

## MODULE II: THE CHILD PROTECTION TEAM

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### Note Taking Guide

At the end of this module, you will be able to:

- Identify the members of the child welfare team and the role of these members in serving a child
- Identify advantages and challenges to teaming
- Describe the life of a child welfare case from allegation to permanency (reunification, legal custody, adoption)

### Understanding the Child Welfare System

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- The role of child welfare is to identify and protect children at risk.
- There is a continuum of services and foster care is just one component of that continuum.
- There is a system of checks and balances to protect the rights of the child, the family, and the community.

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## History of Foster Care in the US

- A summary of major child welfare legislation can be found at:  
<https://www.childwelfare.gov/pubs/otherpubs/majorfedlegis/>

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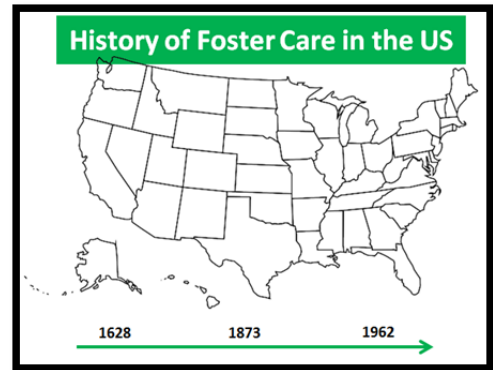
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## The Team Approach

- Team members must have a shared goal, a plan for reaching the goal, and an effective communication system.
- As a team member, you should advocate for all children by reporting suspected abuse or neglect, educating others, recruiting, and being active in associations. You should advocate for the children in your home by providing for their safety and well-being, ensuring participation in age-appropriate activities, modeling, coaching, and supporting primary parents.

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List three ways you will use the information from this training.

- 1.
- 2.
- 3.

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### Overview of Foster Care

#### RESPONSIBILITIES OF CHILDREN SERVICES

- To investigate allegations of abuse and neglect, determine whether the child's immediate safety and can be ensured within his or her own family, and assess the potential risk for future maltreatment
- To identify the factors in the family that create risk, and the family strengths and resources that can be used to help reduce and remove risk
- To provide protective services to children in their own homes, whenever possible, to prevent the trauma inherent in separation and placement
- When necessary, to place the child temporarily with a culturally sensitive and supportive family that meets the child's individual needs, as close to the child's own home as possible
- To work toward permanence for the child, from the moment of placement in a foster home (the first choice is most often to strengthen the child's family and reunify that child)
- To secure a permanent alternative home for the child when he or she cannot return home

#### TIMELINE OF A CHILD'S JOURNEY THROUGH PLACEMENT

- Practices may vary a bit from one county to another, but outlined below is the sequence of events that determine how a case progresses from intake to foster care placement to permanence.
- Agencies receive referrals of child maltreatment from a variety of sources including:
  - Mandated reporters such as teachers, members of the clergy, social workers, and law enforcement who are required to report suspicions of child maltreatment
  - Community members such as a neighbor or family friend
  - Concerned family members
  - Self-Referrals
- Ohio child welfare agencies use standardized tools and assessment protocols to make decisions about a child's immediate safety and potential risk for future maltreatment. The same set of assessment tools are used by every caseworker throughout Ohio.
- The intake caseworker uses a standardized safety assessment tool to determine whether the child's immediate safety can be ensured within his or her own family. The caseworker also determines what services are necessary to support the family and ensure safety for the child.

