

HANDBOOK FOR PARENTS OF CHILDREN IN ALTERNATIVE CARE



**STATE OF MISSOURI
DEPARTMENT OF SOCIAL SERVICES
CHILDREN'S DIVISION**

CS-304
9/19

INTRODUCTION

This handbook is designed for parents and guardians whose children have recently been placed in the custody of the Children's Division. The information in this handbook is designed to help you understand what it means to be in the custody of the Children's Division, also known as out of home care, and how important it is for you to continue your involvement in your child's life.

Children's Division staff will be doing all they can to make the stay in out-of-home care as temporary as possible. Teamwork is an important part of making this possible. You will be working with a team of people to address the concerns that led to the out of home placement and to return the children to your care and custody. The team is made up of you, the Children's Division case manager, the foster, relative or kinship care provider; and the courts. The goal of this team is to strengthen your family and create a safe place for you and your children to live.

It is important that you stay in contact with your Children's Division case manager. Your cooperation and involvement is very important. Feel free to ask questions and to express your concerns. Everyone needs to work together so that your children may safely return home as soon as possible.



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IMPORTANT NAMES AND PHONE NUMBERS

Your Children's Division Case Manager is:

He/She can be reached during business hours at:

The Children's Division office address is:

You may want to sometimes talk with your case manager's supervisor, his/her name is:

He/She can be reached at:

The Juvenile Officer for your case is:

The GAL/CASA for your child is:

COMMON QUESTIONS

Most parents have questions when their children enter care. The hope is that most of these questions will be answered by this handbook. Included are some of the common questions asked after removal of a child.

What is the Family Support Team (FST)? The Family Support Team (FST) is designed to help move families through the system and to reduce the amount of time that children spend in alternative care. The team is made up of you; the Children's Division case manager the foster, relative, or kinship care provider; and the court. The goal of this team is to strengthen your family and create a safe place for you and your children to live.

How soon can I visit with my child? Children's Division staff should schedule a visit between you and your child(ren) as soon as possible after removal unless this contact is not in the best interest of the child. This usually requires a court order to prevent visitation but may be done by the agreement of the family support team.

When can my child(ren) return home? The decision to return a child to your home is made by the court with information provided by the family support team (FST) members. This decision should be discussed in your FST meetings. There is not a set time frame for returning children to their parent(s), however, the goal of the Children's Division is to return children home as quickly as possible as long as their safety can be assured.

Can my children be placed with a relative? Missouri statutes require the Children's Division to make every effort to place the children placed in Division custody with a grandparent or other relative. You should be asked about the non-custodial parent, grandparents, and other relatives at the time of removal or at the time of the first family support team meeting. If you are not asked, you should bring up relatives or friends you believe to be possible placement resources for your children. The relative or kin must pass a background check before the child(ren) can be placed in their home. This background check includes a child abuse and neglect and criminal records check.

Have my parental rights been taken away? Your child(ren) is in the custody of the Children's Division but you have not lost your parental rights. You still retain legal rights unless a court terminates those rights. Termination of parental rights is a possibility whenever a child is removed. However, this must be done by the court and does not happen immediately. If you have concerns about this possibility, you should speak to an attorney who can provide you with information on this issue.

GLOSSARY AND ABBREVIATIONS

- **Alternative Care (AC):** For the Division this means all child caring facilities, residential facilities, licensed foster families, licensed relative or kinship families, public or private institutions, and adoptive families (until the decree of adoption is granted) into which the Division will place and maintain a child in custody. This includes foster care, relative care and kinship care. (see placement types for more information on each of these.)
- **Attention Deficit Disorder (ADD)/Attention Deficit – Hyperactivity Disorder (ADHD):** A childhood syndrome characterized by hyperactivity and short attention span.
- **Behavior Disorder (BD):** A childhood syndrome characterized by the child's inability to control their behavior over a period of time in various settings.
- **Care, Custody and Control:** Care, custody and control means the exercise of supervision over a child under age eighteen through the ability to control, dictate, coerce, persuade or require a child to act or perform in some desired manner. This type of control or supervision can only be exercised by a person who has parental authority or by a person to whom such authority has been granted by the person who actually has such authority. Parental authority as used here, is the responsibility for the care, nurturance and socialization of the child, including providing for the physical and emotional needs of a child.
- **Case Manager:** The children's service worker in the county of juvenile court jurisdiction who has the responsibility of coordinating all services delivered to a child and his/her family. The case manager may or may not provide all of these services directly, but must ensure that the services needed to accomplish the objectives of the case plan are made available through direct provision, referral, or purchase (includes all types of contracted services). This worker's title is **Children's Services Worker**.
- **Case Plan:** A written document which describes the social and child welfare services and activities to be provided by the Division and other state and local agencies for the purpose of achieving a permanent familial relationship for the child.
- **Child Abuse/Neglect (CA/N):**

