the child, and the parent has refused or failed to complete a treatment plan
- Mental illness or retardation that places the child at substantial risk of harm even if services were provided to the parent for 12 months
- Other circumstances that make reasonable efforts inconsistent with the best interests and permanency plan of the child

Louisiana**What Are Reasonable Efforts****Statute: Ch. Code art. 603(17)**

'Reasonable efforts' means the exercise of ordinary diligence and care by department caseworkers and supervisors and shall assume the availability of a reasonable program of services to children and their families.

When Reasonable Efforts Are Required**Statute: Ch. Code art. 684**

- To prevent removal
- Preventive and reunification efforts, or both, to prevent or shorten the separation of the family

When Reasonable Efforts Are NOT Required**Statute: Ch. Code art. 672.1**

Efforts to reunify the parent and child are not required if a court has determined that:

- The parent has subjected the child to egregious conduct or conditions, including any of the grounds for termination of parental rights pursuant to Article 1015
 - The parent has committed or attempted to commit murder or voluntary manslaughter of another child of the parent
 - The parent has committed a felony that resulted in serious bodily injury to the child or another child of the parent
 - The parental rights to a sibling have been terminated involuntarily
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Maine**What Are Reasonable Efforts****Statute: Tit. 22, § 4041(1-A)**

A written rehabilitation plan that includes:

- The services that address the problems in the family that present a risk of harm to the child
- Provisions to ensure the safety of the child while the parent engages in those services
- A means to measure the extent to which progress has been made
- Visitation that protects the child's physical and emotional well-being

When Reasonable Efforts Are Required**Statute: Tit. 22, § 4041(1-A)**

- To eliminate jeopardy to the child while in the care of the parent
- To assist the parent in rehabilitating and reunifying with the child, as appropriate to the child and family

When Reasonable Efforts Are NOT Required**Statute: Tit. 22, §§ 4041(A-2); 4002(1-B)**

The court may order that reunification efforts are not required if it finds one of the following:

- The existence of an aggravating factor
- That continuation of reunification efforts is inconsistent with the permanency plan for the child

'Aggravating factor' means any of the following:

- The parent has subjected the child to an aggravated circumstance including rape, gross sexual misconduct, gross sexual assault, sexual abuse, incest, aggravated assault, kidnapping, promotion of prostitution, abandonment, torture, or chronic abuse
- The parent has been convicted of murder, manslaughter, or felony assault
- The parental rights to a sibling have been terminated involuntarily
- The parent has abandoned the child

Maryland**What Are Reasonable Efforts****Statute: Family Law § 5-525(b)**

Time-limited family reunification services to a child placed in an out-of-home placement and to the parent or guardian of the child, in order to facilitate the child's safe and appropriate reunification within a timely manner.

When Reasonable Efforts Are Required**Statute: Family Law § 5-525(b)**

- Prior to an out-of-home placement to prevent or eliminate the need for removing the child from home
- To make it possible for a child to safely return home
- If continuation of reasonable efforts is determined to be inconsistent with the permanency plan, effort to finalize a permanent placement for the child

When Reasonable Efforts Are NOT Required**Statute: Family Law §§ 5-313(d); 5-525.1**

- The parent has a disability that renders the parent unable to care for the child
 - The parent has abused any child or has repeatedly failed to provide adequate care and control
 - The child was born exposed to cocaine or heroin
 - The parent refuses drug treatment or fails to fully participate in treatment
 - The parent has subjected the child to torture or has been convicted of a crime of violence against a child
 - The child has been in out-of-home placement for 15 of the most recent 22 months
 - The child is an abandoned infant
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Massachusetts**What Are Reasonable Efforts****Statute: Ch. 119, § 29C**

As determined by the court

When Reasonable Efforts Are Required**Statute: Ch. 119, § 29C**

- Prior to placement to prevent or eliminate the need for removal from the home
- To make it possible for a child to return safely to his or her parent or guardian

When Reasonable Efforts Are NOT Required**Statute: Ch. 119, § 29C**

- The child has been abandoned
- The parent's rights to another child have been involuntarily terminated
- The parent has been convicted of murder or voluntary manslaughter of another child or aiding or abetting in the commission of such crime, or the parent has been convicted of a felony assault resulting in serious bodily injury of the child or another child
- The parent has subjected the child to aggravated circumstances, which may include sexual abuse or exploitation

