

Resource Center for Family-Focused Practice

Probation Placement Officer Course

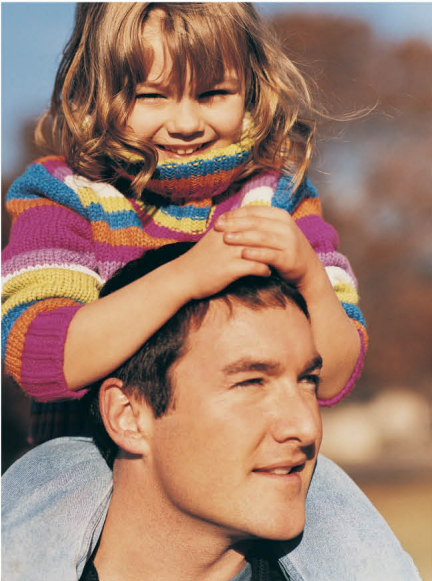
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Module 3

Day 1

Probation Placement Officer Course

Learning Objectives

Module 3 – Pathways to Permanency for Probation Youth

At the end of the three days of this module, participants will be able to:

Knowledge

- Understand court findings and orders regarding termination of reunification services, permanency planning and permanency review hearings.
- Know requirements for permanency planning hearings, including goals, services and permanency plans.
- Know how to proceed legally when a youth has absconded.
- Understand youth-specific recruitment and finding connections for permanency.
- List permanency alternatives, in order of preference, if family reunification does not occur.
- Identify the impact on permanency for youth and families who are subject to the provisions of ICWA.
- Know the process for termination of parental rights.
- Understand the process of adoption assessment.
- Understand the parent's right to notice and counsel regarding permanency planning hearings.

Skills

- Explore extended family and interested adults as options for permanency.
- Approach youth, families and caregivers regarding permanency.
- Develop a youth-specific recruitment plan.
- Explain the legal timeframes for permanency.

- Given case examples, can select the most appropriate permanent plan for a youth.
- Differentiate between planned permanent living arrangement, legal guardianship and adoption.
- Demonstrate the ability to engage the youth's family in planning, services and permanency.
- Assess a specific case for permanency options for older youth, and legal requirements for adoption assessment, noticing, hearings and reports.
- Understand the legal process for the termination of parental rights.
- Demonstrate a conversation with parents/guardians and/or youth regarding adoption.
- Conduct a conversation with youth with the goal of developing a realistic emancipation plan, including involvement in Extended Foster Care.

Attitude

- Appreciate the need for a permanent emotional connection between the youth and a significant adult, as the youth moves into adulthood.
- Value the importance of sibling relationships.
- Consider how older youth can be adopted.

Probation Placement Officer Course

Module 3 Agenda

Day 1

- Module registration, welcome and introductions, transfer of learning from Module 2, overview of learning objectives, values exploration and introduction to the concept of permanency
- Examining the advantages of seeking youth permanency
- Exploring the issues of permanency and concurrent planning for older youth
- Foundational concepts of concurrent and permanency planning
- Writing a legally sufficient argument for permanency
- Nuts and bolts of concurrent planning and permanency planning
- Family finding and making connections for youth

Probation Placement Officer Course

Module 3 Agenda

Day 2

- Training day warm-up: Replicating successful outcomes activity regarding what contributes to success and family/youth resiliencies, overview of learning objectives
- Permanency as part of preparing for independence
- Extended Foster Care and Another Planned Permanent Living Arrangement (APPLA)
- Legal processes for assuring youth permanency
- Implications of ICWA in achieving permanency
- Special considerations related to Crossover Youth
- Develop a Transitional Independent Living Case Plan
- Proceeding legally when youth have absconded
- Record sealing process for youth

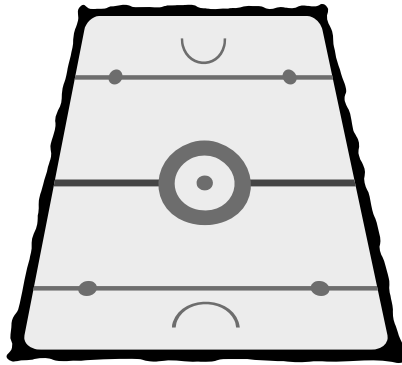
Probation Placement Officer Course

Module 3 Agenda

Day 3

- Welcome and review and preview of learning objectives
- Writing a legally sufficient selection and implementation report
- Improved outcomes when youth are connected with mentors, family members and community
- Examining differences in legal permanency options
- Time and caseload management for placement officers
- Certificate ceremony for the Probation Placement Officer Core Training course

Lessons from the Field



At your tables, share three casework examples that illustrate practical concepts learned from Module 2 that you implemented regarding:

Youth and family assessment for placement and services planning:

Case plans:

Placement stability and support:

List key lessons learned about your responsibilities as a Juvenile Probation Placement Officer, and all questions you have about these areas.

Be prepared as a group to share the results of your discussion.

The Great Debate: Making the Case for Permanency Connections



Directions: Partner with another participant. You will engage in a one-on-one debate regarding the importance and challenges of seeking permanency for youth served by probation.

Arguments that help us understand why making the effort to find permanency connections is in the best interests of the youth, community safety and you as an officer:	Arguments that outline the challenges, barriers, and reasons why finding permanency has not been a top priority until now:

Best Practices in Permanency for Probation Youth

The following is an adapted list of Best Practices recommendations of the Workgroup Report from a National Youth Permanence Convening (www.cpyyp.org)

Concurrent planning for youth permanency

- Make numerous efforts at the same time until a permanent family is identified (such as exploring families and people with whom the youth identifies, as well as using traditional recruitment resources).
- Explore other supportive interventions described below to maximize every opportunity to find permanent families.

Preparing youth for permanency

- Listen to youth about fears and hopes for family life.
- Understand that someone saying “no” to adoption is only the beginning of the conversation.
- Don’t let the “no” take away from efforts to find a permanent family.
- Assist in providing group interventions (therapy, education, etc.).
- Teach interpersonal and family living skills.
- Address emotional/behavioral issues that impact relationships.
- Connect the youth with others who have achieved permanence.

Identifying potential family connections already known to youth

- Listen for family connections that youth may already have.
- Listen for existing relationships with the potential to become a family.
- Contact significant adults with whom the youth identifies and engage them in helping to plan for the youth’s permanency.
- Use careful record-review to identify any significant adults in the youth’s life who can be engaged to help in planning with and for the youth.
- Conduct a thorough search for relatives using case record information.
- Renew contact efforts with birth parents and other family members to reconsider current status as an option for relationship or permanency.
- When adults began a relationship with the youth on a professional basis, it is possible that permanency could also be considered.

Involving caring adults in planning

- Listen, prepare, educate and engage current caregivers and significant adults with hopes of encouraging their positive support for permanency planning.
- Avoid power struggles, and allow caregivers to change their minds and become more supportive of permanency planning once they understand the benefits for the youth.
- Use Child and Family Teaming (CFT) and decision-making models to engage everyone who can be considered in planning permanency for the youth.
- Use various models to engage all types of relevant adults in helping the youth to plan and achieve goals.

Supporting the process of family making

- Understand a youth's reluctance to consider adoption when there is no specific identified family.
- Reassure youth of their power in the processes, and encourage them to meet potential family when they are identified.
- Provide ongoing interventions and support to youth and caring adults.
- Develop safety plans and provide individualized education (i.e. mental health issues, personal safety and chemical dependency).
- Remember, permanency is a relationship, not a place.
- Encourage treatment/residential facilities to participate in planning for the future.
- Recruit and train young people who have been adopted as adolescents to serve as peer mentors.

Pursuing traditional adoption recruitment avenues

- Use all available recruitment resources.
- Keep the conversation going with reluctant youth regarding their participation in recruitment.
- Allow youth to take charge of as many pieces of their recruitment materials as possible (make a video, write a vignette, etc.).
- Update photos and materials annually.
- Provide opportunities for youth to meet with prospective adoptive families.
- Fully disclose the youth's healthy qualities, as well as "special needs."
- Implement a preparation program for youth awaiting adoption that speaks to questions, fears, assists the youth in understanding that adoption is a permanent home and a permanent family.

Prevention: Permanency as a component of all juvenile probation services and child welfare services

- When planning for permanency, elements of high-quality services, including CFTs, mediation and other non-adversarial options should be included.

Permanency support – agency/systemic

- The agency must adopt new policies, procedures and practices that promote rather than impede permanence, such as:
 1. Require that youth with independent living as a goal also have a concurrent plan for achieving permanent family connections.
 2. Provide all youth over a certain age with independent living services, including a curriculum on how to develop and sustain meaningful permanent relationships in their lives.
 3. Eliminate any practice that encourages or even allows youth to completely “waive” their consent to adoption in a generic way.
- Employ at least one “adolescent permanency specialist” who has training in how to communicate effectively with youth about adoption and permanence.
- Maintain efforts at the state level to ensure that youth who are adopted remain eligible for all benefits to which they would have been entitled, had they remained in foster care.

Cultural and environmental awareness

- Employ staff who reflect the racial, cultural, gender, environmental and generational diversity of the youth and families served.
- Promote thoughtful and sensitive language and practices.

Quality assurance

- Monitor and measure permanency interventions in each agency’s case review.
- Note areas for improvement and create action plans for achievement of improved services.

Community involvement/advocacy

- Develop prosocial programs and cultivate community and neighborhood relationships.

Role of supervisors

- Have specific knowledge of permanency planning requirements.
- Teach and coach staff as to how permanency can be achieved for all youth.
- Ensure consistent opportunities for rethinking strategies and reflection on successes and challenges.
- Meet consistently with staff to understand details related to case planning, to ensure that permanency is being pursued effectively, to review all written social studies, case plans and court documents and to provide general guidance and support to the staff.
- Celebrate successes.

Role of the manager

- Provide supervisors with data and reports indicating the levels of success for outcomes and hold supervisors responsible for achieving permanency outcomes in partnership with their probation officers.
- Use case review and quality assurance processes to monitor and promote permanency so that the data drives the outcomes.
- Establish and cultivate relationships with child welfare, mental health, education, community partners and adoption providers to focus on the needs of probation youth.
- Ensure that the supervisors receive updated information and training on current policies, practices and legislative updates.
- Identify and acquire resources for family and youth-related services.
- Support advocacy efforts for permanency with the court when or prior to the court's final disposition.
- Publicize successful permanency for youth, especially adoption, both internally and externally.

Timelines to Permanency: Permanency for Probation Youth

"A Government program is NO substitute for a Bear-Hug." ...Carey Roberts



**All children
in foster care are required to have a permanent plan (SB 794)!**

Discussion: When does the probation officer begin developing the permanent plan?

- Never – it applies only to dependent children
- Disposition Hearing
- 6-month Pre-permanency Judicial Review Hearing
- 12-month Permanency Judicial Review Hearing
- When it is determined that the youth cannot return home

The foundation of discharge planning begins immediately and incorporates steps to achieve permanency from the very beginning of every case.

**The Objective: Family Reunification or a Placement
in the Best Interest of the Youth!**

Permanency Planning

Definitions

Permanency: A primary outcome for juvenile probation services and child welfare services whereby all children and youth have nurturing legal relationships with adult caregivers that create a shared sense of belonging and emotional security over time.

- **Lifelong Connections:** Every youth leaving the foster care system is mandated to have a support system with at least one caring adult who can function in the role of a “lifelong connection.”
- **Fast Track To Permanency:** Permanency planning starts immediately for these cases when the parents are found to meet at least one of the provisions of 727.2 WIC:
 - (1) Reunification services were previously terminated for that parent or guardian, pursuant to Section 366.21 or 366.22, or not offered, pursuant to subdivision (b) of Section 361.5, in reference to the same minor.
 - (2) The parent has been convicted of any of the following:
 - (A) Murder of another child of the parent
 - (B) Involuntary manslaughter of another child of the parent
 - (C) Aiding or abetting, attempting, conspiring or soliciting to commit that murder or manslaughter described in subparagraph (A) or (B)
 - (D) A felony assault that results in serious bodily injury to the minor or another child of the parent.
 - (3) The parental rights of the parent with respect to a sibling have been terminated involuntarily, and it is not in the best interest of the minor to reunify with his or her parent or legal guardian.

If no reunification services are offered to the parent or guardian, the permanency planning hearing as described in Section 727.3, shall occur within 30 days of the date of the hearing at which the decision is made not to offer services.

Elements of Focus to Promote Permanency:

- Educational permanency (AB 490)
 - Probation Officers have a duty to monitor, promote and encourage educational progress of youth in foster care.
- Lifelong connections (AB 408) – mentors
 - Mandates finding mentors for all foster youth emancipating from foster care without a family.

Concurrent Planning: The use of a dual casework approach to working towards family reunification while, at the same time, developing an alternative permanent plan.

- Concurrent planning is the legally mandated way juvenile probation services and child welfare services are to be delivered, and represents a shift from providing services sequentially.
- This approach is mandated by ASFA is termed “dual” process.
- There are two case goals:
 - 1) Family reunification
 - 2) Permanent goal of:
 - Adoption
 - Legal guardianship
 - Another planned permanent living arrangement (APPLA) when youth are ages 16 or above

Types of placements

- Relative/non-relative extended family member (NREFM)
- Licensed foster home
- Foster family agency (FFA)
- Resource family
- Residentially-based placement (group home) (utilization ends 12-31-19)
- Short-Term Residential Therapeutic Programs (STRTPs)

Alternative best practice intervention/out-of-home care step-down program options:

- Family preservation
- Systems of care
- Wraparound



CDSS

WILL LIGHTBOURNE
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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EDMUND G. BROWN JR.
GOVERNOR

REASON FOR THIS TRANSMITTAL

- ☐ State Law Change
- ☒ Federal Law or Regulation Change
- ☐ Court Order
- ☐ Clarification Requested by One or More Counties
- ☐ Initiated by CDSS

April 22, 2016

ALL COUNTY LETTER NO. 16-28

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY CHILD WELFARE PROGRAM MANAGERS
ALL COUNTY CHIEF PROBATION OFFICERS
ALL FOSTER FAMILY AGENCY DIRECTORS
ALL CDSS ADOPTION REGIONAL AND FIELD OFFICES
ALL TITLE IV-E AGREEMENT TRIBES

SUBJECT: ANOTHER PLANNED PERMANENT LIVING ARRANGEMENT
(APPLA)

REFERENCE: PUBLIC LAW (PL) 113-183; SENATE BILL 794 (CHAPTER 425, STATUTES OF 2015); WELFARE AND INSTITUTIONS CODE SECTIONS 366, 366.21, 366.22, 366.25, 366.26, 366.3, 366.31, 706.5, 706.6, 727.2, 727.3, 16501, 16501.1, AND 16519.51

The purpose of this All County Letter (ACL) is to update changes made to permanency options for youth in foster care, in accordance with the Preventing Sex Trafficking and Strengthening Families Act of 2014 (PL 113-183) (hereinafter "Strengthening Families Act"). The provisions of the Strengthening Families Act were signed into state law on October 1, 2015 through Senate Bill (SB) 794 (Chapter 425, Statutes of 2015). The SB 794 allows California to implement these provisions and remain in compliance with the federal Title IV-E State Plan.

APPLA

One of the goals of the Strengthening Families Act was to strengthen the concurrent planning process to achieve better permanency outcomes and to avoid children languishing in foster care for extended periods. The APPLA is any permanent plan for a youth in an out-of-home foster care placement, in which a youth may remain until adulthood, when the options to return home, place with a relative, place for adoption, tribal customary adoption, or legal guardianship have been ruled out. When the recommendation for a youth is a permanent plan of APPLA, the case plan should identify necessary services that will further the youth's transition to independent living and successful adulthood. The case plan should also outline the efforts the county placing agency is making to reduce the barriers to achieving any of the more permanent plans.

The new provisions limit a permanent plan of APPLA to be ordered **only for children 16 and older and non-minor dependents**. The APPLA is the last option a county placing agency may

recommend to the court, after the agency has documented all their efforts to establish a more permanent plan at the time of the permanency hearing. When a youth is in APPLA, the county placing agency must document in the case plan the ongoing and intensive efforts to return home, adoption, tribal customary adoption, legal guardianship or placement with a fit and willing relative, as appropriate. During each permanency hearing for a youth whose permanent plan is APPLA, the court is required to ask the youth about his or her desired permanency outcome, make a judicial determination that APPLA is the best permanency plan for the youth and identify the compelling reasons why it is not in the best interest of the child to return home, be placed for adoption or tribal customary adoption, be placed with a legal guardian or with a fit and willing relative.

Fit and Willing Relative

The SB 794 also added placement with a “fit and willing relative” as a permanency option for all youth. Welfare and Institutions Code section 366.26(c)(4)(B), defines a fit and willing relative as an approved placement with a relative who is willing and capable of providing a stable and permanent home environment for the child, but is unable or unwilling to commit to legal permanence through adoption, tribal customary adoption, or guardianship at the time of the hearing. This new provision creates additional supports and allowances to county placing agencies and courts for the maintenance of foster youth with relatives who do not wish to adopt or become legal guardians. The relative’s unwillingness to adopt does not justify the removal of the child from the home if the court finds the removal would be seriously detrimental to the child’s emotional well-being. With a permanent plan of a fit and willing relative, the county placing agency must continue to provide services that will address the barriers identified by the court to a more stable permanent plan, such as adoption or legal guardianship, at subsequent permanency hearings.

Permanency For Children 16 and Older and Non-Minor Dependents:

The court may order APPLA for the youth age 16 or older and non-minor dependents if appropriate. For children placed in foster care under an APPLA permanency plan, the following requirements apply:

- The social worker or probation officer **must** provide the court with the following information in the social study/court report prepared for each permanency review hearing held for children 16 years of age or older in another planned permanent living arrangement:
 - A description of the intensive and ongoing efforts of the county placing agency to return the youth to the home of the parent, place the youth for adoption, tribal customary adoption, or establish a legal guardianship;
 - The steps taken to ensure the youth’s care provider is following the reasonable and prudent parent standard; and
 - The steps taken to ascertain whether the youth has regular opportunities to engage in age or developmentally appropriate activities, including consulting with the youth regarding his or her desires and opportunities to participate in various activities.

- The social worker or probation officer are to include in the case plan for any child who is 16 or older and in APPLA an identification of the intensive and ongoing efforts to return the youth to the home of the parent, place the youth for adoption or tribal customary adoption, establish a legal guardianship or place the youth or non-minor dependent with a fit and willing relative, as appropriate. Per federal law, efforts must include the use of technology including social media to find biological or other family members of the child. County placing agencies are encouraged to work with their county counsel and information technology departments regarding local policies related to the use social media in a manner than maintains the confidentiality and privacy of children and families in the foster care system.

Permanency For Children Under 16:

For children under 16 years of age, federal law and SB 794 eliminate APPLA as an allowable permanency option. As a result of this new legislation, the court must order a permanent plan of return home, adoption, tribal customary adoption, legal guardianship or placement with a fit and willing relative, as appropriate, for any child under the age of 16 who remains in a foster care placement after reunification services are terminated.

The SB 794 requires the social worker or probation officer to provide the court with documentation of any barriers to achieving the permanent plan and the efforts made by the child welfare agency to address those barriers. If a child under the age of 16 currently has a permanent plan other than return home, adoption, tribal customary adoption, legal guardianship or placement with a fit and willing relative, the county placing agency must apply the new requirements described in this section and choose a permanency plan other than APPLA at the child's next permanency hearing.

If you have any questions regarding this ACL, please contact the Permanency Policy Bureau at (916) 657-1858 or ConcurrentPlanningPolicyUnit@dss.ca.gov.

Sincerely,

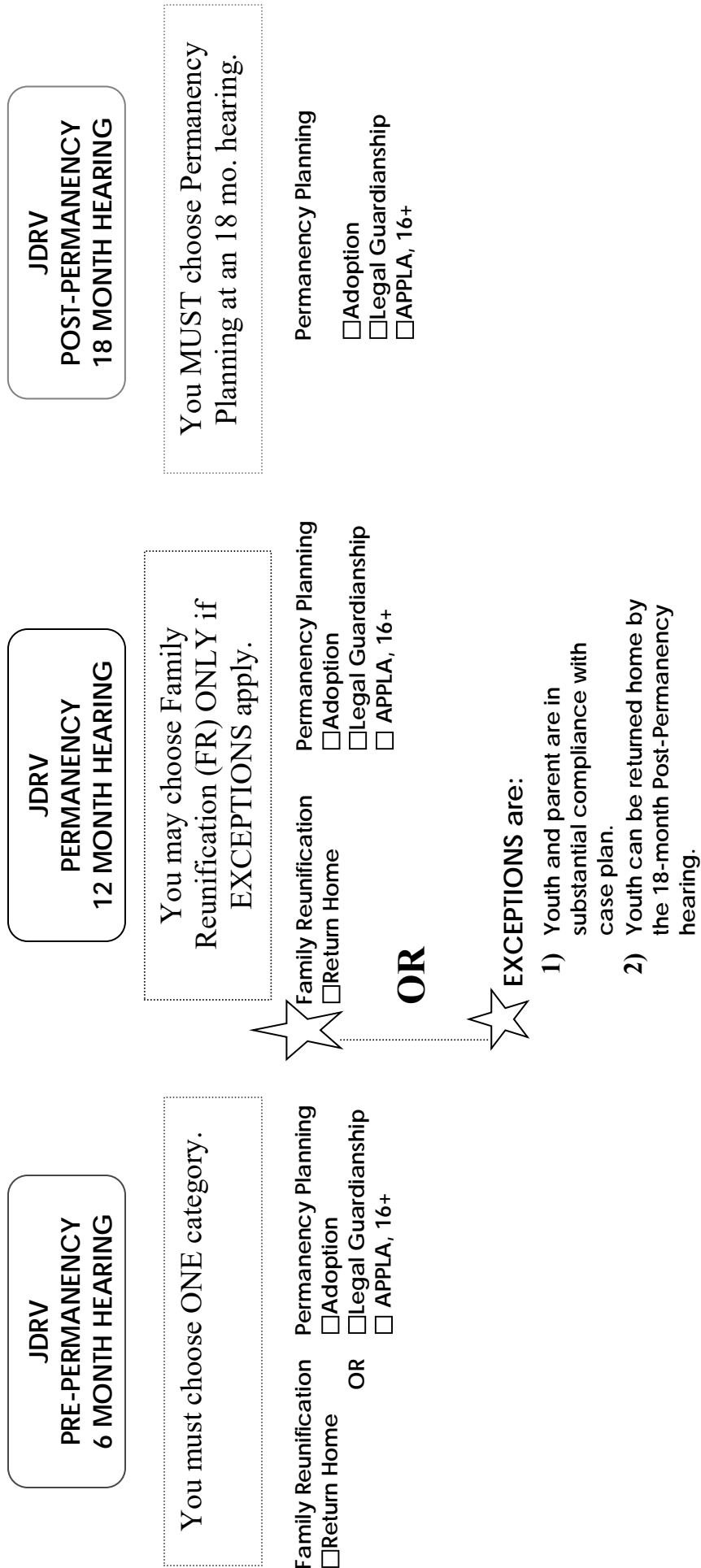
Original Document Signed By:

GREGORY E. ROSE
Deputy Director
Children and Family Services Division

c: County Welfare Directors Association
Chief Probation Officers of California
Judicial Council of California

COURT TIMELINES TO PERMANENCY

Out-of-Home Care



Skills Application: Your Concurrent Planning Argument in the Disposition Hearing Report

Directions: Review the youth's case scenario from a concurrent planning perspective.

As a team, determine where your youth and his or her parents' are on the permanency timeline and fill in the following disposition report hearing section.

**Juvenile court legal history
(include WIC 300 history for this and prior episodes)**

Date of Removal:

Date of Jurisdiction:

Date of Disposition:

Date of Pre-Permanency Hearing/6-Month Status Review:

Date of Permanency Hearing/12-Month Status Review:

Date of Permanency Hearing/18-Month Status Review:

Permanency Plan Goal (if established):

Date Permanency Plan Goal was established:

Additional legal history:

Decide whether you will offer your youth's parents or legal guardians family reunification services, or recommend that he or she be "fast tracked" to permanency, and provide your reasons for doing so. Precisely what would you write in your court report section?

Officer's recommendations regarding exceptions to offering family reunification services:

Discuss what actions you would take in exploring potential relatives or NREFMs to be considered for community placement once your youth's treatment plan is completed. Identify potential concurrent plans for your youth and write your rationale in appropriate court report language.

What are your current concerns about this youth's concurrent plan?

Practice Elements of the Concurrent Planning Process



**As soon as a youth is placed in foster care,
initiate the practice steps of concurrent planning!**

Make inquiries

- Identify and properly document legal parent relationships – mother, fathers, legal guardians (alleged, biological, declared, adjudicated, Kelsey S. presumed).
- Determine if the youth has an American Indian tribal affiliation and verify ICWA eligibility.
- Identify potential relative and non-relative extended family member (NREFM) placement resources, who are willing to provide both placement and permanency.
- Conduct a diligent search for absent parents, and document those efforts in the case record and in a declaration to the court.
- Identify significant relationships with adults (i.e., adult siblings, teachers, spiritual leaders, mentors, Big Brothers/Big Sisters, coaches, youth program leaders, employers, someone they have worked with, neighbors).

Give notice

- Provide written, ongoing notice to all legal parents, and advise them of their rights to be represented by counsel and to be heard by the court.
- Provide written and ongoing notice (using registered mail, return receipt mail delivery to document) to all potential tribal organizations with whom the youth may be affiliated.

Conduct assessments

- Assess youth and family strengths and indicators of prognosis for reunification.
- Request an assessment from the child welfare agency as to the status of parental rights to ascertain whether adoption planning is appropriate.
- Conduct assessments of non-custodial parents, potential relatives and NREFMs who are eligible to be considered for preferential placement, including their willingness and ability to commit to legal permanency for the youth.
- Conduct a family-centered assessment and identify an appropriate alternative plan for the youth if reunification is unsuccessful. Look for existing or potential connections in the youth's natural support system.

Provide full disclosure

- Discuss with youth, parents and relatives the goals and process of concurrent planning.
- On a regular basis, keep all parties informed of the progress and prognosis toward reunification, and the possible outcomes of the planning process.
- Offer "options counseling" with all relevant stakeholders in cases where reunification is unlikely.
- Make sure that the youth and parents understand the reasons for out-of-home care (challenges to parenting as compared to youth behavioral issues).

Make placement decisions

- Make initial and ongoing decisions about placement with an emphasis on whether the placement has the potential to provide permanence.

Ensure reasonable efforts

- Make and document regular efforts during the reunification period to assist the youth and family in making the changes needed to support the youth in safely returning to his or her parents.
- Make and document regular efforts throughout the reunification period to progress successfully toward the identified concurrent plan for permanency.
- Discuss concurrent planning issues with your supervisor regularly.

Obtain records

- Marriage certificates, birth certificates, death certificates, divorce decrees, etc.

Consider siblings

- Recognize and facilitate the ongoing connection to siblings. Make efforts to place siblings together when possible.

Requesting an Adoptions Assessment



What to do:

Find out what adoption services are available in your county (i.e. the social services agency and/or local or state adoption agencies), and how to submit a request to have the youth assessed for adoptions planning.

Make the request early in the court process, and use the result to decide on the concurrent/permanency alternative goal for the case plan.

California Rule of Court 5.825 requires that the department of social services or the state adoption agency establish a joint protocol for freeing wards for adoption, including determining when and how wards will be referred to the licensed county adoption agency for a determination of whether a youth may become adopted, as described by WIC 727.3(1)(2).

When may concurrent planning include adoption?

A concurrent plan may include adoption, unless:

- The youth states that he or she is opposed to adoption;
- Another permanency alternative such as legal guardianship meets the youth's needs; or
- Physical, behavioral or mental health problems require ongoing treatment in a residential treatment setting before proceeding to a more permanent plan.

Reasons that youth object to adoption:

- Fear of rejection;
- Desire to maintain loyalty and connection to family;
- Lack of information or misunderstanding about adoption for older youth;
- Focus on independence without understanding the need for lasting connections.

Achieving Legal Guardianship

When adoption is not possible for a youth in placement, consider evaluating current placement care provider, relatives, or non-relative extended family members for serving in the role of legal guardian.

When considering the possibility of legal guardianship, review Welfare and Institutions Code 727.3, 728 and 366.26. Also review Probate Code 1513 and accompanying rules of court for each.

Steps to take when considering legal guardianship:

- Discuss legal and financial responsibilities and roles of legal guardianship with prospective caretakers and the youth. Discuss possible financial resources such as Kin-GAP. The youth must have resided with the relative caregiver for at least six (6) consecutive months in a court-ordered placement (i.e., dependent/delinquent child placed in the home).
- Run live scans and child welfare services history check and evaluate home environment.
- Conduct a caregiver assessment, per WIC 366.26 during a home visit or team decision meeting. Get agreement from the caregiver and youth.
- At the next hearing, ask the judge to appoint counsel for all parents (if you haven't already done so). Also make sure that the court has made a formal finding of paternity that is reflected on a minute order.
- Ask the court to set a permanency plan selection and implementation hearing for the youth pursuant to WIC 727.3 (which references WIC 366.26 in its entirety) within 120 days from the hearing date to establish a permanent plan of legal guardianship for the youth.
- Notice all parties (particularly the parents) of the hearing.
- Create a court report that includes sections from WIC 366.26 that evaluates the youth and the prospective guardian. Ask one of your child welfare colleagues to send you a template report for a WIC 366.26 hearing that you can use as a guide. In the report, include your summary recommendation that goes something like this:

The XX County Probation Department respectfully recommends that the court establish a permanent plan of legal guardianship for minor JOHN SMITH and that it issue letters of guardianship to prospective legal guardians Sue and John Miller. The department further recommends that wardship be (terminated/not terminated) at this time. (Note, if wardship is continuing, you will ask them to adopt a new case plan for the review period as well.)

Several key areas should be covered in the report:

1. Is the youth appropriate for adoptions planning and services? Provide evidence of this by obtaining an adoption assessment from your local adoptions agency, as well as discussing the option of adoption with the prospective guardians when you talk with them. If the youth is found to be not suitable for adoptions planning and the prospective guardians are not prepared to commit to adoption, you then state this, so that guardianship becomes the next best permanent plan.
 2. Are there prospective legal guardians willing to assume the role, and who are they? Are they suitable? Reference Probate Code 1513 for content of this part or ask your CWS colleague for sections they use in their WIC 366.26 report.
 3. Would the permanent plan in any way be detrimental to the youth, based upon important connections to birth family and the pattern of contact and visitation between the youth and his or her parents?
 4. Ask your CWS colleague or county counsel for a copy of recommended findings and orders for a WIC 366.26 hearing so that you can use them as a source for appropriate findings and orders for this hearing.
- Create a JV 330 Letters of Guardianship order that can be found online at <http://www.courtinfo.ca.gov/cgi-bin/forms.cgi>, and ask the guardians to sign it in blue ink prior to the hearing. A Kin-GAP Agreement must be filled out and signed by the relative guardian and the agency (Form SOC 369 and Form KG 2A).
 - Submit the originals to the court at the hearing (keep a copy for the file) and the court will sign and issue these letters. Provide a certified copy to the guardians and keep a copy in your file.

ALWAYS CONSULT YOUR COUNTY'S LEGAL COUNSEL FOR THE MOST CURRENT LEGAL PROCESSES IN YOUR COUNTY!

Six Steps for Family Finding



Discovery
Engagement
Planning
Decision Making
Evaluation
Follow-up on Supports

“Family Finding” Workshop presented by Kevin Campbell



Step One: Discovery

Goal:

Create more options for support and planning

Practice:

Identify at least 40 family members for the youth. Include efforts to identify other adults who can or have in the past been a key supporter of the youth or parents. Success is achieved when the family is extensively known. In many situations you can expect to learn of a hundred or more relatives and others connected to the youth.

Step Two: Engagement

Goal:

Engage those who know the youth best and have an historic and/or inherent connection in helping the youth by sharing information and helping.

Practice:

Through the use of a unique and individualized engagement strategy, enlist the support of as many family members and others important to the youth or family to participate in providing important information helpful to the youth. Begin preparing family members and others to assist the probation officer with decision making and participate in supporting the youth through committed relationships.

Step Three: Planning

Goal:

Hold meetings with the participation of parents, family members and others important to the youth focused on planning for the successful future of the youth.

Practice:

Bring the identified family members and others who care about the youth together to learn more about the young person's essential, lifelong need for support and affection. Participants must have a voice in the process. The probation officer and court will make final decisions that include consideration of the team's perspective about the future of the youth. Equal value will be placed on the need for a family to live with and an enduring network of support. Challenges will be identified and solutions created. Planning will be done on a "Plan's fail, our children do not" basis.

Step Four: Decision Making

Goal:

The team with the probation officer will make timely decisions that provide the youths with appropriate levels of affection and belonging that are expected to be enduring.

Practice:

The team involved in planning will work with a sense of urgency, fully and candidly informed about the needs of the youth and the expected consequences of not having a safe forever family. The team will be prepared to make key, informed decisions about the future of the young person, including their safety, physical and emotional well-being and belonging in a life-time family. Teams will meet with an understanding that long-term placement(s) without legal permanency are not considered a successful decision.



Step Five: Evaluation

Goal:

An inclusive, individualized and unconditional plan to achieve legal and emotional permanency has been created with a time line for completion.

Practice:

The Team has successfully “foreseen” the likelihood that their plans for the youth are safe, stable and lasting. Adults who are caring for the youth have adequate and lasting support and key relationships with siblings, family members and others important to the youth continue.

Key evaluation questions:

If this iteration of our plan fails, will the youth remain or return to the foster care system?

Have we identified and engaged an adequate level of enduring support for the youth and their caregivers?

Has the team created a plan that includes family members and other adults willing to offer their support if the plan “A” option is unsuccessful?

Are there at least three options?

There is a plan and commitment that if challenges arise which threaten the youth’s safety and stability the team will reconvene.

A member of the team is elected to organize/facilitate future meetings.



Step Six: Follow on Supports

Goal:

The team will have supported the youth and their family to plan for and access essential formal and informal support.

Practice:

The team will actively support youths and caregivers to successfully access services, supports and key relationships. Teams will emphasize natural and community supports that are the most normative and enduring.

Services that require payment will be seen as temporary and not as a basis for lifelong relationships.

Foster Kids' Last Resort: Finding the Lost Relatives

Ms. Librizzi Hunts for Tony Ruiz's Family; Expecting Anger, Pain

By CHRISTINA BINKLEY

August 23, 2007; Page A1

LOS ANGELES -- After nine years in foster care, and nine different homes, 12-year-old Tony Ruiz was in serious trouble. He was on multiple psychiatric drugs, had long been suicidal, was often defiant and disruptive and displayed hopelessness.

"I just want to have a family," Tony told Judy Smith, a volunteer court advocate and the only person who had known him for any length of time. Fearing Tony wouldn't live to see adulthood, Ms. Smith turned to Linda Librizzi, a sleuth of sorts who locates the lost relatives of foster children.



Tony Ruiz

A longtime licensed clinical social worker, 53-year-old Ms. Librizzi is on the vanguard of a growing revolution in child welfare: She is a "family finder." Thanks to computer search technology, social workers have for the first time a powerful tool to locate the family members of "cold cases," children who spend years moving from foster home to foster home until their biological families' whereabouts are unknown.

There are roughly 525,000 children in foster care at any given moment in the U.S., many of them moving to a new foster home every few months. Roughly 25,000 foster children each year reach adulthood without ever having found a permanent home. They are discharged to the streets at 18 years of age, often ending up homeless, incarcerated, or otherwise overseen by the judicial or social welfare systems.

In the 40 or so communities around the U.S. that are using the new data-plumbing techniques, government social workers are placing about 25% of cold-case children in homes, estimates Kevin Campbell, a former social-work administrator in Washington state who pioneered the method. But dedicated family finders like Ms. Librizzi, who works for a private nonprofit agency and isn't distracted by typical social-worker duties, boast success rates as high as 75%. Social workers say the likelihood of these children finding homes is otherwise nil.

Even advocates concede the main problem with family finding is that it isn't being implemented soon enough. They say it would be most effective if it were used to prevent children from spending years in the foster-care system in the first place.

There are other challenges, too. Family finding doesn't solve the psychological problems that can affect foster children, especially when they have bounced from home to home. Few families are fully prepared for the difficulties of taking in a long-lost relative who has spent years in foster care. As a result, some reunions end unhappily.

Here in Los Angeles County, home to the nation's largest child-welfare system, family finding has helped shrink the number of children in foster care to 11,000 from 14,000. That promises significant cost savings. The cost of caring for a foster child in Los Angeles can top \$75,000 a year, not including the burden on the judicial system and homeless shelters as troubled children pass into adulthood.



Linda Librizzi

Los Angeles started testing family finding about three years ago and is now training social workers and expanding it countywide. For the children, the process begins with the permission of a social worker -- or in a few cases, with a court order -- requested by someone involved in the child's care.

One corporate partner of this effort is U.S. Search, a unit of First Advantage Corp. which sells such data to social workers for \$25 a report, less than it charges other clients. Tapped by Mr. Campbell, U.S. Search, which typically sells its services to private detectives and individuals in search of old girlfriends and others, has a small staff dedicated to working with social workers.

U.S. Search subscribes to databases of records on voter registration, marriage, divorce, criminal filings, credit records and other information. Its software broadens search terms to look for alternative spellings. In one study by Mr. Campbell, U.S. Search was able to find more than 85% of parents who were listed as "whereabouts unknown" in California court records.

Armed with this data, teams of local social workers -- and in one California county, retired police detectives -- make dozens of phone calls, knock on doors and wheedle information to re-forge family connections. They aren't just looking for adoptive homes. They're also hoping to put foster children in touch with their roots and create an additional source of support.

The work is arduous, emotional and slow. The searches, culled from so many databases, can be messy. Data are almost always missing; workers can spend weeks chasing false leads.

Even when social workers find whom they are looking for, the process can open festering family wounds, rekindling the problems surrounding the children's births or their removal

from parents' care. Mr. Campbell, the inventor of family finding, tells social workers to expect a third of the family members they reach to refuse further contact. He also tells them to expect anger. "There's a lot of pain in these families," he says.



Kevin Campbell

Mr. Campbell calls Ms. Librizzi one of the most tenacious family finders he has trained. She has spent more than a year trying to connect some children with their family members.

Ms. Librizzi, a dark-haired woman whose accent reveals her New York origins, spent 30 years working in child welfare before her employer, a group home for youths called Hollygrove, cut back to outpatient services for financial reasons. In 2005, she began doing family finding to find homes for Hollygrove's young residents, later expanding her clientele to children identified by the county as most in need of family finding. She declines to divulge her salary, saying only that she works part-time and is paid on an hourly basis.

Two days before Christmas in 2005, Ms. Librizzi was assigned to find the family of Tony, the 12-year-old boy. He weighed nearly 240 pounds and was often picked on at school. Separated from his brother and sister as well as his extended family over the years, Tony was living in a sparsely furnished three-bedroom group home for boys, overseen by a small rotating staff.

Ms. Librizzi began with a few bits of information about Tony's origins from his caseworker: Tony's name and birth date, the name of his mother, her Social Security number and birth date, and her former address. Nothing was known about Tony's father, not even his name. Working from her small shared office, Ms. Librizzi emailed the information to Clif Venable, a data researcher at U.S. Search.

Mr. Venable then went to work in his Culver City, Calif., cubicle, typing the information into his company's computer system. Minutes later, Mr. Venable emailed back a 10-page list of possible relatives, people who had lived at the same address, possible previous addresses, and even neighbors culled from the many databases to which U.S. Search subscribes. Ms. Librizzi began at the top of the first page that Friday. She quickly thought she'd hit gold with a man who spent an hour discussing Tony. "Turned out, he wasn't even related," Ms. Librizzi says.

Because many of Tony's relatives had moved repeatedly, the names on the list often lacked working phone numbers. On page five, Ms. Librizzi dialed a number in Stafford, Texas -- someone with an entirely different family name.

The woman who answered demanded to know how Ms. Librizzi had gotten her number. "From an Internet search. I just want to reassure you, this is not a crank call," Ms. Librizzi says she responded. The woman finally conceded she was a distant relation -- the sister-in-law of Tony's mother's sister-in-law. She agreed to pass along a message that someone was searching for Tony's family.

An hour later, Ms. Librizzi received a call from a woman in California -- another distant relative -- who said she knew where Tony's mother was. When Ms. Librizzi returned to her office on Monday morning, three voicemail messages from Tony's mother awaited her.

Ms. Librizzi, along with Tony's social worker, pursued the possibility of developing some sort of relationship between Tony and his mother. She phoned various family members on behalf of Tony so many times that the family began to call her "Linda-for-Tony."

Ms. Librizzi also continued following other leads. Building on information from records and family members, she obtained a number for a San Fernando, Calif., Indian tribe, and called its administrator, Rudy Ortega, to find out if the tribe had records of Tony's birth. Mr. Ortega was noncommittal. The tribe receives many calls from people hoping to gain access to a tribe's benefits (even though the San Fernando tribe isn't federally recognized and doesn't receive such benefits). But the call roused Mr. Ortega into action.

As it turns out, the 32-year-old Mr. Ortega and his wife, Samantha, a medical technician, are Tony's great-uncle and great-aunt. They had three children: girls named Citlaly and Itati, and a son named Tomiear -- and they had at one time looked into adopting. They say they would have adopted Tony all those years ago had they been contacted.

Six weeks after the search began, Tony was told his mother had been found. He also learned he came from a line of Indian chiefs from the San Fernando Band of Mission Indians. His great-grandfather was Chief Little Bear Rudy Ortega Sr. The senior Mr. Ortega was interested in bringing a tribal member back into the fold.

At first, L.A. County social workers explored reuniting Tony with his mother. But his mother failed to show consistent interest or ability to care for Tony, say social workers. Social workers say Tony's mother, who has had several other children removed into foster care, moves frequently among the homes of friends or relatives. She could not be reached for this article.

Meanwhile, the tribe pulled together. Three other families quickly volunteered to start proceedings to potentially adopt him, including Rudy and Samantha Ortega. During a meeting that fall, tribal elders determined that the Ortegas were the best match. Tony soon began to visit them, first briefly, then spending weekends at their home.

When he returned to the Lynwood group home each Sunday night, Tony wept and pleaded to stay with the Ortegas. He hung a small dreamcatcher -- an Indian totem said to ensnare bad spirits -- over his bed.

Last fall, Tony announced he wanted to become a veterinarian -- a sign social workers say that he was looking forward to the future. In March, the county court gave him permission to move in with the Ortegas, who took classes in how to deal with troubled children. The family also arranged to have another male relative tutor Tony in the afternoons to help with schoolwork and socialization.

By April, Tony was off medication entirely. Mrs. Ortega discovered he needed glasses -- he had once had them, but lost them in the course of his many moves. Chatty and smiling, he lost 50 pounds. Now 13, he began to earn A's at his new school.

Tony struggled to describe what was special about the Ortegas. "They hug me," he finally said.

Things didn't continue as smoothly. After the initial honeymoon period, many of Tony's former patterns of misbehavior reappeared. He walked out of class at school and at home, his discipline problems escalated and frightened the family. He once waved a kitchen knife at Mrs. Ortega, she says, and she caught him urging the family's pet dog to fight with a neighbor's Chihuahua. He bullied Tomiear, Mrs. Ortega's youngest child, by pushing and teasing the preschooler.

When she discovered she was pregnant with her fourth child, Mrs. Ortega says she feared Tony might become jealous and hurt the baby. Two weeks ago, the family abruptly discontinued the adoption, saying they'd reached the end of their rope. The county didn't fully prepare her for the magnitude of Tony's troubles, said the angry Mrs. Ortega, who drove Tony to his social worker's office and left him there that Friday afternoon. "If I were to do this again, it would be with a child who is much, much younger," she said.

Ms. Librizzi says Tony's experience with his family has revealed behavioral problems that had been ignored when he was being shuffled among foster homes. Tony will begin intensive therapy for these issues, she says.

Mr. Campbell says such outcomes are all too common. "You ask yourself how would Tony's story be different if his family had been found in the first six months after being taken from his mother," he says.

Tony is now once again living with just a few personal belongings in a group home for boys.

Just after he left the Ortegas, new hope for Tony emerged: his tutor. The tutor, a police officer who is engaged to a tribe member, told Tony's social-work team that he remains interested in serving as a mentor -- or possibly more -- to Tony.

"We're going to keep on keeping on," says Ms. Librizzi. "We don't end until we have some sort of personal connection for a kid."

Engaging With Family and Non-Related Extended Family Members (NREFM)

Placement Resources

Once potential family members or non-relative extended family members are identified through records search, individuals should be proactively contacted in order of preferential relative status with the goal of evaluating them for possible placement and permanency. Document efforts to contact relatives with preferential status and any resources that may be appropriate.

- Candidly discuss with the relative any relevant history or behavior related to the youth and explain the processes for placement consideration. Emphasize the youth's strengths, talents and hopes. Show them as a complete person.
- Outline the youth's timeline for permanency and status of court involvement.
- Offer information to the placement resource regarding the legal and financial distinctions between permanency options.
- Work with the youth, family members and the placement resource on setting goals for the youth's permanency and achievement of goals.
- Be prepared to commit time engaging individuals over several days.
- Respect the individual's request to have time to make a decision.
- With any contact, use the snowball method to increase your knowledge about adults that may be interested in the youth. "What other family should we know about? Who else is interested in this youth? Who else has been connected/involved with this youth?"
- Consider using family group decision making as a method to involve extended family in permanency planning, to discover additional family resources or other potential non-related connections.

Legal Inquiries, Advisements and Findings Needed For Permanency



In order to legally document the protection of due process rights of parents, certain inquiries, findings and orders need to be obtained from the court at every step of the court process.

Detention Hearing	Disposition and Pre-Permanency Hearings	Permanency Hearing
<p>Inquiries:</p> <ul style="list-style-type: none"> ▪ Paternity and parental whereabouts ▪ Whether youth is an Indian Child and subject to ICWA ▪ Potential relative placement options <p>Advisements:</p> <ul style="list-style-type: none"> ▪ Parents have been advised of their due process rights and the possible impact of proceedings on their parental rights. <p>Findings:</p> <ul style="list-style-type: none"> ▪ Notice has been given as required. ▪ Finding that reasonable efforts have been made to prevent or eliminate need for removal of the youth from his home ▪ Finding that continued placement with parent or guardian is contrary to the child's welfare 	<p>Advisements:</p> <ul style="list-style-type: none"> ▪ Court has advised the parents of the possibility of termination of parental rights if youth cannot be returned by the 12-month Permanency hearing. <p>Findings:</p> <ul style="list-style-type: none"> ▪ Notice has been given as required. ▪ Due diligence has been made to locate absent parents. ▪ A substantial risk of detriment to the youth's safety and physical well-being exists in the parents' home. ▪ Reasonable efforts have been made to prevent or eliminate need for removal of the youth from his home. ▪ Continued placement with parent or guardian is contrary to the child's welfare. ▪ Finding that reasonable efforts are being made to finalize a permanent plan if reunification is not successful. 	<p>Advisements:</p> <ul style="list-style-type: none"> ▪ Parent has been told by the court that if the youth cannot be returned at next hearing, proceedings may be initiated to terminate parental rights. <p>Findings:</p> <ul style="list-style-type: none"> ▪ Notice has been given as required. ▪ Due diligence has been made to locate absent parents. ▪ A substantial risk of detriment to the youth's safety and physical well-being exists in the parents' home. ▪ Reasonable efforts have been made to prevent or eliminate the need for removal of the youth from his home. ▪ Continued placement with parent or guardian is contrary to the child's welfare. ▪ Finding that reasonable efforts are being made to finalize a permanent plan if reunification is not successful.

Determining Parentage

- Court (and probation officers as Juvenile Court officers) has a duty to inquire about paternity and to provide notice of the proceedings.
- If a paternity determination exists, the court must take notice of it. If no determination exists, the Juvenile Court has the power to make one.
- The court can order paternity testing to help determine paternity.

Types of fathers

- Alleged
- Biological
- Declared
- Adjudicated
- Kelsey S.
- Presumed

What to do

Ask the youth, mother and other family members who the youth's father may be and where he is. Document the results of your efforts in each court report.

Questions to ask

Is there an existing paternity judgment or voluntary declaration?
Was the mother married when the youth was conceived or born?
Was the mother living with anyone when the youth was conceived or born?
Has child support ever been received or promised?
Has any man formally or informally acknowledged the youth as his own?
Has the youth lived with a man who acted as his father?



Practice Activity: Faces of Youth

What information do you have about the identity of any legal father in your case scenario?

Based upon information provided, what type of legal standing does this father or fathers have at this time?

What additional information might you gather to further clarify this father's legal status?

Finding Absent Parents – Due Diligence

Defining “due diligence”

- Law requires all parents to be provided adequate notice when parental rights may be impacted.
- Efforts to notice must be genuine, so efforts to find a parent (either mother or father) must involve an individualized, thorough and systematic search based upon known information.
- When a parent is located, notice must be served to that address as promptly as possible.
- Court must be informed of efforts to locate absent parents by affidavit at least 75 days before a hearing to terminate parental rights.

Search parameters

1. Obtain a certified copy of the youth’s birth certificate and use the exact name of the parent, as it appears on the certificate (if parent is listed).
2. Gather any information such as birth dates, Social Security numbers, AKAs, last known addresses, and description of the parent known to the youth, other parent and family members.
3. Conduct a search for each possible name and other identifying information (for instance, search twice if the parent has used two different Social Security numbers).
4. Search sources in the community where the parent was last known to have lived, not just your own community.
5. Follow any thread of information about possible whereabouts until you find the parent or reach a dead end.
6. At every hearing juncture, inquire again and update the search based on any new information.
7. Document the date, place and result of each search effort and then compile this list into a Due Diligence Declaration affidavit to be submitted to the court.

Absent Parent Search Checklist

- ☐ All known relatives
- ☐ Telephone directory
- ☐ DMV records
- ☐ Letter to last known address
- ☐ Department of Justice
- ☐ Registrar of Voters
- ☐ Child Support Services
- ☐ CLETS
- ☐ County and state social services records (MEDS)
- ☐ CWS/CMS database
- ☐ LexisNexis
- ☐ Internet people search/social media
- ☐ Directory assistance in the community where parent is last known to reside and the community where you live
- ☐ All branches of the military
- ☐ Parole and prison index (916) 445-6713
- ☐ Local jail
- ☐ Federal prison record check
- ☐ Local police records
- ☐ Vital records (are they deceased?)
- ☐ U.S. Postal Service
- ☐ Social Security Administration
- ☐ Foreign consul offices
- ☐ Federal Parent Locator Service (Office of Child Support Enforcement)

Absent Parent Search Record

Name of minor: _____

Name of absent parent: _____

Known legal or AKAs used: _____

Date of birth: _____

Social Security number: _____

California ID or DL number: _____

Last known address: _____

Search Log:

Date initiated:	Date result received:
Search source description:	
Search result summary:	
Date initiated:	Date result received:
Search source description:	
Search result summary:	

Date initiated:	Date result received:
Search source description:	
Search result summary:	
Date initiated:	Date result received:
Search source description:	
Search result summary:	
Date initiated:	Date result received:
Search source description:	
Search result summary:	

Impact of the Indian Child Welfare Act (ICWA) on Achieving Permanency

Brief facts

- California has the largest American Indian population of any state
- California has 107 federally recognized tribes
- Before ICWA, a disproportionate number of Indian children were removed from the care of their parents.
- Before ICWA, Indian children were 8 times more likely to end up in an adoptive placement in California and 90 percent of those children were placed in non-Indian homes.