- ❖ **Abuse** is defined as any physical injury, sexual abuse, or emotional abuse inflicted on a child other than by accidental means by those responsible for the child's care, custody and control, except that discipline including spanking administered in a reasonable manner, shall not be construed to be abuse. **Note: Foster, Relative and Kinship care providers are not permitted to spank or use any form of corporal punishment on children in alternative care.**
- ❖ **Neglect** is defined as failure to provide, by those responsible for the care, custody and control of the child, the proper or necessary support, education as required by law, nutrition or medical, surgical or any other care necessary for the child's well-being.
- **Children's Division (CD):** The state agency that retains the legal custody of children who are in alternative care.
- **Court Appointed Special Advocate (CASA):** Volunteers that work with Juvenile Court staff to ensure that appropriate plans are made for children. These volunteers are used in only a few circuits across the state.
- **Court Jurisdiction:** The authority of the Juvenile Division of the Circuit Court to act. A child is subject to determination of delinquency, dependency, neglect, abuse, termination of parental rights and adoption. For domestic relations cases (divorce/custody suits) the jurisdiction is under the Circuit Court.
- **Custody:** Missouri statutes refer to several different types of custody. The following definitions are taken from the statutes or interpreted for Division purposes –
 - ❖ **Legal Custody** – the right to the care, custody and control of a child and the duty to provide food, clothing, shelter, ordinary medical care, education, treatment and discipline of a child.
 - ❖ **Judicial Custody** – the ability of a juvenile officer or law enforcement officer, pursuant to the juvenile code to take temporary custody of a child who is in immediate danger and place him/her in the control of child protective services for no longer than 24 hours.
 - ❖ **Physical Custody** – those persons or agencies designated to provide 24-hour care for a child on a continuous basis. Generally, it is used to differentiate the person or agency caring for the child from that person or agency having "legal custody" of the child.

- ❖ **Protective Custody** – Emergency measure taken to detain a child, for 24 hours, often in a hospital or foster home, until a written detention request can be filed. Police, law enforcement officers, or doctors have statutory authority to detain minors who are in imminent danger.
- **Date of Birth (DOB):** This is the date (month, day, and year) on which a person is born.
- **Department of Mental Health (DMH):** A department within Missouri government which provides mental health services.
- **Department of Social Services (DSS):** A department within Missouri government that oversees the Missouri Children's Division.
- **Departmental Client Number (DCN):** This is the 8 digit case number assigned to a client (child or adult) of the Missouri Children's Division. This is also the Medicaid number.
- **Deputy Juvenile Officer (DJO):** This person represents the Juvenile/Family Court in most court hearings.
- **Family Centered Out of Home Care (FCOOHC):** See alternative care definition.
- **Family Centered Services (FCS):** These are services provided by the Children's Division to intact families.
- **Family Support Division (FSD):** A division within the Department of Social Services responsible for Income Maintenance and Child Support Responsibilities.
- **Family Support Team (FST):** The family Support Team is comprised of you, your family, your child(ren), your attorney, the Juvenile Officer, GAL and/or CASA, case managers, foster/relative/kinship care provider, and service providers. The FST meets regularly for the purpose of determining the need for placement and developing a plan for reunification or other permanency options, determining the appropriate placement of the child, evaluating case progress, and establishing and revising the case plan.
- **Family Support Team Meeting:** A meeting of the FST to address the areas outlined in the previous definition.
- **Foster Care for Youth with Elevated Needs-Level A:** A specialized resource family placement program designed for the child who needs a family setting with greater structure and supervision. Children placed in these settings have severe behavior problems and may have experienced multiple placements.
- **Guardian:** A guardian is an individual appointed by a probate court to have care and custody of the person of a child under age 18, or an incapacitated person. The guardian may grant physical custody of

the child to someone else, but retains the rights of legal custody over the child.