- If temporary placement outside of the home is needed to ensure the child's safety, kinship caregivers (relatives or other strong family connections) are sought so the child can be cared for by individuals within the child's attachments, family system, neighborhood, and culture.
- If no kin can be identified or located or none can provide safety, the child is removed and placed in a licensed foster home. Temporary custody is awarded to the agency (not the foster caregivers) by Juvenile Court so the child's safety can be ensured. Attempts are made to keep siblings together.
- If the agency does not already hold temporary custody of the child, the agency must file a complaint in the county's Juvenile Court within one business day of the child's removal from his family.
- By the 90<sup>th</sup> day after the child's removal from his family, a dispositional hearing is held in Juvenile Court, and a case plan is filed to identify the goal of the agency in meeting the best interests of the child. If the goal is reunification (the most commonly applied goal in child welfare), expectations of both the family and the agency in working to achieve reunification are outlined.
- Six months after the child's removal from the home, an administrative review, often called the Semi Annual Review (SAR), is held with parents, foster caregivers, agency staff, and other service providers to determine progress in meeting the case plan goals. Revisions or addendums to the case plan can be made at this time.
- At this point in the case a reunification assessment will also be completed for children who have been placed out of the home for thirty days or more. The reunification assessment considers:
  - Whether there are active safety threats present in the home of origin preventing the return of the child
  - The parents' readiness for the child to return home
  - The child's readiness to return home
- Twelve months after the child's removal, a dispositional hearing is held to review progress toward the identified permanency goal. At this time, the court may choose one of the following options:
  - Return the child to the primary parent(s) with no restrictions
  - Return the child home with protective supervision by the agency
  - Give legal custody to kin
  - Appoint a legal guardian
  - Terminate parental rights and give permanent custody of the child to the agency for purposes of adoption
  - Extend the agency's temporary custody of the child up to six months due to extenuating circumstances
  - Change the child's legal status to Planned Permanent Living Arrangement (PPLA). This legal status is only given to youth older than sixteen when the agency can show the court that it is not in the child's best interest to returned home, adopted, placed with a legal guardian, or placed with a fit and willing relative (PL 113-183)

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### Scenario #I and #II

#### Scenario #I

You are an adoption social worker at a public agency. The following messages are waiting for you when you return to the office after a lengthy court hearing. You only have 45 minutes in the office before you leave for your final appointment of the day, an appointment for a first interview with a family interested in applying for adoption of special needs children. You know you won't have time to return all these messages today. Which ones can you call today? Which ones will have to wait?

- Ms. Miller needs more information on a sibling group she viewed on the Ohio Adoption Photo Listing website.
- Mr. Smith needs to set up a second homestudy visit.
- A Social Worker from another agency wants to discuss a possible match for a child in your agency's custody.
- Ms. Kelly wants to discuss concerns she has for her foster child's preplacement visits with a prospective adoptive family.
- Mr. Bryant needs to discuss Joe's (foster child) school expulsion.
- The Johnson Elementary principal wants to talk about Joe's (Mr. Bryant's foster son) expulsion.
- The state licensing specialist wants to discuss a complaint about their agency.
- Mr. Williams, therapist, wants to discuss sexual contact between two children in a kinship caregiver's home.

Scenario #II

It is Monday morning, and you are a child protective services worker in the foster care unit. Here are items on your "To Do" list this week. Prioritize tasks within your 40 hour work week.

- Complete a homestudy for a relative who is interested in providing care for a niece in foster care. The homestudy needs to be approved before the court hearing next week. **(2 hours)**
- Conduct one home visit each to the Smiths, Johnsons, and Williams for their foster care recertification. If you don't do the visits this week, their licenses will expire, and you will have to move the children in their homes). **(3.5 hours for each visit and travel time)**
- Prepare for and facilitate a Preservice training class. **(6 hours)**
- Conduct home visits for four prospective adoptive families interested in beginning the homestudy process. **(3.5 hours for each visit and travel time)**
- Process, log, and mail twenty personal reference requests. **(10 minutes per request)**
- Attend four mandatory Semi-Annual Administrative Review meetings. **(1 hour each)**
- Attend two mandatory court hearings. **(4 to 5 hours each)**
- Supervise mandatory visits with three sibling groups and their birth parents. **(2 hours each including child transportation)**
- Meet with the Court Appointed Special Advocate (CASA) for Johnny Jones to discuss the case plan. **(1 hour)**
- Attend mandatory weekly department meeting and supervisory conference. **(2 hours)**
- Complete documentation of three homestudies. **(6 hours each)**

