

## WHAT'S INSIDE

---

When case plans are required

---

Participants in the process

---

Contents of a case plan

---

Summaries of State laws

---

**To find statute information for a particular State, go to**

<https://www.childwelfare.gov/topics/systemwide/laws-policies/state/>



## Case Planning for Families Involved With Child Welfare Agencies

Since the passage of the Adoption Assistance and Child Welfare Act (P.L. 96-272) in 1980, Federal law requires the development of a written case plan for any child receiving foster care maintenance payments under title IV-E (42 U.S.C. 671(16)). As described in Federal regulation,<sup>1</sup> the case plan for each child must:

- Be a written document that is developed jointly with the parents or guardian of the child in foster care
- Be developed within a reasonable period of time but in no event later than 60 days from the child's removal from the home
- Include a discussion of how the case plan is designed to achieve a safe placement for the child in the least restrictive, most familylike setting available and in close proximity to the home of the parents when the case plan goal is reunification
- Include a discussion of how the placement is consistent with the best interests and special needs of the child
- Include a description of the services offered and provided to prevent removal of the child from the home and to reunify the family
- Document the steps to finalize a placement when the case plan goal is or becomes adoption or placement in another permanent home

<sup>1</sup> 45 C.F.R 1356.21

## When Case Plans Are Required

A review of statutes, administrative codes, and agency policies reveals that all States, the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands require a case plan when a child welfare agency places a child in out-of-home care, including foster care, placement with a relative, group homes, and residential placement. Approximately 26 States and the District of Columbia, Guam, and the Virgin Islands also require a case plan when a child and his or her family are receiving any kind of in-home services to prevent placement or when the child has been placed in the legal custody of the State agency.<sup>2</sup> Most States impose a specified number of days for completing a case plan, as follows:

- From the date the child was placed in out-of-home care<sup>3</sup>
- From the date the case was first opened for services<sup>4</sup>
- From the date the child was adjudicated by the court as abused or neglected<sup>5</sup>

<sup>2</sup> The word “approximately” is used to stress the fact that States frequently amend their laws. As of April 2018, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Hawaii, Kansas, Massachusetts, Missouri, Montana, New Hampshire, New Jersey, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and Wisconsin require case plans for all families receiving services from the State agency.

<sup>3</sup> Five days in Delaware; 10 days in Arizona; 30 days in Alabama, Arkansas, Georgia, Idaho, Minnesota, Mississippi, Montana, New Jersey, New York, North Carolina, North Dakota, Ohio, South Dakota, and Tennessee; 45 days in Illinois, Nevada, Texas, Utah, and Virginia; 55 days in Massachusetts; or 60 days in Alaska, California, Colorado, Florida, Idaho, Indiana, Iowa, Louisiana, Maryland, Nebraska, Oregon, Washington, West Virginia, and Wyoming.

<sup>4</sup> Fourteen days in Missouri; 20 days in Kansas; 30 days in Alaska, Arkansas, and Mississippi; or 60 days in Arizona, California, Colorado, New Jersey, Oregon, Pennsylvania, and Vermont.

<sup>5</sup> Ten days in South Carolina; 30 days in Arkansas, Idaho, Kansas, Kentucky, Missouri, Oklahoma, Rhode Island, and West Virginia; or 60 days in California, Indiana, and Washington.

## Participants in the Process

The department or agency in each State that has the responsibility for providing child welfare services must formulate a case plan for each child placed in its care or custody. In 44 States, Guam, and Puerto Rico, the department must include the parents, guardians, or other caregivers in the case-planning process, unless compelling circumstances prevent their participation.<sup>6</sup> In 31 States, if the child is of an appropriate age, he or she must be included in case-planning efforts.<sup>7</sup> Approximately nine States require that a representative of the child’s Tribe be invited to participate when the child receiving services is an Indian child.<sup>8</sup>

Laws in 14 States and the District of Columbia require the team developing the plan to include the child who has reached age 14 and, at the option of the child, up to two members chosen by the child who are not the child’s foster parent or caseworker.<sup>9</sup> One of these individuals may be designated to be the advisor of the child and, as needed, advocate for the child with respect to the application of the reasonable and prudent parent standard to the child. Any individual chosen by the child may be excluded by the department when the department has good cause to believe that the person would not act in the child’s best interests.

<sup>6</sup> States must seek the participation of the parents in Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, and West Virginia. Compelling circumstances include the parent cannot be found, refuses to participate, or has had his or her parental rights terminated.

<sup>7</sup> In Alabama, Alaska, Arizona (age 12 or older), Arkansas, California, Colorado, Delaware, Florida, Georgia, Idaho, Iowa, Kansas, Minnesota, Mississippi, Nebraska, Nevada, New Jersey, New York (age 10 or older), North Carolina, Oklahoma, Oregon, Pennsylvania, Rhode Island (age 12 or older), South Carolina, Tennessee (age 12 or older), Texas, Utah, Vermont, Virginia, West Virginia, and Wyoming.

<sup>8</sup> Alaska, Arizona, Idaho, Kansas, Minnesota, New Mexico, North Dakota, Oklahoma, and Oregon.

<sup>9</sup> Arizona, California, Delaware, Georgia, Indiana, Iowa, Minnesota, New York, North Carolina, North Dakota, Oregon, Virginia, West Virginia, and Wisconsin.

Other persons who may be invited to participate include foster parents, guardians ad litem, court-appointed special advocates, and other members of the child's family if they have significant ties to the child.<sup>10</sup> In 16 States, participation is open to service providers, therapists, educators, and other professionals who have direct knowledge of the child and family's needs.<sup>11</sup> In 10 of these States, statutes or regulations specifically require that the State agency consider the use of some form of a family group decision-making approach when appropriate.<sup>12</sup>

## Contents of a Case Plan

Federal law under title IV-E (in 42 U.S.C. 675(1)) requires that the case plan describe specifics of a child's care while in placement, including, at a minimum, the following:

- A description of the type of home or institution in which the child is to be placed
- A plan for ensuring that the child receives safe and proper care and that appropriate services are provided to the parents, child, and foster parents:
  - To improve the conditions in the parents' home
  - To facilitate the child's return to his or her own safe home or the alternative permanent placement of the child
  - To address the child's needs while in foster care
- Efforts to maintain the child's educational stability while in foster care, including continuing the child's enrollment in his or her current school whenever possible

<sup>10</sup> The foster parents may participate in 18 States (Arizona, Arkansas, Colorado, Georgia, Kansas, Minnesota, Mississippi, Nevada, New Hampshire, New Jersey, North Carolina, North Dakota, Oregon, Rhode Island, Tennessee, Texas, Utah, and Wyoming). The child's guardian ad litem may participate in 14 States (Alaska, Arizona, Arkansas, Florida, Kansas, Minnesota, North Dakota, Ohio, Oklahoma, Texas, Utah, Washington, West Virginia, and Wyoming). A court-appointed special advocate may participate in four States (Arizona, Arkansas, Kansas, and West Virginia). Members of the child's extended family may be invited to participate in eight States (Alabama, Arizona, Colorado, Kansas, Mississippi, Oregon, Texas, and Vermont).

<sup>11</sup> In Colorado, Connecticut, Hawaii, Kansas, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, North Dakota, Oregon, Pennsylvania, South Carolina, Texas, Utah, and Wyoming.

<sup>12</sup> The approaches used include case-planning conferences (Kansas), family team meetings (Mississippi), family support team meetings (Missouri), permanency-planning child and family teams (North Dakota and Tennessee), family decision-making meetings (Oregon), interdisciplinary teams (Utah), case conferences (Washington), and multidisciplinary teams (West Virginia and Wyoming).

- To the extent available, the child's health and education records
- Where appropriate, for a child age 14 years or older, a description of programs and services that will help the child transition from foster care to successful adulthood
- If the permanency goal for the child is adoption or placement in another permanent home, documentation of the steps being taken to find an adoptive family or other permanent living arrangement for the child

State requirements for case plans typically include descriptions of the problems that led to the family's involvement with the State agency and the services that will be provided to the parents to address those problems, as well as any services needed by the child and the child's caregivers. The plans also include goals and objectives that the parent(s) must meet in order to ensure that they can provide a safe home for the child and timeframes for achieving those goals. In 20 States and the District of Columbia, the plan for a child age 14 and older must include the services and supports needed to assist the child in his or her transition from foster care to successful adulthood.<sup>13</sup>

Approximately 39 States and the District of Columbia also require that the case plan state a permanency goal for the child.<sup>14</sup> In addition, 38 States and Puerto Rico require that, for a child who is in out-of-home care, the plan include a schedule of visits between the child and his or her parent and between the child and any siblings that have been separated during placement.<sup>15</sup>

<sup>13</sup> California, Colorado, Connecticut, Delaware, Idaho, Iowa, Louisiana, Maryland, Minnesota, Nebraska, New Jersey, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, Tennessee, Virginia, West Virginia, and Wisconsin.

<sup>14</sup> Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Maryland, Massachusetts, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New York, North Carolina, Ohio, Oklahoma, Oregon, Rhode Island, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, and Wisconsin.

<sup>15</sup> Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Georgia, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nevada, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Virginia, Washington, West Virginia, and Wisconsin.

This publication is a product of the State Statutes Series prepared by Child Welfare Information Gateway. While every attempt has been made to be complete, additional information on these topics may be in other sections of a State's code as well as agency regulations, case law, and informal practices and procedures.

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**Alabama***Current Through April 2018***When Case Plans Are Required****Citation: Admin. Code r. 660-5-28-.06**

A written case plan must be developed for the child within 30 days from the time of placement. For children in foster care or related care less than 30 days, this case plan requirement is waived. A brief case plan statement will suffice.

**Who May Participate in the Case-Planning Process****Citation: Admin. Code r. 660-5-28-.06**

The parents or other relatives and the child, if of appropriate age, may participate in the development of the plan.

**Contents of a Case Plan****Citation: Admin. Code r. 660-5-28-.06**

The case plan must include the following:

- A description of the type of home or child care facility in which the child is to be, or has been, placed
- Justification of the appropriateness of the placement as to whether it is:
  - » In the least restrictive, familylike setting available, with relative placement to be given first consideration, after which foster family care, group home care, and institutional care are to be considered, in that order
  - » In close proximity to the parent's or family home
  - » Consistent with the best interests and special needs of the child
- An analysis of the circumstances that necessitate the child's placement, together with a statement of:
  - » What efforts were made and what services were provided to prevent the child's placement
  - » What conditions in the child's own home need improving before the child can be returned
  - » What services are to be provided to improve these conditions
- A statement of the plan for ensuring that the child receives proper care while in placement that encompasses:
  - » Placement in a licensed facility or approved home, together with appropriate supervision
  - » Services to the providers to facilitate and support the child's adjustment in placement
  - » Services to the child to address his or her needs and a discussion of the appropriateness of the services provided
  - » A statement of the transitional independent living plan based upon an assessment of the needs of each child age 16 or older
- A statement of the child's permanent plan, developed in conjunction with the child's family and the child, as appropriate
- A description of the extent to which the parents or other relatives and, if of appropriate age, the child participated in the development of the permanent plan for the child
- A statement of the requirements of the court or the recommendations of the administrative review panel in connection with the required 6-month case review and how the department will meet those requirements and recommendations
- An estimated date by which a decision will be made to return the child to the parents or seek an alternative permanent placement
- A summary of what efforts will be or have been made and what services will be or have been provided to reunite the child with his or her family
- The health and education records of the child, to the extent available and accessible

**Alaska***Current Through April 2018***When Case Plans Are Required****Citation: CPS Policy Manual §§ 2.9.1; 2.9.4**

Case planning will occur for all families who have an open case (in home or out of home).

Case plans will be created and distributed to all appropriate parties within 60 days of assuming custody. For Family Services cases without custody, case plans will be created and distributed to all appropriate parties within 30 days of opening the case for services or no later than 30 days from the case transfer date.

The agency will develop a case plan for each child who is subject to a family services case, regardless of custody or placement. Case plan development will begin when the case has been transferred from an initial assessment worker to a family services worker, or when the assigned protective services (PS) specialist remains the same but the focus of the work changes from the initial assessment phase to the case planning and service provision phase.

### **Who May Participate in the Case Planning Process**

**Citation: CPS Policy Manual §§ 2.9.3; 2.9.4**

The agency will develop a case plan using the Family Services Assessment (FSA) process for each parent, legal guardian, or Indian custodian who is subject to an open Office of Child Services (OCS) case, with or without custody, in home or out of home.

The agency will work with each parent/guardian/custodian individually in developing his or her own case plan. Each case plan will be written using language that the parent/guardian/custodian can understand and include services they request to meet their identified needs.

In order to develop the case plan for a child, the PS specialist must meet with the child at least one time face to face, or more frequently as the child needs. The PS specialist also must collect information about the child from various other sources to learn enough about the child to form the child's case plan. The child's guardian ad litem and/or court-appointed special advocate and the child's Tribe should be invited to participate in the development of the child's case plan, if appropriate.

The agency will gather information to help create the child's case plan from each child, using developmentally appropriate strategies; from each parent; from alternate caregivers, when applicable; and from the child's Tribe, when appropriate.

The PS specialist will develop the case plan document after meeting with the child and parents, collecting collateral information, reviewing documents, and completing the trauma screening of the child and parents.

### **Contents of a Case Plan**

**Citation: CPS Policy Manual §§ 2.9.1; 2.9.4**

Case planning will encompass the issues of child safety, well-being, permanency, cultural continuity, and Indian Child Welfare Act compliance. Each case plan will have the following components:

- A primary and secondary permanency goal
- A description of efforts to prevent out-of-home placement for the child and efforts to involve parents, children, and the Tribe in the case-planning process
- A description of the safety threats and/or high-risk factors that required OCS to open a case with the family
- The parent/caregiver's perception regarding the safety and risk factors and his or her understanding of why OCS is involved
- A description of the parent's strengths related to the way he or she feels, thinks, or acts protectively toward his or her child
- A description of the behaviorally specific goals established between the parent and PS specialist
- The activities, tasks, and services that will help the parent achieve his or her case plan goals to enhance protective capacities
- How OCS will help the parent achieve the goals, who is responsible for what, and reasonable timelines by which to participate in the required services

The child's portion of the case plan will include services to ensure safety, permanency, and well-being and to facilitate the child's permanency goal. This may include mental health services, medical services, early periodic screening, developmental services, educational services, family contact with each parent and with siblings, and cultural continuity. The plan also will include strategies for ensuring the educational stability of the child while in foster care, including:

- Assurances that the child can remain enrolled in the same school, if possible
- If remaining in such school is not in the child's best interests, assurances by the agency and the local school district to provide immediate and appropriate enrollment in a new school, with all of the educational records of the child provided to the school

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### **American Samoa**

*Current Through April 2018*

These issues are not addressed in the statutes reviewed.

## Arizona

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Pol. & Proc. Man., Ch. 3, § 3**

The Department of Child Safety (DCS) shall facilitate the development of an individualized, family-centered, written case plan for every child, youth, and family receiving ongoing services from the department. The department shall conduct a case plan staffing and create the initial written case plan within 60 days of the case being identified to receive in-home services, within 60 days of the child's removal from home, or within 10 working days of a child's placement with a voluntary placement agreement.

### Who May Participate in the Case Planning Process

**Citation: Pol. & Proc. Man., Ch. 3 § 3**

DCS shall involve the family in the development of the case plan. Invitations to participate in the case plan staffing may be extended to the following:

- The parents, guardians, and/or custodians
- The child, if age 12 or older
- Extended family members identified as an active or potential resource or support
- The out-of-home care provider
- The licensing worker of the out-of-home care provider
- Service providers working with the family, such as the parent aide
- The Tribal social service representative and legal representative
- The court-appointed special advocate
- The child or parent's Regional Behavioral Health Authority case manager
- The child or parent's attorney and/or guardian ad litem
- The assistant attorney general assigned to the case

Youth who are age 14 or older may invite two individuals selected by the child who are not the DCS specialist or the foster parent to the case plan staffing.

Invitees also may include the following:

- Other significant individuals with whom the child may be placed or who have knowledge of or an interest in the welfare of the child
- The DCS specialist's supervisor
- School personnel
- Law enforcement personnel, including probation and parole officers
- Other DCS personnel or contracted staff

### Contents of a Case Plan

**Citation: Pol. & Proc. Man., Ch. 3, § 3**

All case plans shall identify the following:

- A permanency goal
- Concurrent planning activities to ensure that potential or identified alternate caregivers are prepared to care for the child on a permanent basis, if needed
- The placement type (e.g., foster home, group home, nonrelative, relative, or residential treatment)
- A danger statement (reasons why DCS is involved with the family)
- Desired family behaviors
- The services, strategies, and supports to assist the parents and family to achieve the desired behaviors
- The child's needs, supports, and services (medical, educational, and psychological)
- Efforts to maintain educational stability for the child
- The preparation for adulthood plan (for children age 14 and older)
- The parenting time (visiting) plan
- The out-of-home care plan
- Actions taken to identify an adoptive family for children with a permanency goal of adoption
- The case plan agreement

For children placed in out-of-home care, an out-of-home care plan must include the following information:

- The services and supports provided to the caregiver to help him or her meet the child's needs
- A description of how the placement for the child is in the least restrictive, most familylike setting available
- A statement that the caregiver has been provided with information about the 'reasonable and prudent parent' standard
- A description of how the placement is in close proximity to the home of the parent and allows a school-age child to remain in the same school, if possible
- A statement of how at least one of the child's caregivers speaks the same language as the child, if possible
- A description of how the placement is consistent with the best interests and special needs of the child

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## Arkansas

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Ann. Code §§ 9-27-402; 9-28-111**

A case plan shall be developed in all dependency-neglect cases or any case involving an out-of-home placement. The Department of Human Services shall be responsible for developing case plans in all dependency-neglect cases and in family-in-need-of-services or delinquency cases when custody is transferred to the department.

The Department of Human Services shall be responsible for developing case plans in all dependency-neglect cases and in family-in-need-of-services cases when custody is transferred to the department. The case plan shall be developed and filed with the court no later than 30 days after the date the petition was filed or the child was first placed out of home, whichever is sooner.

If the department does not have sufficient information before the adjudication hearing to complete all parts of the case plan, the department shall complete those parts for which information is available. All parts of the case plan shall be completed and filed with the court 30 days after the adjudication hearing.

### Who May Participate in the Case Planning Process

**Citation: Ann. Code § 9-28-111**

The case plan shall be developed in consultation with the child's parent, guardian, or custodian and, if appropriate, the child, the child's foster parents, the court-appointed special advocate, the child's attorney ad litem, and all parties' attorneys.

If the parents are unwilling or unable to participate in the development of the case plan, the department shall document the parents' unwillingness or inability to participate and provide a copy of the written documentation to the parent, if available. The department shall then prepare a case plan conforming as nearly as possible to the requirements set forth in this section.

A parent's incarceration, by itself, does not make a parent unavailable to participate in the development of a case plan.

The parent, guardian, or custodian and child may choose additional members to be part of the case-planning team. The department may reject a selected individual for good cause.

### Contents of a Case Plan

**Citation: Ann. Code § 9-28-111**

When the child is receiving services at home, the case plan shall include, at minimum, descriptions of the following:

- The problems being addressed
- The services to be provided to the family and child
- Any reasonable accommodations made to the parents in accordance with the Americans With Disabilities Act of 1990 to assure meaningful access to services
- How the child's health and safety will be protected

When the child is in an out-of-home placement, the case plan also must include the following:

- A description of the permanency goal
- The specific reasons for the out-of-home placement
- A description of the type of out-of-home placement selected for the child, including a discussion of the appropriateness of the placement
- A plan for addressing the child's needs while in the placement
- The specific actions to be taken by the parent to correct the identified problems or conditions



- The visiting rights and obligations of the parent
- The services to be provided to the parent, and a timetable for providing the services, to strengthen family life and promote reunification
- The child's health and education records
- The parent's support obligation, including health insurance
- A description of the location of siblings, with documentation of the efforts to:
  - » Place siblings removed from their home in the same placement, unless the department documents that a joint placement would be contrary to the safety or well-being of any of the siblings
  - » Provide for frequent visits or other ongoing interaction between the siblings in the case of siblings removed from their home who are not placed together, unless the department documents that frequent visits or other ongoing interaction would be contrary to the safety or well-being of any of the siblings
- When appropriate for a child age 16 and older, the programs and services that will help the child prepare for the transition to independent living
- A written notice to the parent that failure to comply substantially with the case plan may result in the termination of parental rights

The plan for a child in foster care must take into account the appropriateness of the current educational setting and the proximity of the school in which the child is enrolled at the time of placement. The department will coordinate with local educational agencies to ensure that the child remains in the same school, whenever possible, or to provide immediate and appropriate enrollment in a new school.

The department shall provide the juvenile with assistance and support in developing a transition plan that is personalized at the direction of the juvenile and includes specific options on housing, health insurance, educational opportunities, local opportunities for mentors and continuing support services, and workforce supports and employment services, and is as detailed as the juvenile may elect.

When a juvenile is age 14 or older, he or she shall be provided a separate document that describes the following:

- The rights of the juvenile concerning education, health, visitation, and court participation
- The right to obtain a copy of a credit report each year the juvenile remains in the custody of the department at no cost to the juvenile
- The right of the juvenile to receive assistance in interpreting and resolving inaccuracies in the credit report

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## California

*Current Through April 2018*

### **When Case Plans Are Required**

**Citation: Welf. & Inst. Code § 16501.1**

A written case plan shall be completed within a maximum of 60 days of the initial removal of the child, or of the in-person response required under § 16501(f) if the child has not been removed from his or her home, or by the date of the dispositional hearing, whichever occurs first.

The case plan shall be updated as the service needs of the child and family dictate. At a minimum, the case plan shall be updated in conjunction with each status review hearing conducted pursuant to §§ 364, 366, 366.3, and 366.31, and the hearing conducted pursuant to § 366.26, but no less frequently than once every 6 months. Each updated case plan shall include a description of the services that have been provided to the child under the plan and an evaluation of the appropriateness and effectiveness of those services.

### **Who May Participate in the Case Planning Process**

**Citation: Welf. & Inst. Code § 16501.1**

Parents and legal guardians shall have an opportunity to review the case plan, sign it whenever possible, and then shall receive a copy of the plan. In any voluntary service or placement agreement, the parents or legal guardians shall be required to review and sign the case plan. Whenever possible, parents and legal guardians shall participate in the development of the case plan.