(Source: California Institute on Human Services, Sonoma State University)

ICWA obligations that can affect permanency

- Duty to inquire about Indian heritage, request determination from tribe and provide notice to parents and tribe
- Expert witness testimony
- Provision of culturally appropriate services
- Placement preferences of extended family member, tribal member or American Indian family
- Active efforts
- Standard of proof for terminating parental rights is “beyond a reasonable doubt.”

Alert!

Failure to comply with the duties set out by ICWA throughout the case can result in “turning the clock back” to the point where ICWA provisions applied, but were not implemented.

When ICWA applies to delinquency cases

- When the youth has been removed and placed in foster care for their welfare, or when the youth is at risk of entering foster care, and the probation office knows or has reason to believe that the youth may be of Indian ancestry.
- Placements in Juvenile Hall or Probation camps are not subject to ICWA considerations.
- A proceeding that involves placement due to a crime being committed is not subject to ICWA, but a placement in foster care based upon the needs of a youth is subject to ICWA. All placements in IV-E-eligible facilities are presumed to be based on needs of the youth and thus are subject to ICWA.
- When the parental rights of an Indian child are being terminated.
- Proceedings involving guardianship.

Requirements for Noticing of Hearings

Who

- Mother
- All alleged and presumed fathers
- Legal guardians
- Youth over age 10
- Substitute care provider
- Sibling if a dependent of the court or care provider if under 10 years of age
- If no parent residing in California or whereabouts unknown, adult relative residing in the county or nearest to the court (Detention Hearing)
- District Attorney (Detention Hearing)
- Indian custodian and the youth's tribe or BIA if tribe is unknown
- All counsel of record (Selection and Implementation Hearing)
- Grandparent (if address is known and parent's whereabouts are unknown) (Selection and Implementation Hearing)

Detention

- Can be written or oral for parents. Notice to BIA must be registered mail, return receipt requested.
- As soon as possible after filing the petition, notify parties of date, time, place and subject of hearing and provide a copy of the petition.
- Information needs to be provided to court regarding method and date of service.

Review hearings

- No more than 30 days and no less than 15 days before the hearing.
- Information in notice must include type of hearing, advisements of rights of youth and parents and their right to attend.
- Written notice delivered by personal service, first class mail, certified mail, return receipt requested (Registered mail, return receipt requested to tribes)

Selection and implementation hearings

- 45 days before the hearing date by personal service.
- If parents whereabouts are unknown, obtain order to publish notice in a newspaper qualified to publish legal notices in the area parent was last known to reside by filing an affidavit of due diligence 75 days prior to the hearing date. Publish four consecutive times to be completed 30 days prior to the hearing.
- Parents may be ordered to appear for this hearing at the permanency hearing that sets this matter and then notice can be sent in the same manner as for review hearings.

Legal Procedures Regarding an ICWA Youth

- ICWA procedures apply to all youth involved in delinquency proceedings who are at risk for foster care.
- An Indian Child's tribe is a party and has the right to intervene and participate in proceedings.
- Failure to attend to the ongoing duty to determine ICWA status and provide ongoing notice has significant consequences for the ability of the court to finalize a permanent plan for the youth.
- Actions must include inquiring about possible Native American status and acting as if the youth is an Indian Child when there is reason to believe the youth may be eligible.

Recap of ICWA provisions

- Document your early efforts at inquiry about Indian heritage in all Juvenile Court proceedings using ICWA 010A. Seek parents' written statement on Indian heritage using ICWA 020.
- Immediate and ongoing notice to the parent or Indian custodian and any possible affiliated tribe using the ICWA 030. Parents must be notified of possible termination of parental rights as an outcome.
- Proof of notice and return receipts must be filed with the court.
- Active efforts to provide services to prevent removal or allow return.
- Placement preference of relatives and tribal homes. Proof standard is "clear and convincing."
- Proof standard for termination of parental rights is "beyond a reasonable doubt."
- Expert witnesses must be tribal member with knowledge of youth's tribe and customs or professional with substantial education and experience with Indian families.

Legal Forms Regarding ICWA Status

For copies of the forms below, see the Module 1 Appendix, pages 59-71.

ICWA 010A: *Indian Child Inquiry Attachment*: Complete this form to provide court with a statement of your efforts at inquiry, and information obtained regarding ICWA status.

ICWA 020: *Parental Notification of Indian Status*: Provide this form to parents and ask them to complete the form regarding their youth's Indian heritage

ICWA 030: *Notice of Child Custody Proceedings for Indian Child*: Sent to tribal custodian or tribe, if known or to Bureau of Indian Affairs, if not known.



JUDICIAL COUNCIL OF CALIFORNIA

OPERATIONS AND PROGRAMS DIVISION
CENTER FOR FAMILIES, CHILDREN & THE COURTS

ICWA Information Sheet: Delinquency, Native American Identification and ICWA

Duty of Inquiry

The court and the probation department have a duty to inquire about the child's Indian status at the outset of all juvenile proceedings. (*In re. W.B.* (2012) 55 Cal. 4th 30, 40)

This duty is affirmative and continuing, and is triggered as soon as they determine that the child is in foster care or at risk of entering foster care (Welf. & Inst. Code § 224.3; CRC 5.480; CRC 5.481(a))

Significance of Native American Identification (regardless of ICWA application)

Following inquiry, if a child and his/her family identify as Native American this is important **in all cases** for case planning and placement purposes. Native American children and their families may be entitled to a broad range of services which should be used whenever possible when developing case plans. You can find these services in your area by looking here

<http://www.courts.ca.gov/5807.htm> . Further, you are required to look to tribal members when seeking a foster care placement for an Indian child (ie a child who is a member or eligible for membership in a tribe) regardless of whether ICWA applies to the case. (Welf. & Inst. Code §§ 727.1 (a); 16501.1 (c))

When do ICWA requirements beyond inquiry apply?

All of the remaining ICWA requirements such as notice, active efforts, qualified expert witness testimony and heightened evidentiary standards apply only when a child is either in foster care or at risk of entering foster care and one of the three additional factors apply:

1. The petition under Welfare and Institutions Code section 601 or 602 alleges only status offenses and no conduct which would be criminal if the child were over age 18. (This includes allegations such as a child refuses to obey the orders of a parent or guardian, is beyond parental control, violates age-based curfew ordinances, or is truant or disobedient in school or has engaged in underage drinking or underage possession of alcohol or tobacco because even though this conduct is prohibited in the Penal Code, such conduct would not be a crime if committed by an adult.) (*In re. W.B.* at 42);
2. The court has set a hearing to terminate parental rights (regardless of whether or not there was “criminal” conduct) (*In re. W.B.* at 59); or
3. The court has placed the child in foster care, or in an adoptive or pre-adoptive placement, due to abuse or neglect in the child’s home. (*In re. W.B.* at 60). In these situations, the court must make a specific finding that placement outside the home of the parent or legal guardian is based entirely on harmful conditions within the child’s home. (*In re. W.B.* at 59) Without such a specific finding it is presumed that the placement is based at least in part on the child’s criminal conduct. (*In re. W.B.* at 60) If there is such a finding, then ICWA requirements apply regardless of whether the conduct which brought the child before the court was criminal in nature.

I. Determining Application and Definitions

- A. ICWA applies to any proceeding, including Family Code proceedings, that may result in the adoption of an Indian child, the termination of parental rights of the parents of an Indian child, or the granting of care and custody of an Indian child to someone other than the child's parents or Indian custodian where the parents or Indian custodian cannot have the child returned on demand. This definition includes proceedings under the Family Code resulting in an adoption (i.e., agency, independent, intercountry, relative, guardian, domestic partner, and stepparent), termination of parental rights, freedom from parental custody and control, or other child custody proceeding under the Family Code, (i.e., Fam. Code, §§ 3041, 7541, 7600 et seq., 7660 et seq., 7800 et seq., 8500 et seq., 8600, 8700 et seq., 8800 et seq., and 9000 et seq.) that involve an Indian child. (25 U.S.C. § 1903(1); Fam. Code, § 170(c); Cal. Rules of Court, rule 5.480.)
- B. An "Indian child" is under the age of 18 and unmarried and is either (a) a member of an Indian tribe or (b) eligible for membership and the biological child of a member.
- C. An "Indian custodian" is an Indian person who has custody of an Indian child under tribal or state law or to whom temporary physical custody and control of such child has been given by the child's parent.

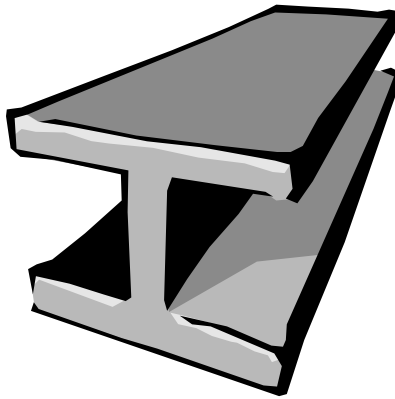
II. Investigation/Inquiry

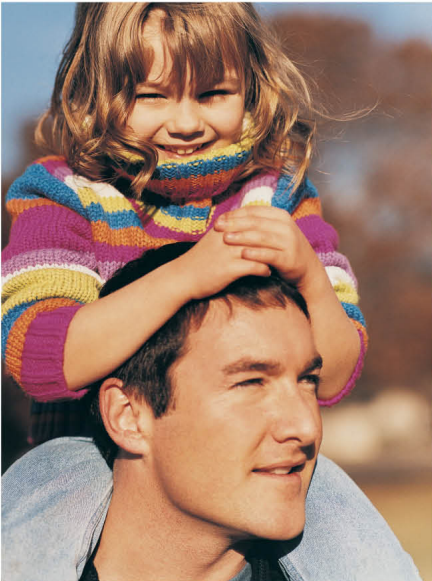
- A. *Initial inquiry:* Before filing a petition, application, or other request of the court that could result in adoption; a declaration freeing a child from the care, custody, and control of one or both parents; or the termination of parental rights, the party seeking the order must ask the child (if the child is old enough), the parents, the Indian custodian or guardian, and available family members or others who would reasonably know, whether the child is or may be an Indian child. The party must then complete the *Indian Child Inquiry Attachment* (form ICWA-010(A)) and attach it to the petition. Wherever possible, prior to the first appearance, each of the child's parents, Indian custodian, or guardian should complete the *Parental Notification of Indian Status* (form ICWA-020), and those forms should be filed with the court. (Welf. & Inst. Code, § 224.3(a); Fam. Code, § 177(a); Cal. Rules of Court, rule 5.481(a).) If the parents are not available before the first appearance, the court will order them to fill out the ICWA-020 forms at the first appearance. If the parents do not appear, the Court will order the party filing the petition, application, or other request to use reasonable diligence to find the parents and have them complete the ICWA-020 forms. (Cal. Rules of Court, rule 5.481(a)(3))
- B. *Affirmative and continuing duty to inquire:* The court, court-connected investigator, party seeking the order (i.e., petitioner), adoption service provider, and licensed adoption agency all have an affirmative and continuing duty to inquire whether a child is or may be an Indian child. This means that inquiry is not a one-time occurrence. If the child's parents are not present or available at the first appearance and ICWA-020 forms are not completed and filed, the court **must** order the party to use reasonable diligence to find the parents and complete the ICWA-020 forms. (Cal. Rules of Court, rule 5.481(a)(3).)
- C. *Concealing or falsifying facts concerning Indian status/sanctions:* Any party who falsifies or conceals a material fact concerning whether the child is an Indian child or counsels a party to do so is subject to sanctions by the court. (Welf. & Inst. Code, § 224.2(e); Fam. Code, § 180(f).)
- D. *Further inquiry:* If, as a result of this inquiry or from any other source, any of the persons with a duty to inquire has "reason to know" that the child is an Indian child, they must make further inquiry to learn about the child's Indian heritage. In particular they must (1) ask family members, (2) contact the

<p>Bureau of Indian Affairs (BIA), and (3) contact the tribe and anyone else who might reasonably have information about the child's heritage. (Welf. & Inst. Code, § 224.3(c); Fam. Code, § 177(a); Cal. Rules of Court, rule 5.481(a)(4).)</p> <p>E. You have “reason to know” the child is an Indian child if:</p> <ol style="list-style-type: none"> 1. The child, an Indian tribe, an Indian organization, an attorney, a public or private agency, or a member of the child's extended family says or provides information to anyone involved in the case suggesting that the child is an Indian child; 2. The child or the child's family or Indian custodian live in a predominantly Indian community; or 3. The child or the child's family has received services or benefits from a tribe or services that are available to Indians from tribes or the federal government, such as the Indian Health Service. (Welf. & Inst. Code, § 224.3(b); Cal. Rules of Court, rule 5.481(a)(5).) <p>F. Document inquiry on petitions: Item 7 on form ADOPT-200 requires you to indicate whether the child may have Indian ancestry and to attach the <i>Adoption of Indian Child</i> (form ADOPT-220) if you answer yes. (Note: Completion of the ADOPT-220 form is in addition to completion of the ICWA-010(A) and ICWA-020 forms.)</p>	<p>III. Consent Requirements for Voluntary Proceedings (25 U.S.C. § 1913; Fam. Code, § 8606.5)</p> <p>ICWA sets out special requirements when a parent or Indian custodian voluntarily gives up rights regarding an Indian child. A valid consent must meet the following criteria:</p> <ul style="list-style-type: none"> • Not be given within 10 days after the birth of the child; • Be in writing, be recorded before a judge of the court, and be accompanied by the judge's certificate that the terms and consequences of the consent have been fully explained in detail and have been fully understood by the parent or Indian custodian; • If the parent or Indian custodian does not understand English, the court must certify that the explanation has been interpreted into a language that the parent or Indian custodian understands; • If the consent is custody under Family Code section 3041, it must provide that the parent or Indian custodian may withdraw consent at any time and upon such withdrawal of consent, all provisions of the Indian Child Welfare Act, including inter alia 25 U.S.C. § 1913(b), shall apply; • If the consent relates to the termination of parental rights or adoptive placement, the consent of the parent may be withdrawn for any reason at any time before the entry of the final decree of termination or adoption as the case may be, and the child shall be returned to the parent. (25 U.S.C. § 1913(c).) 	<p>IV. Right to Counsel (25 U.S.C. § 1912(b); Fam. Code, §§ 7860, 7862)</p> <p>Indigent parents and Indian custodians are entitled to court-appointed counsel in any involuntary proceeding.</p> <p>V. ICWA Notice Requirements</p> <ol style="list-style-type: none"> A. If there is “reason to know” (See Section II (E) above) that the child is an Indian child, notice in form ICWA-030 must be sent to the child's parents or guardians, the Indian custodian (if any), the tribe, the Sacramento office of the BIA (if applicable), and the Secretary of the Interior (if applicable) as early as possible. (25 U.S.C. § 1912(a); Welf. & Inst. Code, § 224.2; Fam. Code, § 180; California Rules of Court, rule 5.481(b).) B. <i>What to send:</i> Send mandatory form ICWA-030, <i>Notice of Child Custody Proceeding for Indian Child</i>, including attachments and copies of the petition. C. <i>Where/who to notice:</i> Notice must be sent to the child's parents, including the adoptive parents, the guardian, the Indian custodian (if any), and the child's potential tribe(s). If you do not know which tribe(s) the child may be affiliated with, you also must send notice to the Sacramento area director of the BIA. If you do know the child's tribe, you must send a copy of the notice to the Secretary of the Interior. (See F. below). D. <i>How to send notice:</i> Notice must be sent by registered or certified mail, return receipt requested, or personal service. If a tribe intervenes in the case, you may thereafter send notice to that tribe in the same manner as to other parties. E. <i>Where to send tribal notice:</i> When sending notices to the child's tribe(s), the notices must be addressed to the tribal chair or the tribe's designated agent for service of ICWA notice. The list of designated agents for service of ICWA notice may be found at http://edocket.access.gpo.gov/2009/pdf/E9-9644.pdf. The State Department of Social Services list of tribes may be found at: http://www.childsworld.ca.gov/PG1322.htm. Send notice to all tribes of which the child may be a member or eligible for membership until the court makes a determination about which tribe is the child's tribe, after which notice need be sent only to that tribe. (Welf. & Inst. Code, §§ 224.2, 224.3; California Rules of Court, rule 5.481(b).)
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Legal Foundations for Terminating Parental Rights

- Adequate notice to all parents and legal guardians
- Efforts to establish paternity
- Court advisements documented regarding a parent/guardian's due process rights and consequences of proceedings
- Appointment of counsel for parents
- Reasonable efforts to prevent removal and to reunify
- Reasonable efforts to finalize a permanent plan
- Meeting the mandates of ICWA for an Indian Child





Module 3

Day 2

Replicating Successful Outcomes



Share stories at your table about youth you have worked with who have “made it” (succeeded in successful launching) following their involvement with probation services. Below, identify those factors and resiliencies that contributed to their successes.

Factors Contributing to Success	Family/Youth Resiliencies

Fostering Connections to Success and Increasing Adoptions Act HR 6893

Introduced by Representatives Jim McDermott (D-WA) and Jerry Weller (R-IL)

Title IV-B, Part 1, re-named the Stephanie Tubbs Jones Child Welfare Services Program

Kinship Caregiver Supports

- **Title IV-E Relative Guardianship Program** – a state option to support exits from foster care to judicial custody of relative based on best interest of child; relative caregiver must be fully licensed; child to have resided with relative a minimum of 6 months; subsidy cannot exceed foster care payment. This grandfathered in families currently receiving Guardianship Subsidies as part of a Title IV-E Waiver program, such as in IL. (Sec. 101)
- **Family Connection Grants (total \$15 M/ year, 2009-13)** for state or local public/private non-profits for Kinship Navigator programs (\$5 M/yr), Family Search and Engagement programs, Family Group Decision-making programs, Residential Family Treatment Programs. (Sec. 102)
- **Requires notification of close relatives** within 30 days of a foster placement. (Sec. 103)
- **Allows waiving of non-safety foster care licensure standards**, for relative caregivers. HHS to do study of relative foster caregivers and waivers at two years. Sec. 104)
- **Federal Parent Locator Service** access for kin connections. (Sec. 105)

Assistance to foster youth up to the age of 21

- **Extends federal foster care maintenance payments up to the age of 19, 20 or 21**, inclusive of supervised independent living settings. Youth must be involved in productive activity such as education, training or work. State option. (Sec. 201)

- **Transition Plan** - requires personalized 90 day pre-emancipation plan. (Sec. 202)
- **Avoids Permanency Disincentives** - Extends adoption assistance and guardianship payments up to age 19, 20, or 21 for children adopted or entering guardianship after attaining the age of 16. State option. All Chafee IL services and Education & Training Voucher benefits also extended. (Sec. 201)
- **IV-E Short Term Training** – allows Title IV-E training funds for private non-profit child welfare workers, court personnel, CASA/GALs, and relative caregivers; graduated reimbursement schedule. (Sec. 203)
- **Educational Stability** – Requires plan for ensuring the educational stability of children in foster care and mandate assurance of school attendance, supports transportation costs to maintain foster children in their neighborhood school. (Sec. 204)
- **Improving Oversight of Health Care** – Requires oversight plan for the health care needs of foster children – accounting for the assessment and treatment of health conditions, continuity of care, medical records, and prescription drugs. (Sec. 205)
- **Keeping Siblings Together** – Requires reasonable efforts to place siblings together when removed from their homes; if not placed together, requires frequent visitation. (Sec. 206)
- **Tribal Access to Foster Care and Adoption funds** – Title IV-E funding access to tribal governments for children in their care. Language incorporated from HR 4688, Pomeroy / Weller Tribal bill. \$3 M/year authorized for national technical assistance center and to provide one time-technical assistance grants to Tribes. (Sec. 301 and 302)
- **Extending and Improving Adoption Incentives** – Improves the Adoption Incentives Program for children adopted out of foster care, including updated base year (2007) and increased bonuses for special needs and older child **adoptions**. Reauthorizes program for 2008-2012, \$43 M / year (Sec. 401)
- **Promoting the Adoption Tax Credit** – Requires efforts to inform prospective adoptive parents of foster children of potential eligibility for the credit. (Sec. 402)

- **De-linking Title IV-E Adoption Assistance** from child's birth family income (AFDC lookback). Gradual, prospective de-link applies to older children and those in care for 5 yrs or longer in 2010, all children by 2018. (Sec.403)
- **Bill is Fully Offset** - prohibition against fraudulent claiming of a child for EITC (Sec. 501); authorization for US Treasury investment of operating cash (Sec. 502), cost savings from Relative Guardianship Subsidy.



California's Fostering Connections to Success Act: Written Report Requirements for Probation Officers

A probation officer's written court report is integral to the court's oversight of a delinquent child and a nonminor dependent (NMD). The report informs the court about a multitude of issues regarding the child or NMD and serves as the basis of the court's findings and orders, helping the court make informed decisions regarding a child's or NMD's safety, permanency, well-being, and successful transition to living independently as an adult.

The Judicial Council approved a number of new and revised California Rules of Court¹ and Judicial Council forms to implement the statutory mandates of Assembly Bill 12 as amended by Assembly Bill 212 (California Fostering Connections to Success Act). The rules and forms also provide a uniform procedural framework to ensure compliance with the requirements for the federal funding needed to support the extension of foster-care services to NMDs. The rules also outline the information related to the extended foster care that must be discussed in court reports.

Last review hearing for child approaching majority and hearing to terminate jurisdiction over child who is in foster care as ward or who was in foster care when declared a ward (Rule 5.812)

The report requirements below apply to the following hearings:

- the last review hearing before a child turns 18;
- any review hearing for a child less than 18 when a recommendation to terminate jurisdiction will be considered;
- any hearing to terminate jurisdiction over a child less than 18 who is subject to an order for foster care placement; and
- any hearing to terminate jurisdiction over a child who is less than 18 who was a dependent of the court subject to a foster care placement order when declared a ward

In addition to complying with all other statutory and rule requirements applicable to the report prepared by the probation officer for a hearing listed above, the report must state whether the child was provided with the notices and information required under section 607.5 and include a description of:

1. The child's progress toward meeting the case plan goals that will enable him or her to be a law-abiding and productive member of his or her family and the community.

¹ All further rule references are to the California Rules of Court unless otherwise indicated.

2. If reunification services have not been previously terminated, the progress of each parent or legal guardian toward participating in case plan service activities and meeting the case plan goals developed to resolve his or her issues that were identified and contributed to the child's removal from his or her custody.
3. The current ability of each parent or legal guardian to provide the care, custody, supervision, and support the child requires in a safe and healthy environment.
4. For a child previously determined to be a dual status child for whom juvenile court jurisdiction as a dependent was suspended under section 241.1(e)(5)(A), a joint assessment by the probation department and the child welfare services agency under section 366.5 regarding the detriment, if any, to the child of a return to the home of his or her parents or legal guardian and a recommendation on the resumption of dependency jurisdiction. The facts in support of the opinions expressed and the recommendations made must be included in the joint assessment section of the report. If the probation department and the child welfare services agency do not agree, the child welfare services agency must file a separate report with facts in support of its opinions and recommendations.
5. For a child previously determined to be a dual status child for whom the probation department was designated the lead agency under section 241.1(e)(5)(B), the detriment, if any, to the child of a return to the home of his or her parents or legal guardian and the probation officer's recommendation regarding the modification of the court's jurisdiction over the child from that of a dual status child to that of a dependent under section 300 and the facts in support of the opinion expressed and the recommendation made.
6. For a child other than a dual status child, the probation officer's recommendation regarding the modification of the juvenile court's jurisdiction over the child from that of a ward under section 601 or 602 to that of a dependent under section 300 or to that of a transition dependent under section 450 and the facts in support of his or her recommendation.

There are additional requirements for the following hearings:

- the last review hearing before a child turns 18;
- any review hearing for a child more than 17 years, 5 months and less than 18 when a recommendation to terminate jurisdiction will be considered; and
- any hearing to terminate jurisdiction over a child more than 17 years, 5 months and less than 18 who is subject to an order for foster care placement.

In addition to complying with the report requirements set forth above, the report prepared by the probation officer must include:

1. The child's plans to remain under juvenile court jurisdiction as a nonminor dependent including the criteria in section 11403(b) that he or she plans to meet;
2. The efforts made by the probation officer to help the child meet one or more of the criteria in section 11403(b);

3. For an Indian child, his or her plans to continue to be considered an Indian child for the purposes of the ongoing application of the Indian Child Welfare Act to him or her as a nonminor dependent;
4. Whether the child has applied for and, if so, the status of any in-progress application pending for title XVI Supplemental Security Income benefits and, if such an application is pending, whether it is in the child's best interest to continue juvenile court jurisdiction until a final decision has been issued to ensure that the child receives continued assistance with the application process;
5. Whether the child has an in-progress application pending for Special Immigrant Juvenile Status or other applicable application for legal residency and whether an active juvenile court case is required for that application;
6. The efforts made by the probation officer toward providing the child with the written information, documents, and services described in section 391 and, to the extent that the child has not yet been provided with them, the barriers to providing the information, documents or services and the steps that will be taken to overcome those barriers by the date the child attains 18 years of age;
7. When and how the child was informed that upon reaching 18 years of age he or she may request the dismissal of juvenile court jurisdiction over him or her under section 778;
8. When and how the child was provided with information regarding the potential benefits of remaining under juvenile court jurisdiction as a nonminor dependent and the probation officer's assessment of the child's understanding of those benefits; and
9. When and how the child was informed that if juvenile court jurisdiction is terminated after he or she attains 18 years of age, he or she has the right to file a request to return to foster care and have the juvenile court assume or resume transition jurisdiction over him or her as a nonminor dependent.

The probation officer must also submit the child's Transitional Independent Living Case Plan (TILCP) which must include (1) the individualized plan for the child to satisfy one or more of the criteria in section 11403(b) and the child's anticipated placement as specified in section 11402, and (2) the child's alternate plan for his or her transition to independence, including housing, education, employment, and a support system in the event the child does not remain under juvenile court jurisdiction after attaining 18 years of age.

NMD Status Review (Rule 5.903)

A status review hearing for an NMD must occur at least once every six months. The probation officer must submit a report to the court that includes information regarding:

1. The continuing necessity for the NMD's placement and the facts supporting the conclusion reached;
2. The appropriateness of the NMD's current foster-care placement;
3. The NMD's plans to remain under juvenile court jurisdiction, including the section 11403(b) eligibility criteria that he or she meets for status as an NMD;

4. The efforts made by the probation officer to help the nonminor meet the section 11403(b) eligibility criteria for status as an NMD;
5. Verification that the NMD was provided with the information, documents, and services as required under section 391(e);
6. How and when the TILCP was developed, including the nature and extent of the NMD's participation in its development, and for the NMD who has elected to have ICWA continue to apply, the extent of consultation with the tribal representative;
7. The efforts made by the probation officer to comply with the NMD's TILCP, including efforts to finalize the permanent plan and prepare him or her for independence;
8. Progress made toward meeting the TILCP goals and the need for any modifications to help the NMD attain the goals;
9. The efforts made by the probation officer to maintain relationships between the NMD and individuals who are important to him or her, including the efforts made to establish and maintain relationships with caring and committed adults who can serve as a lifelong connection; and
10. The efforts made by the probation officer to establish or maintain the NMD's relationship with his or her siblings who are under the juvenile court's jurisdiction as required in section 366(a)(1)(D).

The probation officer must also submit with his or her report with the TILCP. At least 10 calendar days before the hearing, the probation officer must file with the court the report prepared for the hearing and the TILCP and provide copies of the report and other documents to the NMD, all attorneys of record, and, for the NMD who has elected to have ICWA apply, the tribal representative.

Termination of Jurisdiction (Rule 5.555)

At any hearing to terminate the jurisdiction of the juvenile court over an NMD or a dependent of the court who is a nonminor and subject to an order for a foster-care placement, in addition to all other statutory and rule requirements applicable to the report prepared for any hearing during which the termination of the court's jurisdiction will be considered, the probation officer must include the following:

1. Whether remaining under juvenile court jurisdiction is in the nonminor's best interests and the facts supporting that conclusion;
2. The specific criteria in section 11403(b) met by the nonminor that make him or her eligible to remain under juvenile court jurisdiction as an NMD;
3. For a child to whom ICWA applies, when and how the nonminor was provided with information about the right to continue to be considered an Indian child for the purposes of applying ICWA to him or her as a nonminor;
4. Whether the nonminor has applied for and, if so, the status of any in-progress application pending for SSI benefits and whether remaining under juvenile court jurisdiction until a final decision has been issued is in the nonminor's best interests;

5. Whether the nonminor has applied for and, if so, the status of any in-progress application pending for SIJS or other application for legal residency and whether an active juvenile court case is required for that application;
6. When and how the nonminor was provided with information about the potential benefits of remaining under juvenile court jurisdiction as an NMD, and the probation officer's assessment of the nonminor's understanding of those benefits;
7. When and how the nonminor was informed that if juvenile court jurisdiction is terminated, the court maintains general jurisdiction over him or her, and the nonminor has the right to file a request to return to foster care and the juvenile court jurisdiction as an NMD until the nonminor's 21st birthday or 20th birthday if the Legislature does not appropriate funding for extended foster care to the age of 21 years;
8. When and how the nonminor was informed that if juvenile transition jurisdiction is continued, he or she has the right to have that jurisdiction terminated;
9. For a nonminor who is not present for the hearing:
 - a. Documentation of the nonminor's statement that the nonminor did not wish to appear in court for the scheduled hearing; or
 - b. Documentation of the reasonable efforts made to locate the nonminor whose current location is unknown; and
10. Verification that the nonminor was provided with the information, documents, and services as required under section 391(e).
11. When and how the nonminor who is under delinquency jurisdiction was provided with the notices and information required under section 607.5

The probation officer must file with the report a completed *Termination of Juvenile Court Jurisdiction—Nonminor* (form JV-365). The probation officer must also file with the report the nonminor's TILCP (when recommending continuation of juvenile court jurisdiction), most recent Transitional Independent Living Plan (TILP), and completed 90-day Transition Plan.

At least 10 calendar days before the hearing, the probation officer must file the report and all documents with the court and must provide copies of the report and other documents to the nonminor, the nonminor's parents, and all attorneys of record. If the nonminor is an NMD, the probation officer is not required to provide copies of the report and other documents to the NMD's parents.

Resumption of Juvenile Court Jurisdiction (Rule 5.906)

At least two court days before the hearing on a nonminor's *Request to Return to Juvenile Court Jurisdiction and Foster Care* (form JV-466), the probation officer or Indian tribal agency case worker must file the report and any supporting documentation with the court and provide a copy to the nonminor and to his or her attorney of record. The probation officer or tribal case worker must submit a report to the court that includes:

1. Confirmation that the nonminor was previously under juvenile court jurisdiction subject to an order for foster-care placement when he or she turned 18 years old, and that on and after January 1, 2012, the nonminor will not have turned 19 years old; or commencing on January 1, 2013, he or she will not have turned 20 years old; or commencing on January 1, 2014, he or she will not have turned 21 years old;
2. The condition or conditions under section 11403(b) that the nonminor intends to satisfy;
3. The probation officer or tribal case worker's opinion about whether continuing in a foster-care placement is in the nonminor's best interests and a recommendation about the resumption of juvenile court jurisdiction over the nonminor as an NMD;
4. Whether the nonminor and the placing agency have entered into a reentry agreement for placement in a supervised setting under the placement and care responsibility of the placing agency;
5. The type of placement recommended if the request to return to juvenile court jurisdiction and foster care is granted; and
6. If the type of placement recommended is in a setting where minor dependents also reside, the results of the background check of the nonminor under section 16504.5.
 - a. The background check under section 16504.5 is required only if a minor dependent resides in the placement under consideration for the nonminor.
 - b. A criminal conviction is not a bar to a return to foster care and the resumption of juvenile court jurisdiction over the nonminor as an NMD.

Conclusion

The California Fostering Connections to Success Act made extensive policy and program changes to improve the well-being of and outcomes for children in the delinquency and foster-care systems. The successful transition of a young person from foster care to independent living is difficult and complex. It must be carefully planned and closely monitored. Thorough court reports are an essential component to this process and can help ensure that the nonminor dependent receives the array of services and support necessary for success.

For more information, please contact:
Juvenile Court Assistance Team
Center for Families, Children & the Courts
Administrative Office of the Courts
455 Golden Gate Avenue
San Francisco, CA 94102-3688
415-865-7644
cfcc@jud.ca.gov

After 18 Program

Summary

The California Fostering Connections to Success Act was signed into law September 30, 2010 through Assembly Bill (AB) 12 and became effective January 1, 2012. The bill and subsequent legislation allowed foster care for eligible youth to extend beyond age 18 up to age 21. Eligible foster youth are designated as “non-minor dependents” (NMDs). This legislation also recognized the importance of family and permanency for youth by extending payment benefits and transitional support services for the Adoption Assistance Program (AAP) and the Kinship Guardianship Assistance Payment (Kin-GAP) Program.

Goals and Benefits

- Foster youth will be able to maintain a safety net of support while experiencing independence in a secure and supervised living environment.
- Provides youth extended time as “non-minor dependents” to obtain educational and employment training opportunities which assist youth in becoming better prepared for successful transition into adulthood and self-sufficiency.

Basic Eligibility Requirements

- At the six month hearing prior to youth turning age 18, the social worker/probation officer must have a plan to ensure the youth meet at least ONE of the following participation criteria:
 - 1) Working toward completion of high school or equivalent program (e.g. GED); OR
 - 2) Enrolled in college, community college or a vocational education program; OR
 - 3) Employed at least 80 hours a month; OR
 - 4) Participating in a program designed to assist in gaining employment; OR
 - 5) Unable to do one of the above requirements because of a medical condition.
- Non-minor dependents must sign an agreement to reside in an eligible placement location and agree to work with a social worker/probation officer to meet the goals outlined in their Transitional Independent Living Case Plan.
- Remaining in foster care after age 18 is voluntary. Non-minor dependents can exit at age 18 or at any subsequent time before age 21. Youth who exit at age 18 can re-enter foster care at any time before age 21.
- Tribal youth under county jurisdiction are also eligible to remain in foster care after age 18. Tribes with a Title IV-E agreement with the state or federal government can create their own extended foster care (EFC) program.
- Probation youth who are in a foster care placement are also eligible for EFC. .

Foster Placement Options

- Eligible placement options for youth after age 18 include:
 - 1) Remain in existing home of a relative or NREFM; licensed foster family home; certified foster family agency home; home of a non-related legal guardian whose guardianship was established by the juvenile court); or group home (youth may remain in a group home after age 19 only if the criteria for a medical condition is met and the placement is a short-term transition to an appropriate system of care); or
 - 2) THP-Plus Foster Care (THP+FC) - this program has three models: Host Family where the NMD lives with a caring adult who has been selected and approved by the transitional housing provider; Single Site where the NMD lives in an apartment, condominium or single family dwelling rented or leased by the housing provider with an employee(s) living on site; or

- Remote Site where the NMD lives independently in one of the housing types listed above with regular supervision from the provider; or
- 3) Supervised Independent Living Placement (SILP) - this placement option allows youth to live independently in an apartment, house, condominium, room and board arrangement or college dorm, alone or with a roommate(s), while still receiving the supervision of a social worker/probation officer. The youth may directly receive all or part of the foster care rate pursuant to the mutual agreement.

AAP and Kin-GAP extended benefits after age 18

- For AAP, the initial AAP agreement must have been signed when the child/youth was at least 16-years old.
- For Kin-GAP, the child/youth must have attained 16-years of age before the Kin-GAP negotiated agreement payments commenced.
- Both AAP and KinGap youth must meet at least one of the participation criteria listed above.

Additional information

- Youth who are custodial parents have the same rights to participate in foster care after age 18 as all other youth.
- Youth who are consumers of Regional Center services can continue to receive dual agency and supplemental rates.
- Youth who meet the eligibility requirements to receive SSI (Supplemental Security Income) MAY be eligible to receive both at the same time.

For more information visit: <http://www.cafosteringconnections.org/wp2/>

If you have questions or need additional information please email them to: AB12@dss.ca.gov

Extended Foster Care Information Sheet 4

Findings and Orders Regarding a Nonminor's Request to Reenter Foster Care

Below are the findings and orders required by California Rules of Court, rule 5.906(i) and Welfare and Institutions Code section 388.1 regarding a *Request to Return to Juvenile Court Jurisdiction and Foster Care* (form JV- 466).¹

Court Grants Request

The court has read and considered the social worker's/probation officer's report dated _____.

Findings

For nonminors who were under a foster care placement order at the age of 18

1. Notice was given as required by law;
2. The nonminor was previously under juvenile court jurisdiction subject to an order for foster care placement when he or she attained 18 years of age;
3. The nonminor is under 21 years of age.
4. The nonminor intends to satisfy a condition or conditions under section 11403(b).
5. The condition or conditions under section 11403(b) that the nonminor intends to satisfy are (*Specify all that apply*):
 - ☐ Attending high school or a high school equivalency certificate (GED) program
 - ☐ Attending college, a community college, or a vocational educational program
 - ☐ Attending a program or participating in an that will promote or help remove a barrier to employment
 - ☐ Employed for at least 80 hours per month
 - ☐ The nonminor is not able to attend a high school, GED program, a college, a community college, a vocational education program, an employment program or activity, or to work 80 hours per month due to a medical condition;
6. Continuing in a foster care placement is in the nonminor's best interests;
7. The nonminor and the placing agency have entered into a reentry agreement for placement in a supervised setting under the placement and care responsibility of the placing agency; and
8. *If the nonminor is an Indian child:* The nonminor who is an Indian child chooses to have the Indian Child Welfare Act apply to him or her as a nonminor dependent.

For nonminors who were receiving aid under Kin-Gap after the age of 18 and for nonminors who were receiving adoption assistance payments after the age of 18²

1. Notice was given as required by law
2. The nonminor was a minor under juvenile court jurisdiction at the time of the establishment

¹ Unless otherwise noted, all further statutory references are to the Welfare and Institutions Code and all further rule references are to the California Rules of Court.

² This would include nonminors who were in a guardianship with a nonrelative established in any court at any time, nonminors in a guardianship with a relative established at the age of 16 or older, nonminors adopted at age 16 or older, and relative guardianships established at any age, if the child was receiving funding after the age of 18 because of a disability.

of a guardianship pursuant to section 360, section 366.26 or section 728(d), or he or she was a minor or nonminor dependent when his or her adoption was finalized.

3. a. The nonminor's ☐ guardian or guardians ☐ adoptive parent or parents died after the nonminor attained 18 years of age, but before he or she attained 21 years of age. OR
b. The nonminor's ☐ guardian or guardians ☐ adoptive parent or parents no longer provide ongoing support to, and no longer receive payment on behalf of, the nonminor
4. The nonminor is under 21 years of age.
4. Reentry and remaining in foster care are in the nonminor's best interest
4. The nonminor intends to satisfy at least one of the conditions described in section 11403(b) and set forth below:
 - a. Attending high school or a high school equivalency certificate (GED) program
 - b. Attending a college, community college, or a vocational education program
 - c. Attending a program or participating in an activity that will promote or help remove a barrier to employment
 - d. Employed for at least 80 hours per month
 - e. The nonminor is not able to attend a high school, GED program, a college, a community college, a vocational education program, an employment program or activity, or to work 80 hours per month due to a medical condition.

Orders

For nonminors who were under a foster care placement order at the age of 18 and for nonminors who were receiving aid under Kin-Gap after the age of 18 and for nonminors who were receiving adoption assistance payments after the age of 18

1. The court grants the request to resume jurisdiction, and juvenile court jurisdiction shall resume over the nonminor as a nonminor dependent;
2. Placement and care are vested with the placing agency;
3. The placing agency must develop with the nonminor a new Transitional Independent Living Case Plan and file it with the court within 60 days;
4. For a nonminor who is an Indian child and who chooses to have the Indian Child Welfare Act apply to him or her as a nonminor dependent and who is not under the supervision of a tribal case worker, the social worker or probation officer must consult with the tribal representative regarding a new Transitional Independent Living Case Plan;
5. A nonminor dependent review hearing under rule 5.903 is set for (*specify a date that is within six months of the date the VRA was signed*): ____/____/____. and
6. The prior order appointing for the minor is continued and that attorney is appointed until the jurisdiction of the juvenile court is terminated.

Court denies request

If the court finds that the nonminor comes within the eligible age range, and also finds one of the following:

- The nonminor does not intend to satisfy at least one of the conditions under section 11403(b)
- The nonminor and the placing agency have not entered into a reentry agreement
- The nonminor is not eligible to receive aid under Kin-Gap or adoption assistance payments until the age of 21.

- The guardian or adoptive parent is providing support to the nonminor
- The petition is lacking evidence of the death of a guardian or adoptive parent

The following orders are entered:

1. The nonminor's request to return to foster care is denied. The request is denied because *(specify the reasons for denial)*:
2. The nonminor may file a new request when the circumstances change.
3. The order appointing an attorney to represent the nonminor is terminated and the attorney is relieved as of (specify date seven calendar days after the hearing): __/__/__

If the court finds that the nonminor 21 years of age or older, the following orders are entered:

1. The request to have juvenile court jurisdiction resumed is denied; and
2. The order appointing an attorney to represent the nonminor is terminated and the attorney is relieved as of (specify date seven calendar days after the hearing): __/__/__

Findings and orders: Service

The written findings and orders must be served by the juvenile court clerk on all persons who were served with notice of the hearing.

1. Service must be by personal service or first-class mail within three court days of the issuance of the order.
2. Proof of service must be filed.

Date

Signature

This Information Sheet is based on laws in effect in January 2015. Federal and state laws can change at any time. The Information Sheet was drafted by the Judicial Resources and Technical Assistance project of the Judicial Council's Center for Families, Children & the Courts, 455 Golden Gate Avenue, San Francisco, California 94102, 415-865-7644.

SUPERVISED INDEPENDENT LIVING PLACEMENT (SILP) APPROVAL AND PLACEMENT AGREEMENT

NAME:	CASE #:	DATE OF PLACEMENT:	
STREET ADDRESS:	CITY:	STATE:	ZIP CODE:

SECTION A: SILP PLACEMENT TYPE (Please check the option that best describes the young adult's placement.)

- ☐ Apartment rental
- ☐ Apartment Rental (young adult on lease, living alone)
- ☐ Lease

Is youth on lease? ☐ Yes ☐ No

If applicable, who else is on the lease?

☐ Month-to-month

- ☐ Room rental
- From: _____

Relationship to youth:

- ☐ Single room occupancy hotel (SRO)

Housing exempt from Checklist of Health and Safety Standards as listed on the SOC 157B (case worker still completes the SOC 157A and B forms):

- ☐ University/College approved housing
- ☐ Tribal SILP
- ☐ Job Corps/AmeriCorps/California Conservation Corps (circle which one) (if living in onsite housing)
- ☐ Adult residential treatment facility (ARTF) Type: _____
- ☐ Sober living arrangement/home (SLA/SLH)
- ☐ Other: _____

Youth lives: (can check more than one)

- ☐ Alone

With:

- ☐ Parent ☐ Friend(s)
- ☐ Family member(s) ☐ Stranger(s)
- ☐ NREFM(s) ☐ Landlord(s)
- ☐ Co-parent
- ☐ Other: _____

Youth lives with a Support Person (someone who is providing training and/or support to the youth in one or more areas, such as budgeting):

- ☐ Yes ☐ No

If yes, who: _____

Relationship to youth: _____

- ☐ NMD has been advised on how to negotiate a shared living agreement with their support person, roommate, etc.
- ☐ NMD agrees to inform case manager of any roommate changes. An update to this form is not necessary unless loss of a roommate(s) means NMD won't be able to cover the rent. In that case, a new living arrangement should be made.

SECTION B: SILP READINESS

- ☐ Annual SILP re-assessment - no readiness assessment needed
- ☐ NMD living in exempt housing as indicated above – no readiness assessment needed
- ☐ Based on the readiness assessment, for this proposed SILP, NMD is:
- ☐ Ready for the proposed SILP
- ☐ Ready for the proposed SILP with assistance from the support person listed in Section 1
- ☐ Not ready for the proposed SILP - the NMD's TILP will be updated to include goals to assist the NMD in becoming ready for a SILP

A new readiness assessment will be completed in _____ months

SIGNATURE OF SOCIAL WORKER/PROBATIONS OFFICER:	DATE:
--	-------

- ☐ I agree with the SILP Readiness Assessment ☐ I disagree with the SILP Readiness Assessment ☐ No readiness assessment needed.

SIGNATURE OF YOUNG ADULT:	DATE:
---------------------------	-------



IF YOUNG ADULT HAS BEEN ASSESSED AS NOT READY FOR SILP AT THIS TIME - GO TO SECTION H

SECTION C: PARENT WITH INFANT SUPPLEMENT?

☐ YES ☐ NO # of children: _____ Ages: _____

SECTION D: PARENT HAS A PARENTING SUPPORT PLAN IN EFFECT?

☐ YES ☐ NO

If yes: Name of parenting support mentor _____ and Relationship to NMD _____.

SECTION E: PAYMENT

Payment of \$ _____ will be made monthly to: ☐ NMD ☐ Designated payee

PAYEE NAME:

MAILING ADDRESS OF PAYEE:

CITY:

STATE:

ZIP CODE:

SECTION F: REPORTING

NMD agrees to report change of address/departure from SILP to the case manager immediately; NMD understands that each new SILP requires a new approval, including on-site inspection if required. NMD understands that not reporting a move and living in an unapproved SILP will result in loss of payment for the days living in an unapproved SILP.

SECTION G: HEALTH AND SAFETY INSPECTION

- ☐ The SILP has been assessed as meeting the core health and safety standards.
- ☐ The SILP has been assessed as meeting some of the core health and safety standards but has a deficiency in one or more areas. A corrective action plan (CAP) has been established to address the deficient area(s) allowing the SILP to be approved while the CAP is completed.
- ☐ The SILP has been assessed as not meeting the core health and safety standards.

SECTION H: APPROVAL

- ☐ The proposed SILP has been approved.
- ☐ The proposed SILP has not been approved.

SECTION I: APPEAL PROCESS

- ☐ If the SILP was not approved, the NMD has been informed of their right to appeal and has received a copy of the appeal procedures.

SECTION J: SIGNATURES

SW/PO NAME:

DATE:

SIGNATURE:

NMD NAME:

DATE:

SIGNATURE:

Copies to: ☐ NMD ☐ SW/PO case file ☐ Foster Care EW

Guidelines for a Shared Living Agreement

The guidelines in this document outline a Shared Living Agreement as a basis for a written understanding between the caregiver and non-minor dependent youth on an array of expectations for placement in a household. It is broad in scope, covering many aspects of shared daily living; however each agreement will be individualized, reflecting the specific values, concerns and personalities of the caregiver and non-minor dependent who is now an adult. The agreement should aid in the creation and maintenance of a successful placement, which supports non-minor dependent youth's continued transition to independent adulthood. Since individuals and circumstances change, the agreement will be renegotiated and updated, as needed and appropriate.

GUIDELINE TOPICS:

These topics have been developed to assist in the completion of a meaningful SLA. Although the caregiver and NMD should discuss and agree upon the expectations, rights and/or responsibilities for each of the categories listed (i.e. Household Rules and Customs), the sublist under each category is intended to be a prompt only for discussion purposes. There is no need to reach agreement as to each item (for example, not every SLA will include an item about shared meals or holiday celebrations, or a curfew for NMD). In addition, young adults and providers should also address any additional issues not included in the checklist that are important to their situation.

NOTE: If the placement or household is currently licensed or approved facility where minor dependents are residing, all licensing rules remain in effect and must be followed. Nothing in this agreement can supersede or impinge on the licensing or approval standards that apply to the minor dependents living in the home.

NOTE: If you are a parenting NMD, you should complete the Shared Responsibility Plan.

Mentoring/Skills/Interests

May include:

- Interests of NMD
- Areas NMD wants to gain skills or resources
- Strengths of NMD and the provider
- Areas of shared interests

Household Agreements and Customs

May include:

- Check in/curfew/communication on schedules and vacations
- Noise (i.e. loud music)

- Language (i.e. swearing, name calling)
- Cigarette smoking
- Guests in the house/appropriate visiting times (including overnight)/parties
- Shared items, including use of car
- Shared space
- Expectations regarding meals together, holidays, and other joint activities
- Television/computer/video games
- Furnishing/decorating
- Privacy for both caregiver and NMD
- House meetings/periodic check-ins

Health and Safety Concerns:

May include:

- Sharing information on medications in case of emergency
- Sharing information on allergies (to foods or medications)

Household Chores and Responsibilities

May include:

- Individual and/or Shared Chores: (i.e. cleaning, cooking, dishes, laundry, shopping, yard work, routine maintenance, care of pets, repair or replacement of broken/damaged items)

Attendance and Performance at School and or Work

May include:

- Periodic check-in regarding school/work including schedules and progress made
- Tutoring and any other assistance needed in meeting school/work goals

Financial

May include:

- Shared allocation of foster care benefit, specifying caregivers and NMD's allotment
- Financial responsibility for particular items/bills/expenses
- Monthly allowance or stipend/monitored or unmonitored by caregiver

Drugs and Alcohol

May include:

- Clarity on response/consequences for drug and alcohol use both in and out of home (for ex., NMD expected to attend counseling for repeated use)

Conflict Resolution

May include:

- The NMD and caregiver meeting individually and/or together with a County Social Worker
- The NMD and caregiver meeting individually and/or together with a Case Manager
- The NMD and caregiver meeting individually and/or together with an outside counselor
- Written plan for resolving conflict/consequences for violations of agreement

SHARED LIVING AGREEMENT TEMPLATE

- Shared Living Agreements (SLAs) are not required, but are considered a best practice for young adults residing with caregivers, former caregivers or other adult permanent connections. SLAs can be useful both for traditional placements (foster family homes, relative caregiver placements, etc.) and the Supervised Independent Living Placement (SILP). *Note: If young adult is a parent of a minor that will be residing in the home, young adult and caregiver should also complete a Shared Responsibility Plan.*
- This particular tool contains the basic components of an SLA, however **each agreement should be individualized**, reflecting the specific values, concerns and personalities of the caregiver and non-minor. The agreement should aid in the creation and maintenance of a successful placement, which supports the young adult's continued transition to independent adulthood. Since individuals and circumstances change, the agreement should be periodically renegotiated and updated, as needed and appropriate.
- An electronic version of this tool can be downloaded at www.cafosteringconnections.org.

SOCIAL WORKER OR PROBATION OFFICER MAY PROVIDE GUIDANCE TO ASSIST CAREGIVER AND YOUNG ADULT WITH COMPLETING SLA, OR YOUNG ADULT AND CAREGIVER MAY CHOOSE TO COMPLETE SLA ON THEIR OWN.