Michigan**What Are Reasonable Efforts****Statute: § 712A.18f**

- The type of placement for the child and the reasons for the placement
- Efforts to be made by the parents
- Efforts to be made by the agency
- Schedule of services to be provided
- Schedule of parenting time between the child and the parent, if appropriate

When Reasonable Efforts Are Required**Statute: § 712A.18f**

- To prevent the child's removal from his or her home
- To rectify conditions that caused removal of the child from his or her home

When Reasonable Efforts Are NOT Required**Statute: § 712A.19a**

Grounds for not providing reasonable efforts include:

- Abandonment of a child
- Criminal sexual conduct
- Battering, torture, or other severe physical abuse
- Loss or serious impairment of an organ or limb
- Life threatening injury
- Murder or attempted murder
- Voluntary manslaughter
- Aiding, abetting, or attempting such crimes

Minnesota**What Are Reasonable Efforts****Statute: § 260.012**

- Culturally appropriate services by the social services agency
- Appropriate and available services to meet the needs of the child and the child's family
- Services that are: relevant to the safety and protection of the child; adequate to meet the needs of the child and family; culturally appropriate; available and accessible; consistent and timely; and realistic under the circumstances

When Reasonable Efforts Are Required**Statute: § 260.012**

- To prevent placement or eliminate the need for removal
- To reunite the child with the child's family at the earliest possible time
- When a court determines that reasonable efforts to reunite the child with the parent are not required, efforts to finalize the permanent plan for the child

When Reasonable Efforts Are NOT Required**Statute: § 260.012**

- A parent has subjected the child to egregious harm
 - Parental rights to a sibling have been terminated
 - The child is an abandoned infant
 - A determination has been made that additional reasonable efforts would be futile and unreasonable
 - A parent has been convicted of murder, manslaughter, or assault with a dangerous weapon with regard to another child
 - The parent has been convicted of assault with a dangerous weapon or assault with a pattern of past abuse with regard to a surviving child
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Mississippi**What Are Reasonable Efforts**

Not specified in statutes reviewed

When Reasonable Efforts Are Required**Statute: §§ 43-15-13(8); 43-21-603(7)**

- To prevent or eliminate the need to remove the child from the child's home
- To reunify the family when temporary placement of child occurs

When Reasonable Efforts Are NOT Required**Statute: § 43-21-603(7)**

- The parent has subjected the child to aggravated circumstances, including abandonment, torture, chronic abuse, and sexual abuse
 - The parent has been convicted of murder or voluntary manslaughter of another child or felony assault to the child or another child
 - The parental rights to another child have been terminated involuntarily
 - Continuation of the child in the home would be contrary to the welfare of the child
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Missouri**What Are Reasonable Efforts****Statute: § 211.183**

The exercise of reasonable diligence and care by the division to utilize all available services related to meeting the needs of the juvenile and the family.

When Reasonable Efforts Are Required**Statute: § 211.183**

- To prevent or eliminate the need for the removal of the child
- After removal, to make it possible for the child to return home

When Reasonable Efforts Are NOT Required**Statute: § 211.183**

- The parent has subjected the child to severe or recurrent acts of physical, emotional, or sexual abuse, including an act of incest
 - The parent has committed murder or voluntary manslaughter of another child or aided, abetted, or attempted such act
 - Parental rights to a sibling have been terminated involuntarily
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Montana**What Are Reasonable Efforts****Statute: § 41-3-423**

- Voluntary protective services agreements
- Development of individual written case plans specifying State efforts to reunify families
- Placement in the least disruptive setting possible
- Provision of services pursuant to a case plan
- Periodic review to ensure timely progress

When Reasonable Efforts Are Required**Statute: § 41-3-423**

- To prevent the necessity of removal of a child from a child's home
- To reunify families that have been separated

When Reasonable Efforts Are NOT Required**Statute: § 41-3-423**

A parent has:

- Subjected a child to aggravated circumstances, including abandonment, torture, chronic abuse, sexual abuse, or chronic, severe neglect
 - Committed, aided, abetted, or attempted to commit homicide of a child
 - Committed aggravated assault against a child
 - Committed neglect of a child that resulted in serious bodily injury or death
 - Had parental rights to a sibling terminated involuntarily and circumstances are relevant to the parent's ability to adequately care for the child at issue
-

