

# **Foster Care Services: Assessment and Permanency**

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## ASSESSMENT AND PERMANENCY

A thorough understanding of the family is the foundation of all child welfare interventions. The assessment process is ongoing and involves gathering facts, observations and information about and from the family. Such information is then analyzed and conclusions drawn about family strengths and needs. The SSCM gains a better understanding of the family as a unique system. There is insight into how family members think, feel, behave, relate to others and respond to various situations, including the removal of the child.

Assessment results guide staff in making sound decisions about the best placement for the child, the critical service needs of the child and family, and the most viable goal for achieving permanency. Initially, the assessment assists staff in making a prognosis regarding the likelihood for reunification, the preferred option for achieving permanency when safety can be assured. For some children in care (particularly young children and children whose families are less likely to respond to time-limited reunification services), a concurrent permanency plan may be developed. Should reunification not be possible or safe, an alternative plan is already in place. The assessment process continues to refine which permanency outcome is achievable and in the best interest of the child.

A formalized assessment known as the Child and Family Comprehensive Assessment is initiated soon after the child enters care. The child and his/her family, both immediate and extended, are engaged in the assessment process. Family-centered approaches such as Family Team Meetings and Multi-Disciplinary Team Staffings are effective ways to involve the family in assessment, planning and decision-making around the needs of the child. The assessment information also assists judges, CASAs, Citizen Panels, and other providers working with the child and family. All gain a better understanding of the:

- Degree of parent-child attachment and where the child feels a sense of belonging;
- Child's extended family as a potential resource for support and/or the placement of the child;
- Family's history and/or patterns of behavior; e.g., prior CPS involvement or foster care placements, past experience with handling crisis, problems with addiction, criminal behavior, etc.;
- Strengths and resources which the family can tap;

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- Core needs of the family which, **at a minimum**, must be changed or corrected for the child to be safely returned within a reasonable period of time;
- Probability of the child returning home or the likelihood of an alternative permanency plan; and
- Identified medical, emotional, social, educational and placement-related needs of the child.

### COMPREHENSIVE CHILD AND FAMILY ASSESSMENT

#### 1006.1

##### *Requirement*

Within five twenty-four hours of the 72-Hour Hearing, the SSCM initiates the assessment process for all children entering care via a referral to an approved provider for a Comprehensive Child and Family Assessment (CCFA).

#### 1006.1 PROCEDURES

1. Determine if the family and/or child has received any type of assessment service within the last 12 months; e.g., medical, social, educational, family, psychological, etc.

**Note:** If the child has already received an assessment of some type within the last 12 months, there is no need to repeat that assessment service, particularly if it is similar to one of the components of the Comprehensive Assessment. The Assessment provider still collects the past records and reports, and assembles the information and incorporates it into the CCFA Report. Exception: All children entering foster care must have a Health Check screen within ten (10) days of their placement.

Family Members should be involved in all assessments whenever possible.

If the SSCM determines at any time following the initial assessment that another Comprehensive Child and Family Assessment would be advantageous in planning, a waiver may be requested from the Regional Field Director stating the reason why an assessment is needed and providing such information as the length of time the child has been in care, the child's permanency plan, etc.

2. As outlined in the *Standards for the Comprehensive Child and Family Assessments (Revised 03/05)*, the SSCM follows these steps:
  - Selects a provider from the approved provider directory in or available on

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the web @ [http://dfcs.dhr.georgia.gov/fostercare\\_](http://dfcs.dhr.georgia.gov/fostercare_).