Commencing January 1, 2012, for nonminor dependents who are receiving foster care assistance up to age 21 pursuant to § 11403, the transitional independent living case plan, as set forth in subdivision (y) of § 11400, shall be developed with, and signed by, the nonminor.

A child shall be given a meaningful opportunity to participate in the development of the case plan and state his or her preference for foster care placement. A child who is age 12 or older and in a permanent placement shall also be given the opportunity to review the case plan, sign the case plan, and receive a copy.

For youth age 14 or older and nonminor dependents, the case plan shall be developed in consultation with the youth. At the youth's option, the consultation may include up to two members of the case-planning team who are chosen by the youth and who are not the youth's foster parents or caseworkers. The agency, at any time, may reject an individual selected by the youth to be a member of the case-planning team if the agency has good cause to believe that the individual would not act in the youth's best interests. One individual selected by the youth to be a member of the case-planning team may be designated to be the youth's adviser and advocate with respect to the application of the reasonable and prudent parent standard to the youth, as necessary.

### **Contents of a Case Plan**

#### **Citation: Welf. & Inst. Code § 16501.1**

The case plan shall include the following:

- An assessment of the circumstances that required child welfare intervention
- Specific goals and the appropriateness of the planned services in meeting those goals
- The allegations of abuse or neglect or the conditions cited as the basis for declaring the child a dependent of the court
- The schedule of the social worker contacts with the child and the family or other caregivers
- When out-of-home services are used, the frequency of contact between the parents or legal guardians and the child
- When out-of-home placement is made, the provisions for the development and maintenance of sibling relationships
- If out-of-home placement is made in a foster family home, group home, or other child care institution that is either a substantial distance from the home of the child's parent or out of State, the reasons why that placement is in the best interests of the child
- An assurance that the plan ensures the educational stability of the child while in foster care, including the following:
  - » The placement takes into account the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement.
  - » The placement agency has coordinated with the person holding the right to make educational decisions for the child and appropriate local educational agencies to ensure that the child remains in the same school or, if remaining in that school is not in the child's best interests, assurances that steps are taken to provide immediate and appropriate enrollment in a new school and to provide all of the child's educational records to the new school.
- If out-of-home services are used, or if parental rights have been terminated and the case plan is placement for adoption, a recommendation regarding the appropriateness of unsupervised visits between the child and any of the child's siblings
- If out-of-home services are used and the goal is reunification, a description of the services to be provided to assist in reunification and the services to be provided concurrently to achieve legal permanency if efforts to reunify fail
- If out-of-home services are used, the child has been in care for at least 12 months, and the goal is not adoptive placement, documentation of the compelling reason or reasons why termination of parental rights is not in the child's best interests
- If the case plan has as its goal for the child a permanent plan of adoption or placement in another permanent home, documentation of the steps the agency is taking to find an adoptive family or other permanent living arrangement for the child; to place the child with an adoptive family, an appropriate and willing relative, or a legal guardian; and to finalize the adoption or legal guardianship
- When appropriate, for a child who is age 16 or older, the transitional independent living plan, which is a written description of the programs and services that will help the child, consistent with the child's best interests, prepare for the transition from foster care to successful adulthood
- For youth age 16 or older, documentation that a consumer credit report was requested annually from each of the three major credit-reporting agencies at no charge to the youth and that any results were provided to the youth
- When a child who is age 10 or older has been in out-of-home placement in a group home for 6 months or longer, an identification of individuals, other than the child's siblings, who are important to the child and actions necessary to maintain the child's relationship with those individuals, provided that those relationships are in the best interests of the child

## Colorado

Current Through April 2018

### When Case Plans Are Required

**Citation: Rev. Stat. § 19-3-209; Code of Regs. 12 CCR 2509-4 (7.301.21)**

An individual case plan, developed with the input or participation of the family, is required to be in place for all abused and neglected children and the families of such children in each case that is opened for the provision of services beyond the investigation of the report of child abuse or neglect, regardless of whether the child or children involved are placed out of the home or under court supervision.

*In regulation:* The Family Service Plan document must be completed:

- Within 60 calendar days of opening an assessment in the automated case management system for children in their own homes, including Core Services program cases in which the children are not in out-of-home placement. There may be one Family Services Plan for the family in these cases.
- Within 60 calendar days of opening an assessment in the automated case management system for children in out-of-home placement, including those cases in which the children are receiving Core Services. There may be one Family Services Plan for the family; however, discrete sections in the treatment plan and in the placement information are required for each child in placement.
- For children age 14 and older in out-of-home placement, the plan for transition to independent living/emancipation shall be completed within 60 calendar days of the child's 14th birthday or of case opening.

### Who May Participate in the Case Planning Process

**Citation: Rev. Stat. § 19-3-209; Code of Regs. 12 CCR 2509-4 (7.301.22)**

The family may participate in the development of the individual case plan.

*In regulation:* The county shall ensure that the following parties participate in the development of the Family Services Plan and engagement activities:

- The caseworker
- The parents or legal guardians
- The child
- Immediate and extended family members, as appropriate to the family and child's service needs
- Service providers, including kin caregivers, out-of-home caregivers, and in-home providers

In addition to all parties being encouraged to sign the plan, all parties shall be engaged in activities that indicate involvement in service planning, including, but not limited to, any of the following:

- Family engagement meetings
- Ongoing contacts, which could include, but are not limited to, face-to-face contact, visits, email, texts, technology with face-to-face capacity, emerging technology, or through signature on the Family Services Plan

### Contents of a Case Plan

**Citation: Code of Regs. 12 CCR 2509-4 (7.301.23; 7.301.24; 7.301.241)**

The Family Services Plan shall document that the services provided:

- Are directed at the areas of need identified in the assessment
- Are designed to ensure that the child receives safe and proper care
- Are culturally and ethnically appropriate, including, but not limited to, consideration of the child's family, community, neighborhood, faith or religious beliefs, school activities, friends, and primary language

For children in out-of-home placement, the plan shall document:

- That the child meets out-of-home placement criteria
- That when the child is part of a sibling group and the sibling group is being placed out of the home, it shall be presumed that placing the siblings together is in the best interests of the children
- The problems to be resolved in order to facilitate reunification of the child and family
- A description of the type of facility in which the child is placed and why the placement is appropriate and safe for the child
- For children placed a substantial distance from the home of the parents or an out-of-State placement, how the placement meets the best interests of the child

- A description of how the home is in reasonable proximity to the home of the parents or relatives and to the school the child has attended, including requirements regarding planning for educational stability
- That the placement is the least restrictive, safe, and most appropriate setting available, consistent with the best interests and specific needs of the child
- Documentation of initial and ongoing efforts to place the child with kin
- Health and educational information
- Specific plans for how the county will carry out any court orders concerning the child
- A description of the services and resources needed by the foster parents or kinship providers to meet the needs of the child and how those services and resources will be provided
- A description of the services provided to reunite the family, including the plan for visits, or to accomplish another permanency goal
- For youth under age 14, a description of services and a plan for accomplishing tasks to prepare youth to be age-appropriately self-sufficient, when independent living services are provided
- For youth age 14 and older, a description of services and a plan for accomplishing tasks to assist the youth in preparation for self-sufficiency and independent living, as early in placement as possible but no later than 60 days after the youth's 14th birthday
- That reasonable efforts have been made to maintain the child in the home, prevent or eliminate the need for removal of the child from home, or make it possible for the child to return home
- The specified permanency goal for the child, based on the individual needs and best interests of the child, including one of the following:
  - » Remain home
  - » Return home
  - » Permanent placement with a relative through adoption
  - » Permanent placement with a relative through legal guardianship or permanent custody
  - » Adoption by a nonrelative
  - » Legal guardianship/permanent custody with a nonrelative
  - » Return home through reinstatement of parental rights
  - » Other planned permanent living arrangement through emancipation, relative long-term foster care, or nonrelative long-term foster care

County departments shall coordinate with local school districts to ensure there is a plan for educational stability. The family services plan shall document the following:

- Efforts to maintain the child in the same school attended prior to the out-of-home placement
- If remaining in the same school is not in the child's best interests, efforts to enroll the child in a new school, including timely transfer of the educational records

## Connecticut

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Gen. Stat. § 17a-15; Pol. Man. § 36-1**

The commissioner of the Department of Children and Families shall prepare and maintain a written plan for care, treatment, and permanent placement of every child and youth under the commissioner's supervision.

*In policy:* Initial and ongoing family case plans shall be developed for the following:

- All families with an open case
- Families with a child in placement whose permanent or concurrent plan is reunification
- Families with a child in placement (regardless of the child's permanency plan) for whom the department is providing services (other than visitation) to address a parent's or guardian's identified needs

Initial and ongoing child in placement (CIP) case plans shall be developed for the following:

- Children who are at home but committed to the department
- Youth age 18 and older while their case remains open

- Children in out-of-home care regardless of age or placement type when the legal basis for the placement is:
  - » A Voluntary Services Program placement
  - » A court order
  - » A voluntary placement agreement

### **Who May Participate in the Case Planning Process**

**Citation: Gen. Stat. § 17a-15; Pol. Man. § 36-1**

The child and his or her parent or guardian may request a hearing to contest any provision in the plan.

*In policy:* The goal of case planning shall be to assess and address the family's needs in a culturally and linguistically responsive manner through engagement and partnership with family members and service providers.

### **Contents of a Case Plan**

**Gen. Stat. § 17a-15; Pol. Man. § 36-1 (Prac. Guide)**

The plan shall include, but not be limited to, the following:

- A diagnosis of the problems of each child
- The proposed plan of treatment services and temporary placement
- A goal for permanent placement of the child, which may include reunification with the parent, transfer of guardianship, adoption, or, for a child age 16 or older, another planned permanent living arrangement

The child's health and safety shall be the paramount concern in formulating the plan.

*In policy:* All of the following elements shall be included and discussed in the child's case plan:

- A description of the conditions and safety factors that resulted in the child's placement
- A description of the child, including the date of birth; race, ethnicity, and gender; languages spoken; immigration status; physical description; and strengths, skills, and interests
- The child's emotional or behavioral status, including current diagnoses and medication and any unresolved issues
- The child's educational development, including the following:
  - » Grade level and performance
  - » Special education needs, if applicable
  - » Proximity to the school of origin from home at the time of removal
  - » If applicable, the reason the child did not remain in school of origin
- A description of child's social support, including family and community resources
- A description of the child's current placement
- The rationale for visits or other contact with parents, siblings, and others who have a significant role in the life of the child
- A discussion of the child's physical health, including medical, dental, and vision information; immunizations and medications; and any diagnoses
- An assessment of adult relatives and other potential permanency resources, including grandparents, aunts, uncles, siblings, cousins, and step- and half-relatives

The plan for a child who is age 13 or older shall include, but not be not limited to, the following topics:

- The child's need to develop life skills and knowledge to enable self-sufficient living
- The need for an assessment to determine the child's educational or vocational interests and level of ability, and/or post-high school educational interests
- Whether the child has taken a career interest assessment/learning style inventory
- Issues of sexual orientation
- Issues of cultural awareness
- The need for future referral to adult services
- Medical coverage
- Housing
- Finances (including any ongoing sources of income and any survivor benefits)
- Parenting issues
- Independent Living Passport and essential documents
- The identification of workforce supports or employment services

## Delaware

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Ann. Code Tit. 29, § 9003; Pol. Man. #3, C-1; #4, E-1, E-3**

A written case plan must be prepared for each child under the supervision or custody of the Department of Services for Children, Youth, and Their Families.

*In policy:* All families active with the Division of Family Services (DFS) have a right to a written family service plan that clearly spells out goals and objectives in positive, measurable terms.

DFS is responsible for planning and meeting the child's needs while in out-of-home care. A plan for a child in care must be completed for every child within 5 days of placement.

### Who May Participate in the Case Planning Process

**Citation: Ann. Code Tit. 29, § 9003; Pol. Man. #3, C-1; #4, E-5**

The department must prepare and maintain the written case plan.

*In policy:* Caseworkers must make attempts to develop written service plans with each parent for each child, including the nonresidential parent. Case plans must be individualized for each parent and should take into account the parents' relationship with their child. Caseworkers must involve the parents in the development of the family service plan, and it must be written in language that the parents can understand.

Until the court terminates parental rights, parents must be included in the development and review of the plan for a child in care. They also must be given the opportunity to review and sign all plans related to the child. Youth must always be included in the development and review of the plan.

### Contents of a Case Plan

**Citation: Ann. Code Tit. 29, § 9003; DFS User Man. C-7; C-16; Pol. Man, #3, C-3; #4, E-1, E-3**

The case plan shall include, but not be limited to, the following:

- A description of the child's problems
- The care and treatment of the child
- Any other services to be provided to the child and the child's family
- A goal to achieve any placement of the child outside of the child's home in the least restrictive setting available and in close proximity to the child's home, consistent with the best interests and special needs of the child

*In policy:* A written family service plan will be developed for each family opened for treatment services with DFS. When children are in foster care, the caseworker shall complete the family service plan and child plan.

The family service plan is used to outline the activities that the caseworker, client, and others undertake to resolve the problems that place the child at risk. At all points of service delivery, including assessment, selection of services, case planning, and closure, the safety of the child is the primary focus.

The child plan must be completed whenever DFS obtains custody of a child, regardless of the placement the child may be in, and includes the following:

- A 5-day plan (for a child in care 5–30 days) addresses circumstances surrounding the placement and the child's immediate needs. The plan identifies the child's medical conditions and current medications, if any, health provider, and current school information, including grade and educational classification. This must be completed within 5 working days of the child's placement.
- The child plan (for a child in care 30 days or more) addresses the child's needs while in placement and until permanency is achieved. The areas specifically addressed are medical, dental, educational/vocational, and social/emotional needs; behavior management; preparation for independent living; court requirements; visitation; and activities to locate a permanent home. This plan must be completed within 30 days every time a child moves to a new placement and be updated annually.

For youth age 14 and older, the child plan must be developed in consultation with the youth and, at the option of the youth, up to two members of the case-planning team who are chosen by the youth and who are not the youth's foster parent or caseworker. The State may reject an individual selected by the youth to be a member of the case-planning team at any time if the State believes it has good cause to believe that the individual would not act in the youth's best interests. One individual selected by a youth to be a member of the youth's case-planning team may be designated to be the youth's advisor and as necessary, advocate, with respect to the application of the reasonable and prudent parent standard to the youth. The plan also must include a written description of the program and services that will help the youth prepare for the transition from foster care to successful adulthood.

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## **District of Columbia**

*Current Through April 2018*

### **When Case Plans Are Required**

**Citation: Ann. Code § 4-1301.09**

If there is a substantiated report, the agency responsible for the social investigation shall, as soon as possible, prepare a plan for each child and family for whom services are required on more than an emergency basis and shall take steps to ensure the protection of the child and the preservation, rehabilitation, and, when safe and appropriate, reunification of the family.

### **Who May Participate in the Case Planning Process**

**Citation: Ann. Code § 4-1301.02**

The Child and Family Services Agency is responsible for preparing the case plan.

With respect to a child who has reached age 14, the plan, and any revision or addition to the plan, shall be developed in consultation with the child and, at the option of the child, with up to two members of the case-planning team who are chosen by the child and who are not the child's foster parent or caseworker. The agency may reject an individual selected by a child to be a member of the case-planning team at any time if the agency has good cause to believe that the individual would not act in the best interests of the child. One individual selected by a child to be a member of the child's case-planning team may be designated to be the child's advisor and, as necessary, advocate, with respect to the application of the reasonable and prudent parent standard to the child.

### **Contents of a Case Plan**

**Citation: Ann. Code § 4-1301.02**

The case plan is a written document that includes at least the following:

- A description of the type of home or institution in which the child is to be placed, including a discussion of the safety and appropriateness of the placement and how the agency that is responsible for the child plans to carry out the voluntary placement agreement or judicial determination made with respect to the child
- A plan for ensuring that the child receives safe and proper care and that services are available to the parents, child, and foster parents in order to improve conditions in the parents' home, facilitate return of the child to his or her own safe home or to the child's permanent placement, and address the child's needs while a committed child, including the appropriateness of services provided to the child under the plan
- To the extent available and accessible, the child's health and education records
- Where appropriate, for a child age 14 or older, a written description of the programs and services that will help the child prepare for the transition from being a committed child to independent living
- If the child's permanent plan is adoption or placement in another permanent home, documentation of the steps (including child-specific recruitment efforts) taken to accomplish the following:
  - » Find an adoptive family or other permanent living arrangement, such as with a legal custodian, with a kinship caregiver, or in independent living
  - » Place the child with an adoptive family, a kinship caregiver, a legal custodian, or in another planned permanent living arrangement
  - » Finalize the adoption or legal custody or guardianship
- In the case of a child for whom the permanency plan is placement with a relative and receipt of kinship guardianship assistance payments under § 16-2399, a description of:
  - » The steps taken to determine that it is not appropriate for the child to be returned home or adopted
  - » The reasons for any separation of siblings during placement

- » The reasons a permanent placement with a fit and willing relative through a kinship guardianship assistance arrangement is in the child's best interests
- » The ways in which the child meets the eligibility requirements for a kinship guardianship assistance payment
- » The efforts made to discuss adoption by the child's relative foster parent as a more permanent alternative to legal guardianship and, in the case of a relative foster parent who has chosen not to pursue adoption, documentation of the reasons for that decision
- » The efforts made to discuss with the child's parent the kinship guardianship assistance arrangement, or the reasons the efforts were not made
- A plan for ensuring the educational stability of the child while in foster care, including the following:
  - » Assurances that the placement of the child in foster care takes into account the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement
  - » An assurance that the agency has coordinated with appropriate local educational agencies to ensure that the child remains in the school in which the child is enrolled at the time of placement or, if remaining in the same school is not in the child's best interests, assurances by the agency and the local educational agencies to provide immediate and appropriate enrollment in a new school, with all of the educational records of the child provided to the new school
  - » If remaining in the school the child is enrolled in at the time of placement is not in the best interests of the child, assurances by the agency and the local educational agencies to provide immediate and appropriate enrollment in a new school, with all of the educational records of the child provided to the new school

## Florida

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Ann. Stat. § 39.6011**

The Department of Children and Family Services shall prepare a draft of the case plan for each child receiving services under this chapter. A parent of a child may not be threatened or coerced with the loss of custody or parental rights for failing to admit in the case plan of abusing, neglecting, or abandoning a child. Participating in the development of a case plan is not an admission to any allegation of abuse, abandonment, or neglect, and it is not a consent to a finding of dependency or termination of parental rights.

A case plan must be prepared, but need not be submitted to the court, for a child who will be in care no longer than 30 days unless that child is placed in out-of-home care a second time within a 12-month period.

In each case in which a child has been placed in out-of-home care, a case plan must be prepared within 60 days after the department removes the child from the home and shall be submitted to the court before the disposition hearing for the court to review and approve.

The case plan must be filed with the court and copies provided to all parties, including the child, if appropriate, not less than 3 business days before the disposition hearing.

### Who May Participate in the Case Planning Process

**Citation: Ann. Stat. § 39.6011**

The case plan must be developed in a face-to-face conference with the parent of the child, any court-appointed guardian ad litem, and, if appropriate, the child, and the temporary custodian of the child.

The parent may receive assistance from any person or social service agency in preparing the case plan. The social service agency, the department, and the court, when applicable, shall inform the parent of the right to receive such assistance, including the right to assistance of counsel.

If a parent is unwilling or unable to participate in developing a case plan, the department shall document that unwillingness or inability to participate. The unwillingness or inability of the parent to participate in developing a case plan does not preclude the filing of a petition for dependency or for termination of parental rights.

The parent, if available, must be provided a copy of the case plan and be advised that he or she may, at any time before the filing of a petition for termination of parental rights, enter into a case plan and that he or she may request judicial review of any provision of the case plan with which he or she disagrees at any court hearing set for the child.



## Contents of a Case Plan

### Citation: Ann. Stat. § 39.6011

The case plan must be written simply and clearly in English and, if English is not the principal language of the child's parent, to the extent possible in the parent's principal language. Each case plan must contain the following:

- A description of the identified problem being addressed, including the parent's behavior or acts resulting in risk to the child and the reason for the intervention by the department
- The permanency goal
- If concurrent planning is being used, a description of the permanency goal of reunification with the parent or legal custodian in addition to a description of an alternate permanency goal, as described in § 39.01, with the following conditions:
  - » If a child has not been removed from a parent, but is found to be dependent, even if adjudication of dependency is withheld, the court may leave the child in the current placement with maintaining and strengthening the placement as a permanency option.
  - » If a child has been removed from a parent and is placed with a parent from whom the child was not removed, the court may leave the child in the placement with the parent from whom the child was not removed with maintaining and strengthening the placement as a permanency option.
  - » If a child has been removed from a parent and is subsequently reunified with that parent, the court may leave the child with that parent with maintaining and strengthening the placement as a permanency option.
- The date the compliance period expires
- A written notice to the parent that failure of the parent to substantially comply with the case plan may result in the termination of parental rights and that a material breach of the case plan may result in the filing of a petition for termination of parental rights sooner than the compliance period set forth in the case plan

The case plan must be signed by all parties, except that the signature of a child may be waived if the child is not of an age or capacity to participate in the case-planning process. Signing the case plan constitutes an acknowledgement that the case plan has been developed by the parties and that they are in agreement as to the terms and conditions contained in the case plan. The refusal of a parent to sign the case plan does not prevent the court from accepting the case plan if the case plan is otherwise acceptable to the court.

The case plan must describe the following:

- The role of the foster parents or legal custodians when developing the services that are to be provided to the child, foster parents, or legal custodians
- The responsibility of the case manager to forward a relative's request to receive notification of all proceedings and hearings
- The minimum number of face-to-face meetings to be held each month between the parents and the department's family services counselors to review the progress of the plan, to eliminate barriers to progress, and to resolve conflicts or disagreements
- The parent's responsibility for financial support of the child, including, but not limited to, health insurance and child support

When the permanency goal for a child is adoption, the case plan must include documentation of the steps the agency is taking to find an adoptive family or other permanent living arrangement for the child.

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## Georgia

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Ann. Code § 15-11-201; Rules & Regs. r. 290-9-2-.07**

A case plan shall be designed to achieve placement in the most appropriate, least restrictive, and most familylike setting available and in close proximity to the child's parent's home, consistent with the best interests and special needs of the child, and shall consider the placement's proximity to the school in which the child is enrolled at the time of placement.

*In regulation:* A plan of care, or case plan, for the foster child and the foster family shall be developed within 30 days from the date of placement. The case plan shall be reevaluated for appropriateness in a case review conference at least every 6 months.

