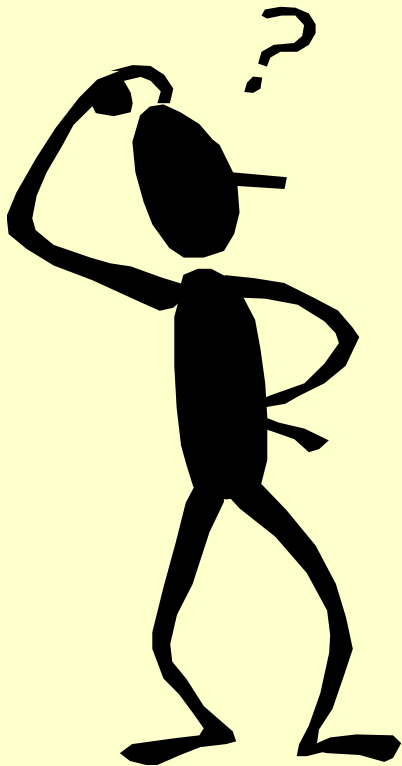


# De-mystifying the first 60 days

Understanding What Happens After A  
Petition Is Filed At Children's Court



CASA Training  
July 10, 2018



# The Parties

Court Appointed Special Advocate: (CASA)



Dependency Court: Judges, Commissioners, Court Clerk, Bailiff, Court Officer, Shelter Care, Children's Attorney's, Parent's Attorneys



Technical Assistants/Eligibility Workers- TA/EW



Children's Social Workers (CSWs): Child Protection Hotline (CPHL), Emergency Response (ER), Continuing Services (CS), Court Officers (CO), Dependency Investigators (DI), Team Decision Making (TDM), Resource Family Recruitment and Approval Division Assessment (RFRAD) Family Finding & Permanency Partners Program (P3), Resource Family and Permanency Division (RFPD)



# Referral to the Child Protection Hotline

- 24/7/365
- DCFS CSW may be assigned a new referral as an:
  - “Expedited Response”- respond within 2 hours
  - “Immediate Response”- respond by the end of the business day
  - “5-day Response”- respond with in 5 business days

# THE INVESTIGATION

- The ER CSW has 30 days to complete and “dispo” the allegations
  - Allegations are:
    - Unsubstantiated, Inconclusive, or Substantiated
- At the end of 30 days, the CSW must make a decision as to:
  - Close the referral
  - Promote to a case (Voluntary Services)
    - Child(ren) remain at home
  - Promote to a case (Court Services)
    - Child(ren) are out of the home

# CHILD TAKEN INTO CUSTODY by CSW or LE

- If child is removed via a warrant (WIC 300 a-j), required “contrary to welfare” language must be on warrant
  - A child(ren) can be removed without a warrant if it is determined that “exigent” circumstances exist
- CSW notifies parents in person, or in writing, that the child has been taken into protective custody (ASAP)
- CSW notifies Intake Detention and Control (IDC) within **2 hours** of when the child(ren) was taken into protective custody (the “court clock” at the moment a child is removed from their parent).
- CSW contacts ERCP after 5 pm of child(ren) taken into protective custody.

# CHILDRENS SOCIAL WORKER (CSW) & TECHNICAL ASSISTANT (TA/EW)

- CSW Completes the Technical Assistant Action Request
- TA/EW searches for licensed facility and vacancies determined
- CSW selects the licensed facility for the child
- TA generates the Placement Packet and Emergency Medical Cal Card; enters placement information in CWS/CMS for payment
- CSW delivers child to a Relative (RFA), Resource Family (RFA), Tribe placement, Non-related Extended Family Member (NREFM), Licensed Facility: Intensive Foster Care (IFC) or Short Term Residential Therapeutic Placement (STRTP); Placement Packet and MediCal card to licensed caretaker
- CSW writes the Detention Hearing Report
  - Detention Report due to Intake Detention and Control (IDC) 24 hours from the time the

				TA searches for placement/prepare placement packet; prints MediCal Card; enters placement and payment in CWS/CMS	
CPHL/ER CSW	ER CSW 30 days-removal /promote to a case or close/TDM	Child and Family Team Meeting/ PHN Consultation / HUB referral/ Concurrent Planning/CENs & other referrals provided	Notification of IDC- 2 hours from time of removal.	Search request submitted for placement/place child(ren); child(ren) transported to caregivers home	Gather reports and writes detention report and submits to IDC (24 hours from custody)