- Initiates the *Referral* (Form #1) and sends, within 24 hours of the 72 hour hearing, to the selected provider. (See 1016.6, Fiscal, regarding the cost of the assessment, and how to negotiate directly with the provider for completion of only the components needed).
- Schedules the Family Team Meeting within nine (9) days of the child's placement in FC. The SSCM will inform the parent(s) and other relatives at the 72-hour hearing of the CCFA and FTM.
- Schedules the MDT meeting date. (MDT meeting will take place within 21 days of the referral date). The CCFA assessor will facilitate and coordinate the MDT meeting.
- Sends a standard letter of intent (within 24 hours of the referral date) to the parent, relative and/or the foster parent that outlines the family assessment process and introduces the selected provider.
- Prepares and/or assembles any background information (*Family Information Form-*) and all materials listed on the Pre-Evaluation Checklist within 24 hours of the referral date. When contacted by the provider, makes arrangements for the provider to review the case record, with the exception of the names of any reporters. Copies case material. (Note: The SSCM, not provider, may copy documents from e record.)
- Facilitate the FTM within nine (9) days of the child's placement in foster care - See Social Services Foster Care Manual Appendix M – The Georgia Family Conferencing Handbook. The initial case planning for the family begins at this meeting.
- Sends notification to the parent within five (5) days of the MDT meeting with the intent to develop the initial case plan at the MDT meeting.
- Ensure that Department of Public Health staff is invited to attend the MDT meeting
- Participates in the MDT Staffing. The assessment standards reference the composition of the staffing body, including representatives from at least three disciplines, as well as the child and his/her family. Ensures that the MDT Staffing Recommendation Form is completed with recommendations concerning the child's placement setting, permanency plan, and service needs (including those of the family and/or caregiver). The team will select reasonable, achievable goals/objectives that address the specific behaviors or conditions that must be corrected for the child to be safely returned to the parent to incorporate into the initial case plan. DFCS as the legal custodian of the child may or may not follow the recommendations of the MDT.
- Initiates a home evaluation of any relative identified within the CCFA report as a potential placement resource (See 1004. If the CCFA provider is asked to complete the evaluation, Fiscal Chapter 1016. explains the procedure for authorizing payment.

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- Within 30 days of the child's removal, submits the initial case plan to the court, along with a copy of the Comprehensive Child and Family Assessment.
- Explains (or has the County Director/designee explain) the instructions in 1016.7 regarding the provider's submission of an invoice to the county department in order to obtain payment.
- Receives the completed Comprehensive Assessment Report from the provider within 30 days from the date of referral and reviews for completeness and compliance with standards.

**Note:** If the Assessment is not completed within 30 days, the SSCM needs to submit the initial Case Plan, which, if necessary, may be amended when the Assessment results are available. Remember to share a copy of the results with the court.

3. In limited circumstances, the SSCM (and not a provider) is responsible for completing a family assessment. For example, if a child re-entering care has already had a Comprehensive Assessment within the previous 12 months, or if the child has been in care for at least 24 months and an update is due, then the assessment outline below is followed. (Also, see "Section VI, "Assessment Standards for Families.") The family assessment includes, but is not limited to, the following topics/items of information:

- Household Composition/Key Data
- Clinical Observation
- Prior Agency Involvement
- Living Arrangements
- General Financial Status and Employment History
- Health of All Household Members
- DHR Form 419, Background Information Form
- Marriage status
- History of Criminal Activity; i.e., existing or known information (records check not required)
- Education Status
- Relationship between Parent and Child
- Family and Community Resources
- Family's Strengths and Needs
- Summary, Conclusions, and Recommendations

4. Explore all sources of possible information about the family, which will assist in conducting a family assessment (Some of these sources will require the Case Manager to obtain a proper release of information.) They include:

- Consulting with the previous SSCM, Supervisor or other DFCS staff familiar with the family;
- Screening for CPS history via county master files, IDS, Offender Registry, etc.

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- Reviewing past CPS and Foster Care case record information;
  - Making collateral contacts with individuals/agencies that know or have worked with the family;
  - Observing family interactions, living conditions, behaviors, etc.
  - Accessing reports and records generated from other agencies and/or other professionals;
  - Reviewing formal evaluations and treatment summaries (e.g., medical, psychological, drug and alcohol assessments, etc.); and
  - Obtaining any other source of information pertinent to the assessment process.
5. Formally update all assessments a minimum of once every two (2) years. Follow the topics for a family assessment referred to in Procedure 3. Date and file the "Assessment Update" in the case record.