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### Overview of the Multi-Ethnic Placement Act (MEPA) of 1994 Amended by the Interethnic Adoption Provisions, 1996

The Howard Metzenbaum Multiethnic Placement Act of 1994 (MEPA) was signed into law by President Clinton on October 20, 1994 as part of the Improving America's Schools Act. It was amended in 1996 by the Interethnic Adoption Provisions. The legislation, as amended, is designed to:

- Decrease the time children wait for adoption
- Prevent discrimination in the placement of children, and
- Facilitate the identification and recruitment of foster and adoptive families that can meet children's needs
- Ensure that recruitment efforts reach families that reflect the race and ethnicity of children in care

MEPA, as amended, has three basic requirements to achieve these goals:

- 1) It prohibits foster care and adoption agencies and other entities that are involved in the placement of children and that receive federal funds from delaying or denying or otherwise discriminating in making a placement decision on the basis of race, color, or national origin of the child, or prospective foster or adoptive family.
- 2) It prohibits those federally assisted agencies and entities from denying the opportunity for any person to become an adoptive or foster parent on the basis of the race, color, or national origin of the adoptive or foster parent or the child.
- 3) It requires states to develop plans for the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in the state for whom foster and adoptive homes are needed.



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### What You Need to Know About Juvenile Court

#### Federal Law

- Foster and kinship caregivers and pre-adoptive parents the right receive notice and and be heard in certain court hearings about the child in their care.
- The child’s current foster caregivers must be given the opportunity to give the child’s judge information they believe will be helpful in decision-making about the child’s best interests.
- Foster caregivers are not entitled to be made “*parties*” to the case.
- Foster caregivers are not *required* to attend court proceedings or provide input in reviews.

#### Potential Parties to Cases of Child Abuse, Neglect, and Dependency

##### Prosecutor

- Represents the state
- Main presenter of evidence

##### Attorney for Parents

- Represents parent(s), stepparents, significant others, or alleged parents
- Client must be a party to the court action
- Court appointment list, public defender, or privately retained

##### Guardian ad Litem (GAL) or Court Appointed Special Advocate (CASA)

- Represents “best interest” of child (as opposed to what child wants)
- Public defender, court appointment list, or volunteer
- Can also have a GAL for mentally impaired or developmentally disabled adult
- Can have two GALs on a case if mother of child is also a minor

##### Attorney for Child(ren)

- Not normally necessary
- Necessary if child’s desires are different from the GAL position
- Court appointment list or public defender

### **Tips for Testifying in Court**

1. Arrive at least 30 minutes before the scheduled court time.
2. Be prepared to wait. Juvenile courts are busy, and hearings do not always start on time.
3. Before you enter the courtroom, turn off your cell phone.
4. Do not chew gum, eat, or drink anything in the courtroom.
5. Dress professionally (as you would for a job interview).
6. Come organized and prepared.
7. Always stand when the judge enters the room.
8. Tell the truth.
9. Speak loudly and clearly.
10. Testimony must be spoken so it can be recorded in the court record. Do not nod or shake your head in response to a question.
11. Be serious, calm, polite, and sincere, even if you are challenged or criticized.
12. Wait until a question is completed before you begin your answer. Listen carefully to the question and make your answer directly responsive to it.
13. If you do not understand a question, ask the lawyer for clarification.
14. If you do not know the answer to a question or can't remember something, just say so. Do not guess at an answer.

### **Reference and recommended reading:**

Deihl, Regina, J.D. (2013). Court Participation by Foster Parents. Foster parent rights under federal and state law.

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### Case Study: What's Wrong With This Picture?

