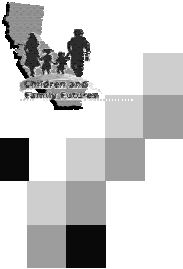


Women and Methamphetamine: A Day of Learning



Supporting Parents Involved with the Child Welfare and Dependency Court Systems

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This training is provided by Children and Family Futures through a contract with the State of California Alcohol and Drug Programs

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What is Child Maltreatment?

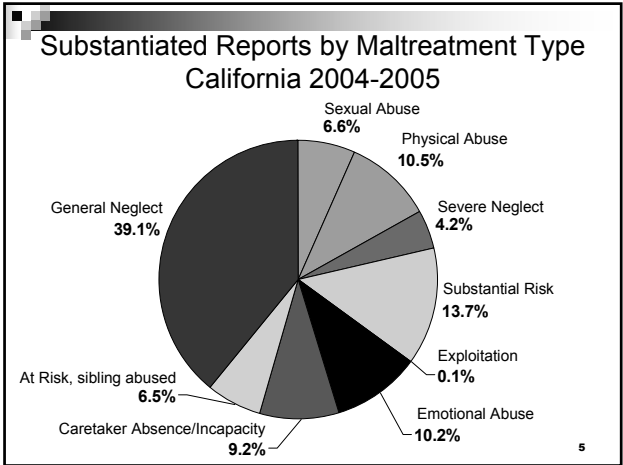
- Physical abuse
- Neglect
 - General neglect
 - Severe neglect
- Sexual abuse
- Serious emotional damage

For more info, go to <http://www.cdss.ca.gov/pdf/PUB132.pdf>

Topics

- Child maltreatment, the child welfare system, and shared family issues
- The dependency court systems
- Issues and strategies for collaborating with child welfare

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Overview of child maltreatment, child welfare, and shared family issues

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What is Child Welfare?

- Child welfare is a continuum of services that are put into action when the safety, protection, and basic welfare of a child are determined to be at risk.

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The Child Welfare Process

- Report
- Investigation
- Substantiation
 - Family support/maintenance services
 - Permanency planning services
 - Family reunification services
 - Adoption
 - Other permanent living arrangement

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Key Timetables Required by ASFA

- When a child has been in foster care for 15 of the most recent 22 months, the State must file a petition to terminate parental rights, unless:
 - A relative is caring for the child
 - A compelling reason that termination would not be in the best interests of the child
 - The State has not provided the family the needed services within the required deadlines
- Timeline shortened to 6 months for infants and toddlers under 3 years

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Los Angeles County Statistics

Allegation	Total Referrals	Substantiated	Percent Substantiated
Sexual Abuse	8,615	2,158	25%
Physical Abuse	23,987	3,674	15%
Severe Neglect	1,356	510	38%
General Neglect	33,430	8,480	25%
Exploitation	150	26	17%
Emotional Abuse	11,501	4,163	36%
Caretaker Absence/Incapacity	5,215	2,618	50%
At Risk sibling abused	23,320	3,344	14%
Substantial risk	15,070	3,737	25%
Total	122,644	28,710	23%

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5 Clocks – Competing Requirements

- 🕒 The treatment timetable
- 🕒 The child welfare or court timetable
- 🕒 The CalWORKs timetable
- 🕒 The child's developmental timetable
- 🕒 The timetables of other systems

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Adoption and Safe Families Act Key Timelines

- Ensure the safety, permanency, and well-being of children, especially young children
 - Family reunification services are provided in the first 15 months from the date the child enters foster care
 - Each child must have a case plan.
 - Case review conducted every 6 months
 - Each child must have a permanency hearing no later than 12 months after the child enters foster care

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Child Welfare Services Continuum

- Emergency Response
- Family maintenance services (in-home)
- Family reunification services
- Permanent placement
 - Adoption
 - Legal Guardianship
 - Other planned permanent living arrangements

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Emergency Response Services

- Services can include emergency shelter care, temporary in-home caregivers, therapeutic day services, parenting training, substance abuse testing, transportation, and respite
- Voluntary services may become court-ordered