(The only exception to completing the assessment updates is when a child is on adoptive status. The adoptive study already requires periodic updates.)

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## PERMANENCY PLANNING

All children are entitled to a safe, permanent and nurturing home. In order to grow up to be healthy, self-sufficient adults, children need to experience stability and continuity in a lifetime relationship with a parent, and if this is not possible, with a parent substitute.

Foster care is a temporary setting and not a place for children to spend any more time than is absolutely necessary. It is critical to begin planning for permanency from the time the child enters care. Families need to be actively involved in permanency decisions for their child. Likewise, the county department needs to remain open and up front with the family in presenting both the options for permanency as well as consequences when it is not achievable and timely. Regardless of the permanency outcome, the safety and well-being of the child must be reasonably assured.

ASFA includes a number of provisions that are intended to move children more quickly through the foster care system into safe, permanent families. These are:

- A time frame of **12 months to have a permanency plan in place** for every child in care;
- A **permanency hearing** within 12 months of the child's removal (and every 12 months thereafter as long as the child remains in care);
- A judicial determination regarding "**reasonable efforts to finalize the permanency plan**" within 12 months of the child's removal (and every 12 months thereafter);
- Case Plan documentation of a "**compelling reason**" whenever the agency recommends in its Case Plan a permanency plan other than reunification, adoption, guardianship or permanent placement with a fit and willing relative;
- The **mandatory filing of a petition to terminate parental rights** whenever the court has determined the child to be abandoned or the parent has been convicted of certain felony offenses or the child has been in care for 15 of the most recent 22 months. (The only exception to filing occurs when a "**compelling reason**" is documented in the Case Plan, reviewed by the court and determined to be in the child's best interest); and
- **Concurrent planning** with respect to two practices: (1) the selection of dual permanency plans; and (2) the concurrent efforts to identify, recruit and approve a qualified family for a child at the same time that the county department files a petition to terminate parental rights.

## PERMANENCY PLAN OPTIONS

### 1006.2

#### *Requirement*

Options for permanency are assessed on a case-by-case basis and take into consideration

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the safety and best interests of the child. In the order of preference, the permanent outcomes for children in care are:

(1) reunification; (2) adoption; (3) guardianship; (4) permanent placement with a fit and willing relative; or (5) another planned permanent living arrangement; e.g., long-term foster care or emancipation.

## SELECTION OF THE PLAN

### 1006.3

#### *Requirement*

A permanency plan is initially selected within the first 30 days following removal, and it is documented in the department's initial Case Plan. The plan is reviewed periodically by the court and DFCS to evaluate its continued appropriateness, including the time frame for achievement. To expedite permanency, concurrent permanency plans may be selected for some children; i.e., efforts to reunify the child being made concurrently with efforts to finalize any of the other permanency outcomes. A Family Team meeting shall be held to discuss changes to the permanency plan.

### 1006.3 PROCEDURES

2. Determine if an alternative or concurrent permanency plan needs to be selected to ensure expedited permanency. (Generally, concurrent planning is best used as a strategy for young children in care and for those children who are at risk of becoming "stuck" in the foster care system.)

At a minimum, discuss the following issues with the parent at the time of a Family Team Meeting and/or case planning meeting:

- The negative impact of foster care on children and why it needs to be temporary in nature;
- The child's urgent need for a stable, caring and permanent family;
- Clarity about the birth parents' rights and responsibilities, including the option of surrendering parental rights as a means for the child to attain permanency;
- Clarity about time limits for achieving a permanent placement for the child as designated by law;
- Involvement of the court in ordering as well as periodically reviewing the Case Plan;
- Obligation of DFCS to provide support through direct services and referrals;

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- Permanency options, including concurrent permanency planning (if appropriate);
- Consequences for not meeting the Case Plan expectations or for parental inaction; and
- Early and ongoing case review to assess progress, review continuing needs, and plan for the future of the child.