Section 1: Mentoring/Skills/Interests

Areas in which young adult wants to gain skills/resources:	Caregiver plan to provide assistance (<i>may include referrals to other resources</i>):

Section 2: Health and Safety Concerns

Is there anything regarding medication or health that the caregiver needs to know about the young adult in case of an emergency (including allergies to foods or medications)?

--

Is there anything regarding medication or health that the young adult needs to know about caregiver in case of an emergency (including allergies to foods and medications)?

--

Section 3: Household Agreements and Customs

Each category below should be discussed if applicable. The questions in each box are designed as a guide for each conversation. The empty box below each section can be used to record what is decided upon. There are blank sections at the bottom to add additional topics of discussion.

Check-in / curfew / schedules :	How often do young adult & caregiver need to check in with one another?	Does young adult have a curfew? If yes, what is it and does it vary on the weekends?	How will communication take place about schedules, including when the young adult or caregiver will be away overnight?
Agreement:			
Noise:	Is there a noise curfew?	What volume is appropriate for music or television?	Other discussion?
Agreement:			
Language:	Is swearing allowed?	Are certain forms of language off-limits (e.g. name calling)	Other discussion?
Agreement:			
Cigarette smoking:	Is smoking allowed inside?	Is smoking allowed near or around house?	Other discussion?
Agreement:			
Guests:	Is young adult allowed to have daytime guests? Of either gender? During what hours?	Is young adult allowed to have overnight guests? Of either gender? Where will they be expected to sleep?	Is young adult allowed to have small gatherings of a group of guests? How many at once? Is young adult allowed to have parties?
Agreement:			
Shared items:	Is young adult allowed to use caregiver's car (if applicable)? Rules?	Discussion about use of kitchen appliances, laundry facilities, etc.?	What are the consequences for breaking or damaging items?
Agreement:			

Shared space:	Will young adult and caregiver be sharing a bathroom? Shower schedule?	Is there a curfew for using the kitchen?	What level of cleanliness is agreed upon for shared space?
Agreement:			
Shared activities:	Will young adult and caregiver have meals together? If so, how often?	Will young adult and caregiver be spending holidays together?	Other joint activities?
Agreement:			
TV / computer / video games:	Are there rules about when TV can be on?	Are there any rules around use of shared computers?	Are there rules about playing video games?
Agreement:			
Furnishing / decorating:	Are there any restrictions on decoration of the young adult's bedroom?	Can young adult add to furnishing or decorations in common areas?	e.g. painting walls, hanging things, waterbeds, etc.
Agreement:			
Privacy:	Privacy requests on behalf of young adult?	Privacy requests on behalf of caregiver?	e.g. "knock before entering room", "please do not enter room while I'm not home"
Agreement:			
Regular communication:	How will young adult and caregiver regularly communicate? House meeting?		Other discussion?
Agreement:			
Other areas of discussion:			
Other areas of discussion:			

Section 4: Household Chores and Responsibilities

Household chore/responsibility: (e.g. doing dishes, cooking, laundry, grocery shopping, yard work, pet care)	Who is responsible: (e.g. “young adult”, “caregiver”, “we’ll switch off”, “each responsible for own”)	When/how often: (e.g. “monthly”, “weekly”, “as needed”)

Section 5: Attendance and Performance at School and or Work

Does caregiver have expectations for young adult’s school or work, including performance and schedule?

--

Does young adult desire/need tutoring or any other type of assistance in meeting school or work goals?

--

Section 6: Financial

Who is directly receiving foster care benefit? ☐ NMD ☐ Caregiver ☐ Other _____

Is young adult paying rent? ☐ Yes ☐ No Rent amount: \$_____

Is young adult paying any bills (or portions of)? ☐ Yes (list below) ☐ No

List bills:	Approx. amount:	Notes:
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____

If benefit is going directly to NMD, how will caregiver receive his/her monthly rent/bills?

If benefit is going directly to caregiver, how will young adult receive monthly spending money, and how much?

Section 7: Drugs and Alcohol

What are caregiver's expectations regarding alcohol and drug use (both in and out of the home)?

What are the consequences for violation of these expectations?

Section 8: Conflict Resolution

Should a disagreement occur, what is the first step caregiver and young adult wish to take to resolve? (e.g. caregiver and young adult discuss conflict)

Should step one fail to resolve conflict, what is the second step caregiver and young adult wish to take to resolve? (e.g. young adult and caregiver meet individually and/or together with social worker/probation officer /case manager/outside counselor)

How will violations of this agreement be addressed?

Date which agreement will be reviewed and/or modified: _____

Other notes:

Non-Minor Dependent Name: _____

Date: _____ **Signature:** _____

Caretaker Name: _____

Date: _____ **Signature:** _____

Juvenile California Rules of Court can be found at:
<http://www.courts.ca.gov/cms/rules/index.cfm?title=five>

Juvenile Judicial Council Forms can be found at:
<http://www.courts.ca.gov/forms.htm?filter=JV>

Rule Number	Title
5.502	Definitions and Terms of Use
5.555	Hearing to consider termination of juvenile court jurisdiction over a nonminor-dependents or wards of the juvenile court in a foster care placement and nonminor dependents (§§ 224.1(b), 303, 366.31, 391, 452, 607.3, 16501.1(f)(16))
5.812	Additional requirements for any hearing to terminate jurisdiction over child in foster care and for status review hearing for a child approaching age of majority (§§450, 451, 727.2(i)-(j), 778)
5.813	Modification to transition jurisdiction for a ward older than 18 years and younger than 21 years of age (§§450, 451)
5.814	Modification to transition jurisdiction for a ward older than 17 years, 5 months of age and younger than 18 years of age (§§450, 451)
5.900	Nonminor dependent-preliminary provisions (§§224.1(b), 303, 366, 366.3, 388, 391, 607(a))
5.903	Nonminor dependent status review hearing (§§225.1(b), 295, 366.1, 366.3, 366.31)
5.906	Request by nonminor for the juvenile court to resume jurisdiction (§§224.1(b), 303, 388(e))

Form Number	Title
365	Termination of Juvenile Court Jurisdiction - Nonminor
367	Findings and Orders After Hearing to Consider Termination of Juvenile Court Jurisdiction Over a Nonminor
460	Attachment: Additional Findings and Orders For Child Approaching Majority—Dependency
462*	Findings and Orders After Nonminor Dependent Status Review Hearing
464-INFO*	How to Ask to Return to Juvenile Court Jurisdiction and Foster Care
466*	Request to Return to Juvenile Court Jurisdiction and Foster Care
468*	Confidential Information—Request to Return to Juvenile Court Jurisdiction and Foster Care
470	Findings and Orders Regarding Prima Facie Showing on Nonminor's Request to Reenter Foster Care
472	Findings and Order After Hearing to Consider Nonminor's Request to Reenter Foster Care

475	Agreement of Adoption of Nonminor Dependent
477	Consent of Spouse or Registered Partner to Adoption of Nonminor Dependent
479	Order of Adoption of Nonminor Dependent
680	Findings and Orders for Child Approaching Majority—Delinquency
681	Attachment: Hearing For Dismissal—Additional Findings And Orders—Foster Care Placement—Delinquency
682	Findings and Orders After Hearing to Modify Delinquency Jurisdiction to Transition Jurisdiction for Child Younger Than 18 Years of Age
683	Findings and Orders After Hearing to Modify Delinquency Jurisdiction to Transition Jurisdiction for Ward Older Than 18 Years of Age

*= mandatory form

TRANSITIONAL INDEPENDENT LIVING CASE PLAN

Name of Nonminor
Dependent

Date of Birth

Age

Sex

Court Number

CASE PLAN GOAL

Case Plan Goal

Independent Living

Projected Completion
Date

Projected Date for Termination of Placement/
Probation Services

HOUSING

My current living situation is:

- ☐ Approved home of a relative ☐ Approved home of a NREFM ☐ Licensed foster home
☐ FFA ☐ Nonrelated legal guardian ☐ Group home placement ☐ THP Plus Foster Care
☐ With minor children ☐ Homeless ☐ Shelter ☐ Section 8 voucher
☐ Other (specify):
☐ SILP: ☐ An apartment ☐ Room and board arrangement ☐ Roommate ☐ College dorm

I am currently on the transitional housing plus foster care waiting list: ☐ YES ☐ NO

I am currently on the Section 8 voucher waiting list: ☐ YES ☐ NO

GOAL:

EDUCATION:

Schooling completed:

☐ Up through 11th grade ☐ Up through 12th grade ☐ High school diploma

☐ GED ☐ Vocational education ☐ Community college

☐ 4 year college/university

Current schooling:

☐ High school ☐ GED courses ☐ Vocational education

☐ Community college ☐ 4 year college/university

Name of school/address:

Course of study for college:

Enrolled in how many classes/units:

GOAL:

EMPLOYMENT

Paid work experience:

Start Date: Place of employment:

Job Title:

Supervisor/Contact person:

Hours per week worked:

Unpaid work experience/volunteer work:

Start Date: Place of employment:

Supervisor/Contact Person:

Hours per week:

Job title:

GOAL:

BARRIERS TO EMPLOYMENT

Program or activity designed to promote or remove barriers to employment:

Start Date:

Name of program/activity:

Estimated End Date:
Supervisor/Contact Person:
Hours per week:

GOAL:

INCAPABLE DUE TO A MEDICAL CONDITION

Medical condition:
Health care provider who provided documentation:
Name/address/phone number:
Explanation: (The reason NMD is unable to work or attend school):

GOAL:

PERMANENT/LIFELONG CONNECTIONS

Relationship	Name	Contact Number

GOAL:

HEALTH COVERAGE

- ☐ I currently have medical coverage. Provider:
☐ I currently have dental coverage. Provider:
☐ I currently have vision coverage. Provider:

GOAL:

PROBATION OFFICER/NONMINOR DEPENDENT CONTACT

The probation officer and the nonminor dependent will have monthly face to face contact.

NONMINOR DEPENDENT RESPONSIBILITIES

The nonminor dependent will:

- Meet with the probation officer on a monthly basis.
- Attend a court hearing every six (6) months.
- Sign a mutual placement agreement.
- Agree to work with the probation officer to meet the goal of this case plan.

PROBATION OFFICER RESPONSIBILITIES

The probation officer will:

- Meet with the nonminor dependent on a monthly basis.
- Work with the nonminor dependent to meet the goals of this case plan.
- Provide the nonminor dependent referrals/resources.

ACKNOWLEDGEMENT

IN SIGNING THIS CASE PLAN, I ACKNOWLEDGE THAT I:

- Participated in the case plan development.
- Agreed to participate in the services outlined in this case plan
- Received copy of this case plan

(Nonminor Dependent's Signature)

(Date)

(Probation Officer's Signature)

Phone Number

(Date)

(Supervisor's Signature)

Phone Number

(Date)

TRANSITIONAL INDEPENDENT LIVING PLAN & AGREEMENT

Youth: _____ Date of Birth: _____ Age: _____ Ethnicity: _____

Address: _____

Instructions To Youth: The purpose of this agreement is to capture the goals you are agreeing to achieve over the next 6 months. It is a good organizing tool to help you stay focused and keep track of your progress toward accomplishing each goal. Your Social Worker/Probation Officer and caregiver will also have copies of this agreement and will help you achieve your goals.

Instructions to Caregiver: You are agreeing to assist the youth in the development of their ILP goals and to support the youth in completing the activities.

Instructions to Social Worker/Probation Officer: You are agreeing to assist the youth and the caregiver in completing this form, and develop Planned Services that will assist the youth in meeting his/her goals. Document the Planned Services and Delivered Services in CWS/CMS. Probation officers: use manual documentation procedures.

Service goals and activities to be addressed in the plan:

Goals are individualized based on your assessment and may include examples such as:

- develop a life-long connection to a supportive adult
- graduate from high school
- obtain a part-time job
- invest savings from part-time job
- develop community connections
- obtain a scholarship to attend college
- develop competency in the life skill of _____

Activities are individualized to help meet a specific goal. Example – if high school graduation is a goal, the youth directed activity might be to attend classes regularly with no tardies for the next 6 months.

For youth participating in ILP services, activities are reportable as ILP Delivered Services in CMS. The social worker shall select from one or more of the following ILP Service Types that an individualized completed activity fits in:

- | | |
|--------------------------------------|---|
| • Received ILP Needs Assessment | • ILP Room and Board Financial Assistance |
| • ILP Mentoring | • ILP Transitional Housing, THP, THP Plus |
| • ILP Education | • ILP Home Management |
| • ILP Education Post Secondary | • ILP Time Management |
| • ILP Education Financial Assistance | • ILP Parenting Skills |
| • ILP Career/Job Guidance | • ILP Interpersonal/Social Skills |
| • ILP Employment/Vocational Training | • ILP Financial Assistance Other |
| • ILP Money Management | • ILP Transportation |
| • ILP Consumer Skills | • ILP Other (Stipends/Incentives) |
| • ILP Health Care | |

- ☐ I understand that if I am employed as part of this plan, my earned income will be disregarded, as the purpose of my employment is to gain knowledge of needed work skills, habits and responsibilities to maintain employment. (WIC 11008.15)
- ☐ I understand that I can retain cash savings up to \$10,000 under this plan in an insured savings account and any withdrawal requires the written approval of my social worker/probation officer and must be used for purposes directly related to my transitional goals. (WIC 11155.5)
- ☐ I understand that I will receive assistance to obtain my personal documents and information about financial aid for postsecondary education/training. (WIC 16001.9)

Youth: _____ Date of Birth: _____ Age: _____ Ethnicity: _____

Case Worker Name: _____ Case Worker Phone: _____

TILP 6-month timeline: _____ to _____. Date Independent Living Needs Assessment completed: _____.

☐ If I have not participated in the ILP program before, I agree to participate now.☐ Based on the assessment of my level of functioning, the following transitional goals and activities meet my current needs.

Goal	Activity	Responsible Parties	Planned Completion Date	Progress Date
Goal #1:				<input type="checkbox"/> Met Goal Date: _____ <input type="checkbox"/> Satisfactory Progress. <input type="checkbox"/> Needs more time/assistance. <input type="checkbox"/> Goal needs modification.
Goal #2:				<input type="checkbox"/> Met Goal Date: _____ <input type="checkbox"/> Satisfactory Progress. <input type="checkbox"/> Needs more time/assistance. <input type="checkbox"/> Goal needs modification.
Goal #3:				<input type="checkbox"/> Met Goal Date: _____ <input type="checkbox"/> Satisfactory Progress. <input type="checkbox"/> Needs more time/assistance. <input type="checkbox"/> Goal needs modification.
Goal #4:				<input type="checkbox"/> Met Goal Date: _____ <input type="checkbox"/> Satisfactory Progress. <input type="checkbox"/> Needs more time/assistance. <input type="checkbox"/> Goal needs modification.

Goal	Activity	Responsible Parties	Planned Completion Date	Progress Date
Goal #5:				<input type="checkbox"/> Met Goal Date: _____ <input type="checkbox"/> Satisfactory Progress. <input type="checkbox"/> Needs more time/assistance. <input type="checkbox"/> Goal needs modification.
Goal #6:				<input type="checkbox"/> Met Goal Date: _____ <input type="checkbox"/> Satisfactory Progress. <input type="checkbox"/> Needs more time/assistance. <input type="checkbox"/> Goal needs modification.
Goal #7:				<input type="checkbox"/> Met Goal Date: _____ <input type="checkbox"/> Satisfactory Progress. <input type="checkbox"/> Needs more time/assistance. <input type="checkbox"/> Goal needs modification.

This Agreement will be updated on: _____ Update #: _____

Signing this agreement means we will all work to complete the steps necessary to help the youth reach his/her goals.

Youth's Signature

Date

Caregiver's Signature

Date

Social Worker/Probation Officer Signature

Date

Voter Registration Info:

Secretary of State Voter Registration

Secretary of State Voter Information Contact

Copies to:

Youth, Caregiver,
Case File, ILP

PPH Reports & NMD Reviews			
Under 15.5			
Which report # is this for the youth?	Report Type	Case Plan	Orders
1	Pre-PPH	Case Plan Only	JV-672
2	PPH	Case Plan Only	JV-674
3	PPH/POST - Which report used is based on whether "family reunification" was continued on the previous report. If continued do another PPH, if terminated do a Post-PPH.		
4+	Post-PPH	Case Plan Only	JV-678
Over 15.5 & Under 17.5			
Which report # is this for the youth?	Report Type	Case Plan & TILP	Orders
1	Pre-PPH	Case Plan & TILP	JV-672
2	PPH	Case Plan & TILP	JV-674
3	PPH/POST - Which report used is based on whether "family reunification" was continued on the previous report. If continued do another PPH, if terminated do a Post-PPH.		
4+	Post-PPH	Case Plan & TILP	JV-678
Over 17.5 to 18 (Still a 602 w/placement orders)			
Which report # is this for the youth?	Report Type	Case Plan & TILP	Orders
1	Pre-PPH	Case Plan & TILP	JV-672 JV-680
2	PPH	Case Plan & TILP	JV-674 JV-680
3	PPH/POST - Which report used is based on whether "family reunification" was continued on the previous report. If continued do another PPH, if terminated do a Post-PPH.		
4+	Post-PPH	Case Plan & TILP	JV-678
If transitioning from 602 to 450 - Use additional findings under recommendations in PPH report			

Over 18 (Still a 602 w/placement orders)				
Which report # is this for the youth?	Report Type	Case Plan & TILP	Orders	
1	Pre-PPH	Case Plan & TILP	JV-462	
2	PPH	Case Plan & TILP	JV-462	
3	PPH/POST - Which report used is based on whether "family reunification" was continued on the previous report. If continued do another PPH, if terminated do a Post-PPH.			
4+	Post-PPH	Case Plan & TILP	JV-462	
If transitioning from 602 to 450 - Use additional findings under recommendations in PPH report				
Over 18 (450 - Non Minor Dependant)				
	Report Type	Case Plan & TILP	Orders	
	NMD	TILCP & TILP	JV-462	JV-365 & JV-367 for termination of 450



CDSS

WILL LIGHTBOURNE
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



EDMUND G. BROWN JR.
GOVERNOR

REASON FOR THIS TRANSMITTAL

- ☐ State Law Change
- ☒ Federal Law or Regulation Change
- ☐ Court Order
- ☐ Clarification Requested by One or More Counties
- ☐ Initiated by CDSS

April 28, 2016

ALL COUNTY LETTER NO. 16-15

TO: ALL COUNTY WELFARE DIRECTORS
ALL CHIEF PROBATION OFFICERS
ALL FOSTER CARE MANAGERS
ALL CHILD WELFARE SERVICES PROGRAM MANAGERS
TITLE IV-E AGREEMENT TRIBES
ALL ADMINISTRATIVE LAW JUDGES

SUBJECT: YOUTH WHO ARE MISSING FROM FOSTER CARE

REFERENCE: PUBLIC LAW (PL) 113-183; 42 UNITED STATES CODE SECTION 5772; SENATE BILL (SB) 794; WELFARE AND INSTITUTIONS CODE (WIC) SECTIONS 16501.35, 16501.45 AND 16524.6; ALL COUNTY LETTER (ACL) 15-49; ALL COUNTY INFORMATIONAL NOTICE (ACIN) 1-23-15; AND COUNTY FISCAL LETTER (CFL) 15/16-41.

The purpose of the ACL is to provide instructions regarding the policies and procedures counties are required to develop to locate and respond to youth, dependent or wards, who go missing from foster care.

Background

On September 29, 2014, the President of the United States signed into law the Preventing Sex Trafficking and Strengthening Families Act (PL 113-183) which amended a number of provisions in Titles IV-B and IV-E of the Social Security Act, which authorizes federal foster care programs. Among the many provisions designed to increase the oversight by the child welfare or probation agency of youth receiving child welfare services, as these youth are often the most vulnerable to sexual trafficking and exploitation. The PL 113-183 adds the following:

- Requires the title IV-E agency to demonstrate it has:
 - a) Developed and implemented protocols (i.e. policies and procedures) to locate **any child/Non-Minor Dependent (NMD) who has gone missing from foster care**.
 - b) Specifically, the protocols must include provisions to:
 - I. Locate any child/NMD missing from foster care;

- II. Determine the factors that lead to the child/NMD being absent from foster care and to the extent possible, address those factors in subsequent placements; and
- III. Determine the child's/NMD's experiences while absent from care, including whether the child/NMD is a sex trafficking victim. For any child for who the agency has determined is at risk of or has been a victim of sex trafficking, provide appropriate services.

Consistent with the provisions of PL 113-183 and in consultation with stakeholders, California created statewide standards to locate youth missing from foster care via SB 794 (Chapter 425, Statutes of 2015). Specifically, SB 794 added sections 16501.35 and 16501.45 to WIC. The WIC section 16501.35 addresses the protocols and requires counties to develop and implement policies and procedures to expeditiously locate any child missing from care. The WIC section 16501.45 addresses data collection requirements and will be discussed later in this letter. Effective January 1, 2016, these statutory changes were made to ensure compliance with federal law, as stated above.

Definitions and Scope of Concern

A child or youth missing from foster care is any individual whose whereabouts are unknown to the child welfare agency or probation department. That is, after allowing a reasonable amount of time for the child/youth to return and taking into account the child's age, intelligence, mental functioning, and physical condition, the caregiver, Social Worker (SW) or Probation Officer (PO) simply do not know the child's/NMD's location. Missing children/NMDs may have been abducted by a non-family member, wrongfully taken or detained by a person related to them, wandered away from a safe environment and become lost, run away from a home, foster home, or state care facility, or are otherwise missing from care for any reason. Most youth who run away from care are truly missing. However, there may be instances in which a youth runs away, often an older youth, but his/her whereabouts are known to the SW/PO (e.g. left the approved placement and is with a friend or family member and refuses to return to his/her placement). As the youth has absented himself/herself from care, this youth is to be considered missing from foster care.

PROTOCOL DEVELOPMENT AND REQUIREMENTS

I. Protocol Development

All counties likely have existing policies and protocols related to youth who are missing, have run away, or are otherwise absent from care. Some current policies may differ in reporting requirements by case service component (e.g. Family Maintenance vs. Family Reunification (FR)) or placement type (Non-Related Extended Family Member (NERFM) vs. group home) or counties may have one policy regardless of the case service component or placement type. When developing protocols to comply with the new requirements outlined in this ACL, counties should take into account existing policies, as they may serve as a starting point, but may need to be updated to include new federal requirements codified by SB 794.

The California Department of Social Services (CDSS) encourages counties to include key, child-serving agencies in the development of their policies and procedures required by WIC section 16501.35 and this ACL. The CDSS along with the Federal Administration for Children and Families (ACF) encourages probation and child welfare departments to consult and include runaway and homeless youth providers in the development and subsequent implementation of these protocols, as these providers are uniquely positioned to understand these children's needs and identify effective strategies to engage them (see [ACYF-CB/FYSB-IM-14-1](#)).

Currently, some California counties have dedicated units or dedicated liaisons focused on locating, placing and stabilizing youth through developing rapport and offering alternative service plans for runaway youth. The specialized liaisons can work collaboratively with the case-carrying SW/PO or independently as case-carrying SW/PO to provide more intensive case management interventions in locating and stabilizing this high risk population. A specialized unit/ liaison is designed to provide a more expedient, trained, front line response to youth demonstrating at-risk behavior while allowing these youth to also develop and participate in their own case planning processes while transitioning back into care. In counties with specialized units, these units often have smaller caseloads to provide intensive case management services. In developing protocols, counties should consider the feasibility of implementing dedicated units or dedicated liaisons in the county.

In 2014, SB 855 (Chapter 29, Statutes of 2014) amended the WIC (commencing with section 16524.6) to establish an optional state-funded county Commercially Sexually Exploited Children (CSEC) Program to be administered by CDSS that counties may opt to participate. The CSEC Program was created to effectively serve identified and at-risk CSEC through a coordinated, interagency approach to case management, service planning, and provision of services. To date, 22 counties have Interagency CSEC Protocols for responding to children whom are suspected or confirmed victims of sex trafficking. The law requires that a county opting into the CSEC Program form a Multidisciplinary Team (MDT) to coordinate case management, case planning, and services for CSEC. Members of the MDT work together to complete various activities including reconvening should a triggering event (e.g. running away) occur. Additionally, PL 113-183 requires the development and implementation of policies and procedures for identifying, documenting, and determining appropriate services for children/youth the child welfare or probation departments believe to be the victim of, or is at risk of being the victim of, commercial sexual exploitation. The [ACL 16-08](#) provides information on the required policies and procedures. Counties should take into account the areas of overlap between these two protocols when complying with the new requirements laid-out herein. For more information on the CSEC Interagency Protocol framework, see [ACIN I-23-15](#). General Fund allocation for the federally mandated activities as mandated by PL 113-183 as well as time study and claiming instructions can be found in [CFL 15/16-41](#).

II. Protocol Requirements

The SB 794 requires counties to develop and implement protocols used by county child welfare or probation staff to expeditiously locate any child or NMD missing from care. Protocols must include, but are not limited to, the timeframe for reporting the youth missing,

the individuals or entities entitled to notification that the youth is missing, any required initial and ongoing efforts to locate the youth, and the plan to return the youth to placement. These elements constitute the statewide minimum standards necessary to comply with federal law; counties may add additional local requirements to their protocols in order to suit their local needs.

A. Reporting and Noticing Requirements for a Missing Child

When the caregiver or SW/PO first learns that a child has runaway or is otherwise missing from care, the child should be immediately reported missing to the local law enforcement agency. Policies should clearly identify the reporting responsibilities of both the caregiver and social worker/probation officer (i.e. does the caretaker report the child missing to child welfare services/probation, law enforcement, and when required Community Care Licensing and the SW/PO confirms the reports are made, or does the reporting requirement that of the SW/PO, etc.).

Policies should also address other parties entitled to noticing:

- The youth's parents, attorney, tribal representative, court appointed special advocate (CASA), etc.
- The Court via a request for a protective custody (PC) warrant or bench warrant.
- Foster care eligibility staff regarding the placement change.

Some parties like the child's parents, attorney, and tribal representative should be notified immediately of their missing status. The PC warrant or bench warrant should be filed no later than one business day, upon learning the child was missing from care.

County protocols must include policies that ensure the timely reporting of missing youth to law enforcement. Protocol language that requires the reporting of the missing dependent to be "immediate" or "within two hours" is consistent with "expeditious location".

It is important to note that a separate provision of SB 794 requires counties to immediately or in no case later than 24 hours from receipt of the information, report missing youth to law enforcement. Specifically, when a child or youth who is receiving child welfare services **and** who is reasonably believed to be the victim of, or is at risk of being the victim of, commercial sexual exploitation, as defined in WIC section 11165.1, is missing or has been abducted, the county probation or welfare department *shall immediately, or in no case later than 24-hours from receipt of the information*, report the incident to the appropriate law enforcement authority, who will enter the information into the National Crime Information Center (NCIC) database of the Federal Bureau of Investigation (FBI) and report to the National Center for Missing and Exploited Children (NCMEC). A forthcoming ACL will cover the additional SB 794 cross-reporting requirement mandated in Penal Code section 11166(j-k).

B. Reporting and Noticing Requirements for Missing NMDs

When the caregiver, provider, or SW/PO learns the NMD is in fact missing from care a Missing Person's Report should immediately be filed with the local law enforcement agency. Due to the adult status of the NMD, a PC warrant is not filed on the NMD's behalf. Note that the law assumes that the NMD has been reasonably determined to be in fact missing from care in order for the reporting and noticing requirements to apply. That is, there must be competency issues or a reasonable suspicion the NMD is a victim of harm or foul play.

Policies should also address other parties entitled to noticing:

- The NMD's parents (if receiving FR services), attorney, tribal representative, CASA, the court, etc.
- Foster care eligibility staff regarding the placement change.

Some parties like the NMD's parents (if in FR), attorney, and tribal representative should be notified immediately of their missing status. The court should be notified in a manner consistent with local county practice for NMDs.

The court may elect to terminate dependency for a NMD, if the case manager has documented the efforts to locate the NMD and, at the WIC section 391 hearing, the court finds that reasonable efforts were made to locate the NMD and inform the NMD of his or her options under extended foster care. When terminating dependency, the court maintains general jurisdiction so that the young adult would be eligible to re-enter foster care at a later date, if still under age 21. As mentioned above, if it is suspected the NMD is a victim of harm or foul play (e.g. abducted or held against their will) and not voluntarily absent from care, the SW/PO should confirm that a missing person's report is on file in the Department of Justice (DOJ) Missing and Unidentified Persons System before the dependency is terminated.

C. Provide Due Diligent Searches

In accordance with CDSS, Manual of Policy and Procedures, Division 31-320, the assigned SW/PO, as information is provided but no less frequent than on a monthly basis, must attempt to locate a dependent/ward whose whereabouts are unknown and document location efforts in the Child Welfare Services/Case Management Services (CWS/CMS) in the Contact Notebook. Location efforts should also be documented in each status review report filed during an absence. These efforts to locate a missing child should include, yet not be limited to:

1. Determining the child's whereabouts by contacting significant persons in the child's life (e.g. parents, siblings, relatives, child's best friends, former caregivers, former and current schools and service providers, if applicable);
2. Requesting caregiver and/or parent make inquiries to the above individuals and report back information obtained;
3. Physically checking all the places where the youth is likely to be;
4. Following up on leads received regarding the child's whereabouts;

5. Conducting visits to relevant addresses, or request law enforcement agency conduct a welfare check;
6. When available, consultation with or referral to internal Runaway/Missing Children Liaisons;
7. Searching social media websites (if authorized); and
8. Search of public locator databases {e.g. California Missing Child Clearinghouse, National Center for Missing and Exploited Children, etc.}

When the SW/PO learns the child/NMD has been located, it is the responsibility of the child welfare or probation agency to arrange for the immediate return of the child/youth to care.

To meet the requirements to assess the circumstances of the child when returned, the SW/PO must:

- I. Determine the primary factors that contributed to the child or NMD running away or otherwise being absent from care;
- II. To the extent possible, respond to factors identified for subsequent placements; and
- III. Determine the child's or NMD's experiences while absent from care, including whether the child/NMD is a possible victim of commercial sexual exploitation (CSE).

When a dependent child or NMD returns to the care of the child welfare agency or probation department, the assigned SW/PO, or designee, should meet with the youth as soon as possible to determine the primary factors that contributed to the child/NMD running away/being absent from care. Best practice is to conduct an in-person interview. The interview should occur as soon as possible and no later than three business days after return to care and in a location that is comfortable for the youth and where there is sufficient privacy. Open ended questions should be asked to allow the youth to include more information, attitudes, and true feelings.

The SW/PO shall:

- Assess the immediate needs of the child/NMD.
 - Offer medical care for injuries, illness, or harm experienced while absent from placement (e.g. refer the case to the public health nurse for consultation to rule out injuries, illness, pregnancy, sexual transmitted infections, effects of substance use, etc.).
 - Evaluate need for mental health services, foster youth services, or law enforcement assistance due to victimization/exploitation, exposure to or participation in criminal activity, missing school credits, etc.
- Determine reasons for the youth running away and, when possible, address the identified reasons in subsequent placements.

- Learn of behaviors and activities while missing from foster care, including whether the child or NMD is a possible victim of CSE and where and with whom he or she may have stayed.
- Unless otherwise required by law, the information disclosed by the child/youth should not be used to implicate them in a criminal charge or for any purpose other than tailoring services for the child/youth and to meet reporting requirements. Assess placement and service needs.
 - Determine the need for Team Decision Making meeting or Child and Family Team meeting.
 - With the youth's agreement and in an effort to provide continuity in placement, contact the previous caregiver and determine if there is willingness to have the child/youth returned to his/her home and if it is suitable and safe for the child/youth to do so.
 - If the youth cannot return to his or her previous placement, team with the youth to explore the possibility of placing him or her with a suitable relative, NREFM, licensed foster family home, or other licensed facility that would best meet the youth's needs.
- Explore alternative options to running away from foster care placement, including developing a safety plan, support resources and/or prevention plan.

Note: If it is determined the youth was a victim of or was at risk of being, CSE during his/her absence from care, [ACL 15-49](#) provides instruction on how to properly document within CWS/CMS including when and how to use the existing "Exploitation" abuse category and the new statewide Special Project Codes to capture this information.

Data Collection and Reporting

The PL 113-183 requires states to submit information on children who run away from foster care and their risk of becoming sex trafficking victims. Information to be submitted will include, but not limited to: characteristics of children who runaway, potential factors associated with children running away from care, children's experience while absent from care, and trends in the number of children reported as runaway each fiscal year. The CDSS anticipates further guidance from ACF as to the specifics of reporting requirements for PL 113-183. Upon receipt of said guidance from and pursuant to WIC section 16501.45, the CDSS will request additional information or data necessary to comply with federal reporting requirements.

RESOURCES

National Center for Missing and Exploited Children (NCMEC)

The NCMEC, the leading non-profit organization in the United States providing assistance to law enforcement, social service agencies, and families to find missing children, reduce CSE and prevent child victimization. The NCMEC intakes reports about missing children, younger than 18 years of age, who have run away from a parent, guardian or state care facility. Case management teams within the Critical and Runaway Unit provide technical assistance to law

enforcement and support the runaway's family. Case management teams also partner with law enforcement agencies to help locate runaway children believed to be victimized through child sex trafficking. The case management team will coordinate the creation and dissemination of posters to help generate leads. Information about your child must be entered in the FBI's NCIC so a poster can be created. The case management team will assist in forwarding leads called into NCMEC to the investigating law enforcement agency.

Agencies can report a missing child online or to find additional information at <http://cmfc.missingkids.org/Home>.

The California Missing Children's Clearinghouse (MCCH)

The MCCH maintains a toll-free telephone hotline (1-800-222-FIND) 24-hours-a-day, seven-days-a-week to receive information and inquiries regarding missing children. It relays this information to the appropriate law enforcement agencies. The California MCCH may also be reached at (916) 227-3290 or by email at missing.persons@doj.ca.gov.

The MCCH works closely with the NCMEC to aid in locating children who have been abducted and taken out of California or brought into California. The MCCH publishes and distributes a monthly poster and quarterly bulletin featuring missing children and dependent adults throughout California. The posters and bulletins are distributed to all California police and sheriff's departments, California Highway Patrol offices, district attorneys' offices, public primary and secondary schools, private primary schools, hospitals, state agencies, road side rest stops, other missing children clearinghouses nationwide and other parties determined appropriate by the Department of Justice (DOJ).

Additional Information

There will be a forthcoming ACIN to be issued in 2016, providing additional information and further guidance for counties with regard to developing and implementing these required policies and procedures, including promising practices and tools to engage youth.

If you have any questions or need additional guidance regarding the information in this letter, contact the Child and Youth Permanency Branch at (916) 651-7464 or at concurrentplanningpolicy@dss.ca.gov.

Sincerely,

Original Document Signed By:

GREGORY E. ROSE
Deputy Director
Children and Family Services Division

cc: County Welfare Directors Association
Chief Probation Officers of California
Judicial Council of California

In many cases, the court will seal your juvenile records if you satisfactorily complete probation (formal or informal supervision).

If your case is terminated by the juvenile court after January 1, 2015, because you satisfactorily completed your probation (formal or informal), in many cases the court will have dismissed the petition(s) and sealed your records. If the court sealed your records for this reason, you should have received a copy of the sealing order with this form.

If the court finds you have not satisfactorily completed your probation, it will not dismiss your case and will not seal your records at termination. If you want to have your records sealed in this situation, you will need to ask the court to seal your records at a later date (**see form JV-595-INFO** for information about asking the court to seal your records).

The court will not seal your records if you were found to have committed an offense listed in Welfare and Institutions Code section 707 (b) (these are violent offenses such as murder, rape, or kidnapping, and also some offenses involving drugs or weapons) when you were 14 or older and it was not dismissed or reduced to a lesser offense not listed in 707 (b).

How will the court decide if probation is satisfactorily completed?

If you have done what you were ordered to do while on probation, and have not been found to have committed any further crimes (felonies or any misdemeanors for crimes involving moral turpitude, such as a sex crime or a crime involving dishonesty), the court will find that your probation was satisfactorily completed even if you still owe restitution, court ordered fees, and fines, **BUT...**

Restitution and court fines and fees must still be paid.

Even if your records are sealed, you must still pay your restitution and court-ordered fees and fines. Your sealed records can be looked at to enforce those orders.

Which records will be sealed?

The court will order your court, probation, Department of Justice, and law enforcement agency records sealed for the case the court is closing and if the court determines you are eligible for earlier cases. If you or your attorney ask the court, it can also seal records of other agencies (such as the District Attorney) if it finds that doing so would help you to be rehabilitated.

If you have more than one juvenile case and are unsure which records were sealed, ask your attorney or probation officer.

Who can see your sealed records?

- If your records were sealed by the court at termination, the prosecutor and others can look at your record to determine if you are eligible to participate in a deferred entry of judgment or informal supervision program.
- If you apply for benefits as a nonminor dependent, the court may see your records.
- If a new petition is filed against you for a felony offense, probation can look at what programs you were in but cannot use that information to keep you in juvenile hall or to punish you.
- If the juvenile court finds you have committed a felony, your sealed records can be viewed to decide what disposition (sentence) the court should order.
- If you are arrested for a new offense and the prosecuting attorney asks the court to transfer you to adult court, your record can be reviewed to decide if transfer is appropriate.
- If you are in foster care, child welfare can look at your records to determine where you should live and what services you need.
- If you want to see your records or allow someone else to see them, you can ask the court to unseal them.

NOTE: Even if someone looks at your records in one of these situations, your records will stay sealed and you do not need to ask the court to seal them again.

Do you have to report the offenses in the sealed records on job, school, or other applications?

No. Once your records are sealed, the law treats those offenses as if they did not occur and you do not need to report them. **However**, the military and some federal agencies may not recognize sealing of records and may be aware of your juvenile justice history, even if your records are sealed. If you want to enlist in the military or apply for a job that asks you to provide information about your juvenile records, seek legal advice about this issue.

Can employers see your records if they are not sealed?

Juvenile records are not allowed to be disclosed to most employers, and employers are not allowed to ask about or consider your juvenile history in most cases. There are exceptions to this rule if you are applying to be a peace officer or to work in health settings. Also, federal employers may still have access to your juvenile history. You should seek legal advice if you have questions of what an employer can ask of you.

ATTORNEY OR PARTY WITHOUT ATTORNEY: _____ STATE BAR NO.: _____ NAME: _____ FIRM NAME: _____ STREET ADDRESS: _____ CITY: _____ STATE: _____ ZIP CODE: _____ TELEPHONE NO.: _____ FAX NO.: _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (name): _____	<i>FOR COURT USE ONLY</i>	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____		
CASE NAME: _____		
DISMISSAL AND SEALING OF RECORDS— WELFARE AND INSTITUTIONS CODE SECTION 786		CASE NUMBER: _____

1. Name of subject child: _____ Date of birth: _____
2. a. Date of hearing: _____ Dept.: _____ Room: _____
 b. Judicial officer (name): _____
3. The court has read and considered the report of the probation officer and any other evidence presented or information provided.

THE COURT MAKES THE FOLLOWING FINDINGS AND ORDERS:

4. The child has satisfactorily completed a program of informal supervision, probation under section 725, or a term of probation.
5. The petition(s) filed on (date(s)): _____ is/are dismissed.
6. The child's juvenile records related to the arrest(s) on (date(s)): _____
 regarding an alleged violation of (specify offense(s)): _____
 in the custody of this court and of the courts, agencies, and officials listed below are ordered sealed:
- ☐ Probation Dept. (specify county): _____
- ☐ California Dept. of Justice
- ☐ Law enforcement agency (specify all): _____
☐ Law enforcement case number(s): _____
7. ☐ The court finds that sealing the following additional public agency records will promote the successful reentry and rehabilitation of the subject child and orders the records in their custody relating to petitions and arrests listed in items 5 and 6 sealed:
- ☐ District Attorney (specify county): _____
- ☐ School: _____
- ☐ Department of Motor Vehicles: _____
- ☐ Other (specify): _____
- ☐ Attachment. Number of pages attached: _____

CHILD'S NAME:	CASE NUMBER:
---------------	--------------

8. All records pertaining to the dismissed petition are to be destroyed on the dates stated in this item, and the arrest is deemed never to have occurred except that the prosecuting attorney, probation officer, child welfare agency, and court may access these records for the specific purposes stated in Welfare and Institutions Code section 786.

- a. Date court records must be destroyed:
- b. Date all other records must be destroyed:

9. The clerk shall send a certified copy of this order to the clerk in each county in which a record is ordered sealed and one copy each to the child, the child's attorney, and the agencies and officials listed in items 6 and 7.

Date:



JUDICIAL OFFICER OF THE SUPERIOR COURT

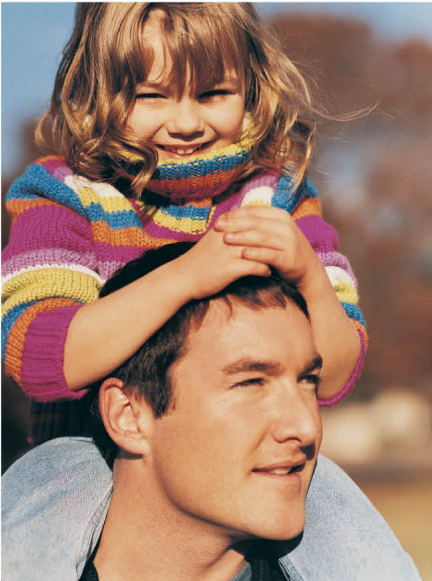
CLERK'S CERTIFICATE

[SEAL]

I certify that the foregoing is a true and correct copy of the original on file in my office.


Date:

Clerk, by _____, Deputy



Module 3

Day 3

<p>California Department of Justice DIVISION OF LAW ENFORCEMENT Larry J. Wallace, Director</p> 	<h1>INFORMATION BULLETIN</h1>	
<p><i>Subject:</i> Probation Officer Obligations for Probation Youth in Foster Care</p>	<p><i>No.</i> DLE-2016-04</p> <p><i>Date:</i> 12/09/2016</p>	<p><i>Contact for information:</i> Michael Newman, Director Bureau of Children's Justice (213) 897-2642</p>

TO: ALL PROBATION DEPARTMENTS

The purpose of this Information Bulletin is to clarify probation officers' legal obligations under existing state and federal laws with respect to foster youth¹ and non-minor dependents ("NMDs")² who come within the jurisdiction of the Probation Department. Probation officers have specific obligations regarding the placement of and services for foster youth and NMDs who are in the probation system. These obligations apply to all foster youth within the jurisdiction of probation, including those "dual status youth" who are both within the jurisdiction of the dependency system (Welf. & Inst. Code, § 300 et seq.) and the delinquency system (Welf. & Inst. Code, § 602 et seq.).³ These foster youth have rights under both Sections 300 et seq. and 602 et seq. of the Welfare and Institutions Code, and probation officers have obligations that include identifying relatives for placement and recommending and implementing least restrictive placements for foster youth within probation.

In this Information Bulletin, the DOJ emphasizes that state law mandates that probation officers must comply with the obligations identified below for foster youth: (a) during the initial determination regarding placement; (b) who need placements where a court has determined a custodial setting is not appropriate; (c) after disposition; and (d) to effectuate the termination of jurisdiction. In addition, while we encourage probation officers to consult and work with other knowledgeable agencies and entities to complete these obligations, the DOJ stresses that probation officers, and not child welfare agencies, are accountable for complying with these obligations for foster youth who are within the responsibility of the Probation Department. This Information Bulletin also highlights resources that probation officers may utilize to comply with their obligations.

This Information Bulletin does not create or confer any rights for or on any person or entity, nor does it impose any requirements beyond those required under applicable law and regulations.

Please direct your questions regarding this Information Bulletin to Michael Newman, Director of the Bureau of Children's Justice in the California Department of Justice, at (213) 897-2642 or michael.newman@doj.ca.gov.

¹ Throughout this Information Bulletin, "youth" refers to juveniles under the age of 18.

² A "non-minor dependent" is an individual who is 18 years of age or older and still subject to the juvenile court's transition jurisdiction. (Welf. & Inst. Code, § 450, subd. (c).)

³ Although the Welfare and Institutions Code provisions covering the delinquency system start at Section 601, that section covers issues related to truancy are not within the scope of this Information Bulletin.

ONGOING OBLIGATIONS

1. Obligation for Care and Treatment of Youth in Probation

A probation officer has an obligation to provide youth within the jurisdiction of probation with “care, treatment, and guidance consistent with their best interest and the best interest of the public.” (Welf. & Inst. Code, § 202, subd. (b); see also Welf. & Inst. Code, § 202, subd. (d).)

2. Preference for Placement with Relatives

If at any stage in a proceeding the probation officer makes a recommendation to remove a youth from the custody of his or her parents or guardians, the probation officer must give preference for the youth to be placed with a relative if: (a) “such placement is in the best interests of the minor;” and (b) the placement “will be conducive to reunification of the family.” (Welf. & Inst. Code, §§ 281.5 & 16000, subd. (a).)

3. Least Restrictive Placement and Foster Youth’s Best Interests and Special Needs

The probation officer has an obligation to: (a) consider a “placement in the least restrictive, most family-like environment that promotes normal childhood experiences” throughout the foster youth’s involvement with the delinquency system; and (b) ensure “the selection of a safe placement setting that is in the child’s best interests and meets the child’s special needs.” (See Welf. & Inst. Code, § 706.6, subds. (c)(2)(B) & (d)(2).)

4. Probation Youth in Foster Care Placements Have the Same Rights as All Foster Youth

Both the delinquency system and the dependency system share the same goals of “preserving and strengthening family relationships” in the placement of and services for foster youth. (See, e.g., *In re W.B., Jr.* (2012) 55 Cal.4th 30, 45; see also Ed. Code, § 48853.5, subd. (a) (defining “foster child” as “a child who has been removed from his or her home ... [and] is the subject of a petition filed under Section 300 or 602 of the Welfare and Institutions Code”).)

INITIAL DETERMINATION REGARDING PLACEMENT

5. Investigation of Relatives

If upon detention of the youth there is reason to believe the youth is at risk of entering foster care placement, then the probation officer must conduct “as early as possible,” and no later than 30 days after detention, an investigation in order to identify and locate all grandparents, adult siblings, and other relatives of the youth. (Welf. & Inst. Code, § 628, subds. (d)(1) & (2).) As part of that investigation, a probation officer has the following obligations:

- The probation officer must provide written and, when appropriate, oral notification to the youth’s adult relatives within 30 days of the youth being detained stating: (a) the child has been removed from the custody of his or her parents or guardians; and (b) an explanation of options for participation in the child’s care and placement.⁴ The probation officer should not provide notice to relatives with a history of family or domestic violence. (Welf. & Inst. Code, § 628, subd. (d)(2).)

⁴ For Native American youth, the probation officer also has the responsibility to follow the requirements in the Indian Child Welfare Act (“ICWA”). Under ICWA, a probation officer must ask “at the first contact” whether a child is Native American. (Cal. Dept. of Social Services (“CDSS”), All County Letter No. 08-02, Jan. 30, 2008, at p. 4 (hereinafter “ACL 08-02”).) If the probation officer knows or has reason to believe that the youth is Native American, the probation officer must make further inquiries regarding the status of the child and notify

- The probation officer must use “due diligence” in investigating the names and locations of relatives and providing notice to relatives. (Welf. & Inst. Code, § 628, subd. (d)(3); see also 42 U.S.C. § 671(a)(29).) “Due diligence” includes:
 1. Asking the child age-appropriate questions, in a manner that is mindful of the child’s best interests, about relatives important to the child;
 2. Obtaining information regarding the locations of the child’s relatives;
 3. Reviewing the child’s child welfare and/or probation case file for any information regarding relatives;
 4. Telephoning, e-mailing, or visiting all identified relatives;
 5. Asking located relatives for the names and locations of other relatives;
 6. Using the Internet to locate relatives; and
 7. Developing tools, including a family tree, family map, or other diagram.
 (Cal. Rules of Court, rule 5.790(g).)
- If the probation officer has reason to believe there is a risk of the youth entering foster care, the probation officer must make “reasonable efforts ... to prevent or eliminate the need for removal of the minor from his or her home.” (Welf. & Inst. Code, § 628, subd. (b); see also 42 U.S.C. § 671(a)(15)(A).)
⁵ If the probation officer believes that services would be beneficial to the family “to prevent or eliminate the need for removal of the minor from his or her home,” then the probation officer must make referrals for such services. (Welf. & Inst. Code, § 653.5, subd. (a).)
- The probation officer must submit a written report to the court explaining: (a) “[t]he reasons why the minor has been removed from the parent’s custody;” (b) “[a]ny prior referrals for abuse or neglect of the minor or any prior filings regarding the minor pursuant to Section 300;” (c) “[t]he need, if any, for continued detention;” (d) “[t]he available services that could facilitate the return of the minor to the custody of the minor’s parents or guardians;” and (e) “[w]hether there are any relatives who are able and willing to provide effective care and control over the minor.” (Welf. & Inst. Code, § 635, subd. (d).)

6. Protocols for “Dual Status” Youth

Generally, a petition must not be filed that would make a youth simultaneously both a dependent child (under Welf. & Inst. Code, § 300 et seq.) and a ward of the court (under Welf. & Inst. Code, § 602 et seq.). (Welf. & Inst. Code, § 241.1, subd. (d).) When a youth is a dependent child, a petition may only be filed to place the child within delinquency jurisdiction if there is a jointly created protocol by the probation department and child welfare services (“CWS”) agency for the county allowing for joint recommendations and placement within both the dependency and delinquency systems. (Welf. & Inst. Code, § 241.1, subd. (e).) Youth who are

that child’s parents or legal guardian, Indian custodian, and the tribe or tribes with whom the child is potentially affiliated. (*Id.* at 4-5.) If the child is at risk of entering foster care, is in foster care, or adoption is being considered, the probation officer has an affirmative ongoing duty to inquire about the status of the child. (*Id.* at 4.)

⁵ For Native American children, a probation officer has a greater responsibility to conduct “active efforts” in providing remedial and rehabilitative services and programs “designed to prevent the breakup of the Indian family.” (Welf. & Inst. Code, § 361.7, subd. (a); ACL 08-02 at 10.) Those “active efforts” must “account [for] the prevailing social and cultural values, conditions, and way of life of the Indian child’s tribe.” (Welf. & Inst. Code, § 361.7, subd. (b); ACL 08-02 at 11 (emphasis omitted).)