Nebraska**What Are Reasonable Efforts**

Not specified in statutes reviewed

When Reasonable Efforts Are Required**Statute: § 43-283.01**

- Prior to placement to prevent or eliminate the need for removing the juvenile from the home
 - To make it possible for the juvenile to safely return home
 - If continuation of reasonable efforts is determined to be inconsistent with the permanency plan, efforts to place the juvenile in a timely manner and to finalize a permanent placement
-

When Reasonable Efforts Are NOT Required**Statute: § 43-283.01**

- The parent has subjected the juvenile to aggravated circumstances, including abandonment, torture, chronic abuse, or sexual abuse
 - The parent has committed murder or voluntary manslaughter of another child; aided, abetted, or attempted to commit such crime; or has committed felony assault resulting in serious bodily injury to the child or another child
 - Parental rights to another child have been terminated involuntarily
-

Nevada**What Are Reasonable Efforts****Statute: § 432B.393**

'Reasonable efforts' have been made if an agency has exercised diligence and care in arranging appropriate and available services for the child.

When Reasonable Efforts Are Required**Statute: § 432B.393**

- Before placement of the child in foster care to prevent or eliminate the need for removal from the home
- To make it possible to safely return home
- If continuation of reasonable efforts is determined to be inconsistent with the permanency plan, efforts to place the child in a timely manner and to finalize a permanent placement

When Reasonable Efforts Are NOT Required**Statute: § 432B.393**

- A parent has committed, aided, or abetted or attempted to commit murder or voluntary manslaughter; caused the abuse or neglect of the child or another child that resulted in substantial bodily harm or was so extreme or repetitious as to result in an unacceptable risk to the child
 - A parent has abandoned the child for 60 days or failed to make more than token contact for 6 months
 - The parental rights to a sibling have been terminated involuntarily
 - The child or a sibling was previously removed from the home and has been subsequently removed due to additional abuse or neglect
 - The child is less than 1 year old and the father has failed to visit the child, commence proceedings to establish paternity, or to seek custody
 - The child under 1 year of age was delivered to a provider of emergency services
-

New Hampshire**What Are Reasonable Efforts****Statute: § 169-C:24-a**

Services to the family that are accessible, available, and appropriate

When Reasonable Efforts Are Required**Statute: § 169-C:24-a**

- To prevent placement
 - To reunify the family
 - To make and finalize a new permanent home for the child
-

When Reasonable Efforts Are NOT RequiredNot addressed in statutes reviewed

New Jersey**What Are Reasonable Efforts****Statute: § 30:4C-15.1**

Attempts by an agency to assist parents in remedying the circumstances and conditions that led to placement of the child and reinforcing family structure, including:

- Consultation with the parent in developing a plan for appropriate services
- Providing the services agreed upon
- Informing the parent of the child's progress, development, and health
- Facilitating appropriate visitation

When Reasonable Efforts Are Required**Statute: § 30:4C-11.1**

- Prior to placement, to preserve the family in order to prevent the need for removing the child from the home
- After placement, to make it possible for the child to safely return home
- In any case where reunification is not the permanency plan, efforts to place the child in a timely manner and finalize the permanent placement of the child

When Reasonable Efforts Are NOT Required**Statute: § 30:4C-11.2**

- The parent has subjected the child to aggravated circumstances of abuse, neglect, cruelty, or abandonment
 - The parent has been convicted of murder or manslaughter of a child, or aiding, abetting, or attempting to commit such a crime; committing or attempting to commit an assault resulting in serious bodily injury to a child
 - Parental rights to another child have been terminated involuntarily
 - Removal of the child was required due to imminent danger to the child's life, safety, or health
 - Efforts to prevent placement were not reasonable due to risk of harm to the child's health or safety
-

New Mexico**What Are Reasonable Efforts****Statute: § 32A-4-7(D)**

Any treatment plan approved by the court

When Reasonable Efforts Are Required**Statute: §§ 32A-4-7; 32A-4-22**

- To prevent or eliminate the need for removing the child from the home
- To preserve and reunify the family