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Foster Care Placements

- Kinship (relative) care
- Foster family homes
 - Licensed residences for 6 to 8 children
- Foster Family Agencies (FFAs)
 - Private non-profits
- Group homes
 - 24-hour supervision in a structured environment that may have a treatment component
- Community Treatment Facilities (CTFs)
 - Serve seriously disturbed children

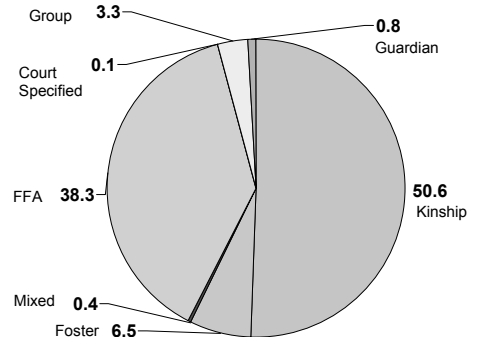
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Family Maintenance Services

- Voluntary
- Services can include counseling, emergency shelter care, respite care, emergency in-home caretakers, substance abuse treatment, domestic violence intervention, victim services, and parenting education
- State pays for 6 months of services, which can be extended for an additional 6 months
- County can continue to deliver in-home services or petition for removal of the child

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Predominant Foster Care Placements Los Angeles 2004-2005



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Family Reunification Services

- Can be voluntary, but often court-ordered
- Services can include counseling, emergency shelter care, substance abuse treatment, domestic violence intervention, parent training, and homemaking skills
- Permanency hearing within 12 months, and must file for TPR if child in care 15 out of 22 months, except:
 - If there is "substantial probability that the child will be returned" within a specified time period
 - Reasonable services were not provided to the parent
 - Only 6 months of services if child is under age 3

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Foster Care Placements

- Key Issues
 - Fast-moving statutory court requirements
 - Conflicting demands of various needed services
 - Difficulties in arranging visitations
 - Kinship care issues
 - Pressure to meet reunification requirements
 - Family stress caused by separation
 - The pressure to reunify
 - Children with multiple placements
 - Substance abuse prevention services for children

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Permanent Placement

- Adoption
 - Court processes to terminate parental rights
 - Services to help find an adoptive home for the child
- Legal Guardianship
 - Authority to make the decisions on behalf of the child, but no legal obligation to support the child financially
 - Child's legal ties to the biological family remain intact
 - Parent can petition to resume guardianship
- Other planned permanent living arrangements

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Dependency Courts

- Removal
- Substantiation of abuse or neglect allegation
- Custody of the child
- Determination of "reasonable efforts" to provide services to assist the parents
- Parent's progress toward reunification goals
- Child's permanent placement
 - Reunification or permanent placement and potentially termination of parental rights

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Independent Living Services

- Youth "aging out" of foster care
- Services can include education, vocational training, basic living skills, housing, career planning, and job finding
- Medicaid coverage extended for youth up to age 21

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Dependency Courts

- If substance abuse interferes with the parent's ability to keep children safe and cared for
- Whether the parent is receiving timely services
- Whether the parent is participating in and progressing in treatment
- Assessing the child's needs
- If expectations of the parent continue to be reasonable

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Dependency Court System

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Dependency Courts

- Initial Detention hearing
 - Within 24 hours if child in custody
 - Determine if the child needs to remain in custody
- Jurisdictional hearings
 - Within 20 days if child in custody or 30 days
 - Determine if allegations of abuse/neglects are sustained by evidence

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Dependency Courts

- Disposition hearings
 - Within 10 days of Jurisdictional hearing if child in custody, otherwise within 30 days
 - Determine who should have custody of child
- 6-Month Review hearings
 - Every 6 months by court or child welfare
 - Review case plan, progress, goals and if continued placement of child necessary

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Judge's Considerations

- Visitation and in what context
- Use of other service providers in the community
- If the parents are following the case plan
- Ability to meet the ASFA deadlines
- Is the case plan sufficiently responding to current circumstances of the child