## REUNIFICATION

### 1006.4

#### *Requirement*

Reunification with the parent is selected as the preferred permanency plan when the child requires temporary foster care and time-limited reunification services (generally provided no longer than 12 to 15 months) will make it possible for the child to return safely to the home.

### 1006.4 PRACTICE ISSUES

1. Some indicators for selecting this permanency plan are:
  - The parent and child both desire reunification;
  - The parent is ready, willing and able to participate in and benefit from time-limited reunification services designed to change or correct those conditions or behaviors that resulted in the child's removal;
  - The time frame for achieving the reunification outcome is realistic;
  - The parent -child relationship is meaningful, and there is observable attachment (the degree to which may require a psychological evaluation);
  - The parent has formal and informal supports available via extended family and/or community;
  - The parent has strengths, including a history of providing for the basic needs of the child at other times; and
  - The parent has the capacity to provide for the safety, physical, emotional,

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medical and educational needs of the child.

2. State law defines specific circumstances that may result in the court making a “presumption” (based on clear and convincing evidence) that it is “*reasonable for DFCS to make no efforts to reunify the child and family.*” The court considers such circumstances as being “detrimental to the child” and therefore, suspends reunification services. A “non-reunification” order may be entered whenever the court finds that

- The parent has unjustifiably failed to comply with a previously ordered Case Plan designed to reunite the family;
- The child has been removed from the home on at least two previous occasions and reunification services were made available on those occasions; and/or
- Any of the grounds for terminating parental rights (according to state statutes) can be established. (See Section 1013, Legal.)

(**NOTE:** Any time the child’s health and safety are at risk (other than the above circumstances); the court may suspend reunification services by its own determination or at the recommendation of DFCS.)

3. The ASFA and State law also outline three other circumstances in which efforts to reunify the child and family are **NOT** required; that is, when the court determines that:

- The parent has subjected the child to “aggravated circumstances” which may include (but are not limited to) abandonment, torture, chronic abuse or sexual abuse;
- The parent has been convicted of murder or voluntary manslaughter of another child (of the parent); aiding or abetting, attempting, conspiring or soliciting to commit murder or voluntary manslaughter of another child; or a felony assault that results in serious bodily harm to the child or another child of the parent; and/or
- The parental rights to a sibling of the child have been terminated involuntarily.

4. Meaningful visitation is key to successfully achieving the plan of reunification. Frequency of visits between the child and family (parents, siblings and relatives) is one of the best predictors of a reunification outcome.

5. The Case Manager is responsible for ensuring that parents are referred for appropriate services, written reports are obtained from service providers and Case Plan goals are monitored for progress. See “Services to Parents” in Section 1006.8.

6. The decision to return the child to the parents should be based on these factors:

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- The reasons which led to removal have been satisfactorily addressed and resolved;
  - The parents have made changes in their behavior or circumstances which now make it possible for the child to be safely returned;
  - Documentation that risk to the child has been reduced or eliminated;
  - Visits (or a trial placement in the home) have demonstrated that parents' ability to now care for the child; and
  - There are services and supports that can be put into place to prevent the child's re-entry into care.
7. Before reunification may occur, Georgia law outlines two special provisions:
- The court must approve a plan to return a child (usually by issuing an order to that effect per O.C.G.A. Section 15-11-55 (a) (2).
  - If the court determines that the underlying reason for the deprivation of the child was a result of the parent's alcohol or other drug abuse, the court is authorized to require the parent to undergo substance abuse treatment and random drug screens. **However, the court will not permit reunification until DFCS has documentation confirming that the screens remain negative for a period of no less than six consecutive months** per O.C.G.A. Section 55-11-55 (e).
3. Once the child has been reunified with the family, the placement is most vulnerable to disruption without the provision of Aftercare services and support to the family. To monitor progress and ensure the safety of the child and stability of the reunified family, see Section 1016 for Comprehensive Child and Family Assessment/ Wrap-Around Services and/or the program descriptions of PUP, Parent Aide and Homestead.