When Reasonable Efforts Are NOT Required**Statute: §§ 32A-4-2; 32A-4-22**

- The efforts would be futile
 - The parent has subjected the child to aggravated circumstances, including attempted or caused great bodily harm to the child, or great bodily harm or death to the child's sibling or other parent; attempted or has subjected the child to torture, chronic abuse, or sexual abuse
 - Parental rights to another child have been terminated involuntarily
-

New York**What Are Reasonable Efforts****Statute: Soc. Serv. Law § 384-b**

'Diligent efforts' shall mean reasonable attempts to assist, develop, and encourage a meaningful relationship between the parent and child, including

- Consultation with the parents to develop a plan for appropriate services
- Making suitable arrangements for the parent to visit with the child
- Provision of services and other assistance
- Informing the parents of the child's progress, development, and health
- Making suitable arrangements with a correctional facility for an incarcerated parent to visit with the child, if such visiting is in the best interests of the child

When Reasonable Efforts Are Required**Statute: Soc. Serv. Law § 358-a**

- Prior to placement to prevent or eliminate the need for removal of the child from the home
- To make it possible for the child to return home
- If the permanent plan for the child is other than reunification, efforts to make and finalize such alternative permanent placement

When Reasonable Efforts Are NOT Required**Statute: Soc. Serv. Law §§ 358-a; 384-b**

- The parent has subjected the child to aggravated circumstances, where the child has been either severely or repeatedly abused
- The parent has been convicted of murder or voluntary manslaughter of another child, or the attempt to commit such crime and the victim was the child or another child of the parent
- The parent has been convicted of assault that resulted in serious bodily injury of the child or another child
- Parental rights to another child have been terminated involuntarily
- The parent has failed to keep the agency apprised of his or her location for a period of 6 months
- An incarcerated parent has failed to cooperate with agency efforts to assist the parent to plan for the future of the child or to arrange visits with the child

North Carolina**What Are Reasonable Efforts****Statute: §§ 7B-101; 7B-507**

- Diligent use of preventive or reunification services by a department of social services
- Services or other efforts aimed at returning a juvenile to a safe home or at achieving another permanent plan

When Reasonable Efforts Are Required**Statute: §§ 7B-101; 7B-507**

- To prevent or eliminate the need for placement of the juvenile
- If a court determines that the juvenile is not to be returned home, efforts to develop and implement a permanent plan for the child

When Reasonable Efforts Are NOT Required**Statute: §§ 7B-101; 7B-507**

- Such efforts would clearly be futile
 - The parent has subjected the child to aggravated circumstances, including abandonment, torture, chronic abuse, or sexual abuse
 - Parental rights to another child have been terminated involuntarily
 - The parent has committed murder or voluntary manslaughter of another child or has aided, abetted, or attempted to commit such crime
 - The parent has committed a felony assault that resulted in serious bodily injury to the child or another child of the parent
-

North Dakota**What Are Reasonable Efforts****Statute: § 27-20-32.2**

The exercise of due diligence by the agency to use appropriate and available services to meet the needs of the child and the child's family

When Reasonable Efforts Are Required**Statute: § 27-20-32.2**

- Prior to placement, to prevent or eliminate the need for removing the child from the home
- After removal, to make it possible for the child to safely return home
- If it is determined that continuation of efforts is inconsistent with the permanency plan, efforts to place the child in a timely manner and to finalize the permanent placement of the child

When Reasonable Efforts Are NOT Required**Statute: §§ 27-20-02; 27-20-32.2**

The parent has subjected the child to aggravated circumstances, in which a parent:

- Abandons, tortures, chronically abuses, or sexually abuses a child
- Fails to make substantial efforts to secure treatment of an addiction, mental illness, or other condition for 1 year or one-half a child's lifetime, whichever time period is less
- Engages in deviate sexual acts, sexual abuse, etc., in which the victim is a child
- Commits murder, manslaughter, or negligently causing the death of another, or the attempt to commit such crimes
- Commits aggravated assault in which the victim suffers serious bodily injury
- Commits assault, aggravated assault, reckless endangerment or terrorizing in which a child is the victim or intended victim
- Has been incarcerated under a sentence for which the release date is: a) In the case of a child age 9 or older, after the child's majority; or b) in the case of a child under age 9, after the child is twice the child's current age
- Has had his or her parental rights to another child terminated involuntarily

