

**1.6 Engaging the Family**  
**Chapter 1-Fundamentals of Practice**  
**Effective:**  
**Section: 1.6 Engaging the Family**  
**Version: 1**

**Procedure:**

The SSW completes the following tasks prior to and during an FTM or case planning conference in order to engage the family:

1. Ensures that the family has input as to the meeting time/date/location. Every effort should be made to accommodate the family's schedule and impose as little disruption to work schedules as possible. Advanced planning for the meeting is critical to success;
2. Explains the purpose of the meeting and the role of all of the participants;
3. Listens to the family's concept of what is important;
4. Incorporates information from all sources into a coherent, individualized planning document with specific and measurable objectives that will guide the provision of services;
5. Partners with families and other staff and uses engagement skills that focus on strengths of the family to build consensus about the case plan;
6. Makes a concerted effort with the family to promote and explain the necessity for community partner involvement in case planning for successful attainment of desired outcomes;
7. Explores the family's vision for a safe future, which may be included in the case plan, to encourage co-ownership;
8. Recognizes and builds upon the family's strengths;
9. Gives family members time to talk about their concerns and issues;
10. Practices active listening;
11. Encourages the family to actively participate in problem solving; and
12. Is creative in ways to include individuals who cannot physically attend the meeting by:
  - A. Offering options such as participation by conference call or by written correspondence outlining progress or lack of progress in obtaining negotiated goals; or
  - B. Considering non-traditional hours for meeting including before and after hours or during lunch.

## **1.7 Family Team Meetings (FTM)**

Chapter: Chapter 1-Fundamentals of Practice

Effective: ~~12/3/2010~~

Section: 1.7 Family Team Meetings (FTM)

Version: ± 2

### **Resources**

- Promoting Family Team Meetings (FTM) Tip Sheet.doc
- **DPP-?? 90 Day Concurrent Planning Family Assessment**
- **TWIST Tip Sheet for Modification of Case Plans**
- **When Your Child is Removed From Your Care Handbook**

**A family team meeting (FTM) is a tool for engagement used to assist a family in achieving safety, permanency and well-being outcomes and sustainable family changes. This meeting includes family members and their informal support system, service providers, community representatives, the caseworker, the supervisor and possibly other resource staff from the child welfare agency and offers collaborative child protective planning that is effective, meaningful and enduring. The members of the family team get together to operate as a collaborative decision making and planning group, seeking to build shared understanding of differing points of view and how each fits into the total network of support and gain consensus on direction. **The family has the right to invite individuals who are supports for them and should. Participants of the meetings may change over time based on the changing needs of the family.****

FTMs can co-occur with an array of conferences such as case planning conference, five (5) day conference, family case plan meeting, family unity meeting, family group decision making, case reviews and periodic reviews, but can also occur when a family event warrants decision making.

#### **Family team meetings are held:**

- **Ninety (90) days after the opening of a case or ninety (90) days after a child enters out of home care;**
- **Within thirty (30) days of reunification; and**
- **At other critical junctures, as requested by the family or DCBS.**

Use of a family team meeting is encouraged at the opening of all new ongoing in home cases when the family's need warrants the services of community partners and the family agrees to their participation.

A family team meeting may be used throughout the duration of the case until services to the family conclude.

### **Procedure**

Action Step 1C.1.2 part 3  
 KY 5<sup>th</sup> QR PIP report  
 June 30, 2011

**When using a family team meeting model, the SSW:**

1. Documents in the **service recordings**:
  - A. Efforts to assist the family in identifying relatives to attend the family team meeting;
  - B. Efforts to assist the family in identifying internal Department for Community Based Services (DCBS) partners to attend the family team meeting to include:
    - i. Family support;
    - ii. Child support; and
    - iii. Child care; **and**
  - C. Efforts to assist the family in identifying community partners to attend the family team meeting to include:
    - i. Formal partners such as:
      - a. Mental health counselors;
      - b. Medical health professionals;
      - c. Legal representatives;
      - d. Court personnel;
      - e. Teachers/school community;
      - f. Family resource and youth services centers (FRYSCs);
      - g. Care providers (e.g. DCBS foster parents, PCP/**PCC** resource home/foster parents, **relative or** kinship care providers); and
    - ii. Informal partners such as:
      - a. Friends,
      - b. Neighbors, and
      - c. Faith community, etc.;
2. Documents in **the** service recordings how the partnership is carried out in case planning and service delivery;
3. Explores the family's vision for a safe future, which may be included in the case plan;
4. Documents in the **service recordings** when the family declines community partner involvement, to include:
  - A. Why the family refuses assistance/involvement from community partners, including the SSW's efforts to promote acceptance of community partner involvement; and
  - B. The joint identity of potential community partners, which could make a significant contribution to the family;
5. Along with the family, forms a team including identified fathers which will:
  - A. Assist in developing an individualized family ease plan, based on the initial CQA;
  - B. Implement the objectives and tasks included in the plan; and
  - C. Continue to assess the family's strengths and needs, and revise the plan accordingly until the aftercare plan is written and the case is closed;
6. **Along with the FSOS and family, considers modification to the case plan at the ninety (90) day FTM to reflect progress made, or lack thereof, toward their case plan goals and objectives;**

- A. If the case plan is modified at the ninety (90) day FTM an updated copy is provided to the family and a copy of the child/youth action plan is provided to the resource parents or relative caregiver.

The Service Region Administrator (SRA) or designee:

1. Approves any exception to a required FTM; and
2. Documents the exception in the case plan, and service recordings.

**In Home Ninety (90) Day FTM**

The SSW discusses:

1. All procedures for general FTMs in addition to the steps below;
2. The progress the family has made on case planning goals and tasks;
3. How the services currently in place are working and if other services are needed;
4. Any barriers that are impeding the family in completing goals and tasks;
5. What, if any, circumstances in the family have changed (i.e. job loss, birth of a child, new household members, etc.);
6. Any concerns or issues the family or SSW has; and
7. Whether modification of the case plan is necessary.

If the child is in the custody of a relative (including kinship care), the SSW also discusses the following:

1. Adjustment of the child(ren) in the relative's home and the stability of the placement;
2. Status of the kinship care application, if applicable;
3. Any problems or concerns regarding the transition of services for the children (i.e. medical, mental health, school, etc.);
4. Respite or self-care plan/needs of the relative;
5. Frequency and quality of visitation of the child(ren) with their parents and siblings (if not placed in the same home);
6. Permanency planning (i.e. upcoming court dates);
7. Status of the absent parent search;
8. Transition plan, if reunification is the short term plan; and
9. Any concerns or issues the relative has.

The FSOS:

1. Attends the meeting and facilitates, if a facilitator is not available.

**OOHC Ninety (90) Day FTM**

The SSW:

1. Utilizes procedures for general FTMs in addition to the steps below;
2. Assesses progress made on the case plan tasks and objectives;
3. Explores and evaluates all relatives as possible placements;
4. Completes the DPP-?? 90 Day Concurrent Planning Family Assessment in order to assess the strengths of the family;

5. Evaluates the appropriateness of the child's current placement based on the circumstances of the case; and
6. Adds a concurrent planning permanency objective in the Child/Youth Action section of the case plan, if the case meets criteria for concurrent planning (See SOP 4.17 Preparation for and Five (5) Day Conference).

**The FSOS:**

1. Attends the meeting and facilitates if a facilitator is not available.  
Reunification FTM

**The SSW:**

1. Utilizes procedures for general FTMs in addition to the steps below;
2. Invites all partners involved with the family, including identified fathers as outlined in SOP 4.14 Family Attachment and Involvement, and other supports to the FTM or obtains written documentation of the progress or lack of progress on the case plan tasks and objectives;
3. Develops a schedule for visitation between the child and parents, ensuring that visits occur no less than every two (2) weeks, unless there is a documented reason regarding why this is not in the child's best interest;1
4. Develops a schedule for visitation between separated siblings designed to enhance and support the relationship (as appropriate to the case circumstances);
5. Engages the family in discussion of the ASFA guidelines, including the following:
  - A. The Cabinet's obligation to make reasonable efforts to return the child home or finalize a permanent placement; and
  - B. The cabinet's obligation to file for termination of parental rights once the child has been in care for fifteen (15) months under federal law: (475)(E) and 45 CFR 1356.21 (i)(1)(i). (ASFA guidelines not applicable to kinship care);
6. Ensures appropriate services to the parents that will constitute reasonable efforts toward reunification are documented in service recordings;
7. Follows procedures in SOP 30.22 Family Preservation for the referral process to secure reunification services;
8. Documents in the service recordings:
  - A. A brief summary of the safety assessment; and
  - B. The roles and responsibilities of each partner for ongoing service delivery.