## ADOPTION

### 1006.5

#### *Requirement*

Adoption is selected as the permanency plan when return to parents or permanent placement with relatives is not possible or in the child's best interest. It may not be necessary to obtain a non-reunification order before petitioning the court for termination of parental rights. (Note: Some judicial circuits do not require an order for non-reunification as a prerequisite to filing a TPR petition. Consult the SAAG for local court requirements). A Family Team meeting is held to discuss changes to the initial permanency goal.

### 1006.5 PRACTICE ISSUES

1. The following indicators are used in determining whether adoption is in the child's best interest:

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- It has been determined that the child cannot be safely returned;
  - The child is or can become legally free; i.e., there are legal grounds that can be established (or which already exist) for termination or a voluntary surrender has been executed.
  - In all probability, an adoptive home can be recruited and/or is already available for selection;
  - The child wants to be adopted (if age 14 or older, the child must consent to the adoption), and/or the child is capable of accepting and responding to family life;
  - The child does not have a strong sense of birth family; or, if the child has a need to maintain an identity through continuing contact with the birth family, then that is possible;
  - The child is in foster care placement which meets the child's needs and is attached to the foster parent who may likely adopt the child; and/or
  - The county department is committed to using its resources to pursue the plan of adoption and will make reasonable efforts to quickly achieve permanent placement of the child.
2. It is important to build strong case documentation from the beginning. Such efforts may include obtaining releases for criminal records, mental health treatment summaries, substance abuse history, etc., as well as carefully documenting service provision and parental compliance with Case Plan goals. See Section 1013 (Legal) and Chapter 80.2 (Documentation Requirements) for assistance in preparing the case.
  3. Whenever there is uncertainty about timely reunification, it is recommended that concurrent permanency plans of reunification and adoption be selected. Should termination later be sought, it may be possible for the county department to proceed with its petition without first pursuing a court-approved plan of "non-reunification." Also see 1004.5 regarding the placement of children in foster/adopt homes.
  4. See 1013.13 regarding the approval of the decision to pursue termination and the time frame of 30 days in which to complete and submit the Termination Packet to the SAAG for preparation of the petition.
  5. **When the petition for termination of parental rights is filed, ASFA requires that DFCS "concurrently proceed with identifying, recruiting, processing and approving a qualified family for child's adoptive placement."** The Case Plan documents the child-specific steps being taken to secure a permanent placement, including the use of photolisting, media recruitment, national and/or electronic exchanges.

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## GUARDIANSHIP

### 1006.6

#### *Requirement*

| Guardianship is selected as the permanency plan for a child (1) who is unlikely to

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return home (2) for whom termination is not in his/her best interest and for whom adoption is impractical or inappropriate. Guardianship may be considered for children placed with relative caregivers or non relative caregivers once the placement is considered stable and in the best interest of the child.

Before selecting a permanency plan of Guardianship with a non-relative, the county department must:

1. Exhaust all efforts to place with relative.
2. Document reason placement with relative is not in the best interest of the child.
3. Document that there is an existing positive relationship between the child and potential caregiver. or
4. Document that an emotional attachment and bond exist between the child and potential caregiver.

In addition, there must be an interested, responsible adult willing to assume care of the child. The potential guardian's home must be evaluated and approved to ensure the child's safety, stability and well-being.