- **Guardian Ad Litem (GAL):** An adult individual appointed by a court to protect the best interests of a child under the age of 17 or 18 in a specific legal action; may be, but is not necessarily, an attorney.
- **Independent Living Arrangement (ILA):** A youth living on his/her own under agency supervision. The youth's custody may or may not be assigned to the Division.
- **Individualized Education Plan (IEP):** A plan devised specifically to help meet the child's educational needs.
- **Learning Disorder (LD):** Certain conditions that affect the child's ability to learn and process information.
- **Older Youth Program (OYP):** OYP operates to empower youth age 14-21 who have experienced out-of-home placement to develop the potential to become self-sufficient yet interdependent with the community and to successfully transition into adult living.
- **Permanency Planning Review (PPR)/Permanency Planning Review Team (PPRT)/Permanency Planning Team (PPT):** An administrative process conducted for the purpose of objectively determining the continued appropriateness of a child's placement, a child's progress in care toward the short and long range goals, and the need for continued care.
- **Reasonable Efforts:** The ordinary diligence and care by the Division to identify child protection problems and provide services to solve those problems so as to prevent out-of-home placements and/or promote family reunification.
- **Resource Provider (RP):** This is a person, licensed through the Children's Division, to provide care for a child who is in out-of-home care. This person may also be called a resource parent.
- **Social Security Number (SSN):** A 9 digit number assigned to an individual by the Social Security Administration.
- **Supplemental Security Income (SSI):** Income provided to families by the Social Security Administration due to a death or a disability of a family member.
- **Temporary Assistance Program:** Monetary assistance to impoverished families.
- **Termination of Parental Rights (TPR):** The severing of the legal ties of a child from his/her natural parents or adoptive parents.
- **Written Service Agreement (WSA):** An agreement designed through a mutual process of negotiation between the Division, the parent(s), and the juvenile court (if required by the court) setting out those activities

necessary for achievement of reunification of the child with the parent(s).



FOSTER CARE – A TEMPORARY ALTERNATIVE

Out-of-home care, including foster care, is an alternative for a child when something has gone wrong that prevents the family from safely staying together. Sometimes this is because of suspected abuse or neglect, illness, substance abuse or when no caretaker is available to care for the child.

A juvenile court makes the decision to place a child in out-of-home care after it has examined information about the family. Placement away from their parents is made to insure the safety and well-being of a child during a family crisis. The goal of the Children's Division is to help you resolve the problem and bring your family back together safely as soon as possible.

During this time that your child is away from your daily care, you will still need to maintain contact and to let your child know that you care. A child's need for a parent does not stop while he or she is in out-of-home care.

In addition, you will be working as a team member with others to strengthen your family and make appropriate plans for you and your child. One member of this team will be your Children's Services Worker. This person will be the primary contact between you and this agency as well as for all members of your Family Support Team. Other team members include the GAL or CASA for your child, the Juvenile Officer, your attorney and the placement provider for your child.



PLACEMENT OPTIONS

There are different types of placements in alternative care. They range from placement with a relative or kin to residential care. You have a voice in where your children are placed and their placement should be reviewed at each team meeting. You can provide names of relatives or people with whom you and your children have a relationship to your Children's Services Worker. If these persons are interested in providing care to your children, a background check will be completed on them and the team will determine if placement with them is appropriate and will make a recommendation to the court. The court makes the final determination as to the placement type. The different types of placement (from least to most restrictive) are:

- **Parental Care** – the child may be placed with a non-custodial parent. The child would still be in Division custody until either the child can be reunified with the custodial parent or the noncustodial parent obtains an order giving them custody of the child.
- **Relative Care** – the child is placed with a blood or step relative. This could be anyone from a grandparent to a cousin to a stepsibling. The relative and all household members age 17 and older must have child abuse and neglect as well as criminal background checks completed prior to the child being placed in the home. There are additional requirements, such as a safety check of the household, which must be done prior to placement. Your worker can provide more detail on these requirements.
- **Kinship Care** – the child is placed with someone they know and with whom they have a prior relationship but there is no blood relationship. The household members age 17 or older must have the background checks completed prior to the child being placed