Alice Turner, a 26-year-old single mother, has six children, ages two to ten. The five youngest children are in two foster homes, and the oldest child is in a residential treatment facility for emotionally disturbed children. The children entered foster care four months ago because the mother, who suffers from anxiety and depression, chronically neglected the children and left them with no adult supervision.

The 10-year-old, Billy, sees a psychiatrist bi-weekly; Billy is destructive and hyperactive. He has significant learning problems and is in a special education class at school. Billy is making poor progress academically, but the caseworker, mother, and psychiatrist have not met with the school personnel to adjust his Individualized Education Program. Furthermore, the psychiatrist provides monthly written reports to the caseworker about Billy's progress in counseling, but Alice has never met with the psychiatrist.

The court ordered supervised visitation because Alice has made threats to "kidnap" the children from placement. Since the children have been in placement, they have visited intermittently with their mother at the agency (a case aide from the agency transports the children and supervises the visits), but visits have never been coordinated so that the children can see each other. The children have not telephoned each other, and they frequently ask the caseworker about their brothers and sisters. One foster parent has decided that Alice should be able to see her children more often and has dropped three of the children off at Alice's home twice "for the afternoon." The caseworker and the court do not know about these "extra" visits. The two sets of foster parents have not talked with each other, and one foster family has not met or talked to Alice. The mother, in fact, does not know where her two youngest children are in placement. The foster mother for the two youngest children has identified some developmental delay in one of the children. Agency staff have not talked with her about her concerns, and no services to address these delays have been added to the case plan.

The caseworker has developed the case plan without input from the mother or the foster families. The semi-annual review of the case plan will be held in a few weeks, but the caseworker has forgotten to invite the foster parents.

A great aunt, Wanda, cared for the children on and off for many years when the mother was unable to manage them. The children talk about her all the time. The caseworker does not seem to be aware of her importance to the children.

The Court Appointed Special Advocate (CASA) for the six Turner children believes that the agency should pursue adoption planning in this case. The caseworker and her supervisor are planning to reunify the Turner family. There is significant disagreement between the CASA and the caseworker about the minimum standard for reunification. Finally, Alice's case plan says that she must locate suitable housing; but she has been too depressed to follow through with a plan to find housing she can afford, particularly since her TANF benefits were cut off 90 days after the removal of the children.

**Questions:**

1. Who are the team members? Circle each team member in the case study.
2. What's wrong with this picture? Underline problem areas of team functioning in the case study.
3. What would you do to correct ineffective team functioning for the benefit of the Turner children?

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### Individual Reflection

*Please take a few minutes to reflect on what you have learned in this Preservice training and how the information applies to you. Give this sheet to the agency worker who is completing your homestudy.*

1. Identify at least one question you have about the timeline of a child's foster care journey.

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2. List your motivations to become a caregiver or adoptive parent.

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3. What do you think your biggest challenge will be in your role on the child welfare team?

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Ohio Child Welfare Training Program  
Preservice Module 2  
The Child Protection Team

County where training was held: \_\_\_\_\_

Trainer: \_\_\_\_\_

Date: \_\_\_\_\_

**Please complete the survey and provide comments to help us improve this training.**

1. The child is a member of the child welfare team.
  - Yes
  - No
  
2. Teaming benefits which member(s) of the child welfare team?
  - The child and the primary family
  - The case worker
  - The foster family
  - The child, the primary family, the caseworker, and the foster family
  
3. At 90 days after foster care placement, a case plan is filed in Juvenile Court to identify the goal for the child. The most common goal is:
  - Reunification with the biological/primary family
  - Adoptive placement
  - Kinship care with a relative
  - Permanent planned living arrangement
  
4. The trainer could improve this training if they (check all that apply):
  - Shared additional relevant personal examples
  - Managed the group more effectively
  - Gave clearer instructions for activities
  - Helped me better understand how to apply the information to foster care or adoption
  - Other \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Thank you for your feedback!*