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Dependency Courts

- 12-Month Permanency Planning hearings
 - Held at the end of 12 months
 - Determine permanent care, custody and control of the child
- Termination of Parental Rights (TPR) hearings
 - Within 15 months of if child in foster care for 15 of the last 22 months

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Judge's Considerations

- The parents have made substantial progress, and the child would be able to return home
 - The judge might decide to continue the case for 90 days.
- Treatment services identified in the case plan were not available or not provided in a timely fashion
 - The judge might require that a new plan be developed

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Judges' Considerations

- Appropriateness of the agency's plan to help the family
- Availability, accessibility, effectiveness and appropriateness of services
- Anticipated changes in parental behavior that are required to ensure children will be safe under their care
- Evolving circumstances and needs of each child

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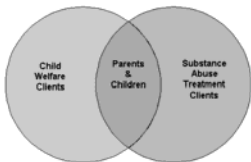
Collaborating with the Child Welfare and Dependency Court Systems

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Shared Clients

■ But different perspectives on...

- What is the problem?
- Who is the client?
- What is progress?
- What is success?
- What are the effects of relapse?



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Sharing Information: Parent Information

■ Child welfare worker shares:

- Child abuse and neglect investigation
- Screening for substance abuse
- Results of initial interviews with parents
- Information about service needs of parents
- Initial case plan

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Key Confidentiality Issues

- If a parent is not participating in or progressing in treatment, the parent may want to hide this information
- Sometimes a parent's attorney will advise against any disclosures between systems
- Often the child's attorney will want full disclosure of information

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Sharing Information: Service Plan Review

■ Child welfare worker shares:

- The schedule service plan reviews
- The content of the service plan and what is expected of parents
- How the treatment provider can assist the parent to participate in the review
- How the treatment provider can participate directly in the review

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Child Welfare and Treatment Confidentiality

- Purpose of treatment confidentiality requirements
 - Encourage participation
- Law restricts disclosure and use of patient-identifying information
- Clients can sign waivers authorizing specific disclosures

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Sharing Information: Dependency Court Hearings

■ Child welfare worker shares:

- The schedule for the court hearings
- What the court will expect from the client at each hearing
- Opportunities for the treatment provider to participate
- Social worker's reports to the court
- Attorney's reports to the court
- Court orders issued

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Sharing Information: Visitation Rights

- Child welfare worker shares:
 - Conditions in which these visits can occur
 - Any physical and psychological safety needs of children that may come into play and limit visitation possibilities

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Sharing Information: Other Issues

- Treatment counselor and child welfare worker share:
 - If the child was prenatally exposed to substances
 - Other special issues or needs of the children
 - Whether there are criminal charges
 - The status of the father in the life of the family
 - The status of the parent's health and whether she has health care

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Sharing Information: Status Changes

- Child welfare worker shares:
 - Moving to a new foster home
 - Moving from foster home to residential care
 - Need for special services
 - Serious or life-threatening illnesses or injuries
 - Evidence of use or abuse of substances
 - Serious illnesses or deaths in their care-taking families

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Sharing Information: Relapse

- Treatment counselor and child welfare worker share:
 - Endangerment of a child
 - Interference with a parent's visitations
 - Interference with a client's participation in ongoing treatment
 - Interference with child welfare requirements
 - Results of relapse/positive urine toxicology

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Sharing Information: Type of Treatment

- Treatment counselor shares:
 - The treatment process, setting and frequency
 - Particular demands the treatment program may make on the client
 - Whether it includes any resources for the client as a parent
 - Whether children can accompany the parent into residential programs

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Sharing Information: Case Conferences

- Treatment counselor and child welfare worker share:
 - Scheduling of strategies and support for each other's approaches
 - Additional services parents receive
 - Services that are needed but are not being provided, and developing joint strategies to access them

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Sharing Information: Personnel Changes

- Treatment counselor and child welfare worker share:
 - Changes in child welfare workers or treatment counselors
 - Changes in other key personnel involved in the clients' lives, such as TANF workers, physicians, or mental health counselors

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Concerns of the Dependency Court