# INTAKE DETENTION AND CONTROL (IDC)

- Conducts an Independent investigation
- Receives the Detention Report 24 hours after the child(ren) is taken into protective custody.
- Writes the Petition and submits to court within 48 hours of the child(ren) removed from parents

48 hours- Court Receives Petition and Detention Report

Resource Family Approval process begins for Relatives and NREFMs

48 hours-IDC generates Petition/CSW arranges for child(ren) to be present at court (4 +)

Arranges for child(ren) to talk with parents before Detention Hearing

# COURT- DETENTION HEARING

## 72 hours requirement

**Court** will hear the Detention Report and Petition then make a determination:

- Child returns home or Voluntary Family Maintenance (VFM)
- Child remains “Detained” or Voluntary Family Reunification (VFR) or Family Reunification (FR) pending the Jurisdictional Hearing (aka: Trial)

**Eligibility Worker**: Required eligibility languages must be on Minute Order (MO) for federal / state funding.

(1) contrary to welfare; (2) care, custody and control; (3) “Reasonable Efforts”

Possible CASA Referral if specialized needs of child identified

Detention Hearing-72 hours after child(ren) taken into protective custody; Court determines if children return home or remain in out of home care

If children returned home- stop of foster care payment

CSW Court Officer present during Detention Hearing /records court orders for ER CSW/ER CSW prepares case for Detention Hearing order- return home (Close case or Voluntary Family Maintenance), Detained (Family Reunification Services); fast track to adoption



# COURT ELIGIBILITY WORKER

- Interview parent(s)-Obtain preliminary information related to income, property, and household status.
- Sends documents/information to Regional Office ES where Foster Care intake packet will be assigned.

## INTAKE ELIGIBILITY SUPERVISOR (ES)

- Receives the documentation from the Court Eligibility Worker and assigns child case to an Intake Eligibility Worker.
- Delivers intake packet and additional documentation to assigned EW.

CASA assessment and assignment of volunteer	
Detention Hearing-72 hours after child(ren) taken into protective custody. Case set for Arraignment (Trial); Jurisdictional/Dispositional Hearing- 15 days/must be held within 30 days of filing the petition	
Parents interviewed: income, property & household status	Case assigned to Regional Office EW
CSW Court Officer present during Detention Hearing /records court orders for ER CSW/ER CSW prepares case for Detention Hearing order- return home or suitably placed	If Court Orders children to return home/ CSW prepares case for closure –or Nunc Pro Tunc- appeal the decision. If Court Orders “Detained” ER CSW prepares case to transfer to Continuing Services (CS) CSW .

## CS CSW AND DEPENDENCY INVESTIGATOR (DI) ASSIGNED

- CS CSW assigned, electronically, within 1 week of the Detention Hearing and the court order of “suitable placement/Family Reunification Services” - hard case follows 1-2 weeks later.
- Dependency Investigator assigned as “Secondary” within 1 week of court order of “Suitable Placement”/Family Reunification Services

**CASA-** Visits child(ren); monitors school, placement, etc.

## INTAKE ELIGIBILITY WORKER (EW)

- Determine if CalWORKs or public assistance benefits are received by the child’s parent(s).
  - If yes, search LEADER screens to view income, property, etc.
  - Proceed with mailing contact letter.
- Send notification to DPSS EW that child is in Foster Care and to terminate the child’s assistance.
- Mail contact letter to parent(s) or relative from whom the child was removed; meet and interview parent(s).

CASA visits child (ren)		
Determine if CalWORKs or public assistance benefits are received by the child’s parent(s).	Send notification to DPSS EW that child is in Foster Care and to terminate the child’s assistance. Generate clothing allowance (if needed).	Mail contact letter to parent(s) or relative from whom the child was removed
Case assigned electronically to transfer to CS CSW follows up with Medical HUB and MAT assessment; visits child 10 days of receiving the case	Dependency Investigator assigned as secondary- Case Plan created by DI/CSW; CSW visits parents and reviews court orders (Minute Order) and Case Plan (Provides Referrals) ;Discusses Concurrent Plan	

# Days 15-30

## INTAKE EW

- Access CWS/CMS to obtain the detention court report. Verify removal date & person from whom removed. Review to determine if deprivation is consistent with known information on the parent(s).
- Prepare and send Medi-Cal benefits referral to the Centralized Medi-Cal unit
- If child is receiving SSI/SSA, send a referral to SSI Unit.

