



THE CASE CONFERENCE POLICY OF THE DIVISION OF FAMILY AND CHILDREN

An Explanation for Foster Parents

GOOD NEWS FOR INDIANA FOSTER PARENTS

Foster parents will have a voice in what happens to the children in their care, thanks to a new policy of the Division of Family and Children. The new policy becomes effective January 1, 1998. The policy was developed by the Division of Family and Children and IFCAA board members working together.

Henceforth, foster parents are to be included in decisions about placement of their foster children and about developing or changing the case plan. The most important effect of this new policy is that when a child is to be removed from your home, your voice must be heard before that action is taken. A serious attempt must be made to reach agreement between foster parent and case manager.

Should a case manager plan to remove a child and you, the foster parent, think this is unwise, here is the procedure under the new policy:

- 1) The child is not to be removed from your home while the disagreement is pending.
- 2) The DFC must call a case conference within 10 days to include the case manager, the foster parents, legal parents/legal guardians, CASA or GAL, and the child if appropriate. Additional persons (teachers, counselors, anyone having relevant knowledge or concerns) may be invited by anyone in the core group. The object of the case conference is to bring the group to consensus.
- 3) If the case conference cannot reach agreement, the DFC director will review the case and try to bring the group to consensus,
- 4) If the foster parents are still not in agreement, the Regional Communication Enhancement Procedure will be utilized. Previously, this procedure was a grievance procedure which took place after the fact (i.e., after the child was removed from the foster home). Under the new policy, the Communication Enhancement Procedure is part of the foster parent voice, and takes place before the child can be removed from the home.

If you are accused of neglect or abuse, the child can be removed without the above procedure. HOWEVER, neglect or abuse must be investigated and verified by Child Protective Services, following the regular procedure in abuse allegations. The case manager cannot remove the child simply because of unsubstantiated allegations of abuse.

Court orders supersede any and all other agreements made by any other party.

If you feel this policy is not being followed, contact the local county director. If you do not get satisfaction, call the Central Office of the Division of Family and Children Foster Care Consultant at (317) 232-7116 or IFCAA at (800) 468-4228 or (317) 920-2505.

The new Indiana policy is within the spirit of the new federal law, the 1997 Adoption and Safe Families Act, which states: "The foster parents (if any) and any preadoptive parents or relative providing care for the child are [to be] provided with notice of, and an opportunity to be heard in, any review or hearing to be held with respect to the child..." [Sec. 104 (3)]
(Reprinted from the IFCAA newsletter, Winter, 1998)

Here is the actual policy of the Division of Family and Children as promulgated from Director James M. Hmurovich and Deputy Director Cathleen Graham to County DFC Directors and Regional Managers in November, 1997.

It is the goal of the Division of Family and Children (DFC) and Foster parents to ensure the safety of the child and to reunify a child with his or her family as quickly as feasible and appropriate to maintain the family unit, or to develop and initiate a nurturing, permanent placement for the child. when the safety of the child is felt to be at risk, the usual process for all allegations of abuse or neglect will be followed, and any Child Protection Service (CPS) ruling will take precedence. In a continuing effort to enhance the working relationship between the DFC and the Foster parents of Indiana, the following directive is to identify those occasions when the input and participation of Foster parents are expected and required.

The purpose of this policy is to establish consensus on what is in the best interest of the children in care. The Division of Family and Children and Foster parents, in collaboration, can build and support a safe environment in which information will be shared and valued. Decisions of the court will supersede any and all other agreements made by any other parties.

Issue One

- Foster Parents and Family Case Managers are to work together with the understanding of shared information, as far in advance as possible, on anticipated changes in placement.
- Foster parents will be included in the development and/ changing of the case plans for the children in their care.

- A case conference will not be required if the Foster parents & DFC staff are in agreement about the placement & removal of a child, (example: an initial placement or a disrupted placement). Notation of an informal conference such as a phone call or a face to face meeting must be part of the contact log.
- An informal case conference may be held when it is not practical to convene the entire committee. this may be done by phone or with individual meetings however, each person on the committee must be contacted and the contacts and recommendations must be documented by the FCM in the case record. An informal case conference may not be utilized when developing or changing the case plan or when there is disagreement about the removal of a child from a foster home.

Issue Two

- If the safety of the child is felt to be at risk, the usual process for all allegations of abuse or neglect will be followed, and any CPS ruling will take precedence.
- If the DFC & Foster parents are not in agreement with a removal and the safety of the child is not at risk, a formal case conference will be convened before the removal of a child from the Foster parent home.

Issue Three

- The core group of the case conference will include the DFC staff, such as the case manager or supervisor, foster parents, legal parents/legal guardians, the court appointed special advocate (CASA) or the guardian ad litem (GAL) and the child, if appropriate. In addition, the following persons may be invited to attend by any member of the core group;
Teachers, Counselors; and Other persons who have knowledge or relevant concerns.

Issue Four

- The DFC, Foster Parents or CASA/GAL may request a case conference. The staff of the local office of the DFC will arrange and notify parties of the meeting within five (5) working days following the request for a conference. The case conference will convene within ten (10) days. The case conference will be held in the local office of the Division of Family and Children or other location agreed upon by the parties.

Issue Five

- In those instances when removal of a child from a foster home is being considered and it is not due to the initiation or the results of a CPS investigation, the child will not be removed without first going through the following process: 1. Case conference. 2. If a consensus cannot be reached by the core group concerning the issues of the meeting, or concerning a recommendation to the court, the DFC director will review the case and try to bring the

- group to consensus.
- 3. If the foster parents are still not in agreement with the decision, the matter can be taken through the Communication Enhancement Procedure (CEP). Upon receipt of the written request from a foster parent for a review by the Regional Communication Enhancement Procedure Committee (RCEPC), the Regional Manager/designee shall be responsible for calling a meeting of the committee within 10 working days of receipt of the written request. The regular CEP procedure will be utilized and adhered to as outlined in the Foster Family Handbook. (See attached information)
 - **It is understood that court orders supersede any and all other agreements made by any other party.**

Issue Six

- If at any time any member of the core group feels that policy of the Division of Family and Children is not being followed, the local county director should be contacted. If the foster parent is still concerned that policy is not being followed, the Central Office of the Division of Family and Children Foster Care Consultant should be contacted at (317) 232-7116 by either the Foster parents or IFCAA.

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