- in the home. As with Relative Care, there are additional requirements that must be met before placement may occur.
- **Traditional Foster Care** – this is a home where the parent(s) have been licensed by the state to provide alternative care to one or more children. The resource providers have received training and have completed background checks. This type of foster care is provided to the majority of the children in alternative care.
 - **Medical Foster Care** – this is care that is provided to a child with physical, emotional or psychological conditions that require extra care and attention. The resource providers may receive special training to manage the child's condition and are required to provide more intensive care to the child than to a traditional child.
 - **Youth with Elevated Needs-Level A** – this is a more restrictive type of foster care. The resource providers have had the same training and background checks as Traditional resource providers but have also had additional training in working with children with behavior issues. These resource providers provide behavior modification to the children in their care and meet on a regular basis with a consultant to address the ongoing concerns or improvements in behavior.
 - **Youth with Elevated Needs-Level B** – this is the most restrictive type of foster care. The resource provider(s) have received all the training of the Level A resource providers plus additional training on working with children with behavioral issues. These resource providers also meet on a regular basis with a consultant to assess the child's progress or ongoing issues. Many of the children in Foster Care for Youth with Elevated Needs are either coming out of residential care or are in the program trying to prevent placement in residential care.
 - **Residential Care** – this is the most restrictive placement type available. The child is placed in a facility that is staffed 24 hours a day, seven days a week. The staff works with the child on their behavioral issues in addition to the child meeting with a therapist on a regular basis. The facilities also encourage family therapy and will want you to participate. Residential facilities are not in every county so this may require traveling if your child is placed in a residential facility.

Most children will start in a traditional foster care placement and will remain in this type of placement unless they move to a relative or

kinship care placement. Less than 25 percent of foster children are in Youth with Elevated Needs or residential placements. Once a child is placed in one of the placement types, there is ongoing evaluation for the continuing need for this type of care. If you have questions about the type of placement your child is in or is being recommended, you should speak to your Children's Services Worker. They can explain why a particular placement type is being recommended. You should also talk to the placement provider to understand the behavior issues and how they are working with your child to improve these. This can provide you with information on how to help your child during visits because consistency is very important for behavior modification.

The Division makes every effort to keep siblings together when they enter alternative care. It is a difficult time for children and being together can help alleviate some of the stress. If your children are not placed together, the Division will arrange visitation for them until a home can be located to take them together.

FAMILY SUPPORT TEAM PROCESS

The Family Support Team (FST) is designed to help move families through the system and to reduce the amount of time that children spend in alternative care. The team meets at regular intervals throughout the course of the case. The timeframes for these meetings are intended to coincide with court time frames (which are covered in greater detail later in this handbook).

In about 72 hours after your child has entered care, a Family Support Team will meet to assist your family with developing an initial treatment plan. An initial visitation plan will also be made at this meeting. The service plan will state what you and your worker will need to do to correct the concerns that brought your child into care. Often times, the service plan will include the expectation that you participate in counseling, or receive other services to strengthen and support your family. Because this meeting is for you, we encourage you to bring a natural helper with you to be a part of the Family Support Team. A natural helper is anyone who you can rely on to provide you with support. It can be a family member, a friend, a minister, or anyone else that you choose. The other persons who help make up the FST are the Juvenile Officer, placement provider (foster parent, relative or kin) for each child, parent's attorneys, GAL/CASA, and service providers (therapists, parent aides, etc.). Others may also be included if needed, such as teachers, physicians, etc.

Additional Family Support Team meetings will be held at 30, 60 and 90 days after your child enters care and every 6 months thereafter. These meetings are to track progress on the service plan and to address any additional issues, or make changes to the service plan, if your child is not returned to your home within the first 30 days. A Family Support Team meeting is also held whenever a placement change is needed or has occurred. The process of selecting a placement should include a discussion of your preferences for the placement of your child.

Because out-of-home care is intended to be temporary, permanency in a placement for your child is one of the primary goals as we work with your family. Permanency most often includes returning your child home. It might also include placement with a relative or, in some cases, the termination of your rights as a parent and the placement of your child in an adoptive home. As part of the permanency commitment, a review of your situation is made regularly. Every six months a formal review is held which will include you, your worker, your child (if age appropriate), the Family Support Team members and an independent third party. You will receive at least two weeks notice of the review, called a Permanency Planning Review Team (PPRT) meeting. After the meeting, your Children's Services worker will submit a report of the review to the court. This report will include recommendations made by the team for you and your child.