## CS/DI CSW

- Monthly visits children, caretaker, parents; Monitor the progress of the case plan; Prepare repair PRC, Jurisdictional/Dispositional Reports

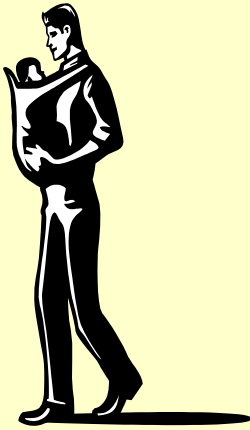
## Court

- Hears the Arraignment, Jurisdictional, Dispositional Hearings

**CASA-** Visits children and monitors progress of case plan and court orders

Visit children and monitor progress of case plan			
Day 15- 30 Arraignment (Trial ) /Jurisdictional Hearing		Dispositional Hearing, if not heard immediately after Jurisdictional Hearing, and the child is in custody, set within 10 days of the Jurisdictional Hearing or within 30 days of the Jurisdictional Finding. Child (ren) Home of Parent (HOP), Relative Placement; Foster Care	
Obtain the Detention Court Report. Verify removal date & person from whom removed. Review to determine if deprivation is consistent with known information on the parent(s).		Prepare and send Medi-Cal benefits referral	If child is receiving SSI/SSA, send a referral to SSI Unit
Visits with child(ren), caretaker, parents, collateral contacts; DI generates Jurisdictional /Dispositional Report		Monitor the progress of the case plan, visitation, medical and dental, mental health and/or mental health treatment services, school, Regional Center, etc.	

# Demystifying.....the next 6 month...and until the case is closed



**Birth**

**Toddler**

**School Age**

**Graduation**

**Employee**

# Day 30

## INTAKE EW (con't)

- Determine funding source based on information obtained
  - Age, Property, Residency, Citizenship / Alienage, SSN, Income, Child Support Services requirements, Linkage to AFDC-FG-U, Court
- Approve placement, payment
- Request assignment and transfer to Redetermination EW
- This process is completed 30 days from receipt of referral from CSW.
- Possible variables effecting time line: when CSW submits TA/EW request; when TA/EW submits to Revenue Enhancement Intake Unit; time required to receive requested documents (birth certificate, SSN; etc.)

CASA visits child(ren)



Determine funding source based on information obtained	Day 30-Approve placement, payment	Request assignment and transfer to Redetermination EW
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Monthly visits with child(ren), caretaker, parents, collateral contacts (once a month or as ordered by court)

Monitoring the progress of the case plan, visitation, medical and dental, mental health and/or substance abuse treatment services, school , Regional Center, etc. Monitoring parents progress with visitation and case plan

# 60 days to 6 months from Dispositional Hearing

## CS CSW

- Visits children, caretaker, parents
- Monitors the progress of the case plan and minute order (parents and children)
- Sends Notices to parties
- Prepares Status Report (366.21e); submits 30-10 days prior to 6 month Review Hearing

## CASA

- Visits children
- Monitors the progress of: school, medical, dental and mental health services, case plan and court order

Visits children; monitors the progress of: school, medical, dental and mental health services, case plan and court orders



TA responsible for FC budget, clothing allowances, placement packets

Visits children. Monitors the progress of: placement; visitation; medical , dental and mental health services; case plan and minute order (parent and children).  
Visits parents. Monitors the progress of: visitation and case plan

Child and Family Team Meeting- Family Network/ PHN / DMH/ PIP/ Therapist/Teacher/CASA/CENs & other referrals provided  
  
Concurrent Planning

Sends Notice of Court Hearing to all parties  
  
Prepares 6 month Status Report (366.21e)

# 6 month Review Hearing to 12 month Review Hearing

## Court

- **6-month Review Hearing (366.21e)** date set 6 months from the Dispositional Hearing.
- Court reviews the progress of the parents and children per the case plan and Dispositional Minute Order.

## CS CSW

- If children sent home: retrieve belongs from FP; Have TA/EW terminate FP payments
- If children not sent home-Visits children, caretaker, parents; Monitors progress of the case plan and minute order (parents and children)
- Sends Notices to parties
- 6 to 11 months- Prepares Status Report (366.21f); submits no later than 10 days prior to 12 month Review Hearing.