Northern Mariana Islands**What Are Reasonable Efforts**

Not addressed in statutes reviewed

When Reasonable Efforts Are Required

Not addressed in statutes reviewed

When Reasonable Efforts Are NOT Required

Not addressed in statutes reviewed

Ohio**What Are Reasonable Efforts****Statute: § 2151.419**

As determined by the court

When Reasonable Efforts Are Required**Statute: § 2151.419**

- To prevent removal of the child from the home
- To eliminate the continued removal of the child from home
- To make it possible for the child to return safely home

When Reasonable Efforts Are NOT Required**Statute: § 2151.419**

- The parent has been convicted of murder or voluntary manslaughter of another child in the household
- The parent has been convicted of assault, endangering children, rape, sexual battery, corruption of a minor, or sexual imposition of the child or another child in the household
- The parent has repeatedly withheld medical treatment or food from the child
- The parent has placed the child at substantial risk of harm due to drug or alcohol abuse and has rejected treatment 2 or more times
- The parent has abandoned the child
- Parental rights to another child have been terminated involuntarily

Oklahoma**What Are Reasonable Efforts****Statute: Tit. 10, § 7003-5.5**

As determined by the court

When Reasonable Efforts Are Required**Statute: Tit. 10, § 7003-5.5**

- To provide for the safe return of the child to the child's home
- If reasonable efforts to reunite the family are not feasible, to secure an alternate permanent placement for the child

When Reasonable Efforts Are NOT Required**Statute: Tit. 10, § 7003-4.6**

- The parent has inflicted chronic abuse, chronic neglect, or torture on the child or another child in the household
- The child or a sibling has previously been removed, returned home, and removed again due to sexual abuse or severe physical abuse
- The child is an abandoned infant
- The parent has been convicted of murder, voluntary manslaughter of another child, or the attempt to commit such crime
- The child has been adjudicated deprived due to a single incident of sexual abuse, severe abuse, or a felonious assault resulting in serious bodily injury
- The child was conceived as a result of rape
- The parents have deserted the child for at least 6 months
- The parents have abandoned the child
- A child has been in out of home care for more than 1 year within a 3-year period
- The parent has failed to correct the conditions that led to the initial court intervention
- Parental rights to a sibling have been terminated involuntarily and there has been no reasonable effort on the part of the parent to correct conditions
- The parent is subject to registration as a sex offender
- The parent has a history of extensive, abusive, and chronic use of drugs or alcohol and has resisted treatment for a period of 3 years

Oregon**What Are Reasonable Efforts****Statute: § 419B.340**

- Preventive and reunification services
- For an Indian child: active efforts to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family

When Reasonable Efforts Are Required**Statute: § 419B.340**

- To prevent or eliminate the need for removal of the ward from the home
- To make it possible for the ward to safely return home

When Reasonable Efforts Are NOT Required**Statute: § 419B.340**

If one of the following circumstances exist:

- Aggravated circumstances, including the parent has caused by abuse or neglect the death or serious physical injury of any child; has subjected any child to rape, sodomy, sexual abuse, starvation, or torture; has abandoned the child; or has unlawfully caused the death of the other parent of the child
 - The parent has been convicted of murder or voluntary manslaughter of another child or the attempt to commit such crime; or felony assault of the child or another child that results in serious physical injury
 - Parental rights to another child have been terminated involuntarily
-

Pennsylvania**What Are Reasonable Efforts****Statute: 23 PCSA § 6373; 42 PCSA § 6351**

- Efforts to assist the child and the child's parent
- Preventive services

When Reasonable Efforts Are Required**Statute: 23 PCSA § 6373; 42 PCSA § 6351**

- To prevent or eliminate the need for removal of the child from the home
- To make it possible for the child to return home

When Reasonable Efforts Are NOT Required**Statute: 42 PCSA §§ 6351; 6302**

The court has determined that aggravated circumstances exist and no new or additional efforts are required.