- Available, appropriate and culturally competent services
- Timely referral to assessments and treatment
- If residential treatment includes children, or what contact the parent has with the child
- How contact and visitation with the child is being supported, and how often
- Transportation and other services offered
- Strategies to engage parents who miss appointments

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Sharing Information: Requirements Met

- Treatment counselor and child welfare worker share:
 - Client discharged from treatment
 - Follow-up plans
 - When parents have achieved critical steps in the child welfare requirements
 - Increased visitation with children
 - Return of children

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Linking Family to Family and Substance Abuse Treatment

- Team Decision-making
- Community Partnerships
- Recruitment, Training, and Support
- Self-evaluation

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Participate in Dependency Court

- Extent to which the treatment services are meeting the needs of the parents and whether additional or different services are needed
- Timeliness of the start of treatment
- Support they receive from the child welfare agency in sharing appropriate information and collaborating on client needs and progress

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Linking Family to Family and Substance Abuse Treatment

- Team Decision-making
 - AOD agencies on the team
 - Screening and assessment agreements
 - Review of values differences
- Community Partnerships
 - AOD agency partnerships
 - Links to courts, child development, education, children's mental health
 - Interagency budgeting for sustainability

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Linking Family to Family and Substance Abuse Treatment

- Recruitment, Training, and Support
 - Training for caretakers and staff on substance use disorders and serving children of substance abusers
 - Support services for children's multiple needs
- Self-evaluation
 - Information systems - fixing the "missing boxes"
 - Joint outcomes and shared accountability

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Motivation

- Use motivational techniques
 - Understand how serious participation in treatment can help parents regain custody of their children

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Summary:

What Can I Do Tomorrow?

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Putting Collaboration Into Action

- Actions treatment professionals can take:
 - Meet with child welfare professionals regarding questions
 - Arrange informal information exchanges to get to know each other, such as brown bag lunches
 - Familiarize yourself with Parents Anonymous groups
 - Know what family support services are delivered in your area and make a note of their location

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Supporting Your Clients

- Understand how separation may affect the parent and children in foster care, especially if it affects visitation
- Help prepare the parent emotionally
- Acknowledge and address the guilt and anxiety of parents
- Serve as a support to parents who consider relinquishing parental rights

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Identify Information to be Shared

- Share information on issues that:
 - Affect child safety and maltreatment
 - Affect the removal of children from the home
 - Affect the ability to meet child welfare or dependency court requirements
 - Are likely to cause treatment relapse
 - Are likely to cause a client to leave treatment

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Multi-Party Consent Forms

- Name of the program making the disclosure
- Name of the individual or organization that will receive the disclosure
- Name of the patient
- Purpose or need for the disclosure
- How much and what kind of information will be disclosed
- A statement that the patient may revoke the consent at any time
- Date, event, or condition upon which consent expires if not revoked
- Signature of the client
- Date on which the consent is signed

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Implement Joint Case Planning and Case Management

- Ensuring the involvement of the treatment counselor in permanency planning hearings and court appointments
- Engaging the treatment client in child welfare planning decisions
- Ensuring the child welfare workers, courts, and parent and child attorneys understand the treatment strategies, expectations and progress

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Child Welfare Profiles

- Track any problems they are encountering, as well as their progress through the child welfare requirements
 - If they are not yet in the child welfare system, it will assist you in identifying support systems
 - It will enable you to advocate for and monitor the receipt of appropriate services and strategies
 - It will enable you to identify critical information

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Engaging Dependency Court Professionals

- Familiarize yourself with the dependency court and child welfare systems in your county
- Ask your clients for their legal representatives' and social workers' contact information
 - Have them sign releases of confidentiality for both
- Review case plan and timelines with the client
- Stay informed of the client's court dates
- Mail progress letters to their attorney and social worker

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Identify Joint Strategies

- Help clients prepare for stresses of visitation or court appearances
- Develop respite care services
- Jointly support the involvement of family members
- Provide substance abuse prevention for children
- Offer the client parenting education opportunities and encourage participation
- Jointly support the client's participation in other support services

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