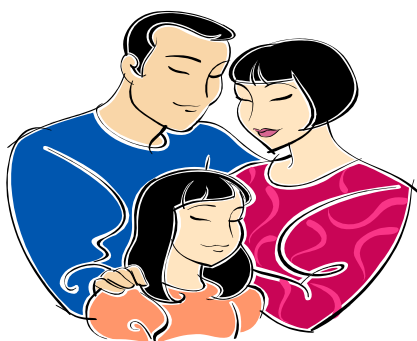
There are two issues that the team must deal with from the beginning of the case until resolution. Those are permanency plans and concurrent planning.

- PERMANENCY PLANS – There are several options for permanency for your child. They are:
 1. **Reunification** - This is achieved when your child has been returned to your home and the court has released the child from the jurisdiction of the court and the custody of the Division. This is the most common goal in our case plans.
Only the juvenile court can approve the return of your child to your care. The FST will make a recommendation to the court when progress has been made and it appears that going home is the best plan for your child. You may also request a hearing or have an attorney represent you at any proceedings.
 2. **Guardianship** - Guardianship usually is a recommendation when the child is placed with a relative or kinship care provider. The relative or kin are given legal custody of the

child through the court but the biological parents do not have to give up their parental rights. The juvenile court would release jurisdiction and the Division would close our case. The guardian would have the legal rights of a parent to make decisions for the child but, if their circumstances change and the biological parents believe they can adequately provide for their child, they can petition the court to regain custody of the child.

3. **Adoption** - This option requires the termination of parental rights. This should be chosen only when it is clear that the parents will not be able to adequately provide for the child's safety and guardianship is not an option. Once termination of parental rights has occurred, you would not have any legal relationship with or legal rights in regard to your child. You would not be able to regain your parental rights to your child once termination has occurred.
 4. **Placement with a fit and willing relative** - Relative placement does not preclude adoption or guardianship. If the child is with a relative who wishes to care for the child long-term, adoption and guardianship should still be explored as they offer more permanence for the child. Placement with a Fit and Willing Relative, without adoption or guardianship, is not a legally final permanency option. Therefore, the court must continue to hold annual permanency hearings until such time that the court enters a legally final permanency order (return to legal custody of parent, TPR and adoption or guardianship) or the child reaches age 21.
 5. **Another planned permanent living arrangement (APPLA)** - Choosing this option is appropriate when there is a specific, long-term placement for the child and when it has been documented to the court that compelling reasons exist which make the other permanency options unacceptable. According to Adoption and Safe Families Act (ASFA) regulations, examples of compelling reasons include: when an older youth requests emancipation or when there is a significant bond, but the parent cannot care for the child due to disability.
- **CONCURRENT PLANNING** – The Division requires that a concurrent plan be discussed at each FST meeting. The concurrent plan is basically a backup plan if the primary permanency plan cannot be achieved. For example, the

primary plan may be for reunification but the concurrent plan would be for guardianship with the relative care provider. What this would mean is that if at any point it became clear that the child would not be able to be returned home, the FST would begin working toward guardianship. The concurrent plan does not mean that the Division or the FST do not think that the child will be able to return home but if he/she cannot return home, there is a plan already in place for them. This is designed to keep children from remaining in the system too long and to help them achieve permanency as quickly as possible.



ADOPTION AND SAFE FAMILIES ACT TIMELINES

The Adoption and Safe Families Act (ASFA) is federal legislation that was passed in regard to child welfare. This act provides time frames for child welfare agencies to move children through the foster care system so they will not be living in foster care indefinitely. ASFA requires the Children's Division and the juvenile court to have hearings on the child at regular intervals. Hearings must be held every six months to review the permanency plan for the child. ASFA also states that termination of parental rights (TPR) must be filed when a child has been in care for 15 out of the last 22 months. What this means is that if your child is in care for 15 continuous months, the court must file for TPR. It also means that if your child is in care for six months then returns home but six months later returns to care, TPR would have to be filed after nine months in care. The six months they were previously in care count toward the 15 months since it would be less than 22 months since your child first entered care.

The court can give permission to not file for TPR but there are only a few specific reasons for not filing for termination that are allowed under ASFA. These are:

1. Family is making progress toward reunification but the child cannot yet return home.
2. The child is over age 13 and does not want his parent's parental rights terminated.
3. The child's behavior is such that termination would not be in the child's best interest.
4. The child is placed with relatives.

Unless one of these compelling reasons is given to and **accepted** by the court, termination of parental rights will be filed with the court.