For more resources on probation officer responsibilities for Native American youth, refer to ACL 08-02 and the California Department of Social Services All County Information Notice No. I-29-16, May 2, 2016.

simultaneously subject to the laws of the dependency and delinquency systems are often known as “dual status” youth.⁶ (*Id.*)

The probation officer responsible for a “dual status” youth is required to work with CWS in conducting a joint assessment to determine whether it would “serve the best interests of the minor and the protection of society” to move the youth into the jurisdiction of probation (often referred to as “cross-over” youth). (Welf. & Inst. Code, § 241.1, subd. (a); Cal. Rule of Court, rule 5.512(a).) The probation officer must complete this assessment “as soon as possible after the child comes to the attention” of either probation or CWS. (Cal. Rule of Court, rule 5.512(a)(1).) In making this assessment, the probation officer must follow a joint protocol between the responsible probation and CWS departments to coordinate the assessment and recommendation for the youth. (Welf. & Inst. Code, § 241.1, subd. (b)(1).) That protocol must include, but not be limited to, consideration of the following twelve criteria that a probation officer must consider when assessing which jurisdiction is appropriate:

1. Nature of the referral;
2. Age of the youth;
3. History of any physical, sexual, or emotional abuse of the child;
4. Prior records of the youth’s parents for child abuse;
5. Record of any out-of-control or delinquent behavior by the youth;
6. The parents’ cooperation with the youth’s school;
7. The youth’s functioning at school;
8. The nature of the youth’s home environment;
9. The records of other agencies that have been involved with the youth and his or her family;
10. Any services or community agencies that are available to assist the child and his or her family;
11. A statement by any counsel representing the child; and
12. A statement by any Court Appointed Special Advocate representing the child.

(Welf. & Inst. Code, § 241.1, subd. (b)(2); Cal. Rule of Court, rule 5.512(d).)

If the departments do not agree on a status recommendation, then the responsible probation and CWS departments must each file a separate recommendation with the juvenile court, and the court must determine which status is appropriate. (Cal. Rule of Court, rule 5.512(d); see also Welf. & Inst. Code, § 241.1, subd. (a).) A court’s decision on jurisdiction may be reversed if it is based on reports that do not: (a) follow these protocols; and (b) demonstrate consideration of the required criteria in making a recommendation.⁷

DISPOSITION

Within 60 calendar days after a foster youth is detained, or at the disposition hearing, whichever is first, the probation officer must: (a) make a recommendation regarding placement; and (b) complete a case plan. (Welf. & Inst. Code, §§ 636.1 & 706.6.)

7. Placement Recommendation to the Juvenile Court

Following the “least restrictive” preferences described in Section 8 below, before disposition, a probation officer must consider the recommendation by the child and family team in making a placement recommendation for

⁶ In single status counties, a probation officer may provide informal services to dependent youth, even without a declaration of wardship. (Welf. & Inst. Code, § 654.)

⁷ See, e.g., *In re Joey G.* (2012) 206 Cal.App.4th 343, 349-50 (reversing and remanding court’s jurisdiction determination where there was only a report by probation, and not by the social worker, and the report did not address all of the requisite criteria); *In re Marcus G.* (1999) 73 Cal.App.4th 1008, 1014-15 (reversing order dismissing the dependency petition where the court was not presented with a joint assessment by probation and child welfare departments that accounted for all of the necessary criteria).

the foster youth in the case plan. The probation officer must also include the following in the case plan in connection with the placement recommendation:

- A description of the circumstances that led to the child coming under the supervision of the Probation Department and into foster care;
- Documentation of the pre-placement assessment of the child and family's strengths and services needs, the preventive services provided, and the reasonable efforts to prevent an out-of-home placement;
- A description of the type of home or institution where the child will be placed, including the reasons for the placement decision and a discussion of the safety and appropriateness of the placement, which should be one in "closest proximity to the minor's home;"
- The reasoning for any inconsistencies between the placement recommendation and the recommendation of the child and family team;
- The recommendation of the least restrictive placement that meets the child's needs according to the order of priority; and
- If foster care is recommended, a completed social study.

(Welf. & Inst. Code, §§ 706.5 & 706.6, subds. (b)-(d).)

Placements in distant or out-of-state facilities are placements of last resort. (Welf. & Inst. Code, §§ 706.6, subd. (d) & 727.1, subd. (b)(1).) If the probation officer recommends a placement that is a "substantial distance from the home of the minor's parent or legal guardian" or "out-of-state," the probation officer must document and explain in the case plan the rationale for the placement including: (a) "the reasons why the placement is the most appropriate and is in the best interest of the minor;" and (b) for out of state placements, the "in-state services or facilities that were used or considered and why they were not recommended." (Welf. & Inst. Code, § 706.6, subd. (i).) If a probation officer fails to provide evidence that in-state facilities or programs were "determined to be unavailable or inadequate to meet the needs of the minor," then the out-of-state placement may be reversed.⁸

8. Least Restrictive Alternatives for Placements for Foster Youth

As part of the obligation for implementing placements, a probation officer has an obligation to place every foster youth in "the least restrictive, most family-like environment that promotes normal childhood experiences . . . that meets the minor's best interests and special needs." (Welf. & Inst. Code, § 706.6, subd. (c)(3)(B); see also 42 U.S.C. § 675(5)(A).) The probation officer must also consider the proximity of the placement to the home of the youth's parents in order to facilitate the goals of reunification and rehabilitation. (*Ibid.*)⁹

The probation officer must consider foster care placements according to the following order of priority:¹⁰

1. Relatives, nonrelated extended family members, and tribal members;
2. Foster family homes and certified homes or resource families of foster family agencies;

⁸ See *In re Khalid B.* (2015) 233 Cal.App.4th 1285, 1289-91 (reversing out-of-state placement order because there was no evidence that probation considered any California placements).

⁹ See *In re Nicole H.* (2016) 244 Cal.App.4th 1150, 1159-60 (reversing placement order where probation included no evidence in the record that the placement far away from the parent's home was in the best interests of the youth).

¹⁰ The order of priority in this section reflects changes made pursuant to Continuum of Care Reform (CCR) that reforms placement and treatment options for foster youth. (Assem. Bill No. 403, approved by Governor, Oct. 11, 2015, Assem. Final Hist. (2015-2016 Reg. Sess.)) CDSS is currently working with stakeholders on regulations to implement CCR, which may change probation officers' obligations with respect to foster youth. Probation officers should consult the CCR regulations once they are finalized.

3. Treatment and intensive treatment certified homes or resource families of foster family agencies, or multidimensional treatment foster homes or therapeutic foster care homes; and
4. Group care placements in the following order of preference:
 - a. Short-term residential treatment centers (starting January 1, 2017);¹¹
 - b. Group homes;
 - c. Community treatment facilities; and
 - d. Out-of-state residential treatment.

(Welf. & Inst. Code, §§ 706.6, subd. (d), 727, subd. (a)(4), 727.1, subd. (a).)¹²

9. Development of a Case Plan

If the foster youth is detained, and the probation officer believes that the youth can safely return home with “reasonable efforts” by the youth, the youth’s parent(s)/guardian(s), and the probation officer, then the probation officer must document in the case plan “the issues and activities associated with those efforts” to safely return the youth home, including the identification of services that will be provided toward those efforts. (Welf. & Inst. Code, § 636.1, subd. (b).) In addition, the probation officer must also incorporate the following in the case plan:

- Assurances that the probation officer accounted for the “educational stability of the child” when considering the appropriateness of the educational setting and the proximity of the school to the placement;
- Assurances that the probation officer coordinated with the appropriate local educational agency to ensure the child remains in the same school or that the youth will be immediately enrolled at a new school with all educational records transferred;
- Specific time-limited goals and related activities designed either to enable the youth to return home or obtain permanent placement;
- The projected date the case plan objectives will be completed and the date services will be terminated;
- A schedule for visits between the youth and his or her family or an explanation of why no visits will occur;
- When placement is in a foster home, group home, or other child care institution that is a “substantial distance” from the home of the youth’s parent/guardian or out-of-state, an explanation why the placement is most appropriate and in the youth’s best interests;
- Identification of whether the youth has siblings, and if so, a description of efforts to place siblings together unless placement with siblings is determined not to be in the best interest of one or more of the siblings;
- A schedule of visits between the youth and the probation officer;
- Health and education information about the youth;
- A statement that the youth and parent/guardian had an opportunity to participate, review, and sign the case plan; and
- For youth aged 16 or older, a description of the programs and services to help the youth prepare to transition from foster care to “successful adulthood.”

(Welf. & Inst. Code, § 706.6.)

At each status review hearing, the probation officer must submit a social study and an updated case plan that follows the requirements contained in Section 706.5, subdivision (c) of the Welfare and Institutions Code.

¹¹ Placements longer than 12 months must be approved by the chief probation officer, or his or her designee. (Welf. & Inst. Code, § 727.1, subd. (a)(4)(E).)

¹² These preferences are subject to and consistent with ICWA, and should be used for Native American children. (*R.R. v. Superior Court* (2009) 180 Cal.App.4th 185, 205.)

10. Implementation of Placement Order

After the probation officer submits the case plan with the placement recommendation, the court may issue a placement order. Once the juvenile court issues a placement order, the probation officer has the “sole responsibility” to determine the appropriate placement for the foster youth. (Welf. & Inst. Code, § 727, subd. (a)(4).) As part of that responsibility, the probation officer must do the following:

- Develop a case plan within 30 days if the court orders foster care placement that was not previously recommended by the probation officer;
- Consider any recommendations of the child and family; and
- Determine the appropriate placement in the least restrictive environment that meets the child’s needs according to the order of priority.

(Welf. & Inst. Code, §§ 706.5, subd. (b), 727, subd. (a)(4), 727.1.)

At each subsequent review hearing, the probation officer must explain to the juvenile court the steps that have been taken to identify an appropriate placement for the youth. (Welf. & Inst. Code, § 737, subd. (b).) If the court determines that the probation officer failed to make reasonable efforts “to identify a specific, appropriate, and available placement,” the court shall order the probation officer to “assess the availability of any suitable temporary placements or other alternatives to continued detention.” (Welf. & Inst. Code, § 737, subd. (d)(1).) Delays caused by “administrative processes” or “convening any meeting between agencies” are not considered reasonable. (Welf. & Inst. Code, § 737, subd. (c).)

POST-DISPOSITION

Probation officers have additional obligations with respect to foster youth following disposition, including recommending and executing a permanency plan, assisting foster youth or NMDs to obtain credit reports, facilitating educational success, and ensuring that foster youth and NMDs are able to access independent living services and programs. Each of these obligations on probation officers are discussed below.

Permanent Placements

11. Reunification Services

If a foster youth is under the supervision of a probation officer, the juvenile court is required to order that probation officer “to ensure the provision of reunification services,” except in certain circumstances where the court finds that the parent is not fit. The purpose of the reunification services must be “to facilitate the same return of the minor to his or her home” or other permanent placement, and to address the youth’s other needs while in foster care. (Welf. & Inst. Code, § 727.2, subds. (a) & (b).)

12. Permanent Plan or Planned Permanent Living Arrangements

At the annual permanent placement hearing, first held within a year of the youth entering foster care, the probation officer must prepare a written social study and an updated case plan with a recommendation for a permanent plan and the identification of efforts made toward achieving that permanent placement. (Welf. & Inst. Code, § 727.3, subd. (a)(1); see also Welf. & Inst. Code, § 706.6, subds. (f) & (m).) The probation officer must take “reasonable efforts to finalize the permanency plan” for the foster youth. (45 C.F.R. § 1356.21(b)(2)(i) (2016); Welf. & Inst. Code, § 727.2, subd. (e)(2).)

Youth Under 16: If the youth is under 16, the permanent plan must be: (a) return home; (b) adoption; (c) legal guardianship; or (d) placement with a fit and willing relative.¹³ The case plan must identify any barriers to achieving that permanent plan and the steps being taken and services provided to address those barriers. (Welf. & Inst. Code, § 706.6, subd. (n)(1); ACL 16-28 at 2.)

Youth Over 16: As with youth under 16, the probation officer must first consider reunification, adoption, legal guardianship, or placement with a relative. If the youth is over 16, after considering those options, the probation officer may recommend a planned permanent living arrangement only as a last option. (Welf. & Inst. Code, § 706.6, subd. (n)(2); ACL 16-28 at 1-2; see also 45 C.F.R. § 1356.21(h)(3) (2016).)

To facilitate a guardianship for a youth within the jurisdiction of probation, the Welfare and Institutions Code directs the probation officer to recommend to the juvenile court that it “establish a guardianship of the person of the minor and appoint a specific adult to act as guardian.” Upon such a recommendation, the juvenile court must set a hearing to consider the recommendation. (Welf. & Inst. Code, § 728, subd. (c).)

If the probation officer recommends placement in a planned permanent living arrangement for a youth over 16, the probation officer must include: (a) documentation of “a compelling reason or reasons why termination of parental rights is not in the minor’s best interests;” and (b) the identification of the “intensive and ongoing efforts” to return the youth to one of the preferred permanent placements identified above. (Welf. & Inst. Code, § 706.6, subd. (n)(2); see also 45 C.F.R. § 1356.21(h)(3) (2016).)

In addition, the probation officer must include in every social study report for a youth over 16 in a planned permanent living arrangement:

- The “intensive and ongoing efforts to return the minor to the home of the parent, place the minor for adoption, or establish a legal guardianship,” which includes the use of technology and social media to identify the youth’s biological parents or other family members;
- The steps to “[e]nsure that the minor’s care provider is following the reasonable and prudent parent standard;” and
- The steps to determine that “the minor has regular, ongoing opportunities to engage in age or developmentally appropriate activities,” which include speaking to the youth about such opportunities.

(Welf. & Inst. Code, § 706.5, subd. (c)(7); ACL 16-28 at 2-3.)

13. Application for Termination of Parental Rights

A probation officer must file an application to terminate parental rights if the child has been in foster care under the responsibility of the probation officer for 15 of the most recent 22 months unless: (a) the probation officer has documented and determined a “compelling reason”¹⁴ that termination of the parental rights would not be in the youth’s best interests; or (b) the probation officer has not engaged in “reasonable efforts” to timely provide the reunification services identified in the case plan. (Welf. & Inst. Code, § 727.32, subd. (a); see also 45 C.F.R. § 1356.21(i) (2016).) If the juvenile court orders a hearing to terminate the rights of the parent to free

¹³ A “fit and willing relative” is defined as a relative who is “willing and capable of providing a stable and permanent environment, but not willing to become a legal guardian” by the date of a permanent hearing. (Welf. & Inst. Code, § 366.26, subd. (c)(4)(B); CDSS, All County Letter No. 16-28, Apr. 22, 2016, p. 2 (hereinafter “ACL 16-28”).) A probation officer may not remove a child from the home of a fit and willing relative for the sole reason that the relative does not want to adopt the youth if the court determines that removal would be “seriously detrimental to the child’s emotional well-being.” (See *ibid.*)

¹⁴ Examples of “compelling reasons” not to terminate parental rights are found under federal and state legal authority. (45 C.F.R. § 1356.21(h)(3) (2016); Welf. & Inst. Code, § 727.3, subd. (c); Cal. Rule of Court, rule 5.725(d)(2)(C); CDSS, All County Letter No. 00-77, Nov. 17, 2000, p. 2 (hereinafter “ACL 00-77”).)

the youth for adoption, the probation officer supervising the youth must prepare an assessment following each of the requirements identified in Section 727.31, subdivision (b) of the Welfare and Institutions Code.

Credit Report Obligations

14. Credit Report Checks

When a youth in foster care placement and under the supervision of probation turns 14, and each year thereafter until 18 years of age, the probation officer must inquire whether the youth has any consumer credit history from each of the three major credit reporting agencies (“CRAs”). If the county does not participate in the California Department of Social Services’ (“CDSS”) electronic batch, then the probation officer must request credit reports directly from all three CRAs. The probation officer must also assist NMDs who are within the jurisdiction of the juvenile court with obtaining credit reports from CRAs each year until they turn 21. The credit report must be provided at no cost to the foster youth or NMDs. (Welf. & Inst. Code, § 10618.6; see also 42 U.S.C. § 675(5)(I); Cal. Dept. of Social Services (“CDSS”), All County Letter No. 14-23, Feb. 18, 2014, pp. 2-5 (hereinafter “ACL 14-23”).)

If the foster youth or NMD has a credit report, the probation officer must ensure that the youth “receives assistance with interpreting the credit report and resolving any inaccuracies.” (Welf. & Inst. Code, § 10618.6, subd. (c).) The probation officer may provide that assistance directly or refer the youth or NMD to an agency that provides such services if the probation officer takes care in selecting entities that provide hands-on service. (ACL 14-23 at 5.)¹⁵

Education-Related Obligations

15. School Transfers

It is both the responsibility of the local educational agency (“LEA”) and the county placing agency, which includes the county probation department, to ensure the proper and timely transfer between schools of pupils in foster care. (Ed. Code, § 49069.5, subd. (b).) As soon as a probation officer is aware of the need to transfer a pupil in foster care out of his or her current school, the probation officer must notify the appropriate contact at the LEA where the pupil is currently in school, provide the date the pupil will be leaving the school, and request the pupil be transferred. (Ed. Code, § 49069.5, subd. (c).) A probation officer, however, is prohibited from requesting a transfer of a youth in foster care out of a school solely to exempt the pupil from certain graduation requirements. (Ed. Code, § 51225.1, subd. (I)(1).)

16. Case Plan Education Related Responsibilities

As mentioned above, in developing and updating the foster youth’s case plan, a probation officer must “assur[e] that the placement takes into account the appropriateness of the current educational setting and the proximity to the school” where the child is enrolled at time of placement. (Welf. & Inst. Code, § 706.6, subd. (e)(1).) The probation officer must also coordinate with the LEA to ensure the child remains in the same school, or if not, that the youth is transferred immediately and all pupil records are provided to the new school. (Welf. & Inst. Code, § 706.6, subd. (e)(2).)

¹⁵ Detailed instructions for requesting credit reports for youth, assisting NMDs in requesting credit reports, providing youth and NMDs with assistance in interpreting the credit reports and curing inaccuracies, and documenting such actions in the youth and NMD’s case plan can be found in ACL 14-23 and CDSS, All County Notice No. 15-98, December 8, 2015.

17. Foster Youth Information Sharing

For a comprehensive discussion on the requirements for sharing information regarding foster youth, including foster youth in probation, consult the Dear Colleague Letter: Foster Youth Information-Sharing prepared by the DOJ, CDSS, and California Department of Education (Sept. 1, 2016) available at <https://oag.ca.gov/news/press-releases/attorney-general-kamala-d-harris-issues-new-guidelines-encourage-secure-sharing>.

Independent Living Services

18. Transitional Independent Living Plan and Independent Living Program

The case plan for all dependent individuals 14 and older must include “a written description of the programs and services that will help the child, consistent with the child’s best interests, to prepare for the transition from foster care to successful adulthood.” (Welf. & Inst. Code, § 16501.1, subd. (g)(16)(A)(i); see also 42 U.S.C. § 675(1)(D).) For individuals 16 and older, the case plan must include a transitional independent living plan (“TILP”). The TILP is a “written description of the programs and services that will help the child, consistent with the [youth’s] best interests, to prepare for the transition from foster care to successful adulthood.” (Welf. & Inst. Code, § 16501.1, subd. (g)(16)(A)(ii).) The probation officer must actively work with the youth/NMD and individuals who have been identified as important to the youth/NMD in developing the TILP. The TILP must include the steps that the probation officer is taking to ensure that the youth/NMD achieves a permanent plan. The TILP must be reviewed, updated, and signed by the probation officer and the youth/NMD every six months. (CDSS, Manual of Policies and Procedures, § 31-236: Transitional Independent Living Plan (TILP) (effective Dec. 10, 2004) (hereinafter “§ 31-236”).)

A critical component of the TILP is the mandate on probation officers to: (a) inform foster youth/NMDs about the county’s Independent Living Program (“ILP”); and (b) encourage them to participate in the ILP. (§ 31-236(g).) ILP means “the program administered by counties with oversight by [CDSS] to provide services and activities as described” in the youth or NMD’s TILP to assist and prepare them “to live independently upon leaving foster care.” (CDSS, Manual of Policies and Procedures, § 31-002(i)(1): Definitions (effective Dec. 10, 2004) (hereinafter, “§ 31-002.”) Under federal and state law, youth in foster care and NMDs have the right to attend ILP classes and activities starting at 16 years of age, and under state law, may participate up to age 21. (42 U.S.C. § 677(i)(2); Welf. & Inst. Code, § 16001.9, subd. (a)(16); § 31-002(i)(1).) As part of a probation officer’s ILP-related responsibilities (a comprehensive list of which are in CDSS’ Manual of Policies and Procedures cited within), a probation officer must determine the foster youth or NMD’s ILP eligibility, coordinate with the youth/NMD, ILP coordinators, and other care and service providers, and ensure that the youth/NMD is receiving the services identified in the TILP. (§ 31-236(g); CDSS, Manual of Policies and Procedures, § 31-525: Independent Living Program (ILP) (effective Dec. 10, 2004) (hereinafter “§ 31-525”).)

TERMINATION OF JURISDICTION

19. Transition Jurisdiction

Under 18: Delinquency jurisdiction may be modified to transition jurisdiction for an eligible youth between 17 years, 5 months of age and 18. (Welf. & Inst. Code, § 450, subds. (a)(1)(A) & (a)(2)-(4); Cal. Rule of Court, rule 5.814; CDSS, All County Letter No. 11-85, Dec. 15, 2011, pp. 3-4 (hereinafter “ACL 11-85”).) A youth under age 18 and subject to the transition jurisdiction of a juvenile court is a “transition dependent.” (Welf. & Inst. Code, § 450, subd. (b).)

Over 18: Individuals between the ages of 18 and 21 are also eligible for modification from delinquency jurisdiction to transition jurisdiction if certain conditions are met. (Welf. & Inst. Code, § 450, subds. (a)(1)(A) & (a)(2)-(4); Cal. Rule of Court, rule 5.813; ACL 11-85 at 4-5.)

For both categories of individuals who are eligible for transition jurisdiction, a probation officer must request a hearing and submit a report to the juvenile court describing whether:

- It is in the individual's best interests for transition jurisdiction to continue;
- The individual "has indicated that he or she does not want juvenile court jurisdiction to continue;" and
- The individual "has been informed of his or her right to re-enter foster care by completing the voluntary re-entry agreement."

(Welf. & Inst. Code, § 607.3, subd. (d); Cal. Rule of Court, rules 5.813 & 5.814.)

A probation officer is responsible for supervising an individual within transition jurisdiction. A probation officer must do all of the following before a hearing to consider termination of transition jurisdiction:¹⁶

- Ensure the individual's presence in court for the hearing unless appearance was waived or there are documented efforts to locate an individual who did not appear;
- Submit a report to the court that describes "whether it is in the [individual's] best interests to remain under the court's jurisdiction;"
- Submit a 90-day transition plan;
- Ensure that the individual has been informed of his or her options, including the right to re-enter foster care placement up to age 21 and file a petition to resume transition jurisdiction;
- Submit written verification that Section 391, subdivision (e) documents, information, and services have been provided (see below); and
- Provide written verification that the Section 607.5 requirements have been completed regarding the availability of independent living services, and federal and state programs and benefits available for former foster youth.

(Welf. & Inst. Code, § 452, subd. (c); see also Welf. & Inst. Code, §§ 391, subd. (e) & 607.5.)

20. Hearing on Termination of Delinquency Jurisdiction for Foster Youth

Prior to a hearing on the termination of jurisdiction, or at the status hearing closest to the youth's 18th birthday (which must occur no less than 90 days before the birthday), the probation officer must make a recommendation in the report to the court as to whether transition jurisdiction is appropriate for a youth who is in foster care. (Welf. & Inst. Code, § 727.2, subd. (i)(1).) Before termination, the probation officer must satisfy all of the obligations described above for a hearing to consider termination of transition jurisdiction, and also must:

- Ensure the individual had an opportunity to confer with counsel; and
- Include in the report to the court whether the individual: (a) has communicated that he or she does not want juvenile court jurisdiction to continue; and (b) has been informed of his or her rights to re-enter foster care through a voluntary re-entry agreement.

(Welf. & Inst. Code, § 607.3.)

21. Documents and Information that Must be Provided at Termination of Jurisdiction for NMDs

In conjunction with these obligations, the probation officer must ensure and verify that the following documents have been provided to the NMD before jurisdiction is terminated:

- Written information concerning the case—including family history, placement history, whereabouts of siblings;
- Social Security Card;

¹⁶ Note, that where a county has a Section 241.1 protocol discussed above, the social worker with CWS may be responsible for supervising the individual within transition jurisdiction. (Welf. & Inst. Code, § 241.1, subd. (b)(4)(B).)

- Certified copy of birth certificate;
- Health and education summary, otherwise known as the “Health and Education Passport;”
- Drivers License;
- Letter from the county welfare department that includes the individual’s name and date of birth, the dates during which the individual was within the jurisdiction of the juvenile court, and a statement that the individual was a foster youth in compliance with state and federal financial aid documentation requirements;
- Death certificate of parents, if applicable;
- Proof of citizenship or legal residence, if applicable;
- Advanced health care directive form;
- Judicial Council form that a non-minor would use to file a Section 388(e) petition to resume dependency jurisdiction;
- Written 90-day transition plan; and
- The non-minor’s Medi-Cal Benefits Information Card and written verification that the eligible non-minor is enrolled in Medi-Cal.

(Welf. & Inst. Code, §§ 391, subd. (e) & 607.3, subd. (f).)

In addition, the probation officer must ensure and verify that the following services and information have been provided to the NMD before jurisdiction is terminated:

- Continued and uninterrupted enrollment in Medi-Cal for eligible non-minors;
- Referrals to transitional housing, if available, or assistance in securing other housing;
- Assistance in obtaining employment or other financial support;
- Assistance in applying to and obtaining financial aid for college, vocational training program, or other educational institutions;
- Assistance in maintaining important relationships in the best interests of an individual who was in out-of-home placement for six months or longer after entering foster care; and
- Assistance in accessing the Independent Living Aftercare Program in the county of residence for non-minors 18 to 21 years old and completing voluntary re-entry upon the non-minor’s request.

(Welf. & Inst. Code, §§ 391, subd. (e) & 607.3, subd. (f).)

These requirements must be satisfied for all NMDs who are leaving the system — whether they be youth who left the system when they turned 18 or NMDs who left the system.¹⁷

22. Non-Minor Dependents

Both transition dependents and NMDs up to the age of 21 are eligible for the extended foster care benefits program if they meet one of five eligibility criteria:

1. “[C]ompleting a secondary education or a program leading to an equivalent credential.”
2. “[E]nrolled in an institution which provides postsecondary or vocational education.”
3. “[P]articipating in a program or activity designed to promote, or remove barriers to employment.”
4. “[E]mployed for at least 80 hours per month.”
5. “[I]ncapable of doing any activities described in subparagraphs (1) to (4), inclusive, due to a medical condition.”

(Welf. & Inst. Code, § 11403, subd. (b); CDSS, All County Letter No. 11-61, Nov. 4, 2011, pp. 3-8.) The probation officer is responsible for working with the NMD to ensure that the eligibility criteria are satisfied and documented in a case plan or TILP. (Welf. & Inst. Code, § 11403, subd. (c).)

¹⁷ *In re Shannon M.* (2013) 221 Cal.App.4th 282, 298 fn. 12.

A NMD in foster care who is completing his or her probation term is still eligible for extended foster care benefits so long as: (a) the NMD is on an order for foster care placement that occurred no later than the NMD's 18th birthday and the NMD is not yet 21 years old; and (b) the NMD is participating in, or is in an agreement, to satisfy one of the five extended foster care criteria identified above. (ACL 11-85 at 6.) In addition, when determining placements for NMDs within the jurisdiction of probation, the probation officer may consider an approved supervised independent living setting as defined in Section 11400 of the Welfare and Institutions Code. (Welf. & Inst. Code, § 727, subd. (a)(4)(G).)

A NMD must also sign a mutual agreement with a probation officer, which specifies that the NMD is voluntarily staying in foster care. (Welf. & Inst. Code, § 11403, subd. (d).) NMDs within transition jurisdiction have the legal authority of adults to make all decisions regarding educational rights, health and medical treatment, and records. (ACL 11-85 at 6.) NMDs maintain their status until they reach age 21 or transition jurisdiction is terminated. (See Welf. & Inst. Code, § 388, subd.(e)(1).) If the juvenile court terminates transition jurisdiction before a NMD reaches age 21, the court retains general jurisdiction to "allow for the filing of a petition to resume juvenile court transition jurisdiction." (Welf. & Inst. Code, § 452, subd. (d); see also Welf. & Inst. Code, § 388, subd. (e).)

For comprehensive information regarding supervising agencies' obligations with respect to NMDs, please consult the following ACLs from CDSS:

- All County Letter No. 11-15: New Kinship Guardianship Assistance Payment (Kin-Gap) Program Requirements, January 31, 2011;
- All County Letter No. 11-61: Extended Foster Care (EFC), November 4, 2011;
- All County Letter No. 11-69: Extension of Foster Care Beyond Age 18: Part One, October 13, 2011;
- All County Letter No. 11-77: Extension of Foster Care Beyond Age 18: Part Two (Placement), November 18, 2011;
- All County Letter No. 11-78: California Work Opportunity and Responsibility to Kids: Extending Benefits to Non-Minor Dependents, November 30, 2011;
- All County Letter No. 11-85: Extension of Foster Care Beyond Age 18: Part Three (Probation), December 15, 2011;
- All County Letter No. 11-86: Extension of Kinship Guardianship Assistance Payment (Kin-Gap) Program Benefits and Adoption Assistance Payments (AAP) to Age 21, March 1, 2012;
- All County Letter No. 12-05: Implementation of Extended Foster Care Special Project Codes in the Child Welfare Services/Case Management System (CWS/CMS), January 13, 2012;
- All County Letter No. 12-12: Re-Entry into Extended Foster Care (EFC), March 23, 2012;
- All County Letter No. 12-13: Relative and Nonrelative Extended Family Member Assessment/Approval; Revised and New SOC Forms for Non-minor Dependent Placement, March 27, 2012;
- All County Letter No. 12-44: Transitional Housing Placement-Plus-Foster Care and Changes to Transitional Housing Placement Program and Transitional Housing Program-Plus, September 11, 2012; and
- All County Letter, No. 14-33, Non-minor Dependents (NMDs) Placed Out-of-State, July 3, 2014.

FUNDING RESOURCES

Below are some funding resources that probation officers may consider to support probation youth in foster placements. This is not an exhaustive list and does not include some funding (e.g. CalWORKS) which may be available generally to foster youth, but are not specific to youth who are within the probation system.

- **Aid to Families with Dependent Children-Foster Care ("AFDC-FC") Funding:** Otherwise known as foster care funds, this funding stream is available to fund placements of youth who are currently on out-of-home placement orders. AFDC-FC funding may derive from federal funding sources (i.e. Title IV-E of the Social Security Act) or state sources. Probation officers must "[e]nsure completion of the

documentation necessary to initiate AFDC-FC payments, as appropriate.” (CDSS, Manual of Policies and Procedures, § 31-405.31: Social Worker Responsibilities for Placement (effective Dec. 10, 2004).)¹⁸ Probation officers who are responsible for the foster youth’s placement and care must ensure that the youth is eligible for AFDC-FC, which includes: (i) documenting what services were provided to prevent foster care, why those services were unsuccessful, and why foster care is necessary; (ii) assessing in a written document why foster care was necessary and the youth’s treatment needs while in foster care; (iii) developing a case plan for the youth within 60 days of placement; and (iv) ensuring the provision of services to return the child home or to an alternative permanent placement. (Welf. & Inst. Code, § 11404, subd. (b).) The responsible probation officer also must provide NMDs who participate in extended foster care from ages 18 to 21 with assistance to maintain eligibility for AFDC-FC funding. (Welf. & Inst. Code, § 11403, subd. (e).)

- **Approved Relative Caregiver (“ARC”) Funding:** ARC funding is available for youth living with relative caregivers who are ineligible for federal AFDC-FC funding. (Welf. & Inst. Code, § 11461.3.)
- **Medi-Cal:** For Medi-Cal-eligible children, probation officers are encouraged to facilitate intensive community based mental health services, including Intensive Care Coordination (“ICC”), Intensive Home Based Services (“IHBS”) and Therapeutic Foster Care (“TFC”). In addition, probation officers must provide foster youth with assistance in accessing Medi-Cal upon exiting the probation system. (See, e.g., Welf. & Inst. Code, § 391, subd. (e)(3); CDSS, All County Information Notice, No. I-31-15, July 22, 2015.)
- **Supplemental Security Income/State supplemental Payments (“SSI/SSP”) Eligibility:** Probation officers must: (i) screen all foster youth within the jurisdiction of probation for potential SSI/SSP eligibility once the youth turns 16 ½ years of age; and (ii) assist potentially eligible youth in the application process. (Welf. & Inst. Code, § 13757.)
- **Kinship Guardianship Assistance Payment Program (“Kin-GAP”):** Probation officers must negotiate and enter into a Kin-GAP agreement for foster youth who exit probation to guardianship with a relative to secure federal and state Kin-GAP benefits. (Welf. & Inst. Code, §§ 11364, 11387.)
- **Adoption Assistance Program (“AAP”):** AAP funding is available for foster youth who exit probation to adoption. When the county probation department is responsible for making AFDC-FC payments for a youth, the probation officer is responsible for providing financial aid and certifying the youth meets the eligibility requirements for receiving benefits under the AAP. (Welf. & Inst. Code, § 16118, subd. (e).)

OTHER PUBLIC RESOURCES

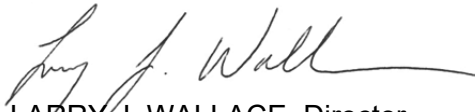
Below are other public resources that are available for probation officers to assist them in satisfying their obligations:

- **Bureau of Children’s Justice (“BCJ”) in the California Department of Justice:** To report concerns regarding a youth’s care, placement, or services, contact BCJ at BCJ@doj.ca.gov. More information about BCJ is available at <https://oag.ca.gov/bcj>.
- **CDSS Foster Care Ombudsman:** To report concerns regarding the youth’s care, placement, or services provided to youth in foster care, contact CDSS at (877) 846-1602 or fosteryouthhelp@dss.ca.gov. More information about the CDSS Foster Care Ombudsman is available at <http://www.fosteryouthhelp.ca.gov/OMBprog.html>.
- **CDSS Continuum of Care Reform (“CCR”) Division, General Information:** For general questions about how CCR impacts probation officer obligations contact CDSS at ccr@dss.ca.gov. More information about CCR is available at <http://www.cdss.ca.gov/cdssweb/PG4869.htm>.

¹⁸ See also CDSS, Manual of Policies and Procedures, § 31-001.2: General Requirements (effective Dec. 10, 2004) (“The requirements specified in Section 31-001 through Section 31-525 shall be met by county probation departments when placing children in out-of-home care.”)

- **CDSS CCR Division, Resource Family Approval (“RFA”)**: For questions regarding the process for approving caregivers, contact CDSS at RFA@dss.ca.gov. More information about RFA is available at <http://www.childsworld.ca.gov/PG3416.htm>.
- **Center for Families, Children and the Courts (“CFCC”)**: For more information regarding court services for children and families of children in the probation system, contact CFCC at (415) 865-7739 or cfcc@jud.ca.gov. More information about CFCC is available at <http://www.courts.ca.gov/programs-cfcc.htm>.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry J. Wallace", with a long horizontal flourish extending to the right.

LARRY J. WALLACE, Director
Division of Law Enforcement

For KAMALA D. HARRIS
Attorney General

Talking with Youth about Legal Permanence

Factors that must be addressed in securing adolescent acceptance of the concept of legal permanence

- Begin with conversations about relationships. Avoid using the terms adoption, guardianship and permanence.
- Focus on adding to the youth's life, connections and relationships.
- **Age**— Youth and family may be focused on preparation for independence and desire for self-determination.
- **Behaviors and self-esteem**— Youth, family members and agency staff may struggle with the youth's behavioral issues and youth may not feel worthy of someone choosing to commit to them.
- **Concerns about impact of legal permanence on existing relationships**— Address name changes, maintaining family contact, etc.
- **Loyalty issues**— Discuss ways that youth can maintain loyalty and connections to their birth family while enjoying the benefits of other permanent connections to help them succeed.
- **Loss/grief**— Life as a youth in foster care involves multiple losses and separations that must be processed and grieved. Youth will need time to process these feelings in their own unique style.
- **Fear of rejection**— Youth may be concerned about another in a series of rejections associated with placements and other important connections.

Questions to ask youth about possible permanency connections

1. Who in your current or past situation wanted to spend time with you?
2. Who are the people who know your family history best?
3. Who do you remember in your life that cared about you?
4. Who are the people in the past with whom you think about reconnecting?

What Are Our Parameters for Deciding?

Family Reunification Cases:

- Date of removal – 18-month deadline
- Parent of removal/non-custodial parents – who are eligible parties
- What efforts are reasonable?
- Risk assessment tool
- Supervision

Gathering evidence to answer these questions:

- What is enough progress? Prognosis
- What is the least restrictive placement?
- Service delivery effectiveness
- Were there reasonable efforts by the agency
- Substantial risk of detriment

Six-month hearing:

- Return home
- Terminate services and set permanency hearing
- Continue FR services (substantial probability of return)
- Who will provide permanency if not successful?

Twelve-month hearing:

- Return home – one or more
- Terminate services and set permanency hearing
- Continue FR services (substantial probability of return) until 18-month deadline
- Who will provide permanency if not successful?

Eighteen-month hearing:

Return home
Terminate services and set permanency
What is your likely recommendation for permanency?

WIC 366.26 Hearing: Permanent plan selection and implementation hearing

Issues/decisions for this hearing:

- Is the youth adoptable?
- What is the most appropriate permanent plan for the youth?
- Is there a prospective adoptive/legal guardian caregiver
- Are they suitable?
- Would it be detrimental to terminate parental rights?

Special issues:

- Notice: 45-day personal service
- Notice: 30-day publication
- Notice to all parties
- ICWA
- Preferential relatives
- Concurrent plan discussions
- Guardianship letter

Elements of the Selection and Implementation Assessment Report

- Determination of ICWA status of youth and documentation of compliance with provisions, when applicable
- Determination and documentation of all parental and legal relationships, including mother, alleged and presumed fathers and legal guardians
- Documentation of efforts to locate absent parents
- Documentation of notice provided to all parties
- A description of the amount and nature of contact between the youth and parents and other family members since the time of placement
- A summary of the youth's placement history and efforts to place with siblings
- A summary of the youth's medical, developmental, academic, social, emotional and mental health status
- Documentation of continuing presence of a substantial risk of detriment in the parents' home
- Documentation of the adoption's agency's assessment of the youth's appropriateness for adoptions planning and a written assessment of any prospective adoptive parents
- Provide an assessment of the relationship of the youth with his prospective adoptive parents
- Include a statement from the youth regarding their perceptions and feelings about adoption and termination of parental rights
- Evaluation and recommendation for selection of a permanent plan

Report Writing Skills Practice: Permanency Sections

Directions: Review your individual case scenario. Write a legally sufficient statement regarding the court report permanency sections listed below. At your tables, compare statements and provide suggestions and feedback for strengthening and improving the statements. List any additional information or documentation you would want to obtain for that section. Be prepared to share an example of one of these sections with the large group.

Permanency sections to complete

Legal relationships and paternity:

Notices:

Efforts to locate absent parents:

Substantial risk of detriment and prognosis for returning the child to the parents' home:

Summary of placement history and efforts to place with siblings:

Description of the amount and nature of contact between youth and parents and other family members:

Evaluation and recommendation of permanent plan selection:

What additional information or documentation would you need to complete all the elements of the selection and implementation assessment report?

Adoption or Legal Guardianship as a Child's Permanent Plan

Adoption...	Legal Guardianship...
Adoptive parents have full legal and parental rights for child. The child often experiences a stronger emotional tie to his or her adoptive family because of their life-long commitment and involvement with the child. Family may relocate out of state or country without court approval after finalization.	Guardian has sole rights to custody and control of child's residence, education, health care, sports participation and employment. Guardian may sign for child's California ID or Driver's License, and may, with court's order enroll child in military, Job Corps, or relocate to another state. Guardian may not determine child's religion or consent to child's marriage.
Adoption terminates child's legal relationship with birth parents. Once finalized there can be no appeal by birth parents.	Guardianship suspends some rights and responsibilities of birth parents – parents maintain right to determine child's religion and to consent to child's marriage. Court may order continued visitation with birth parent. Birth parent can file petition to modify visitation/ custody or to terminate guardianship.
Adoptive parent assumes financial responsibility for child and is given AAP (Adoption Assistance Program) that can equal or exceed the basic foster care rate. Medical assistance is also provided through AAP.	Guardian has limited financial responsibility for child. Guardian must financially ensure provision of child's day-to-day needs. Non-related guardian may receive funding. Related guardian may receive funding
Adoptive parent may claim child as a dependent on their income tax. Significant federal tax deduction may be available in the year the adoption finalizes.	Child is not a dependent of guardian on guardian's income tax. CalWORKs or Kin-GAP assistance is not taxable income for guardian.
Adopted child may take the family name of adoptive parents.	Child's birth name remains their legal name unless guardian request a change of name for child and court approves.
Adopted child is covered under insurance plans for adoptive parents.	Child may be covered by guardian's insurance plan. Child remains eligible for Medi-Cal.
Court jurisdiction ends when adoption is finalized. Post-adoptive services are available after court jurisdiction ends.	Court jurisdiction may end when guardianship is granted, unless specialized care rates are needed by a related guardian. Although court jurisdiction is terminated for non-related guardians, DCFS will continue supervision of these cases.
Adoption is permanent, life-long commitment that does not end with child's emancipation or 18 th birthday.	Guardianship ends when child emancipates, reaches 18 years old, marries, is adopted, or if guardian requests and court terminates guardianship.

Parental Rights, Responsibilities, and Restrictions

Issue	Biological parents	Adopting parents	Guardianship	Planned Permanent Living Arrangements
Duty to support and educate minor	Duty to support and educate	Duty to support but may receive Adoption Assistance Program Aid	Duty, but child can pay from his estate Duty to educate	Duty to support through foster care payment, child can pay from his estate Duty to educate
Able to receive aid for minor	Aid based on eligibility	May receive AAP	May receive aid Kin-GAP	May get foster care
Minor's earnings	Have a right	Have a right	No right	No right
Decision about where child lives	Right as long as care does not fall below minimal community standards unless court order removes right	Right as long as care does not fall below minimal community standards unless court order removes right	May not change minor's home without court approval if such change would remove the ward from the jurisdiction of the court	Department and court retain control over where minor will live
Court supervision	When adjudicated by court	Dismissed when adoption Granted	Subject to continuing supervision of the court Dismissal of wardship is not automatic (if guardianship dismissed, youth still a ward)	No right

Issue	Biological parents	Adopting parents	Guardianship	Planned Permanent Living Arrangements
Extend rights of guardianship	Through provision of testamentary guardianship	Through provision of Testamentary Guardianship	Cannot delegate guardianship to anyone else	No right
Delegate rights of guardianship to another (including in their will)	Can delegate (automatic de facto status)	Can delegate guardianship	Can not delegate guardianship to anyone else Need to go back to dependency court for permission to move to another state or county	No right
Parental consent to adoption	May consent or refuse to consent	May consent or refuse to consent to adoption by another party if adoption is finalized	None	None
Religious affiliation	Right to determine	Right to determine	No right to determine without court order	No right to determine
Judicial review of case	Right to request during dependency	Right to request until dependency dismissed	Yes (visitation)	Yes, every 6 months
Medical care	Right to choose	Right to choose (may qualify for Medi-Cal under AAP agreement)	Some restrictions	Court-ordered medical Care: WIC § 726 to relative of minor

Issue	Biological parents	Adopting parents	Guardianship	Planned Permanent Living Arrangements
Decisions about education, employment, permission for marriage, entry into armed forces	Right to determine	Right to determine	Right to determine except restricted for marriage	No, except for court-ordered for education, WIC § 726
Ability to adopt guardian child	Not applicable	Not applicable	Yes	Not applicable
Liability for restitution resulting from purposeful delinquent act committed by the child	Yes, up to \$25,000 per occurrence; more for injury incurred via firearm	Yes, up to \$25,000 per occurrence; more for injury incurred via firearm IF adopted before 10 years old	Yes, up to \$25,000 per occurrence; more for injury incurred via firearm IF guardianship granted before 10 years old	No
Child's right to agree to adoption	In divorce, child age 10 and above may indicate preference for custody	At age 12 or above, child must consent At age 10, can object to it, but cannot consent	Not applicable	Not applicable

Issue	Biological parents	Adopting parents	Guardianship	Planned Permanent Living Arrangements
Procedure to become legally recognized	<p>If married, father's name goes on the birth certificate</p> <p>If unmarried, father needs to sign a declaration of paternity in the hospital or legally establish paternity through the courts</p>	<p>Licensed agency adoptions</p> <p>Home study</p> <p>Interviews</p> <p>References</p> <p>Record check and fingerprint clearance</p> <p>Birth, marriage, divorce Verification</p>	<p>Study completed by agency</p> <p>Minimum of one interview</p> <p>Medical evaluation – for dependency case, guardian does not have to get an Evaluation</p> <p>Record clearance by court</p> <p>Counties may do a home study for non-dependent Case</p>	<p>Home evaluation</p> <p>Application record check and fingerprint clearance</p> <p>Initial medical evaluation for foster care parent</p> <p>References</p> <ul style="list-style-type: none"> initial references for foster care parent do not have to get references on relatives
Costs to initiate this status	Not applicable	<p>Adopting parents Responsibility, but can file for Waiver</p> <p>Attorney fees if used to file petition</p>	<p>None unless attorney is retained</p>	<p>Fingerprint clearance paid by agency</p> <p>Medical examination</p> <p>Sometimes training (CPR and first aid)</p>
If it doesn't work	May voluntarily relinquish parental rights, but agency not obligated to accept	<p>After finalization, agency will assist family</p> <p>May make motion to set aside adoption under certain Circumstances</p> <p>May voluntarily relinquish parental rights, but agency not obligated to accept</p>	<p>May petition court to set guardianship aside</p> <p>If dependency has been terminated, new petition must be filed</p>	<p>May request removal.</p> <p>Give notice by local practice</p>

Issue	Biological parents	Adopting parents	Guardianship	Planned Permanent Living Arrangements
Visitation by parents or guardian	<p>Right to reasonable visitation per family law or dependency court order</p> <p>Right to equal access without any court order</p>	<p>Right to reasonable visitation per family law or dependency court order</p> <p>Adoptive parents decide what, if any, visitation occurs</p>	<p>No right if child removed from guardian without court order</p> <p>Parents can have a right to visitation if ordered by family law or dependency court</p>	<p>No right by foster parents if child removed from foster parent</p> <p>Per local practice if a child is in foster care, grandparents have a right to reasonable visitation if in the best interest of the child</p>
Visitation by others	As court ordered in dependency or family law courts	Adoptive parents decide what, if any, visitation occurs	As court ordered	As court ordered

I. Purpose

To focus on the goals and services set out for a nonminor dependent (NMD) in the Transitional Independent Living Case Plan (TILCP) and Transitional Independent Living Plan (TILP) and check in on the NMD's efforts and progress toward achieving independence and establishing lifelong connections with caring and committed adults.

II. Setting and conduct

A. The hearing must be conducted every six months by the court *or* by a local administrative review panel.

B. The hearing must be placed on the appearance calendar, held before a judicial officer, and recorded by a court reporter if ANY of the following circumstances apply:

1. It is the first hearing following the NMD's 18th birthday;
 2. It is the first hearing following the resumption of juvenile court jurisdiction under rule 5.906¹ of the California Rules of Court; or
 3. It has been 12 months or more since the court last conducted a review hearing.
- C. As appropriate, the hearing may be attended by participants invited by the NMD.
- D. The NMD may appear at the hearing by telephone at no cost as provided in rule 5.900.

E. If the court determines that the social worker's or probation officer's report, the TILCP, and the TILP did not collectively provide all the required information described below in section IV and the court is unable to make all the findings and orders required below in sections V and VI, the hearing must be continued for no more than five court days for the submission of additional information by the social worker or probation officer or by the NMD.

III. Notice of hearing

A. The social worker or probation officer must serve written notice of the hearing in the manner and to the persons described in Welfare and Institutions Code section 295², EXCEPT notice to the parents is not required.

B. The notice served on the NMD must include a statement that he or she may appear at the hearing by telephone, along with local court instructions for how to appear by telephone.

C. Proof of service must be filed five court days before the hearing.

IV. Written reports requirements

A. The social worker or probation officer must submit a report that includes the following information:

1. The continuing necessity for the nonminor's placement and the facts supporting that conclusion;
2. The appropriateness of the current foster care placement;
3. The NMD's plans to remain under juvenile court jurisdiction, including criteria in section 11403(b) that have been met;
4. The efforts made by the social worker or probation officer to help the nonminor meet the criteria in section 11403(b);
5. Verification that the NMD was provided with the information, documents, and services required under section 391(e);
6. Information about the development of the TILCP, including how and when it was created, how the NMD participated, and, for a NMD who elected to have the Indian Child Welfare Act (ICWA) continue to apply, the extent of consultation with the tribal representatives;
7. The efforts made by the social worker or probation officer to comply with the TILCP and efforts to finalize the permanent plan and prepare for independent living;
8. Progress made towards meeting the TILP goals, and modifications to assist the nonminor in attaining the goals;
9. The efforts made by the social worker or probation officer to help maintain relationships between the nonminor and caring and committed adults; and
10. The efforts made by the social worker or probation officer as required under section 366(a)(1)(D) to help establish or maintain the nonminor's relationship with his or her siblings who are under the juvenile court's jurisdiction.

B. The social worker or probation officer who prepares the report must submit the TILCP and TILP with the report.

C. The report, the TILCP, and the TILP must be filed with the court at least 10 calendar days before the hearing, and copies of all documents must be provided to the NMD, all attorneys of record, and, if applicable, tribal representatives where ICWA continues to apply.

¹ All rule references are to the California Rules of Court unless otherwise indicated.

² All code references are to the California Welfare and Institutions Code unless otherwise indicated.