### Who May Participate in the Case Planning Process

**Citation: Ann. Code § 15-11-201; Rules & Regs. r. 290-9-2-.07**

A case plan shall be developed by Division of Family and Children Services (DFCS) and the parent, guardian, or legal custodian of the child and, when appropriate, the child.

The case plan for each child in foster care who has reached age 14 shall be developed and revised in consultation with the child and, at the option of the child, up to two members of the case-planning team who are chosen by the child and who are not the child's foster parent or caseworker. DFCS may reject an individual selected by a child to be a member of the case-planning team at any time if DFCS has good cause to believe that the individual would not act in the best interests of the child. One such member may be designated to be the child's advisor and, as necessary, advocate, with respect to the application of the reasonable and prudent parent standard to the child.

*In regulation:* In developing the plan, the involvement of the child, foster parent, agency representative, and, when appropriate, the legal custody holder, shall be documented in the case plan.

### Contents of a Case Plan

**Citation: Ann. Code § 15-11-201**

A case plan shall include, but not be limited to, all of the following

- A description of the circumstances that resulted in the child being placed in foster care
- An assessment of the strengths and needs of the child and family and the type of placement best equipped to meet those needs
- Specific time-limited goals and related activities designed to enable the child's safe return home, or, if return home is not possible, activities designed to result in permanent placement
- Assignment of specific responsibility for accomplishing the planned activities
- The projected date of completion of the case plan objectives and when time-limited services will be terminated
- A schedule of visits between the child and his or her siblings and other appropriate family members or an explanation if no visits are planned
- When the placement is either a substantial distance from the home of the child's parent, or out of State, why the placement is the most appropriate and is in the best interests of the child
- If applicable, a statement of the reasonable efforts made toward the following:
  - » To place siblings removed from their home in the same foster care, kinship care, guardianship, or adoptive placement, unless such a joint placement would be contrary to the safety or well-being of any of the siblings
  - » In the case of siblings removed from their home who are not jointly placed, for frequent visits or other ongoing interaction between the siblings
- Provisions ensuring the educational stability of such child while in foster care, including the following:
  - » An assurance that the placement of the child in foster care takes into account the appropriateness of the current educational setting and the proximity to the school in which such child is enrolled at the time of placement
  - » An assurance that DFCS has coordinated with appropriate local educational agencies to ensure that such child remains in his or her current school
  - » If remaining in such school is not in the best interests of the child, an assurance that DFCS and the local educational agencies have cooperated to ensure the immediate and appropriate enrollment in a new school, with all of the educational records of the child provided to the new school
- The child's health and education records and information
- A recommendation for a permanency plan for such child that may include the following options:
  - » Reunification
  - » Adoptive placement
  - » Permanent guardianship
  - » Placement with a fit and willing relative
  - » Another planned permanent living arrangement for a child who has reached age 16

The case plan for each child in foster care who has reached age 14 shall include the following:

- A document describing the rights of the child with respect to education, health, visitation, and court participation; the right to be provided with a consumer report; and the right to stay safe and avoid exploitation

- A signed acknowledgment by the child that the child has been provided with a copy of the document above and that the rights contained in the document have been explained to the child in an age-appropriate way
- A written description of the programs and services that will help him or her prepare for the transition from foster care to independent living

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## Guam

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Ann. Code Tit. 19, § 13301**

Upon completing its investigation of a report of suspected child abuse or neglect, Child Protective Services may seek to enter into a service plan without filing a petition in court.

### Who May Participate in the Case Planning Process

**Citation: Ann. Code Tit. 19, § 13301**

Child Protective Services shall enter into a service plan with such members of the child's family and such other authorized agencies as Child Protective Services deems to be necessary to the success of the service plan, including, but not limited to, the member or members of the child's family who have legal custody of the child.

### Contents of a Case Plan

**Citation: Ann. Code Tit. 19, § 13304**

A service plan is a specific written plan prepared by Child Protective Services. The service plan should set forth the following:

- The steps that will be necessary to facilitate the return of the child to a safe family home, if the proposed placement of the child is in foster care or in alternate placement outside of the child's home
- The steps that will be necessary for the child to remain in a safe family home with the assistance of a service plan, if the proposed placement of the child is in a family home under Child Protective Services' supervision
- The steps that will be necessary to make the family home a safe family home and to terminate intervention of Child Protective Services into the family and eliminate, if possible, the necessity for the filing of a petition with the court
- The specific services or treatment that the parties will be provided, the specific actions the parties must take, or specific responsibilities that the parties must assume
- The timeframes during which such services will be provided, such actions must be completed, and such responsibilities must be assumed
- The specific consequences that may be reasonably anticipated to result from the parties' success or failure in complying with, performing, and completing, if possible, the terms and condition of the service plan, including, but not limited to, the consequence that, unless the family is willing and able to provide the child with a safe family home within the reasonable period of time specified in the service plan, their respective parental and custodial duties and rights shall be subject to termination
- Such other terms and conditions as Child Protective Services deems to be necessary to the success of the service plan

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## Hawaii

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Rev. Stat. § 587A-27**

A service plan is a specific written plan prepared by an authorized agency and child's family.

After each term and condition of the service plan has been thoroughly explained to and is understood by each member of the child's family whom the appropriate authorized agency deems to be necessary to the success of the service plan, the service plan shall be agreed to and signed by each family member.

A copy of the service plan shall be provided to each family member who signed the service plan.

### **Who May Participate in the Case Planning Process**

**Citation: Rev. Stat. § 587A-27**

The plan will be prepared by the following:

- An authorized agency
- Members of the child's family who have legal custody, guardianship, or permanent custody of the child at the time that the service plan is being formulated or revised

### **Contents of a Case Plan**

**Citation: Rev. Stat. § 587A-27**

The service plan shall include the following:

- The specific steps necessary to facilitate the return of the child to a safe family home if the proposed placement of the child is in foster care
- Treatment and services that will be provided, actions completed, specific measurable and behavioral changes that must be achieved, and responsibilities assumed
- Whether an ohana conference will be conducted for family finding and family group decision-making
- The respective responsibilities of the child, the parents, legal guardian or custodian, the department, other family members, and treatment providers
- A description and expected outcomes of the services required to achieve the permanency goal
- The required frequency and types of contact between the social worker, child, and family
- The timeframes for providing services, completing actions, and discharging responsibilities
- Notice to the parents that their failure to substantially achieve the objectives of the service plan within the timeframes established may result in termination of their parental rights
- Notice to the parents that if the child has been in foster care for a total of 15 out of the most recent 22 months from the child's date of entry into foster care, the department is required to file a motion to set a termination of parental rights hearing, and the parents' failure to provide a safe family home within 2 years from the date when the child was first placed under foster custody may result in the parents' parental rights being terminated
- Any other terms and conditions that the court or the authorized agency deem necessary to the success of the service plan

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## **Idaho**

*Current Through April 2018*

### **When Case Plans Are Required**

**Citation: Ann. Code § 16-1621; Admin. Code 16.06.01.422**

In every case in which the child is determined to be within the jurisdiction of the court, and there is no judicial determination that aggravated circumstances were present, the Department of Health and Welfare shall prepare a written case plan, including in cases in which the parent is incarcerated. The court shall schedule a case plan hearing to be held within 30 days after the adjudicatory hearing. The case plan shall be filed with the court no later than 5 days prior to the case plan hearing.

*In regulation:* The department must complete a written alternate care plan within 30 days after a child has been placed in alternate care and at least every 6 months thereafter. A copy of the alternate care plan will be provided to the child's parent, legal guardian, foster parent, Indian custodian, Tribe, and to the child if he or she is older than age 12.

### **Who May Participate in the Case Planning Process**

**Citation: Ann. Code § 16-1621; Admin. Code 16.06.01.011**

Copies of the case plan shall be delivered to the parents and other legal guardians, the prosecuting attorney or deputy attorney general, the guardian ad litem, and attorney for the child.

Notice of the case plan hearing shall be provided to the parents and other legal guardians, the prosecuting attorney or deputing attorney general, the guardian ad litem, attorney for the child, the department, and foster parents.

Although foster parents are provided notice of this hearing, they are not parties to the child protective action.

*In regulation:* The family case plan, also referred to as a family service plan, is a written document that serves as the guide for provision of services. The plan, developed with the family, clearly identifies who does what, when, how, and why. The family plan incorporates any special plans made for individual family members. If the family includes an Indian child, then the child's Tribe, Tribal elders, or leaders should be consulted early in the plan development.

### **Contents of a Case Plan**

#### **Citation: Ann. Code § 16-1621**

If the child is placed in the legal custody of the department, the case plan shall set forth reasonable efforts that will be made to make it possible for the child to return home. The case plan also shall:

- Identify the services to be provided to the child, including services to identify and meet any special educational, emotional, physical, or developmental needs the child may have and services to assist the child in adjusting to the placement or to ensure the stability of the placement
- For youth age 14 and older, identify the services needed to assist the youth in making the transition to successful adulthood
- Address options for maintaining the child's connection to the community, including individuals with a significant relationship to the child; ensure educational stability, including efforts to keep the child in the same school; a plan for visits; and placing siblings together, if possible
- Include a goal of reunification and a plan for achieving that goal
- Include a concurrent permanency goal and a plan for achieving that goal

The reunification plan shall identify all issues that need to be addressed before the child can safely be returned home without department supervision. The plan shall specifically identify the tasks to be completed by the department, each parent, or others to address each issue, including services to be made available by the department to the parents and in which the parents are required to participate, as well as deadlines for completion of each task. The case plan shall state with specificity the role of the department toward each parent. When appropriate, the plan should identify terms for visitation, supervision of visitation, and child support.

The concurrent permanency goal may be one of the following: termination of parental rights and adoption; guardianship; or, for youth age 16 or older only, another planned permanent living arrangement. The concurrent plan shall:

- Address all options for permanent placement of the child, including consideration of options for in-State and out-of-State placement
- Address the advantages and disadvantages of each option and include a recommendation as to which option is in the child's best interests
- Identify the actions necessary to implement the recommended option
- Set forth a schedule for accomplishing the actions necessary to implement the concurrent permanency goal
- Address options for maintaining the child's connection to the community, including individuals with a significant relationship to the child, and organizations or community activities with which the child has a significant connection
- Identify the names of the proposed adoptive parents when known if the permanency goal is termination of parental rights and adoption
- In the case of a child who has reached age 14, include the services needed to assist the child to make the transition from foster care to successful adulthood
- For youth with a proposed permanency goal of another permanent planned living arrangement, document efforts made to place the youth in an adoptive placement, a guardianship, or with a fit and willing relative
- The steps taken by the department to ensure that the youth's foster parents are following the reasonable and prudent parent standard when making decisions about whether the youth can engage in extracurricular, enrichment, cultural and social activities
- Identify further investigation necessary to identify or assess other options for permanent placement, to identify actions necessary to implement the recommended placement, or to identify options for maintaining the child's significant connections

## Illinois

Current Through April 2018

### When Case Plans Are Required

**Citation: Comp. Stat. Ch. 705 § 405/2-10.1; Admin. Code Tit. 89, §§ 315.80; 315.130**

Whenever a minor is placed in shelter care with the Department of Children and Family Services or a licensed child welfare agency, the department or agency, as appropriate, shall prepare and file with the court, within 45 days of placement, a case plan that complies with the Federal Adoption Assistance and Child Welfare Act of 1980 and is consistent with the health, safety, and best interests of the minor.

*In regulation:* The permanency-planning process begins when the first contact is made with the child and family. The permanency-planning process continues until the health and safety of the child are ensured and department-funded services terminated.

Service plans are required by State and Federal law regardless of whether the child and family are served directly by the department or through purchase of service providers. The service plan must ensure that the health and safety of the child are the paramount concerns that guide all service, placement, and planning provisions. The initial service plan shall be completed and forwarded to the juvenile court no later than 45 days after placement and must be reviewed at least once every 6 months thereafter.

### Who May Participate in the Case Planning Process

**Citation: Admin. Code Tit. 89, § 315.130**

Based on the information gathered during the assessment process described in § 315.100 and through negotiation during the caseworker's contacts, visits, and at the initial family meeting, the caseworker and family shall develop a plan of intervention that is based on the family's strengths and needs and that addresses how the children's needs for health and safety will be met.

### Contents of a Case Plan

**Citation: Admin. Code Tit. 89, § 315.130**

Service plans shall contain the following information:

- The names of the children for whom the department is providing services
- The health and safety factors that have resulted in placement of the children away from the family home and the problems that are causing continued placement
- The outcomes that would be considered a resolution to these problems and the strengths the family possesses to achieve those outcomes
- The reasons the child has been put in his or her current placement; the resources that will be necessary to maintain the placement; and, where a residential placement has been deemed necessary, a description of how and when a plan for moving the child to the least restrictive, most homelike placement can be developed
- The services to be provided to the parents, to each child while in care, and to the foster parents, if necessary, when the child is in foster care that may best resolve the problems
- The health care to be provided to the child and the mental health care to be provided to address the child's serious mental health needs as well as a description of the child's physical, developmental, educational, or mental disability and any noneducational specialized services the child is receiving or should receive for each disability
- To the extent available and accessible, the health records of the child
- A description of the educational program/services the child is receiving or needs to receive
- To the extent available and accessible, the education records of the child
- Who will provide the services, how often they will be provided, and an explanation of why these services will meet the needs of the child
- If the child is placed more than 150 miles from the home of the parents or in a different State, the reasons why the placement is in the best interests of the child
- If the child is placed in a different State, a requirement that the child be visited no less frequently than every 6 months by a caseworker of the department or of the State in which the child has been placed and that the caseworker submit a report on the visit to the department
- If siblings are placed apart from one another, the reasons why they are placed apart and what efforts are being made to find a joint placement for the sibling group
- The permanency goal for each child and the reason for selecting the goal

- In the case of a child for whom the permanency plan is adoption or other permanent living arrangement, documentation of the steps the department is taking to find an adoptive family or other permanent living arrangement
- In the case of a child for whom the permanency plan is independence or for a child age 16 or older, as appropriate, a written description of the programs and services that will help such a child prepare for the transition from foster care to independent living
- The responsibilities of the family and the child (when appropriate) in fulfilling the service plan
- The responsibilities of the department and service providers to assist the family in fulfilling the service plan
- When children and families are separated, the parent-child and/or sibling visiting plan developed with the family, including the time, frequency, and length of visits and who shall be present at the visits
- The timeframes for achieving the permanency goal, the objectives identified to resolve problems, and the consequences to the child and family if the timeframes are not met
- A statement that the parents or children may disagree with the service plan and that they may have their disagreement recorded
- An explanation of how parents or children may request an appeal and fair hearing

## Indiana

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Ann. Code §§ 31-34-15-1; 31-34-15-2**

In accordance with Federal law, a case plan is required for each child in need of services who is under the supervision of the Department of Child Services as a result of an out-of-home placement or the issuance of a dispositional decree. The department shall complete a child's case plan no later than 60 days after the date of the child's first placement or the date of a dispositional decree, whichever comes first.

### Who May Participate in the Case Planning Process

**Citation: Ann. Code § 31-34-15-2**

The department, after negotiating with the child's parent, guardian, or custodian; the child, if the child is at least age 14; and any child representatives selected by the child under § 31-34-15-7, shall complete the child's case plan.

### Contents of a Case Plan

**Citation: Ann. Code § 31-34-15-4**

*Effective July 1, 2018:* The case plan must include a description and discussion of the following:

- A permanent plan, or two permanent plans if using concurrent planning, for the child and an estimated date for achieving the goal of the plan or plans
- The appropriate placement for the child based on the child's special needs and best interests
- The least restrictive familylike setting that is close to the home of the child's parent, custodian, or guardian if out-of-home placement is recommended
- Family services recommended for the child, parent, guardian, or custodian
- Efforts already made to provide family services to the child, parent, guardian, or custodian
- Efforts that will be made to provide family services that are ordered by the court
- A plan for ensuring the educational stability of the child while in foster care that includes the following assurances:
  - » The placement of the child in foster care considers the appropriateness of the current educational setting of the child and the proximity to the school where the child is presently enrolled.
  - » The department has coordinated with local educational agencies to ensure that the child remains his or her current school or is provided with immediate, appropriate enrollment in a different school.
- Any age-appropriate activities that the child is interested in pursuing
- For a child in foster care who is at least age 14, the following:
  - » A document that describes the rights of the child with respect to:
    - Education, health, visitation, and court participation
    - The right to be provided with the child's medical documents and other medical information
    - The right to stay safe and avoid exploitation

- » A signed acknowledgment by the child that acknowledges receipt of the document described above and that the rights contained in the document have been explained to the child in an age-appropriate manner
- Any efforts made by the department to enable the child's school to provide appropriate support to and protect the safety of the child, if, in developing the case plan, the department coordinates with officials in the child's school to enable the school to provide appropriate support to and protect the safety of the child

If an out-of-home placement is appropriate, the local office or department shall consider whether a child in need of services should be placed with the child's suitable and willing blood or adoptive relative caretaker, including a grandparent, an aunt, an uncle, or an adult sibling, before considering other out-of-home placements for the child.

## Iowa

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Ann. Stat. § 232.2; Admin. Code 441-202.15(234)**

A case permanency plan, as required by Federal law, is designed to achieve placement in the most appropriate, least restrictive, and most familylike setting available and in close proximity to the parent's home, consistent with the best interests and special needs of the child, and that considers the placement's proximity to the school in which the child is enrolled at the time of placement.

*In regulation:* The department worker shall ensure that a case permanency plan is developed for each child who is placed in foster care if the department has agreed to provide foster care through a voluntary placement agreement, if a court has transferred custody or guardianship to the department for the purpose of foster care, or if a court has placed the child in foster care and ordered the department to supervise the placement.

In all cases, the case permanency plan shall be completed within 60 days of the date the child entered foster care.

### Who May Participate in the Case Planning Process

**Citation: Ann. Stat. § 232.2; Admin. Code 441-202.15(234)**

The plan shall be developed by the Department of Human Services or the agency involved and the child's parent, guardian, or custodian. If the child is age 14 or older, the plan shall be developed in consultation with the child and, at the option of the child, with up to two persons chosen by the child to be members of the child's case-planning team, if such persons are not the child's foster parent or caseworker. The department may reject a person selected by a child to be a member of the child's case-planning team at any time if the department has good cause to believe that the person would not act in the best interests of the child. One person selected by a child to be a member of the child's case-planning team may be designated to be the child's advisor or, if necessary, the child's advocate with respect to the application of the reasonable and prudent parent standard.

*In regulation:* The department worker shall develop the case permanency plan with the child's parents, unless the child's parents are unwilling to participate in the plan's development, and with the child, unless the child is unable or unwilling to participate.

### Contents of a Case Plan

**Citation: Ann. Stat. § 232.2**

The plan shall specifically include all of the following:

- Plans for carrying out the voluntary placement agreement or judicial determination that placed the child in care
- The type and appropriateness of the placement and services
- The care and services that will be provided to the child, birth parents, and foster parents
- How the care and services will meet the needs of the child while in care and will facilitate the child's return home or other permanent placement
- The most recent information available regarding the child's health and education records
- When a child is age 14 or older, a written transition plan of services that, based upon an assessment of the child's needs, would assist the child in preparing for the transition from foster care to adulthood
- The actions expected of the parent, guardian, or custodian in order for the department or agency to end its involvement with the child and the child's family
- If reasonable efforts to place a child for adoption or with a guardian are made concurrently with reasonable efforts to reunify, identification of the concurrent goals and timelines



- A provision that a designee of the department or other person responsible for placement of a child out of State shall visit the child at least once every 6 months
- If it has been determined that the child cannot return to the child's home, documentation of the steps taken to make and finalize an adoption or other permanent placement
- Information on the child's personal history, especially if it is known that the child has behaved in a manner that threatened the safety of another person, has committed a violent act causing bodily injury to another person, or has been a victim or perpetrator of sexual abuse
- The provisions involving sibling visits or interaction
- Documentation of the educational stability of the child while in foster care, including, but not limited to, the following:
  - » Evidence there was an evaluation of the appropriateness of the child's educational setting while in placement and of the setting's proximity to the educational setting in which the child was enrolled at the time of placement
  - » An assurance either that the department coordinated with appropriate local educational agencies to identify how the child could remain in the same educational setting or, if it was determined it was not in the child's best interests to remain in that setting, that the affected educational agencies would immediately and appropriately enroll the child in another educational setting during the child's placement and ensure that the child's educational records were provided for use in the new educational setting
- Any issues relating to the application of the reasonable and prudent parent standard and the child's participation in age or developmentally appropriate activities while in foster care

For a child who is age 16 or older, the transition plan and needs assessment shall be developed with a focus on the services, other support, and actions necessary to facilitate the child's successful entry into adulthood. The transition plan shall be personalized at the direction of the child and shall be developed with the child present, honoring the goals and concerns of the child, and shall address the following areas of need:

- Education
- Employment services and other workforce support
- Health and health-care coverage
- Housing
- Relationships, including local opportunities to have a mentor
- If the needs assessment indicates the child is reasonably likely to need or be eligible for services or other support from the adult service system upon reaching age 18, provision for the child's application for adult services

## Kansas

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Ann. Stat. § 38-2263; Pol. & Proc. Man. § 3200**

Whenever a child is subject to the jurisdiction of the court pursuant to the code, an initial permanency plan shall be developed for the child and submitted to the court within 30 days of the initial order of the court.

*In policy:* The initial case plan is developed within 20 calendar days of the date the services are initiated. The date services are initiated is defined as either the date the family agrees to work with the Department for Children and Families (DCF) (beyond 30 days) or the date of referral to a child welfare case management provider.

A child/family case-planning conference shall be completed with the family when:

- There is an open family services case and the child is not in the custody of DCF.
- There is an open family preservation case and no child in the family is in DCF custody.
- A youth, no longer in DCF custody, requests self-sufficiency/independent living services.
- A child is in DCF custody, regardless of placement setting.

A case plan is required for all cases open for services.

### Who May Participate in the Case Planning Process

**Citation: Ann. Stat. § 38-2263; Pol. & Proc. Man. §§ 3200; 3207**

If the child is in the custody of DCF or DCF is providing services to the child, DCF shall prepare the plan. Otherwise, the plan shall be prepared by the person who has custody or, if directed by the court, by a court services officer.

*In policy:* Case planning involves the child, mother, father, the family's supports, and community supports. Case plans shall utilize information provided by the mother, father, child, relative/nonrelated kin, and other support persons identified or agreed upon by the family.