### Guardianship

#### 1006.6 PROCEDURES

##### Selection of Guardianship as the Permanency Plan:

1. The case manager, supervisor, parents, placement resource, family members and significant others shall determine if Guardianship should be selected as the permanency plan or if a concurrent plan needs to be selected to ensure expedited permanency.
2. A Family Team Meeting must be held to:
  - Discuss all permanency options. If guardianship is selected:
    - a. Ensure and document that all permanency options were discussed with the family.
    - b. Document why guardianship is in the best interest of the child and family.
  - Discuss and document all financial resources and support that are available to the relative/non-relative caregiver if awarded guardianship. For additional consideration see Practice Issues: Special Financial Arrangements.
    - a. The county department must not pay a per diem board rate once a guardian is appointed.
    - b. If the guardian meets the eligibility requirements, he/she may be able to receive an Enhanced Subsidized Guardianship (ESG), Subsidized Guardianship (SG), Non Relative Subsidized Guardianship (NRESG) or Non Relative Guardianship (NRSNG).
    - c. The non relative guardian may be considered for NRESG or NRSNG at least six months prior to the Guardianship award being final. The NRESG or NRSNG payments must be suspended, the first day of the next month (seven months from the date of the first payment), if the non relative caregiver does not obtain guardianship within the six month time period. Once Guardianship is awarded, payments may resume.

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- d. Discuss the stability of the placement and the best way to prepare the family and child for placement stability.
2. If the parent(s) agrees, the Department shall continue to work with them on their reunification goals for up to twelve months if guardianship is awarded prior to the child being in care twelve months. (The twelve months is calculated from the date the child enters foster care.)
3. Outline and manage the child's transition plan from the Department's temporary custody to the permanent care of the guardian.

The transition plan shall include the following:

- a. Case Management Services for an effective transition.
  - b. Referrals and links to community agencies (including MHDDAD, PSSF and CCFA/WA).
  - c. Support services to ensure the safety and well-being of the child.
  - d. Pre-placement visits if the child is not already in the home.
4. The Case Manager shall make a home visit to the relative/non-relative caregiver's home as outlined in contact standards (Section 1011.15) for children in the custody of the department. The Case Manager shall assess and document the child's adjustment in the home with the relative/non-relative caregiver. Visits shall occur for a minimum of six months. During this time, the case manager shall make an assessment of the child or relative/non relative caregiver needs and ensure immediate attention and response.
  5. Complete a Relative/Non-Relative Care Assessment (R/NRCA) on the relative/non-relative caregiver if one has not already been completed.
    - a. The degree of relationship shall be documented by establishing the existing relationship and familial bond between the individual, child and family (for no less than six months), when completing the R/NRCA for a relative/non relative who is being considered for guardianship.
    - b. Discuss and document the reason relative caregivers are not considered for permanency.
    - c. The responsibility for recommending approval of a relative/non relative care assessment rests with the County Department of Family and Children Services office that conducted the study. Initial placements may be made on the merits of the favorable home visits, safety and home assessment, history check and criminal records check on all individuals 18 or older in the household. (See Section 1004.1.3 before a placement is made with the relative/non relative).
    - d. If the child is placed outside of the county, See 1004.1.7.
  6. It will be necessary for the county department to return to court to be relieved of custody of the child when legal guardianship is awarded to an individual subsequent to DFCS holding temporary custody.
  7. After the department is relieved of temporary custody of the child(ren) and guardianship is awarded to the relative/non-relative caregiver, remove the child(ren) from AFCARS. The Placement case remains open for working with the parent on the reunification goals, when applicable.

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8. Follow the procedures in 1006.9 – Services to Birth Parents to make reasonable efforts to reunify the child and family through the provision of intensive, responsive time-limited reunification services, where applicable.
9. Once guardianship has been awarded, the county department cannot provide ongoing case management services for an indefinite period of time. Ongoing support services may continue for a short time if the guardian voluntarily accepts it. This stipulation does not apply to the annual renewal requirements for the subsidy payments.
10. Relative/Non-Relative Guardianship cases where ESG, SG, NRESG, NRSR payments are made must be renewed annually by the County DFCS.
  - a. The county DFCS office where guardianship was granted shall notify the family 45 days prior to the end of the approval.
  - b. The case manager makes arrangements to make a home visit.
  - c. The family and agency representative must sign a new R/NRG agreement with the current subsidy amount on the designated form at each renewal period.
11. Guardians receiving the ESG, SG, NRESG or NRSR must adhere to the annual renewal required by the County Department.