'Aggravated circumstances' mean:

- The child is in the custody of a county agency and the identity or location of the parents is unknown and the parent does not claim the child within 3 months or have failed to maintain contact for a period of 6 months
 - The child or another child has been the victim of serious physical abuse, sexual violence, or aggravated physical neglect by the parent
 - The parent has been convicted of any of the following crimes where the victim was a child: criminal homicide, aggravated assault, rape, statutory sexual assault, indecent assault, or the attempt to commit any such crime
 - Parental rights to another child have been terminated involuntarily
-

Puerto Rico**What Are Reasonable Efforts****Statute: Tit. 8, § 443k**

Steps taken by the agency to provide services needed by the minor and his or her parent and to make those services available and accessible

When Reasonable Efforts Are Required**Statute: Tit. 8, § 443k**

- To preserve the integrity of the family prior to the removal of a minor from his or her home
- After being removed, efforts shall be made for a period not to exceed 6 months to return the minor safely to his or her home

When Reasonable Efforts Are NOT Required**Statute: Tit. 8, § 443k**

- If a parent suffers from a mental disability of such magnitude that it prevents the person from properly caring for the minor or benefiting from reunification services
- The minor has been adjudicated as a victim of abuse for a subsequent incident
- The parents have been deprived of *patria potestas* regarding other children and have unable to resolve the problem
- The parent has physically harmed, abused, or neglected the minor putting the minor's physical, mental, emotional, or moral integrity at risk
- The parent has incurred conduct which if criminally prosecuted would constitute a crime against the physical, mental, emotional, or moral integrity of the minor, other parent, or siblings
- The parent has incurred obscene conduct
- Efforts to change the behavior of the parent have not been successful after 6 months
- The parent has not stated any interest in being reunited with the minor
- The parent suffers from a chronic abuse of controlled substances and a diagnosis of the condition indicates that the minor cannot return to the custody of the parent within a period of 6 months

Rhode Island**What Are Reasonable Efforts****Statute: § 40-11-12.2**

Efforts to preserve and reunify families

When Reasonable Efforts Are Required**Statute: § 40-11-12.2**

- Prior to placement of a child in foster care, to prevent or eliminate the need for removing the child from the home, which efforts shall include placement of the child with a blood relative or other family member
- To make it possible for the child to safely return home
- If continuation of efforts is determined to be inconsistent with the permanency plan for the child, efforts to place the child in a timely manner and to finalize a permanent placement

When Reasonable Efforts Are NOT Required**Statute: § 40-11-12.2**

- The parent has subjected any child to conduct of a cruel and abusive nature.
- The parent has:
 - Committed murder of another child of the parent
 - Subjected the child to aggravating circumstances, including abandonment, torture, chronic abuse, or sexual abuse
 - Committed voluntary manslaughter of another child or attempted to commit such crime
 - Committed a felony assault that results in serious bodily injury of the child or another child
- Parental rights to another child have been terminated involuntarily.

South Carolina**What Are Reasonable Efforts****Statute: § 20-7-763**

As determined by the family court

When Reasonable Efforts Are Required**Statute: § 20-7-763**

The family court may rule on whether reasonable efforts to preserve or reunify a family should be required.

When Reasonable Efforts Are NOT Required**Statute: § 20-7-763**

- The parent has subjected the child to one or more aggravated circumstance: severe or repeated abuse or neglect, sexual abuse, torture, or abandonment
 - The parent has been convicted of murder or voluntary manslaughter of another child of the parent or of aiding, abetting, or attempting to commit such crime
 - The parent has been convicted of physical abuse of a child that resulted in death or admission to a hospital for in-patient care
 - Parental rights to another child have been terminated involuntarily
 - Other circumstances exist that the court finds make continuation or implementation of reasonable efforts inconsistent with the permanent plan for the child
-

South Dakota**What Are Reasonable Efforts****Statute: § 26-8A-21**

Provision by the department of any services or assistance that:

- Are appropriate for the child's parents, including instruction on parenting
- Are available or could be made available without undue financial burden on the department
- Would have a significant likelihood of protecting the child from substantial danger to the child's physical health or from severe emotional damage while enabling the child to remain in the home or to be returned to the home

When Reasonable Efforts Are Required**Statute: § 26-8A-21**

- Prior to removal of an alleged or adjudicated abused or neglected child to prevent or eliminate the need for removal from the home
- If the child has been removed from the home, to make it possible to return home

When Reasonable Efforts Are NOT Required**Statute: § 26-8A-21.1**

The parent:

- Has committed murder, manslaughter, rape, incest, sexual exploitation of a minor, or abuse or cruelty to a minor
- Committed aggravated assault against the child or another child of the parent
- Has subjected the child to torture, sexual abuse, abandonment for at least 6 months, chronic physical, mental or emotional injury, or chronic neglect
- Is incarcerated and unavailable to care for the child during a significant period of the child's minority
- Has had parental rights to another child terminated involuntarily
- Has a documented history of abuse or neglect associated with chronic alcohol or drug abuse
- Has exposed the child to or demonstrated an inability to protect the child from substantial harm or the risk of substantial harm

Tennessee**What Are Reasonable Efforts****Statute: § 37-1-166**

The exercise of reasonable care and diligence by the department to provide services related to meeting the needs of the child and the family

When Reasonable Efforts Are Required**Statute: § 37-1-166**

- To prevent the need for removal of the child from the child's family
- To make it possible for the child to return home

When Reasonable Efforts Are NOT Required**Statute: §§ 36-1-102(49); 37-1-166**

- The parent has subjected the child or any child in the household to aggravated circumstances, including abandonment, aggravated assault, kidnapping, severe child abuse, sexual exploitation of a minor, rape, or incest
- The parent has committed murder or manslaughter of any sibling or aided, abetted, or attempted such crime
- The parent has committed a felony assault that resulted in serious bodily injury to the child or any sibling
- Parental rights to another child have been terminated involuntarily

Texas**What Are Reasonable Efforts****Statute: Family Code § 262.001**

As determined in a service plan

When Reasonable Efforts Are Required**Statute: Family Code §§ 262.001; 262.2015**

- To prevent or eliminate the need to remove a child from the child's home
- To make it possible for the child to return home
- To finalize the permanent placement of a child for whom the court has made a finding that reasonable efforts to return the child home are not required

When Reasonable Efforts Are NOT Required**Statute: Family Code § 262.2015**

The parent has subjected the child to aggravated circumstances:

- The parent abandoned the child without a means of identifying the child
- The child is a victim of serious bodily injury or sexual abuse inflicted by the parent or another person with the parent's consent
- The parent has committed against the child murder, manslaughter, indecency with a child, sexual assault, aggravated assault, injury to a child, abandoning or endangering a child, prohibited sexual conduct, sexual performance by a child, or possession or promotion of child pornography
- The parent voluntarily left the child alone or in the possession of another person for at least 6 months without expressing the intent to return and without providing adequate support for the child
- Parental rights to another child have been terminated involuntarily
- The parent has been convicted for the murder or voluntary manslaughter of another child, or aiding, abetting, or attempting such crime
- The parent has been convicted of a felony assault that resulted in serious bodily injury of the child or another child of the parent

Utah**What Are Reasonable Efforts****Statute: § 78-3a-311**

- Services provided to the child and the child's parent for the purpose of facilitating reunification of the family, for a specified period of time
- The time period for reunification services may not exceed 12 months from the date that the child was initially removed from the child's home

When Reasonable Efforts Are Required**Statute: § 78-3a-306**

- To prevent or eliminate the need for removal of the minor from his home
- To prevent the need for continued removal

When Reasonable Efforts Are NOT Required**Statute: § 78-3a-311**

- In cases where obvious sexual abuse, abandonment, or serious physical abuse or neglect are involved
- The whereabouts of the parent are unknown
- The parent is suffering from a mental illness of such magnitude that it renders him incapable of utilizing reunification services
- The minor has been previously removed and reunified with the parent and is being removed due to additional abuse or neglect
- The minor has suffered severe abuse by the parent or a person known to the parent, and the court finds that it would not benefit the child to pursue reunification with the offending parent
- Parental rights to another child have been terminated involuntarily
- The child has been removed from the home on at least 2 previous occasions and reunification services were offered or provided at those times
- The parent has abandoned the child for a period of 6 months or longer
- Any other circumstance that the court determines should preclude reunification efforts

Vermont**What Are Reasonable Efforts**

Not addressed in statutes reviewed

When Reasonable Efforts Are Required

Not addressed in statutes reviewed

When Reasonable Efforts Are NOT Required

Not addressed in statutes reviewed

Virgin Islands**What Are Reasonable Efforts**

Not addressed in statutes reviewed

When Reasonable Efforts Are Required

Not addressed in statutes reviewed

When Reasonable Efforts Are NOT Required

Not addressed in statutes reviewed

Virginia**What Are Reasonable Efforts**

Statute: § 16.1-281

- Programs, care, services, and other support offered to the child and parents
- Participation and conduct to be sought from the child's parents
- Visitation and other contact between the child and the parents