V. Findings

- A. Notice of the date, time, and location of the hearing was given as required by law;
- B. 1. The NMD's continued placement is necessary; *or*
2. The NMD's continued placement is no longer necessary;
- C. 1. The NMD's current placement is appropriate; *or*
2. The NMD's current placement is not appropriate, and the county agency and the nonminor dependent must work collaboratively to locate an appropriate placement;
- D. The TILP includes a plan for the NMD to satisfy one or more of the criteria in section 11403(b) for eligibility for NMD status, specifically the following (*indicate all that apply*):
1. ☐ Attending high school or a high school equivalency certificate (GED) program;
 2. ☐ Attending a college, a community college, or a vocational education program;
 3. ☐ Attending a program or participating in an activity that will promote or help remove a barrier to employment;
 4. ☐ Employed at least 80 hours per month;
 5. ☐ Unable to attend a high school, GED program, college, community college, vocational education program, or a program or activities to promote employment or overcome barriers to employment, or to work 80 hours per month due to a medical condition;
- E. The county agency ☐ has ☐ has not made reasonable efforts & provided assistance to help the NMD establish & maintain compliance with the conditions in §11403(b);
- F. The NMD ☐ was ☐ was not provided with the information, documents, and services as required under section 391(e);
- G. The TILCP and TILP ☐ were ☐ were not developed jointly by the NMD and the county agency;
- H. For the NMD who has elected to have ICWA continue to apply, the representative from his or her tribe ☐ was ☐ was not consulted during the development of the TILCP;
- I. The NMD's TILCP ☐ does ☐ does not reflect the living situation and services consistent, in the nonminor's opinion, with what he or she needs to gain independence and sets out benchmarks that indicate how both will know when independence can be achieved;
- J. The NMD's TILCP ☐ does ☐ does not include appropriate & meaningful independent living skill services that will assist the youth with the transition from foster care to independent living;
- K. The county agency ☐ has ☐ has not made reasonable efforts to comply with the TILCP, including efforts to finalize the NMD's permanent plan and prepare him or her for independence;
- L. The TILP includes appropriate and meaningful independent living skill services that will assist the NMD with the transition from foster care to independent living;
- M. The NMD ☐ did ☐ did not sign and receive a copy of his or her TILCP and TILP;
- N. The progress made by the NMD toward meeting the goals in the TILCP has been (*specify and describe*):
Any modifications needed to assist in attaining the goals have been stated on the record and are to be incorporated in the case plan;
- O. The county agency ☐ has ☐ has not made reasonable efforts to help maintain relationships between the NMD and individuals who are important to him or her, including efforts to help establish and maintain relationships with caring and committed adults who can serve as lifelong connections;
- P. The county agency has made reasonable efforts as required in section 366(a)(1)(D) to establish or maintain the NMD's relationship with his or her siblings who are under the juvenile court's jurisdiction; and
- Q. The likely date by which it is anticipated the nonminor dependent will achieve independence is (*choose date that reflects a realistic assessment*): ____/____/____.

VI. Orders

- A. Juvenile court jurisdiction over the youth as a nonminor dependent is continued.
1. The youth's permanent plan is independence after a period of placement in supervised settings as specified in section 11402.
2. The matter is continued for a hearing under section 366(f) and rule 5.903 on (*choose date within the next six months*): ____/____/____; *or*
- B. Juvenile court jurisdiction over the nonminor may no longer be necessary, and a hearing under rule 5.555 to consider termination of juvenile court jurisdiction is ordered on (*choose date within the next 30 days*): ____/____/____; *or*
- C. At a hearing held today under rule 5.555, the juvenile court entered the findings and orders as recorded on the *Findings and Orders After Hearing to Consider Termination of Juvenile Court Jurisdiction Over Nonminor* (form JV-367) and juvenile court jurisdiction is terminated pursuant to those findings and orders.

The information on this chart is based on the provisions of Assembly Bill 12 (Beall; Stats. 2010, ch. 559), the California Fostering Connections to Success Act, as amended by Assembly Bill 212 (Beall; Stats. 2011, ch. 459) and the California Rules of Court, effective January 1, 2012. The chart was compiled by the Juvenile Court Assistance Team, Center for Families, Children & the Courts, Administrative Office of the Courts, 455 Golden Gate Avenue, San Francisco, California 94102-3688, 415-865-7739, cfcc@jud.ca.gov

2008 California Rules of Court

Rule 5.825. Freeing wards for adoption

(a) Applicable law (§§ 294,366.26,727.2, 727.3, 727.31)

Except as provided in section 727.31, the procedures for termination of parental rights to free children described in that section for adoption are stated in sections 294 and 366.26. Rules 5.725 and 5.730 are applicable to these proceedings.

(Subd(a) amended effective January 1, 2007; previously amended effective January 1, 2006.)

(b) Joint county protocol

In each county, the county probation department and the county child welfare department must jointly develop a protocol for freeing wards for adoption. The protocol should address questions such as:

- (1) When and how will wards be referred to the licensed county adoption agency, or State Department of Social Services when it is acting as the adoption agency, for a determination of whether the ward is adoptable, as described by section 727.3(i)(2)?
- (2) Once a finding has been made that the permanent plan for the ward must be adoption and the case is set for a section 727.31 hearing, how will the referral be made to the licensed county adoption agency, or to the State Department of Social Services when it is acting as the adoption agency, to prepare an adoption assessment, as required by section 727.3(j)?
- (3) Will the probation department continue to have ongoing case management and supervision of the case, pending the termination of parental rights hearing?
- (4) Will the probation department or the child welfare department prepare the notices and other legal documents required before a termination of parental rights hearing?
- (5) In counties in which different judicial officers hear delinquency and dependency matters, what procedure will be used to ensure that the dependency judge will hear each 727.31 hearing?
- (6) Will the probation department or the child welfare department prepare the petition for adoption and other forms needed after the 727.31 hearing to complete the adoption process?

(Subd (b) amended effective January 1, 2007.)

Rule 5.825 amended and renumbered effective January 1, 2007; adopted as rule 1496.5 effective January 1, 2001; previously amended effective January 1, 2006.

Identifying and Reducing Barriers to Title IV-E Placement Requirements

From discussions in your groups, jot down any notes, questions, concerns or ideas you want to take back to your agency and supervisor for discussion, clarification or implementation.

Barriers

System:

Policy and Procedure:

Practice:

Concrete solutions

System:

Policy and Procedure:

Practice:

Questions for clarification

System:

Policy and Procedure:

Practice:

Activity: Antwone Fisher – What Difference Do Connections Make?



How might the outcome of this case change if the probation officer did concurrent planning and a due diligence search for relatives?

What strategies would you employ on the first day of the case to develop a termination plan to achieve permanency?

What impact would there be on Antwone if the probation officer found his mother and a potential relative to step him down from foster care?

Accessing the CWS/CMS Training Portal & Scheduling CWS/CMS Training

There are two ways to access the training portal. The quickest and easiest is to be logged in to the CWS/CMS system and click on the “training portal” from the “help” drop-down menu.

If you do not yet have log-in credentials you can type CWS/CMS into your search browser and from the main-page click on the “training” tab and choose training portal. When you access in this way you’ll be required to register with your county email address and an eight-digit password, using and uppercase, lowercase, and a number before you can enter.

To get to the two probation PDF quick guides, click on “Guides” and scroll down to the “Probation” heading. Note, you should check here for updated quick guide instructions at least quarterly to assure you have the most current data entry requirements for probation.

To Schedule CWS/CMS training with Instructor, Cathy Groh, contact Debbie Rodriguez at dkrodriguez@ucdavis.edu or at (530) 757-8582.

Cathy Groh can be reached at (530) 219-2092 or cegroh@ucdavis.edu

CWS/CMS

DPO Quick Guide for Probation



Resource Center for Family-Focused Practice
June 2017

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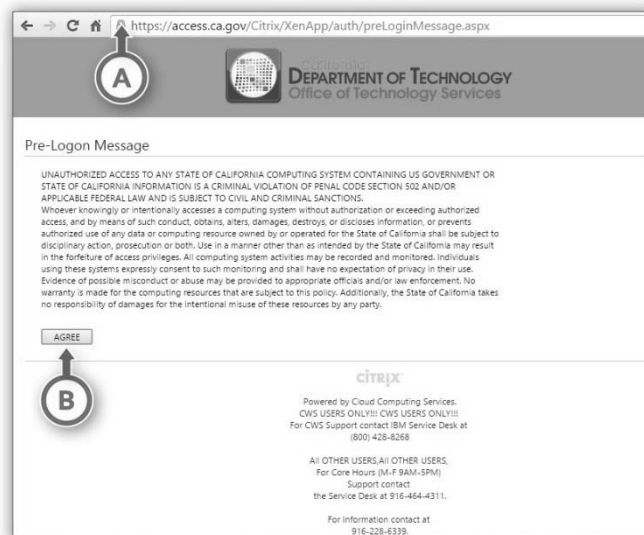
DPO Quick Guide Data Entry Instructions

CWS/CMS Web Access Log-in Instructions

(Note: Follow your county's protocol for download of programs on your PC and seek IT assistance as required before initial download).

A. Type <https://access.ca.gov> into your browser. (Works best with Internet Explorer)

B. Click Agree



C. Click agree to Citrix license agreement and Install and Run the program. *(Once installed, if asked to install again, click the press skip to logon.)*

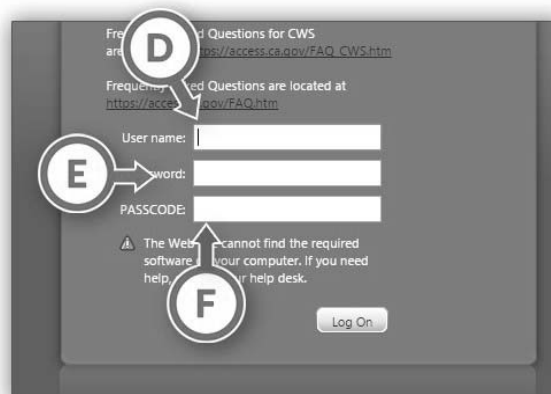
Note: On the "Welcome to Cloud Computing Services" page you will see three log-in fields (ie. Username, Password, and Passcode).

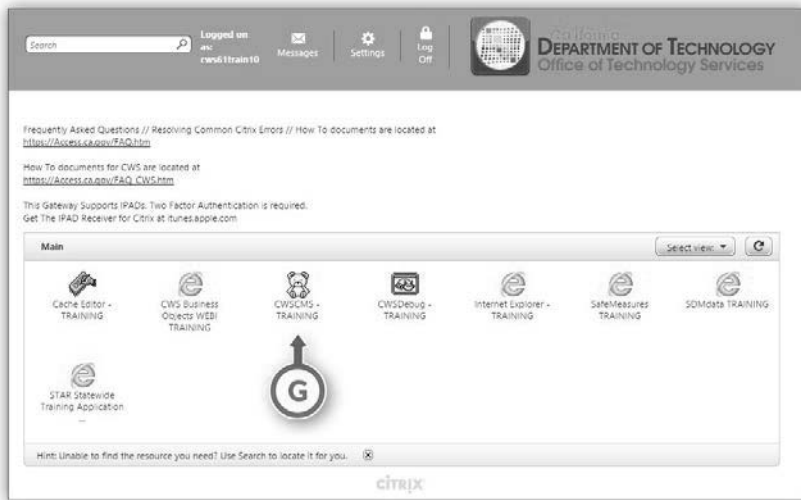


D. User Name Assigned by your County Designee is typically as follows (CWS61JaneDoe). The numbers after CWS correspond to your county number.

E. Password (assigned by designee)

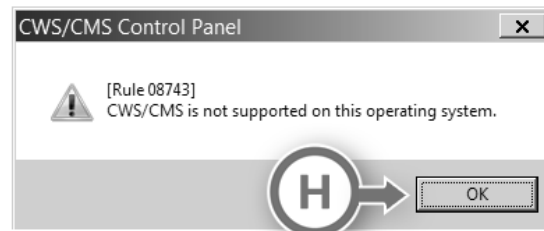
F. Passcode (press token for number and type in this field.)



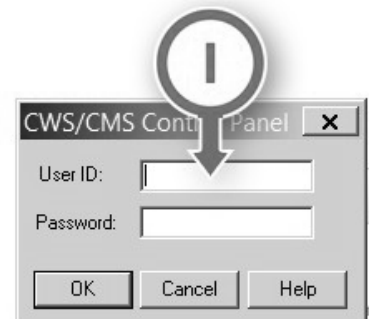


G. Click on the Teddy Bear icon just once

H. You will see a message that CWS/CMS is not supported on this operating system (Click OK).



I. On the control panel log-in you will enter your assigned user ID and Password and Click OK.

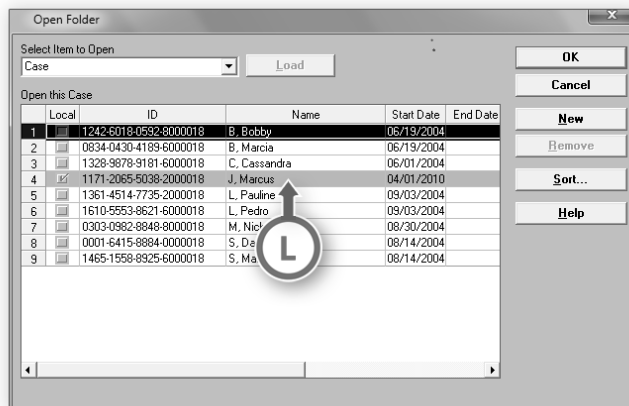


J. From the control panel you will click on the Teddy Bear to access the screen with the two file folders.

K. Click on the file folder to the right, open existing caseload. Your assigned cases will appear in this window.

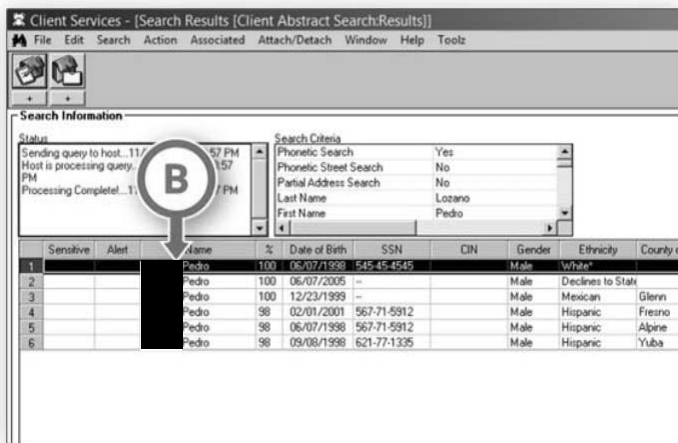
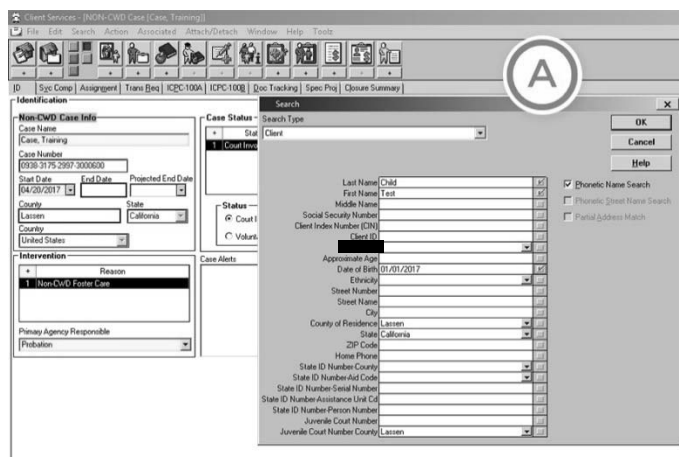


L. Highlight the case you want to open and click OK. Note: Upon data entry completion (SAVE TO DATABASE)

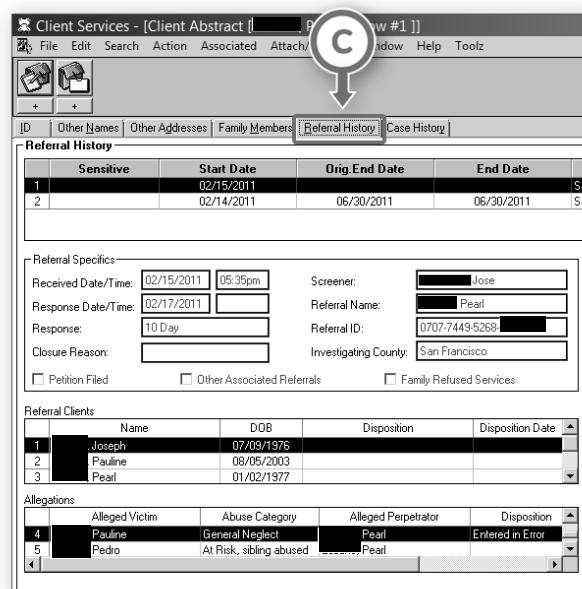


Searching for Client History in CWS/CMS

A. Click on Search, “Start Search” and search for your client. (*Be sure to include birthdate or one other search criteria to avoid exceeding maximum search results.*)

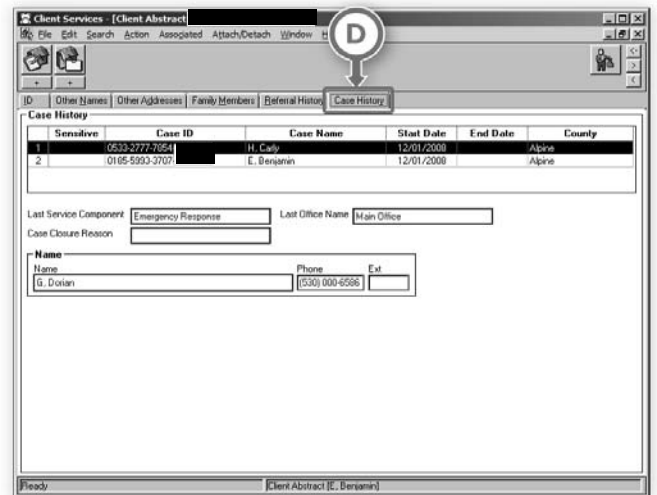


B. Double click on your client’s name to open their client abstract.



C. Click on the “Referral History” tab and review CWS referrals.

D. Click on the “Case History” tab to review both CWS and Probation case history.



ID	Service	Case ID	Case Name	Start Date	End Date	County
1		0522-2277-1024	H. Cady	12/01/2008		Alpine
2		0105-5593-2701	E. Benjamin	12/01/2008		Alpine

Last Service Component: Emergency Response Last Office Name: Main Office

Case Closure Reason:

Name: G. Dorian Phone: (530) 000-6586 Ext:

TILP / 90 Day Transition Plan

(Complete every 6 months typically corresponding with review hearing)
 90 Day Transition Plan completed 90 days prior to case closure)

A. Click the green Case Management Section.

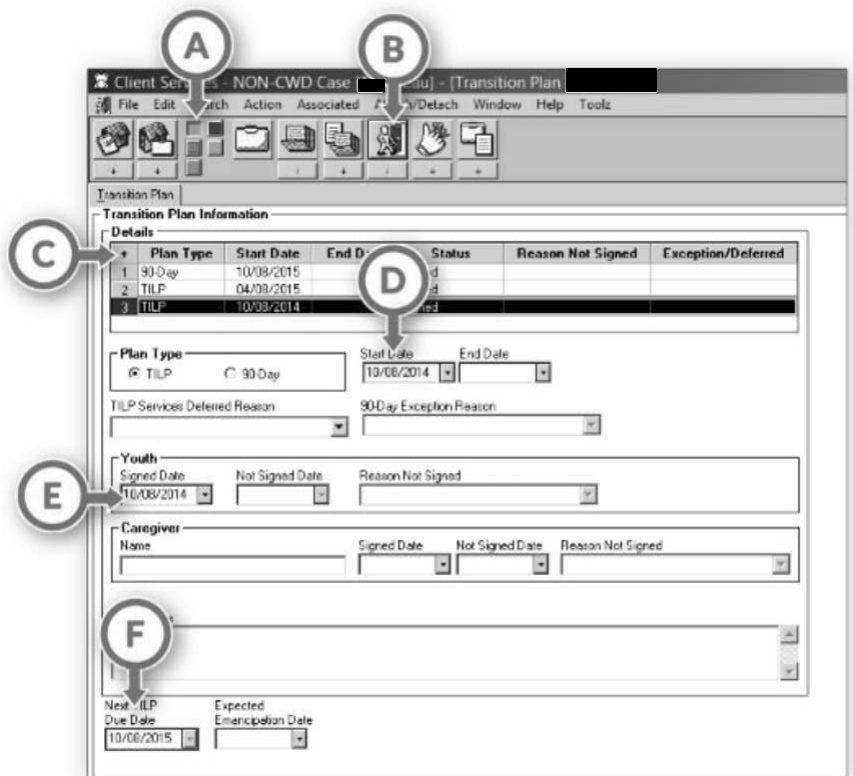
B. Click the open existing Transitional Plan notebook, choose the current record, click OK.

C. Click the plus under “Details” to activate the fields (Note, default is TILP)

D. Enter start date (date you completed the TILP) or date services were deferred and reason from drop-down menu.

E. Enter the date the youth signed the TILP or the date TILP not signed and the reason from drop-down menu. (You must document a signed date, not signed and the reason, or TILP deferred, or you will not be in compliance)

F. Note the date next TILP is due.



Plan Type	Start Date	End Date	Status	Reason Not Signed	Exception/Deferred
1 90 Day	10/08/2015		Completed		
2 TILP	04/09/2015		Completed		
3 TILP	10/09/2014		Deferred		

Plan Type: TILP Start Date: 10/06/2014 End Date:

TILP Services Deferred Reason: 90 Day Exception Reason:

Youth Signed Date: 10/08/2014 Not Signed Date: Reason Not Signed:

Caregiver Name: Signed Date: Not Signed Date: Reason Not Signed:

Next TILP Due Date: 10/06/2015 Expected Emancipation Date:

(Complete the 90 day transition plan following the steps above and indicate 90 day exemption reason if applicable)

Note: You will not be able to end your case without documenting the 90 day transition plan for youth 17 1/2 and older. Both the TILP and 90 day template documents are available in CWS/CMS should you choose to access them but are not required to be completed in CWS/CMS by probation.

(SAVE TO DATABASE)

Documentation of Commercially Sexually Exploited Children (CSEC)

Note: Per ACL 16-49, (Documentation is required for all youth who are, or are at risk of being, Commercially Sexually Exploited)

- A. Click the blue Client Management Section.
- B. Click on the first notebook to the right of the colored sections for “Open Existing Client.”
- C. Highlight Youth’s Name and Click Okay.
- D. From the CSEC Data window, click the + sign to activate the fields.
- E. Choose the appropriate CSEC Type from the dropdown menu.
- F. Enter a Start Date.

(SAVE TO DATABASE)

Documenting a Parenting Minor in CWS/CMS

Note: Per ACL 16-32 (Documentation is required for all Pregnant and Parenting Youth and NMDs in Foster Care)

A. Click the blue Client Management Section

B. Click the first notebook to the right of the colored sections, “open existing client.”

C. Highlight youth’s name and click OK.

D. Click the check box for “Client is a Minor/NMD Parent.” A message in red appears “Enter Missing Parent/Child Relationship.”

E. Follow Instructions in this guide for Searching and Attaching a Client. *(If a diligent search for your youth’s child yields no results, proceed with instruction “F” creating a new client notebook.)*

F. Click the plus sign under the first notebook to the right of the colored sections for “Create New Client.”

G. Complete all yellow, periwinkle and green fields on the ID page.

H. Click the “Related Clients” page.

I. Enter the parent child relationship. *(note: always relate the top person shown to the bottom person, as in the screen shot, father/daughter birth. The message “Enter Missing Parent/Child Relationship” will now be gone from the parenting youth’s client notebook.)*

(SAVE TO DATABASE)

Searching and Attaching Existing Client Notebooks

A. From your open case click on the search drop-down menu and choose start search. In the open window, type the name of the client you're searching for and at least one other identifying criteria such as birthdate.

B. Click OK

Search

Search Type: Client

Last Name: Child
First Name: Test
Middle Name:
Social Security Number:
Client Index Number (CIN):
Client ID:
Gender:
Approximate Age:
Date of Birth: 01/01/2017
Ethnicity:
Street Number:
Street Name:
City:
County of Residence: Lassen
State: California
ZIP Code:
Home Phone:
State ID Number-County:
State ID Number-Aid Code:
State ID Number-Serial Number:
State ID Number-Assistance Unit Cd:
State ID Number-Person Number:
Juvenile Court Number:
Juvenile Court Number County: Lassen

☒ Phonetic Name Search
☐ Phonetic Street Name Search
☐ Partial Address Match

OK
Cancel
Help

C. Double click on your search results to open the client abstract.

Client Services - [Search Results [Client Abstract Search/Results]]

File Edit Search Action Associated Attach/Detach Window Help Tools

Search Information

Status: Sending query to host... 5/12/2017 9:04:36 AM
Host is processing query... 5/12/2017 9:04:36 AM
Processing Complete!... 5/12/2017 9:04:37 AM

Search Criteria: Phonetic Search: Yes, Phonetic Street Search: No, Partial Address Search: No, Last Name: Child, First Name: Test

	Sensitive	Alert	Name	%	Date of Birth	SSN	CIN	Gender	Ethnicity	County of Res
1			Child, Test	100	01/01/2017	-		Female	White	

D. Review the page tabs for Family Members, Referral history and Case history to assure you have the correct client.

Client Services - [Client Abstract [Child, Test - Row #1]]

File Edit Search Action Associated Attach/Detach Window Help Tools

Identification

Last Known Residence Address:
SSN:
Gender: F
Client Index Number (CIN):
Date of Birth: 01/01/2017
Age: 0
Primary Ethnicity: White
Birth Place/Hospital Name:
Birth City:
Client ID: 0981-4096-4568-5000601
Alien Registration #:
Immigration Country:
Date of Death:
Most Recent Juvenile Court #:
Drivers License #:
Last State ID #:
Parental Rights Termination:
Tribal Customary Adoption:
CSEC Data:
CSEC Type:
Start Date:
End Date:
AWOL/Abducted:
☐ AWOL
☐ Abducted
☐ Not Applicable
☐ Outstanding Warrant

- E. Click on the window drop-down menu and choose the Non-CWD Case to get back in your open case.
- F. Click on the Attach/Detach drop-down menu and click on attach existing client.

- G. A new window will open with the name of the client you just searched for. Highlight their name.
- H. Click OK.
- I. Click on the blue Client Management Section.
- J. Click on the first icon to the right of the colored sections for “Open Existing Client.”
- K. A new window opens with all the client notebooks and you should see the name of the client you just attached.
- L. Click on their name.
- M. Click OK and from the open client notebook review the information on the ID, Demog, Address and Names pages for accuracy and update as necessary.

(SAVE TO DATABASE)

Creating New Client Notebooks

- A. Click on the blue Client Management Section
- B. Click on the plus sign under the first notebook to the right of the colored sections for "Create New Client." A blank client notebook opens. Complete all yellow, green, and periwinkle fields on the ID page.
- C. Complete the "Demog, Address, and Names" pages with as much information as you have.
- D. Click on the "Related Clients" page.
- E. Click the plus sign under related clients
- F. From the open window highlight any names that appear in bold.
- G. Click OK

Client Services - NON-CWD Case [Case, Training] - [Client [Test Child2]]

File Edit Search Action Associated Attach/Detach Window Help Toolz

Summary ID Demog Address Names Related Clients ID Num Juv. Cit. # Search Log AFD/C-FC Attorneys Service Providers I.C.W.A.

Related Clients

Relative	Related As
1 Case, Training	Father/Daughter (Birth)
2 Child, Test	Sister/Sister (Step)

Relative's Name: Child, Test

Child2, Test / Child, Test

Sister/Sister (Step)

Start Date: End Date:

☒ Live at the same location ☐ Parent's Whereabouts Unknown

- H. Highlight each row number
- I. From the yellow drop-down menu choose the appropriate relationship always relating the first person in the grid to the second person. In the example, sister/sister step.

(SAVE TO DATABASE)

Client Services - NON-CWD Case [Case, Training] - [Client [Test Child2]]

File Edit Search Action Associated Attach/Detach Window Help Toolz

Summary ID Demog Address Names Related Clients ID Num Juv. Cit. # Search Log AFD/C-FC Attorneys Service Providers I.C.W.A.

Name and Identification

Prefix First Middle Last Suffix Name Type

Gender Marital Status SSN Client Index Number (CIN)

Driver's License - State/Number Date of Birth or Age and Age Unit

Alien Registration #

☐ Client is a Minor/NMD Parent Client Number 1625-6757-1160-5000601

☐ Outstanding Warrant Exists

CSEC Data

CSEC Type

CSEC Type Start Date

Other Client Information

ICWA Eligible Incapacitated Parent

Child has Indian Ancestry Indian Ancestry Notification

Language

Primary Language Secondary Language

Literate

Race/Ethnicity

Specify Race* if known Primary Ethnicity

Hispanic or Latino Origin

Unable to Determine - Reason

Other Ethnicity Other Ethnicity

Client Services - NON-CWD Case [Case, Training] - [Client [Test Child2]]

File Edit Search Action Associated Attach/Detach Window Help Toolz

Summary ID Demog Address Names Related Clients ID Num Juv. Cit. # Search Log AFD/C-FC Attorneys Service Providers I.C.W.A.

Related Clients

Relative	Related As
1 Case, Training	Father/Daughter (Birth)
2 Child, Test	Sister/Sister (Step)

Relative's Name: Case, Training

Case, Training / Child2, Test

Father/Daughter (Birth)

Start Date: End Date:

☒ Live at the same location ☐ Parent's Whereabouts Unknown

Family Finding Efforts On Behalf Of Date Identified

Relative Notification On Behalf Of

Status Start Date End Date

Lifelong Connection Status Start Date End Date

Date Method/Exception Response

Select Related Clients

Related Clients

Case, Training (15)

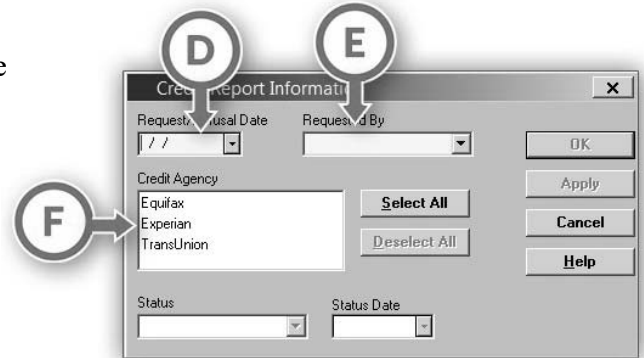
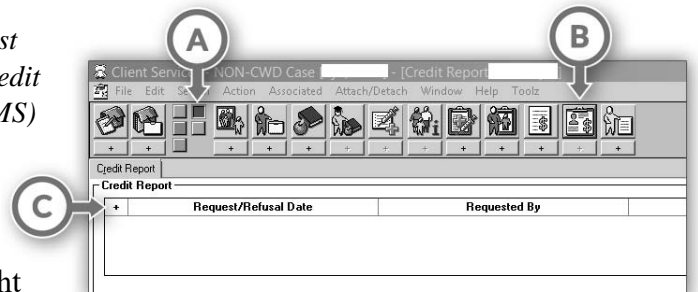
Child, Test (0)

OK Cancel Help

Annual Credit Reporting/Identity Theft

Per ACL 15-98 (All youth in foster care age 14 and up must have an annual credit report run from each of the three credit reporting agencies and the results documented in CWS/CMS)

- A. Click the blue Client Management Section.
- B. Click the second to last icon notebook from the right to open existing credit report.
- C. Click the plus sign under credit reporting to activate the fields.
- D. Enter a request date.
- E. Enter requested by CDSS, County, NMD etc.
- F. Highlight Experian, Equifax, or Trans-Union individually or “select all” and click “apply.”



G. Enter the Status Date (*The date you received or did not receive a report or the date your request was rejected*).

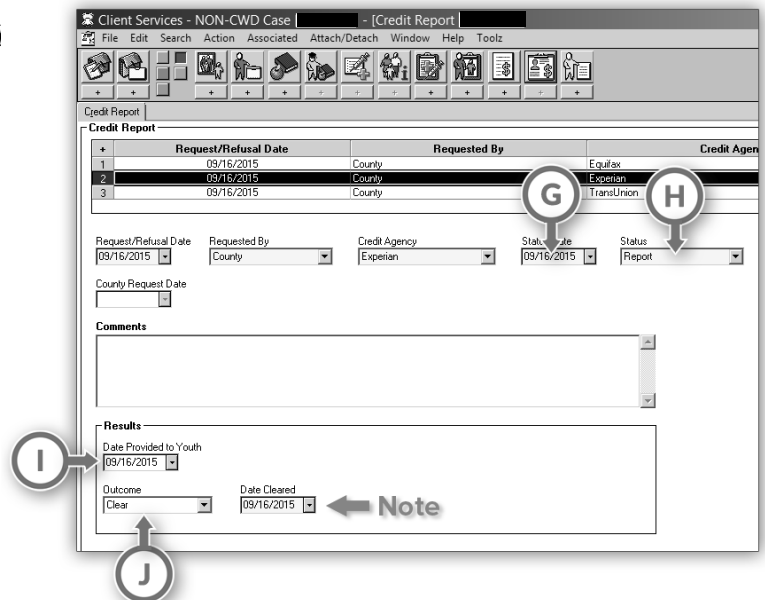
H. Entering a “report” was received will enable the “Results” window.

I. Enter the date you provided the youth their results.

J. Enter the outcome of “cleared” or “not cleared.”

Note: An outcome of “Clear” and “Date Cleared” must be documented prior to case closure.

(SAVE TO DATABASE)



Creating/Updating an Education Notebook

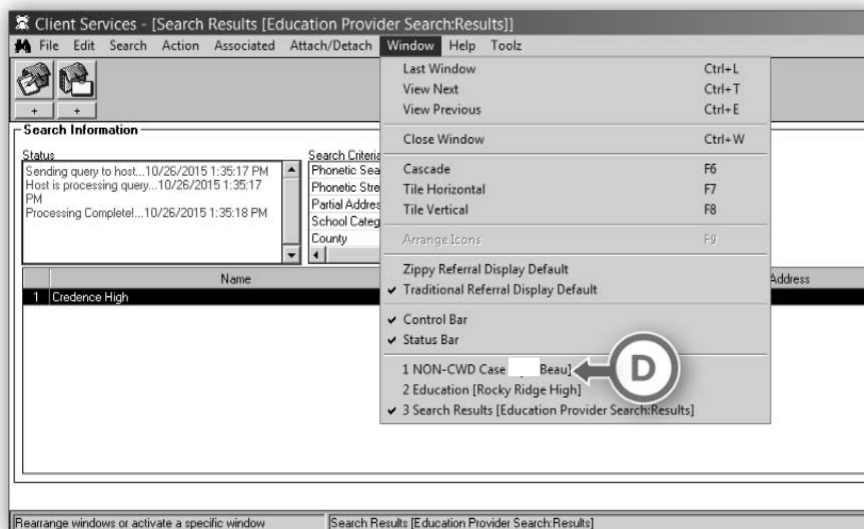
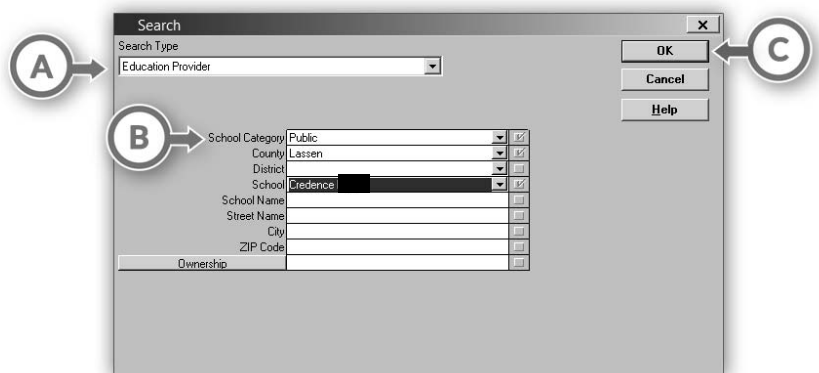
Note: Before adding the youth's school you must first search for the school.

A. Click Search and change the search type to “Education Provider.”

B. Enter a school category (ie Public, Private, etc.) and at least one other criteria to get the “OK” button enabled.

C. Click “OK.”

D. From the search results screen click on the window drop-down menu and click any open window to get back in the case.



E. Click the blue Client Management Section.

F. Click the plus sign under the school book with the apple icon. A new window will open with the name of the school you just searched for. Highlight it and click OK to create your education notebook.

G. Complete all yellow, green and periwinkle fields on the Enrollment and Grade Level pages.

(Note: if this is not the first school you're entering you will be prompted to answer the "School of Origin" questions, indicating the date the decision was made to not keep the youth in their school of origin and choosing their school of origin from the "Education Provider" drop-down menu.)

H. Click the plus under Special Education and enter either "Yes," or "No" that the youth is or is not identified as special education.

I. Enter a special education start date (Note: the only time you would end date this field is if you were updating from not special education to special education or the opposite, otherwise do not end date.)

J. Click yes/no for "Client Completed at least One Semester of College."

K. Click yes/no for "Client attended Postsecondary Ed/Voc Training."

L. Click on the Grade Level Information tab and click the plus under Grade Level Information to activate the fields. Complete grade, start date, and grade level performance.

Note: Before searching and adding a new school, open the existing education provider and enter an end date on the enrollment page. Proceed with step "A."

(SAVE TO DATABASE)

Creating a Contact for a Youth and Documenting ILP Delivered Services

- A. Click the orange Service Management Section.
- B. Click the plus under the rolodex icon.
- C. A new window will appear with your youth's name. Highlight the youth's name and click "OK."
- D. Enter the start date.
- E. Select contact purpose "Deliver Service to Client."
- F. Select Method of visit.
- G. Select location of visit if visit is in-person. Majority of visits must be in the youth's placement.
- H. Select the status of visit "Completed" to be in compliance. AWOL youth require monthly documented "Attempted" contacts.
- I. Select the participant(s) contacted during the visit.
- J. Enter a detailed narrative for your visit. (see sample visit guidelines).

The screenshot shows the 'Client Service Management' software interface. The main window is titled 'NON-CWD Case Beau - [Contact 10/05/2015]'. The interface includes a menu bar (File, Edit, Action, Associated, Attach/Detach, Window, Help, Toolz) and a toolbar with various icons. The 'Contact Information' section is active, showing fields for Start Date (10/05/2015), Start Time (: am), End Date (10/05/2015), End Time (: am), Contact Purpose (Deliver Service to Client), Method (In-Person), Location (In Placement), and Status (Completed). The 'Participants' table lists 'Tye, Beau' with a count of 17. The 'On Behalf of Child' table lists 'Tye, Beau' with a count of 08. The 'Contact Party Type' table lists 'Staff Person/Child' with a count of 1. The 'Narrative' section contains text about visitation requirements. A 'Select On Behalf Of Child' dialog box is open, showing a list of youth names with 'Beau' selected. The dialog box has 'OK', 'Cancel', and 'Help' buttons.

K. (Provided your youth is ILP eligible) Click on the “Associated Services” tab.

L. Click the plus under “Associated Services” to activate the fields on the page.

M. Select the “Service Category” of “Independent Living Program Services.”

N. Select the “Service Type(s)” from the drop-down menu. (Service type should match the service discussed in your contact narrative).

O. Select the type of provider (ie Staff Person, Service Provider) and their name from the drop-down menu.

P. Click the yellow plus sign in the “Service Recipient” box and choose your youth’s name as the recipient.

Note: Provided you included discussion of the ILP delivered service in your narrative on the contact page, you do not need to add further narrative on the associated services page.

(SAVE TO DATABASE)

Creating a Contact for a Parent

A. Click the orange Service Management Section.

B. Click the plus under the rolodex icon.

C. A new window will appear with your youth’s name. Highlight the youth’s name and click “OK.”

D. Enter the start date

E. Select contact purpose “Deliver Service to Client”.

F. Select Method of visit

- G. Select location of visit if method is in-person.
- H. Select the status of visit “Completed.”
- I. Select the participant(s) contacted during the visit.
- J. Enter a detailed narrative for your visit.

(SAVE TO DATABASE)

Searching for and Creating a Service Provider

Note: Perform a diligent search for a service provider prior to creating one. using different search criteria and make of your wild card (%) to expand search results.

- A. Click the orange Service Management Section.
- B. Click the plus sign under the cornucopia notebook.
- C. Enter your search criteria in the open window and click OK.
- D. From the search results screen, click on the “Create Service Provider” button.
- E. A window opens with some of your search criteria already entered. Complete the ID and Address pages.

(SAVE TO DATABASE)

This screenshot shows the 'Client Services - NON-CWD Case' application window. The 'Name and Identification' tab is active. A search window is open, allowing the user to enter search criteria. The 'Service Provider Category' is set to 'Mental Health Therapist' and the 'First Name' is 'M'. The search window includes fields for 'Search Type', 'Service Provider', 'First Name', 'Last Name', 'Agency Name', 'Street Number', 'Street Name', 'City', 'County of Location', 'State', and 'Zip Code'. The 'Create Service Provider' button is visible in the bottom right corner of the search window.

This screenshot shows the 'Client Services - [Search Results [Service Provider Search Results]]' window. It displays search criteria and a table of results. The 'Create Service Provider' button is highlighted in the bottom right corner. The search criteria include 'Status', 'Search Criteria', 'Phonetic Search', 'Phonetic Street Search', 'Partial Address Search', 'Redo Search', 'Processing Complete', 'Service Provider Category', and 'First Name'. The table of results has columns for 'Name', 'Agency Name', and 'Address'.

This screenshot shows the 'Client Services - NON-CWD Case' application window with the 'Service Provider' tab active. The 'Identification' section includes fields for 'Provider Title', 'Agency Name', 'Name' (Prefix, First, Last, Suffix), and 'Categories' (Service Provider Category: 1 Mental Health Therapist). The 'Address' section includes fields for 'Address', 'City', 'State', 'ZIP', 'ZIP Ext', 'County of Location', 'Phone' (Primary, Other, Fax), and 'End Date'. The 'Create Service Provider' button is visible in the bottom right corner.

Documenting a Mental Health Referral

- A. Click the orange Service Management Section.
- B. Click the plus under the rolodex icon
- C. A new window will appear with your youth's name. Highlight the youth's name and click "OK."
- D. Enter the start date
- E. Select contact purpose "Consult with Service Provider"
- F. Select Method (ie. Fax)
- G. Select location (ie. Office)
- H. Select the status of "Completed"
- I. Select the participant as "Service Provider" and choose their name. If the service provider's name is not available follow the instructions for searching and attaching an existing service provider or creating a new service provider.
- J. In the "Case Management Service Referral Window" click the plus sign and choose "Ref- Refer for Counseling Mental/ Health Services."
- K. Enter a brief narrative about the purpose of the referral.

The screenshot displays the 'Client Service Management System' interface. The main window is titled 'ON-CWD Case [Beau] - [Contact [10/28/2015]]'. The interface is divided into several sections:

- Contact Information:** Includes fields for Staff Person, Start Date (10/28/2015), Start Time (am), End Date (10/28/2015), Contact Purpose (Consult with Service Provider), Method (Fax), Location, and Status (Completed).
- Participants:** A list showing 'Apple, Bob - Children First'.
- On Behalf of Child:** A list showing '1 Beau'.
- Contact Party Type:** A list showing '1 Staff Person/Service Provider'.
- Case Management Services/Referrals:** A table with columns for Case Management Services/Referrals and Wraparound. It shows '1 Ref-Refer for Counseling/Mental Health Svc'.
- Narrative:** A text area containing the text 'Faxed referral to Bob Apple for anger management counseling on behalf of Beau'.

A small dialog box titled 'Select On Behalf Of Child' is open in the foreground. It contains a list with the entry 'Beau - 0878-4320-5950' and buttons for OK, Cancel, and Help.

Documenting a Monthly Mental Health Contact and Delivered Service

A. Click the orange Service Management Section.

B. Click the plus under the rolodex icon.

C. A new window will appear with your youth's name. Highlight the youth's name and click "OK."

D. Enter the start date.

E. Select contact purpose "Consult with Service Provider".

F. Select Method of visit.

G. Select location of visit if visit is in-person.

H. Select the status of visit "Completed" to be in compliance.

I. Select the participant as "Service Provider" and choose their name. If the service provider's name is not available follow the instructions for searching and attaching an existing service provider or creating a new service provider.

J. Enter a detailed narrative for your visit.

K. Click on the "Associated Services" tab

L. Click the plus under "Associated Services" to activate the fields on the page.

M. Select the "Service Category" of "Counseling/Mental Health Services."

N. Select the "Service Type(s)" of "General Counseling."

O. Select "Service Provider" and their name from the drop-down menu.

P. Click the yellow plus sign in the "Service Recipient" box and choose your youth's name as the recipient.

Note: Provided you included discussion of counseling services in your narrative on the contact page, you do not need to add further narrative on the associated services page.

(SAVE TO DATABASE)

Documenting Children and Family Team Meetings (CFT)

- A. Click on the orange Service Management Section.
- B. Click on the plus sign under the rolodex icon to create new contact and complete yellow mandatory fields as shown in the screenshot and include summary of team meeting in the narrative field.
- C. From the “Case Management Services/Referrals” window click the yellow plus sign and choose CM-Child and Family Team. This will auto fill your service category and service type on the associated services page.

Contact Information

Staff Person: GrohAdmin, Cathw
 Start Date: 04/20/2017, Start Time: : am, End Date: 04/20/2017, End Time: : am
 Contact Purpose: Deliver Service to Client, Method: In-Person, Location: Other, Status: Completed

Participants

	Participants	On Behalf of Child
1	Case, Training	15

On Behalf of Child

	On Behalf of Child
1	Case, Training

Contact Party Type

	Contact Party Type
1	Staff Person/Child

Case Management Services/Referrals

Case Management Services/Referrals	Wraparound
CM-Child and Family Team	

☐ Wraparound

Narrative

- D. Click on the Associated Services Page and click on the yellow plus sign in the window titled “Child and Family Team.”
- E. From the dropdown menu choose key roles of the participants (Note: you can choose multiple roles at once.)
- F. Choose “Lead Agency” from the yellow dropdown menu.

SAVE TO DATABASE

Associated Services

	Start Date	End Date	Service Category
1	04/20/2017	04/20/2017	Case Management Services

Service

☐ Offered but not delivered, ☐ Hard Copy On File, ☐ Well Child Exam
 Start Date: 04/20/2017, Start Time: : am, Service Category: Case Management Services
 End Date: 04/20/2017, End Time: : am, Service Type: Child and Family Team
☐ Wraparound

Provider

☒ Staff Person, ☐ Service Provider, ☐ Collateral
☐ Substitute Care Provider
 Provider Name: GrohAdmin, Cathw

Child and Family Team

	Key Roles
1	Child
2	Child Welfare Social Worker
3	Other Community Support
4	Parent/Father
5	Parent/Mother

Lead Agency

Probation

Annual Reassessment of Youth in Group Home Care

Per ACIN 1-43-15 dated June 26, 2015 - Documentation of Annual Reassessments to Determine the Appropriateness of Continued Group Home Care for Youth in Group Homes over one Year and Plans for Transitioning into a Family- Based Setting.

A. Click on the orange Service Management Section.

B. Click on the plus sign under the rolodex icon notebook to create new contact on behalf of youth.

C. Enter the start date.

D. Enter Contact Purpose of “Conduct Client Evaluation.”

E. Enter Method “In Person.”

F. Enter location “In Placement.”

G. Enter Status “Completed.”

H. Participant = Your Youth.

I. *Begin Narrative with “Reassessment of a child/youth in group care” and refer to ACIN 1-43-15 for additional narrative requirements.*

(SAVE TO DATABASE)

The screenshot shows a software window titled "Client Services - ON-CWD Case: [Beau] - [Contact [10/06/2015]]". The interface includes a menu bar (File, Edit, Services, Action, Associated, Attach/Detach, Window, Help, Tools) and a toolbar with icons for adding new records. The main form is divided into several sections:

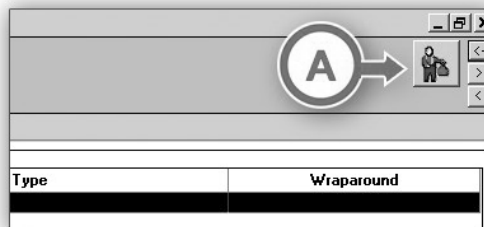
- Contact Information:** Includes fields for Start Date (10/06/2015), End Date (10/06/2015), and Time (am). It also has dropdown menus for Contact Purpose (Conduct Client Evaluation), Method (In Person), Location (In Placement), and Status (Completed).
- Participants:** A table with columns for ID, Name, and Age. It shows one participant: 1, Beau, 17.
- On Behalf of Child:** A dropdown menu showing "Beau".
- Contact Party Type:** A dropdown menu showing "Staff Person/Child".
- Case Management Services/Referrals:** A table with columns for Case Management Services/Referrals and Wraparound. It is currently empty.
- Narrative:** A text area with a prompt: "Per ACIN 1-43-15 dated 6/26/2015 begin your narrative with... 'Reassessment of a child/youth in group care.' See ACIN 1-43-15 for details of what narrative should include."

Numbered callouts A through I are placed over the interface to indicate the steps for data entry:

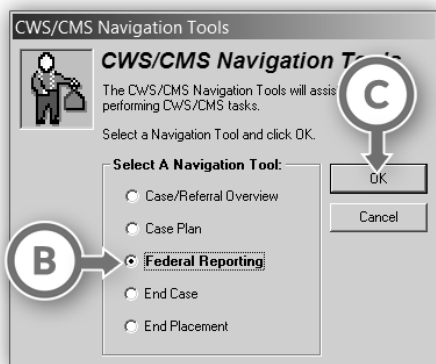
- A: Points to the orange Service Management Section.
- B: Points to the plus sign under the rolodex icon notebook.
- C: Points to the Start Date field.
- D: Points to the Contact Purpose dropdown.
- E: Points to the Method dropdown.
- F: Points to the Location dropdown.
- G: Points to the Status dropdown.
- H: Points to the Participant field.
- I: Points to the Narrative text area.

Federal Reporting – NYTD

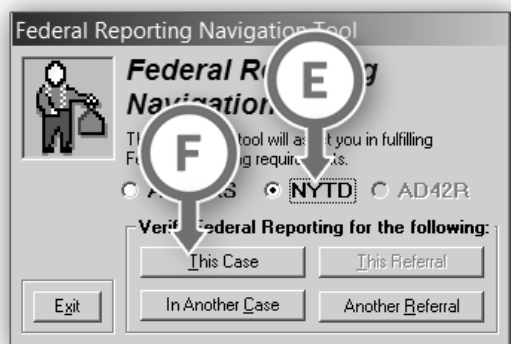
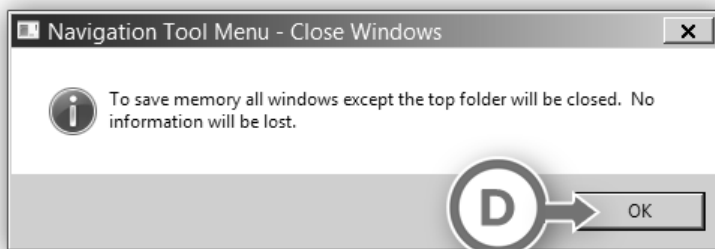
A. Click on the Tool Man icon.



B. Click
Federal Reporting.
C. Click “Ok.”



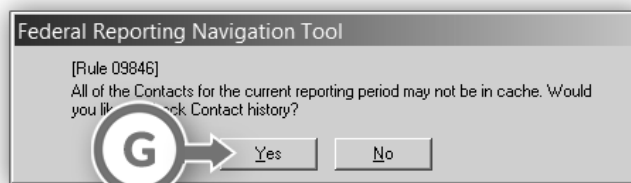
D. A window appears informing you “to save memory all windows except the top folder will be closed. No information will be lost. Click “OK.”



E. Click on NYTD

F. Click on “This Case” (only available from the open case otherwise it will show “For Another Case?”)

G. A window will appear with the statement “All Contacts for the current reporting period may not be in cache. Would you like to check Contact history? Click “Yes.”