The following persons must be invited to participate in all case-planning conferences:

- Parents or legal guardians
- The child, if age 7 or older, provided the child has the ability to understand the process
- The case management provider or social worker

In addition, if a child is in DCF custody, the following persons shall be invited:

- The DCF staff assigned to the case
- The guardian ad litem
- The resource family, including relative and nonrelated kin providers, for a child in out-of-home placement
- The court-appointed special advocate, if applicable
- The Tribal representative for children when the Indian Child Welfare Act applies
- The independent living coordinator for all youth in out-of-home placement starting at age 16, to begin preparation for self-sufficiency services if needed

Other persons who should be invited may include the following:

- Residential or institutional setting treatment staff, if applicable
- The prospective custodian or prospective adoptive parents, if applicable
- Teachers
- The education advocate assigned to the child
- The youth's positive adult connection
- Any other individuals important to the family or the child who can contribute to the case-planning process
- The case manager of a parent with a disability, if applicable
- The corrections counselor for an incarcerated parent or parole officer for a paroled parent

### Contents of a Case Plan

**Citation: Ann. Stat. § 38-2263; Pol. & Proc. Man. §§ 3200; 3230**

The permanency plan:

- Describes the permanency goal that, if achieved, will most likely give the child a permanent and safe living arrangement
- Describes the child's level of physical health, mental and emotional health, and educational functioning
- Provides an assessment of the needs of the child and family
- Describes the services to be provided the child, the child's parents, and the child's foster parents, if appropriate
- Includes a description of the tasks and responsibilities designed to achieve the plan and to whom assigned
- Includes measurable objectives and time schedules for achieving the plan

In addition to the requirements above, if the child is in an out-of-home placement, the permanency plan shall include the following:

- A plan for reintegration of the child's parent or parents, or if reintegration is determined not to be a viable alternative, a statement for the basis of that conclusion and a plan for another permanent living arrangement
- A description of the available placement alternatives
- A justification for the placement selected, including a description of the safety and appropriateness of the placement
- A description of the programs and services that will help the child prepare to live independently as an adult

*In policy:* The plan contains specific services to be provided to meet the needs of the family. It identifies specific steps to be taken by the family, the social worker, child welfare case management provider, and any other service providers involved. The plan documents this participation for purposes of meeting the child's protection objective of the plan, the goals for the family, and/or young adult working toward self-sufficiency, timeframes to meet goals, criteria for success, and permanency goals.

Case plans shall:

- Be relevant to the critical issues in the family situation
- Be realistic in terms of the emotional, physical, and intellectual capabilities of the family members
- Be written in language that is clear and understandable to the family and youth
- Address the issues identified in the family-based assessment
- Specify the steps to be taken to address the identified issues

- Describe how success shall be determined
- Specify the timelines and review dates
- Describe possible outcomes as the case plan is implemented
- Have the signature of all case plan participants
- Document the participation of the family in family meetings
- Include any relevant orders from the court
- Include actions likely to be taken if conditions of the agreement are not carried out

A case plan shall:

- Contain timelines for reintegration or other permanency goal, or self-sufficiency, child protection objectives, and measurable tasks needed to be accomplished
- Include the visiting/interaction plan
- Document service delivery
- Document reasonable efforts made to make it possible for a child to safely return home
- Document if the court has found such efforts not to be a viable alternative

## Kentucky

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Rev. Stat. § 620.230**

For each child placed in the custody of the cabinet by an order of commitment, the cabinet shall file a case permanency plan for the child with the court and send a copy to the Administrative Office of the Courts Citizen Foster Care Review Board Program as soon as the plan is prepared but no later than 30 days after the effective date of the order.

If a child remains in the temporary custody of the cabinet for longer than 45 days and if a request is submitted by the Administrative Office of the Courts Citizen Foster Care Review Board Program, the cabinet shall provide a copy of the case permanency plan for the child.

### Who May Participate in the Case Planning Process

**Citation: Rev. Stat. § 620.230; Admin. Regs. Tit. 922, § 1:430**

The cabinet must file a case permanency plan for each child placed in the custody of the cabinet.

*In regulation:* As part of the case-planning process, the cabinet will work with the family and other involved parties to identify conditions within a family that may cause the threat of harm to a child and that need to be changed and the services necessary to bring about familial changes in order to facilitate a child's safety and well-being in the home environment.

### Contents of a Case Plan

**Citation: Rev. Stat. § 620.230**

The case permanency plan shall include, but need not be limited to, the following:

- A concise statement of the reasons why the child is in the custody of the cabinet
- The actions that have been taken with regard to the child
- The proposed actions that may be taken with regard to the child during the next 6 months and during the entire duration of the time the child is in the custody of the cabinet
- Contemplated placements for the child
- If the child is placed outside of the home, reasons why the child cannot be protected adequately in the home, the harms the child may suffer if left in the home, factors that may indicate when the child can be returned to the home, and efforts the cabinet or others are making to return the child to the home
- If the child is placed outside of the home, the steps that the cabinet will take to minimize the harm to the child as a result, both at the time of removal and on a long-term basis
- A description of the type of home or child care facility in which the child is to be placed or has been placed and why the placement is appropriate for the child
- If the placement is outside of the child's county of residence, documentation that no closer placement is appropriate or available and why the placement was chosen

- A description of the services to be provided for the child and his or her family to facilitate the return of the child to his or her own home or to another permanent placement
- A list of objectives and specific tasks, together with specific timeframes for each task, that the parents have agreed to assume, including a schedule of regular visits with the child
- A projected schedule of time intervals by which each of the services, objectives, and tasks outlined in the plan should be accomplished and a schedule of time intervals that have already been accomplished or are in the process of accomplishment
- If the child is to remain at home, reasons why he or she cannot be placed in foster care or why such care is not needed

## Louisiana

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Children's Code Art. 673; Admin. Code Tit. 67, § 3701**

A case plan shall be developed within 60 days after a child enters the custody of a child care agency.

*In regulation:* Effective April, 1991, a case permanency plan shall be filed with the court when a child enters into custody of the Department of Social Services or into foster care, pursuant to or pending a child in need of care proceeding. The case permanency plan shall be filed no later than 60 days after the child comes into care.

### Who May Participate in the Case Planning Process

**Citation: Children's Code Art. 673; 676**

The custodian shall develop a case plan detailing the custodian's efforts toward achieving a permanent placement for the child. The health and safety of the child shall be the paramount concern in the development of the case plan.

Any party may file a written response to the case plan as submitted.

### Contents of a Case Plan

**Citation: Children's Code Art. 675**

The case plan shall be designed to achieve placement in the least restrictive, most familylike, and most appropriate setting available and in close proximity to the parents' homes, consistent with the best interests and special needs of the child. The health and safety of the child shall be the paramount concern in the development of the case plan.

The case plan shall include at least the following:

- A description of the type of home or institution in which the child is placed, including a discussion of the child's health and safety, the appropriateness of the placement, and the reasons why the placement, if a substantial distance from the home of the parents or in a different State, is in the best interests of the child
- A plan for ensuring that the child receives safe and proper care and that services are provided to the parents, child, and foster parents in order to improve the conditions in the parents' home, facilitate the safe return of the child to his own home or other permanent placement of the child, or both, and address the needs of the child while in foster care, including a plan for visits
- A discussion of the appropriateness of the services that have been provided to the child
- A plan for ensuring that the child is afforded the greatest opportunity for normalcy through engagement in age- or developmentally appropriate activities on a regular basis by allowing the child's caregiver to make the day-to-day decisions affecting the child's activities through the use of the reasonable and prudent parent standard
- If the child has been committed to the custody of a person other than the parents, a recommendation as to an amount the parents are obligated to contribute for the cost of care and treatment of their child
- For a child age 14 or older, a written, individualized, and thorough transitional plan, developed in collaboration with the child and any agency, department, or individual assuming his or her custody, care, or responsibility, including the following:
  - » Identifying the programs and services that will be used to assist the child in achieving a successful transition, including but not limited to education, health, permanent connections, living arrangements, and, if appropriate, independent living skills and employment
  - » Ensuring that all records in department files relevant to securing needed services for the child are immediately transmitted to the appropriate service provider
- Documentation of the efforts the agency is making to safely return the child home or to finalize the child's placement in an alternative safe and permanent home in accordance with the child's permanent plan

- Assessment of the child's relationships with his or her parents, grandparents, and siblings, including a plan for ensuring that continuing contact with any relative by blood, adoption, or affinity with whom the child has an established and significant relationship is preserved while the child is in foster care
- Documentation of the compelling reasons for determining that filing a petition for termination of parental rights would not be in the best interests of the child, when appropriate

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## Maine

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Rev. Stat. Tit. 22, § 4041**

When a child is considered to have entered foster care, a plan for reunification and rehabilitation of the family must be developed.

### Who May Participate in the Case Planning Process

**Citation: Rev. Stat. Tit. 22, § 4041**

The Department of Health and Human Services shall develop a rehabilitation and reunification plan as provided in this subparagraph. In developing the rehabilitation and reunification plan, the department shall make good-faith efforts to seek the participation of the parent.

### Contents of a Case Plan

**Citation: Rev. Stat. Tit. 22, § 4041**

Information that must be included in developing the plan includes the problems that present a risk of harm to the child, the services needed to address those problems, provisions to ensure the safety of the child while the parent engages in services, a means to measure the extent to which progress has been made, and visits that protects the child's physical and emotional well-being.

The rehabilitation and reunification plan must include the following:

- The reasons for the removal of the child from the home
- The changes that are necessary to eliminate jeopardy to the child while in the care of a parent
- Rehabilitation services that will be provided and must be completed satisfactorily prior to the child's returning home
- Services that must be provided or made available to assist the parent in rehabilitating and reuniting with the child, as appropriate to the child and family, including, but not limited to, reasonable transportation for the parent for visits and services, child care, housing assistance, assistance with transportation to and from required services, and other services that support reunification
- A schedule of and conditions for visits between the child and the parent designed to provide the parent and child time together in settings that provide a parent-child interaction as positive as can practicably be achieved while ensuring the emotional and physical well-being of the child when visits are not detrimental to the child's best interests
- Any use of kinship support, including, but not limited to, placement, supervision of visits, in-home support, or respite care
- A reasonable time schedule for proposed reunification, reasonably calculated to meet the child's needs
- A statement of the financial responsibilities of the parent and the department during the reunification process

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## Maryland

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Code of Md. Reg. § 07.02.11.13**

Within 60 days after placement, a written case plan shall be developed for each child in out-of-home placement.

The case plan shall be reassessed within 120 days of the initial plan and every 180 days after that. The local department shall amend the case plan, as necessary, in light of the child's situation and of any court orders that affect the child.

### Who May Participate in the Case Planning Process

**Citation: Code of Md. Reg. § 07.02.11.13**

The local department, together with the child's parent or legal guardian, shall develop the written case plan for each child in out-of-home placement.

## Contents of a Case Plan

### Citation: Code of Md. Reg. § 07.02.11.13

The case plan shall:

- Describe the circumstances that make placement necessary
- State with whom the child was living before placement and their relationship to the child
- Describe the efforts that were made but were unsuccessful in preventing or eliminating the need for removal from the child's home, including the consideration of both in-State and out-of-State placement options, or why such efforts were not possible

The local department shall:

- Identify and develop a concurrent permanency plan, as appropriate
- Prioritize permanency plan options using the following order of preference:
  - » Reunification with the parent or legal guardian
  - » Placement with a relative for adoption or custody and guardianship
  - » Adoption by a nonrelative
  - » Guardianship by a nonrelative
  - » Another planned permanent living arrangement
- Project the date when the concurrent permanency plans shall be achieved
- Describe the specific service and behavioral objectives that shall be achieved before the return of the child to the parents if one of the concurrent permanency plans is reunification
- Identify the services to be provided to the parents and the child in order to achieve the permanency goals
- Include consideration of the least restrictive setting appropriate to the child's safety and care needs, and when determining a permanency plan, consider the following in descending order of priority:
  - » The local jurisdiction where the child's parent resides
  - » Placement in another jurisdiction in the State, based on a compelling reason that it is in the child's best interests because of the following reasons:
    - The child has strong ties to family, a placement resource, or other community resources in another jurisdiction in the State.
    - Necessary specialized services are not available to the child in the local jurisdiction but are available in another jurisdiction in the State.
    - There are no placements available in the jurisdiction to meet the individualized special placement needs of the child.
- Describe the type of home or institution in which the child has been or is to be placed and discuss the safety and appropriateness of the placement
- Discuss how the local department plans to carry out specific court orders, if any, pertaining to the child
- Include a plan for ensuring that the child receives safe and appropriate care
- Include a plan for working to ensure that services are provided to the child, parents, and resource parents to improve the conditions in the parents' home and to facilitate the child's return to his or her own safe home or other safe and appropriate permanent placement
- Include a plan for working to ensure that services are provided to the child and foster parents to address the needs of the child while in foster care
- Discuss the appropriateness of the services that have been provided to the child
- For a child age 14 or older, include a written description of the life skills training that will help the child prepare for independent living
- To the extent available and accessible, include the most recent health and education records of the child, including the following:
  - » The names and addresses of the child's health and educational providers
  - » The child's grade-level performance
  - » The child's school record
  - » Assurances that the child's placement in out-of-home care takes into account the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement
  - » A record of the child's immunizations, known medical problems, and medications
  - » Any other relevant health and education information

## Massachusetts

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Code of Mass. Reg. Tit. 110, §§ 6.02; 6.05**

Every family receiving services from the Department of Children and Families shall have a service plan.

A service plan shall be completed within the following time periods:

- For all cases within 10 working days after a comprehensive assessment is completed but in no event later than 55 working days after the opening of the case
- For a placement made on an emergency basis to ensure the immediate safety of a child, where there is no service plan, a service plan shall be completed within 30 working days after the placement

Except in an emergency, every family shall have a service plan prior to placing a child in substitute care.

For purposes of developing a service plan the opening of the case occurs upon one of the following:

- The decision to support a chapter 119, § 51A report (of abuse or neglect) after an investigation
- The decision to open a case for services after an initial assessment
- The receipt of an application for voluntary services
- A court order giving custody to the department

### Who May Participate in the Case Planning Process

**Citation: Code of Mass. Reg. Tit. 110, §§ 6.02; 6.06**

The service plan should include both parents, including the nonresident parent when possible. If either parent is not included in the service plan, an explanation should be included in the case record.

A service plan shall be, to the maximum extent possible, jointly developed by the department and the family receiving services from the department. If the parties are in agreement about the service plan, it shall be signed by all parties, and a copy shall be provided to the family.

If the parties are not in agreement about the service plan, the department shall prepare the service plan, and a copy shall be provided to the family. The department also shall inform the family that they may seek a review of the service plan by using the department's grievance procedure.

If the parties are in agreement about some but not all of the service plan, the family member has the option of noting and initialing the sections he/she does agree with, or adding services he/she would like the department to offer, and signing the service plan with reservations.

### Contents of a Case Plan

**Citation: Code of Mass. Reg. Tit. 110, §§ 6.01; 6.03; 6.04**

A service plan is a written document that describes in detail the behavioral changes needed, the tasks to be undertaken, and the services to be provided to:

- Strengthen a family unit
- Reunify a family unit for a child who has been removed from his or her home
- Provide an alternative permanent home for a child who has been removed from his or her home

The service plan shall provide a basis for assessing the progress of family members in meeting the goal of the service plan.

Each service plan shall contain the following elements:

- A statement indicating whether the goal of the service plan is to:
  - » Strengthen the family unit
  - » Reunify the family unit
  - » Provide an alternative permanent home for a child who has been removed from his or her home
- A statement of the strengths of the family, the areas needing improvement, and behavioral changes family members need to make to achieve the goal of the service plan and close the case
- A statement of each task the family member must complete to achieve the goal of the service plan and the time by which or the frequency at which the task is to be completed

- A statement of the tasks the department and other parties must complete and the time by which or the frequency at which the task is to be completed
- A listing of the services to be provided to family members and the time by which or the frequency at which the service is to be provided

A service plan for a family with a child in substitute care shall contain the elements listed above and each of the following additional elements about the child:

- The type of placement (foster care, intensive foster care, congregate care, etc.)
- The history of any previous placements
- The reason for the child's current placement
- Efforts made by the department and the family to prevent the need for placement
- The visiting schedule between the family and the child, or, if no visits are to be scheduled, an explanation why
- The visiting schedule between siblings who are not placed together, or if no visits are to be scheduled, the reason why visits are not in the child's best interests
- The identification of the permanent plan for the child, which can be any of the following:
  - » Permanency through stabilization
  - » Permanency through reunification
  - » Permanency through adoption
  - » Permanency through guardianship
  - » Permanency through living with kin
  - » Alternative permanency planned living arrangement
- The projected date by which the child may return home or be placed in another permanent living situation
- A description of the child's specific health, dental, and educational needs while in placement

## Michigan

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Comp. Laws § 712A.18f**

Before the court enters an order of disposition, the agency shall prepare a case service plan that shall be available to the court and all the parties to the proceeding.

### Who May Participate in the Case Planning Process

**Citation: Comp. Laws § 712A.13a; Foster Care Pol. Man. § 722-06**

The case service plan shall be developed by an agency and shall include services to be provided by and responsibilities and obligations of the agency, as well as activities, responsibilities, and obligations of the parent.

The case service plan may be referred to using names different from 'case service plan,' including, but not limited to, a parent/agency agreement, a parent/agency treatment plan, or a service agreement.

*In policy:* Casework service requires the engagement of the family in development of the case service plan. This engagement must include an open conversation between all parents/guardians and the caseworker in:

- Discussing needs and strengths
- Establishing the case service plan
- Reaching an understanding of what is required to meet the goals of the case service plan
- Discussing concurrent permanency planning

Parental participation in case service plan development is required. Parental engagement is an invaluable tool for achieving an early return home for children in foster care. Parents must be encouraged to actively participate in developing the Parent-Agency Treatment Plan and Service Agreement section of the case service plan.



## Contents of a Case Plan

### Citation: Comp. Laws § 712A.18f; Foster Care Pol. Man. § 722-06

The case service plan shall provide for placing the child in the most familylike setting available and in as close proximity to the child's parents' home as is consistent with the child's best interests and special needs. The case service plan shall include, but is not limited to, the following:

- The type of home or institution in which the child is to be placed and the reasons for the selected placement
- Efforts to be made by the child's parent to enable the child to return to his or her home
- Efforts to be made by the agency to return the child to his or her home
- The schedule of services to be provided to the parent, the child, and, if the child is to be placed in foster care, the foster parent to facilitate the child's return to his or her home or to facilitate the child's permanent placement
- Unless parenting time, even if supervised, would be harmful to the child as determined by the court, a schedule for regular and frequent parenting time between the child and his or her parent, which shall not be less than once every 7 days
- Efforts to be made by the agency to provide frequent in-person visits or other ongoing interaction between siblings, unless the court determines that sibling visits or contact will not be beneficial to one or more of the siblings
- Conditions that would limit or preclude placement or parenting time with a parent who is required by court order to register under the sex offenders registration act

*In policy:* The Parent-Agency Treatment Plan and Service Agreement section of the case service plan must state specifically what the parents will need to do to achieve reunification and what the agency will do in support of parental objectives. The Parent-Agency Treatment Plan and Service Agreement must be:

- Specific to the individual needs of the family and children
- Inclusive of the family's viewpoint
- Written in a manner that is easily understood by all parties

There must be a plan for ensuring that each child who is placed out of his or her own home receives safe and proper care and services. The plan must include documentation of all of the following:

- The services provided to the parents, child, and foster parent or relative caregivers in order to improve the conditions in the parent's home to facilitate a safe return of the child to his or her own home or the permanent placement of the child
- The needs of the children while in foster care
- The services to the children and foster parents or relative caregivers to meet those needs
- The appropriateness of the services that have been provided to the child
- A statement that safe and proper care and services must be provided

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## Minnesota

*Current Through April 2018*

### When Case Plans Are Required

#### Citation: Ann. Stat. § 260C.212

An out-of-home placement plan shall be prepared within 30 days after any child is placed in foster care by court order or a voluntary placement agreement between the responsible social services agency and the child's parent.

### Who May Participate in the Case Planning Process

#### Citation: Ann. Stat. § 260C.212

An out-of-home placement plan is a written document that is prepared by the responsible social services agency jointly with the parent(s) or guardian of the child and in consultation with the child's guardian ad litem, the child's Tribe if the child is an Indian child, the child's foster parent, or representative of the foster care facility, and, where appropriate, the child. When a child is age 14 or older, the child may include two other individuals on the team preparing the child's out-of-home placement plan. The child may select one member of the case-planning team to be designated as the child's advisor and to advocate with respect to the application of the reasonable and prudent parenting standards. The responsible social services agency may reject an individual selected by the child if the agency has good cause to believe that the individual would not act in the best interests of the child.

For a child in voluntary foster care for treatment under chapter 260D, preparation of the out-of-home placement plan shall additionally include the child's mental health treatment provider. For a child age 18 or older, the responsible social services agency shall involve the child and the child's parents, as appropriate.

### **Contents of a Case Plan**

#### **Citation: Ann. Stat. § 260C.212**

The plan shall include the following:

- A description of the foster care home or facility, including how the out-of-home placement plan is designed to achieve a safe placement for the child in the least restrictive, most familylike setting available, and is in close proximity to the home of the parent when the case plan goal is reunification
- The specific reasons for the placement of the child in foster care
- When reunification is the plan, the changes the parents must make for the child to safely return home
- A description of the services offered and provided to prevent removal of the child from the home and to reunify the family
- A description of any services or resources that were requested by the child or the child's parent or foster parent since the child's placement in the residential facility and whether those services or resources were provided
- The plan for visits with the parents, other relatives, and siblings of the child if the siblings are not placed together in foster care
- When a child cannot return to the care of either parent, documentation of steps to finalize adoption as the permanency plan for the child through reasonable efforts to place the child for adoption
- When a child cannot return to the care of either parent, documentation of steps to finalize the transfer of permanent legal and physical custody to a relative as the permanency plan for the child
- Efforts to ensure the child's educational stability while in foster care, including the following:
  - » Efforts to ensure that the child remains in the same school in which the child was enrolled prior to placement
  - » If it is not in the child's best interest to remain in the same school, efforts to ensure immediate and appropriate enrollment in a new school
- The educational records of the child
- The efforts by the agency to ensure the oversight and continuity of health-care services for the foster child
- The health records of the child
- An independent living plan for a child age 14 or older, including, but not be limited to, the following objectives:
  - » Educational, vocational, or employment planning
  - » Health-care planning and medical coverage
  - » Transportation, including, where appropriate, assisting the child in obtaining a driver's license
  - » Money management, including the responsibility of the agency to ensure that the child annually receives, at no cost to the child, a consumer report and assistance in interpreting and resolving any inaccuracies in the report
  - » Planning for housing
  - » Social and recreational skills
  - » Establishing and maintaining connections with the child's family and community
  - » Regular opportunities to engage in age-appropriate or developmentally appropriate activities typical for the child's age group, taking into consideration the capacities of the individual child
- For a child in voluntary foster care for treatment under chapter 260D, diagnostic and assessment information, specific services relating to meeting the mental health care needs of the child, and treatment outcomes
- For a child age 14 or older, a signed acknowledgment that describes the child's rights regarding education, health care, visitation, safety and protection from exploitation, and court participation; receipt of the documents identified in § 260C.452; and receipt of an annual credit report

## Mississippi

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Code of Miss. Rules, 18-006-104, Part VII, Sec. B**

The case plan for each child is developed within 30 calendar days from the date of removal from the home. Within 30 calendar days of a child's entrance into foster care, the Division of Family and Children's Services (DFCS) caseworker shall convene a family team to develop service plans and visiting plans for both the child and the parents with the participation of all team meeting participants. The family service plan is developed and submitted to the supervisor within 30 calendar days of the custody date, unless the court determines otherwise.

