

FILED: February 23, 2012

IN THE COURT OF APPEALS OF THE STATE OF OREGON

In the Matter of S. L.-M., a Child.

DEPARTMENT OF HUMAN SERVICES
and S. L.-M.,
Petitioner-Respondents,

v.

A. J. M.,
Appellant.

Multnomah County Circuit Court
2008808153

Petition Number
107223

A149782

Thomas M. Ryan, Judge.

Submitted on January 06, 2012.

Peter Gartlan, Chief Defender, and Shannon Flowers, Deputy Public Defender, Appellate Division, Office of Public Defense Services, filed the brief for appellant.

John R. Kroger, Attorney General, Anna M. Joyce, Solicitor General, and Justice J. Rillera, Assistant Attorney General, filed the brief for respondent Department of Human Services.

Margaret McWilliams waived appearance for respondent S. L.-M.

Before Ortega, Presiding Judge, and Sercombe, Judge, and Hadlock, Judge.

PER CURIAM

Reversed and remanded.

1 PER CURIAM

2 In this dependency case, mother appeals from a judgment changing the
3 permanency plan for her child from reunification to adoption. She contends that the
4 "juvenile court erred in failing to make and include in the permanency judgment a
5 'compelling reasons' determination, as required by ORS 419B.476(5)(d)." The state
6 concedes that the permanency judgment failed to include the findings required pursuant
7 to ORS 419B.476(5)(d) and that the case must, therefore, be reversed and remanded. *See*
8 [*State ex rel Juv. Dept. v. J. F. B.*](#), 230 Or App 106, 114-15, 214 P3d 827 (2009)
9 (permanency judgment that failed to include statutorily required findings was defective
10 on its face); [*State ex rel DHS v. M. A.*](#), 227 Or App 172, 183-84, 205 P3d 36 (2009)
11 (where permanency judgments fail to comply with statutory requirements, they must be
12 reversed and remanded). We agree and accept the state's concession.¹

13 Reversed and remanded.

¹ Because we accept the state's concession and reverse and remand with respect to mother's second assignment of error, we do not address her first assignment of error.