**The FSOS:**

1. Assures the SSW invites all appropriate parties to the FTM;
2. Attends the meeting and facilitates if a facilitator is not available;
3. Assists the SSW in completion of a safety assessment or the Family

Reunification Assessment Tool (when utilized) with the family prior to the ninety (90) day FTM, and six (6) month case plan;

4. Assists the SSW in interpreting safety concerns related to reunification.

#### Footnotes

1. Visits are designed to enhance and support the relationship.

#### Practice Guidance

- A family team meeting may also be convened if a placement change is necessary due to severe emotional or behavioral issues.
- Relative exploration should include searching for new relatives, as well as consideration of previously evaluated relatives providing the issues preventing placement have been resolved.
- When discussing the prospect of reunification, it is important to consider the following:
  - The child's family of origin is the preferred permanent family for the child whenever possible and safe;
  - Most families are capable of caring for their children if appropriate support systems are in place; and
  - The involvement of family members and friends is a strength.
- It is critical to ensure early and consistent contact between the child and family in order to prepare for successful and lasting reunification.
- Throughout the child's out of home care placement, opportunities should be consistently offered and pursued to promote reconnection and maintain bonds with family.
- Preparing the child, family and/or caregiver for reunification is important when implementing a reunification plan.
- It is not uncommon for children and caregivers to experience feelings of ambivalence, apprehension, anxiety and grieving, but these natural responses should not negatively impact the decision to return home.

### **3.2 Timeframes and Ongoing Service Requirements for All In Home Services Cases**

Chapter 3-In Home Child Protective Services (CPS) Case

Effective: 12/3/2010

Section: 3.2 Timeframes for All In Home Services Cases

Version: ± 2

#### Forms

- DPP-1281 Family Case Plan.doc
- Visitation Between Caseworker and Parents Tip Sheet.doc

Action Step 1C.1.2 part 3  
KY 5<sup>th</sup> QR PIP report  
June 30, 2011

## Legal Authority/Introduction

### LEGAL AUTHORITY:

- KRS 620.180 Administrative regulations
- 922 KAR 1:430 Child protective services in-home case planning and service delivery

### Procedure

1. **The FSOS** assigns the case being opened to the SSW for ongoing services within three (3) working days of the date the CQA results are approved;
2. **The SSW** makes a home visit with the family within five (5) working days of case assignment to begin negotiating the:
  - A. Family goal (goal consensus);
  - B. Case plan objectives and tasks; and
  - C. Participants who will be invited to participate in case planning, including identified fathers as outlined in SOP 4.14 Family Attachment and Involvement;
3. **The SSW** negotiates the initial case plan with the family within fifteen (15) calendar days of the case assignment by the FSOS;
4. **The SSW** enters the information in the **DPP-1281 Family Case Plan (TWIST)** verbatim when the blank signature page of the case plan is signed, based on the negotiated objectives and task stated on the prevention plan; 1
5. **The SSW** reviews with the family any changes if the information captured on the prevention plan is not entered into the case plan exactly as written, and obtains a new signature page;
6. **The SSW** enters the completed/developed date in the "effective from date" on the case plan; 2
7. **The SSW** enters/submits the case plan information within ten (10) working days from the date it was developed with the family;
8. **The FSOS** approves the case plan within ten (10) working days from the date it was developed with the family and submitted by the SSW.
9. **The SSW** mails or delivers the TWIST copy of the case plan to the family;
10. **The SSW** follows procedures outlined in SOP 3.11 Onsite Provision of Services when assistance is requested from one county or region to another county or region to provide needed ongoing services;
11. **The SSW visits at least monthly (every thirty (30) calendar days), making face to face contact with the family and child in the home to:**
  - A. Assess progress on accomplishing Family Case Plan goals, objectives and tasks;
  - B. Observes the interaction among parent, child and siblings; and
  - C. Determine the suitability of these interactions and protective capacity of the parent, including identified fathers as outlined in SOP 4.14 Family Attachment and Involvement;
12. **The SSW provides ongoing assessment of the family's progress towards the negotiated objectives and tasks, at minimum, by quarterly contact by with community partners;**

12. The SSW discusses with the family that a mandatory family team meeting will be held once the case has been opened for ninety (90) days (refer to SOP 1.7 Family Team Meetings);
13. The SSW documents all contacts with or on behalf of the family; service recordings reflect the progress toward goals, objectives and tasks;
14. The SSW updates the CQA at least every six (6) months:
  - A. Within thirty (30) days prior to the Family Case Plan periodic review;
  - B. When any significant change occurs in a family, such as:
    - i. Change in the composition of the family;
    - ii. Loss of job;
    - iii. Change in family income; or
    - iv. Loss of basic needs being met; or
  - C. Prior to considering case closure;
15. The SSW enters the new referral and follows guidelines for CPS Intake and Investigation if a new report of suspected child maltreatment is received after the case has been opened for services;
16. The SSW follows the guidelines for case consultation as outlined in SOP 1.5 Supervision and Consultation;
17. The SSW follows up with court involvement as necessary, which is outlined in SOP 11.14 When to File a Petition.

#### **Practice Guidance**

- The next ongoing case plan is due within six (6) months from the case planning conference date of the previous case plan.

#### **Footnotes**

1. The blank signature page of the case plan may be signed at the time of negotiating the objectives and tasks on the prevention plan as outlined in SOP 23.2 Prevention Plans.
2. The case plan is considered completed/developed on the date it was negotiated. This will be the same date the family signs the prevention plan and/or signature page of the case plan.

### **3.4 Initial In-Home Case Planning Conference**

Chapter 3-In Home Child Protective Services (CPS) Case

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Section: 3.4 Initial In Home Case Planning Conference

Version: ± 2

#### **Forms and Resources**

- DPP-1281 Family Case Plan

- **Menu of Expectations for Batterers in Child Protection Cases Where Domestic Violence is Present**
- APS-CPS Concurrent Reports Tip Sheet.doc
- CPS CQA Anchors.doc
- Mental Health-Illness Indicators Tip Sheet.doc
- Prevention Plan (Incorporated).doc
- Prevention Plan (Spanish).pdf
- **Quick Reference Grid for P&P Case Planning**
- Promoting Family Team Meetings (FTM) Tip Sheet.doc
- **Some Practice Considerations for Child Protection Cases Involving Domestic Violence**
- Substance Use and Abuse Tip Sheet.doc

## **Legal Authority/Introduction**

### **LEGAL AUTHORITY:**

- KRS 194A.010 Cabinet for Health and Family Services-Functions
- KRS 620.180 Administrative regulations
- 922 KAR 1:140 Foster care and adoption permanency services
- 922 KAR 1:430 Child protective services in-home case planning and service delivery

The case planning process, which assists the family **in achieving** safety, permanency and well-being, is based on strengths and needs identified by the family and the **social service worker (SSW)** using the **continuous quality assessment (CQA)** and family engagement.

The Department for Community Based Services (DCBS) encourages families served to participate fully in the process and to retain as much personal responsibility for case planning as possible.

**The objectives negotiated during a case planning conference include primary family level objectives (FLO), secondary FLO, individual level objectives (ILO) and objectives relating to the child(ren) in out of home care, which are addressed in the Child Youth Action Plan section of the case plan. Required objectives differ based on the needs of the family as assessed by the investigation or FINSA, and family engagement.**

## **Procedure**

### **The SSW:**

1. Involves, to the fullest extent possible, the participation of the family which includes all children ages six (6) and older, other significant persons in the child's life not the family unit, (i.e. legal and/or biological parents (including identified fathers, **family, friends, etc.**) and relatives;

2. Reviews the case planning process ~~3~~ with the family and members of the family's team, once a case has been opened for ongoing services (**this should include a discussion of the need for community partner involvement in case planning**);
3. Provides information, during the initial case planning meeting, about the following:
  - A. Basis for DCBS involvement;
  - B. Rights and responsibilities of the parent and child;
  - C. Roles of each team member and the court, including how DCBS staff will support achievement of desired outcomes;
  - D. Service options that address the:
    - i. Prevention of further maltreatment, presenting problem or need;
    - ii. Individual behavior changes needed;
    - iii. Risk factors that threaten the well-being of all family members;
4. Explores the family's vision for a safe future, which may be included in the case plan, to encourage co-ownership and family engagement;
5. **Negotiates objectives and tasks with the family and community partners, as applicable, during a case planning conference;**
6. Incorporates **the following tasks, using the Prevention Plan** as a worksheet, to develop primary objectives that are related to the prevention of further child maltreatment in the home:
  - A. Identifying strengths of the family;
  - B. Identifying high risk patterns **and developing a relapse plan that includes:**
    - i. Identifying early warning signals;
    - ii. Planning to prevent high-risk situations;
    - iii. Planning to interrupt high-risk situations early, if not prevented; and
    - iv. Planning for escape from the high-risk situation, if early interruption fails;
  - C. Assures that the case plan is:
    - i. **Specific;**
    - ii. **Realistic;**
    - iii. **Individualized based on identified safety factors;**
    - iv. **Measurable; and**
    - v. **Time limited;**
7. Includes in the case plan all services offered to assist the family to improve the following:
  - A. Safety;
  - B. Care;
  - C. Relationship with their children; and
  - D. Parent's ability to fulfill their roles to promote child and family safety, well-being and permanency, whenever possible;
8. **Negotiates the tasks and objectives with the family and community partners and documents them in the case plan;**
9. **Documents in the case plan the start dates of tasks to achieve the objectives within the six (6) month timeframe;**
10. ~~14.~~ Arranges for services from community partners, through use of the CQA and case plan, which may include, but are not limited to, the following:

- A. Child care;
  - B. Family preservation and reunification;
  - C. Home health;
  - D. Mental health;
  - E. Physical health;
  - F. Education;
  - G. Housing; and
  - H. Clothing;
- (Refer to **Mental Health/Illness Indicators Tip Sheet**)  
 (Refer to **Substance Use/Abuse Tip Sheet**)
9. **Completes the case plan in TWIST;**
  10. **Submits the case plan to the FSOS for approval after the case planning meeting, with or without the parents' signature;**
  11. **Documents in the comment section of the DPP-1281 Family Case Plan (hard copy) why the parents did not sign;**
  12. **Makes efforts to discuss the case planning conference with each parent, and the child when they are unable to attend;**
  13. **Mails or distributes a copy of the following documents to the participants listed below:**
    - A. **The approved DPP-1281 Family Case Plan:**
      - i. **Parent or legal guardian (certified restricted mail if not in attendance);**
      - ii. **Identified fathers (certified restricted mail if not in attendance);**
      - iii. **Any person or agency providing services to the family;**
      - iv. **Any community partners assigned a task on the case plan (with parental consent); and**
      - v. **The child's guardian ad litem;**
    - B. **The DPP-154 Protection and Permanency Service Appeal (certified restricted mail) to parent or legal guardian; and**
    - C. **All other relevant documents;**
  14. **Places the hard copy of the Prevention Plan with all signatures in the case record.**
  15. **Documents in the service recordings:**
    - A. **How the partnership is carried out in case planning and service delivery; and**
    - B. **When the family declines community partner involvement;**

#### **The FSOS:**

1. **Provides input into case plan development;**
2. **Assists the SSW in determining how to protect the safety of the non-offending parent and children, when domestic violence is involved;**
3. **Ensures that the case plan is developed within required timeframes;**
4. **Reviews and approves the case plan prior to distribution.**

#### **Practice Guidance**

- In cases where domestic violence has been identified as a risk factor, the SSW collaborates with the family's team to develop a logical and achievable plan for the children and family by prioritizing service needs.
- A new/revised ongoing CQA may be completed and the case plan revised when significant changes in the family occur, such as:
  - Change in the composition of the family;
  - Loss of job;
  - Change in family income;
  - Loss of basic needs being met; and
  - New referral;
- The case plan may also be revised when a change in placement of the child occurs.
- The Quick Reference Grid for P&P Planning is a useful guide for the SSW and specifies required objectives based on the type of case.
- The case plan tasks are the action steps the family members, SSW and community partners are willing and able to do to achieve the objectives. Timeframes for objectives are automatically set at six (6) months, unless otherwise documented in the case plan.

<b>Elements of the Case Plan</b>	
<b>Objectives</b>	<ul style="list-style-type: none"> <li>• Objectives are statements of direction and are sometimes referred to as goals.</li> <li>• The objectives in a case plan describe desired statements or outcomes and become the map or foundation for change.</li> </ul>
<b>Strengths</b>	<ul style="list-style-type: none"> <li>• A child's and family's available past and present experiences, assets, interests, resources, resiliency, interests and preferences provide strengths to meet needs. These strengths should be used when building the action steps of the case plan.</li> </ul>
<b>Needs</b>	<ul style="list-style-type: none"> <li>• A need is a requirement that is essential to all human beings such as the need for shelter, food, affiliation or nurturance.</li> <li>• A need may be a description of the underlying conditions that are often the source of the problems that a family is encountering.</li> </ul>
<b>Tasks</b>	<ul style="list-style-type: none"> <li>• Represent the agreement we have with self and others. They are the pathways to meeting needs and achieving objectives;</li> <li>• Should be meaningful enough to motivate the family toward action and achievement and should be reasonable enough that families feel confident they can accomplish them;</li> <li>• Must be clear enough that members both inside and outside of the team can understand what is to be achieved;</li> <li>• Should define the "who, what, how, where and when" of the planning process;</li> <li>• Are behaviorally specific, provide clear direction, and are concrete, measurable and observable;</li> <li>• Are built around the strengths of the family and other family team members;</li> <li>• Are progressive, moving from the simple to the complex; and</li> <li>• Include a description of who is responsible and a target completion date.</li> </ul>

### **3.5 Participants and Notification for All In-Home Cases**

Chapter 3-In Home Child Protective Services (CPS) Case

Effective: ~~12/3/2010~~

Section: 3.5 Participants and Notification for All In Home Cases

Version: ± 2

#### **Resources**

- **Case Planning Meeting Brochure**

#### **Legal Authority/Introduction**

##### **LEGAL AUTHORITY:**

- KRS 620.180 Administrative regulations
- 922 KAR 1:430 Child protective services in-home case planning and service delivery

For all cases except OOHC, case planning participants are optional based on the family's request. Families have the right to choose whom to involve in their case planning.

#### **Procedure**

The SSW:

1. Encourages families to involve **family members**, friends, and community partners that have the potential to be beneficial;
2. **Involves** the following individuals in case planning, **including but not limited to**:
  - A. Family members **of appropriate age**, including identified fathers;
  - B. **FSOS** and other staff involved;
  - C. **Court Appointed Special Advocates (CASA) and Guardian Ad Litem (GAL)**, if court is involved;
  - D. Parents attorney;
  - E. Community partners including service providers **and school personnel; Child; and**
  - F. **Formal and informal supports for the family;**
3. Notifies, verbally or in writing, in advance all participants expected to attend the case planning conference of the:
  - A. Purpose;
  - B. Date;
  - C. Time;
  - D. Location of the case planning conference; **and**
  - E. **Provides a copy of the Case Planning Meeting Brochure;**

4. Documents in TWIST the efforts made to involve both parents, the child's guardian or custodian in the case planning process.

#### Practice Guidance

- Although the child's capacity to participate actively in case planning will need to be decided on a case by case basis, as a guideline, most children who are elementary school aged or older may be expected to participate to some extent.
- Involvement of both parents is instrumental in achieving desired outcomes for children. Fathers are required participants even when they are absent from the home. Workers must make every effort to locate and involve fathers or other available paternal relatives.
- The lack of father involvement can significantly delay case progress. Often, fathers are unaware of situations that involve their children for various reasons. The fathers or their relatives are encouraged to participate in case planning and be allowed to maintain attachment with the child through visitation when appropriate.
- Recognize that family members may be new participants in the child welfare and juvenile court system. Take the time to explain how these systems work and answer any questions asked by the family. Ensure the family understands that events can occur at certain timelines during the life of the case.
- Respect the pace at which the family moves. Intervention is a traumatic time and the family may need time to process what is happening. Don't rush discussion and be sure to convey the importance of each and every contact.
- Recognize the value of the family members and value their expertise on the family history.

#### **4.14 Timeframes for All OOHC Cases**

Chapter 4-Out of Home Care Services (OOHC)

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Section: 4.15 Timeframes for All OOHC Cases

Version: ~~2~~ 3

#### **Legal Authority/Introduction**

##### LEGAL AUTHORITY:

- N/A

Throughout the life of an out of home care case, there are specific timeframes for conferences, consultations **and ongoing service provision** that must be met in order to ensure that a case is managed properly, families receive all appropriate

services and timely permanency is achieved. The procedures below assist staff in meeting these timeframe goals.

### **Procedure- Case Planning**

#### **The SSW:**

1. Convenes a five (5) day case planning conference within five (5) working days of the temporary removal hearing or **voluntary placement agreement** if commitment is voluntary as outlined in SOP 4.16 Five (5) Day Conference (**KRS 620.180**); ±
2. Considers concurrent planning when negotiating/developing a case plan during the five (5) day conference; however by the six (6) month periodic review the case is converted to a concurrent planning case if the child is still in OOHC as outlined in SOP 4.19 Consideration/Implementation of Concurrent Planning For Permanency;
3. Convenes the first periodic review/**case conference** of the case plan within six (6) months of the temporary removal hearing or placement and within every six (6) months thereafter until permanency is achieved;
4. **Dockets a placement court review no later than 6 months after the child is removed from the home, regardless of placement or custody, when the child is 16 or younger at the time of removal in accordance with Family Court Civil Rule 34;**
5. Requests a pre-permanency planning conference prior to pursuing an involuntary termination of parental rights (TPR), during or before the ninth (9th) month in care;
6. Convenes the second periodic review within twelve (12) months of the temporary removal hearing or placement and prior to the permanency hearing as outlined in SOP 4.35 Ongoing Case Planning;
7. Requests a permanency hearing within twelve (12) months of the temporary removal hearing or **voluntary placement agreement** and every twelve (12) months thereafter until permanency is achieved **as required by** as outlined in SOP 11.25 Permanency Hearings **Sec 475(5)(c)**;
8. Modifies the case plan and/or visitation agreement when appropriate; and
9. Follows procedures outlined in SOP 3.11 Onsite Provision of Services when assistance is requested from one county or region to another county or region to provide needed ongoing services.
10. **Redockets the case, following a termination of parental rights, for court review in accordance with Family Court Civil Rule 36. The hearing is to occur within 90 days from the date of the entry of the order of termination, and reviews progress towards finalization of an adoptive placement for the child.**

### **Procedure- Continuous Quality Assessment (CQA)**

#### **The SSW:**

1. **Completes the investigative CQA within thirty (30) working days of acceptance of the referral; and**

## 2. Completes all ongoing CQAs every six (6) months afterwards.

### **Regional Case Consultations**

1. The FSOS and designated regional staff meet to consult on the progress of an out of home care ongoing case:
  - A. After a child has been in out of home care for three (3) months; and
  - B. Every six (6) months thereafter (9 month, 15 month, 21 month, etc.) until the child achieves permanency.