Note: Check to see that your Federal Reporting Requirements are up to date by assuring no green fields are active. Use the manila file folders next to each field to access the training tool to assist you with fixing any active green fields. (Exception – minors not yet ILP eligible. The field will remain green until you enter a delivered service upon eligibility at age 15 ½.) Upon completion exit the tool and if you have made any changes save to database.

(SAVE TO DATABASE)

Closing a CWS/CMS Case

(Note: Cases are opened in the system based on the date placement is ordered by the court. Cases are closed in CWS/CMS when placement orders are set aside or vacated.)

A. From the open case click on the “Action” drop-down menu and choose “End Case.”

B. Provided all case reminders have been cleared, a window will open for you to choose a closure reason from the drop-down menu. (If you are adding a closure statement, do so before clicking on the approval button).

C. Click the approval button.

End Case [Marsha]

Staff Person Statement

Closure Reason: Court Ordered Termination

Approval

Approval Status: Request Not Submitted

Date: []

Closure Statement: []

OK, Cancel, Approval..., Help

D. On the next screen in the yellow field where it says “request not submitted” change to “pending approval.” (The date field will default to the current date. Make sure you change it to reflect the actual case closure date or you may be out of compliance with monthly contacts and federal reporting requirements)

Approval Detail - <Case Closure Request>

Approval History

	Approval Status	Date
1	Request Not Submitted	10/26/2015

Approval Status: Request Not Submitted

Further Approval Needed By: []

Action Date: 10/26/2015

Action Time: 03:54pm

Submitted By: []

Rationale: []

OK, Cancel, Help

E. A window will appear that will show the pending approval status, then click “OK.”

(SAVE TO DATABASE)

End Case [Marsha]

Staff Person Statement

Closure Reason: Court Ordered Termination

Approval

Approval Status: Pending Approval

Date: 10/26/2015

Closure Statement: []

OK, Cancel, Approval..., Help

Placement Quick Guide

For Probation



Resource Center for Family-Focused Practice
June 2017

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Placement Quick Guide Instructions

Creating a New Case for an Existing Client in the CWS/CMS Database

(Note: When searching for a client to create a new case, complete a diligent search of the database. This includes searching for the youth and if unable to locate, searching for the parents or siblings and double-clicking on their name to open their client abstract to determine if the youth you're searching for is listed under the family members tab with a different name, spelling, or DOB. Search the database by the new information you found to assure you will attach the youth's CWS case history to the new case and avoid duplicating a client that would then have to be merged.)

A. Search for Client by Name and one other search criteria such as DOB.

Client Services - [Search Results [Client Abstract Search:Results]]

File Edit Search Action Associated Attach/Detach Window Help Tools

Search Information

Status
Sending query to host...1/11/2016 1:53:10 PM
Host is processing query...1/11/2016 1:53:10 PM
Processing Complete!...1/11/2016 1:53:11 PM

Search Criteria
Phonetic Search: Yes
Phonetic Street Search: No
Partial Address Search: No
Last Name: [Redacted]
First Name: Jude

Sensitive	Alert	Name	%	Date of Birth	SSN	CIN	Gender	ETH
1		Jude	100	05/10/2001	465-73-8271		Male	White

B

Search

Search Type
Client

OK
Cancel
Help

A

Last Name: Child
First Name: Test
Middle Name: [Redacted]
Social Security Number: [Redacted]
Client Index Number (CIN): [Redacted]
Client ID: [Redacted]
Gender: [Redacted]
Approximate Age: [Redacted]
Date of Birth: 01/01/2017
Ethnicity: [Redacted]
Street Number: [Redacted]
Street Name: [Redacted]
City: [Redacted]
County of Residence: Lassen
State: California
ZIP Code: [Redacted]
Home Phone: [Redacted]
State ID Number-County: [Redacted]
State ID Number-Aid Code: [Redacted]
State ID Number-Serial Number: [Redacted]
State ID Number-Assistance Unit Cd: [Redacted]
State ID Number-Person Number: [Redacted]
Juvenile Court Number: [Redacted]
Juvenile Court Number County: Lassen

☒ Phonetic Name Search
☐ Phonetic Street Name Search
☐ Partial Address Match

B. Double click on the client's name to open their client abstract. Review family members, referral history and case history tabs to assure you have the correct client and that no CPS referrals or cases are currently open that would keep you from creating a new case.

Client Services - [Client Abstract: Dude - Row #1]

File Edit Search Action Associated Attach/Detach Window Help Tools

Identification Other Names Other Addresses Family Members Referral History Case History

Identification

Last Known Residence Address: Capicola, CA 95010
SSN: [Redacted]
Gender: M
Client Index Number (CIN): [Redacted]
Date of Birth: 05/10/2001
Age: 14
Primary Ethnicity: White
Birth City: Santa Cruz
Birth Place/Hospital Name: Dominican Hospital
Client ID: 0732-1595-8078
Alien Registration #: [Redacted]
Emigration Country: United States
Date of Death: [Redacted]
Most Recent Juvenile Court #: [Redacted]
Drivers License #: [Redacted]
Last State ID #: [Redacted]

Parental Rights Termination

Related Person	Term. Reason	Term. Date	Under Appeal	Vol. Rel.	Legal Designation	Birth Father	Paternity Date

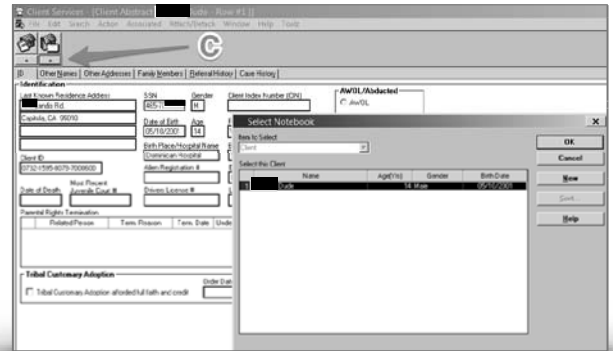
Tribal Customary Adoption

☐ Tribal Customary Adoption afforded full faith and credit

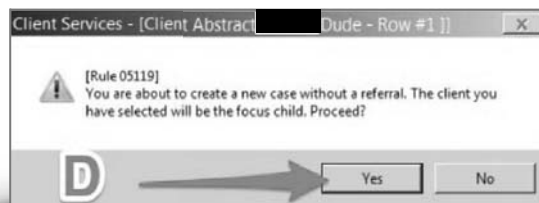
Order Date: [Redacted]

AWOL/Abducted
☐ AWOL
☐ Abducted
☒ Not Applicable
☐ Outstanding Warrant

- C. Click the plus sign under Create New Case Folder (If your youth's name appears in the open window **proceed**. If it does not appear even though your search located the youth in the database, **do not proceed** as this means a CPS referral or case has not yet been closed and must be closed before proceeding or you will duplicate clients that will have to be merged).



- D. Click “Yes” to the message that appears
“You’re about to create a new case without a referral.”



- E. The “Client Notebook” opens already filled out. (Check that all the information is up to date and change if needed. Assure that all Yellow, Green, and Periwinkle fields have been completed.)

Client Services - Case [0196-4545-5986] - [Client (Case Focus Child) [Dude]

Name and Identification

Client Information

Prefix: [D] First: [Dude] Middle: [] Last: [] Suffix: [] Name Type: [Legal]

Gender: [Male] Marital Status: [Never Married] SSN: [465-73] Client Index Number (CIN): [] Alien Registration #: []

Driver's License - State/Number: [] Date of Birth: [05/10/2001] or Age and Age Unit: [14] Years Client Number: [0732-1595-8078-7000600]

☐ Outstanding Warrant Exists

Other Client Information

ICWA Eligible: ☐ Yes ☒ No ☐ Not Asked ☐ Pending

Incapacitated Parent: ☐ Yes ☒ No ☐ Unknown ☐ Not Applicable

☐ Child has Indian Ancestry

Indian Ancestry Notification

County: [] Date: []

County: [] Date Informed: []

Language

Primary Language: [English] Secondary Language: []

Literate: ☐ Yes ☒ No ☐ Unknown ☐ Not Applicable

Race/Ethnicity

Specify Race* if known: [White] Primary Ethnicity: [White] Unable to Determine - Reason: [] Other Ethnicity: []

Confidentiality

☒ Confidentiality In Effect Effective Date: [11/09/2015]

Safely Surrendered Baby

☐ This Client has been involved in the Safely Surrendered Baby Program

Hispanic or Latino Origin

☐ Yes ☒ No ☐ Declines to State

- F. Click on the “Demog” tab and complete all Periwinkle and Green fields to include immigration status, adjudicated delinquent and previously adopted fields. Unknown is not an acceptable answer for previously adopted and will show you as out of compliance when reviewing AFCARS federal reporting data.

Client has been Arrested for:

+	Arrests
---	---------

F

Client Is/Was Adjudicated Delinquent

☒ Yes ☐ No

Military Status

☐ Dependent
☐ Active
☐ Veteran
☐ No Involvement
☒ Unknown

Unemployed Parent

☐ Yes
☐ No
☒ Unknown
☐ Not Applicable

Adoption Status

☐ Totally Free
☐ Partially Free
☒ Not Free
☐ Not Applicable

Previously Adopted

☐ Yes
☒ No
☐ Unknown

Client Services - Case [0196-4545-5986] - [Client (Case Focus Child) (Dude)]

File Edit Search Action Associated Attach/Detach Window Help Toolz

Summary ID Demog Names Related Clients ID Num Juv. Cr. # Search Log AFDC-FC Attorneys Service Pk

Demographics

Origin

Birth Country: United States Immigration Status:
 Birth State: California Religion:
 Birth City: Santa Cruz Origin Country: United States
 Birth Place / Hospital Name: Dominican Hospital ☒ Birth Place Verified

Near Fatality

+ Near Fatality Date
 Near Fatality Date:

Deceased

Date: Death Circumstances Type:

☐ Date of Death Verified
 Place of Death:

 Death Circumstances Comments:

Client has been Arrested for:

+	Arrests
---	---------

Client Is/Was Adjudicated Delinquent

☒ Yes ☐ No

Military Status

☐ Dependent ☐ Yes

Unemployed Parent

☐ Yes

SJS Application

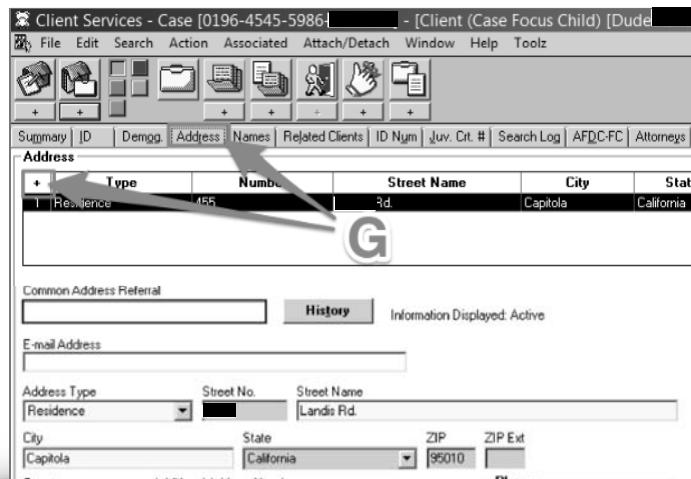
Scheduled Interview Date:

Packet Item	Date
+ Packet Item	Date
Packet Item	Date
+ Application Status	Date
Application Status	Date

Education Information

☐ Parental Right to Make Education Decisions for this Child Limited by Court

- G. Click on the “Address” tab, click the plus sign under address to activate the fields and enter the youth’s residence address prior to arrest.



Client Services - Case [0196-4545-5986] - [Client (Case Focus Child) [Dude]

File Edit Search Action Associated Attach/Detach Window Help Toolz

Summary ID Demog. Address Names Related Clients ID Num Juv. Cit. # Search Log AFDC-FC Attorneys

Type	Number	Street Name	City	State
Residence	455	Rd.	Capitola	California

Common Address Referral

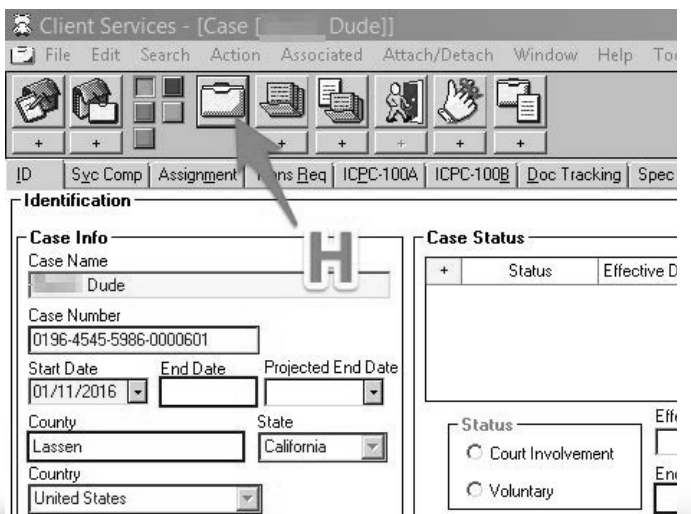
E-mail Address

Address Type: Residence Street No.: Street Name: Landis Rd.

City: Capitola State: California ZIP: 95010 ZIP Ext:

Country: United States Additional Address Number: Phone:

- H. Click the Manila file folder Icon/Notebook.



Client Services - [Case [Dude]]

File Edit Search Action Associated Attach/Detach Window Help To

ID Svc Comp Assignment Icons Req ICPC-100A ICPC-100B Doc Tracking Spec

Identification

Case Info

Case Name: Dude

Case Number: 0196-4545-5986-0000601

Start Date: 01/11/2016 End Date: Projected End Date:

County: Lassen State: California

Country: United States

Case Status

Status: Effective D

Status: Court Involvement Voluntary

- I. Complete all mandatory fields on the ID tab
(Remember the start date of the case and court involvement dates are the date the youth appeared in court and was ordered into placement by the Judge.)

Client Services - [NON-CWD Case Dude]

File Edit Search Action Associated Attach/Detach Window Help Toolz

ID Svc Comp Assignment Trans Req ICPC-100A ICPC-100B Doc Tracking Spec Proj Closure Summary

Identification

Non-CWD Case Info

Case Name: Dude

Case Number: 0196-4545

Start Date: 01/11/2016 End Date: Projected End Date:

County: Lassen State: California Country: United States

Primary Agency Responsible: Probation

Intervention

ID	Reason
1	Non-CWD Foster Care

Case Status

Status	Effective Date	End Date
1 Court Involvement	01/11/2016	

Case Alerts

- J. Click on the “Svc Comp” tab. Click the plus sign under service component to activate the fields. Add service component. (The effective date populates from the ID tab and matches the start date of the case. Most common service component for a new case is “Family Reunification” and later changes to “Supportive Transition” for your NMD (Non-Minor Dependent) youth who are eligible and opt-in to extended foster care services per AB12.)

Client Services - [NON-CWD Case Dude]

File Edit Search Action Associated Attach/Detach Window Help

ID Svc Comp Assignment Trans Req ICPC-100A ICPC-100B Doc Tracking

Service Component

ID	Service Component	Effective Date	End Date
1	Family Reunification	01/11/2016	

K. Click the “Assignment” tab. Click the plus sign under assignment (*defaults to primary assignment. You may add as many secondary assignments as needed. Common secondary assignment goes to support staff, PHN’s, and other assigned workers on dual jurisdiction or WIC 241.1 cases*).

L. Choose the “CWS Office” from the dropdown menu.

M. Choose the “Unit” from the dropdown menu.

N. Choose the “Caseload” from the dropdown menu.

O. Choose the “Staff Person” from the dropdown menu.

(SAVE TO DATABASE)

Once you've completed creating the case and saved to database, open the case and review client notebooks to see if you need to search and attach clients or create new client notebooks and relate them following the instructions in this guide. Each client must have a client notebook to be chosen as a participant in a contact note.

(Note: To create a case without client history in the database, follow steps C through O above clicking on the plus-sign to create new case, choose “New” from the blank open window, and beginning with step D above, filling out the blank client notebook. Proceed with steps E-O. You can search and attach existing clients to the case or if unable to locate through search, create new client notebooks and relate all clients on the “Related Clients” tab as in step G above.)

Searching and Attaching Existing Client Notebooks

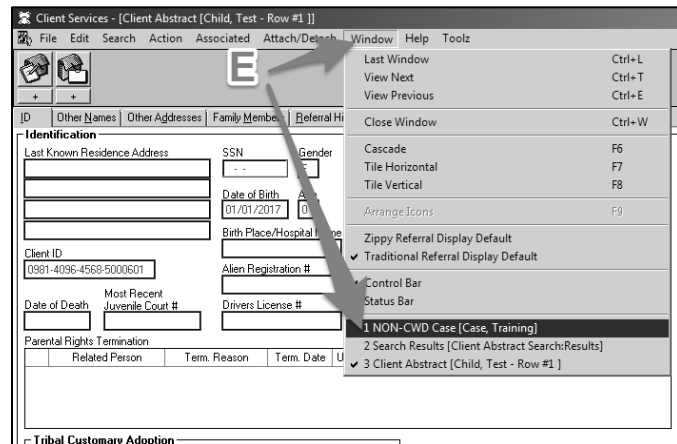
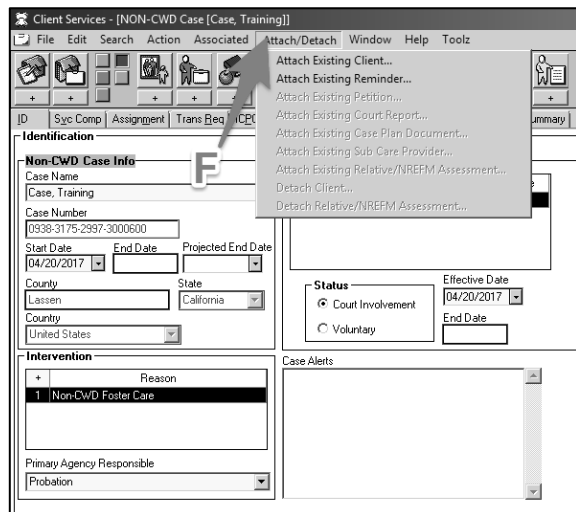
- A. From your open case click on the search drop-down menu and choose start search. In the open window, type the name of the client you're searching for and at least one other identifying criteria such as birthdate.

- B. Click OK

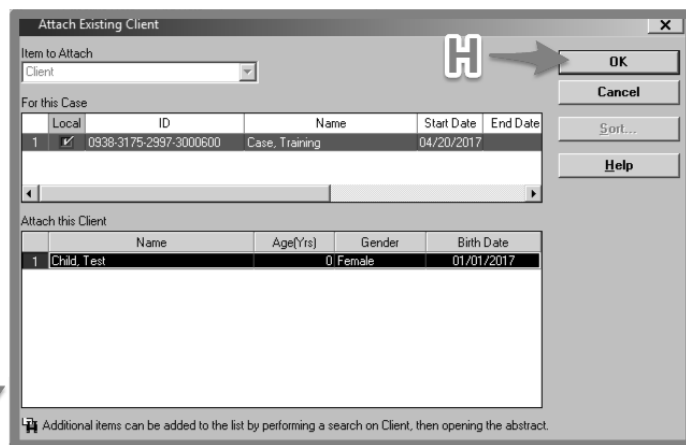
- C. Double click on your search results to open the client abstract.

- D. Review the page tabs for Family Members, Referral history and Case history to assure you have the correct client.

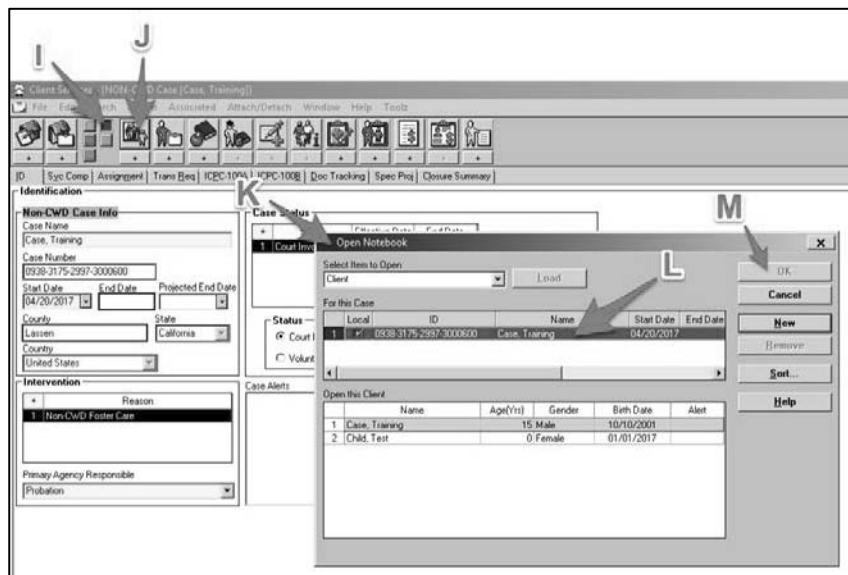
- E. Click on the window drop-down menu and choose the Non-CWD Case to get back in your open case.
- F. Click on the Attach/Detach drop-down menu and click on attach existing client.



- G. A new window with the name of the client you just searched for. Highlight their name.
- H. Click OK.



- I. Click on the blue client management section.
- J. Click on the first icon to the right of the colored sections for “Open Existing Client”
- K. A new window opens with all the client notebooks and you should see the name of the client you just attached.
- L. Click on their name
- M. Click OK and from the open client notebook review the information on the ID, Demog, Address and Names pages for accuracy and update as necessary.



(SAVE TO DATABASE)

Creating New Client Notebooks

- Click on the Blue Client Management Section
- Click on the plus sign under the first notebook to the right of the colored sections for "Create New Client." A blank client notebook opens. Complete all yellow, green, and periwinkle fields on the ID page.
- Complete the "Demog, Address, and Names" pages with as much information as you have.
- Click on the "Related Clients" page.
- Click the plus sign under related clients
- From the open window highlight any names that appear in bold.
- Click OK
- Highlight each row number
- From the yellow drop-down menu choose the appropriate relationship always relating the first person in the grid to the second person. In the example, sister/sister step.

(SAVE TO DATABASE)

Client Services - NON-CWD Case [Case, Training] - [Client [Test Child2]]

File Edit Search Action Associated Attach/Detach Window Help Toolz

Summary ID Demog Address Names Related Clients ID Num Juv. Cr. # Search Log AFDC-FC Attorneys Service Providers I.C.W.A.

Name and Identification

Prefix First Middle Last Suffix Name Type
 Test Child2 Legal

Gender Marital Status SSN Client Index Number (CIN)
 Female

Driver's License - State/Number Date of Birth or Age and Age Unit
 02/05/2016 1 Years

Alien Registration # Client Number 1625-6757-1160-5000601

☐ Client is a Minor/NMD Parent ☐ Outstanding Warrant Exists

Other Client Information

ICWA Eligible Incapacitated Parent
☐ Yes ☐ No ☐ Not Asked ☒ Unknown ☐ Pending

☐ Child has Indian Ancestry

Indian Ancestry Notification

County Date

Language

Primary Language English
 Secondary Language

Literate
☐ Yes ☐ No ☒ Unknown ☐ Not Applicable

Race/Ethnicity

Specify Race* if known
 Primary Ethnicity Black*
 Unable to Determine - Reason
 Other Ethnicity
 + Other Ethnicity

Hispanic or Latino Origin
☐ Yes ☒ No ☐ Declines to State ☐ Unable to Determine
 Unable to Determine - Reason

Client Services - NON-CWD Case [Case, Training] - [Client [Test Child2]]

File Edit Search Action Associated Attach/Detach Window Help Toolz

Summary ID Demog Address Names Related Clients ID Num Juv. Cr. # Search Log AFDC-FC Attorneys Service Providers I.C.W.A.

Related Clients

Relative	Related As
1 Case, Training	Father/Daughter (Birth)

Relative's Name Case, Training
 Case, Training / Child2, Test
 Father/Daughter (Birth)
 Start Date End Date

☒ Live at the same location ☐ Parent's Whereabouts Unknown

Family Finding Efforts
 On Behalf Of Date Identified

Status	Start Date	End Date
--------	------------	----------

Life-long Connection Status Start Date End Date

Relative Notification
 On Behalf Of Date Method/Exception Response

Select Related Clients

Related Clients
 Case, Training (15)
 Child, Test (0)

OK Cancel Help

Client Services - NON-CWD Case [Case, Training] - [Client [Test Child2]]

File Edit Search Action Associated Attach/Detach Window Help Toolz

Summary ID Demog Address Names Related Clients ID Num Juv. Cr. # Search Log AFDC-FC Attorneys Service Providers I.C.W.A.

Related Clients

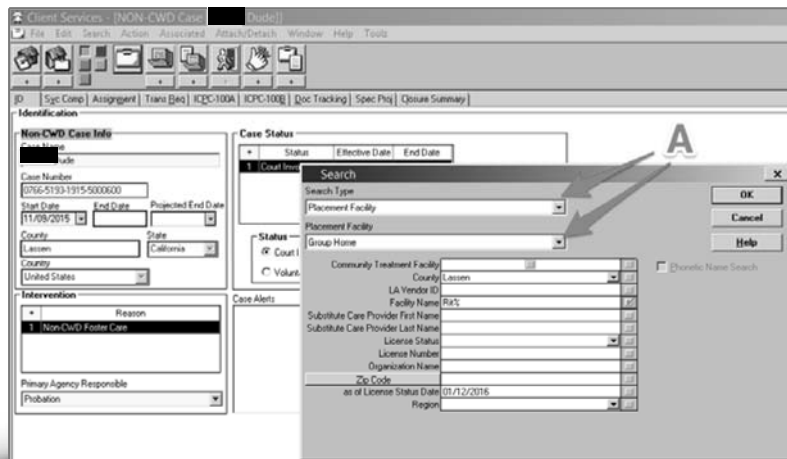
Relative	Related As
1 Case, Training	Father/Daughter (Birth)
2 Child, Test	Sister/Sister (Step)

Relative's Name Child, Test
 Child2, Test / Child, Test
 Sister/Sister (Step)
 Start Date End Date

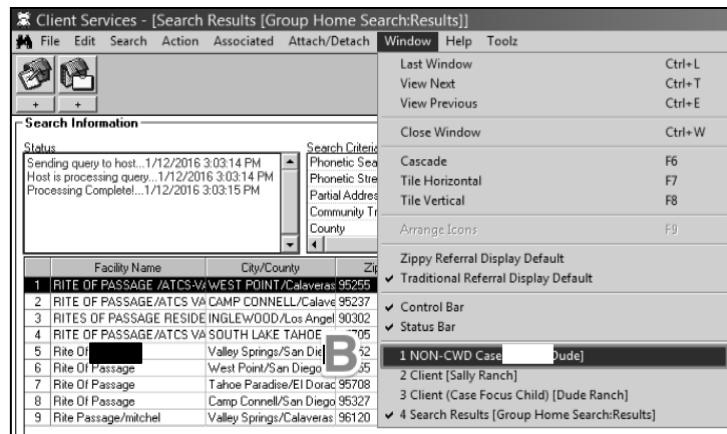
☒ Live at the same location ☐ Parent's Whereabouts Unknown

Creating a Foster Care Placement

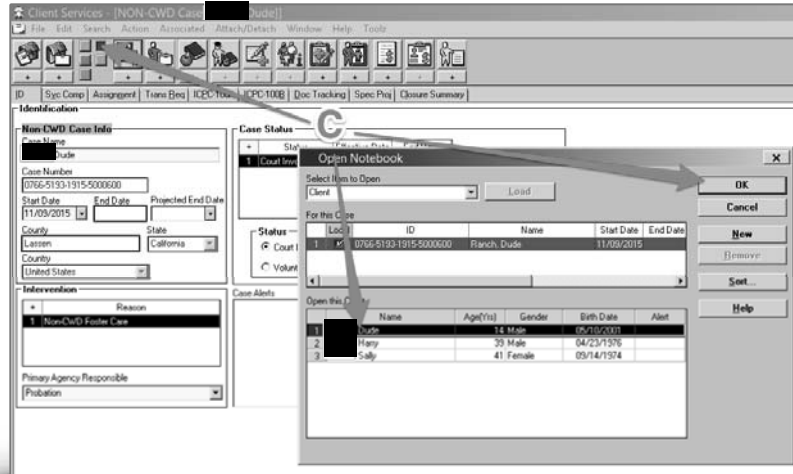
- A. Start Search and change search criteria from client to “Placement Facility.” A second drop down menu appears titled “Placement Facility.” *(Search Tip: If searching in State choose “Group Home/FFA” from the second dropdown menu and type in the license number of the facility in the search field. If searching out of State, choose “Group Home” from the second dropdown menu and uncheck your county and type in the facility name. For best results use a portion of the name and your wild card (%). Example: for Rite of Passage type Rit% in the facility name field).*



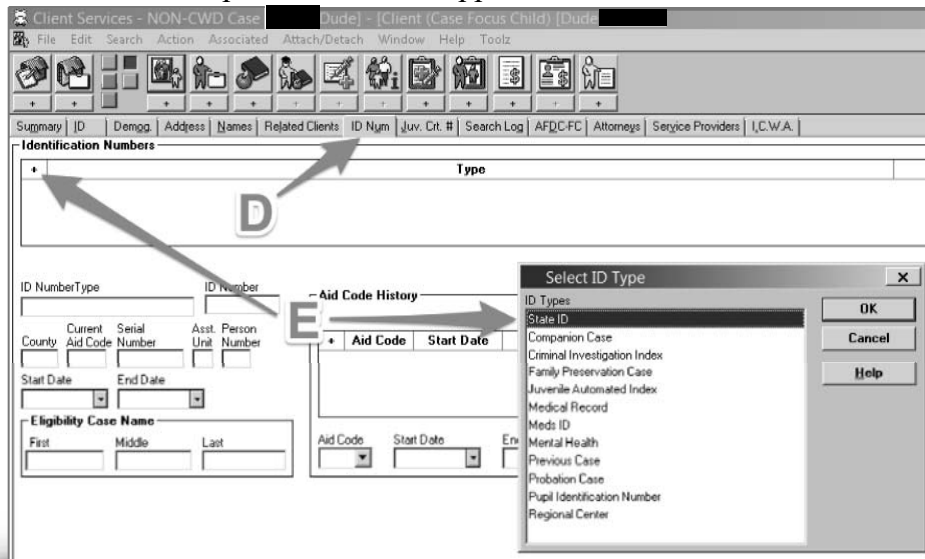
- B. Your Search list appears. *(You do not need to double click on any of the search results unless you want more information about the facility, such as address and contact).* Go to your “Window” dropdown menu and choose “Non-CWD Case” or any of the other open windows at the bottom of the list to get out of your search results and back to the case.



- C. Click on the Blue Client Management Section and from the first icon/notebook to the right, open existing client notebook. From the list of clients that appears, highlight your youth's name and Click OK. (*You can skip steps C-F if this is not the first placement recorded and a State ID number has already been documented*).



- D. Click on the “ID Num” tab.
- E. Click on the plus sign under “Identification Numbers” and choose “State ID” from the open window that appears.



- F. Complete all mandatory Yellow fields with information obtained from your county eligibility staff.

- G. Click on the Red Placement Management Section
- H. Click on the plus sign under the first Icon/notebook, the picture of the house with the people standing in front of it.
- I. From the window that appears, highlight your youth's name and highlight the facility from the list shown. Tab out of the field and Click OK.

- J. Complete all Yellow and Green fields on the "Child Removal Info" Page. *(This step is only completed for the initial placement. Hereafter you will be directed to this page to begin recording your placement updates but you will skip directly to the "ID" page as the removal information doesn't change.)*

- K. Click on the ID page and complete all Yellow fields. (Do not forget the **“Agreement Effective Date.”** It is not a yellow field but you will not be able to close your case without one.)
- L. Complete the three CHDP fields unless youth is an NMD.

This screenshot shows the 'ID' tab of the 'Client Services - NON-CWD Case' window. The 'Agreement Effective Date' field is highlighted with a yellow circle and labeled 'K'. The 'CHDP Program' section is labeled 'L'.

- M. Complete “Sibling Placement Rationale.” unless youth is an NMD.

This screenshot shows the 'ID' tab of the 'Client Services - NON-CWD Case' window. The 'Sibling Placement Rationale' section is highlighted with a yellow circle and labeled 'M'.

- N. Click the “Ongoing Requests” tab.
- O. Click the plus sign under “Ongoing Requests” to activate the fields on this page.
- P. Complete the two mandatory Yellow Fields. (Rate type defaults to basic rate. Click the plus sign and click on “additional rate” if applicable for monthly supplemental payments such as Infant Supplement – Family. Complete one time “Incidental Payment” tab for expenses such as clothing allowances.)

This screenshot shows the 'Ongoing Requests' tab of the 'Client Services - NON-CWD Case' window. The 'Ongoing Requests' table is labeled 'N'. The 'Rate Type' section is labeled 'O'. The 'Request Details' section is labeled 'P'.

- Q. Click on the Non-CWD tab and complete all fields as shown in the sample screen shot. **You must update the Non-CWD tab with the latest hearing dates, last case plan date and last visit date after every review hearing.**

- R. Complete the SOC 158A. Click the plus sign under the last icon/notebook (*The house with the document behind it*) and choose “Soc158A Foster Child’s Data” Click OK and OK again on the next window. Your document is populated. Print a hard copy for your file and send one to Eligibility. (*Note: The first time you complete a placement in the system to include the child removal page you will need to save to database before the information is available to create the SOC158A document. Thereafter, upon future placements, the document can be generated prior to saving to the database.*)

(SAVE TO DATABASE)

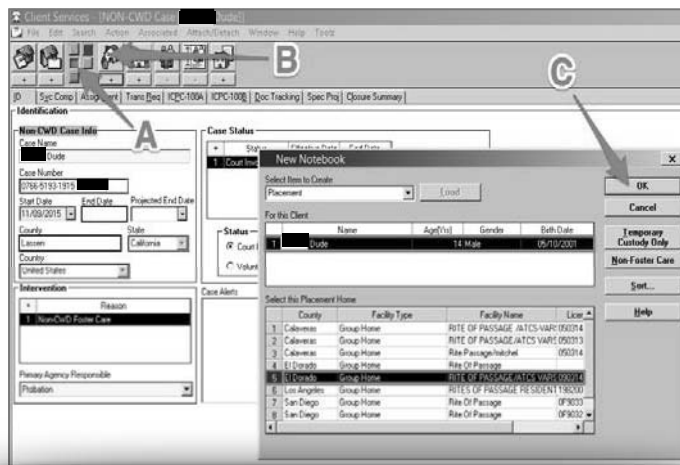
Ending a Placement Prior to Creating a New Placement.

Note: Prior to creating a new placement you will need to close out the existing placement by completing the following steps in the open case.

A. Click the Red Placement Management Section.

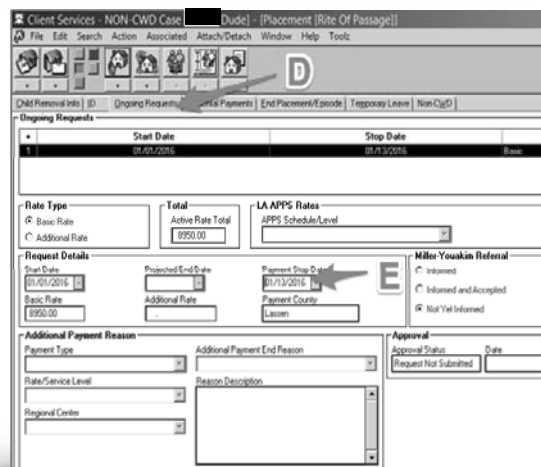
B. Open Existing placement. Click on the first icon/notebook to the right of the colored section for “Open Existing Placement.”

C. A New Window Appears with all your placements. Highlight the placement you want to update and click OK.



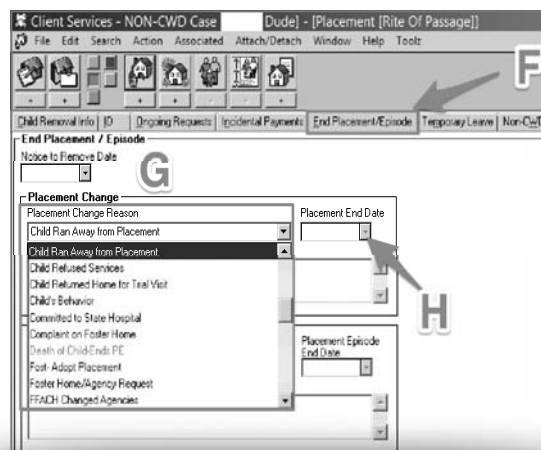
D. Click on the “Ongoing Requests” tab.

E. Highlight the Payment Type (ie Basic or Additional) and enter a Stop Payment date for each type.



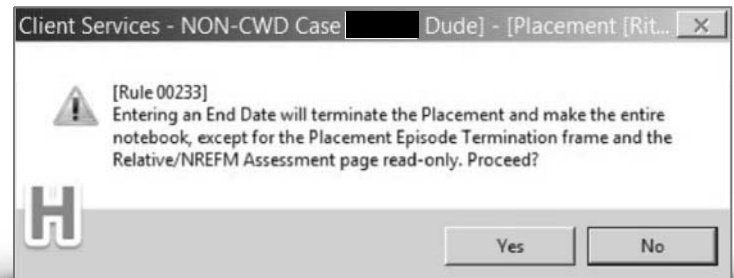
F. Click the End Placement/Episode Tab

G. Choose a placement change reason (ie Child Ran Away From Placement)



H. Enter a Placement End Date and Click “Yes” to the message window that appears.

(SAVE TO DATABASE) if your work is completed or begin a new Foster or Non-Foster Care Placement. The placement notebook becomes read only. If any changes need to be made, go to the "Action" drop down menu and click on "Update Placement."



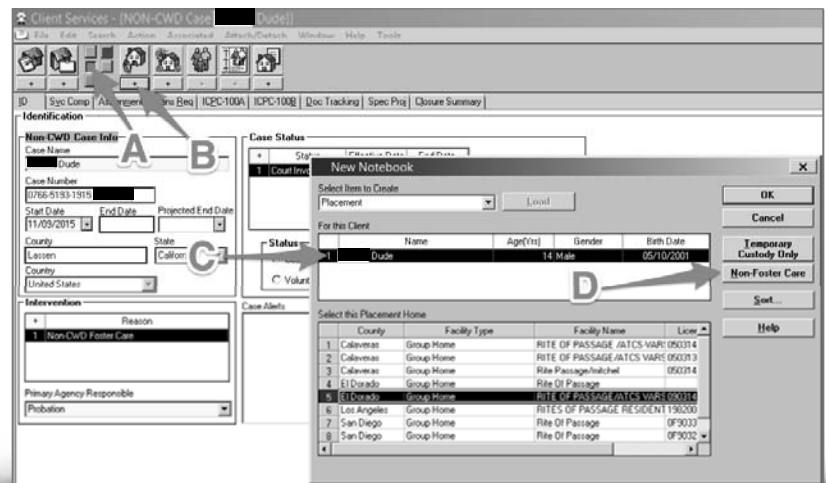
Creating a Non-Foster Care Placement

A. Click on the Red Placement Management Section

B. Click on the plus sign under the first Icon/Notebook to Create New Placement

C. Highlight your Youth's Name in the Window that Appears

D. Click on the Non-Foster Care Button.



E. Click on the Non-Foster Care tab and complete all Yellow and Green fields as shown in the sample Screen Shot. (Note: The date field on this page will default to the date you input on the End Placement/ Episode tab. Be sure to change it to the correct date if for example your youth was AWOL for a period of time prior to being placed in Juvenile Hall).

(SAVE TO DATABASE)

Non-Foster Care

Name: [] Start Date: [01/13/2016]

Facility Type: [Juvenile Hall] Facility Type Description: []

Contact

Name: [] Phone: [863] [] Ext: [] Fax: []

Street No: [125] Street Name: [Faux St.] City: [Sacramento]

State: [California] ZIP: [93956] ZIP Ext: [] Geographic Region: [] County: [Lassen]

Foreign Country: [] Foreign ZIP: [] Foreign Address Description (Province Name, etc.): []

Disaster Emergency Contact Information

Name: [] Phone: [] Ext: [] Alternate Phone: [] Ext: []

E-mail Address: []

Street No: [] Street Name: [] City: []

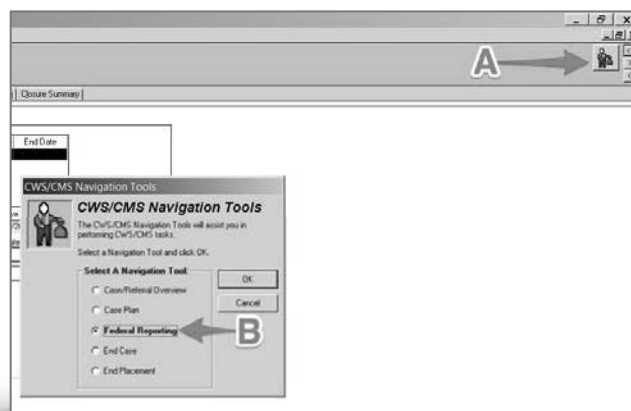
State: [] ZIP: [] ZIP Ext: []

Foreign Country: [] Foreign ZIP: [] Foreign Address Description (Province Name, etc.): []

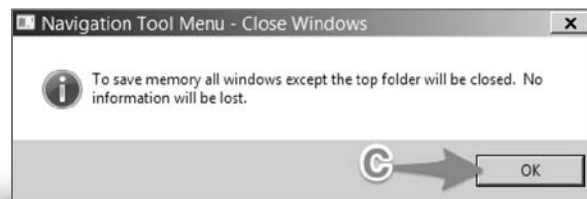
Federal Compliance with AFCARS (Adoption Foster Care Analysis-Reporting System)

Note: Check your federal reporting compliance tool after completion of each change of placement to assure your compliance is up to date with the current reporting period. Reporting periods are bi-annual October – March and April – September.

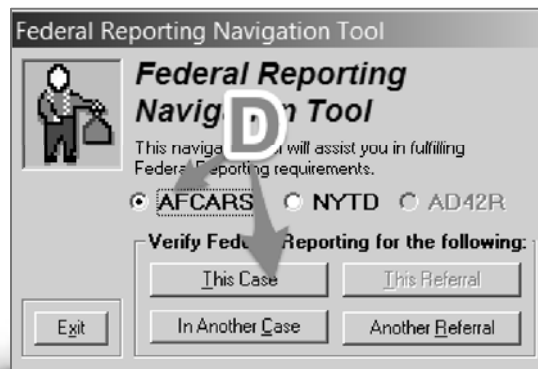
- A. Click the Tool Man
- B. Click Federal Reporting and Click OK



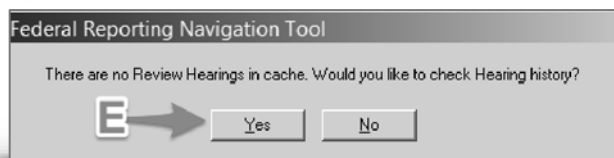
- C. Click OK to the message that appears



- D. Choose the AFCARS radio button and Click “This Case.”
- E. Click Yes to the question of checking review hearings in Cache.



Note: Green Fields in AFCARS denote non-compliance except as follows; Last Review Hearing if the case has not yet been open six months and therefore no review hearing has yet been documented, and Placement Episode Termination Reason which is completed only upon closing the case in CWS/CMS.



F. **General Child Client** – This section is updated as follows...

Gender through Hispanic Origin – documented in the youth's client notebook (Blue Section, first icon/notebook, open existing client.

G. **Previously Adopted** – “Demog” page in client notebook.

H. **Diagnosed Condition** – Health Notebook (Blue section, open existing health notebook)

I. **State Aid Code** – Entered in Youth's client notebook (Blue section, open existing client, ID NUM page tab.

J. **Case** - This section is updated on the Non-CWD tab in the Red Section (First Icon/Notebook, open existing placement.

K. **Caretaker Removed From** – Family Structure is documented on the Child Removal Tab in the Red Section, open existing Placement Icon/Notebook.

L. **Foster Parents** – When creating a THP+FC home this information is found on the Substitute Care Provider tab in the Red section, second Icon/Notebook for open existing Placement Home.

M. **Placement Episode** – Last Removal Date, Primary Reason for Removal and Secondary Reason for Removal are all documented in the Red Section, first Icon/Notebook for open existing Placement on the Child Removal Tab. (Placement Episode Termination Reason is documented on the End Placement/Episode tab in the existing placement notebook.)

N. **Foster Care Placement** – Start Date and Legal Authority are documented on the ID tab of the current placement notebook in the Red Section. Basic Rate is documented on the Ongoing Request Tab.

Creating a Foster Care SILP (Supervised Independent Living Placement) Home and Placement.

*Note: Before you can create a SILP **Placement** you must first create the SILP **Home** following the directions below.*

A. Click on the Red Placement Management Section

B. Click the plus under the second Icon/Notebook for “Create New Placement Home.”

C. Enter your Youth’s name in the “Name” field

D. Enter the address and phone number where your youth resides.

E. If other adults or children live in the home enter them on the “Other Children” and “Other Adults” tabs otherwise skip this step.

F. Click on the Special Projects page. Click the plus under Special Projects to activate the fields. Choose S-NMD SILP from the drop-down menu and enter a start date.

G. Click on the “Payee” tab and enter the payee information (ie name, address, and phone number)

Client Services - NON-CWD Case | Dude - [Placement Home]

File Edit Search Action Associated Attach/Detach Window Help Tools

ID Substitute Care Provider Other Children Other Adults Char/Pref License Info Comments Special Projects Payee LA Payee

Identification

Name: Dude

Type: Supervised Independent Living Placement

Foster Family Home Type: []

Age Range: From [] To []

Placements: [] Beds Avail: [] Ad. Cap: []

Primary Phone: [] Ext: [] Fax: []

Backup Contact: Name [] Phone [] Ext []

Address: Street No. [] Street Name [] Avenue [] City []

State [] ZIP [] ZIP Ext [] Geographic Region [] County of Location []

Foreign Country [] Foreign ZIP [] Foreign Address Description (Province Name, etc.) []

Comment []

Disaster Emergency Contact Information: Name [] Phone [] Ext [] Alternate Phone [] Ext []

Client Services - NON-CWD Case | Dude - [Placement Home]

File Edit Search Action Associated Attach/Detach Window Help Tools

ID Substitute Care Provider Other Children Other Adults Char/Pref License Info Comments Special Projects Payee LA Payee

Special Projects

1 S-NMD SILP

Special Projects: S-NMD SILP

Start Date: 03/02/2018 End Date: []

Client Services - NON-CWD Case | Dude - [Placement Home]

File Edit Search Action Associated Attach/Detach Window Help Tools

ID Substitute Care Provider Other Children Other Adults Char/Pref License Info Comments Special Projects Payee LA Payee

Payee

First Name: Dude MI: [] Last Name: []

Street No. [] Street Name [] Avenue []

City: Sacramento State: California ZIP: 93955 ZIP Ext: []

Primary Phone: (655) [] 9999 Ext: []

Foreign Country: [] Foreign ZIP: []

Foreign Address Description (Province Name, etc.): []

H. Click the plus sign under the first house icon/notebook to “Create New Placement.” You will see the SILP home you just created. Highlight your youth’s name and the SILP home from the open window and proceed with steps G-R of Creating a New Foster Care Placement. Pages 14-16 in this guide.

(SAVE TO DATABASE)

Creating a THP+FC Placement Home and Placement

A. Click on the Red Placement Management Section.

B. Click on the + sign under the second house icon/notebook for create new placement home.

C. Name the home. Follow your county’s rule for naming convention i.e. Test Child in a Families First placement might be Test Child FF. *(note: Remember the exact name you called the home including any spaces or hyphens. This will help you locate the home in your search to complete the placement.)*

D. Choose the “Type” of home “Foster Family Agency Certified Home.”

E. Click the check box for “Transitional Housing Placement Program Facility.”

F. Click the “Operated By” search binoculars and complete search criteria to find the agency your home is attached to. Choosing **Licensed**,

Region or Zip Code, or use of your **wildcard** like this **“Fam%”** in the facility name field are all helpful search tips. *(note: It may appear like your search yielded no results. Check the dropdown menu and you will find your results. If no results found it is possible your social service agency hasn’t yet entered the home in the system. Contact them for assistance with locating the agency.)*

G. Locate the agency you just searched for in the dropdown yellow field under the “operated by” search binoculars.

H. Complete the address fields *(note: County field defaults to your county. Be sure to change it to the correct county associated with the city of the home your youth resides in. You will need to recall the county you entered when searching for this placement home to complete the placement of your youth.)*

I. Click on the “Substitute Care Provider” page tab.

J. Click the plus under “Substitute Care Provider” on the open page to activate the yellow and green fields.

K. Complete all yellow and green fields with as much information as you have. *(Note: Follow your county’s naming convention for the SCP “substitute care provider.”)*

L. Check the “Primary Care Provider” box in the box titled “SCP associations to this home.” *(Note: the start date in this box will default to the current date. Change it to the correct date if necessary.)*

M. If there are other adults or children in the home, complete the page tabs for them.

N. Click on the “Special Projects” tab.

O. Click on the plus under “Special Projects to activate the fields on this page.

P. Click on the dropdown menu under “Special Projects” and choose S-NMD THP+FC. (*Note: You must have the “Resource Management Placement Facility” privilege assigned to you to complete this entry.*)

Client Services - NON-CWD Case [Dude] - [Placement Home]

File Edit Search Action Associated Attach/Detach Window Help Toolz

ID Substitute Care Provider Other Children Other Adults Char/Pref License Info Comments Special Projects Payee

Special Project

1 S-NMD THP+FC

Special Projects

S-NMD THP+FC

Start Date End Date

02/08/2016

Q. Click on the “Payee” tab (Complete payee information using your county’s naming convention.)

Client Services - NON-CWD Case [Dude] - [Placement Home]

File Edit Search Action Associated Attach/Detach Window Help Toolz

ID Substitute Care Provider Other Children Other Adults Char/Pref License Info Comments Special Projects Payee

Payee

First Name MI Last Name

Jim

Street No. Street Name

175

City State ZIP ZIP Ext

Red Bluff California 96029

Primary Phone Ext

(530)

Foreign Country Foreign ZIP

Foreign Address Description (Province Name, etc.)

SAVE TO DATABASE, RE-OPEN THE CASE, AND SEARCH FOR THE PLACEMENT YOU JUST CREATED.

R. Search for the placement home you just created using the County, Facility Name, and Region you recall from the ID page you completed for the placement home.

Search

Search Type

Placement Facility

Transitional Housing Plcmt Pgm Fac

County

LA Vendor ID

Facility Name

Substitute Care Provider First Name

Substitute Care Provider Last Name

Foster Family Agency

Zip Code

Region

OK

Cancel

Help

Phonetic Name Search

COMPLETE PLACEMENT BY FOLLOWING STEPS G-R OF CREATING A FOSTER CARE PLACEMENT. SEE PAGES 14-16 IN THIS GUIDE.