### Who May Participate in the Case Planning Process

**Citation: Code of Miss. Rules, 18-006-104, Part VII, Sec. B**

Family engagement is an ongoing process of involving the family from the initial investigation throughout the life of the case. The caseworker must engage the family, extended family members, and formal and informal support networks through family team meetings to help them make a permanent plan for the child. The family should be considered as the experts of their situation and should identify the problems and solutions to these problems with the assistance of the caseworker and their formal and informal support systems. The caseworker will work with the family to develop an adult and child individualized service plan, listing tasks and goals needing achievement to facilitate the permanent plan.

The case plan for each child is developed jointly with the parent or guardian of the child.

The family team meeting includes the caseworker, the caseworker's direct supervisor, the foster caregiver (if applicable), the child's parent or guardian, other family members (if appropriate), and the child, unless there is justification for excluding the child from the planning process.

### Contents of a Case Plan

**Citation: Code of Miss. Rules, 18-006-104, Part VII, Sec. B**

The case plan for each child:

- Includes a description of the services offered and provided to prevent removal of the child from the home and to reunify the family
- Includes a description of the type of home or institution in which the child is placed
- Includes a discussion of the safety and appropriateness of the placement
- Includes a plan for ensuring that the child receives safe and proper care and that services are provided to the parents, child, and foster parents in order to facilitate the child's return home or for permanent placement
- Includes a plan for ensuring that appropriate services are provided to the child and foster parents in order to address the needs of the child while in foster care
- When appropriate for a child age 16 or older, includes a written description of the programs and services to help the child prepare for the transition from foster care to independent living
- In the 90-day period immediately prior to the child's 18th birthday, addresses the assistance and support needed in developing a transition plan that is personalized and includes specific options on housing, health insurance, education, local opportunities for mentors and continuing support services, and work force supports and employment services
- Includes information about the importance of designating another individual to make health-care treatment decisions on behalf of the child if the child becomes unable to participate in such decisions, and the child does not have, or does not want, a relative who would otherwise be authorized under State/Tribal law to make such decisions
- Provides the child with the option to execute a health-care power-of-attorney, health-care proxy, or other similar document recognized under State/Tribal law
- Documents the steps to finalize a placement when the case plan goal is or becomes adoption or placement in another permanent home

When the case plan goal is adoption, at a minimum the documentation shall include child-specific recruitment efforts such as the use of Tribal, State, regional, and national adoption exchanges, including electronic exchange systems, to facilitate orderly and timely placements.

The family service plan (FSP) should be individualized, strengths based, family focused, and culturally responsive. In a case in which the child in custody has a permanent plan of reunification, an FSP between the caseworker and the parents, caregivers, and child is required. The FSP should be used as a means of facilitating the child's return home.

The parents will have a 6-month period in which to complete the tasks in the FSP. At the end of 6 months, the court may direct DFCS to (1) continue to work with the parents for return of the child to their home, (2) begin procedures to terminate parental rights, or (3) pursue another permanency plan.

Each FSP and revision of the plans shall include the following:

- Service goals, desired outcomes, and timeframes for achieving them
- Service and supports to be provided, and by whom
- The signatures of the parents, with whom reunification is planned, and, when appropriate, the child or youth
- Unmet services and support needs that impact safety, permanency, and well-being
- Efforts to maintain and strengthen relationships
- Educational needs and goals
- The need for culturally responsive services and the support of the family's informal social network

The goals and tasks set forth within the FSP shall be a direct reflection of the decisions made within the family team meeting.

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## Missouri

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Ann. Stat. § 210.112; Code of State Regs. Tit. 13, § 40-30.010**

Contracts for services shall require that a case management plan consistent with all relevant Federal guidelines be developed for each child at the earliest time after the initial investigation but in no event longer than 14 days after the initial investigation or referral for services by the division. The case management plan shall be presented to the court and be the foundation of service delivery to the child and family.

*In regulation:* Every child in the care and custody of, or receiving social services from, the Division of Family Service of the Department of Social Services shall have a case plan developed for the purpose of preventing removal of the child from the care of the parents, reuniting a child separated from parents, or securing a permanent placement for a child if it is determined the child cannot be reunited with his or her parents.

Every case plan must be developed within 30 days from the date that it has been determined a child should receive protective services or from the date that a judicial determination has been made that the child should be placed in the care and custody of the division. Thereafter, each case plan shall be reviewed and modified, as necessary, every 6 months. The purpose of the review is to determine the extent of compliance with the case plan and determine what changes, if any, should be made.

### Who May Participate in the Case Planning Process

**Citation: Ann. Stat. § 210.110**

A family support team meeting will be convened by the division or children's services provider on behalf of the family and/or child for the purpose of determining service and treatment needs, determining the need for placement, 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.

### Contents of a Case Plan

**Citation: Ann. Stat. § 210.112; Code of State Regs. Tit. 13, § 40-30.010**

The case management plan shall, at a minimum, include the following:

- An outcome target based on the child and family situation achieving permanency or independent living, where appropriate
- Services authorized and necessary to facilitate the outcome target
- Timeframes in which services will be delivered
- Necessary evaluations and reporting

In addition to any visits and assessments required under case management, services to be provided by a public or private children's services provider under the specific case management plan may include family-centered services, foster and adoptive parent recruitment and retention, residential care, in-home services, foster care services, adoption services, relative care case services, planned permanent living services, and family reunification services. In all cases, an appropriate level of services shall be provided to the child and family after permanency is achieved to ensure a continued successful outcome.

*In regulation:* A case plan is a written document that describes social and child welfare services and activities to be provided by the division and other local community agencies for the purpose of achieving a permanent familial relationship for the child. This case plan shall include, at a minimum, the following information:

- Identifying information about the child and his or her immediate and extended family
- A description of the factors and conditions, including the psychological needs of the child, that caused the division to determine that protective or alternative care services were needed or a copy of the judicial determinations made regarding the child's placement in the custody of the division
- A description of what efforts were made to prevent removal from the custody of the parents, to reunify the family, or to achieve a permanent placement for the child
- A statement of the intended plan for permanency for the child, which shall consist of one of the following:
  - » Maintain the child with the parents
  - » Reunite child with his or her family if a judicial determination has been made for the child to be removed from the custody of the parents and placed in an alternate care facility
  - » Place the child for the purpose of adoption
  - » For a child age 16 or older, maintain the child in a long-term separation from his or her parents with an agreed-upon plan with the care provider
- A description of how the plan is designed to maintain or reunite the child with his or her parent or achieve a permanent substitute placement for the child including the following:
  - » A description of the social services to be provided and a description of the services needed to carry out any requirements of a judicial determination proceeding or order with a designation of the responsible parties for the provision of any services
  - » A description of the responsibilities of the parents
  - » A description of parental behaviors that determine that services are no longer necessary or that alternative care is no longer needed
- A description of the appropriateness and necessity for placement away from the parents if the court has ordered placement, including at a minimum, the following:
  - » The least restrictive characteristics of the alternate care placement facility correlated to the condition and best interests of the child
  - » The degree of proximity of the alternate care placement facility to the location of the parents' residence
  - » A description of how the needs of the child will be met while in placement
  - » A parental visiting schedule, including frequency, location, arrangements, and a method of documentation for actual visits
- An evaluation of case plan achievement by all parties, including a time period for case plan achievement

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## Montana

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Pol. Man. § 402-2**

A case plan must be completed within 30 days for a child placed under a voluntary placement agreement and within 60 days for a child placed under a court order.

The plan must be updated or a new plan developed when a child moves to a new placement setting. The case plan also must be updated whenever a change in the permanent plan for the child occurs. At a minimum, the case plan must be updated at least every 6 months.

**Who May Participate in the Case Planning Process****Citation: Pol. Man. § 402-2**

The case plan must:

- Be developed jointly with the parents or guardian of the child
- Offer parents or guardians the opportunity to participate in the development of the case plan

If the parents or guardians are unwilling or unable to participate in the development of the case plan, the reason for the lack of participation must be noted in the plan.

**Contents of a Case Plan****Citation: Pol. Man. § 402-2**

The case plan must:

- Describe the placement setting of the child and the plan for ensuring that the child receives safe and appropriate care in that setting
- Demonstrate that the child's placement is the least restrictive, most familylike setting available and in close proximity to the home of the parents when the case plan goal is reunification
- Demonstrate that the placement is in the best interests of the child and that the special needs of the child are being met
- Describe the services offered and provided to prevent removal of the child from his or her home, the services offered and provided to improve the conditions in the parents' home and facilitate the safe return home of the child, or the permanent placement of the child
- Describe the services that are being provided to the child and his or her foster parents and why these services are appropriate to address the needs of the child while in foster care
- Include, when reunification is not possible, documentation of the steps that are being taken to find an adoptive family, a fit and willing relative, a legal guardian, or another planned permanent living arrangement and to finalize the adoption or establish legal guardianship
- Include the most recent health and education records of the child, including the following:
  - » The names and addresses of the child's health providers
  - » The child's educational status, including the following:
    - The services already provided and to be provided to the child or out-of-home caregiver to address the child's educational needs
    - Assurances that each placement of the child in foster care takes into account the appropriateness of the current educational setting, the proximity to the school in which the child is enrolled at the time of placement, and an assurance that the division has coordinated with the appropriate school officials to ensure that the child remains in the same educational setting
    - If remaining in the current educational setting is not in the child's best interests, document the reasons why moving the child out of the current school district is in his or her best interests and assurances that the division and the local school officials will provide immediate and appropriate enrollment in a new school, with all of the educational records of the child provided to the school
  - » A record of the child's immunizations, known medical problems, and medications
  - » Any other relevant health and education information concerning the child determined to be appropriate by the State agency
- For a youth age 16 or older, include the following:
  - » A written transitional living plan that describes the programs and services that will help the youth prepare for the transition from foster care to independent living
  - » A copy of any consumer credit report on the youth for each year until discharged from foster care and assistance in interpreting the credit report and resolving any inaccuracies
- In the 90 days immediately prior to youth's 18th birthday, describe efforts made to:
  - » Offer the youth assistance and support in development and implementation of a personalized transitional plan, including options such as housing, health insurance, education, mentors, support services, workforce supports, and employment
  - » Offer the youth information about the importance of designating another individual to make health-care treatment decisions for him or her if he or she becomes unable to participate in such decisions and he or she does not have, or does not want, a relative who would otherwise be authorized under State law to make such decisions
  - » Provide the youth with the option of designing and executing a health-care power-of-attorney, proxy, or similar document

## Nebraska

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Rev. Stat. § 43-1312; Admin. Code Tit. 390, §§ 5-004.02; 02A**

Following the investigation conducted pursuant to § 43-1311 and immediately following the initial placement of the child, a safe and appropriate plan shall be established for the child.

*In regulation:* A written case plan will be developed following the assessment of the family or child's needs. Case plan evaluation and revision will then occur at least every 6 months. A written court report incorporating the elements of the case plan will be submitted to the court at least 3 days before, or as dictated by local court protocol, the initial dispositional hearing or any subsequent review hearing.

When a child is placed in the custody of the Nebraska Department of Health and Human Services, Federal regulations require that a case plan be developed within 60 days of the date of placement. When there is insufficient time to develop a case plan within this time frame for the child welfare cases, the safety plan will serve as the case plan.

### Who May Participate in the Case Planning Process

**Citation: Rev. Stat. §§ 43-1312; 43-285; Admin. Code Tit. 390, § 5-004.02B**

The person or court in charge of the child shall cause to be established a safe and appropriate plan for the child.

*Effective July 19, 2018:* The department shall provide opportunities for the child, in an age or developmentally appropriate manner, to be consulted in the development of his or her plan, as provided in the Nebraska Strengthening Families Act.

*In regulation:* Case planning is the responsibility of the caseworker with the active involvement of the child and family and the members of the team supporting services to the family.

### Contents of a Case Plan

**Citation: Rev. Stat. §§ 43-1312; 43-285; Admin. Code Tit. 390, §§ 5-004.02B; .02D**

The plan shall contain at least the following:

- The purpose for which the child has been placed in foster care
- The estimated length of time necessary to achieve the purposes of the foster care placement
- A description of the services to be provided in order to accomplish the purposes of the foster care placement
- The person or persons who are directly responsible for the implementation of such plan
- A complete record of the previous placements of the foster child
- The name of the school the child shall attend, as provided in § 43-1311
- The efforts made to involve and engage the child in the development of the plan

In the case of any child age 16 or older for whom another planned permanent living arrangement is the recommended or court-approved permanency plan, the following is required:

- The permanency plan shall include the identification of significant, supportive connections with identified adults willing to be consistently involved in the child's life as the child transitions to adulthood.
- The department shall document the intensive, ongoing, and, as of the date of the hearing, unsuccessful efforts made by the department to return the child home or secure a placement for the child with a fit and willing relative, a legal guardian, or an adoptive parent.

*Effective July 19, 2018:* The department shall include in the plan for a child who is age 14 or older a written independent living transition proposal that meets the requirements of § 43-1311.03 and, for eligible children, the Young Adult Bridge to Independence Act. The juvenile court shall provide a copy of the plan to all interested parties before the hearing. The court may approve the plan, modify the plan, order that an alternative plan be developed, or implement another plan that is in the child's best interests. In its order the court shall include a finding regarding the appropriateness of the programs and services described in the proposal designed to help the child prepare for the transition from foster care to a successful adulthood. The court shall also ask the child, in an age or developmentally appropriate manner, if he or she participated in the development of his or her plan and make a finding regarding the child's participation in the development of his or her plan.

*In regulation:* The case planning process will:

- Focus on the problems identified in the assessment of the family and youth
- Identify a permanency objective

- Establish and prioritize goals
- Identify the action steps needed to reunite the family or to prevent out-of-home placement
- Use the family's resources
- Build upon the family's and child's strengths
- Develop or maintain family responsibility
- Identify who is responsible for tasks
- Establish timeframes for achieving case goals, projected discharge, and case closure
- Establish an evaluation process to assess whether outcomes are being achieved

Department staff will use Tribal social services whenever possible when working with Native American parents and children. Case planning and service provision will be based upon the social and cultural standards of the Tribe. Active efforts will be made to provide culturally relevant remedial and rehabilitative services to prevent the breakup of the family and to reunify the family.

## Nevada

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Rev. Stat. § 432B.540; Admin. Code § 432B.400**

If the agency that provides child welfare services believes that it is necessary to remove the child from the physical custody of his or her parents, it must submit to the court a plan designed to achieve a placement of the child in a safe setting as near to the residence of his or her parent as is consistent with the best interests and special needs of the child.

*In regulation:* The agency that provides child welfare services shall develop a written case plan for a child within 45 days after the date on which the child is removed from his or her home.

### Who May Participate in the Case Planning Process

**Citation: Admin. Code § 432B.400**

The case plan must:

- If possible, be developed jointly with a parent or guardian of the child who is receiving foster care
- Be developed with input from the child if the agency that provides child welfare services determines it is appropriate, based on the age and stage of development of the child
- Be developed with input from the foster parent caring for the child

### Contents of a Case Plan

**Citation: Rev. Stat. § 432B.540; Admin. Code § 432B.400**

The plan must include the following, without limitation:

- A description of the type, safety, and appropriateness of the home or institution in which the child could be placed; a plan for ensuring that the child would receive safe and proper care; and a description of his or her needs
- A description of the services to be provided to the child and to a parent to facilitate the return of the child to the custody of his or her parent or to ensure his or her permanent placement
- The appropriateness of the services to be provided under the plan
- A description of how the order of the court will be carried out

*In regulation:* The case plan must include descriptions of the following:

- The long-term goals of the plan, including reunification of the child and his or her family, or permanent placement of the child with a relative, for adoption, into a legal guardianship, or into another permanent independent living arrangement
- A projected time by which these goals should be achieved
- The current strengths of the family and the needs that must be satisfied to achieve these goals
- The services offered or provided to prevent removal of the child from his or her home and to reunify the family of the child
- The type of home or institution in which the child is placed
- The safety and appropriateness of the placement to ensure that the child receives proper care
- How the agency will ensure that services are provided to the child and the foster parents that address the needs of the child while in foster care, including the appropriateness of services that have been provided pursuant to the case plan



- The programs and services, as applicable, that will assist a child in foster care who is age 16 or older prepare for the transition from foster care to independent living
- If the goal of the case plan is adoption or placement in another permanent home, the steps that will be taken to finalize the adoption or placement
- The manner in which a placement will be made and the reasons that such a placement will be in the best interests of the child, with particular consideration given to a placement that is safe and in the least restrictive familial environment available
- If the goal of the case plan is reunification of the family, how particular consideration will be given to a placement for the child that is in close proximity to the home of the parent of the child
- If the child will be placed in a family foster home or institution for child care that is located a substantial distance from or in a different State than where the family of the child resides, the reasons that such a placement will be in the best interests of the child
- If a child is placed in a family foster home or institution for child care that is located in a different State than where the parents of the child reside, a description of the frequency with which a caseworker from an agency that provides child welfare services and that is located in the State where the child is placed or the State where the parents reside will visit the foster home or institution and submit a report to the agency that provides child welfare services in the State where the parents reside
- The efforts that will be made to place siblings together
- The plan for family visits, including, without limitation, visits with siblings if the siblings are not residing together
- A statement indicating that the proximity of the school in which the child was enrolled at the time that he or she was placed in foster care was considered as a factor in the selection of the placement for foster care
- The health and education records of the child to the extent those records are available

## New Hampshire

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Rev. Stat. § 170-G:4**

A comprehensive service plan will be developed for each child and youth who is or would be served by the department in accordance with title IV-E of the Social Security Act.

### Who May Participate in the Case Planning Process

**Citation: Rev. Stat. § 170-G:4; N.H. Admin. Rules, He-C 6446.18**

The Department of Health and Human Services shall develop the case plan.

*In regulation:* Foster parents shall have the opportunity to participate in the development of the case plan for children in care.

Foster parents shall implement their portion of the case plan for the child in care and work cooperatively with department staff, the parents of the child in care, and service providers when implementing the case plan for the child.

### Contents of a Case Plan

**Citation: N.H. Admin. Rules, He-C 6339.03**

The case plan is a written document prepared by the Division for Children, Youth and Families or the Division of Juvenile Justice Services that, pursuant to statute § 170-G:4(III), describes the service plan for the child and family and addresses outcomes, tasks, responsible parties, and timeframes for correcting problems that led to abuse, neglect, delinquency, or child in need of services (CHINS).

## New Jersey

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Ann. Stat. § 30:4C-55; Admin. Code § 3A:12-1.4**

A placement plan must be prepared for each child placed outside of his or her home.

*In regulation:* A case plan shall be developed with each family for whom services will be provided. The representative of Division of Child Protection and Permanency in the Department of Children and Families shall prepare the case plan:

- Within 60 calendar days of receipt of a report of abuse or neglect or a child welfare services referral or application
- Within 30 calendar days of a child entering or reentering out-of-home placement

The division representative also shall prepare the case plan at least once every 6 months after the previous case plan. The case plan shall be revised more often if the case situation shows significant change.

### **Who May Participate in the Case Planning Process**

**Citation: Ann. Stat. § 30:4C-55; Admin. Code § 3A:12-1.5**

The department shall prepare the plan in consultation with the child's parents or legal guardian and, when appropriate, the child.

*In regulation:* The division representative shall develop the case plan with the child's parent, unless he or she is unwilling to participate; any person appointed by the court for this purpose; and the child, if the division representative determines that the child is willing and able to participate in the development of the case plan. Other interested parties or service providers may be invited to participate.

In addition to the above, when the child lives in an out-of-home placement, the division representative shall develop the case plan in consultation with the child's out-of-home placement provider.

### **Contents of a Case Plan**

**Citation: Ann. Stat. § 30:4C-55; Admin. Code § 3A:12-1.7**

The placement plan shall include the following:

- The goal for the permanent placement or return home of the child and anticipated date that goal will be achieved
- The intermediate objectives for achieving the goal
- The duties and responsibilities of the department, the parents or legal guardian, and the temporary caregiver, including the services to be provided by the department
- The services to be provided to the parent or legal guardian or an exception to the requirement to provide reasonable efforts toward family reunification
- A permanency plan for the child and the department's reasonable efforts to achieve that plan, if the department has established an exception to the requirement to provide reasonable efforts toward family reunification or the child has been in placement for 12 months

The permanency plan shall include whether and, if applicable, when:

- The child shall be returned home, if the child can be returned home without endangering the child's health or safety.
- The department has determined that family reunification is not possible, and the department shall file a petition for the termination of parental rights for the purpose of adoption.
- The department has determined that termination of parental rights is not appropriate, and the child shall be placed in an alternative permanent placement.