### **4.15 Family Attachment and Involvement**

Chapter 4-Out of Home Care Services (OOHC)

Effective: ~~12/3/2010~~

Section: 4.14 Family Attachment and Involvement

Version: ~~1~~ 2

### **Resources**

- Attachment of Children in Out of Home Placement Tip Sheet.doc
- Involvement of Fathers Tip Sheet.doc
- **Absent Parent Search Handbook**

### **Legal Authority/Introduction**

#### LEGAL AUTHORITY:

- 45 CFR 1355.25 Principles of child and family services
- 45 CFR 1355.34 Public Welfare-Criteria for determining substantial conformity
- 42 USC 622 State plans for child welfare services
- 42 USC 653 Federal Parent Locator Service
- 42 USC 672 Foster care maintenance payments program
- KRS 610.170 Court-ordered child support
- KRS 620.150 Visitation
- 922 KAR 1:140 Foster care and adoption permanency services

**Active participation by family members is desired, needed and valued in all aspects of an out of home care case. To the extent possible the SSW engages both maternal and paternal family members equally in the assessment and case planning process from the first point of intervention.**

**It is important to demonstrate sensitivity and empathy to the crisis that family members may be experiencing, especially if they are separated from their child(ren).**

**The involvement of all parents in the lives of their children, even when there is domestic violence present, is important for attachment and**

**bonding. This agency believes that all parents have a right and responsibility to be involved in their children's lives, always considering the safety of the child(ren) and non-offending parent.**

## **Procedure**

### **The SSW:**

1. **Contacts the biological father/mother or conducts an absent parent and relative search within thirty (30) calendar days on all identified fathers and relatives; 1**
2. **Documents efforts in TWIST (to generate an Absent Parent Form) and utilizes the Absent Parent and Relative Search Handbook to assist in completing searches;**
3. **Identifies and explores placement of the child with available relatives, if known (both maternal and paternal); otherwise follows the same procedures outlined in the absent parent search in locating family members;**
4. **Engages the father/mother and/or family members to solicit involvement in permanency planning for the child;**
5. **Conducts case planning and provides needed/requested services;**
6. **Engages the father/mother and/or family members to solicit involvement in permanency planning for the child;**
7. **Conducts case planning and provide needed/requested services;**
8. **Includes the father/mother in a regular visitation schedule that promotes and maintains attachment unless the following exists:**
  - A. **Parental rights have been terminated; or**
  - B. **Participation would be contrary to the best interest of the child;**

### **Practice Guidance**

- **Fathers are required participants in permanency planning. Their lack of involvement can significantly delay case progress and more importantly permanency for a child.** Father involvement is critical and required in all out of home case planning. Workers must make every effort to locate and involve fathers or other available paternal relatives. Often, fathers are unaware of situations that involve their children for various reasons. When fathers can't be located, the Cabinet is required to seek other available paternal relatives as permanency options. The fathers or their relatives are required participants in case planning and must be allowed to maintain attachment with the child through visitation where appropriate.
- **The Cabinet is required to offer needed services to both parents. Failure to provide services to the absent parent may significantly impact timely permanency.**
- **Recognize that family members may be new participants in the child welfare and court system. Take the time to explain how these systems work and answer any questions asked by the family. Ensure the family understands that events can occur at certain timelines during the life of the case, (i.e., filing of termination petition at 15 months of child being in substitute care).**

- **Respect the pace at which the family moves. Intervention is a traumatic time and the family may need time to process what is happening. Don't rush discussion and be sure to convey the importance of each and every contact.**
- **Recognize the value of the family members and value their expertise on the family history.**
- The SSW promotes:
  - Parent and child attachment through frequent visitation and other forms of regular contact; and
  - Efforts to maintain attachment of the child to other significant family members that are involved in the life of the child, to include biological father or paternal family members.

### Footnotes

1. **The same aforementioned procedures would be used to locate the mother or other maternal family members.**

### **4.16 Participants and Notification for All OOHC Cases**

Chapter 4-Out of Home Care Services (OOHC)

Effective: ~~12/3/2010~~

Section: ~~4.20~~ **4.16** Participants and Notification for All OOHC Cases

Version: ~~±~~ **2**

### Resources

- **DPP-1275 Relative Exploration Form**
- **Case Planning Meeting Brochure**
- Independent Living Program Regional Coordinators.ppt

### Legal Authority/Introduction

#### LEGAL AUTHORITY:

- KRS 620.180 Administrative regulations
- KRS 620.525 Duties of CASA volunteers
- 922 KAR 1:140 Foster care and adoption permanency services

### Procedure

#### The SSW:

1. Is required to invite the following individuals, not inclusive to the case planning conference:

- A. Both legal and biological parents, absent parents, non-custodial parents and family members, including identified fathers as outlined in SOP 4.14 Family Attachment and Involvement;
  - B. Children, six (6) years of age and older (unless there is a clinical justification for not doing so or the SSW has evaluated the child and deems it not in child's best interest to participate); 1
  - C. Other Cabinet staff involved, which may include the designated swift chair when the child's permanency goal is being changed to adoption and at subsequent case planning conferences as outlined in SOP 13.3 Swift Adoptions;
  - D. Objective third party as required for periodic reviews; 2
  - E. Parent's attorney;
  - F. Child's attorney, Guardian Ad Litem;
  - G. County attorney;
  - H. Caregiver (foster parents, PCC provider, relative, etc.); and Court Appointed Special Advocate (CASA);
2. Is required to notify all participants of any case planning conference, ten (10) calendar days prior to the conference for all OOHC cases, excluding the five (5) day conference;
  3. Notifies legal parents, biological parents, and/or guardians by certified mail;
  4. **Documents efforts to identify relatives on the DPP-1275;**
  5. Documents attempts to notify absent parents and non-custodial parents;
  6. Follows the procedures outlined in SOP 4.20 Distribution of Case Plan for All OOHC Cases to inform the parent(s) that a case planning conference occurred in their absence if a parent(s) fails to attend;
  7. Includes absent parents in the case plan by including at least one objective that addresses "non-involvement;"
  8. Conducts an absent parent search, if the parent's whereabouts are unknown, and documents under the objective that addresses non-involvement of the parent;3
  9. Creates an objective and associated task that address the parent's non-involvement regardless of their willingness to participate if/when the parent is located.

### **Practice Guidance**

- The SSW may invite and involve the following individuals (with parents consent), not inclusive in case planning:
  - Community partners including service providers;
  - Extended family members;
  - The Independent Living Coordinator for all youth ages seventeen (17) and over; and
  - Other participants the family wants present.

### **Footnotes**

1. **Although the child's capacity to participate actively in case planning will need to be decided on a case-by-case basis, as a guideline, most**

children who are elementary school-aged or older may be expected to participate to some extent.

2. An objective third party is a person who is not responsible for case management and who is not in direct line of supervision of the case. Examples include: permanency specialist, an SSW who is not directly involved in the case or regional office staff. It is preferred that the objective third party is protection and permanency employee.
3. This task may prevent delays in termination of parental rights (TPR) in the future.

#### **4.17 Preparation for and Five (5) Day Conference**

Chapter 4-Out of Home Care Services (OOHC)

Effective: 3/15/2011

Section: 4.16 Five (5) Day Conference

Version: 2 3

#### **Forms and Resources**

- **DPP- ?? 90 Day Concurrent Planning Family Assessment**
- **DPP-1275 Relative Exploration Form**
- **DPP-330 Educational Advocacy Request Form.doc**
- **DPP-1281 Family Case Plan.doc**
- **Absent Parent and Relative Search Handbook**
- **Best Practices for Permanency Flow Chart**
- **Case Planning Objectives-OOHC Tip Sheet.doc**
- **Case Planning with Clients that have a Disability or Chemical Dependency Tip Sheet.docx**
- **Concurrent Planning Review Tool.doc**
- **Five Day Conference Checklist.doc**
- **Menu of Expectations for Batterers in Child Protection Cases Where Domestic Violence is Present**
- **Placement Change Tip Sheet.docx**
- **Quick Reference Grid for P&P Case Planning**
- **Some Practice Considerations for Child Protection Cases Involving Domestic Violence**
- **Visitation Checklist-Summary.doc**
- **When Your Child is Removed from Your Care-A Parent's/Guardian's Guide**

#### **Legal Authority/Introduction**

LEGAL AUTHORITY:

Action Step 1C.1.2 part 3  
KY 5<sup>th</sup> QR PIP report  
June 30, 2011

- **P. L. 105-89 Reasonable Efforts and Safety Requirements for Foster Care and Adoption Placements**
- KRS 610.125 Permanency hearing after custody given to Department of Juvenile Justice or cabinet
- KRS 610.127 Parental circumstances negating requirement for reasonable efforts to reunify child with family
- KRS 620.180 Administrative regulations
- KRS 620.230 Case permanency plans
- 922 KAR 1:140 Foster care and adoption permanency services

The Adoption and Safe Families Act (ASFA) of 1997 requires that children acquire permanency in a timely manner so they do not languish in out of home care for years.