### Selection of Guardianship following Termination of Parental Rights:

1. After termination of parental rights, the county department must exhaust all efforts to match the child with an **adoptive** resource before considering guardianship with a relative/non relative.
2. After parental rights are terminated or at a subsequent disposition review, the child must be committed to the proposed guardian by the juvenile court which ordered the termination of parental rights. This is in accordance with O.C.G.A Section 15-11-103(a)(3). The new custodian must become the guardian of the child as required by that statute.

### Subsidized Guardianship Waivers

1. Subsidized guardianship waiver request for 100% of the current foster care per diem rate which the prospective guardian is receiving is selected for a foster child who meet the following criteria:
  - a. The child has been in custody of the state for more than twenty-four months.
  - b. The child and potential guardian have a strong commitment to one another as evidenced by the child's adjustment to the home, school, and community, as well as the observed interactions between them and the explicit wishes of each party.
  - c. Permanency through reunification and adoption have been exhausted and documented thoroughly in the case record.
  - d. The child is ten years of age or older and has lived with the prospective caregiver for at least six months prior to establishing subsidized guardianship.
  - e. If proposed guardian is not a relative, permanency through a fit and willing relative have been exhausted and documented thoroughly in the case record.
  - f. Non-reunification order
2. All waiver requests are to be submitted to:

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Office of the Deputy Director for Policy and Programs  
Two Peachtree Street, N. W.  
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Atlanta, Georgia 30303

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## Guardianship

### 1006.6 PRACTICE ISSUES

1. Guardianship arrangements have the advantage of being less vulnerable to disruption than are formalized long-term foster care arrangements. However, a guardianship can be threatened whenever a parent, who has agreed to the guardianship, petitions for the guardianship to be dissolved.
  - The county department shall work closely with the judicial system (Juvenile and Probate courts) to establish a protocol for notification when there are petitions for changes or amendments to the guardianship order.
2. Georgia statute provide for both temporary and permanent guardianship of a minor to a suitable adult. Both temporary and permanent guardianship meet Adoption and Safe Families Act (ASFA) requirements for “legal guardianship” as a permanency option outcome.
  - a. Temporary Guardianship is possible in the following situations:
    - The parent agrees to the guardianship, or
    - The parent will not object to the guardianship when notified.
  - b. Permanent guardianship is possible in the following situations:
    - There is no natural guardian (parent(s) deceased); or
    - Parental rights have been terminated; and
    - The child does not have a guardian.
    - The child is deprived in accordance with O.C.G.A. 15-11-30.
3. A guardianship may be ordered by the juvenile court (preferred when receiving a subsidy payment) or the probate court. Some juvenile courts do not accept guardianship cases. Note: Guardianship orders obtained through the Probate Court must be monitored closely by the county department for any changes in the guardianship arrangement.
4. Special financial arrangements must be considered:
  - A child receiving SSI may continue to be eligible, regardless of the guardian’s income. The guardian must notify the Social Security Administration of the changes in the payee.
    - If the guardian is not eligible to receive ESG, SG NRESG, or NRSNG, he/she may be able to receive a TANF Payee grant for the child.
    - A guardian, who receives ESG, SG, NRESG, or NRSNG must report any changes to the county department.
5. Until the guardianship is in effect, the Case Plan must document steps being taken to place the child in a more permanent living arrangement.
6. A young person age 14 or older shall be referred to Independent Living. If the young person is 14 or older at the time guardianship is awarded, the child remains eligible for Independent Living (IL) services.

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## PERMANENT PLACEMENT WITH A FIT AND WILLING RELATIVE

### 1006.7

#### *Requirement*

Permanent placement with a fit and willing relative is selected as the permanency plan when (1) the court has ordered non-reunification; (2) the other plans for adoption and guardianship have been considered, but ruled out for justifiable reasons, and (3) there is a suitable relative who has indicated a willingness to have the child placed or remain in the home on a permanent basis. The relative's home must be evaluated and approved to ensure the child's safety and well-being. A Family Team Meeting shall be held to discuss changes to the initial permanency goal.