*In regulation:* The written case plan for a family with the child living at home shall include the following:

- The reasons for the division's current involvement
- The division's history with the family
- The schedule for contacts between the department and family members
- The supports and services offered to, provided to, and used by the family
- The behavioral and other changes expected from each person
- The services or activities that are intended to facilitate the changes and who will accomplish or provide them
- Progress toward achieving the case goal by each family member

The case plan for a child in an out-of-home placement shall include the following:

- The efforts made to prevent placement, the reasons for the placement, efforts made to reunify the family, and the impact of those efforts
- The case goal for each child, the progress toward its achievement, and any obstacles to reaching it
- An assessment of the safety and appropriateness of the current placement
- The efforts made to find a missing mother and father or relative
- The schedule for contacts between the department and the family members

- The plan for visits between the child and parents, siblings, and other relatives
- The needs of the child, the parent, and the child's care provider in order to meet the case goal
- The behavioral and other changes expected from each person
- The services or actions intended to meet the identified needs and who is responsible to provide the services and complete the activities, with projected timeframes, as well as the appropriateness of the services for the child
- A description of the type of out-of-home placement
- How the placement is safe, near the parent's home, and the least restrictive and most familylike available, consistent with the best interests and special needs of the child
- Documentation of the appropriateness of the child's current educational setting
- Why the child was placed a substantial distance from his or her parents or out-of-State, when applicable
- The child's health and education records
- For a child age 14 or older, programs and services to help the child transition from out-of-home placement to self-sufficiency skills

The case plan for a child whose case goal is either adoption or kinship legal guardianship shall include the steps the department is taking to finalize a placement with an adoptive family or a relative or caregiver who is willing to become a kinship legal guardian.

## **New Mexico**

*Current Through April 2018*

### **When Case Plans Are Required**

**Citation: Ann. Stat. § 32A-3B-15**

Prior to the dispositional hearing, a written family services plan must be prepared for submission to the court.

### **Who May Participate in the Case Planning Process**

**Citation: Ann. Stat. § 32A-3B-15**

The department shall prepare the family services plan. A copy of the plan shall be provided by the department to all parties at least 5 days before the dispositional hearing.

When the child is an Indian child, contact shall be made with the child's Indian Tribe for the purpose of consultation and exchange of information, and the plan shall indicate the person contacted in the child's Indian Tribe and the results of that contact.

### **Contents of a Case Plan**

**Citation: Ann. Stat. § 32A-3B-15**

The plan for family services shall contain the following information:

- A statement of the problem
- The needs of the child and the family
- A description of the specific progress needed to be made by both the parent and the child, the reasons why the plan is likely to be useful, the availability of any proposed services, and the department's overall plan for ensuring that the services will be delivered
- If removal from the home or continued residence outside of the home is recommended for the child:
  - » A statement of the likely harm the child will suffer as a result of removal from the home, including emotional harm resulting from separation from the child's parents
  - » A description of any previous efforts to work with the parent and the child in the home and a description of any in-home treatment programs that have been considered and rejected
  - » A description of the steps that will be taken to minimize any harm to the child that may result if separation from the child's parent occurs or continues
  - » For a child age 16 or older, a description of the specific skills the child requires for successful transition into independent living as an adult, what programs are necessary to develop the skills, the reasons why the programs are likely to be useful, the availability of any proposed programs, and the department's overall plan for ensuring that the child will be adequately prepared for adulthood

## New York

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Soc. Serv. Laws § 409-e**

Upon completion of any assessment of a family's needs and circumstances, and no later than 30 days after a child is removed from his or her home or is placed in foster care, the local social services district shall establish or update and maintain a family service plan based on an assessment of the family's needs and circumstances.

### Who May Participate in the Case Planning Process

**Citation: Soc. Serv. Laws § 409-e; N.Y. Reg. Tit. 18, § 428.3**

The family service plan shall be prepared in consultation with the child's parent or guardian, unless such person is unavailable or unwilling to participate or such participation would be harmful to the child; with the child if the child is age 10 or older; and, when appropriate, with the child's siblings. Such consultation shall be done in person, unless such a meeting is impracticable or would be harmful to the child. If it is impracticable to hold such consultation in person, such consultation may be done through the use of technology, including, but not limited to, videoconferencing and teleconference technology. If the parent is incarcerated or residing in a residential drug treatment facility, the plan shall reflect the special circumstances and needs of the child and the family.

*In regulation:* Each service plan must document the involvement of or the efforts to involve the parent or guardian in the development of the plan, as well as the involvement of or efforts to involve children age 10 or older, when appropriate, including children in foster care and their siblings or half-siblings and children placed by a court in the direct custody of a relative or other suitable person.

With respect to a child in foster care who has reached age 14, the service plan must be developed in consultation with the child and, at the option of the child, up to two members of the child's case-planning team who are chosen by the child and who are not the child's foster parents, case manager, case planner, or case worker. The agency may reject an individual selected by the child if the agency has good cause to believe that the individual would not act in the child's best interests. One individual selected by the child to be a member of the child's case-planning team may be designated to be the child's advisor and, as necessary, advocate with respect to the application of the reasonable and prudent parent standard for the child.

### Contents of a Case Plan

**Citation: Soc. Serv. Laws § 409-e; N.Y. Reg. Tit. 18, § 428.6**

The plan shall include at least the following:

- Timeframes for periodic reassessment of the care and maintenance needs of each child and the manner in which such reassessments are to be accomplished
- Short-term, intermediate, and long-term goals for the child and family and actions planned to meet the needs of the child and family and each goal
- Identification of necessary and appropriate services and assistance to the child and members of the child's family
- Any alternative plans for services where specific services are not available and any viable options for services considered during the planning process
- Where placement in foster care is determined necessary, specification of the reasons for such determination, the kind and level of placement, any available placement alternatives, an estimate of the anticipated duration of placement, and plan for termination of services under appropriate circumstances

*In regulation:* Each family service plan must include, but is not limited to, the following:

- A program choice or choices for each child receiving services
- A goal and plan for child permanency
- A description of legal activities and their impact on the case
- A thorough and comprehensive assessment or reassessment and analysis of the family members' strengths, needs, and problems
- Immediate actions or controlling interventions that must be taken or have been provided
- The family's view of its needs and concerns
- A plan of services and assistance made in consultation with the family and each child over age 10, whenever possible, that utilizes the family's strengths and addresses the family members' needs and concerns

- The status of the service plan, including service availability and a description of the manner of service provision
- The family's progress toward plan achievement
- Essential data relating to the identification and history of the child and family members and a summary that documents the involvement of the parent(s) or guardian, child(ren), and any others in the development of the service plan
- Safety assessments in all cases
- Risk assessments in child protective services cases
- Assessments of family functioning

For children placed in foster care, the plan also must include the following:

- A description of the reasonable efforts made to prevent or eliminate the need for placement or the justification for the determination that reasonable efforts were not necessary
- Identification of all available placement alternatives and the specific reasons why they were rejected
- Efforts made to locate any absent parents
- Documentation that continuity in the child's environment has been maintained or the reasons why this is not practicable or in the best interests of the child
- Information about whether the child will be placed with the child's siblings and, if not, the reasons why and the arrangements made for contact with the siblings
- An estimate of the anticipated duration of the placement and the circumstances and conditions that must be met to safely discharge the child from placement
- A visiting plan for the child with his or her parent(s), guardian, siblings, and other significant family members
- A description of the reasons identified for not filing a petition to terminate parental rights for any child in foster care for at least 15 of the most recent 22 months
- Where concurrent planning is determined through assessment to be warranted in the case, a description of the alternate plan to achieve permanency for the child if the child cannot be safely returned home

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## North Carolina

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Admin. Code, Tit. 10A, § 70G.0504; Pol. Man. § 1201(II)**

The Department of Health and Human Services shall develop a written out-of-home family services agreement within 30 days of admission of a child in a family foster home.

*In policy:* An out-of-home family services agreement is implemented for all families when the child is placed in the custody of a local child welfare agency, whether or not the child is removed from the home. For children in the legal custody of the agency, the agreement shall be completed within 30 days of removal of the child from the home.

### Who May Participate in the Case Planning Process

**Citation: Admin. Code, Tit. 10A, § 70G.0504; Pol. Man. § 1201(II)**

The out-of-home family services agreement shall be developed in cooperation with the child, parents, guardian or legal custodian, and foster parents when possible.

*In policy:* For children in the legal custody of the agency, the agreement shall be developed in consultation with any youth who is age 14 or older. The youth may select up to two individuals who are not his or her foster parent or social worker. If the agency has good cause to believe that an individual selected by the youth would not act in the best interests of the youth, it may reject that individual. One of the individuals selected by the youth may be designated to serve as the youth's advisor and as necessary advocate for application of the reasonable and prudent parent standard to the youth.

The social worker is responsible for immediately engaging the family, both maternal and paternal, in the planning process, which is focused on correcting the conditions that caused the department to be involved with the family. Whether or not the child enters custody or placement responsibility, the planning process shall involve the family and children (appropriate to their age and ability) and placement providers.

## Contents of a Case Plan

**Citation: Admin. Code, Tit. 10A, § 70G.0504; Pol. Man. § 1201(II)**

The out-of-home family services agreement shall be based upon an assessment of the needs of the child, parents, or guardian. The agreement shall include goals stated in specific, realistic, and measurable terms and plans that are action oriented, including responsibilities of staff, parents or guardian, other family members, legal custodian, foster parents, and the child. The agreement shall address the following services to be provided or arranged:

- The plan for visits designed to maintain links with the family
- The expectations of the family, agency, placement provider, and community members
- Target dates
- Expected outcomes

*In policy:* The out-of-home family services agreement serves as the framework upon which the agency's work with the family and child is based, and the information contained in the agreement serves the following purposes:

- Ensures attention to critical needs in the family
- Guides overall planning and service delivery for families and children
- Provides structure for the involvement of all parents and relatives
- Documents objectives that parents must meet for reunification and documents behaviorally specific activities necessary to meet objectives
- Assigns responsibility for activities
- Documents the level of progress of the family toward reunification
- Meets the requirements of Federal and State law
- Reflects relevant components of the plan of safe care for a substance-affected infant

The purpose of the out-of-home family services agreement planning process is:

- To clarify with the family the reasons for local child welfare agency involvement
- To focus on the safety and permanency needs of the child
- To identify resources within the entire family that will help the child achieve a safe, permanent home
- To involve the family in identifying areas that need improvement
- To clarify expectations for behavioral change with all persons involved
- To acknowledge the family's strengths and commitment to their child

The agreement must address the services to be provided or arranged; the visiting plan designed to maintain links with the family; expectations of the family, agency, placement provider, and community members; target dates; and expected outcomes.

The out-of-home family services agreement is used to define the primary permanency plan, identify the family's strengths and needs, set objectives and case activities to assist the family in resolving those issues that place the child at risk, specify consequences if the plan does or does not succeed, and to establish the alternative permanency plan if the primary plan does not succeed.

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## North Dakota

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Perm. Plan. Pol. Man. § 624-05-15-50**

Each child in foster care is required by Federal law to have a case plan which must be a written document and a discrete part of the case record. The initial case plan must be developed within 30 days of entry into foster care.

### Who May Participate in the Case Planning Process

**Citation: Admin. Code § 75-03-14-06; Perm. Plan. Pol. Man. §§ 624-05-15-50; 624-05-15-20-08**

Every county social service board must have a county permanency-planning child and family team. The supervising agency must invite the child's parents, the foster parents, and the guardian ad litem to participate in the permanency-planning meeting for the foster child, unless good cause exists to exclude any person from the planning meeting.

The foster parents shall participate in the permanency-planning child and family team for the child. The foster parents shall cooperate in carrying out the objectives and goals of the permanency plan for the foster child in their care.

*In policy:* A foster child who has reached age 14 must be given the opportunity to participate in the development and revision of their individualized permanency plan. The child must be allowed to personally invite two additional members of the child's choosing to join the child and family team who are not the child's foster parents or case manager. Custodians may reject an individual selected by a child to be a member of the team at any time if there is good cause to believe that the individual would not act in the best interests of the child. One individual selected by the child to be a member of the child's team may be designated to be the child's advisor and, as necessary, advocate with respect to the application of the reasonable and prudent parent standard to the child.

Child and family team members may include the following persons:

- Parents, foster parents, and custodians
- The regional foster care supervisor
- The county social service board director
- Treatment providers
- The juvenile court supervisor or other court representative
- Tribal Government personnel, when appropriate
- The case manager
- The foster child, when appropriate

### Contents of a Case Plan

**Citation: Perm. Plan. Pol. Man. § 624-05-15-50**

The child's case plan must include the following:

- A description of services offered and provided to prevent removal of the child from the home and to reunify the family
- A description of the type of home or institution in which the child will be placed
- A discussion of safety and appropriateness of the placement, how the responsible agency plans to carry out court requirements (i.e., reasonable efforts)
- The services provided to the parents, child, and foster parents in order to improve conditions in parents' home, facilitate return of the child to their own safe home or the permanent placement of the child, and address the needs of the child while in foster care
- The plan for visits between the parents, siblings, and the foster child
- Assurances that the child receives safe and proper care
- The most recent information available regarding the child's health and education records
- A discussion of how the plan is designed to achieve a safe placement for the child in the least restrictive, most familylike setting available and in close proximity to the home of the parents when the case goal is reunification
- An explanation (if applicable) of why a placement that is a substantial distance from the home of the parents, in a different State, or outside of the Tribal service area is in the best interests of the child
- Assurances that the child's placement in foster care takes into account proximity to the school in which the child is enrolled at the time of placement, including the following:
  - » Assurances that a school-age child in foster care is enrolled as a student, is in the process of enrolling, or is incapable of attending school on a full-time basis due to the medical condition of the child, and that such information is included in the case plan
  - » Assurances that the agency has coordinated with appropriate local educational agencies to ensure that the child remains in the school in which the child is enrolled at the time of placement; or, if remaining in such school is not in the best interests of the child, assurances by the State agency and local educational agencies to provide immediate and appropriate enrollment in a new school, with all of the educational records of the child provided to the school

For a foster child who is age 14 or older, the plan must include a written description of programs and services that will help the child prepare for his or her transition to a successful adulthood. The case manager must assist the child in developing goals to meet his or her independent living needs.

A foster child who has reached age 16 and has been identified as 'likely to age out of foster care' will be considered a Chafee Independent Living Program 'Priority 1' participant. Children age 16 and older are required to be referred to the Chafee Independent Living Program for assistance from the case manager in assessing and addressing the needs for a child's transition to a successful adulthood.

## Northern Mariana Islands

*Current Through April 2018*

These issues are not addressed in the statutes reviewed.

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## Ohio

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Rev. Code § 2151.412**

Each public children services agency and private child-placing agency shall prepare and maintain a case plan for any child to whom the agency is providing services and to whom any of the following applies:

- The agency filed a complaint alleging that the child is an abused, neglected, or dependent child.
- The agency has temporary or permanent custody of the child.
- The child is living at home subject to an order for protective supervision.
- The child is in a planned permanent living arrangement.

Each public children services agency shall prepare and maintain a case plan or a family service plan for any child for whom the agency is providing in-home services pursuant to an alternative response.

The case plan must be filed with the court prior to the child's adjudicatory hearing but no later than 30 days after the earlier of the dates on which the complaint in the case was filed or the child was first placed into shelter care.

All parts of the case plan shall be completed by the earlier of 30 days after the adjudicatory hearing or the date of the dispositional hearing for the child.

### Who May Participate in the Case Planning Process

**Citation: Rev. Code § 2151.412**

Any agency that is required to prepare a case plan shall attempt to obtain an agreement among all parties, including, but not limited to, the parents, guardian, or custodian of the child, and the guardian ad litem of the child regarding the content of the case plan.

### Contents of a Case Plan

**Citation: Admin. Code § 5101:2-38-06**

The case plan shall include, but not be limited to, the following elements:

- The parties involved in the case plan and their individual responsibilities
- A statement of goals and objectives to be achieved and conditions in the home that must be improved to ensure the child will be safe and will receive proper care
- Anticipated timeframes for attainment of goals and objectives
- Identification of services requested by or provided to the child or the child's parent to achieve the goals
- The appropriateness of supportive services offered or provided to prevent removal of the child from the child's parent
- Specification of case management, casework services, and/or, if appropriate, therapeutic counseling

For each child placed in a substitute care setting, the case plan also shall include, but not be limited to, the following elements:

- The type of substitute care placement
- The appropriateness and safety of the placement
- The reasonable efforts made or will be made to make it possible for the child to return to the child's home or identify that reasonable efforts are not required
- The steps to be taken to ensure services are provided to the child and the child's parent to do one of the following:
  - » Facilitate the reunification of the child with the child's parent
  - » Locate a safe, planned permanent living arrangement for the child
- The steps to be taken to assure services are provided to the child and substitute caregiver to address the needs of the child while the child is in the substitute care placement
- A schedule for regular and frequent visits, including an explanation of the reason for any restrictions on location of visits or the need for supervision of visits, between the child and the child's parent for children in temporary custody



- The reason why parental rights shall not be terminated pursuant to the requirements contained in rule 5101:2-42-95
- For a child age 16 or older, programs and services to assist the child to prepare for transition to independent living and emancipation, if appropriate

If the case plan goal is adoption or another planned permanent living arrangement, the case plan shall include the steps the agency is taking to do one of the following:

- Place the child with an adult relative expressing an interest in adopting the child and meeting all relevant State child protection standards, a guardian, or an adoptive family
- Find an adoptive family for the child through child-specific recruitment efforts
- Identify a planned permanent living arrangement for the child
- Finalize the adoption or guardianship

When a child is placed in substitute care, the case plan shall indicate that the substitute care setting is:

- Safe and consistent with the best interests and special needs of the child
- The least-restrictive, most familylike setting available
- In close proximity to the home from which the child was removed or the home in which the child will be permanently placed
- In close proximity to the school in which the child was enrolled prior to the placement
- Designed to enhance reunification, if appropriate

The agency shall document in the case record the reason why certain elements were not contained in the case plan document due to the permanent custody status of a child.

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## Oklahoma

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Ann. Stat. Tit. 10A, § 1-4-704**

An individualized service plan shall be filed with the court within 30 days after a child has been adjudicated to be deprived.

### Who May Participate in the Case Planning Process

**Citation: Ann. Stat. Tit. 10A, § 1-4-704**

The treatment and service plan shall be based upon a comprehensive assessment and evaluation of the child and family. The plan shall be developed with the participation of the parent, legal guardian, or custodian of the child; the attorney and guardian ad litem of the child, if any; the child's Tribe, if applicable; and the child, if appropriate.

### Contents of a Case Plan

**Citation: Ann. Stat. Tit. 10A, § 1-4-704**

The individualized service plan shall include, but not be limited to, the following:

- A history of the child and family
- Identification of the problems or conditions leading to the deprived child adjudication
- The changes the parent must make in order for the child to safely remain in or return home
- Identification of time-limited reunification services to be provided to family members
- Identification of the specific services to be provided to the child
- The most recent available health and educational records of the child
- A schedule of the frequency of services and the means for delivery of those services
- Performance criteria that will measure the progress of the child and family toward completion of the plan, including timeframes for achieving objectives and addressing identified problems

If the child is placed outside the home, the individualized service plan shall further provide the following:

- The sequence and timeframe for services to be provided to facilitate the child's return home or to another permanent placement
- A description of the child's placement and whether the placement is the least restrictive, most familylike setting available and in as close proximity as possible to the home of the child's family when the case plan is reunification and how the placement is consistent with the best interests and special needs of the child

- Any services or resources that were requested by the child or the parent since the date of the child's placement and whether those services or resources were provided
- Efforts to be made by the parent of the child and the department to enable the child to return to his or her home
- The transition plan for a successful adulthood for a child age 14 or older that includes planning for education, employment, health care, medical coverage, transportation, money management, housing, social and recreational skills, and establishing and maintaining connections with the child's family and community
- For a child in placement due to the child's behavioral health or medical health issues, diagnostic and assessment information, specific services relating to meeting the behavioral health and medical care needs of the child, and desired treatment outcomes
- A plan and schedule for regular and frequent visits for the child and the child's parents and siblings, unless the court has determined that visiting, even if supervised, would be harmful to the child
- A plan for ensuring the educational stability of the child while in out-of-home placement, including the following:
  - » Assurances that the placement of the child considers the appropriateness of the current educational setting and the proximity to the school in which the child was enrolled at the time of placement
  - » Where appropriate, an assurance that the department has coordinated with appropriate local educational agencies to ensure that the child remains in the school in which the child was enrolled at the time of placement
  - » If remaining in the school in which the child was enrolled at the time of placement is not in the best interests of the child, assurances by the department and the local educational agencies to provide immediate and appropriate enrollment in a new school with all of the educational records of the child provided to the school
- The permanency plan for the child, the reason for selection of that plan, and a description of the steps being taken by the department to finalize the plan

## Oregon

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Ann. Stat. § 417.368; Admin. Rules § 413-040-0010**

The Department of Human Services shall consider the use of a family decision-making meeting in each case in which a child is placed in substitute care for more than 30 days. When the department determines that the use of a family decision-making meeting is appropriate, the meeting shall be held, whenever possible, before the child has been in substitute care for 60 days. If the department elects not to conduct a family decision-making meeting, the reasons for that decision shall be clearly documented in the written service plan of the child developed by the department.

*In regulation:* The caseworker must develop the case plan within 60 days of a child's removal from home or within 60 days of the completion of the Child Protective Services (CPS) assessment, in cases where the child remains in the home of a parent or legal guardian.

### Who May Participate in the Case Planning Process

**Citation: Ann. Stat. § 417.371; Admin. Rules § 413-040-0010**

If the department determines that the use of a family decision-making meeting is appropriate, the department shall conduct and document reasonable inquiries to promptly locate and notify the parents, grandparents, and any other family member who has had significant, direct contact with the child in the year prior to the substitute care placement.

All family members notified by the department may attend the meeting unless the department determines that the safety of any attendee will be compromised by the attendance of any family member.

The term 'family member' includes any person related to the child by blood, marriage, or adoption, including, but not limited to, parents, grandparents, stepparents, aunts, uncles, sisters, brothers, cousins, or great-grandparents. 'Family member' also includes a child age 12 or older or a child younger than age 12, when appropriate.

*In regulation:* The persons involved with the department in the development of the case plan include the parents or guardians, unless their participation threatens or places other participants at risk. In addition, the planning team shall include the child who has reached age 14 and, at the option of the child, up to two members chosen by the child who are not the child's foster parent or caseworker or an individual the department has good cause to believe would not act in the best interests of the child. One of these individuals may be designated to be the advisor of the child and, as needed, advocate for the child with respect to the application of the reasonable and prudent parent standard to the child.

Additional persons involved with the department in the development of the case plan may include the child, regardless of age; adoptive parents; an Indian custodian, when applicable; other relatives, persons with significant attachments to the child, the substitute caregiver, and other professionals, when appropriate.