As a result of ASFA, once a child has been placed in out of home care for fifteen (15) out of twenty-two (22) months, the Cabinet must initiate termination of parental rights proceedings. Based on these timeframes, this agency began using the concurrent planning model to assist in achieving timely permanency for children in foster care.

Since the fifteen (15) out of twenty-two (22) month requirement approaches quickly after a case is opened, concurrent planning is considered beginning with the five (5) day case planning conference and is revisited at each subsequent case planning meeting.

Concurrent planning involves working a goal of return to parent while simultaneously evaluating and implementing other permanency options (such as permanent relative placement or adoption). Locating absent parents and identifying maternal and paternal relatives is critical to this process. Engaging family members, as well as their support systems to achieve permanency for each child in care is essential.

## **Procedure**

Prior to the five (5) day case planning conference the SSW:

1. Along with the FSOS completes the concurrent planning review tool and files it in the case record prior to the five (5) day case planning conference;
2. Reviews the case history, circumstances and investigative information to determine if the case meets concurrent planning criteria for the initial case plan;
3. Obtains current assessment information from the investigative SSW, the petition for removal and may consider information from previous CQAs, if the initial CQA is not completed prior to the five (5) day conference, to assist in completing the case plan (Refer to **Five Day Conference Checklist**); 1

4. Engages the family to solicit and encourage their approval for community partner involvement in developing the case plan;
5. Ensures full disclosure by respectful candid discussion from the outset with all parties involved in the case planning and service provision of the:
  - A. Negative impact of foster care on children;
  - B. Clarity about the birth parent's rights and responsibilities;
  - C. Supports DCBS will provide;
  - D. Permanency options;
  - E. Concurrent Planning; and
  - F. Consequences for not following the Case Plan; and
6. Ensures that the conference includes a presentation of ASFA guidelines, including the Cabinet's obligation to make reasonable efforts to finalize a permanent placement and the cabinet's obligation to file for a termination of parental rights once the child has been care for 15 months under federal law: (475 (5)(E) and 45 CFR 1356.21 (i)(1)(i)); and
7. Identifies relatives, family supports and community partners to include at the mandatory 90 day family team meeting (refer to SOP 1.7 Family Team Meetings (FTM)).

During the five (5) day case planning conference the SSW:

1. Assists the family in completing the DPP-1275 Relative Exploration form if not previously completed;
2. Provides a copy of the When a Child is Removed From Your Care handbook to the birth parents/caregiver, if they have not already received it;
3. Utilizes the Case Planning Objectives-OOHC Tip Sheet and ensures that the case plan contains one family level objective that focuses on the reason the child was removed from the home and tasks the family must complete for reunification;
4. Documents the decision concerning concurrent planning and the permanency goal on the case plan; 3 2
5. Adds a concurrent planning permanency objective in the child/youth action section of the case plan if the case meets criteria for concurrent planning;
6. Checks the concurrent planning box in TWIST if the case meets criteria to be a concurrent planning case according to the review tool;
7. Ensures the following components are documented on the case plan as applicable (in accordance with provisions of Title IV-E of the Social Security Act):
  - A. Permanency goal(s);
  - B. Information related to aggravated circumstances or safe infant provisions, if applicable;
  - C. Services that will be provided to the parents that will constitute reasonable efforts to reunify the children; 5 3

- D. Services that will be provided to achieve the least restrictive (most family like) placement **and one** that is in closest proximity to the parents' home (Sec 475 and 42 USC 675);
- E. Negotiates/renegotiates the location, length and frequency regarding visits between the child, siblings and their parent(s) depending on the parent(s) circumstances and the child's age;**
- F. ~~A schedule for visitation between the child and parents, ensuring~~ **Ensures** that visits occur no less than every two (2) weeks, unless there is a documented reason regarding why this is not in the child's best interest. Visits are designed to enhance and support the relationship (refer to Practice Guidance below or the OOHC Visitation Tip Sheet for more information regarding frequency and duration of visits);
- G. **Creates** a schedule for visitation between separated siblings, as appropriate to the case circumstances, designed to enhance and support the relationship;
- H. Revises the visitation agreement, if necessary, as outlined in SOP 4.18 Visitation Agreement;**
- I. Uses the Visitation Checklist/Summary, when visits are supervised, to assess parenting skills and attachment between the parent and the child during visitation, which is then filed in the case record;**
- J. Documentation of the child specific efforts being taken to finalize a permanent placement for the child, including efforts to identify, recruit, process or approve a qualified family for (475(1)(E) and (5)(E)):
- i. Relative placement;
  - ii. Adoption;
  - iii. Legal guardianship;
- K. Documentation of justification for the selection of "another planned permanent living arrangement," when selected as the goal for the child (45 CFR 1356.21(h)(3));
- L. A plan for assuring that services are provided to the child and placement provider in order to address the needs of the child while in foster care (Sec 475 (1)(b). Such a plan should incorporate **the following** documentation pertaining to health and education records (Sec. 475 (1)(c)):
- i. The names and addresses of the child's health and educational providers;
  - ii. The child's grade level performance;
  - iii. The child's school record;
  - iv. A record of the child's immunizations;
  - v. The child's known medical problems;
  - vi. The child's medications;
- M. Objectives, tasks or other notes that constitute a plan for the child's educational stability as required by Sec 475 (1)(g) and Sec 471 (a)(30) of the Social Security Act, including:
- i. Assurances that the placement takes into account the appropriateness of the child's current school setting, as well as the proximity of the placement to the child's current school;

- ii. Assurances that the cabinet coordinated with the local school board to insure the child is able to attend the same school where enrolled at the time of placement; and
  - iii. Assurances that, when a change of schools is necessary, the child will be immediately enrolled in an appropriate school, with all of the educational records of the child provided to the new school
  - iv. Verification that a child, who has attained the minimum age for compulsory school attendance, is attending school in accordance with state law; or
  - v. Regularly updated medical documentation that verifies that a child is incapable of attending school; ~~6~~ **4**
  - N. A description of the programs and services which will assist youth in preparing for the transition to adulthood as outlined in SOP 4.29.1 Independent Living Services (Sec 475 (5)(c)(i));
  - O. A transition plan, for youth **seventeen (17)** and over, updated as appropriate during the periodic review (Sec 475 (5)(H));
  - P. Signatures of the conference participants;
8. Enters the case plan information **in TWIST, with or without the parents' signatures**, and submits it to the FSOS who approves it within ten (10) days from the case planning conference date; ~~4~~ **5**
9. **Documents the following:**
- A. **Why the parents did not sign the case plan. This is done in the comments section of the DPP-1281 Family Case Plan;**
  - B. **Efforts to discuss the case planning conference with each parent, current caregiver for the child and the child when they are unable to attend;**
  - C. **Efforts made to involve both parents, the child's guardian or custodian. This is documented in TWIST;**
10. **Mails or distributes a copy of the following documents to the participants listed below:**
- A. **The approved DPP-1281 Family Case Plan:**
    - i. **Parent or legal guardian receives a full copy (certified restricted mail if not in attendance);**
    - ii. **Identified fathers receive a full copy (certified restricted mail if not in attendance);**
    - iii. **Any person or agency providing services to the family (service providers for the parents receive a copy of the family portion);**
    - iv. **Any community partners assigned a task on the case plan (with parental consent); and**
    - v. **The child's guardian ad litem;**
  - B. **The DPP-154 Protection and Permanency Service Appeal (certified restricted mail) to parent or legal guardian; and**
  - C. **All other relevant documents;**
11. **Places the hard copy of the Prevention Plan with all signatures in the case record;**
12. **Submits to the court a case plan, visitation agreement and prevention plans no later than thirty (30) calendar days after the effective date of the**

court order for each child placed in the custody of the Cabinet by either a commitment order or temporary custody order (45 CFR 1356.21(i)(2) and Family Court Rule 29;

- 13.** Sends a copy of the case plan to the Administrative Office of the Courts Citizen Foster Care Review Board Program at the following address at the same time the case plan is submitted to the court:

Dependent Children's Services  
Administrative Office of the Courts  
100 Millcreek Park  
Frankfort, KY 40601