Filing of termination of parental rights does not mean that TPR will be granted. There must be a hearing to determine if TPR is justified in the case. It is also important to note that TPR may still be filed even if one of the compelling reasons exists. For example, one child may be over age 13 and not want TPR to occur but the other siblings are under age 13 and it would not be in the best interest of the children to terminate parental rights on the younger siblings and not the oldest. Termination of parental rights is a legal ending to the parent/child relationship and any questions you have regarding this topic should be directed to your attorney. Until a decision is made by the court to terminate parental rights or transfer custody through guardianship or adoption, the Children's Division is still required to prepare parents through services that include but are not limited to:

- education about legal rights and planning for participation in the legal process, when appropriate and desired
- discussion of plans for visitation/ family time that are in the best interest of the children
- education about the importance of permanency and stable homes,
- counseling and support to cope with voluntary or involuntary termination of parental rights, grief, separation, loss and the lifelong implications of adoption
- education on issues related to confidentiality, search and reunion
- information and counseling on the continuum of openness in adoption, when desired

- discussion of changing roles and relationships in guardianships or in situations when the birth parents will have an ongoing relationship with the adoptive family
- planning for participation in the adoption process, when appropriate and desired
- planning for the immediate future and referral for needed services

All of the recommended services above are intended to prepare parents for termination of parental rights and transfer of custody in the event the court makes a decision to terminate parental rights.

COURT INFORMATION

The Juvenile Court is the final decision maker in all Children's Division cases. The court removes children from their homes, approves the permanency plans and visitation schedules, and decides if a child returns home or if termination of parental rights will be granted. The court is a very important component of your child's life, as well as yours once your child enters care. It is important to know when and why you will be in court as well as how to dress and conduct yourself in the courtroom.

HEARING TYPES AND TIME FRAMES

1. **Protective Custody** – this hearing is held within 72 hours of your child being taken into care. This hearing is to decide if the emergency removal of the children from your home was appropriate and if the children should continue in the temporary custody of the Children's Division.
2. **Adjudication Hearing** – this hearing is held within 30-60 days of your child entering care and is an evidentiary hearing on whether the allegations which led to the removal of the child are true. The adjudicatory hearing determines if the children will be placed in the legal custody of the Children's Division and will no longer be in temporary custody.
3. **Dispositional Hearing** – this hearing may be held immediately following adjudication but must be held within 90 days of the child's removal from the home. This hearing is to determine the permanency plan for the child.
4. **Dispositional Review Hearing** – Should be held within 90 days of the Dispositional Hearing and may be held as often as needed to determine the appropriate permanency plan for the

child. These are not held once the Permanency Hearing has been held.

5. **Permanency Hearing** – this hearing must be held within 12 months of the child entering care. This hearing determines the permanency plan for the child and if the Children’s Division has made reasonable efforts to finalize this permanency plan. This hearing must be held annually.
6. **Permanency Review Hearing** – this hearing may be held as often as is necessary, but must be held at least every 6 months following the permanency hearing. The purpose of this hearing is to determine if the permanency plan in place is the most appropriate option for the child and whether the Children’s Division has made reasonable efforts to finalize the plan.

ETIQUETTE AND DRESS

Court is a formal hearing to address your child’s custody and case plan. It is important that you dress and behave accordingly. It is strongly suggested that you wear dress clothes. These do not have to be formal such as a business suit or dresses. However, business casual wear should be considered. You should wear your good clothes, as jeans and sweat pants are not appropriate clothing and should not be worn to court. Your appearance plays a role in how you are perceived by the court.

It is important to be respectful of the judge or commissioner hearing your case as well as other parties in your case. You can disagree with what is said but use your attorney to express your objections and/or disagreements. There is a protocol to follow in each hearing however, what the protocol will be is dependent upon the type of hearing scheduled and the judge presiding over the hearing. Talk to your attorney or case manager regarding what to expect in your hearing before going to court.

It is important that you maintain contact with your attorney during your involvement with the Juvenile Court. It is important that you share what you are doing with them so they can present this information to the court. It is their job to make sure that your rights are protected in the court proceedings but they cannot do that if they cannot locate you or do not know what you are doing.