## CASA

- If children not sent home- visits children
- Monitors the progress of: school, medical, dental and mental health services, case plan and court orders

Visits children; monitors the progress of school, medical , dental and mental health svc.

Court Reviews 21e report and determine if sufficient progress has been made to return children to the home of the parent; or if parents would benefit from 6 more months, then the court will order a .21f hearing be set; or if reunification is not likely, the court will order a .26 hearing set

Terminate FP placement payment if child sent home

If children sent home: Retrieve belongings, request FP payments terminated

If children not sent home: visit children, caretaker , parents

Monitor progress of case plan and compliance with minute order (parents and children)

Concurrent Plan reviewed- Resource Family CSW consulted for potential adoptive family

# 12 month Review Hearing to 18 month Review Hearing/120 day Permanency Planning Hearing

## Court

- **12-month Review Hearing (366.21f)** date set 6 months from 366.21e date. Court reviews the progress of the parents and children per the case plan and 6 Month Status Report Minute Order.
- Court will examine if the plan for reunification will be likely and may order: reunification, 6 more months, or terminate FR Services for Parents and sets the case for a Permanency Planning Hearing (.26) within 120 days.

## CS CSW

- If child sent home- retrieve belongs. If child not sent home-visits children, caretaker, parents
- Monitors the progress of the case plan and minute order (parents and children)
- Sends Notices to parties
- Prepares 18 month Review Report (366.22); submits 30-10 days prior to 12 month Review Hearing; or prepares Permanency Planning Report
- Recommends Reunification or Permanent Placement Plan

## CASA

- Visits children; monitors progress of case plan and minute order

Visits children; monitors the progress of school, medical , dental and mental health svc.

12-month Review Hearing (366.21f) date set 6 months from 366.21e date. Court reviews the progress of the parents and children per the case plan and 6 Month Status Report Minute Order.

Court will examine if the plan for reunification will be successful: may order: reunification, 6 more months, set the case for a Permanency Hearing within 120 days.

Terminate FP placement payment if child sent home

If child(ren) sent home: retrieve belongings; request FP payments terminated

CSW visits child(ren), caretaker and parents

Child and Family Team Meeting- Monitors the progress of the child(ren) Mental and Behavioral

Sends Notice to families regarding 12 month Review

Prepares 12 month Status Report (.21f)



# Permanency Planning Hearing or 18 month Review Hearing

## Court

- **Permanency Planning Hearing (.26)** date 120 days from “No FR Services” ordered; reviews permanent plan recommendations: Adoption (termination of Parental Rights); Legal Guardianship (limit Parental Rights); Planned Permanent Living Arrangement.
- **18 Month Review Hearing (.22)**- Court will evaluate the progress of parents and make a determination as to return children home of parent or Permanency Planning,

## CS CSW

- If children returned to parents- retrieves belongings. If children not returned to parents-visits children, caretaker, parents; Monitors progress of the case plan and minute order (children)
- Sends Notices to parties
- Prepares the Selection Implementation Hearing Report (366.26): Recommends- Adoption, Legal Guardianship or Planned Permanent Living Arrangement.
- Adoption CSW will submit Adoptive Parent Home Study report.

Visits Children; monitors progress in school, mental health, medical and dental and case plan

Permanency Planning Hearing- Court reviews recommendations: Adoption, Legal Guardianship, Planned Permanent Living Arrangement

18 Month Review Hearing (366.26)- Court reviews the recommendations, may order home of parent or Permanency Planning

If child(ren) returned home... terminate FC placement payment

If children returned home- retrieve their belongs; request foster payment be stopped. Visit child and caretaker- Prepare for Adoption, Legal Guardianship or Planned Permanent Living Arrangement

Child and Family Team Meeting- Family Network/PHN/ Therapist/Teacher/Substance Use Disorder counselor/CASA other agencies

Prepares .26 hearing report- recommendation of Adoption (Termination of Parental Rights); Legal Guardianship; Planned Permanent Living Arrangement  
  
Sends/delivers Notices to Parties

# Adoption

- **Resource Family CSW** - Identifies a potential Adoptive family.
  - Completes Home Study of Prospective Adoptive Parents.
  - Recommendation made to Court for final approval of the adoption
  - Final approval comes from Court
  - DCFS closes case once Adoption is granted/finalized
  - Family eligible for Adoption Assistance Program (AAP) or, if the family requests, post adoption services provided by DCFS.
- **Court** sets a date for Finalization of Adoption once Parental Rights are terminated; Presides over Finalization of Adoption ceremony