(SAVE TO DATABASE)

Creating a Resource Family Home Placement

A. Search for the RFH home using the search criteria in the screenshot and click OK.

B. From your search results screen click on the window drop-down menu and click on the Non-CWD window to get back to your open case.

C. Click on the Red Placement Management Section.

D. Click the plus sign under the house icon (the one with the people standing in front of it) for create new placement.

E. From the open window, highlight your youth's name.

F. Highlight the placement home.

G. Click OK and continue instructions as noted below.

Note: If this is the first placement home you're entering for your youth Complete Instructions in this guide C-R for Creating a Foster Care Placement. If this is not the first placement complete steps G-R for Creating a Foster Care Placement. See Pages 14-16 in this guide.

Factors to Consider When Assessing the Scope of your Caseload Management Responsibilities

We won't be in their lives forever: Operate from a youth and family self-sufficiency model and teach development of natural community supports.

Consider yourself a team leader, rather than the "be all and end all": Recognize your role in coordinating a team effort to provide services to youth and families. No single agency or individual can provide all the necessary services that a family may need to reduce abuse and neglect.

Consider your personal and professional boundaries and limits: Your job involves identification of risk factors and strengths, identification of appropriate services and resources to mitigate risk factors, coordination and integration of services, and monitoring of outcomes. You are a facilitator in the youth and family's process and are not responsible for outcomes.

Access the resources and supports your agency has and is putting in place to lessen your workload such as clerical and services support, contract resources, and technology.

Know your agency's priorities for your workflow in reference to community standards, state statutes and Division 31 regulations.

Know your own priorities in working with youth and families and resolve any conflicts or incongruence with agency priorities.

Case Managers Time Management Self-Evaluation Worksheet

Instructions: Take a few moments and think about what you did during your last day at work. What did you plan? What did you work toward and accomplish? Complete the worksheet sections below.

1. List the very first things you did when you woke up in the morning. Then list five other things you could have done instead.
2. List three goals you actively pursued between breakfast and lunch on your last work day. Then list five other goals you could have pursued. Mark each one with a + or - to indicate whether the possible goal was more or less important than any goal you actually accomplished.

3. List three goals you actively pursued between lunch and dinner on your last work day. Then list five other goals you could have pursued. Mark each one with a + or – to indicate whether the possible goal was more or less important than any goal you actually accomplished.

4. List three goals you actively pursued between dinner and bedtime on your last work day. Then list five other goals you could have pursued. Mark each one with a + or – to indicate whether the possible goal was more or less important than any goal you actually accomplished.

5. Go back through each list and write down why you made the choice to complete the tasks you did accomplish.

(Source: Moskowitz, Robert. (1993) *How to Organize Your Work and Your Life*. Doubleday Publishing, New York.)

Learn to Practice Planning, Not Reacting

- ⌚ Planning ahead allows you to effectively schedule your time so that you can be prepared and respond flexibly to crisis.
- ⌚ Planning ahead creates structure and control over your workflow.
- ⌚ Proactive planning can help to reduce and prevent crisis.
- ⌚ Planning ahead builds credibility and trust with families, co-workers and supervisors that you will follow through on commitments and deadlines.
- ⌚ Planning ahead alerts you to workload management conflicts that you can staff with your supervisor.
- ⌚ Time spent planning reduces stress created by unexpected and forgotten responsibilities. Time management puts you in control of your work life.
- ⌚ Time spent planning allows you to do the RIGHT thing and allows you the perspective to eliminate non-priority tasks and say “no.”
- ⌚ Your attitude about time is more important than any technique you use; how you manage yourself influences how you manage your time.

Vilfredo Pareto's Principle: 80-20 Rule, or the Four Bin Theory of Time Spent

Nineteenth century scholar Vilfredo Pareto's set theory states that in a given set of elements, the critical 20 percent of elements represents a small subset of the whole. This concept has evolved into an important time management principle called the 80-20 rule. In reference to time management, 80 percent of time spent results in production of 20 percent of the most valued results.

	IMPORTANT	NOT IMPORTANT
U R G E N T	<p>High stress levels</p> <p>Less effective and less thorough</p> <p>High burnout</p>	<p>Small work pulls us away from important tasks.</p> <p>Small urgent tasks rob us of time and set us spinning out of control.</p>
N O T U R G E N T	<p>Focus on planning and preparing</p> <p>Being proactive prevents crisis</p> <p>Builds relationships</p> <p>Renews self and empowers others</p> <p>Sustainable levels of stress</p>	<p>Time wasters: Do these things need to get done?</p>

LESSON LEARNED:
ISOLATE AND IDENTIFY THE MOST VALUABLE 20 PERCENT OUTCOME
THAT YOU AND YOUR FAMILIES DESIRE,
AND FOCUS YOUR TIME ON THAT.

The Fifty% Rule

Schedule only 50 percent of your time to complete designated and planned tasks, in order to allow for the inevitable interruptions and distractions inherent in caseload management.

Schedule the most valuable 20 percent.

Ask yourself, what is the most important thing I can be doing right now?

Learn to say “no” to unimportant tasks – Do the Right Thing

Case Review Checklist (Electronically or hand written based on your preferences)

- ☐ **Locate and read last court notes**
- ☐ **Locate and read last minute order**
- ☐ **Correct legal history dates**
- ☐ **Paternity finding**
- ☐ **ICWA status and finding**
- ☐ **Whereabouts of parents/absent parent search**
- ☐ **Who are relatives eligible for preferential consideration for placement, and documentation of efforts to contact**
- ☐ **Concurrent planning referral**
- ☐ **What is documented? Where is last worker/supervisor?**

Checklist for Court Report Writing

Review of the process of preparing to write your court report

- Calendaring timeline for preparation
- What are we deciding? Review of case timeline and decision points
- Home visits – using court report template – engagement
- Reviewing documents/seeking the undocumented
- Service provider requests
- Risk assessment tool
- Staffing the recommendation with your supervisor

What you will be evaluating in your analysis

- Parent progress
- Youth's adjustment to placement/safety
- Risk of detriment – least restrictive placement/return
- Prognosis – substantial probability of return
- Reasonable efforts toward
 - Reunification – service efforts
 - Achieving permanent plan

Looking now saves court report crisis

- Last court notes
- Last minute order
- Correct legal history
- Paternity finding
- ICWA status and finding
- Parent whereabouts
- Who are the preferential relatives?
- Concurrent planning referral

Creating a case to do list

- Case plan
- Last court report
- Home visits with parent, youth and SCP
- Court notes and minute orders

Strategies for Time Management for Placement Officers

Attitude + Action = Habit: Every great plan is achieved by making commitments to yourself and creating realistic personal disciplines that are sustainable over time and reduce stress.

Set goals: Set aside time on a monthly basis (caseload scan on the first of every month), weekly basis (first thing on Monday or last thing on Friday) and daily basis (15 minutes at the beginning or the end of the day). Use these scheduled times to set goals for workflow according to both outcomes and processes, tasks that you like and tasks that need doing, with a balance between fieldwork and paperwork. Schedule long-distance out-of-area trips at the first of the month; contact your travel coordinator (if you have one). Make commitments to yourself about achieving these goals. Goals should be specific, measurable, realistic and achievable. Share your plan with your supervisor and gain necessary support for meeting these objectives.

Organize: Develop a system of calendaring, reminders, filing processes, and resource and telephone number access.

Make lists, lists, lists: Keep a spiral notebook of things to do that builds your master task list. Keep a case-specific “today list” in your field notebook.

Group office tasks: Discipline yourself to scheduling daily tasks such as checking and responding to email, managing paper flow and drop filing, and making and responding to telephone calls. Resolve to limit time chained to responding to calls and email.

Prioritize: Set goals based upon youth and community safety first, and follow with top agency and family priorities.

Plan for dedicated documentation time: Consider your work style and time of highest energy level, and gain supervisor and clerical support in implementing a daily plan to complete documentation on a daily basis. Talk to co-workers about how you can develop agreements about how you signal when you are taking uninterrupted time at your desk. Create mutual supports for meeting this goal, such as cooperative agreements for attending to emergencies.

Keep a time journal: This one takes effort and time – bummer. Get data regarding how you are spending your work time by keeping a time journal. This exercise can help you identify chronic time wasters and gives you information to bring to your supervisor, to get support and resources you need to get time under control.

Control your interruptions: Work with your supervisor and clerical staff to support your efforts at putting sanity into your workday.

Anticipate your informational needs: When you are completing an unfamiliar task, think about what information you need to gather, in order to move forward efficiently with a planned task. Get samples of reports from seasoned officers to use as examples. Secure time with a seasoned staff member or supervisor so that you have a clear overview of the tasks to be completed and needed forms, information and content.

Schedule progress report requests needed for court reports and case plan completion into your calendar, to prevent last minute scrambling to obtain information.

Plan home and telephone contacts based on approaching deadlines in a fashion that promotes efficiency in information gathering. Review court report and case plan content so that you can ask the right questions and avoid retracing steps. Bring releases of information for family to sign as needed.

Schedule supervision time well in advance of the task to make sure you are attending to all necessary components of a task. Ask for clarification about the scope of responsibilities.

Focus the content of your documentation: Limit your documentation to crucial identifying information, relevant issues, impact on service plan, decisions reached, status of youth safety, and current plans and agreements. Document status of youth and community safety EVERY TIME. Use the POSE model.

Consider geography: Plan fieldwork so that you can group contacts and information pick-up geographically. Coordinate with your co-workers for completion of long-distance face-to-face contacts.

Observe Salami Rule one: Break down large projects into smaller tasks and set deadlines for completion.

Observe Salami Rule two: Do one thing at a time; avoid distraction by keeping that master list to help you document other pressing tasks that can be tackled in succession.

Practice good telephone management: Give people information about the best time to reach you and when you plan to return non-emergency calls. Learn how to screen non-urgent calls, explaining when you can re-contact the person to respond to their request. Keep on top of returning messages. Consider scheduling a time to proactively call critical stakeholders on your caseload to anticipate and head off crisis.

Resolve to just do it: Sometimes, best-laid plans fail. Know when you need to hunker down and just get it done.

Use waiting time to complete routine tasks: Anticipate time you might spend waiting at court or between scheduled visits by creating a folder of short tasks that might be completed with a minimum of concentration effort.

Use travel time to think it through: Keep a notebook of ideas that occur to you during time you spend traveling, to document those great ideas. After you record them in the notebook, you can let go of them for the moment, and move them into action later. Don't forget to transfer to your master list.

Daily habits that maximize productivity

Email: Check your email twice per day; don't be slave to it. Set aside a specific time to read and respond to email, and then dispense with the message.

Voicemail and messages: If your county allows voicemail, unless a crisis is brewing, make a habit of checking voicemail once every two hours or so, rather than every time the message light is lit. Be sure and leave an alternate telephone number where clients in crisis can locate a "live body."

Documentation time: We've talked about this one, time and time again. Set aside 15 to 30 minutes every day to retire current documentation.

Case management time: Group case management tasks within a time period, rather than coordinating services or monitoring case progress on a flow basis.

Case filing time: Use that alpha folder to keep the clutter from accumulating, and then designate a few minutes per week to properly file case paperwork or use clerical support as available.

Payments processing Time: Set a time aside each week to complete paperwork toward payment processing, whether routing to your accounting assistant (if you have one) or completing paperwork yourself.

Planning time: Most important of all, set aside time each week to reflect on what you have accomplished, and to plan your time thoughtfully for next week. Partner with your supervisor to plan and meet your objectives.

Organizing your Personal Workspace

The key to organizing your personal workspace for maximum productivity is to recognize that your desk's work surface is for working, not for piling. *De-cluttering* your workspace depends on having a logical place for regularly needed items and developing good habits around attending to paper as it arrives on your desk.

What is in it for you? Try keeping track of the time you spend looking for that one thing you just saw but now can't find. Recognize that this time-waster can be eliminated, freeing you to use that time for other productive tasks.

You have already seen a system for creating a caseload organizer notebook that is useful both in the field and at the office, for managing the information flow from multiple sources. *Create a system that fits your style and then develop good habits around that system.* You can apply many of the same principles to your cubicle or office. (Does anyone in county government have an office anymore??)

Getting to personal workspace efficiency often requires designating time (either all at once or gradually, depending on your personal style) to sort through and clear away all the piles and clutter that have accumulated over time, and to think through and implement a productive filing system that supports your productivity.

Start in one corner of your workspace and move around the room in a progressive fashion. Look critically at your workspace. Take home or toss items that you no longer use or are better at home (save a few meaningful decorations). **Throw out empty containers, unused cups, broken equipment – be fierce in your approach.**

Create four sorting boxes: Route, Not Sure, Out and File. Go through your piles and your files and who knows what else, placing paper in one of these four boxes. As the boxes fill, recycle and throw out the Out box contents, address interoffice mail envelopes and route items in the route file, and create permanent files for the File pile. Go through the Not Sure pile when it fills, and commit it to one of the other three boxes. My bet it that it is going in the Out pile!

As you complete this task, your most efficient filing system will probably make itself evident. Here are a couple of ideas:

Use your most accessible desk filing cabinet drawer for file folders containing the following category groupings and contents:

- Meeting with supervisor folder, in which you can place items you need to discuss with your supervisor or get assistance on.
- Regular monthly meeting folders – unit meetings, staffing sessions, etc.
- Regular contacts folders – Attorneys, District Attorney, Juvenile Hall, etc.
- Phone list folders for the agency.
- Resource list folder section for the community.
- Section of essential paper forms needed to perform daily work (consider if you can eliminate the form by using your word processor.
- Section for special projects that are in process (there is another place to put paperwork from completed projects.
- Time card and human resources information section.

Use another accessible file cabinet drawer or two to store your current volumes of cases by alphabet. File old volumes of current cases in yet another filing drawer or in your agency's "closed files" area.

Keep a file drawer for documentation of completed projects and other materials that you need to retain, but do not need access to on a regular basis.

Bookcases and shelves: How many times do we get yet another new binder from the latest and greatest training that we stuff into our already overstuffed overhead shelf or bookshelf? Go through your bookshelves and toss obsolete material and recycle paper and binders. Divide your bookshelves into categories: Phone books; agency reference information such as Division 31, etc.; community resource information; and relevant training information used regularly for reference.

Desk calendar: A desk calendar can be helpful in creating an overview related to time off and planning, especially when on the telephone or when recalling events for documenting. Use your field notebook calendar to maintain your schedule, however, as using two calendars to schedule your time is a DANGEROUS practice.

Your desk workspace: As you probably noticed, we worked from internal de-cluttering to creating an uncluttered and efficient workspace. Resolve to file away cases and projects each day to maintain an organized and productive workspace.

Supplies: Take a look at the desk supplies you use regularly and organize these items within your desk drawers. Keep only the items on your desktop that you need to maintain productivity.

Inbox: Use one space for incoming paperwork so that you develop good habits about processing paperwork daily from your inbox in the same fashion that you used to sort accumulated piles in your office. Inboxes are NOT another place to store things.

Alpha flex file: Consider using an alphabetical flex file to drop-file case-specific documents that are ready to file. Can a clerical staff member help you with this task, or do you need to designate a time each week to empty this folder?

Pending payment processing: Keep a folder of pending services invoices that are processed weekly at the same time.

Rolodex: Make good use of a Rolodex or address book to allow easy access to regularly used numbers. Weed out the obsolete.

Telephone message log: Using a carbon message log book when checking voice-mail allows you to process and document messages by case, and keeps a record of calls that come in so you have a historical reference.

Email : Resolve not to use your emailinbox for storage. Create filing systems within your emailprogram and delete messages that do not need to be retained.

Caseload Organizer Templates

Field Notebook Organizer

- ❑ Monthly calendar forms
- ❑ Program summary sheet
- ❑ Contact forms
- ❑ Master caseload to-do list
- ❑ Master case to-do list
- ❑ Dividers
- ❑ Face sheet for each youth

Month/Year _____

Sunday	Monday	Tuesday
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Wednesday	Thursday	Friday	Saturday
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Weekly To-Do List

Week of: _____

Case Name	Task	Due Date

Case Master To-Do List

Case Name: _____

Task	Due Date

Family Reunification Caseload Summary Sheet

[illegible]

Permanent Placement Caseload Summary Sheet

[illegible]

Monthly Caseload Face-To-Face Checklist

MONTH/YEAR_____

[illegible]

Youth/Family Information Sheet

Youth Information

Youth's Name: _____ DOB: _____ Court #: _____ SSN# _____

Sibling Names: _____

Court Information

Date Removed from Home:

Initial Placement Date:

Date Petition Filed:

Detention Date:

Date of Disposition:

Current Program:

Date entered

Date of Review:

Attorney for Mother:
Youth

Father (legal standing)
Others:

Current Placement Information

Current Date of Placement:

Placement Type:

Address:

License #:

Telephone:

Parents

Mother:

DOB:

SSN:

Address:

Father:

DOB:

SSN:

Address:

Telephone(s):

Telephone(s):

Parent/Youth Contact Restrictions:

Significant Others

Relative Name:

Address:

Telephone

Relationship:

Relative Name:

Address:

Telephone

Relationship:

School Name/Phone:

CASA:

Therapist/Youth:
Parent:

Doctor:

Transferring Information to Action: Legal Processes that Lead to Permanency

1. Identify the key cases on your caseload that need to be reviewed for completion of permanency/concurrent planning processes.
2. Identify main areas to consider related to information you have learned about achieving legal permanency.
3. What information about county-specific procedures do I need to gather, to do my job of supporting permanency?
4. What are three time and caseload management tips I will take back and put to use right away?

SELF CARE CASE PLAN

Name:

Department:

Position:

CASE PLAN GOAL

Goals:

Projected Completion Date:

Projected Retirement Date:

SELF

Health

Goal:

I will do this for my health:

Eating:

Exercise:

Frequency:

Medical care:

Barriers to achieving goal:

Entertainment

Goal:

I will do this for my enjoyment:

Daily:

Weekly:

Monthly:

Barriers to achieving goal:

Self-Improvement

Goal:

Steps needed to achieve this goal:

Barriers to achieving goal:

FAMILY

Activities/Bonding

Goal:

I will do these things *with* my family:

Daily:

Weekly:

Monthly:

Goal:

I will do these things *for* my family:

Daily:

Weekly:

Monthly:

Barriers to achieving goal:

Home

Goal:

My current living situation is:

Barriers to achieving goal:

EMPLOYMENT

Short term Goal

Start date:

Hours work per week:

Steps needed to achieve short term goal:

Barriers to achieving goal:

Long term Goal

Start date:

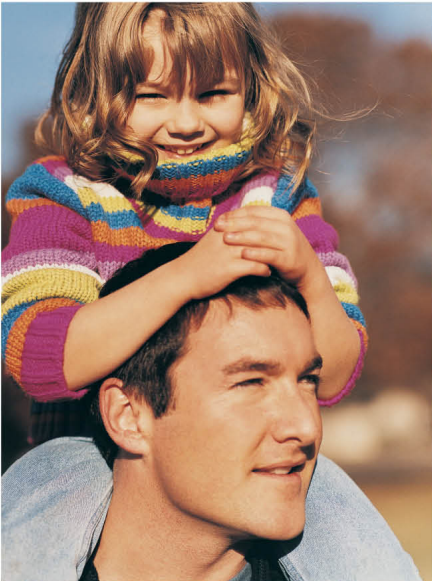
Hours work per week:

Steps needed to achieve long term goal:

Barriers to achieving goal:

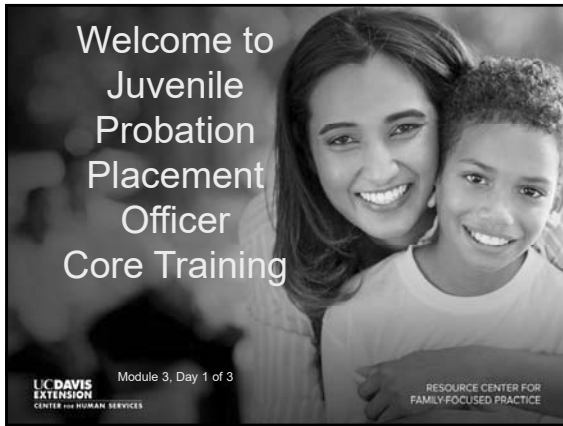
Date: _____

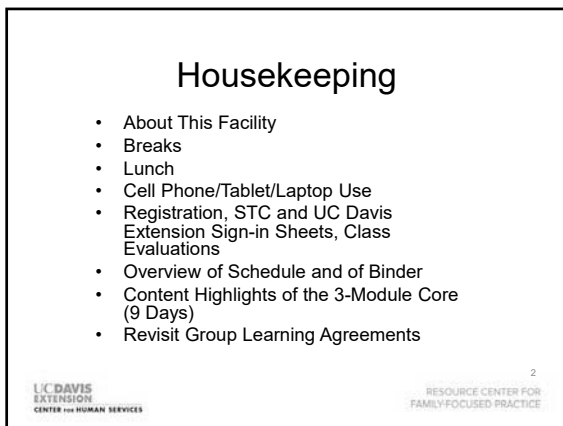
By: _____

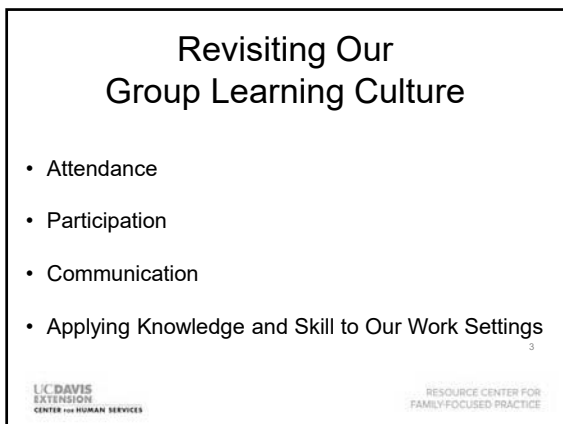


Module 3

Powerpoint







Agenda and Learning Objectives

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Lessons from the Field:

At your tables, share at least one of your own casework examples that illustrate some of the practical concepts presented in Module 2 regarding:

- Youth and family assessment for placement and services planning
- Case plans
- Placement stability and support

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Partner Debate Activity

Discuss permanency connection development/maintenance for youth served by probation...

- Importance
- Challenges

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Best Practices in Permanency for Probation Youth

- Concurrent planning from the start
- Preparing the youth
- Identifying family connections
- Involving caring adults in planning
- Family making decisions and supporting efforts
- Pursuing traditional adoption recruitment resources
- Prevention

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Table Talk Regarding Permanency:

Read the scenario assigned to your table.

Discuss the following questions and be prepared to present highlights to the large group:

- Presenting Issues
- Supervision/permanency issues
- Strengths and resiliencies
- What does it take to work effectively with these youth?

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Permanency Timeline for Probation Youth

Concurrent planning starts at the
VERY BEGINNING of every case

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Definition of Permanency

"A primary outcome whereby all youth have nurturing legal relationships with adult caregivers that create a shared sense of belonging and emotional security over time."

- Legal
- Emotional
- Social
- Physical
- Lifelong Connections that Promote Interdependency

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Permanency

- Educational Permanency – AB 490
- Lifelong Connections – AB 408
- Concurrent Planning (ASFA)

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Permanency Continuum

- Adoption
- Legal Guardianship
- Another Planned Permanent Living Arrangement (APPLA)

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CWS/CMS

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In 1980, the Federal government enacted the Child Welfare Act 96-272.

The purpose of that law was to protect children who had been abused, neglected, or abandoned, and to help those children placed in foster care to have permanent, stable homes.

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[illegible]

Court Timelines to Permanency Out-of-Home Care

**JDRV
PRE-PERMANENCY
6 MO. HEARING**

**JDRV
PERMANENCY
12 MONTH HEARING**

**JDRV
POST-PERMANENCY
18 MO. HEARING**

You must choose ONE category.

Family Reunification
Return Home
OR

☐ Permanency Planning
☐ Adoption
☐ Legal Guardianship
☐ APPLA - Age 16+

You may choose Family Reunification (FR) ONLY if EXCEPTIONS apply.

Family Reunification
Return Home
OR

☐ Permanency Planning
☐ Adoption
☐ Legal Guardianship
☐ APPLA - Age 16+

You MUST choose Permanency Planning at an 18 mo. hearing.

☐ Permanency Planning
☐ Adoption
☐ Legal Guardianship
☐ APPLA - Age 16+

★ EXCEPTIONS are:
Minor and parent are in substantial compliance with case plan.

Minor can be returned home by the 18-month post-permanency hearing.

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Writing a legally sufficient concurrent planning argument

Youth's concurrent plan

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Skills Application

- Review the handout on Practice Elements of the Concurrent Planning Process.
- At your table, consider the scenario for this youth's situation from a concurrent planning perspective.
- Map Rosalba's permanency timeline.

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Concurrent Planning Practice Elements

- Make inquiries
- Give notice
- Conduct assessments
- Provide full disclosure
- Make placement decisions
- Ensure reasonable efforts
- Obtain records
- Consider siblings

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Requesting an Adoptions Assessment

What do I need to do?
When does concurrent planning
include adoption?
What are reasons that youth
object to adoption?

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Skill Application

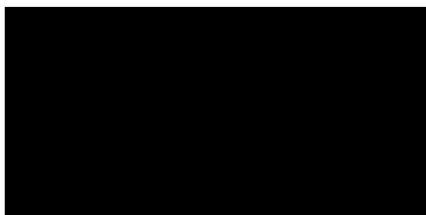
At your table, identify the tasks
involved in concurrent planning with
Rosalba's scenario.

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Commercial About Adoption from Los Angeles, California



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Adoption

- With which youth do we work on adoption planning?
- What reasons do/might youth object to adoption?

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Adoptions in Probation

- Adoptions in our offices may sound like newer territory for our work outcomes, but adoptions are absolutely possible for the youth we serve!
- Let's share some stories about success stories in California!

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Adoptions Commercial from Los Angeles, California Probation Department



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Accomplishing an Adoption

- CRC 5.825: Freeing Wards for Adoption
- Develop Joint Protocols with your Adoption Agency and Court

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Los Angeles, CA Probation Department Commercial About Adoption



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In Reality...

- At your tables, share real situations with currently involved youth who might be able to achieve permanency through adoption.
- Determine one example shared at your table to present to the large group for ideas, support and/or recognition.

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Activity

Prepare at your tables to engage parents/guardians/youth in a conversation around interest in adoption and practice report writing skills

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Short of Adoption...

What are the possibilities of achieving legal guardianship?

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Legal Guardianship

- Discuss roles and responsibilities
- Appoint counsel for parents
- Receive legal paternity findings
- Set Selection and Implementation Hearing
- Notice all parties
- Build report to evaluate guardianship
- Write report
- Create JV 330 Letters of Guardianship
- RFA process

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60 Minutes: The Loneliest People

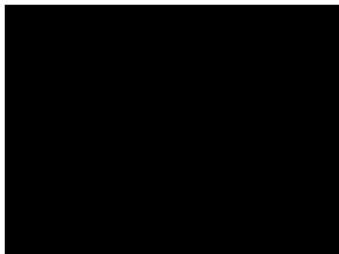
Kevin Campbell and Family Finding

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The Loneliest People



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Family Finding

- At your tables, discuss your processes for Family Finding.
- What are the six steps Kevin Campbell presents for the Family Finding process?

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Considering Relatives

- Resource Family Approval Process
- Talking about permanence
- Interstate Compact on the Placement of Children (ICPC)

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Legal Inquiries, Advisements and Findings Needed for Permanency

- Right to counsel
- Inquiries and advisements
- Paternity findings
- Parental whereabouts
- Preferential relatives
- Indian Child Welfare Act (ICWA)
- Reasonable efforts

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Determining Parentage

- Duty to inquire
- Actions to determine

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Types of Fathers Acknowledged by the Court

- Alleged
- Biological
- Declared
- Adjudicated
- Kelsey S.
- Presumed

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Finding Absent Parents – Due Diligence

- Practice Activity: “Faces of Youth”
- Define Due Diligence
- Search parameters
 - Absent Parent Search Checklist
 - Absent Parent Record

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IR2

CWS/CMS

Indian Child Welfare Act and Permanency

Impact, Consequences, Procedures and Forms

- ICWA 010A
- Parental statement ICWA 020
- Notice to tribes – ICWA 030
- Active efforts
- Preferential relatives for placement consideration
- Standard of evidence
- Expert witness

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What Does “Notice” Include?

- Maintaining Constitutional rights
- Inform of due process
- Inform of potential consequences
- Inform of right to an attorney
- ICWA efforts
- Making reasonable efforts

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Noticing Requirements for Hearings

- To Whom
- Detention Hearing
- Review Hearing
- Selection and Implementation Hearing

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Slide 40

HR2

In the Client services section (blue section) Identifying an Indian Child in CWS/CMS

Harold Rowe, 1/30/2016

Legal Requirements for Terminating Parental Rights

- Notice served
- Paternity determination
- Advisements to parents
- Appointment of counsel
- Reasonable efforts to prevent removal and reunify
- Reasonable efforts to finalize permanent plan
- ICWA mandates addressed

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Conclusion of Day 1

What are you taking away from the day today?



What might you do for your well-being tonight?

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Welcome Back to Probation Placement Officer Core

Module 3
Day 2



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Replicating Successful Outcomes Activity

What contributes to success, family/youth resiliencies and positive outcomes?

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Evolving Laws

H.R. 6893
Fostering Connections to Success and Increasing Adoptions Assistance

H.R. 4980
Preventing Sex Trafficking and Strengthening Families Act

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Extending Foster Care for Youth in the Juvenile Justice System

With tremendous appreciation to the National Association of Council for Children (NACC) for their contributions of a most professional informational presentation and for slide content used with modifications in California for Day 2 of the Juvenile Probation Placement Officer Core training as it relates to the implementation of Extended Foster Care in California counties.

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Goals of Extending Foster Care Services to Interested Youth

Youth will transition from the foster care system into becoming successful and connected, contributing adults in our communities!

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What is Extended Foster Care (After 18)?

- Signed into law September 30, 2010
- Became effective January 1, 2012
- Designed to align with the Federal Fostering Connections to Success Act
- Extends foster care funding for youth
- Includes two trailer bills – AB 212 and AB 1712

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Eligibility is Based Upon...

- Age
- Residence
- Citizenship
- Deprivation
- Removal

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High School Completion Rule

- Not applicable to NMDs participating in extended foster care
- Not applicable for youth in group home
 - May remain in group home to promote educational stability to age 19
- Still exists for KinGAP youth who entered prior to age 16 and non-related guardianships established in probate court

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Residence

- Resides in California
- or
- Under jurisdiction of California delinquency court

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Exceptions (AB 1712)

- Non-minor dependent has a continuous physical presence in another county for 12 months and intends to remain in that county
- Non-minor re-entering care has had a continuous physical presence in another county and intends to remain in that county.

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Citizenship

- US Citizen
- Qualified immigrant
- PRUCOL-Permanently Residing Under Color of Law

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Deprivation

- Deprived of parental support by virtue of being in foster care
 - Federal: Death, incapacity, absence, unemployment of parent
 - State: deprived of parental support

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Removal

- Prior to age 18
- Court order/Judicial Determination
 - Continuing to live in home would be contrary to welfare of child
 - Reasonable efforts made to keep child in home
 - Placement/care vested with county agency
- Relinquished for adoption or parental rights terminated
- Living with non-related legal guardian (state only)

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Financial Eligibility

Federal AFDC-FC Linkage Rule:

- Meet 1996 AFDC criteria in home of removal
 - In month petition is filed
 - OR
 - Any six months prior to month petition is filed
- Once linkage met
 - Does not have to be established again if remaining in foster care
 - No new documentation required

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For Eligibility...

Probation Placement Officers must complete the six month Certification of Participation (SOC 161) and submit it to the eligibility worker

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Jurisdiction

- At age 18, the youth must have an out-of-home placement order or
- Be in a transitional jurisdiction status (WIC 450) or
- Return to or assume dependency (WIC 300)

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Transitional Jurisdiction

- Youth has achieved rehabilitative goals
- Available to youth 17.5 years who have a permanent plan as the goal or to youth age 18 and over with a placement order

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What if There is No Placement Order?

- Then, there is no eligibility for extended foster care
 - But, the youth can receive services by maintaining jurisdiction
- Reconsider placing the youth with relatives under a “return to parent” order

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Participation

- Is voluntary
- Youth must:
 - participate in at least one of five eligibility conditions
 - sign the mutual agreement within six months of turning 18 (a signed agreement is not a pre-requisite to payment for placement)
 - remain under jurisdiction of the court
 - remain in a supervised placement

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How Does Enrollment Work?

- Extended Foster Care is a required “Opt Out” program
- If no action is taken, the youth automatically rolls into Extended Foster Care

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Eligibility Conditions

One of the following must be documented in the youth's TILP:

1. Enrolled in high school or equivalent
2. Enrolled in college/vocational school and/or...

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Eligibility Conditions

- 3) Work at least 80 hours/month
- 4) Participate in program to find work and/or remove barriers to work

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Eligibility Conditions

5) Unable to do any of the above due to medical or mental health condition

*All eligibility conditions are contained in WIC 11400 and WIC 11403.

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Benefits for Non-Minor Dependents

- Eligible for same rates
- New statewide rates established for new placement options
- Medi-Cal or assistance with medical insurance

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Benefits for Pregnant and Parenting Non-Minor Dependents

- Infant supplement is paid
 - Payee depends upon placement type
- For Whole Family Foster Homes, foster family homes, relatives, foster family agency placements or THP+FC host family homes are eligible for \$200 shared responsibility plan payment

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AB 1712 Highlights

- Family Reunification
- Adult Adoption
- CASA for non-minor dependents
- Developmental disabilities
- Non-Minor Dependent – Separate court filing
- Inter-county transfers

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Placement Officer Role

- Obligation to ensure that NMDs who want to participate maintain eligibility
- To terminate jurisdiction, must document reasonable efforts to ensure participation
- Case planning must be collaborative
- Goal is increasing the youth's levels of responsibility

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Talking About Extended Foster Care

- Our first obligation is to explain and explore extended foster care as an option to youth.
- Must document all conversations.
- Share a sample letter of acknowledgement.
- Discover what else we need to consider.

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Activity: Talking About Extended Foster Care

- Create your own "elevator speech."
- Utilize the practice principles you have developed throughout the day.
- Use the flyer on extended foster care.
- With a partner (who will pretend to be a youth on your caseload), practice a brief conversation encouraging participation of that youth in extended foster care.
- What will you emphasize?
- Prepare to present your "elevator speech."

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Crossover Youth: Special Considerations

- Crossover Youth
 - 67% Male
 - 56% African American
 - 30% Latino
- Crossover youth often experience more placements during their child welfare experiences
- More youth have exited from group home care
- Juvenile Justice Only
 - 80% Male
 - 25% African American
 - 57% Latino

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Crossover Youth as Adults

- Crossover Youth
 - 50% experienced at least one period of extreme poverty
 - 66% had no less than one jail stay compared to 25% in child welfare only
 - 18% have had involvement with adult probation
 - Highest rate of inpatient and outpatient health services care
- Juvenile Justice Youth
 - 25% experienced at least one period of extreme poverty
 - 50% had no less than one jail stay
 - 18% have had involvement with adult probation

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Crossover Youth

Crossover Youth

- 40% enrolled in community college
- 10% utilized outpatient mental health services

Juvenile Justice Youth

- 2% received an AA degree
- 3% met transfer requirements to a four year college
- Less than 1% enrolled in a four year college

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Activity

Identify someone in this room you do not yet know well.

In light of the information you have just explored about crossover youth, discuss (and support each other with ideas about) what you should/can be doing as Probation Placement Officers with your current caseload?

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Non-Minor Dependent Rights

- Non-Minor dependents retain all of their own legal adult decision-making authority (WIC 303(d))
- Decisions about remaining in extended foster care are some of the first decisions that they will make as young adults

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Jurisdictional Status

- May remain under delinquency jurisdiction
- If have met rehabilitative goal, may move to Transitional Jurisdiction
- May move to NMD status under dependency jurisdiction through 241.1 amended county protocol

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Written Report Requirements

- Last review hearing prior to the youth turning 18
- In addition to all other requirements
 - Must include:
 - Plan to remain NMD
 - Participation criteria
 - ICWA participation
 - Supplemental Security Income (SSI)

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Written Report

- Special Immigrant Juvenile Status
- Written information
- Required documents
- Rights and responsibilities to extended foster care
- Transitional Independent Living Case Plan

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Opt Out

- If the youth elects to exit foster care
- Must create the 90 day transition plan
- Youth must be informed about right to re-entry

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CWS/CMS

Transitional Independent Living Case Plan and Transitional Independent Living Plan

- Submitted with court report ten (10) calendar days before hearing
- Must include:
 - Plan to meet criteria and placement
 - Alternative plan
 - Housing
 - Education
 - Employment
 - Support system

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Findings

- Specific criteria to be satisfied
- TILCP includes alternative plan
- For ICWA eligible:
 - Youth intends (or does NOT intend) to be considered an Indian child

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Findings

- Status of Supplemental Security application
- Legal residency status
- Information, documents and services required 391(e)
- Understands rights
- Continuance

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Orders

- If becoming a Non-Minor Dependent, court must set a review hearing within six months of the current hearing
- If opting out:
 - Set hearing for date within one month after the youth turns 18
 - Set 366.21, 366.22, 366.25 or 366.3 as a dependent

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Effects of Legal Adult Status

- Hearings can be attended only by those invited by youth *WIC 295*
- No protective custody warrants *WIC 303 (d)*
- Court cannot order psychotropic medication *WIC 303 (d)*
- No caregiver consent for medical/education decisions *WIC 303 (d)*

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Effects of Legal Adult Status

- NMD has privacy rights about medical information
- No discussion of educational limits on parents
- Personal rights of foster children do apply (WIC 16001.9)

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Table Activity: Written Report Requirements

By report, use table flipcharts to highlight what is required to be in each report:

- 1) NMD Status Review Hearing
- 2) Termination of Jurisdiction
- 3) Resumption of Juvenile Court Jurisdiction

Prepare to educate the large group about your discoveries.

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What Happens Next?

- Mutual agreement
- Placement
- Eligibility documentation

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Mutual Agreements

- Non-Minor dependents must sign a mutual agreement within six (6) months of turning 18 if they intend to remain in care
- Signed agreement is not a prerequisite to payment for placement

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Placement Considerations

- NMDs are adults
- Placements should be least restrictive
- Encourage independence
- Developmental needs and readiness for independence
- Decisions are made in conversations with NMD

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Building New Relationships

- Identify the youth's perspective on need/desire for new relationships
- With adults
- With peers

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Rebuilding Old Relationships

- Youth has decision making roles
- Safety issues
- Balanced perceptions
- Assistance with contacts
- Debrief experiences

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For All Relationships

- Issues around trust
- Issues about accountability
- Issues related to dependability
- Positive contribution
 - To the youth's life
 - Youth to the lives of others

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Activity: Meeting the Needs of Non-Minor Dependents

- Talk at your tables about how you explore (or will explore) the practice implications for working with Non-Minor dependents
- Identify three opportunities for initiating deep conversations
- Spend 5-7 minutes talking, doodling, writing down phrases, ideas, thoughts, inspirations

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Living Options

- Relative or NREFM placement
- Foster care including foster family agency placement and intensive therapeutic foster care
- Continued group care if indicated by medical necessity (includes meeting mental health needs)
- Small Family Home
- Whole Family Foster Home

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Living Options

- THPP
- THP + FC
- SILP (Supervised Independent Living Placement)
 - College dorm
 - Rented room
 - Shared apartment or living arrangement

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Assessment for SILP

- Readiness assessment must be completed
 - State approved assessment already in use for TILP may be used (Ansell Casey Life Skills or Daniel Memorial)
- Assess knowledge of financial skills/developmentally ready for daily living

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Assessment for SILP

- Assess readiness generously
- Denial of SILP can be made for reasons such as:
 - Rent and utilities exceed income
 - Unstable income
 - No knowledge of how to manage money
 - Unable to care for self

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Shared Living Agreements

- In any shared living arrangement (foster care, NREFM or SILP that includes a shared living arrangement/environment)
- Spells out concrete details
- What to do in the event of disagreements

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Maltreatment of Non-Minor Dependents

- Maltreatment of a NMD by a licensed caregiver is reportable by a placement agency
- Responsibility for intake and evaluation of risk is extended to NMDs
- Requirement for cross reporting is extended to NMDs

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At Transitional Planning

- Whether youth is listed as victim on Child Abuse Central Index report
- At age 18, youth may request removal of information from Child Abuse Central Index
- Make written request to the Department of Justice
- Must be notarized and include name, address, SSN and DOB

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Case Plans

- Case plans shall have a goal of Permanent Placements with Planned Permanent Living Arrangements
- Routinely updated per current regulations
- Be youth driven, team-based

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Case Plans for Group Home/STRTP Placement

- Must address:
 - Group home/STRTP as the best and least restrictive placement to meet they youth's needs
 - Transition to independent living
 - Treatment strategies that lead to less restrictive setting
 - Target date for discharge from group home/STRTP
 - Periodic review

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Case Plans for SILP

- Placement in a SILP must be specified in the case plan
- Appropriate for developmental needs

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Quality Visits

- Monthly Face-to-Face visits with the youth are required
- Regardless of type of placement or location
- Majority of visits must be in the home
- Sensitivity
- Documented in CWS/CMS

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NMD Status Review Hearings

- Purpose
 - Focus on goals and services
 - Progress toward achieving independence
- Every six (6) months
- Youth must be physically present under certain conditions

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CWS/CMS

Notice of Hearing

- Written notice as per WIC 295 except to parents
- Notice to NMD must include that they may appear by telephone
- Proof of service must be filed no less than 15 court days in advance of the hearing

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CWS/CMS

Non-Minor Dependent Status Review Hearing Report Requirements

- Continuing necessity
- Appropriateness of placement
- Plans for jurisdiction, eligibility and participation
- Verification of information and documents
(WIC 391(e))

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CWS/CMS

Non-Minor Dependent Status Review Hearing Reports

- Transitional Independent Living Case Plan
- TILP
- ICWA
- TILCP goal progress
- TILP progress
- Maintaining relationships (including siblings)

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CWS/CMS

Status Review Required Findings

- Notice given
- NMD continuing placement is necessary and appropriate
- TILP includes plan to satisfy eligibility criteria
- Criteria satisfied and planned for next six (6) months
- Efforts to assist

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CWS/CMS

Status Review Required Findings

- NMD provided information and documents per 391(e)
- TILCP and TILP are developed jointly
- If ICWA eligible: tribal consultation
- TILP includes meaningful ILP skill-related services

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CWS/CMS

Status Review Required Findings

- NMD signed and received a copy of the TILCP and TILP
- Progress has been made
- Reasonable efforts to establish and maintain relationships with:
 - Important people in their lives
 - Siblings under Court jurisdiction

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CWS/CMS

Orders

- 1) Continuation of jurisdiction
- 2) Set review hearing six (6) months
- 3) Order Permanent Plan and likely date or set hearing to consider termination or order termination of jurisdiction

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Termination Hearing

- Appearance hearing
- May be held during other hearings
- No notice to parents is required
- Previous termination conditions
- Continuance

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CWS/CMS

Termination of Jurisdiction

- Best interests
- Eligibility criteria
- ICWA
- Supplemental Security Income
- Special Immigrant Juvenile Status
- Benefits
- Youth's statement
- Information, documents and services

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CWS/CMS

Orders if Jurisdiction is to be Terminated

- Right to re-entry
- Info on rights and processes
- Conferred with attorney
- 90 day Transition Plan
- Order for retaining general jurisdiction

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CWS/CMS

Orders if Jurisdiction is to be Terminated

- Desire of Non-Minor
- Not participating in TILCP or location unknown and reasonable efforts were made to locate
- Must provide information, documents and services per 391(e)
- Informed of options to transition from foster care

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Re-Entry

- Young adult may exit foster care at any time
- Young adult may re-enter foster care at any time
- Young adult must be advised of right to re-enter

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Re-Entry

- May re-enter unlimited times until age limit is met
- Re-entry process is intended to be as accessible and easy as possible
- Subsequent criminal conviction in adult court if does not prohibit re-entry

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Re-Entry

The intention is to allow the young adult to experience independence with a safety net and support.

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Re-Entry Process

Sign voluntary re-entry agreement

- Willingness to re-enter foster care
- Placed in supervised placement
- Participate in eligibility requirements
- Partner in creating a transitional living case plan
- Participate in 388 filing

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Re-Entry Process

- Or File a 388 (e) petition in county of residence or county of jurisdiction
WIC 11400 (z), 388(e), 11403(e)
- Court has 15 court days from filing to set the hearing

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Eligibility for Re-Entry

- New link is established based on youth's income and property only
- New documentation for young adult re-entering is required

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
Benefits for Re-Entry Non-Minor Dependents

- Monthly cash benefit paid on a per-child basis
- Full scope Medi-Cal, no share of cost
- Other funded services/allowances as applicable
 - County clothing allowance (if provided)

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Requirements

- TILCP and TILP must be completed within 60 days and submit to court
- All prior requirements for Non-Minor Dependents are in full force and effect
- What do we do when youth abscond?
- How/When are records sealed?

Summary of Goals/Success Measures for Probation Placement Officer Efforts

- Community safety
- Safe, supported young adults meeting their goals related to their independence
- Self-sufficient and contributing citizens

What are Your Questions/Thoughts?

How Does this Discussion Apply to Your Current/Past Case Work?




Conclusion of Day Two

What were you most impacted by in your learning today?

What surprised you?

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Welcome Back to Probation Placement Core

Module 3
Day 3

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Probation Officer Ongoing Obligations for Probation Youth In Foster Care

- Care, treatment and guidance of youth is the focus
- First preference is for placement with relatives
- Least restrictive placement should aim to promote normal childhood experiences
- What is in the youth's best interest that is the aim in decision making
- Youth's special needs are met thoughtfully
- Probation youth in foster care placements have the same rights as all foster youth

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Presentations on Obligations, Activities and Resources

- 1) Review assigned obligations, activities and resources.
- 2) Prepare to present highlights, based on lessons learned during the nine days of training and what you know from your on-the-job experiences.
- 3) Present summaries of key points to remember to the large group.

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What Did You Learn?

- 1) From the section(s) you presented?
- 2) From your colleagues' presentations?

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Continuing the Review: Initial Determination Regarding Placement

- Investigation of Relatives
- Protocols for "Dual Status" Youth

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Disposition

- Placement recommendation to the Juvenile Court
- Least restrictive alternatives for placements for foster youth
- Development of a case plan
- Implementation of the placement order

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Post-Disposition

- Reunification services
- Permanent plan or alternate planned permanent living arrangements, as relevant based on the age of the youth
- Application for termination of parental rights
- Credit Report checks

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Post-Disposition

- Education-Related Obligations
 - School transfers
 - Case plan education-related responsibilities
 - Foster youth information sharing

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Termination of Jurisdiction

- Transition jurisdiction (under 18 and over 18)
- Hearing on termination of delinquency jurisdiction for foster youth
- Documents and information that must be provided at termination of jurisdiction for Non-Minor Dependents

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Non-Minor Dependents

- Eligibility for extended foster care benefits
- Eligibility criteria
- Details within ACL references for extended care (CDSS website)

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Resources

- Funding resources
- Other public resources

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Talking About the Differences in Legal Permanence

- Form into three groups
- Discuss and prepare highlights, summarizing distinctions between types of legal permanency
- How would you talk with youth and family members about possibilities based on examples of youth on your current caseload?
- Report out to the group

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Report Writing Skills Practice

1. With your colleagues, write a legally sufficient statement regarding the assigned court report permanency sections.
2. Prepare to share your work with the large group.

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Accessing the CWS/CMS Training Portal

- Scheduling CWS/CMS Training
- Quick Guides for Probation
- Link to Website:
http://www.hwcws.cahwnet.gov/countyinfo/county_contacts/default.asp

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What Do We Enter into CWS/CMS?

Explore the Training Portal...

In What Ways Does It Matter if We Enter Information Timely?

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Antwone Fisher:

Talk at your tables:

What difference do connections make in the lives of youth being served by county probation placement officers?

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Secondary Trauma

Relevance to us/the work?

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Caseload Management

- Factors to consider
- Who am I?
- In what roles do I serve?
- What resources do I have?
- Priorities...
- Data requirements

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Identifying and Reducing Practice Barriers

- System
- Policy and procedure
- Practice
- Concrete solutions
- Questions for clarification

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What Do We Do?

- Support many people
- Groups of tasks
- Create strategies for organizing workflow
- Experience interruptions to workflow
- Celebrate small and larger successes

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Probation Placement Officer Case Managers

Self-Evaluation Worksheet (complete individually)

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Caseload and Case Management Principles

- Plan: Important vs. urgent
- Schedule time by priority
- Know what you value and support it with your behaviors
- Conduct an environmental scan
- Manage your energy
- Plan: do not react
- Attitude + Action = Habit

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Efficient Work Strategies

- Time Management:
 - Calendar (paper or electronic)
 - Field notebook (organizer)
 - Visits/Meetings schedule
 - Court report schedule (Checklist for Court Report Writing)
 - Case master to do list (Case Review Checklist)
 - Weekly to do list

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Daily Habits

- Organized personal workspace(s)
- E-mail
- Voicemail – message management
- Documentation time
- Case management time
- Case filing time
- Planning time

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Tips of the Trade

- Know your best energy and build habits
- Goal setting
- Group office tasks
- Dedicated time with paper

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Tips of the Trade

- Control your interruptions, as possible
- Anticipate information needs with monthly visits
- Focus your documentation
- Consider geography

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Tips of the Trade

- Get the work done when needed (use time management strategies)
- Use waiting time to be productive
- Use travel time to think things through
- Access your own colleagues/friends and/or a professional coach for support

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Personal Workspace

- Filing system
- Bookcases and shelves
- Desk Calendar
- Inbox
- Message Log

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Transferring Information to Action

- Refer to the handout and consider your work environment.
- Respond to the questions and create next steps.

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Self-Care Tools

Airplane Emergency Philosophy...

What Do We Need to Do?

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Completing My Own Individual Case Plan

- What do you need to do immediately (and over the next few months) to apply your learning from this Probation Officer Placement Core training directly to your work?
- How will you get there?
- Document your case plan

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Personal Self-Management Summary/Plan

Share with a partner: What are three examples of time and caseload-related steps you will implement when you return to your office that will support you in your effectiveness, planning, organization and success within your role in serving the youth on your caseload?

Who will you share contact information with today and commit to following up with in two weeks with an update (and to provide support)?

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Learning Reflections

- As we make our way around the room, please share what comes to mind easily about what you have learned this week that will improve your work with youth who are in placement and their families.
- Finalize your list of questions/concepts that you will talk about with your supervisor when you next meet.
- On your action plan, note these and other thoughts you are taking away from this training experience so that you can put them into practice with ease when back at the office!

