

# Termination of Parental Rights Timeliness Measure Data

If the child is out of home for 15 of 22 months since the date the dependency petition was filed, the court shall order the department to file a petition seeking termination of parental rights, unless the court makes a good cause exception as to why the filing of a termination of parental rights petition is not appropriate. This filing of a termination petition opens a new case and begins termination proceedings. The dependency case remains open after the filing of a termination petition.

A petition seeking termination of a parent and child relationship may be filed in juvenile court by any party to the dependency proceedings concerning that child. Such petition shall conform to the requirements of [RCW 13.34.040](#) and shall allege a specific list of details.

## Termination of Parental Rights (TPR) Forms needed for the data:

[Washington State Dependency Court Forms -Dependency Proceedings](#)

1. Order After Hearing: First Dependency Review/Dependency Review/Permanency Planning (FDPRHO) (DPRHO) (ORPP)
  - a. This order allows the court to code good cause exceptions.

[Washington State Courts - Court Forms - Termination of Parent-Child Relationship](#)

2. Petition for Termination of Parent-Child Relationship (PTPCR)

## Codes:

TPR Codes for the data categories:

1. PTPCR: Petition for Termination of Parent-Child Relationship
2. Good Cause Codes, located in section 2.10 of the [Order After Hearing](#)
3. Dismissal Order Codes [Link to forms with codes](#)
4. Trial Return Home Found through FAMLINK
5. Transfer Found in court case

The iDTR looks for one of these listed codes to determine the category for the data.

## Where to find the data:

iDTR

1. TPR Adoptions Workbook
  - a. Compliance is shown in the TPR Pet 15mnths sheet

Additional details are available in the [FJCIP Data Mapping Tool](#)

## Definitions:

Good Cause is outlines in [RCW13.34.145\(5\)\(a\)](#)

"good cause exception" includes but is not limited to the following:

- (i) The child is being cared for by a relative;
- (ii) The department has not provided to the child's family such services as the court and the department have deemed necessary for the child's safe return home;
- (iii) The department has documented in the case plan a compelling reason for determining that filing a petition to terminate parental rights would not be in the child's best interests;
- (iv) The parent is incarcerated, or the parent's prior incarceration is a significant factor in why the child has been in foster care for 15 of the last 22 months, the parent maintains a

meaningful role in the child's life, and the department has not documented another reason why it would be otherwise appropriate to file a petition pursuant to this section;

(v) Where a parent has been accepted into a dependency treatment court program or long-term substance abuse or dual diagnoses treatment program and is demonstrating compliance with treatment goals;

(vi) Where a parent who has been court ordered to complete services necessary for the child's safe return home files a declaration under penalty of perjury stating the parent's financial inability to pay for the same court-ordered services, and also declares the department was unwilling or unable to pay for the same services necessary for the child's safe return home; or

(vii) The department has not yet met with the caregiver for the child to discuss guardianship as an alternative to adoption or the court has determined that guardianship is an appropriate permanent plan.

## **RCW:**

[RCW 13.34.145\(5\)](#) Following this inquiry, at the permanency planning hearing, the court shall order the department to file a petition seeking termination of parental rights if the child has been in out-of-home care for 15 of the last 22 months since the date the dependency petition was filed unless the court makes a good cause exception as to why the filing of a termination of parental rights petition is not appropriate. Any good cause finding shall be reviewed at all subsequent hearings pertaining to the child. (Good cause exception is outlined in the RCW)

Two statutes authorize the involuntary termination of parental rights: [RCW 13.34.190](#) and [RCW 26.33.100](#). RCW 13.34 is the statute typically used to terminate the rights of parents in dependency proceedings when necessary. However, RCW 26.33.100 may be used for dependent children when one parent has relinquished his or her parental rights. The focus of this document will be on the statutory and case law requirements of RCW 13.34. See the [Bench book for additional information](#)

## Compliance for Term (TPR) Pet 15mnth is identified two ways:

A

Good Cause is granted through the Dependency Case prior to the 15 month due date\* in the iDTR.

B

Termination Petition is filed using a new case number prior to the 15 month due date\* in the iDTR.

\*Federal Method is used for determining Termination of Parental Rights due dates. *Federal Method is 15 months from the federal termination date. Federal termination date is measured by the placement date (OPD) plus 60 days or the order of dependency date, whichever is earliest.*

A

For the clerk to code the good cause exception the Order after Hearing must be marked accordingly. See example below:

Superior Court of Washington, County of \_\_\_\_\_  
Juvenile Court

Dependency of: \_\_\_\_\_ No: \_\_\_\_\_

D.O.B.: \_\_\_\_\_

Order after Hearing:  
☐ First Dependency Review  
☐ Dependency Review (DPR)  
☐ Permanency Planning (ORPP)  
☒ Clerk's Action Required:  
 Paragraphs 2.10 (☐ CPR ☐ NSP ☐ CRD  
☒ PCT ☐ NFA ☐ GCF, ☐ GAA ☐

Select the same good cause code as marked in section 2.10

The court will hear ☐ interim review ☐ dependency review  
☐ (type of hearing) \_\_\_\_\_  
 at \_\_\_\_\_ a.m./p.m. at: \_\_\_\_\_  
 Room/Department: \_\_\_\_\_, located at: \_\_\_\_\_

**Additional Clerk's Action Required:** Enter the code  
 About today's hearing:  
 Was adequate and timely notice given to the child's caregiver (CGNATN)  
 Did the court receive a caregiver report? ☐ Yes (CGRR)  
☐ The caregiver appeared. Did caregiver give an oral report?