Visits Children; monitors progress in school, mental health, medical and dental and case plan; Attends Adoption Finalization ceremony

Sets date for Finalization of Adoption; presides over finalization of adoption. Jurisdiction terminated

Processes AAP funding

Submits final court report with recommendations for Adoption

Case terminated

# Legal Guardianship

- Relative Guardianship- KinGap Case
  - Court Jurisdiction Terminated
  - Financial Assistance continues
- Non-Related Extended Family Member (NREFM)
  - Jurisdiction Continues
  - Financial Assistance continues

Visits Children; monitors progress in school, mental health, medical and dental and case plan

Relative Guardianship-Court terminates jurisdiction;

NREFM- Jurisdiction continues- 6 month Review of Permanent Plan Hearing Report;

Financial Aid continues

Relative Guardianship- case closed

NREFM- monitors case plan, medical and dental and mental health needs; school progress; submits reports to court RPPH every 6

# Planned Permanent Living Arrangement

- Child does not want to be adopted
- Child seeks emancipation
- Remains in Foster Care setting

Visits Children; monitors progress in school, mental health, medical and dental and case plan

Court Hearing every 6 months: Review of Permanent Plan Hearing;

TA/EW manages Foster Care Payment; searches for new placement/establishes new FC budget if necessary; generates clothing allowance

CSW visits child monthly; Monitors case plan, medical, dental, mental health services and education

CSW refers child to Youth Development Services ILP Services; applies for SSI benefits at age 16.5; continues to discuss Adoption/LG options

Submits a Review of Permanent Plan Hearing Court Report every 6 months

# Fostering Connections for Success

## Extended Foster Care

- Non-minor Dependent (NMD) desires to remain in Foster Care (18-21)
  - Complete High School
  - Enroll in post-secondary/vocational school
  - Participate in a program or activity that promotes employment
  - Remains employed at least 80 hours/month
  - Specify medical condition which renders youth incapable of participating in above activities (eligible for: SSI, Regional Center Consumer, SS Disabled Adult Child, SDI)
- Resides in an approved/licensed placement
- All rules of the caretakers license apply

CASA visits and monitors NMD case plan

Court reviews progress of NMD in Extended Foster Care ; may be under court supervision or jurisdiction may be terminated if NMD placed in a Non-Related Legal Guardianship

Creates NMD payment , etc.

The Supervised Independent Living Payment (SILP) is not available until the month following the SILP approval from the YDSD

Reviews the NMD Extended Foster Care Criteria with the NMD

Youth Development Services Division reviews NMD case plan and approves the placement

Reminds the NMD to complete and return the voucher in order for payments to continue

## These parties may enter the life of the case at anytime:

Department of Public Social Services- DPSS

Department of Mental Health- DMH

Department of Probation- DOP

Multi-Disciplinary Teams- MDT

Public Health Nurses- PHN

Child and Family Teams/Network- CFT

Client Engagement Navigation Services-CENS

Family Preservation Agency- FPA

Wraparound Service Agencies

Supervised Visitation Monitors

Regional Center and Vendors- RC

Therapists (Children and Parents)

Children's Attorneys- Children's Law Centers (CLCs) 1, 2, 3

Parent's Attorneys- Los Angeles Dependency Lawyers, Inc. (LADL)

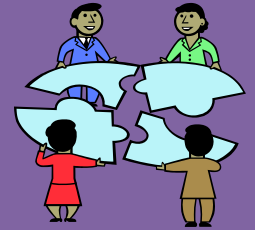
Conflict Panel Attorney

Alliance for Children's Rights

Tribal Representative (if child is a member/eligible for membership in a Federally Recognized Tribe)

# The Parties

Court Appointed Special Advocate: (CASA)



Dependency Court: Judges, Commissioners, Court Clerk, Bailiff, Court Officer, Shelter Care, Children's Attorney, Parent's Attorney



Technical Assistants/Eligibility Workers- TA/EW-  
Foster Care Hotline- (800)697-4444



Children's Social Workers (CSWs): Child Protection Hotline (CPHL), Emergency Response (ER), Continuing Services (CS), Court Officers (CO), Dependency Investigators (DI), Team Decision Making (TDM), Adoption and Safe Families (ASFA), Family Finding & Permanency Partners Program (P3), Adoption (A)  
CPHL- (800) 540-4000



# Questions





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