When Reasonable Efforts Are Required

Statute: § 16.1-281

To return the child to his parents within the shortest practicable time

When Reasonable Efforts Are NOT Required

Statute: § 16.1-281

- Parental rights to another child have been terminated involuntarily
 - The parent has been convicted of murder or voluntary manslaughter, or an attempt to commit such offense, if the victim was a child of the parent or the other parent of the child
 - The parent has been convicted of felony assault resulting in serious bodily injury, or felony sexual assault, if the victim was a child of the parent
 - The parent has subjected the child to aggravated circumstances, which can include torture, chronic or severe abuse, or chronic or severe sexual abuse
-

Washington**What Are Reasonable Efforts**

Statute: § 13.34.130

Preventive services offered or provided to the child and the child's parent

When Reasonable Efforts Are Required**Statute: § 13.34.130**

- To prevent or eliminate the need for the removal of the child from the home
- To make it possible for the child to return home

When Reasonable Efforts Are NOT Required**Statute: § 13.34.132**

There are aggravated circumstances:

- Conviction of the parent of rape, criminal mistreatment, or assault of the child
- Conviction of the parent of murder, manslaughter, or homicide by abuse of the child's other parent, sibling, or another child
- Conviction of the parent of attempting, soliciting, or conspiring to commit any of the above crimes
- A finding by a court that a parent is a sexually violent predator
- Failure of the parent to complete a treatment plan where such failure has resulted in a prior termination of parental rights to another child and the parent has failed to effect significant change in the interim
- An infant under 3 years of age has been abandoned
- Conviction of the parent of a sex offense or incest when the child is born of the offense

West Virginia**What Are Reasonable Efforts****Statute: § 49-6-5**

Efforts made by the department to provide remedial and reunification services

When Reasonable Efforts Are Required**Statute: § 49-6-5**

- To preserve the family and to prevent placement
- To eliminate the need for removing the child from the child's home
- To make it possible for the child to safely return home

When Reasonable Efforts Are NOT Required**Statute: § 49-6-5**

- The parent has subjected the child to aggravated circumstances that include abandonment, torture, chronic abuse, and sexual abuse
- The parent has committed or attempted to commit murder or voluntary manslaughter of another child, or has committed a felonious assault that results in serious bodily injury to the child or another child of the parent
- Parental rights to another child have been terminated involuntarily

Wisconsin**What Are Reasonable Efforts****Statute: § 48.355**

- A comprehensive assessment of the family's situation
- Financial assistance, if applicable
- Provision of services, including in-home support services, community support services, or specialized services for family members with special needs

When Reasonable Efforts Are Required**Statute: § 48.355**

- To prevent the removal of the child from the home
- To return the child safely to the child's home

When Reasonable Efforts Are NOT Required**Statute: § 48.355**

- The parent has subjected the child to aggravated circumstances that include abandonment, torture, chronic abuse, and sexual abuse
- The parent has committed or attempted to commit intentional homicide, reckless homicide, or felony murder of a child of the parent
- The parent has committed substantial battery, aggravated battery with substantial bodily harm; sexual assault or repeated acts of sexual assault of the same child; or reckless causation of bodily harm, any of which resulted in substantial bodily harm to the child or another child of the parent
- Parental rights to another child have been terminated involuntarily
- The parent has been found to have relinquished custody to a child when the child was 72 hours old or younger

Wyoming**What Are Reasonable Efforts****Statute: § 14-3-440**

Services to the family that are accessible, available, and appropriate

When Reasonable Efforts Are Required**Statute: § 14-3-440**

- To preserve and reunify the family prior to placement of the child outside the home
- To prevent or eliminate the need for removing the child from the child's home
- To make it possible for the child to safely return home
- If continuation of reasonable efforts is determined to be inconsistent with the permanency plan for the child, efforts to complete the steps necessary to finalize the permanent placement of the child

When Reasonable Efforts Are NOT Required

Statute: § 14-2-309(c)

- Parental rights to another child have been terminated involuntarily
- The parent abandoned, chronically abused, tortured, or sexually abused the child
- Other aggravating circumstances exist indicating that there is little likelihood that services to the family will result in successful reunification