**The FSOS or designee:**

- 1. Chairs the meeting and provides input into case plan development;**
- 2. Assists the SSW in determining how to protect the safety of a non-offending parent and children, when domestic violence is involved;**
- 3. Ensures that the case plan is developed within required timeframes; and**
- 4. Reviews and approves the case plan prior to distribution.**

**Practice Guidance**

- **At the seventy-two (72) hour temporary removal hearing the SSW requests that the court order the family to complete the DPP-1275 Relative Exploration Form and provide the form to the SSW at the case planning conference. If the parent has not completed the form, the SSW will assist the parent in completing the form.**
- **When concurrent permanency planning is initiated, the resource home located for the child should be committed to working toward reunification with the birth family with the understanding that an absent parent or relative may be located several months into the child's placement or that adoption may not be an appropriate option for the child.**
- **Absent parent and relative searches must be conducted within thirty (30) calendar days on all identified fathers and relatives and documented in TWIST to generate an Absent Parent Form (TWIST).**
- **The initial CQA will probably not be completed and approved prior to conducting the five (5) day conference.**
- **The next ongoing case plan following the five (5) day conference is due within six (6) months from the child's temporary removal hearing (TRH) and order of temporary custody or placement date of a voluntary commitment, unless significant changes in family circumstances occur, requiring revisions to the case plan.**
- **The minimum frequency for periodic reviews and case planning conferences are dictated by law. The cabinet may hold additional case conferences or family team meetings as necessary to adapt the case plan to the family when their needs change; however, any changes to the case plan should be documented**

and validated by conference participants in accordance with agency practice and applicable law.

- **The SSW may convene a family team meeting, when appropriate, for the development of the case plan.**
- **The SSW will not involve the parent in the case planning process if parental rights have been terminated.**
- Regardless of the type of legal responsibility of the Cabinet (e.g., voluntary commitment, emergency custody, temporary custody or full commitment) a case planning conference is held if the child's initial placement is any of the following:
  - Relative home, including kinship care;
  - DCBS resource home;
  - Emergency shelter;
  - Private child care (PCC) provider child caring facility;
  - PCC provider foster home;
  - Group home;
  - Treatment facility; or
  - Hospital.
- The SSW should incorporate, into the case planning discussion, appropriate use of the DPP-330-Educational Advocacy Request Form, if the birth parent agrees to allow the resource parent to make educational decisions on behalf of the child as outlined in SOP 4.28.2 Providing Educational Services under the Individuals with Disabilities Act (IDEA). Use of the form does not limit parental rights, and the SSW continues to engage the biological parents in decision-making regarding the child's educational services.

<b>Elements of the Case Plan</b>	
<b>Objectives</b>	<ul style="list-style-type: none"> <li>• <b>Objectives are statements of direction and are sometimes referred to as goals.</b></li> <li>• <b>The objectives in a case plan describe desired statements or outcomes and become the map or foundation for change.</b></li> </ul>
<b>Strengths</b>	<ul style="list-style-type: none"> <li>• <b>A child's and family's available past and present experiences, assets, interests, resources, resiliency, interests and preferences provide strengths to meet needs. These strengths should be used when building the action steps of the case plan.</b></li> </ul>
<b>Needs</b>	<ul style="list-style-type: none"> <li>• <b>A need is a requirement that is essential to all human beings such as the need for shelter, food, affiliation or nurturance.</b></li> <li>• <b>A need may be a description of the underlying conditions that are often the source of the problems that a family is encountering.</b></li> </ul>
<b>Tasks</b>	<ul style="list-style-type: none"> <li>• <b>Represent the agreement we have with self and others. They are the pathways to meeting needs and achieving objectives;</b></li> <li>• <b>Should be meaningful enough to motivate the family toward action and achievement and should be reasonable enough</b></li> </ul>

	<p>that families feel confident they can accomplish them;</p> <ul style="list-style-type: none"> <li>• Must be clear enough that members both inside and outside of the team can understand what is to be achieved;</li> <li>• Should define the "who, what, how, where and when" of the planning process;</li> <li>• Are behaviorally specific, provide clear direction, and are concrete, measurable and observable;</li> <li>• Are built around the strengths of the family and other family team members;</li> <li>• Are progressive, moving from the simple to the complex; and</li> <li>• Include a description of who is responsible and a target completion date.</li> </ul>
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- Although many children in OOHC will be reunified, alternative permanency planning will be pursued beginning no later than the six (6) month periodic review to ensure that all children have a permanent family as quickly as possible.
- Concurrent planning does not mean moving the children or changing the permanency goal. It does mean adding a concurrent alternate permanency objective in the child/youth action section and associated task in the case plan to secure permanency for the child in the event that the child cannot be returned to the parents or family.
- Child specific recruitment efforts to find a permanent placement may include such efforts as the use of adoption exchanges and other exchange systems that facilitate orderly and timely in-state and interstate placements.

If one of the following conditions exists, an ASFA exemption may be granted by the court:

- If a child is being cared for by a relative;
- If the agency has documented a compelling reason why termination is not in the child's best interest; or
- If the parents were not provided with services as part of the reasonable efforts required by the court.

The three primary permanency goals for concurrent planning, in order of preference, are:

- Return to parent;
- Permanent relative placement; and
- Adoption.

The following are secondary permanency goals and are explored only after exhausting all three primary permanency goals:

- Planned Permanent Living Arrangement (PPLA);
- Emancipation; and
- Legal Guardianship.

Through using the concurrent planning model, the Cabinet hopes to accomplish the following for children placed in out of home care:

- Reducing the number of placements;
- Reducing the length of time in care; and
- Improving the long term adjustments of the child by an increase in the degree of openness.

#### Footnotes

1. The case plan is considered timely **if completed within five (5) days of the temporary removal hearing**, even if the CQA is not yet completed.
2. If it is decided that **concurrent planning will be initiated**, the SSW chooses "Return to Parent" as a permanency goal and **also has an alternative concurrent permanency objective, including** tasks around adoption. **This information is documented** in the OOHC child/youth section of the case plan as outlined in on the **Case Planning Objectives-OOHC Tip Sheet**.
3. In voluntary TPR situations, if the worker has obtained a waiver of efforts based on the parents intention to voluntarily TPR, a case planning meeting is held, but plans to reunite parent and child are not required.
4. If a child is not enrolled in school as required by state law, the child becomes ineligible for IV-E benefits. The SSW notifies the CBW accordingly of changes to the child's enrollment status (Sec 471 (a)(30)).
5. The SSW ensures the correct placement information is entered in TWIST.

#### **4.18 Ongoing Case Planning**

Chapter 4-Out of Home Care Services (OOHC)

Effective: ~~3/15/2011~~

Section: ~~4.35~~ **4.18 Ongoing Case Planning**

Version: ~~2~~ **3**

#### Forms and Resources

- DPP-?? 90 Day Concurrent Planning Family Assessment
- DPP-191 Information to be Obtained from the Placing Parent
- DPP-1281 Family Case Plan.doc
- Absent Parent Search Handbook
- Concurrent Planning Review Tool
- Menu of Expectations for Batterers in Child Protection Cases Where Domestic Violence is Present
- OOHC Visitation Tip Sheet.doc
- Prevention Plan (Incorporated).doc
- Some Practice Considerations for Child Protection Cases Involving Domestic Violence

- [Annual Permanency Hearing Tip Sheet.doc](#)
- [Permanency Goals in OOHC Cases Tip Sheet.docx](#)
- [Transition Plan for Youth.doc](#)
- [Visitation Checklist-Summary.doc](#)

## **Legal Authority/Introduction**

### **LEGAL AUTHORITY:**

- [P.L. 96-272 Adoption Assistance and Child Welfare Act of 1980](#)
- [42 USC 675 Definitions](#)
- [KRS 610.125 Permanency hearing after custody given to Department of Juvenile Justice or cabinet](#)
- [KRS 620.180 Administrative regulations](#)
- [KRS 620.240 Case progress report](#)
- [922 KAR 1:140 Foster care and adoption permanency services](#)

### **Procedure**

#### **The SSW:**

- 1. Staffs all cases with the FSOS, in which domestic violence has been identified, in order to determine how to protect the safety of the non-offending parent and children;**
- 2. Determines the permanency and concurrent plans that are in the best interest of the child;**
- 3. Ensures that the goals, objectives and tasks outlined in the case plan support the permanency plan;**
- 4. ±Converts the case to concurrent planning at the first periodic review, unless one of the following situations occurs:**
  - A. An AFSA exemption has been granted by the court (refer to SOP 4.16 Five (5) Day Conference);**
  - B. The cases is a status case; or**
  - C. The goal for the case is planned permanent living arrangement, legal guardianship or emancipation;**
- 5. Specifies the activities or tasks to be undertaken, the person(s) responsible for each task and the time frames for achieving the goals, objectives and tasks;**
- 6. Ensures that services are in place that address all identified risk factors;**
- 7. Develops the child/youth action plan as described in the Case Planning Objectives-Out of Home Care (OOHC) Tip Sheet;**
- 8. 2-Holds case planning conference periodic reviews as appropriate or as needed, but is required to hold one within six (6) months of a child's temporary removal hearing and/or order of temporary custody or placement date of a voluntary commitment;**
- 9. 3-Holds subsequent periodic reviews within six (6) months of the previous review when the child remains in OOHC;**