### Contents of a Case Plan

**Citation: Ann. Stat. § 417.375; Admin. Rules § 413-040-0010**

If the department conducts a family decision-making meeting, the meeting shall result in the development of a written family plan that may include a primary permanent plan, concurrent permanent plan, placement recommendations, and service recommendations. The family plan or service agreement also shall include the following:

- The expectations of the parents of the child and other family members
- Services the department will provide
- Timelines for implementation of the plan
- The benefits of compliance with the plan
- The consequences of noncompliance with the plan
- A schedule of subsequent meetings, if appropriate

The department shall incorporate the family plan developed at the family decision-making meeting into the department's service plan for the child to the extent that the family plan protects the child, builds on family strengths, and is focused on achieving permanency for the child within a reasonable time.

*In regulation:* The case plan must include all of the following information:

- Family composition
- Safety threats identified in the CPS assessment
- The ongoing safety plan
- The findings of the protective capacity assessment
- Expected outcomes and actions that each parent is taking to achieve the expected outcomes
- Services to the child that include the following:
  - » The identified needs and services provided to any child placed in substitute care and the reasons the substitute care placement is the least restrictive placement to meet the child's needs
  - » The child's health information
  - » The child's education services, education history, high school credits earned by a child older than age 14, and any special educational needs
  - » Services to transition the child to successful adulthood in all cases when the child is age 14 or older
- Services the department will provide, including the following:
  - » Case oversight and routine contact with the parents and the child
  - » Appropriate and timely referrals to services and service providers suitable to address identified safety threats or strengthen parental protective capacity
  - » Appropriate and timely referrals to services and service providers suitable to address the needs of the child
  - » Timely preparation of reports to the court or other service providers
  - » The date that the progress of the parents in achieving expected outcomes will be reviewed

When the child is in substitute care, the case plan must also include the following:

- Current placement information, including the following:
  - » The location of the child and the substitute caregiver, except when doing so would jeopardize the safety of the child or substitute caregiver
  - » Documentation that the child is receiving safe and appropriate care in the least restrictive environment able to provide safety and well-being for the child
- The child's record of visits with his or her parents and siblings
- The permanency plan
- The conditions for return
- The concurrent permanent plan and the progress the department has made in implementing the concurrent permanent plan

As applicable, the caseworker also must include the following in the case plan:

- The goals and activities required for an Indian child under the Indian Child Welfare Act or for a refugee child under the Refugee Act
- Recommendations of expert evaluations whenever the recommendations may impact parental protective capacities or treatment services for the child
- Diligent efforts to place the child with relatives and with siblings who are also in substitute care, maintain sibling connections, and keep siblings together
- Orders of the court

The case plan for any child who has reached age 14 must include a document that describes the rights of the child with respect to education, health, visitation, and court participation and the right to stay safe and avoid exploitation.

## Pennsylvania

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Admin. Code Tit. 55, § 3130.61**

Within 60 days of accepting a family for service, a written family service plan shall be developed for each family receiving services through the county agency.

### Who May Participate in the Case Planning Process

**Citation: Admin. Code Tit. 55, § 3130.61**

The county agency shall prepare the family service plan. The agency shall provide family members, including the child, his or her representatives, and service providers, the opportunity to participate in the development and amendment of the service plan if the opportunity does not jeopardize the child's safety. The method by which these opportunities are provided shall be recorded in the plan.

### Contents of a Case Plan

**Citation: Admin. Code Tit. 55, §§ 3130.61; 3130.67**

The service plan shall be a discrete part of the family case record and shall include the following:

- Identifying information pertaining to both the child and other family members
- A description of the specific circumstances under which the case was accepted
- The service objectives for the family, identifying changes needed to protect children in the family in need of protection from abuse, neglect, and exploitation and to prevent their placement
- The services to be provided to achieve the objectives of the plan
- The actions to be taken by the parents, children, the county agency or other agencies, and the dates when these actions will be completed
- The results of family service plan reviews and placement reviews

If the child must be placed out of the home, the service plan also shall include the following:

- A description of the circumstances that make placement necessary
- To the extent available and accessible, health and educational information on the child that includes the following:
  - » The names and addresses of the child's health and educational providers
  - » The child's school records and grade-level performance
  - » Assurances that the child's placement in foster care takes into account proximity to the school in which the child is enrolled at the time of placement
  - » A record of the child's immunizations and medications
  - » The child's known medical problems, including the identification of known physical, mental, or emotional disabilities
  - » Other relevant health and educational information concerning the child determined to be appropriate by the county agency
- An identification of the type of home or facility in which the child will be placed and the appropriateness of the placement, including how the placement setting is the least restrictive, most familylike setting available for the child, consistent with the best interests and special needs of the child

- A description of the service objectives that shall be achieved by the parents or child prior to reunification
- For every child age 16 or older, the appropriateness of providing programs and services to help the child prepare for transition from foster care to independent living
- An identification of services to be provided to the family, the child, and, if applicable, the foster family to achieve the goal for the child in placement and to ensure that the child receives proper care
- An identification of the steps the county agency shall take to ensure that the service plan is implemented, including a schedule for a review of the status of each child
- The schedule for visits between the child and parents, including frequency, location, and participants
- A description of the services actually provided to the child and the parents to implement the plan and achieve the goal established for the child in placement
- The results of placement reviews

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## **Puerto Rico**

*Current Through April 2018*

### **When Case Plans Are Required**

**Citation: Ann. Laws Tit. 8, §§ 444i; 447s**

A permanency plan must be drafted for each minor placed in a physical facility outside of his or her parental home, according to his or her specific needs and situation, subject to review by the review board. The plan must be established immediately after the removal of the child from his or her home.

### **Who May Participate in the Case Planning Process**

**Citation: Ann. Laws Tit. 8, § 444i**

The Department of the Family is responsible for drafting the plan. The father, mother, or person responsible for the welfare of the minor must be allowed to attend the meetings and to participate when the case is reviewed.

### **Contents of a Case Plan**

**Citation: Ann. Laws Tit. 8, §§ 444; 447s**

The term 'permanency plan' means the design and implementation of activities with the minor and his or her family geared to achieve the stability, safety, and best interests of the minor, taking into account the resources available.

The term 'service plan' means the systematic organization of the goals, objectives, and activities expressed within a timeframe that results from a process of information gathering and evaluation based on the strong points of the family to meet their needs and that gives direction to the social care of the minor and his or her family.

Department personnel shall make use of resources for the support of individuals, families, and the community, as well as internal and external resources of the department and other public and nongovernmental agencies, to improve the living conditions of families that may endanger the life and safety of a minor. The following elements may be included in the plan:

- Services offered or provided by the department
- Support services offered to facilitate the willingness of the family to receive the services to which they were referred
- A plan for visiting plan set up for the father and/or mother and the minor
- Timeframes for compliance with the service plan

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## **Rhode Island**

*Current Through April 2018*

### **When Case Plans Are Required**

**Citation: Gen. Laws § 42-72-10; Code of Rules 03-007-001, Policy 700.0075**

A written service plan for care and treatment shall be prepared for each child under the supervision of the Department of Children, Youth, and Families.

*In regulation:* A written service plan is required for the care and treatment of each child under the department's supervision. The service plan must be submitted within 30 days when there is a court finding of dependency, neglect, or abuse on a petition filed by the department.

Subsequent service plans are completed by the assigned primary service worker at 6-month intervals or within 30 days of a change in the permanency goal.

### **Who May Participate in the Case Planning Process**

**Citation: Code of Rules 03-007-001, Policy 700.0075**

The primary service worker will obtain signatures on the service plan to confirm that all parties participated in the development, review, and revision of the plan and were provided the opportunity to agree or disagree with the content. The following individuals must sign the service plan:

- Parents or guardians
- Children age 12 or older (with capacity to participate)
- Primary service workers and supervisors
- Foster parents or provider agency representatives who are involved in the development of the service plan and are directly responsible to provide the services prescribed in the plan
- Department staff persons, other than the primary service worker, who are involved with the family
- Preadoptive parents in cases in which parental rights have been terminated and the child is in a preadoptive home in which the foster parents have initiated the adoption process

### **Contents of a Case Plan**

**Citation: Gen. Laws § 42-72-10; Code of Rules 03-007-001, Policy 700.0075**

The service plan shall include, but not be limited to, a statement of the needs of each child and the proposed treatment and placement. If the plan is adoption or placement in another permanent home, the plan shall include documentation of the steps the department is taking to find an adoptive family or other permanent placement and to finalize permanency.

*In regulation:* A written service plan is required for the care and treatment of each child under the department's supervision. The plan for the child must include information to determine the appropriateness of out-of-home placement. In addition, the State must make reasonable efforts to place siblings removed from their home in the same foster care, adoption, or guardianship placement or facilitate visits or ongoing contacts with those that cannot be placed together, unless it is contrary to the safety or well-being of any of the siblings. The plan must include the following:

- A plan for ensuring that the child receives safe and proper care and that appropriate services are provided
- To the extent available and accessible, the child's health and education records
- When appropriate, for a child age 16 or older, a written description of the program and services that will help prepare the youth for the transition toward a self-sufficiency
- In the case of a child with respect to whom the permanency plan is adoption, guardianship, or another planned permanent living arrangement, documentation of the steps the agency is taking to find an adoptive family or other permanent living arrangement

The service plan is time limited, individualized, strengths based, and addresses the following:

- How the family will mobilize their strengths and protective capacities to mitigate behaviors that contributed to child maltreatment
- The behavior changes needed to ensure the child's safety, permanency, and well-being
- Action steps that will assist the family to reach the behavior change goal

Each plan includes an educational/medical statement that contains information that must be provided to the foster care provider when a child enters placement. Required information includes the following:

- Names and addresses of health and educational providers
- Grade-level performance
- School records
- A plan for educational stability, as follows:
  - » Assurances that the child's placement takes into account the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement
  - » Assurances that the department has coordinated with appropriate local educational agencies to allow the child to remain in the same school or, if remaining in that school is not in the child's best interests, assurances that the department and the local educational agencies provide immediate and appropriate enrollment in a new school
- Records of the child's immunizations, known medical problems, and medications
- Any other relevant health and education information concerning the child

Each plan includes a permanency goal specific to the family's situation, including a projected date for achieving the identified permanency goal. For a child remaining at home, the permanency goal is maintenance of the child at home. For a child in placement, the initial permanency goal is reunification in nearly all situations with specific exceptions, as approved by the court.

For each child age 16 or older, where appropriate, the service plan must include a written description of the programs and services that will help the youth prepare for the transition from foster care to independence. The plan must address the following:

- Housing
- Financial support
- Health care
- Education and vocation planning
- Procurement of necessary documents and a credit report
- Personal community support systems

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## South Carolina

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Ann. Laws §§ 63-7-1670; 63-7-1680**

Upon a finding that the child shall remain in the home and that protective services shall continue, a treatment plan must be prepared that is designed to alleviate any danger to the child and to aid the parents so that the child will not be endangered in the future.

If the court orders that a child be removed from the custody of the parent or guardian, the court must approve a placement plan. A plan must be presented to the court for its approval at the removal hearing or within 10 days after the removal hearing. If the plan is presented subsequent to the removal hearing, the court shall hold a hearing on the plan if requested by a party.

### Who May Participate in the Case Planning Process

**Citation: Ann. Laws §§ 63-7-1670; 63-7-1680**

The plan must be prepared by the department. To the extent possible, the plan must be prepared with the participation of the parents or guardian of the child, the child, and any other agency or individual that will be required to provide services in order to implement the plan.

### Contents of a Case Plan

**Citation: Ann. Laws § 63-7-1680**

The first section of the plan shall set forth the changes that must occur in the home and family situation before the child can be returned. These changes must be reasonably related to the reasons justifying removal of the child from the custody of the parents or guardian. This section of the plan must contain a notice to the parents or guardian that failure to make the indicated changes within 6 months may result in termination of parental rights.

The second section of the plan shall set forth the following:

- Specific actions to be taken by the parents or guardian of the child
- Social or other services to be provided or made available to the parent or guardian of the child

This section of the plan must include timeframes for commencement or completion of specific actions or services. It must contain a notice to the parents or guardian that completion of the indicated actions will not result in return of the child unless the changes set forth in section one of the plan have occurred.

The third section of the plan shall set forth rights and obligations of the parents or guardian while the child is in custody, including, but not limited to, the following:

- The responsibility of the parents or guardian for financial support of the child during the placement
- The visiting rights and obligations of the parents or guardian during the placement

This section of the plan must include a notice to the parents or guardian that failure to support or visit the child as provided in the plan may result in termination of parental rights.

The fourth section of the plan must address matters relating to the placement of the child, including, but not limited to, the following:

- The nature and location of the placement of the child, unless there are compelling reasons for concluding that disclosure of the location of the placement to the parents, guardian, or other person would be contrary to the best interests of the child
- Visits or other contact with siblings, other relatives, and other persons important to the child
- Social and other supportive services to be provided to the child and the foster parents, including counseling or other services to assist the child in dealing with the effects of separation from the child's home and family
- The minimum number and frequency of contacts that a caseworker with the department will have with the child, which must be based on the particular needs and circumstances of the individual child but which must not be less than once a month for a child placed in this State

The placement must be as close to the child's home as is reasonably possible, unless there are compelling reasons for concluding that placement at a greater distance is necessary to promote the child's well-being. In the absence of good cause to the contrary, preference must be given to placement with a relative or other person who is known to the child and who has a constructive and caring relationship with the child.

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## South Dakota

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Admin. Code §§ 67:42:09:17; 67:42:01:01**

A case plan is to be developed within 30 days after the child's placement in foster care. A 'case plan' is a written plan that explains the client's social, psychological, medical, or economic problems; contains solutions to the problems; and describes the necessary steps and schedule to resolve the problems.

### Who May Participate in the Case Planning Process

**Citation: Admin. Code §§ 67:42:09:17; 67:42:01:01**

The agency shall develop the service plan. The case plan is written in cooperation with a client.

### Contents of a Case Plan

**Citation: Admin. Code § 67:42:09:17**

The plan shall include the following:

- A statement of where the child is being placed and assurances that this placement is the least restrictive setting available for the child
- A statement regarding the necessity of the foster care placement
- A description of the services that are to be provided to the child and the child's family to facilitate a permanent plan for the child
- Projected dates for attaining the established goals

The plan shall provide for the following:

- Continuing casework services to the child's parents and to the child to prepare them for the child's eventual return or to prepare them for other permanent plans being made for the child
- Continuing casework services to the child and the child's foster parents, as indicated in the child's case plan
- A plan for the child's social worker to visit the child and the child's foster parents at least once a month
- Continuing contacts between the child's parents and their children, unless parental rights have been terminated or either the court that has jurisdiction over the child or the child-placing agency that has been assigned care, custody, and control of the child has determined that the contacts would be detrimental to the child's welfare
- Regular educational instruction for children of school age
- Closure of the case after a permanent plan has been established and services are no longer required



## Tennessee

Current Through April 2018

### When Case Plans Are Required

**Citation: Ann. Code § 37-2-403; Admin. Pol. & Proc. # 16.31**

Within 30 days of the date of foster care placement, an agency shall prepare a plan of care or a permanency plan for each child in its foster care.

*In policy:* A permanency plan shall be developed in collaboration with the child and family during a child and family team meeting (CFTM) for all children in the custody of the Department of Children's Services (DCS). The family permanency plan is completed no later than 30 calendar days of a child entering State custody.

### Who May Participate in the Case Planning Process

**Citation: Ann. Code § 37-2-403; Admin. Pol. & Proc. # 16.31**

The agency shall prepare the plan. The plan shall be presented to the parent or guardian and approved by the court.

*In policy:* The initial permanency-planning CFTM includes the child and family team, the family and their support systems, foster parents, agency partners, and DCS staff. At a minimum, this CFTM should include the parents, the DCS team leader, and the DCS family service worker. If the child was being cared for by someone other than the parents, the primary caregivers also should be included. Children and youth who are at least age 6 and older are involved in the planning process to the extent that they are capable. All children age 12 and older are prepared and included in the initial permanency-planning CFTM.

### Contents of a Case Plan

**Citation: Ann. Code § 37-2-403; Admin. Pol. & Proc. # 16.31**

The plan shall include one of the following goals for each child:

- Return of the child to his or her parent
- Permanent placement of the child with a fit and willing relative or relatives of the child
- Adoption, giving appropriate consideration to § 36-1-115(g), when applicable
- Permanent guardianship
- A planned permanent living arrangement

The permanency plan for any child in foster care shall include a statement of responsibilities between the parents, the agency, and the caseworker of such agency. Such statements shall include the responsibilities of each party in specific terms and shall be reasonably related to the achievement of the goal.

In cases involving child abuse or child neglect, with such child being placed in foster care, the statement of responsibilities shall stipulate that the abusing or neglecting parent shall receive appropriate rehabilitative assistance through mental health consultation if so ordered by the court.

*In policy:* The family permanency plan establishes realistic goals, outcomes and action steps for the family, the child, and/or DCS necessary to achieve permanency. The outcomes and action steps address all of the concerns that brought the child into custody as well as those needs identified by the ongoing assessment process, including health and education information and needs. Plans are designed to utilize the strengths of the family and include designated time frames for the completion of actions that help the child and family achieve permanency and stability as soon as possible.

Specific components of the plan include the following:

- Time periods for achieving permanency goals
- A plan for visits
- Major treatment issues for the child and family that are identified during the assessment process
- Safety issues identified in the child protective services investigation, including drug treatment, sexual offense victim, or domestic violence, etc.
- The activities necessary to address the issues that brought the child into care
- Statements of responsibilities that specifically include both action steps that each party should take and the desired outcomes of those steps
- Clearly defined, observable, and measurable outcomes and specific, time-limited action steps that need to be completed to reach each desired outcome

- The services needed for the achievement of the permanency goal
- Specific tasks as well as the names of the persons responsible for completion of each task
- Efforts made by DCS to prevent the removal of the child and placement into custody
- A description of the type of placement, including interstate placements when appropriate
- A plan for ensuring that the child receives safe and proper care in the least restrictive, most familylike setting appropriate, in close proximity to the parents' home, consistent with the best interests and individual needs of the child
- A discussion of the safety and appropriateness of the placement
- To the extent available and accessible, the most recent health and education records of the child
- The specific steps to be taken to ensure the child's health and education progress
- For a child age 14 or older, a written description of the services that will help the child prepare for independence
- The steps that DCS is taking to achieve permanency for the child

## Texas

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Fam. Code § 263.101**

A service plan must be filed no later than the 45th day after the date the court renders a temporary order appointing the department as temporary managing conservator of a child.

### Who May Participate in the Case Planning Process

**Citation: Fam. Code § 263.102; Admin. Code Tit. 40, § 700.1321**

The service plan shall be prepared by the department in conference with the child's parents.

*In regulation:* Child Protective Services must ask the following individuals to participate in developing the child's service plan:

- The child's caseworker in the conservatorship unit
- The caseworker supervising the placement, if different from the caseworker in the conservatorship unit
- The child, unless he or she is too young to participate
- The child's parents, unless they:
  - » Cannot be located, despite due diligence
  - » Have had their parental rights terminated
  - » Refuse to participate
- The substitute caregiver (e.g., a relative, the foster parent, or a representative of the general residential operation in which the child is placed)
- Each person appointed by the court to serve as the child's attorney ad litem, guardian ad litem, or court-appointed special advocate
- A prospective adoptive family with whom the child has been placed for adoption
- When appropriate, other family members, professionals, and volunteers who are or will be providing services to the child or the child's family

### Contents of a Case Plan

**Citation: Fam. Code § 263.102**

The service plan must:

- Be written in a language that the parents understand
- State appropriate deadlines
- State whether the goal of the plan is:
  - » The return of the child to the child's parents
  - » The termination of parental rights and placement of the child for adoption
  - » Because of the child's special needs or exceptional circumstances, the continuation of the child's care out of the child's home
- State the steps that are necessary to:
  - » Return the child to the child's home if the placement is in foster care

- » Enable the child to remain in the child's home with the assistance of a service plan if the placement is in the home under the department's or other agency's supervision
- » Provide a permanent safe placement for the child
- State the actions and responsibilities that are necessary for the child's parents to take to achieve the plan goal during the period of the service plan and the assistance to be provided to the parents from the department or other authorized agency toward meeting that goal
- State any specific skills or knowledge that the child's parents must acquire or learn, as well as any behavioral changes the parents must exhibit, to achieve the plan goal
- State the actions and responsibilities that are necessary for the child's parents to take to ensure that the child attends school and maintains or improves the child's academic compliance
- State the name of the person with the department or other agency whom the child's parents may contact for information relating to the child if other than the person preparing the plan
- Prescribe any other term or condition that the department or other agency determines to be necessary to the service plan's success
- Include a statement to the parent that failure to provide a safe environment for the child may result in termination of parental rights

## Utah

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Ann. Code § 62A-4a-205**

No more than 45 days after a child enters the temporary custody of the Division of Child and Family Services, a child and family plan shall be finalized for the child.

### Who May Participate in the Case Planning Process

**Citation: Ann. Code § 62A-4a-205**

The division may use an interdisciplinary team approach in developing each child and family plan. The interdisciplinary team shall include representatives from the following fields:

- Mental health
- Education
- Law enforcement, if appropriate

The division may involve all of the following in the development of the child and family plan:

- Both of the child's natural parents, unless the whereabouts of a parent are unknown
- The child
- The child's foster parents
- The child's stepparent, if appropriate
- The child's guardian ad litem, if one has been appointed by the court

### Contents of a Case Plan

**Citation: Ann. Code § 62A-4a-205**

Each child and family plan shall:

- Specifically provide for the safety of the child in accordance with Federal law
- Clearly define what actions or precautions will or may be necessary to provide for the health, safety, protection, and welfare of the child

The plan shall set forth, with specificity, at least the following:

- The reason the child entered into the custody of the division
- Documentation of the reasonable efforts made to prevent placement of the child in the custody of the division, or the emergency situation that existed and prevented reasonable efforts from being made
- The primary permanency plan for the child and the reason for selection of that plan
- The concurrent permanency plan for the child and the reason for the selection of that plan

- If the plan is for the child to return to the child's family:
  - » Specifically what the parents must do to enable the child to be returned home
  - » Specifically how those requirements may be accomplished
  - » How those requirements will be measured
- The specific services needed to reduce the problems that necessitated placing the child in the division's custody
- The name of the person who will provide and be responsible for case management
- A schedule of parent time between the natural parent and the child, unless such parent time is detrimental to the child
- The health and mental health care to be provided to address any known or diagnosed mental health needs of the child
- If residential treatment rather than a foster home is the proposed placement, a requirement for a specialized assessment of the child's health needs, including an assessment of mental illness and behavior and conduct disorders
- Social summaries that include case history information pertinent to case planning
- A schedule for sibling visits

The case plan shall address specific problems that keep a child in placement and keep a child from achieving permanence in his or her life. It shall be designed to minimize disruption to the normal activities of the child's family, including employment and school.