**I. Hearing**

1.1 The court held a hearing on (date) \_\_\_\_\_

1.2 The following persons appeared at the hearing:

<input type="checkbox"/> Child	<input type="checkbox"/> Guardian or Legal Custodian
<input type="checkbox"/> Parent 1	<input type="checkbox"/> _____
<input type="checkbox"/> Parent 2	<input type="checkbox"/> _____

RCW 13.34.046, .130, .136, .138, .145  
(08/2023)

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The court advised the petitioner that failure to provide court-ordered visitation may result in a finding that the petitioner failed to make reasonable efforts to finalize the permanency plan.

2.10 ☒ The child has been in out-of-home care for 15 of the last 22 months since the date the dependency petition was filed and:

☐ A termination petition has already been filed.  
☐ DCYF should file a termination petition, pursuant to RCW 13.34.136(3).  
☐ A termination petition should be filed, pursuant to RCW 13.34.138(2)(d).  
☐ Good cause not to require the filing of a termination petition exists because of the following:

(CPR) ☐ The child has been placed in the care of a relative.  
(NSP) ☐ DCYF has not provided the child's family with the services that are necessary for the child's safe return home.  
(CRD) ☐ DCYF has documented a compelling reason as the basis for its determination that filing a termination petition would not be in the best interests of the child.  
(IPM) ☐ The parent is incarcerated or the parent's prior incarceration is a significant factor in why the child has been in foster care for 15 of the last 22 months. DCYF has not documented another reason why it would be otherwise appropriate to file a petition, and the parent maintains a meaningful role in the child's life, because:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(PCT) ☒ The parent has been accepted into a dependency treatment court program or long-term substance abuse or dual diagnoses treatment program and is demonstrating compliance with treatment goals.  
(NFA) ☐ The parent was court-ordered to complete services necessary for the child's safe return home. The parent filed a declaration, under penalty of perjury, that the parent is financially unable to pay for those court-ordered services and that DCYF was unwilling or unable to pay for those services necessary for the child's safe return home.  
(GAA) ☐ DCYF has not yet met with the caregiver to discuss guardianship as an alternative to adoption for a permanent plan.

136, .138, Dependency Review Permanency Planning Order After Hearing p. 5 of 17

Good Cause Codes are event codes; your local clerk's office will have the information on how they enter these types of codes. Below are some additional resources.

Demo video for Event tab in Odyssey Navigator: [Events in Navigator - for Juvenile Users - Overview \(wa.gov\)](#)


Adding an Event Code [Odyssey Manual](#)

# B

[Termination](#) (TER)- Petition for a termination of a parent and child relationship following a finding of dependency and other criteria set forth in RCW 13.34.180. A termination petition should always be a new cause of action, and should not be filed under the dependency action. ([Superior Court Statistical Reporting Manual](#))

Cause Code: TER Termination of Parental Rights, abbreviation Term Rights ([codes manual](#))

When a Petition for termination of parental Rights is presented for filing, [here is an example to help you create a local guide for creating a new termination case in Odyssey to meet the data requirements:](#)

1. Termination Petitions are filed under a new cause of action called TER7 Termination of Parental Rights -Dependency. (the case number will be signed by the system) [Statistical Manual](#)
2. Add a WIP Family Case, complete instructions in the [Odyssey Manual](#)
3. Details tab: you can add details about the case such as, [Odyssey Manual](#)
  - a. Judicial Officer assigned
  - b. Juvenile referral number, if your court uses them
  - c. Case status
  - d. Add case flag if that is a local court practice
  - e. Related case can put in case that is related: Concurrent jurisdiction designated, parentage case, related, companion cases (this will show as links between cases) [Odyssey Manual](#)
4. Add in Parties ([Odyssey Manual](#))
  - a. Petitioner is already set by the county as a default, for most counties
  - b. Add Dependent, add parents: select type, add person through  to match to the dependency case. Select and add relationship code after first person is entered. Relation of the related, example below:
    - i. Party: moms name
    - ii. Connection: parent
    - iii. Related to: child's name
    - iv. Connection: dependency (well identified person WIP, [Odyssey Manual](#))
  - c. Add Attorney: if attorneys are appointed through appropriate pleadings at case creation time
5. Event Tab: ([detailed instructions](#))
  - a. Add the new event
  - b. Type, select from the drop-down menu: Petition for Termination of Parent Child Relationship
  - c. The [petition](#) is filed using a code of PTPCR (Petition for Termination of Parent-Child Relationship).
  - d. Optional: Select who filed the petition, typically State of Washington.
  - e. The Petition will show as first document in the case file.
6. Recommendation: linking\* the case with the Dependency Case

*\*Check out Case Management > Detail > [Related Cases](#) in the Odyssey Online Manual for instructions.*

**Relinquishment** (REL)- A petition to voluntarily relinquish parental rights of a child to the DCYF, an agency, or a prospective adoptive parent. If the petition involves within the county, use the “ADP” (adoption) cause code ([RCW 26.33.090](#)).

When a Petition for Relinquishment is presented for filing, here is an example to help you create a local guide: ([County Clerk's Handbook](#): Section 16 pg 139)

1. If there is a cause number on the document, no further checking is necessary.
2. If there is no cause number on the document, determine whether there is an existing case. A preplacement report, petition for adoption, or petition for termination of parent-child relationship may have been filed previously.
  - a. If there is an existing preplacement report or adoption file, file it in the adoption file.
  - b. If there is an existing termination of parent-child relationship case, the Petition for Relinquishment is filed in the termination file.
  - c. If there is not an existing termination case, but there is an existing dependency case, the Petition for Relinquishment is filed in the dependency case.
    - i. The TPR data will not be captured when using this type of entry, without using a good cause code not to file a termination petition.