10. 4. Enters the case plan information and submits it to the FSOS who approves it within ten (10) days from the case planning conference date; 1
11. **Submits the case plan to the FSOS with or without the parents' signatures and documents in the comment section of the DPP-1281 Family Case Plan why the parents did not sign;**
12. **Ensures that all required signatures are obtained on the approved case plan including, but not limited to the following:**
  - A. **Parent, guardian or custodian (including non-custodial parent);**
  - B. **Child (if age and developmentally appropriate);**
  - C. **Resource parent;**
  - D. **Court Appointed Special Advocate (CASA);**
  - E. **Guardian ad litem (GAL);**
  - F. **Private child placing or private child caring agency worker;**
  - G. **SSW; and**
  - H. **FSOS;**
13. 6. Files, for the purpose of the **six (6)** month review, a dispositional report with the court at least **three (3)** days prior to the hearing (Family Court Civil Rule 28);
14. 7. Submits a copy of every case plan, visitation agreement, and prevention plans to the court (45 CFR 1356.21 (i)(2) and Family Court Civil Rule 29);
15. 11. Dockets a placement court review no later than **six (6)** months after the child is removed from the home, regardless of placement or custody, when the child is **sixteen (16)** or younger at the time of removal in accordance with Family Court Civil Rule 34;
16. **Mails or distributes a copy of the case plan to the following:**
  - A. **Parent, guardian or custodian (including identified fathers);**
    - i. **Parents/guardians are asked to review and sign case plan and efforts are documented in TWIST, even if the caretaker refuses to participate in the case plan development;**
  - B. **Administrative Office of the Courts Citizen Foster Care Review Board Program at the following address:**

**Dependent Children's Services**  
**Administrative Office of the Courts**  
**100 Millcreek Park**  
**Frankfort, KY 40601**
17. **Documents the following in TWIST:**
  - A. **Efforts to involve both parents, the child's guardian or custodian in the case planning process;**
  - B. **Contents of the dispositional report; and**
  - C. **Court hearings and any court orders.**

**The FSOS:**

1. **Chairs the periodic review and provides input into case plan development;**

2. Ensures that the periodic review **is developed within required timeframes and includes** the following:
  - A. A discussion of ASFA guidelines, including the cabinet's obligation to make reasonable efforts to finalize a permanent placement and the cabinet's obligation to file for a termination of parental rights once the child has been care for 15 months under federal law: (475 (5)(E) and 45 CFR 1356.21 (i)(1)(i));
  - B. A discussion of the problems that are barriers to the child's safe return home or other permanent placement and the progress of the family and child to overcoming each barrier;
  - C. A review of the appropriateness of services, including assessment and recommendations from community partners, whether services are being provided according to schedule and whether the parties, including identified fathers as outlined in SOP 4.14 Family Attachment and Involvement with expectations set for them are complying with those expectations;
  - D. A review of the quality and appropriateness of visits between parents and children, and between siblings;
  - E. The child's health, including mental health and educational history and current status are reviewed and the plan for meeting the child's needs is reviewed
  - F. A decision is made, based on (a) and (b) above, whether the child may be returned home immediately and safely maintained in the home (Sec 475(5)(B));
  - G. Information regarding the child's current placement and any consideration being given to change in placement is presented to conference participants; 2
3. Ensures that the following components are always documented on the case plan (in accordance with provisions of Title IV-E of Social Security Act):
  - A. Permanency goal(s);
  - B. Appropriate services to the parents that will constitute reasonable efforts towards reunification;
  - C. Services that will be provided to achieve the least restrictive (most family like) placement that is in the closest proximity to the parents' home (Sec 475 and 42 USC 675);
  - D. A schedule for visitation between the child and parents, ensuring that visits are occurring no less than once every two weeks, unless there is a documented reason regarding why this is not in the child's best interest. Visits are designed to enhance and support the relationship (refer to OOHC Visitation Tip Sheet for information regarding frequency and duration of visits);
  - E. A schedule for visitation between separated siblings, as appropriate to the case circumstances, designed to enhance and support the relationship;
  - F. Documentation of the child specific efforts being taken to finalize a permanent placement for the child, including efforts to identify, recruit, process or approve a qualified family for (475(1)(E) and (5)(E)):
    - i. Relative placement;
    - ii. Adoption;
    - iii. Legal guardianship placement;

- G. Documentation of the reasons permitted under federal law for not initiating TPR when the child has been care for **fifteen (15)** of the last **twenty-two (22)** months, one of which must be met for an ASFA exception:
- i. The child is being cared for by a relative;
  - ii. A compelling reason why filing for termination would not be in the best interest of the child; or
  - iii. Failure to provide, consistent with the time period in the case plan, services deemed necessary for the safe return of the child to the home, when reasonable efforts are required (45 CFR 1356.21 (i)(2));
- H. Documentation of justification for the selection of "another planned permanent living arrangement," when selected as the goal for the child (45 CFR 1356.21(h)(3));
- I. A plan for assuring that services are provided to the child and placement provider as necessary to support the placement and meet needs of the child while in foster care (Sec 475(1)(b)). Such a plan should incorporate **the following** documentation pertaining to health and education records (Sec 475(1)(c)):
- i. The names and addresses of the child's health and educational providers;
  - ii. The child's grade level performance;
  - iii. The child's school record;
  - iv. A record of the child's immunizations;
  - v. The child's known medical problems;
  - vi. The child's medications;
- J. Objectives, tasks or other notes that constitute a plan for the child's educational stability as required by Sec 475 (1)(g) and Sec 471 (a)(30) of the Social Security Act, including:
- i. Assurances that the placement takes into account the appropriateness of the child's current school setting, as well as the proximity of the placement to the child's current school;
  - ii. Assurances that the Cabinet coordinated with the local school board to insure the child is able to attend the same school where enrolled at the time of placement; and
  - iii. Assurances that, when a change of schools is necessary, the child will be immediately enrolled in an appropriate school, with all of the educational records of the child provided to the new school;
  - iv. Verification that a child, who has attained the minimum age for compulsory school attendance, is attending school in accordance with state law; or
  - v. Regularly updated medical documentation that verifies that a child is incapable of attending school; 3
- K. A description of the programs and services which will assist youth in preparing for the transition to adulthood as outlined in SOP 4.29.1 Independent Living Services (Sec 475(5)(C)(i));
- L. A transition plan, for youth 17 and over, updated as appropriate during the periodic review (Sec 475(5)(H));
- M. Signatures of the periodic review participants, including an objective 3rd party as required by federal law (Sec 475(6));

- i. **The objective third party's signature must be on the case plan in order to appropriately document participation;**
- N. A discussion of the following questions:
  - i. What will it take for the child to achieve permanency;
  - ii. What services can be tried that have been tried before;
  - iii. What new services can be attempted with the family;
  - iv. Which of these services can occur concurrently; and
  - v. How can the child/youth be engaged in developing and implementing the plan;
4. Reviews and approves the case plan by signature and date **and prior to distribution.**

### **Practice Guidance**

- **Development of a new or an update of the current Prevention Plan may be necessary in helping parents gain the confidence and capacity needed to care appropriately for their children;**
- **It is important to ensure the case plan is realistically related to the underlying needs of the family;**
- **Immediate safety needs of the child and the risk of future abuse and/or neglect should guide the SSW when prioritizing goals and service delivery; and**
- **Recognizing the importance of both formal and informal community supports to the family is an important aspect of case plan development.**
- The minimum frequency for periodic reviews and case planning conferences are dictated by law. The cabinet may hold additional case conferences or family team meetings as necessary to adapt the case plan to the family when their needs change; however, any changes to the case plan should be documented and validated by conference participants in accordance with agency practice and applicable law.
- **The SSW may convene a family team meeting, when appropriate, for the development of the case plan and may include any or all of the following community partners:**
  - **Parent, guardian, or custodian (including noncustodial parent);**
  - **Child (if age appropriate and developmental level);**
  - **Resource parent(s);**
  - **Court Appointed Special Advocate;**
  - **Guardian Ad Litem;**
  - **Private child placing agency (PCP) or private child care agency (PCC);**
  - **Formal and informal supports; and**
  - **SSW and Supervisor.**
- **The SSW will not involve the parent in the case planning process if parental rights have been terminated.**
- While the participation of the child's parents is important, the review is required within six (6) months of the child's temporary removal hearing/placement or the last periodic review, even when the parents do not attend.