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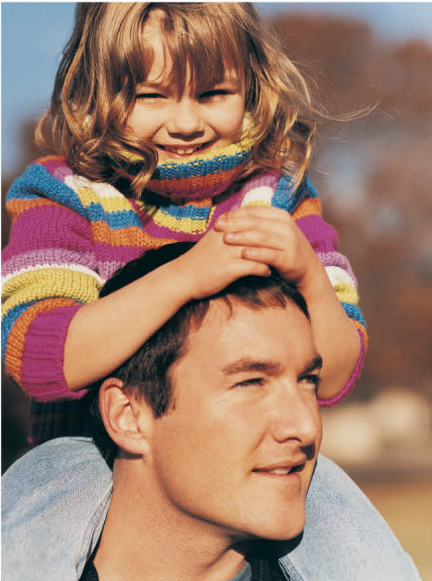
Next Steps and Appreciation

- We value your continued feedback!
Please complete your evaluations
(and leave them on your tables).
- Thank you for your participation and
valuable contributions!
- Let's celebrate your
accomplishments!

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Module 3

Scenarios

Scenario: Jason

Jason is a 17-year-old adolescent who was declared a ward of the court for possession of methamphetamine and being under the influence of methamphetamine. He has two prior referrals for possession of cocaine and one for being under the influence. He was ordered to enter and complete Juvenile Drug Court; however, he was terminated from the program after running away from two separate group homes and for numerous positive drug tests. Jason is currently in Juvenile Hall awaiting placement. He has been there for about five weeks.

Jason's father is in state prison for drug-related charges, and his mother is currently residing in a residential drug treatment program. His two younger siblings, girls ages 8 and 11 years, are living with their maternal aunt in Fresno. In the past, she was unwilling to allow Jason to live with her due to his involvement with drugs.

Jason is liked by the Juvenile Hall counselors and is often taken out for night detail work. He and counselors often joke together. Before running away from the first group home, Jason was a team leader, which entitled him to trusted household jobs with extra privileges. He is an average student, and he sold the most items in his class for a school fundraiser when he was 14. When arrested, Jason was in clean clothing and did not appear homeless. He failed to disclose where he had been living.

1. What are the presenting issues?
2. Address supervision and permanency planning issues.
3. Address strength and resiliency issues.
4. What are the challenges and barriers you experience in working with youth and families similar to this?

Scenario: Sofia

Sofia is a 17-year-old adolescent with a history of cocaine abuse and prior sustained offenses of possession of stolen property and commercial burglary (both felonies). She was diagnosed with an eating disorder at age 15. Sofia consistently refused to engage in drug treatment or counseling, and her recent adjudication involved possession of cocaine and being under the influence of same. She is in Detention waiting for an out-of-home placement.

Sofia's birth father resides in New York with a new wife and two children, ages one and three. He and Sofia used to be close, but they have rarely talked since he moved out of the family home. Sofia's birth mother works two jobs, one as a waitress and another as a hotel maid. She works about 75 hours per week. Sofia has two adult sisters who live out of the area. They have helped pay for dancing lessons in the past and also send checks to their mother periodically.

When her mother is working, Sofia is home alone. She helps take care of the apartment and knows a few of the neighbors. For the past year, an older boyfriend provides her with jewelry, clothing and drugs in exchange for sex.

Sofia enjoys dancing, music and the arts. She was an honor student in the 7th, 8th and 9th grades. Sofia is highly competitive in dancing and is very conscious of her weight.

1. What are the presenting issues?
2. Address supervision and permanency planning issues.
3. Address strength and resiliency issues.
4. What are the challenges and barriers you experience in working with youth and families similar to this?

Scenario: Cindy

Cindy, 17, has been a ward of the court for about six months. She was arrested for the third time within a year for assault. On her most recent arrest, Cindy assaulted a 15-year-old girl, breaking the girl's nose. She is currently in Detention awaiting out-of-home placement.

Cindy is an only child and has a diagnosis of bipolar disorder, first detected at age 14. Her birth mother is also diagnosed with bipolar disorder, as are a number of extended family members on the birth mother's side of the family. The birth father's whereabouts are unknown. The maternal grandparents are out of state, and there is no information regarding the paternal grandparents or several of her uncles.

Cindy's birth mother is currently residing at a homeless shelter for women. She has lived in and out-of-homeless shelters for a little over one year and has struggled with managing medications. Cindy has assisted her mother in obtaining shelter living, was helping with the younger children at the shelter and was an honor roll student two years ago. She made positive connections with several of the staff members at the homeless shelter, and she enjoyed helping out during evening meals and bedding distribution. She is now failing in school, often acts out when with peers or some adults, and if not acting out, she withdraws.

1. What are the presenting issues?
2. Address supervision and permanency planning issues.
3. Address strength and resiliency issues.
5. What are the challenges and barriers you experience in working with youth and families similar to this?

Scenario: Michael

Michael is a 16-year-old adolescent with a long history of gang-related behavior. His priors include four felony assaults. He has been expelled from his home school district for wearing gang clothing, challenging other students and bringing a knife to school. He is in Juvenile Hall awaiting placement.

Michael's father was killed in a gang-related fight four years ago. His mother has remarried and has not been involved in any of Michael's court proceedings. Michael has three older siblings (males 19 and 23, and female 21). The 19-year-old brother is in state prison for murder. The other two siblings have no probation history and live out of the area. The 23-year-old brother has finished college and is living with an aunt. The 21-year-old sister is living with a cousin. This brother and sister have both written to Michael in the past.

Michael has artistic talents (drawing and painting) and once helped a community center draw and paint a mural. He also enjoys weight lifting, exercising and reading. He spends a good amount of his time alone. Michael does not talk about himself to others very much and has a room full of pencil drawings. Michael was diagnosed with ADHD at age 13.

1. What are the presenting issues?
2. Address supervision and permanency planning issues.
3. Address strength and resiliency issues.
6. What are the challenges and barriers you experience in working with youth and families similar to this?

Date of Entry Into Foster Care Scenarios

WIC 727.4(d)(4)

SCENARIO #1:

Johnnie was arrested on 6-12-16. He was ordered detained in juvenile hall at a detention hearing on 6-14-16 and later court ordered to out-of-home placement at a disposition hearing on 7-15-16. He was subsequently placed at Promesa Home on 7-20-16.

What is Johnnie's date of removal?

Date of detention?

Date of entry into foster care?

Why is this the date of entry into foster care?

SCENARIO #2:

April was arrested on 8-14-16. She was ordered detained in juvenile hall at a detention hearing on 8-16-16 and later court ordered to out-of-home placement at a disposition hearing on 9-30-16. She was subsequently placed at Koinonia Home on 10-25-16.

What is April's date of removal?

Date of detention?

Date of entry into foster care?

Why is this the date of entry into foster care?

SCENARIO #3:

Dustin was arrested on 5-10-16. He was released on home supervision at a detention hearing on 5-13-16 but later arrested for a home supervision violation and new WIC 602 charges on 5-20-16. He was subsequently ordered detained at juvenile hall at a detention hearing on 5-22-16. He was court ordered to out-of-home placement at a disposition hearing on 6-14-16, but placement was to commence only after he served a 90 day commitment at the juvenile hall. He was subsequently placed at Courage to Change Home on 9-15-16.

What is Dustin's date of removal?

Date of detention?

Date of entry into foster care?

Why is this the date of entry into foster care?

SCENARIO #4:

Courtney was arrested on 1-02-17. She was subsequently ordered detained at juvenile hall at a detention hearing on 1-04-17. As Courtney was a WIC 300 dependent in an Intensive Treatment Foster Home at the time of her arrest, a WIC 241.1 hearing was necessary. She had previously been taken into protective custody by Child Welfare Services on 10-14-15 and detained by the dependency court on 10-16-15, after her parents were arrested for drug manufacturing related charges. A WIC 300 petition had been sustained on 11-15-15 for neglect by her parents. At the 241.1 hearing on 1-18-17, it was determined that her case was to be handled in delinquency court and her WIC 300 dependency was dismissed. She was court ordered to out-of-home placement at a disposition hearing on 2-02-17, and she was subsequently placed at Crossroads Home on 2-10-17.

What is Courtney's date of removal?

Date of detention?

Date of entry into foster care?

Why is this the date of entry into foster care?

Case 1 – Lataisha Brown

Youth: Lataisha Brown

Gender: Female

School: Court and
Community School

Age 14

SSN: 123-00-
4567

Ethnicity: African-American

Language: English

Family Information

Mother: Vivian Brown

Age: 30

Address: Whereabouts unknown

Ethnicity: African-American

Employment: Unknown

Father: Terrell Able

Age: 35

Address: 165 Charter Way
Stockton, CA

Ethnicity: African American

Employment: Day labor in
construction

Sibling Information:

Sibling Name: Lance Brown

Age: 11

Sibling Name: Marcus Brown

Age: 10

Substitute Care Provider

Name: Loretta Davis

Age: 35

Address: 3535 M Street
Oakland, CA

Employment: Registered
Nurse

Ethnicity: African-American

Current Referral/Circumstances:

Oakland police officers assigned to vice unit were working an undercover operation to combat prostitution in the area of downtown Oakland. An officer observed Lataisha, 14, walking on East 14th Street, which is well known for prostitution activity. The officers pulled up next to the youth, who walked up to their car window. The officer asked her, “Are you dating?” and she replied flippantly, “I don’t date cops.” After a short conversation, Lataisha agreed to get into the vehicle and perform sexual acts on the undercover officer for \$120, minus the cost of the hotel room. Officers pulled the vehicle over, identified themselves and detained Lataisha for her own protection as a commercially sexually exploited child (CSEC).

The court ordered a joint assessment and report under Welfare and Institutions Code 241.1 because of Lataisha’s status as a WIC 300 court dependent in relative care. The court then ordered that Lataisha’s needs were best handled with a dual jurisdiction with the Probation Department acting as the lead agency.

Prior Juvenile Probation History:

At age 11, Lataisha was arrested for petty theft and trespassing. Probation contacted Child Welfare Services regarding the arrest and closed the case without further referral.

Child Welfare/Juvenile Dependency Information:

Lataisha Brown, 14, is a dependent of the Juvenile Court under the care and custody of Child Welfare Services. Lataisha and her younger brothers were removed from the care of their mother when Lataisha was ten years old.

Child Welfare Services records indicate that Lataisha’s mother and father have a long history of crack cocaine abuse and have both been arrested and convicted on child endangerment. Lataisha and her brothers were removed from a family home located in a condemned building that was unsafe and unsanitary with no water, little food and rodent and cockroach infestation. Lataisha’s parents were frequently homeless during her first ten years, living in cars, rundown motels and sometimes under freeway overpasses. At the time of removal, the mother was a single parent who was struggling with significant substance addiction. The children’s father had left home about a year prior to return to Stockton, where he was reported to belong to a local gang.

Lataisha’s mother and father were offered 12 months of Family Reunification while the children were placed with their maternal aunt Loretta Davis and her husband Reginald,

but failed to successfully reunify. Since all three children had lived with their aunt for such a long period, but she was unwilling to commit to adoption, the children continued in foster care with the aunt as the relative placement.

Prior to Lataisha's detention, her aunt had requested that Lataisha be removed from her care because she was engaging in risky sexual behaviors in the home, acted out with defiance and anger when her aunt attempted to set limits and frequently ran from the home, not returning for several days at a time. Her younger brothers have remained in the care of their aunt.

Interviews with Youth:

When interviewed, Lataisha was largely uncooperative with the probation officer, responding in one or two word responses. She could be engaged only when discussing her younger siblings, Marcus and Lance, with whom she has strong protective feelings.

Lataisha stated that she does not need adults to provide for her protection. She has learned how to take care of herself and does not want to cooperate with Probation and stated she will run away from anywhere that she is placed.

Lataisha remained largely silent during most of the interview, using shrugs and disengaging from interaction.

Interview with Child Welfare Services Social Worker:

Due to the extensive involvement of Child Welfare Services with Lataisha and her brothers, Child Welfare Services records and the assigned social worker were helpful in understanding Lataisha's family and social history.

Lataisha is the oldest of three children born to Vivian Brown and Terrell Able, both born and raised in Stockton, California. Lataisha was born in Stockton, California, and the young family struggled as a result of a lack of formal education and drug abuse problems in both parents. CWS records show 24 referrals in both San Joaquin and Alameda Counties associated with general neglect, emotional abuse and caretaker absence.

Her mother, Vivian, was 18 when Lataisha was born, and she dropped out of high school when she became pregnant in her junior year. Vivian did not have prenatal care prior to Lataisha's birth, and Lataisha was positive for cocaine at birth. Child Welfare Services provided Emergency Response services in the early weeks of Lataisha's life. Terrell, five years older than Vivian, graduated high school and worked in the

construction field as a day laborer, but he began struggling with drug use in his late teens and early 20s.

Following the birth of Lataisha's brothers, the family relocated to Oakland when Terrell found it difficult to find work in the Stockton area. Neither Lance nor Marcus tested positive for drugs at birth. The move was stressful and largely unsuccessful economically for the family and as a result, Vivian's substance abuse problems worsened to the point that Terrell separated from the family and returned to Stockton. Home and care conditions worsened for all three children until CWS removed them from the care of their mother and placed them in relative care when her mother failed to protect Lataisha from sexual abuse by a male with whom she was living.

Both parents were offered 12 months of Family Reunification services. Vivian's substance abuse problems continued to worsen, and she cut off contact with her children and extended family. She was last seen in Richmond, California, at a homeless shelter during poor weather two years ago.

Terrell made some efforts to complete his service plan during the reunification period and also made efforts to be in contact with (and parent) Lataisha, who is often distant and oppositional to his efforts. His motivation to complete his service plan floundered when it was clear to him that his daughter was not responding to his efforts.

When Family Reunification services were terminated after 12 months, Lataisha's aunt agreed to provide care for all three children until adulthood, but stated she did not want to assume legal guardianship or adopt the children out of respect for her sister. At the Permanency Selection and Implementation Hearing, a plan was developed and adoption was considered but rejected, so both parents' parental rights remain intact.

The aunt has cared for the siblings for four years. About a month before Lataisha's most recent detention, Lataisha's behavior was escalating in her aunt's home, repeatedly running away and refusing parental direction. As a result, Ms. Davis requested that Lataisha be removed from her home. Her Child Welfare worker had been looking for prospective family members and foster homes as placements for Lataisha when she was detained on current charges. Lance and Marcus remain in Ms. Davis' care. Lataisha's paternal grandparents live in the Sacramento area.

Lataisha has struggled with school attendance for her entire academic career. She has never been placed in the same school for long enough to allow assessment of need for special education services. She struggles with reading and writing, but she enjoys math and all of the social activities at school, including school dances. She enjoys art – drawing, painting and poetry. She has never worked.

Lataisha became sexually active at age 12 and has a history of sexually transmitted diseases and was also caught smoking marijuana. She was diagnosed with Type I diabetes when she was 12 years old and is insulin dependent. She has struggled with occasional asthma attacks.

Lataisha has been referred for counseling, both group and individual, but she has largely avoided participation. Her sexual abuse trauma has remained untreated.

Interviews with Parents:

Lataisha's mother, Vivian Brown, could not be contacted for an interview because her whereabouts have not been known for two years. Her last known address was in Richmond, California. Her biological father, Terrell Able, was contacted in Stockton, California.

He reported that he has had intermittent contact with Lataisha and his sons over the past four years. He has struggled with drug abuse and unemployment, though he has been clean and sober for the past year and is now working regularly on a large building construction project in downtown Stockton. He has a friendly relationship with the relative care provider, who invites him to visit and to family celebrations. While his relationship with his boys is close and positive as long as he is free from drug use, his relationship with Lataisha is strained.

Terrell would like to be considered for placement of Lataisha, but he is currently living in a rooming house and does not currently have room for her. In addition, he feels that Lataisha needs treatment for her childhood neglect and sexual abuse before he can consider taking custody of her.

Interview with Approved Relative Care Provider:

Loretta Davis and her husband Reginald assumed responsibility and care of her sister Vivian's children after a long and turbulent period for the family. Loretta was devastated to learn that Lataisha had been sexually abused by a casual man friend of Vivian's and was shocked to hear about the desperate living situation that her niece and nephews had endured. She is heart-broken about her sister's serious substance abuse problems and worries all the time about her welfare.

Loretta and Reginald made impressive progress with Marcus and Lance, but Lataisha has struggled with school, her behavior in their home and with early involvement in unsafe sexual behaviors since she came to live with them. Loretta and Reginald had to institute a set of clear rules regarding Lataisha's interaction with Reginald because Lataisha began engaging in sexually provocative and seductive behaviors with him.

Initially, Loretta focused on helping Lataisha to bring her health problems under control and to allow her to adjust to the structure and expectations of their home. She was successful in getting Lataisha's diabetes diagnosed and somewhat stabilized and focused on establishing a healthy diet and exercise plan for the girl.

Loretta and Reginald have had limited success in getting Lataisha to meaningfully engage in school work. Lataisha prefers courses focused on art and on the school's social activities and she tends to cut classes focused on core competencies.

During the past two years, Loretta and Reginald have worked hard to make progress on Lataisha's behavior but her risk taking behaviors have escalated out of control.

Case 2— Alex James

Youth: Alex James

Gender: Male

School: Benjamin Holt
High School

Age 15

SSN: 123-00-
4567

Ethnicity: African American

Language: English

Family Information

Mother: Jaynie James (adoptive) **Age:** 42

Address: 129 March Lane
Stockton, CA

Ethnicity: Caucasian

Employment: Furniture
Sales

Father: Michael James (adoptive) **Age:** 43

Address: 129 March Lane
Stockton, CA

Ethnicity: African American

Employment: Truck Driver

Sibling Information:

Sibling Name: Allison James **Age** 12
(birth)

Sibling Name: Jacob James **Age** 10

Current Referral/Circumstances:

Stockton Police officers were called to the main police department lobby in response to a report of child molestation. Minor Alex James' adoptive mother, Jaynie, advised the officer that she had adopted Alex, 15 years, the victim and Alex's sister Allison, 12 years, and their youngest sibling Jacob, 10 years three years ago. Alex had been victim of multiple counts of sexual battery himself as a child.

Jaynie stated that she was directed to report disclosures by Allison to her therapist that she had been inappropriately touched by her older brother Alex during a therapy session. Police conducted interviews, and Allison repeated her disclosure.

During interviews with Alex, he admitted engaging in sexual activities with the victim, including “playing doctor” and zipping her pants back and forth. Then Alex began approaching Allison while she was fully clothed, lifting her up by her hips and engaging in thrusting behaviors as if pretending to have intercourse from behind. In another incident, Alex and Allison took their pants off and Alex attempted to penetrate Allison anally, but was not successful in his efforts. This incident was reported to have occurred one year previously. Alex also disclosed that he had engaged in oral sex with Allison four or five times. Stockton Police booked Alex into the Juvenile Detention Center on five counts of Lewd and Lascivious Acts Upon A Child Under 14, a felony.

Prior Juvenile Probation History:

Prior to this arrest, Alex was cited for petty theft and trespassing at the age of ten. The Probation Department closed its case when Child Welfare Services filed its petition removing Alex and his siblings from their biological parents due to neglect and sexual abuse.

Child Welfare/Juvenile Dependency Information:

Child Welfare Services has received 18 referrals regarding Alex and his siblings that date back to 2010. Referral allegations include general neglect as a result of unsafe and unsanitary home conditions, methamphetamine use by the parents and sexual abuse of the children by the birth father.

The family was found to be living in poor conditions with no water, food or shelter and supportive services were provided on an emergency response basis for several years.

Of the 18 reports, six were substantiated, with the most recent referral for sexual abuse resulting in removal of all three children and filing of a dependency petition. The children were initially placed with a maternal aunt Sally Grace, but all three were moved to the home of Michael and Jaynie James when sexualized behaviors became too much for Ms. Grace to handle, especially when she was diagnosed with cancer. Mr. and Mrs. James are experienced foster parents who have successfully handled many challenging behaviors in traumatized children.

The minors' parents failed to participate and complete a case plan of Family Reunification services and their parental rights were terminated. The James' adopted all three children. Alex's birth parents, who were legally married, have since moved to Maryland, and none of the children have had any contact with them since the adoption. Alex and his younger siblings also have two adult siblings who reside in Orange County and Siskiyou County.

Interviews with Minor:

During interviews with Alex, he admitted engaging in sexual activities with the victim, including "playing doctor" and zipping her pants back and forth. Then Alex began approaching Allison while she was fully clothed, lifting her up by her hips and engaging in thrusting behaviors as if pretending to have intercourse from behind. In another incident, Alex and Allison took their pants off and Alex attempted to penetrate Allison anally, but was not successful in his efforts. This incident was reported to have occurred one year previously. Alex also disclosed that he had engaged in oral sex with Allison four or five times.

Alex stated he is not sure why he engaged in these behaviors with his sister but stated he felt urges to do so. He stated that he was mostly fooling around and Allison appeared not to object to these sessions. He stated that he has "learned his lesson" and won't engage in these behaviors in the future.

Alex denied being a victim of sexual abuse during his childhood, stating that his birth parents were "low lifes" who had trouble with drugs and never took care of them. His older siblings were gone from the home and he had to take over making sure his brother and sister got taken care of until CPS took them away and placed them with their aunt.

Alex stated that he feels terrible that he has disappointed his adoptive parents and wonders whether they will want him back after all of this. He stated that if he can participate in counseling or other services that will help him to be able to return to his adoptive family, he is willing to make the effort.

Interviews with the Adoptive Parents:

Alex's adoptive father Michael James, 43, is employed as a truck driver and has been employed as a port driver for the past 18 years. He has no criminal record and no history of drug or alcohol abuse. His wife, Jaynie, 42, is employed part-time in a furniture store and the family also receives assistance from an Adoptions Assistance Program contract. Mrs. James has no criminal record or a history of drug or alcohol abuse.

As experienced foster and adoptive parents, the James have stated their commitment to helping Alex to address his problems and supporting and caring for Alex and his siblings.

Jaynie stated that Alex has always been cooperative, bright, pleasant and a good big brother. He follows their rules regarding curfew and family responsibilities. Allison, who was the primary focus of her father's sexual abuse, has been in counseling for several years to help her deal with her sexual abuse trauma. Alex has been more resistant to attending counseling and has never disclosed sexual abuse.

Jaynie stated that Child Welfare Services worker informed them that while in the custody of their birth parents, the children were allowed to watch adult pornography and frequently watched their parents having intercourse. Both Allison and Jacob disclosed a pattern of sexual abuse by their father, who was never criminally charged due to lack of physical evidence. She feels that Alex's actions are in large part a result of his exposure to these conditions.

Jaynie and Michael stated that they continue to support Alex, but feel he must get appropriate treatment before they can allow him to return to their home.

Alex and his siblings grew up in a home where both parents suffered from serious problems with methamphetamine use and poor household conditions. Despite long years of chronic neglect as a result of their parents' substance abuse, all three siblings have adjusted well to their adoptive family with a minimum of behavioral problems. Their health and developmental delays have been addressed in the three years they have been in the care of Jaynie and Michael James. Alex is now nearly 5 feet 7 inches tall and is 115 pounds. He is now in good health after the James dealt with extensive tooth decay and the effects of poor nutrition.

Michael stated that Alex is a bright and successful student, maintaining a 3.5 GPA and honor roll designation. He is an avid reader and has tutored other students. Michael stated that Alex sometimes struggles in his relationship with teachers, who become frustrated with him when he is bored with classroom tasks and begins to disturb other students.

The James family is active in horseback riding and showing. Alex enjoys video and board games and is an active participant in street hockey and baseball leagues. He has planned to attend college and works odd jobs in the neighborhood, mowing lawns and engaging in other landscaping jobs.

Case 3 – Victor Jimenez

Youth: Victor Jimenez

Gender: Male

Ethnicity: Hispanic

School: Court and
Community School

Primary Language:
English, fluent in Spanish

Age 16

SSN: 123-00-
4567

Family Information

Mother: Maria Jimenez

Address: 56 Charter Way
Stockton, CA

Ethnicity: Hispanic

Age: 32

Primary Language:
Spanish/Some English

Employment: Farm worker

Father: Jose Mendoza

Address: Unknown, Mexico

Ethnicity: Hispanic

Age: 35

Primary Language:
Spanish

Employment: Unknown

DOB:

Unknown

Sibling Information:

Sibling Name: Johnny Jimenez **Age:** 13

Sibling Name: Julia Jimenez **Age:** 12

Sibling Name: Christina Jimenez **Age:** 11

Current Referral/Circumstances:

Victor Jimenez is currently in Juvenile Hall as a result of violation of his probation. While in Juvenile Hall, Victor attacked another detained minor and is now facing new charges of assault.

Since his original order for placement a year ago, Victor has been in seven placement homes and treatment programs. He ran away from his last placement after only two weeks.

Prior Juvenile Probation History:

Victor was arrested for the first time at the age of 15 for stealing a vehicle. While these charges were being adjudicated, Victor was charged with several batteries at school and in the community and one count of robbery. As a WIC 300 dependent in the out-of-home care, he was placed on formal probation after a Welfare and Institutions Code 241.1 hearing.

Probation officers tried placing Victor in all local treatment alternatives, including a brief effort to place Victor with his mother with Wraparound services. This effort was unsuccessful turning around Victor's delinquent behaviors, and he began hanging around with Norte gang members before being taken into custody in Juvenile Hall.

Child Welfare/Juvenile Dependency Information:

Child Welfare Services filed a non-detained WIC 300 petition on behalf of Victor and his three siblings, and all four children were declared dependents of the Juvenile Court in the care and custody of their mother, Maria Jimenez. The family was offered a case plan of Family Maintenance Services to help the mother stabilize her household sufficiently to allow the children to remain in her care.

Victor's family has been the focus of CWS attention since he was 8 years old. The family has been referred to CWS 36 times in the past seven years, with repeated reports for general neglect. While condition in the mother's home never met the threshold of placing the children at imminent risk of physical harm, conditions of chronic neglect over the seven-year period caused CWS officials to file a non-detained petition to formalize supervision of the children's care. While the mother's care of the household and younger children had improved somewhat during the first three months of services, Victor's behaviors escalated, requiring that he be placed in out-of-home care.

Victor was removed from the care and custody of his mother nine months ago due to his escalating delinquent behaviors at school and in the community. While under the supervision of CWS, he ran away from several foster and group home settings. Victor has a pattern of running away when faced with limits and the structure of these out-of-home care settings. He has poor school attendance and his performance is lacking. He has been involved in several fights at school and has been in trouble for his defiance with school officials.

Interviews with Minor:

Victor was largely uncooperative with his interview with the court intake officer. He stated that the most recent assault was warranted as self-defense since the other youth was from another gang and threatened him harm.

Victor expressed himself sullenly and with anger during the interview. He stated that school officials are all against him because he is Hispanic.

Victor stated that his mother just doesn't "get it" in terms of what it takes to be a man in the Stockton community. Victor stated that his actions and associations are largely required in order to keep himself safe in a rough community. He stated that he would like to move to Mexico to live with his father.

Victor complained to his probation officer that he is having a lot of pain in his right leg. Victor broke his leg during an automobile accident during a police pursuit when he stole a car.

Interviews with Parents:

Victor's mother Maria Jimenez, was born in Southern California, and she moved to the San Joaquin Valley when Victor was two years old. She has an 8th grade education and has worked as a farm laborer in San Joaquin County fields for many years, working from 6:00 AM until sunset six days each week.

She maintains a small subsidized apartment in Stockton and Maria supports her children with her farm worker job and some Social Services benefits, including Medi-Cal and food stamps. As a result of her long hours in the field, Maria has trouble adequately supervising her children. She has no criminal record.

Maria is an even-tempered and caring mother who has difficulty in properly supervising Victor, especially as he developed more sophisticated criminal behaviors and began hanging out with gang members. She keeps an orderly home and does her best to provide the basics for her children.

Victor's father was born in Mexico and came to the United States as an undocumented farm worker. When Victor was six years old and his sister Christina just a newborn, Victor's father was detained by immigration authorities and deported to Oaxaca, Mexico. He has never returned and has not been in contact with Maria or the children since he was deported. The department does not have much information regarding his potential whereabouts, except that his hometown is Oaxaca City, Oaxaca.

With the sudden loss of his father, Victor became angry and took his frustrations out on his younger siblings and his peers and over the past several years, Victor has gotten into increasingly serious trouble in the community, engaging in theft, assaults and vandalism.

Maria's own extended family is spread out over California, Nevada and New Mexico. Her parents are deceased, but she has ten siblings who are migrant farm workers throughout the western United States. Maria has little time to engage in activities other than work and caring for her children, so she has few support connections.

Maria is particularly concerned about Victor's education. She stated that she recognizes that her own economic struggles are largely due to her lack of education, and she wants Victor to succeed in school. She stated that he gets special education classes for reading and writing, and school officials report that he struggles to stay on task in classes.

Victor has excelled in cooking and industrial arts classes and he does well when engaged with learning that involves "doing." Unfortunately, he often gets suspended from participation in these classes due to his impulsive and aggressive behaviors toward his peers.

Victor is an excellent boxer and has befriended a gym owner in Stockton who has mentored his development in boxing and allows him to work out at his facility free of charge.

Interview with Child Welfare Worker

The Child Welfare Worker assigned to work with Victor's mother and siblings was interviewed in order to complete the assessment.

In the view of the worker, since his father's deportation, Victor has been largely on his own, using associations in the community to deal with a lack of basic resources and the gap in male mentoring.

While Maria does the best she can with her children, she has never fully acculturated to California life, learning only limited English and never getting a high school education. She is working hard to earn enough income to feed and basically provide for her children. She tends to be passive and sets poor limits for her children.

All three younger siblings have begun to have behavioral problems at school and in the community. So far, their involvement with law enforcement has been limited, but the worker is concerned that the siblings are following in the pattern of their older brother, and their mother does not have the capability or resources to adequately supervise them.

Maria and her children are approaching their 12-month hearing regarding progress on their Family Maintenance case plan. While the mother has made some progress in development of parenting skills related to supervising and setting limits for her children, the worker is concerned that once CWS closes the case, family conditions may deteriorate.

The worker also stated her concern about Victor's diabetes. His blood sugar is frequently high and fluctuates wildly, and Victor uses insulin more in response to his uncontrolled diet of candy, soda and other sweets. Victor is often sleepy or excessively thirsty.

Victor, who was identified as needing special education services, does not attend school regularly enough to benefit from services. When he is in school, he is frequently in trouble for fighting or defiance.

Case 4 – Rachel Evers

Youth: Rachel Evers

Gender: Female

School: High School --

Age 17

SSN: 123-00-4567

Ethnicity: Filipino/Hispanic

Special Education

Language: English, Spanish, some Tagalog

Family Information

Mother: Alyssa Evers

Age: 34

Address: Chowchilla State Prison

Ethnicity: Filipino

Employment: None

Birth Father: Brian Phelps

Age: 34

Address: Whereabouts unknown

Ethnicity: Hispanic

Employment: Unknown

Step Father: Albert Greggs

Age: 32

Address: Pelican Bay State Prison

Ethnicity: Hispanic

Employment: None

Sibling Information:

Sibling Name: Jennifer Greggs

Age: 12

Sibling Name: Michelle Greggs

Age: 9

Current Referral/Circumstances:

On September 19, 2016, Rachel Evers is appearing before the court as a dual jurisdiction ward (probation lead agency) for purposes of reviewing her permanent plan. She has been in foster care for 15 of the last 22 months without a permanent plan of legal guardianship or adoption.

Rachel and her middle sister Jennifer have been dependents of the Juvenile Court since Jennifer was 7 years old. Their youngest sister Michelle was taken into custody shortly after her birth and placed in relative care.

Rachel has been in dual jurisdiction status for the past two years as a result of throwing a lamp at a group home staff member and breaking a window. She was detained in Juvenile Hall and charged with vandalism and assault.

Prior Juvenile Probation History:

Rachel first came to the attention of Probation in 2013 when she was referred for spitting at and threatening emergency shelter care staff. The case was closed at intake and no petition was filed.

On January 22, 2014, Probation filed a petition on charges of assault on group home staff. The petition was dismissed and Rachel was continued as a WIC 300 dependent.

Child Welfare/Juvenile Dependency Information:

Rachel Evers and her younger stepsister were referred to Child Welfare Services after Rachel told a schoolteacher that her “stepfather,” Albert Greggs, her mother’s live-in boyfriend and the father of Jennifer had been sexually abusing her and her sister.

Interviews were conducted and both girls disclosed repeated and escalating incidents of sexual abuse. When Rachel and Jennifer’s mother was interviewed, she adamantly refused to believe that her boyfriend had been sexually abusing either Rachel or Jennifer. Her mother was pregnant at the time with her youngest daughter Michelle at the time of the incident. As a result, the girls were taken into protective custody and petition was filed on their behalf alleging sexual abuse and failure to protect.

The whereabouts of Rachel's birth father, Brian Phelps, had not been determined during the Child Welfare Services court intervention.

During the adversarial and tense adjudication hearing process, Rachel's mother accused her daughters of lying and staunchly defended Mr. Greggs, who was released on bail pending felony charges of child abuse. When the youngest daughter was born shortly after the disposition hearing, she was also taken into custody and placed in a foster home.

While the sisters were placed in shelter and foster care during the early months of court hearings, the mother did not visit them. Rachel reacted badly to this abandonment by her mother and began to engage in aggressive behaviors toward other children. As a result, Rachel was placed in a foster home without other children and her sisters were placed in a foster home together and Family Reunification services were ordered for the mother and Mr. Phelps (as to his daughters).

The Child Welfare worker learned a short time into the first six months service period that the mother and Mr. Phelps had been arrested on felony charges of drug sales, drug use, and assault with a deadly weapon during a convenience store robbery. Both were convicted and sentenced to 15 years in state prison. At the next Family Reunification status review hearing, the mother waived further Family Reunification services for all three children. The father continued to receive services for his older daughter until his services were terminated and a permanency hearing set.

At the Selection and Implementation Hearing, Rachel's sisters were referred for adoption with their foster parents and later adopted. Rachel, who had been having adjustment problems in several placements, was found to be difficult to place for adoption due to her behavioral problems and placed in Long Term Foster Care. Her behaviors included refusing to eat, breaking belongings in the foster home and cursing at foster parents. Rachel's paternal grandmother, Dorothy Phelps, was approved as a relative and Rachel was placed with her at 11 years of age. While living with Ms. Phelps, Rachel began stealing money from her grandmother's purse, played hooky from school in the afternoon and not returning until after dark. Mrs. Phelps eventually asked for Rachel to be placed in another home, but she continued to maintain contact with her through letters and occasional visits.

Child Welfare Services worker then recommended that Rachel be placed in group home care to address her behavior problems. Placed in a girls program, Rachel initially made some progress and then began associating with known gang members at the local school and insisted on wearing "colors". Group home staff tried to dissuade her but eventually felt she should be moved to another setting for her own safety. In the next group home, Rachel fought with a supposed "rival" gang member also placed in the home. She returned to county emergency shelter while awaiting a new placement.

While placed there, Rachel spit at and threatened a male shelter care worker and was referred to Probation.

At age 12, Rachel was placed in another group home. Within three months, she began cutting school and fighting with other residents at the group home. In one instance, a group home staff member attempted to break up a fight between Rachel and another resident and Rachel gave the worker a black eye.

Interview with Minor:

Rachel has been placed in a group home treatment program that specializes in the treatment of female adolescents who have been victims of sexual abuse trauma. In the past several months, she has been working hard on her trauma issues in therapy and has successfully connected with an adult female mentor who volunteers at the program. Bev Daly, who works at a local supermarket, volunteers her time because of her own history of sexual abuse as a child. Rachel reports that she is doing well at school and was given permission to search for a job with her mentor's assistance.

Rachel stated that she wants to return to live with her grandmother and attend local high school while preparing to be emancipated. She stated that she does not see the purpose in legal guardianship or adoption, since she is almost an adult.

Rachel is focused on emancipation and has worked for three months at a local bowling alley as a counter sales person. She does not handle money. She also works part time at a coffee shop near the group home and has earned about \$480.00. She has started a savings account that now has a balance of \$337.00.

Interview with Paternal Grandmother:

Paternal grandmother Dorothy Phelps stated that she lost contact with her son many years ago after he got involved with drugs. It has been her heartbreak that her son failed to become a successful adult and she wants to do anything she can to help Rachel through her problems.

When Rachel lived with her grandmother, she had difficulty in connecting emotionally with any adult and was secretive and manipulative in her behaviors. Mrs. Phelps and her former husband, Don Phelps, separated and divorced when they fought bitterly over Rachel's provocative behavior with Mr. Phelps.

Dorothy does not know Rachel's mother well, but considers her a sociopath who preyed upon her son. She knows that Rachel's mother had many relationships with men before and after her relationship with Brian.

Dorothy stated that she visits Rachel regularly in her group home setting and hopes to be reconsidered for care when Rachel returns to the community. She is reluctant to assume legal guardianship or adoption out of concerns that if Rachel commits another offense in the community, she will be liable for the restitution.

Interview with the Maternal Aunt:

Alyssa's sister and Rachel's maternal aunt Shelley Jackson was contacted about her willingness to provide Rachel with a permanent home. Shelley has had regular contact with all three children over the years and would be willing to consider placement of Rachel in her home (she has four young children and is a full-time homemaker) as long as Rachel's therapist can assure her that she will not pose a threat to her own biological children.

Shelley is aware that Rachel's mother suffered from a long-term heroin addiction that led her into drug sales and other desperate efforts to obtain money for drugs, including armed robbery. Shelley stated that both she and Alyssa were victims of sexual abuse by their maternal step-grandfather for 11 years and while she sought help to deal with this trauma, Alyssa never got over this abuse. Alyssa went from one violent man to another during her adolescence and adulthood. When Rachel was born, Alyssa exposed her to unsafe men and violent episodes.

Interview with Child Welfare Services:

According to Child Welfare Services records, Rachel's mother and father were never married. Their relationship was brief and Rachel's mother Alyssa became pregnant. When asked about the whereabouts of Rachel's father, Alyssa stated she does not know where Brian is and his mother has been secretive about his whereabouts for many years. He was last known to reside in Arizona.

While in the care of Child Welfare Services, Rachel was diagnosed with Post Traumatic Stress Disorder at the age of 11 years and has been treated by several therapists. Due to the frequency of placement disruptions, however, Rachel never remained with the same therapist for more than a few months, making real progress slow.

Rachel qualified for special education services at the age of 13. Her behavioral problems combined with delays in written language comprehension qualified her for special education services. She has a current Individualized Education Plan.

During her time in care under the supervision of Child Welfare Services, Rachel has been healthy with no chronic health concerns. She suffered with a bout of Valley Fever this spring and her lung function continues to be compromised as a result.

Case 5 – Patience Robinson

Youth: Patience Robinson

Gender: Female

School: On-site high school, highest level of care (STRTP)

Age 14

SSN: 123-00-4567

Ethnicity: Iroquois/African American

Language: English

Family Information

Mother: Serenity Lawrence

Address: 123 Concord Court
Richmond, CA

Ethnicity: African American

Age: 37

Employment: TANF benefits, sanctioned for failure to participate in services

Father: Edward Greyfeather

Address: 66 Shoreline Road
Fortuna, CA

Ethnicity: Iroquois/African American

Age: 41

Employment: Commercial fisherman

Sibling Information:

Sibling Name: Bernetta Robinson

Age: 18

Sibling Name: Robert Robinson

Age: 17

Sibling Name: Daneesha Robinson

Age: 16

Sibling Name: Nanette Lawrence

Age: 15

Sibling Name: LaRon Lawrence

Age: 13

Sibling Name: Troy Lawrence

Age: 11

Sibling Name: Anthony Lawrence

Age: 8

Sibling Name: Tina Johnson

Age: 2

Current Referral/Circumstances:

Patience Robinson is placed at a high level of care mental health treatment facility with an on-site school. Patience was first placed on formal probation following a series of serious assaults on group home staff members in three different placements. One assault resulted in her therapist sustaining a broken clavicle.

Patience is developmentally delayed and has been assessed with borderline intellectual functioning and associated behavioral problems. As a result of a long history of deprivation and neglect, Patience also suffers from Post-Traumatic Stress Disorder.

In the most recent incident, Patience and a co-resident were involved in a disruptive incident that required law enforcement intervention. These two young women began running up and down the halls, eventually secluding themselves in a quiet room. Staff locked the doors and the girls began vandalizing the walls. When staff allowed the girls out of the room, Patience punched one staff member on the side of the face. As several other staff members intervened, Patience continued to kick and punch other staff members. Once Patience was released from restraint, she left the facility without permission, but returned a few minutes later.

Prior Juvenile Probation History:

Patience first came to the attention of probation as a result of an assault on a staff member at ABC Group Home in San Francisco. The court ordered that Child Welfare Services continue to serve Patience's placement needs at that time but that probation offer informal services.

Within three months, Patience was referred to Probation for petty theft and vandalism of a local convenience store. Once again, Patience was referred to participate in community programs as a consequence.

Eventually, Patience was charged with a misdemeanor count of making a criminal threat (PC 422) and the court ordered that she be served by Probation in placement.

Child Welfare/Juvenile Dependency Information:

Child Welfare Services records show that between 2009 and 2015, the family was investigated for six referrals for allegations of general neglect and physical abuse. Two were sustained and community referral made and the other four were closed as inconclusive.

In April 2015, Patience, her older sister and several half-siblings were removed from the care of their mother and Patience's stepfather due to "deplorable living conditions" and a sustained period of caretaker absence. After 12 months of Family Reunification services, of which neither parent consistently participated, the court terminated FR services for Patience's mother and her half-sibling's father and the children were placed in long-term foster care.

Due to lack of staff to cover CW caseloads, no efforts to locate Patience's birth father were made during the reunification period.

Interviews with Minor:

During interviews with her probation officer, Patience struggled to understand why staffs at her treatment facility and her probation officer are again considering her placement situation. She minimized her participation in the incident, stating that her co-resident was largely responsible for the vandalism and she was just defending herself when being restrained.

Patience asked the probation officer to consider placing her with her mother and half siblings. She stated she feels ready to go home now. She also wants her probation officer to put her in touch with her father as a possible placement.

During the interview, Patience showed obvious anxiety and moved around the interview room, begging the probation officer to take her to McDonald's for a special meal.

Patience stated she has been doing well in school for the past month and loves her new teacher. She hates doing homework, but likes to participate in class. While she loves to shoot baskets with her therapist during their session, she has not earned the privilege to participate in group sports yet.

Prior to the incident, Patience had completed three of four phases in the high level of care program and she had been getting along well with her peers. At times, she can be very supportive of her peers and is capable of being a good role model for others.

Interviews with Parents

The probation officer interviewed Patience's mother by telephone. She lives several counties away from where Patience is placed. She has successfully reunited four younger siblings born during her legal marriage to Wendell Lawrence as part of the county's Wraparound program. She is residing with Earl Johnson and they have one child, Tina, who is 2 years old. She has never legally divorced Mr. Lawrence. The mother and Mr. Lawrence are currently unemployed and receiving TANF benefits and food stamps.

The mother stated she was born in Palo Alto, CA and lived there much of her life until she relocated three years ago to Richmond with her current partner.

The mother reports that she and Patience's father were never married. They lived together for several years in Palo Alto, CA, during which time Patience and her older sister Daneesha were born. The mother reports she has two older children born to another father, who are currently incarcerated at the local Juvenile Justice Campus for armed robbery and making terrorist threats.

As a result of the care of her younger children, Patience's mother has been unable to attend therapy and counseling sessions at Patience's placement and has difficulty in communicating with her probation officer because of intermittent telephone service. When she can, she participates in therapy sessions with Patience over the telephone. The mother stated that she is frustrated with Patience's unwillingness to change her aggressive behavior so that she can return home like her siblings.

Probation staff conducted an absent parent search and located Patience's birth father in Fortuna, California. He and Patience's mother separated and lost contact not long after Patience's birth. He was surprised, some 13 years later, to learn about the circumstance involving his youngest daughter's disruptive childhood.

Mr. Greyfeather works long hours on a commercial fishing boat out of Eureka. He stated that county Child Support Services have attached his wages to pay off the welfare debt that Patience's and Daneesha's mother has accumulated over the past few years and he rents a small room in Fortuna. Mr. Greyfeather stated that he is a member of the Iroquois tribal community and his parents live on the reservation in New York State.

Interview with Group Home Therapist:

Patience's group home therapist stated that Patience's borderline intelligence, impulsiveness and reaction to trauma has resulted in her being easily influenced by others. She is prone to running away without any plan if prompted by another resident to leave the placement.

Patience longs to fit in with her peers and feels isolated and different because of the hygiene issues associated with nightly bedwetting. She seeks approval from group home staff and therapists and longs for a supportive adult connection. She tries hard to please the counselors and teachers in her placement, then becomes angry and frustrated and acts out aggressively.

She has been diagnosed by the residential treatment program to suffer from Attention Deficit Hyperactivity Disorder, Post Traumatic Stress Disorder, Oppositional Defiant Disorder, Intermittent Explosive Disorder and Enuresis.

Health concerns include problems with obesity and high cholesterol.

The therapist has spoken several times with the mother during telephone counseling sessions. She appears to be distrustful of public agencies after having her children removed from her care. She appears to be making an effort to connect with Patience any way she can manage. Patience longs to be reunited with her mother and siblings and hopes to eventually return to her mother's home.

Patience has an active IEP, which includes services for her mental health problems. She has been fully engaged in services and her attitude and behavior have greatly improved over the past year. Patience receives Occupational and Vocational Therapy services through the area Regional Center and staff are working with her to improve her ability to navigate in the community without supervision. She participates in Independent Living Skills classes and is employed through the Work Ability program at Ace Hardware.

Skills Application: Identifying the Tasks of Concurrent Planning

Directions: Read the brief scenario below. Based on the information provided, answer the questions about what planning steps and processes need to be completed for Rosalba. When you are finished, prepare to discuss your responses with the large group.

Rosalba, 16, was declared a ward of the court about a year ago as a result of her involvement in the burglary of a high school snack bar with a group of friends. She was placed on formal probation and has been supervised while living at home with her mother, her mother's boyfriend and her two younger siblings (ages 11 and 13).

Community supervision and services have been only partially successful in helping Rosalba. She has tested positive for cannabis on three occasions and has had a spotty school attendance record. She is frequently caught hanging around with the group she was with during the burglary long after her curfew. The community probation officer had difficulty maintaining a productive contact with Rosalba's mother to support Rosalba in getting to required services and to school.

Last week, Rosalba's mother and boyfriend were arrested for possession of a controlled substance for sale and for transportation of controlled substances. They are both in jail and unable to post bond. When police raided the home, conditions of the home were unsafe and unsanitary, even for teen and pre-teen children. The pending charges are very serious and these are not first offenses for either adult. If convicted, they may be facing state prison time.

Rosalba's siblings have gone to stay with their father in the next county and have been enrolled in school there. Rosalba became argumentative and combative with police in the home during her mother's arrest and she was transported to Juvenile Hall. She was ordered detained by the court, and at the disposition hearing, she was ordered to be placed in a family foster agency home in the community. New charges of assault on a police officer are being considered and a hearing is scheduled regarding her placement status.

Rosalba last saw her father when she was eight years old, when her mother and father divorced in New Mexico. He sent her several letters and birthday presents for a couple of years and then stopped making contact after her mother moved several times to various counties. Rosalba's brother and sister have a different father who has maintained contact and visitation with all three children.

Rosalba has a large extended family in Northern California and New Mexico, but few relatives are near her community. She has some information about her mother's family, but limited information about her father's. Rosalba told the officer that her mother once told her that her relatives in New Mexico are Native American and are members of the Sandia Pueblo Tribe. Her maternal aunt who lives in California has expressed an interest in having Rosalba live with her.

Tasks of Concurrent Planning Recording Sheet

Directions: Check the boxes next to the correct answer(s) for each of the following questions, using the information from Rosalba's case scenario.

1. When must probation develop Rosalba's first written concurrent plan? (choose one)

- ☐ When parental rights have been terminated
- ☐ By the date of the dispositional hearing
- ☐ At the 6 month Judicial Review hearing
- ☐ At the 12 month Judicial Review hearing
- ☐ Whenever it becomes clear that she will not be able to return home

2. Which would be the best statement of a concurrent plan in Rosalba's dispositional case plan should reunification fail?

- ☐ Rosalba will be released home on probation
- ☐ A suitable placement will be made with a willing relative
- ☐ Rosalba's father, maternal aunt, sibling's father and extended family members will be assessed for willingness and ability to provide legal permanency
- ☐ Rosalba's life skills will be assessed in preparation for transition to independent living

3. Where is Rosalba on the permanency timeline? (choose one)

- ☐ Month 1: she has just been placed in the foster home
- ☐ Month 12: She has been a ward of the court and receiving services for the past year
- ☐ The timeline will not start until after a determination is made on whether to charge her with assault on a police officer.

4. What inquiries must be made at this stage of Rosalba's case before making a concurrent plan? (check all that apply)

- ☐ Who are her parents/legal guardians?
- ☐ What is her parent/legal guardian's address?
- ☐ Is she an Indian child or ICWA eligible?
- ☐ Are there any potential relative placement options?
- ☐ Have there been any allegations of abuse and/or neglect against her mother or the mother's boyfriend?

5. Who is entitled to notice of their rights? (check all that apply)

- ☐ Rosalba's mother
- ☐ Rosalba's biological father
- ☐ The father of her siblings
- ☐ Her mother's current boyfriend
- ☐ Rosalba
- ☐ Extended family members
- ☐ The tribe

6. Which of these assessments are most important in developing a concurrent plan for Rosalba? (check all that apply)

- ☐ Identification of existing or potential connections in her support system that might provide permanency if reunification is not possible
- ☐ An assessment of Rosalba's drug and alcohol use and possible treatment needs
- ☐ Assessment of Rosalba's mother's strengths and risk factors to provide a prognosis for the likelihood of successful reunification
- ☐ Assessment of Rosalba's birth father to determine his willingness and ability to provide legal permanency
- ☐ An assessment of Rosalba's independent living skills

7. Full disclosure requires the discussion of... (check all that apply)

- ☐ Efforts made to identify potential relative and non-relative placement resources
- ☐ The reasons for out-of-home care
- ☐ Diligent search efforts to find absent parents
- ☐ The goals and processes of concurrent planning, including timelines
- ☐ The family's progress and prognosis for reunification
- ☐ Results of assessments of potential permanency resources

8. In this case, full disclosure is required for (check all that apply)

- ☐ Rosalba
- ☐ Her parents/legal guardian
- ☐ The family foster agency home currently providing out of home care
- ☐ Her aunt
- ☐ Her sibling's father
- ☐ Her teacher
- ☐ The District Attorney

9. If reunification is not possible, which alternative on the permanency continuum is most preferred? (choose one)

- ☐ Adoption
- ☐ Legal guardianship
- ☐ Planned permanent living arrangement
- ☐ Independent Living

10. Which is the least restrictive potential placement resource that should be explored first if out of home care is necessary for Rosalba? (choose one)

- ☐ Rosalba's non-custodial parent
- ☐ Her siblings' father because he has maintained contact with her and parented her
- ☐ Her aunt because she has expressed an interest in having Rosalba live with her