PARENTS RIGHTS AND RESPONSIBILITIES

Even though the decision was made to place your child(ren) in out of home care, you as parent(s) still have rights and responsibilities to your child(ren):

- You have an obligation to financially support your child(ren) which may include payment of child support;
- You have the right to be consulted on all decisions involving your child, including major medical services, entrance into the military, etc. The juvenile court has the final approval for all decision made on behalf of your child. Emergency medical conditions may require action prior to contact with you but you will notified of any medical concerns regarding your child;
- You also have the right to be represented by an attorney. If you cannot afford one, you may request that the court appoint one for you. Although most court hearings are initiated by the juvenile officer, you, too may request a hearing be held in juvenile court;
- You have a responsibility to maintain contact with your child;
- You have a right to information and records about your child;
- You also continue to have the right to determine the religious practice of your child;
- You have the right to receive proper legal notice in court actions involving your child and to attend all court proceedings; and
- You have a right to a review of the records and information that we have on your family. Within ten (10) days of the protective custody hearing or within fourteen (14) days of the filing of the petition or motion to modify, the Children's Division and Juvenile Officer must allow for certain records to be made available to all

parties. Your Children's Services Worker can tell you how to arrange a review of the records.

- You have the right to be informed of services available to you under the Indian Child Welfare Act (ICWA) of 1978. If you believe you are of Native American heritage and are entitled to those provisions, notify your Children's Service Worker. Your CSW will apply any ICWA requirements when providing services.
- You have a right to referral for services based upon need;

More information on your rights is available in the *Know Your Rights Brochure* which should be included in your packet of information.

If you have an issue or concern with your case, there is a process to be utilized in resolving this. You should begin by discussing your concern with your case manager. If this does not resolve the issue, you can ask to speak to the case manager's supervisor. Further avenues for assistance would include the Circuit Manager, then the Regional Office, and then Central Office. Your concern should be resolved by utilizing the process outlined.

VISITATION

Visits between you and your child and other family members will be arranged on a regular schedule. It is important for both you and your child that visits take place as planned. Depending on the situation, visits may take place in your home, in the foster parent's home, in the Children's Division office, or another place agreeable to everyone. Arrangements as to time and place will be mutually agreed to by you and your Children's Services Worker. The visitation plan for you and your child(ren) will be developed by the Family Support Team and updated at the FST meetings.

Many times visitation begins by being supervised. This means that your Children's Services Worker or another person agreed upon by the Family Support Team will be present during your visit with your child. This is done to assure the safety of the child and the appropriateness of the interaction between you and your child. This visit can occur at your home, the Children's Division office, or at another agreed upon location. However, all interaction with your child must be supervised during the visit. This means that you cannot take your child to the

restroom without the visit supervisor coming with you. It also means that your conversations must be loud enough for the visit supervisor to hear what is being said – no whispering or writing notes during the visit. Your Children's Services Worker will explain the visit rules and requirements.

Even though your visit may be supervised, does not mean that you and your child can not have an enjoyable time. Parents are encouraged to bring games, toys, books, etc to visits to share with their children. This is your time to spend with your child and for the Division to observe that interaction. It is through this observation that your worker will be able to recommend moving to less restrictive visitation.

Remember that visits are about you and your child, not about the court hearings, team meetings or case plan. If you have questions about your case and want to talk to your worker about these items, schedule to meet with your worker at a different time to do this. Do not bring these up during your visit with your child as it takes away from the time you have together.

CHILDREN'S RIGHTS AND RESPONSIBILITIES

Your child has rights while in foster care. These include:

- Adequate and appropriate food, clothing and housing;
- Protection and Safety;
- Medical diagnosis and treatment;
- Education;
- Emotional Security;
- To have a permanent home;
- To be placed in the same setting as his/her sibling(s), whenever possible, if the sibling(s) is also being placed outside the home;
- To maintain contact with brothers and sisters, if not placed together;
- To have visits with their parent(s); and
- To participate in his/her case planning when appropriate to the child's age and ability;

Your child also has responsibilities while in out of home care. These include:

- To participate with the assigned worker and care provider in developing rules and guidelines and to follow them;
- To attend school according to the provisions of the law;
- To participate in the development of the visitation plan and to behave responsibly during visits;
- To take part in developing a permanent plan and to commit to that plan;
- To participate in permanency planning reviews;
- To cooperate in keeping scheduled appointments and to follow any prescribed treatment;
- To act in a responsible and appropriate manner while participating in school, religious, cultural and neighborhood activities; and
- To openly discuss current problems with the worker.



I/We have received the Handbook for Parents of Children in Alternative Care. A Children's Services Worker has reviewed the material with me/us and I/we understand that I/we may contact my/our Children's Services Worker with any questions regarding the content.

Parent/Guardian

Date

Parent/Guardian

Date