- When the child cannot return home immediately or be safely maintained in the home, alternative permanency goals will be considered. The SSW, for example, may choose "Return to Parent" as a permanency goal and at the same time, have an alternate permanency objective and tasks around "Adoption" in the OOHC section of the case plan.
- The SSW will assess the progress of the family in meeting the family and individual objectives and determine if the permanency goal should be changed at any time.
- The SSW may choose "Adoption" as the permanency goal and must continue to work with the family toward reunification, unless the court waives reasonable efforts.
- A target date (month and year) for achievement of the permanency goal is established.
- Federal language around "compelling reasons" for an ASFA exception is broad. Such reasons may include, but are not limited to, a determination that adoption isn't an appropriate goal—perhaps due to the parents' progress, or that there are international legal obligations that preclude termination. The worker, in consultation with the FSOS as appropriate, may exercise some discretion on whether or not "compelling reasons" exist.
- Child specific recruitment efforts to find a permanent placement may include such efforts as tribal, state, regional and national adoption exchanges, and electronic exchange systems in order to facilitate orderly and timely in state and interstate placements (when the child's goal is adoption).
- Public Law 96-272 (IV-E) requires the participation of one objective third party in the periodic review, who is not:
  - The case manager;
  - In the line of supervision for the case; or
  - Involved in the delivery of services to either the child or the parents. 4
- **Examples of acceptable objective third party participants include the following:**
  - **Permanency specialist;**
  - **An SSW or FSOS who is not directly involved with the case; or**
  - **Regional office staff.**
- **It is preferred that the objective third party is protection and permanency employee.**
- Periodic reviews are scheduled on a day and time when primary participants can attend.
- Participants are encouraged to attend, in part by convenience of schedule and sufficient notice.
- The permanency hearing is required no later than twelve (12) months from the date the child entered OOHC by order of temporary custody following the temporary removal hearing or placement as a result of voluntary commitment and every twelve (12) months thereafter if custody and out of home placement continues (Sec 475(5)(c)).

### Footnotes

1. The SSW ensures the correct placement information is entered in TWIST.

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KY 5<sup>th</sup> QR PIP report  
June 30, 2011

2. U.S. Code 42 USC Section 675 (1)(A) and the Kentucky Unified Juvenile Code require that the safety and appropriateness of the child's placement be documented.
3. If a child is not enrolled in school as required by state law, the child becomes ineligible for IV-E benefits. The SSW notifies the CBW accordingly of changes to the child's enrollment status as they pertain to IV-E eligibility. (Sec 471 (a)(30)).
4. The Service Region Administrator (SRA) or designee approves third party participants who are not professional staff.

### **11.15 Temporary Removal Hearing**

Chapter 11-CPS Court

Effective: ~~10/1/2010~~

Section: 11.15 Temporary Removal Hearing

Version: ~~± 2~~

#### **Resources**

- **When Your Child is Removed From Your Care Handbook**

#### **Legal Authority/Introduction**

##### **LEGAL AUTHORITY:**

- KRS 620.080 Temporary removal hearing
- 922 KAR 1:230 Emergency protective services

At a temporary removal hearing, the court determines whether there are reasonable grounds to believe that the child would be dependent, neglected or abused if returned to or left in the custody of his parent or other person exercising custodial control or supervision even though it may not have been proved conclusively who perpetrated the dependency, neglect or abuse.

#### **Procedure**

##### **The SSW:**

1. Participates in the temporary removal hearing and presents evidence, with the assistance of the county attorney, on behalf of the child and the Cabinet;
2. Requests a temporary removal hearing, which must be held within seventy-two (72) hours, excluding weekends and holidays, of when an emergency custody order (ECO) is issued, unless waived by the parent(s) or other person exercising custodial control or supervision;1

3. When possible, prepares the family for the temporary removal hearing, which may include an explanation of the following:
  - A. Court proceedings;
  - B. Right to counsel;
  - C. Role of the attorneys;
  - D. Role of the Cabinet;
  - E. Probability that the hearings will be conducted in an informal manner with the general public excluded from the court; and
  - F. People who are allowed in the court:
    - i. Families;
    - ii. Guardian ad litem (GAL); and
    - iii. Concerned parties;
4. **Provides a copy of the "When Your Child is Removed From Your Care" handbook to the birth parents/caregiver;**
5. Requests that the court orders **the custodial parent to name the non-custodial parent if unknown or not legally established and completes the DPP-1275 Relative Exploration Form. 2**

#### **Practice Guidance**

- In cases, which are commenced by the SSW filing a petition as outlined in SOP 11.14 When to File a Petition, a temporary removal hearing must be held within ten (10) days of the date of filing the petition, unless waived by the parent or other person exercising custodial control or supervision.

#### **Footnotes**

1. This is outlined in SOP 11.20 Emergency Custody Order.
2. This is for the purposes of exploring relative placements as outlined in SOP 4.3 Relative and Absent Parent Search.

### **11.30 Permanency Hearings**

Chapter 11-CPS Court

Effective: ~~12/3/2010~~

Section: 11.30 Permanency Hearings

Version: ~~1~~ 2

#### **Forms and Resources**

- [DPP-165 Permanency Hearing Notification.doc](#)
- [Annual Permanency Hearing Tip Sheet.doc](#)
- [Permanency Goals in OOHC Cases Tip Sheet.docx](#)

#### **Legal Authority/Introduction**

LEGAL AUTHORITY:

- KRS 610.125 Permanency hearing after custody given to Department of Juvenile Justice or cabinet

A permanency hearing is held no later than twelve (12) months after the date the child is considered to have entered foster care and every twelve (12) months thereafter, as long as the Cabinet retains custody of the child. This includes youth eighteen (18) years of age or older on extended/reinstated commitment as long as the Cabinet retains custody.

### **Procedure**

1. The Children's Benefits Worker (CBW) notifies the FSOS and the SRAA or designee of the due date for the permanency hearing ninety (90) days prior to the deadline.
2. The FSOS and SRAA or designee notifies the SSW responsible for the case of the ensuing deadline.

### **The SSW:**

1. Prepares for the second periodic review prior to the permanency hearing;
2. Sends a copy of the **DPP-165 Permanency Hearing Notification** to the court requesting a permanency hearing no later than sixty (60) calendar days prior to the required due date, which is: 1
  - A. No later than twelve (12) months from the date the child entered out of home care (OOHC) by order of temporary custody during the temporary removal hearing or placement as a result of voluntary commitment; and
  - B. Every twelve (12) months thereafter if custody and out of home placement continues; and
  - C. **Within thirty (30) days of the development of the case plan;**
3. Refers to the **Permanency Goals in OOHC Cases Tip Sheet** in preparing for the permanency hearing;
4. Or designated regional staff notifies and invites the following individuals to the scheduled court hearing:
  - A. Child's mother;
  - B. Child's father;
  - C. Relative caregiver; and
  - D. Child's foster/pre-adoptive parent(s) or private child care provider; 2
5. Documents the notification of the invitation to the scheduled court hearing on the DPP-165 and maintains a copy of the case file;
6. Provides a written report (case plan) to the court, which includes the information, required pursuant to KRS 610.125;
7. **Determines, in consultation with supervisor staff and other professionals involved in the case, whether or not to pursue, either a termination of parental rights in accordance with a concurrent goal of adoption, or an exemption to ASFA requirements at the next annual permanency hearing;**
8. **Considers the length of time the child has been in care;**

9. **Considers whether or not services provided to the parent have been adequate for reunification, and whether or not additional services are likely to facilitate a safe reunification;**
10. Provides the following information to the court, which is found in the case plan, in the following circumstances:
  - A. That a child be returned home on a certain date, it documents:
    - i. How the conditions or circumstances leading to the removal of the child have been corrected, including services provided and services that need to continue after the child's return;
    - ii. The frequency of recent visitation and its impact on the child; and
    - iii. A plan for the child's safe return home and follow-up supervision after the family's reunification;
  - B. Termination of parental rights, it documents:
    - i. Facts and circumstances supporting the grounds for termination; and
    - ii. A plan to place the child for adoption;
11. **Ensures that any ASFA exemption is clearly documented on the case plan prior to submission to the court;**
12. **Files a dispositional report, case plan, visitation agreement, and any prevention plans at least 3 days prior to any annual review in accordance with Family Court Rules 28 and 29;**
13. **Ensures the contents of the dispositional report are reflected in TWIST;**
14. **Obtains the judicial determination regarding the appropriateness of the permanency goal;**
15. **Obtains a judicial determination regarding the appropriateness of the agency's efforts to finalize the permanency plan; and**
16. Maintains a copy of the court order in the case file;
17. **Convenes another periodic review, to change the goal per court order if the court does not approve the permanency goal; and**
18. **Documents the hearing and any court orders in TWIST, noting the court's agreement with or deviation from the dispositional report.**
19. Or FSOS immediately contact the Office of Legal Services (OLS) regional attorney for consultation on the case, if after reviewing the court's decision, the SSW and FSOS do not agree with the court's permanency decision.

#### **Footnotes**

1. Pursuant to KRS 610.125 (3) the court is required to schedule a hearing within sixty (60) days of this notice and notify all concerned parties as noted on the DPP-165.
2. If deemed appropriate by the court, the above concerned parties may be asked to present any evidence relevant to the determination of a permanency goal for the child. Concerned parties should be prepared to provide factual information if requested.