The division shall consider visitation with their grandparents for children in State custody if the division determines visiting to be in the best interests of the children and:

- There are no safety concerns regarding the behavior or criminal background of the grandparents.
- Allowing visits would not compete with or undermine the reunification plan.
- There is a substantial relationship between the grandparents and children.
- The visits will not unduly burden the foster parents.

## Vermont

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Family Services Div. Policies, Policy #69**

When a social worker has been assigned to provide ongoing services to an intact family, he or she will complete an initial case plan with the family within 60 days of the date the family risk assessment was completed.

### Who May Participate in the Case-Planning Process

**Citation: Ann. Stat. Tit. 33, § 5121**

The Department for Children and Families shall actively engage families and solicit and integrate into the case plan the input of the child, the child's family, relatives, and other persons with a significant relationship to the child. Whenever possible, parents, guardians, and custodians shall participate in the development of the case plan.

### Contents of a Case Plan

**Citation: Family Services Div. Policies, Policy #69, #72, and # 122**

Case planning is the process of working with the family to develop a set of agreed-upon goals and strategies that focus on the underlying issues that led to the child safety intervention, as well as the issues that are contributing to current unresolved danger and/or future risk of harm.

The case plan must plan for the safety of the child or youth. The social worker shall work with the family to identify the family's strengths, protective capacities, and any natural supports (including relatives, friends, and community supports that may be of assistance), and services needed. When possible, the priorities in the case plan should reflect the family's view of the most pressing issue facing them.

The education section of the child's case plan must include a plan for ensuring the educational stability of the child while in foster care, including the following:

- Assurances that each placement of the child in foster care takes into account the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement
- An assurance that the State agency has coordinated with appropriate local educational agencies to ensure that the child remains in the school in which the child is enrolled at the time of each placement or, if remaining in that school is not in the best interests of the child, that the State agency and the local educational agencies will provide immediate and appropriate enrollment in a new school, with all of the educational records of the child provided to the school

The case plan must include, at minimum, the following information:

- A determination of the safety of the child
- The appropriateness of the child's placement
- How the plan ensures the child's safe and proper care and addresses the child's needs
- The services provided to the parents, child, and substitute care providers to make it possible for the child to safely return home or be placed in another permanent setting
- The conditions that brought the child and family to the department's attention
- The likely date by which permanency for the child may be achieved through any of the following options:
  - » Safely reunifying the child or youth with his or her family
  - » Transferring custody and/or guardianship of the child
  - » Adoption
  - » Another permanent placement and/or preparing the youth for legal independence

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## Virgin Islands

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Ann. Code Tit. 5, § 2536; Code of Rules 05-201-000, § 2506-31**

A plan for rehabilitative or ameliorative treatment shall be prepared within 90 days of receipt of the initial report of alleged child abuse or neglect.

*In regulation:* When necessary in the best interests of the child, the agency will suggest a plan for the child's care and recommend that the court place the child in the custody of the Department of Social Welfare.

### Who May Participate in the Case Planning Process

**Citation: Ann. Code Tit. 5, § 2536**

The Department of Social Welfare shall prepare the plan.

### Contents of a Case Plan

**Citation: Ann. Code Tit. 5, § 2536; Code of Rules 05-201-000, § 2506-31**

The plan shall include services offered, accepted, or refused and the present status of the case.

*In regulation:* The plan may include placement of the child in his or her own home under close agency supervision, placement in a foster home, or placement in any children's institutions that may exist.

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## Virginia

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Ann. Code § 16.1-281**

A foster care plan shall be prepared for a child in any case in which:

- A local board of social services places a child through an agreement with the parents or guardians where legal custody remains with the parents or guardian.
- Legal custody of a child is given to a local board of social services, a child welfare agency, or the local department of social services.

The individual family service plan developed by the family assessment and planning team pursuant to § 2.2-5208 may be accepted by the court as the foster care plan if it meets the requirements of this section.

The plan must be filed with the juvenile and domestic relations district court within 45 days following the transfer of custody or the board's or public agency's placement of the child unless the court, for good cause shown, allows an extension of time that shall not exceed an additional 60 days.

## Who May Participate in the Case Planning Process

### Citation: Ann. Code § 16.1-281

The local Department of Social Services or child welfare agency shall prepare the foster care plan.

The representatives of the department or agency shall involve the child's parent(s) in the development of the plan, except when parental rights have been terminated or the local department or child welfare agency has made diligent efforts to locate the parent(s) and the parent(s) cannot be located, and any other person or persons standing in loco parentis at the time the board or child welfare agency obtained custody or the board placed the child.

The representatives of the department or agency shall involve a child who is age 14 or older in the development of the plan and, at the option of such child, up to two members of the case-planning team who are chosen by the child and who are not the child's foster parent or caseworker. A child younger than age 14 may be involved in the development of the plan, if such involvement is consistent with the best interests of the child.

If either the parent or child is not involved in the development of the plan, the reasons why must be documented.

## Contents of a Case Plan

### Citation: Ann. Code § 16.1-281

The foster care plan shall describe the following in writing:

- The programs, care, services, and other support that will be offered to the child and his or her parents and other prior custodians
- The participation and conduct that will be sought from the child's parents and other prior custodians
- The visits and other contacts that will be permitted between the child and his or her parents and other prior custodians and between the child and his or her siblings
- The nature of the placement or placements that will be provided for the child
- For school-age children, the school placement of the child
- For a child age 14 and older:
  - » The child's needs and goals in the areas of counseling, education, housing, employment, and money management skills development, along with specific independent living services that will be provided to the child to help him or her reach these goals
  - » An explanation of the child's rights with respect to education, health, visitation, court participation, and the right to stay safe and avoid exploitation
  - » All documentation specified in 42 U.S.C. § 675(5)(I) and § 63.2-905.3

In cases in which a foster care plan approved prior to July 1, 2011, identifies independent living as the goal for the child, and in cases involving children admitted to the United States as refugees or asylees who are age 16 or older and for whom the goal is independent living, the plan shall also describe the programs and services that will help the child prepare for the transition from foster care to independent living.

If consistent with the child's health and safety, the plan shall be designed to support reasonable efforts to return the child to his or her parents or other prior custodians within the shortest practicable time, which shall be specified in the plan. The child's health and safety shall be the paramount concern of the court and the agency throughout the placement, case planning, service provision, and review process. If the department or child welfare agency concludes that it is not reasonably likely that the child can be returned to his or her prior family within a practicable time, consistent with the best interests of the child, the department, child welfare agency, or team shall (a) include a full description of the reasons for this conclusion; (b) provide information on the opportunities for placing the child with a relative or in an adoptive home; (c) design the plan to lead to the child's successful placement with a relative if a subsequent transfer of custody to the relative is planned, or in an adoptive home within the shortest practicable time, and if neither of such placements is feasible; (d) explain why permanent foster care is the plan for the child or independent living is the plan for the child in cases involving children admitted to the United States as refugees or asylees who are age 16 or older and for whom the goal is independent living.

## Washington

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Rev. Code §§ 13.34.067; 13.34.136**

Following the shelter care hearing and no later than 30 days prior to the fact-finding hearing, the Department of Social and Health Services shall convene a case conference as required in the shelter care order to develop a written service agreement.

Whenever a child is ordered removed from the home, a permanency plan shall be developed no later than 60 days from the time the department assumes responsibility for providing services, including placing the child, or at the time of the disposition hearing, whichever occurs first. The permanency-planning process continues until a permanency-planning goal is achieved or dependency is dismissed. The planning process shall include reasonable efforts to return the child to the parent's home.

### Who May Participate in the Case Planning Process

**Citation: Rev. Code § 13.34.067**

The case conference shall include the parent, counsel for the parent, caseworker, counsel for the State, guardian ad litem, counsel for the child, and any other person agreed upon by the parties.

If a case conference is convened and the parent is unable to participate in person due to incarceration, the parent must have the option to participate through the use of a teleconference or videoconference.

### Contents of a Case Plan

**Citation: Rev. Code §§ 13.34.067; 13.34.136**

The written service agreement shall specify the expectations of the department and the parent regarding voluntary services for the parent. The expectations in the service agreement must correlate with the court's findings at the shelter care hearing. The agreement must set forth specific services to be provided to the parent.

The permanency plan shall include the following:

- A permanency plan of care that shall identify one of the following outcomes as a primary goal and possible additional outcomes as alternative goals:
  - » Return of the child to his or her home
  - » Adoption
  - » Guardianship
  - » Permanent legal custody
  - » Long-term relative or foster care until the child is age 18, with a written agreement between the parties and the care provider
  - » Successful completion of a responsible living skills program
  - » Independent living, if appropriate and if the child is age 16 or older
- Unless the court has ordered that a termination petition be filed, a specific plan for where the child will be placed, what steps will be taken to return the child home, what steps the department will take to promote existing appropriate sibling relationships and/or facilitate placement together or contact in accordance with the best interests of each child, and what actions the department will take to maintain parent-child ties
- The services the parents will be offered to enable them to resume custody, the requirements the parents must meet to resume custody, and a time limit for each service plan and parental requirement, including the following:
  - » If the parent is incarcerated, how the parent will participate in planning meetings, receive treatment that reflects the resources available at the facility where the parent is confined, and have opportunities for visits
  - » If a parent has a developmental disability, the reasonable efforts needed to consult with the Developmental Disabilities Administration to create an appropriate plan for services
- A plan for visits between the child and the parent, in cases in which visiting is in the child's best interests
- A plan to place the child as close to the child's home as possible, preferably in the child's own neighborhood, unless the court finds that placement at a greater distance is necessary to promote the child's or parents' well-being
- A statement as to whether both in-State and, where appropriate, out-of-State placement options have been considered by the department

- Whenever practical, a plan to ensure the child remains enrolled in the school the child was attending at the time the child entered foster care, unless it is not in the child's best interests
- A statement that the department will provide all reasonable services that are available within the department or the community, or those services that the department has existing contracts to purchase
- If the court has ordered that a termination petition be filed, a specific plan as to where the child will be placed, what steps will be taken to achieve permanency for the child, services to be offered or provided to the child, and, if visiting would be in the child's best interests, a recommendation to the court regarding visits between parent and child pending a fact-finding hearing on the termination petition

The department shall not be required to develop a plan of services for the parents or provide services to the parents if the court orders a termination petition be filed. However, reasonable efforts to ensure visits and contact between siblings shall be made unless there is reasonable cause to believe the best interests of the child or siblings would be jeopardized.

## West Virginia

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Ann. Code § 49-4-408**

The Department of Health and Human Resources shall develop a unified child and family case plan for every family wherein a person has been referred to the department after being allowed an improvement period or where the child is placed in foster care. The case plan must be filed within 60 days of the child coming into foster care or within 30 days of the inception of the improvement period, whichever occurs first. The department also may prepare a case plan for any person who voluntarily seeks child abuse and neglect services from the department or who is referred to the department by another public agency or private organization. The case plan provisions shall comply with Federal law and the rules of procedure for child abuse and neglect proceedings.

### Who May Participate in the Case Planning Process

**Citation: Ann. Code §§ 49-4-408; 49-4-405; Foster Care Policy § 4.3**

The department shall convene a multidisciplinary treatment team, which shall develop the case plan. Parents, guardians, or custodians shall participate fully in the development of the case plan, and the child also shall fully participate if he or she is sufficiently mature and the child's participation is otherwise appropriate.

Other members of team may include the following:

- The child or family's case manager
- The adult respondent
- The child's counsel, guardian ad litem, or court-appointed special advocate
- The prosecuting attorney
- An appropriate school official
- Any other person or agency representative who may assist in providing recommendations for the particular needs of the child and family, including domestic violence service providers

Unless otherwise ordered by the court, a party whose parental rights have been terminated does not have the right to participate in any team meeting.

*In policy:* For a child who has reached age 14, any revision or addition to the plan must be developed in consultation with the child and, at the option of the child, with up to two members of the case-planning team who are chosen by the child and who are not the child's foster parent or caseworker. The caseworker may reject an individual selected by the child at any time if the worker has good cause to believe that the individual would not act in the best interests of the child. One individual selected by the child may be designated to be the child's advisor and as necessary, advocate, with respect to the application of the reasonable and prudent parent standard to the child.



## Contents of a Case Plan

### Citation: Ann. Code § 49-4-604; Foster Care Policy § 4.3

The case plan is a written document that includes, at a minimum, the following:

- A discussion of the appropriateness of the placement
- A description of the type of home or institution in which the child is to be placed
- How the agency responsible for the child plans to ensure that the child receives proper care
- The services that will be provided to the parents, child, and foster parents in order to improve the conditions that made the child unsafe in the care of his or her parents
- A plan to facilitate the return of the child to his or her own home or the concurrent permanent placement of the child
- Services to address the needs of the child while in relative or foster care, including a discussion of the appropriateness of the services that have been provided to the child

*In policy:* The case plan requires the following information:

- A description of the type of home or facility where the child is to be placed
- A discussion of the safety and appropriateness of the placement
- A discussion of whether the placement is the least-restrictive, most familylike available and in the close proximity to the parent's home
- If the child is placed a substantial distance from the home of the parents or in a different State, a discussion of why the placement is in the child's best interests
- A description of how the child will receive safe and proper care in this placement
- A description of the child's educational plan, whether he or she has remained in the same school he or she was attending at the time of removal, and how educational stability will be achieved
- A description of the services that are to be provided to the parents, child, and foster parents in order to improve the conditions in the parents' home to facilitate the return of the child to his or her home or to secure a permanent placement for the child
- A discussion of the services that will be provided to the child while in foster care in order to address the specific needs of the child
- A discussion of the appropriateness of the services that have been provided to the child
- A listing of the child's siblings and their locations and the date of the court order sanctioning separation, if applicable
- A description of the parents' ability to contribute to the cost of placement
- The recommended visiting plan
- Documentation of the efforts to ensure that the child is returned home within the approximate time lines set out in the plan
- Documentation of the concurrent efforts to achieve permanency should the services designed to achieve reunification be deemed unsuccessful
- If return home is not the permanency plan for the child, a statement of why reunification is not appropriate that specifies in detail the alternative placement for the child, including approximate time lines for when such placement is expected to become a permanent placement
- In the case of a child whose permanency plan is adoption or placement in another permanent home, documentation of the steps being taken to find a permanent living arrangement, including child-specific recruitment efforts
- A written description of the programs and services that will help children age 14 and older prepare for the transition from foster care to successful adulthood
- Documentation of an age-appropriate plan for the child that educates him or her about family planning, pregnancy prevention, sexually transmitted infections, and other issues related to healthy sexual development
- For a child who self-identifies as being sexually active, documentation of the supportive counseling offered to the child on the issues of abstinence and healthy sexual development
- Documentation of the child's health and education background and progress, including all medical appointments, counseling, individual education plans, school conferences, etc.

## Wisconsin

Current Through April 2018

### When Case Plans Are Required

**Citation: Ann. Stat. § 48.38**

A permanency plan is required for each child living in a foster home, group home, residential care center for children and youth, juvenile detention facility, shelter care facility, or supervised independent living arrangement.

A plan is required if any of the following conditions exists:

- The child is being held in physical custody under §§ 48.207, 48.208, or 48.209.
- The child is in the legal custody of the agency.
- The child is under the supervision of an agency under § 48.64(2), under a consent decree under § 48.32(1)(b), or under a court order under § 48.355.
- The child was placed under a voluntary agreement between the agency and the child's parent under § 48.63(1)(a) or (5)(b).
- The child is under the guardianship of the agency.
- The child's care would be paid for under § 49.19.
- The child's parent is placed in a foster home, group home, residential care center for children and youth, juvenile detention facility, shelter care facility, or supervised independent living arrangement, and the child is residing with that parent.

The agency shall file the permanency plan with the court within 60 days after the date on which the child was first removed from his or her home, except that if the child is held for less than 60 days in a juvenile detention facility, juvenile portion of a county jail, or a shelter care facility, no permanency plan is required if the child is returned to his or her home within that period.

### Who May Participate in the Case Planning Process

**Citation: Ann. Stat. § 48.38**

The agency that placed the child or arranged the placement or the agency assigned primary responsibility for providing services to the child under § 48.355(2)(b)6g shall prepare a written permanency plan.

The agency responsible for preparing the permanency plan for a child age 14 or older shall prepare the plan and any revisions of the plan in consultation with the child and, at the option of the child, with no more than two persons selected by the child who are members of any child and family team convened for the child, except that the child may not select his or her caregiver or caseworker and the agency may reject a person selected by the child if the agency has good cause to believe that the person would not act in the best interests of the child. The agency may designate one of the persons selected by the child to be the child's adviser and, as necessary, the child's advocate, with respect to application of the reasonable and prudent parent standard to decisions concerning the child's participation in age- or developmentally appropriate activities.

### Contents of a Case Plan

**Citation: Ann. Stat. § 48.38**

The permanency plan shall include the following:

- The date on which the child was removed from his or her home and was placed in out-of-home care
- A description of the services offered and provided to prevent the removal of the child from home and to achieve the goal of the permanency plan
- The basis for the decision to place the child outside of his or her home
- A statement as to the availability of a safe and appropriate placement with a fit and willing relative of the child or why such placement is not safe or appropriate
- If the child has one or more siblings who also have been removed from home, a description of the efforts made to place the siblings in a joint placement and, if a decision is made not to place the siblings in a joint placement, a statement as to why a joint placement would be contrary to the safety or well-being of the child or any of those siblings and a description of the efforts made to provide for frequent visits or other ongoing interaction between the child and those siblings
- The location and type of facility in which the child is currently placed or will be placed
- If the child is living more than 60 miles from home, documentation that placement within 60 miles of the child's home is either unavailable or inappropriate or that placement more than 60 miles away is in the child's best interests

- Information about the child's education, including the following:
  - » The name and address of the child's current school
  - » Any special education programs in which the child is or was previously enrolled
  - » The child's grade level and grade-level performance
  - » A summary of all available education records
- If the child must change schools as a result of the placement, documentation that a placement that would maintain the child in that school is either unavailable or inappropriate or that a transfer to another school would be in the child's best interests
- Medical information relating to the child, including the child's immunization record, medications, and any known allergies
- A description of the services that will be provided to the child, the child's family, foster parent, or relative caregiver, including services planned to accomplish all of the following:
  - » Ensure proper care and treatment of the child and promote safety and stability in the placement
  - » Meet the child's physical, emotional, social, educational, and vocational needs
  - » Improve the conditions of the parents' home to facilitate the safe return of the child
- The goal of the permanency plan
- If the goal of the permanency plan is to place the child for adoption, with a guardian, with a fit and willing relative, or in some other alternative permanent placement, the efforts made to achieve that goal
- The conditions, if any, upon which the child will be returned safely home, including any changes required in the parents' conduct, the child's conduct, or the nature of the home
- If the child is age 14 or older, the programs and services that are or will be provided to assist the child in preparing for the transition from out-of-home care to a successful adulthood in preparing for the transition to independent living
- If the child is an Indian child who is placed outside the home of his or her parent or Indian custodian, all of the following:
  - » The name, address, and telephone number of the Indian child's Indian custodian and Tribe
  - » A description of the remedial services and rehabilitation programs offered in an effort to prevent the breakup of the Indian child's family
  - » A statement as to whether the Indian child's placement is in compliance with the order of placement preference under § 48.028 and, if the placement is not in compliance with that order, a statement as to whether there is good cause for departing from that order

## Wyoming

*Current Through April 2018*

### When Case Plans Are Required

**Citation: Ann. Stat. § 14-3-427; Code of Rules 049-0006-2, § 7**

The Department of Family Services shall develop a case plan for a child when there is a recommendation to place the child outside of the home.

No later than 5 business days prior to the dispositional hearing, the multidisciplinary team shall file with the court the multidisciplinary team report that shall include the team's recommendations and the department case plan.

*In regulation:* A written case plan shall be completed within 60 days of out-of-home placement or 30 days of the conclusion of the investigation or assessment, whichever occurs first, on all cases that remain open for services. A concurrent plan also may be developed.

### Who May Participate in the Case Planning Process

**Citation: Ann. Stat. § 14-3-427**

After a petition is filed alleging a child is neglected, the court shall order the department to make a predisposition study and report. While preparing the study, the department shall consult with the child's school and school district to determine the child's educational needs.

Within 10 days after a petition is filed alleging a child is neglected, the court shall appoint a multidisciplinary team. The multidisciplinary team shall include the following:

- A representative of the school district who has direct knowledge of the child and, if the child receives special education, is a member of the child's individualized education plan team
- The child's psychiatrist, psychologist, or mental health professional

- The district attorney or his or her designee
- The child's attorney or guardian ad litem, if one is appointed by the court
- The volunteer lay advocate, if one is appointed by the court
- The foster parent

In addition to the persons above, the court may appoint one or more of the following persons to the multidisciplinary team:

- The child
- A relative
- If the predispositional study indicates a parent or child has special needs, an appropriate representative of the Department of Health's Substance Abuse, Mental Health, or Developmental Disabilities Division who has knowledge of the services available in the State's system of care that are pertinent to those identified needs
- Other professionals or persons who have particular knowledge relating to the child or his or her family, or expertise in children's services and the child or parent's specific disability or special needs, including linguistic and cultural needs

### Contents of a Case Plan

**Citation: Ann. Stat. § 14-3-427; Code of Rules 049-0006-2 , § 7**

The study and report of the department shall cover the following:

- The performance of the child in school, including whether the child received special education service and how his or her goals and objectives might be affected by the court's disposition
- The presence of child abuse and neglect or domestic violence histories, past acts of violence, learning disabilities, cognitive disabilities, or physical impairments, and the necessary services to accommodate the disabilities and impairments
- The presence of any mental health or substance abuse risk factors, including current participation in counseling, therapy, or treatment
- Other matters relevant to treatment of the child, including any pertinent family information, or proper disposition of the case, including any information required by § 21-13-315(d)

The multidisciplinary team shall review the child's personal and family history, school records, mental health records, the records maintained by the department, and any other pertinent information, for the purpose of making case planning recommendations. To the extent appropriate, the team shall involve the child in the development of the recommendations.

*In regulation:* The case plan shall be based on the following:

- The safety assessment and plan
- Risk assessment
- The service needs of the child and family

The department shall provide services consistent with the case plan.



U.S. Department of Health and Human Services  
Administration for Children and Families  
Administration on Children, Youth and Families  
Children's Bureau