### 1006.7 PROCEDURES

1. A Reasonably Diligent Search is required by law to identify those individuals who may be considered for placement or custody of the child. See Section 1002.3.1. Search for extended family members, including putative fathers, as soon as the child enters care. Document efforts and their outcome in the initial Case Plan. (See Practice Issue 3.)
2. Determine the appropriateness and suitability of a relative interested in being a placement resource by conducting a Relative Care Assessment (RCA) as outlined in Section 1004 or a Relative Foster Home assessment (Section 1014).

### 1006.7 PRACTICE ISSUES

1. Placement with a relative who can provide nurturing, full-time care and protection provides a child with family continuity and support. If at all possible, siblings need to be placed together from the very beginning.
2. Sound permanency planning requires intensive outreach efforts to search for and identify relative resources to support the birth family in reunification efforts and/or to serve as a placement for the child. DFCS may need to notify non-custodial parents and possible biological fathers. Early determinations of paternity may be pursued through juvenile court when a deprivation proceeding is pending (See Section 1002). Also, consider using the Federal Parent Locator Service (FPLS) provided by the local offices of Child Support Enforcement (see Section 1003, Eligibility) and CCFA/ Wrap-Around funds for DNA testing (see Section 1016, Fiscal).
3. Once immediate and extended family members are identified, it will be necessary to determine the capacity of the family member to care for and protect the child without undue interference of the parent. To ensure a long-term commitment in the event of sickness, death or incapacity, it may be necessary to explore a "back-up" plan with family members as part of the Relative Care Assessment.
4. The relative resource may or may not eventually assume legal responsibility for the child. However, the Case Manager continually pursues with the relative the most permanent, legally secure arrangements for the child. Options may include:

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- a. Placed in the home of relative with Enhanced Relative Rate, Relative Care Subsidy and other support services;
- b. Placed in the home of the relative with or without TANF and other support services;
- c. Placed in relative foster care with a per diem being paid to the relative providers; or
- d. Placed with a relative who subsequently assumes full legal responsibility via permanent custody for the purpose of adoption or guardianship or until the child reaches age 18 (with or without Relative Care Subsidy, Enhanced Relative Care Subsidy, Enhanced Subsidized Guardianship, or Subsidized Guardianship).
- e. Relative Caregivers and children may be eligible for Wrap-Around Services up to one year following the award of custody of the child until he/she reaches age 18. See Appendix A Section XI, Wrap-Around Services.

Note: The relative may not receive TANF and Enhanced Relative Rate, Enhanced Relative Care Subsidy, Relative Care Subsidy, Subsidized Guardianship or Enhanced Subsidized Guardianship.

5. The Case Plan must document the steps being taken to place the child in the most permanent living arrangement possible.

### **ANOTHER PLANNED PERMANENT LIVING ARRANGEMENT**

#### **1006.8**

##### ***Requirement***

Another planned permanent living arrangement is selected whenever (1) the court has ordered non-reunification; (2) DFCS has determined that the other permanency options (adoption, guardianship or placement with a fit and willing relative) would not be in the best interest of the child; and (3) there is a compelling reason documented in the Case Plan for its selection. A Family Team Meeting shall be held to develop or revise a permanency plan, including the roles of family members and significant adults in implementing the plan. In addition, the young person shall be consulted regarding proposed permanency or planning for him/her to transition to independent living.

#### **1006.8 PRACTICE ISSUES**

##### ***Long-Term Foster Care by Agreement***

1. Long-term foster care by agreement is one type of "planned permanent living arrangement" when the child is unlikely to return home, adoption is not feasible and there are present caregivers available and willing to provide a home for the child as long as foster care is needed.
2. In most instances, a child and the substitute caregiver sign an informal, non-legal agreement indicating the intention for the placement to last until the child no longer needs foster care placement. Whenever possible, the parent also signs. The county department signs as the legal custodian. (See Appendix D for sample wording for the long-term foster care agreement.)

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3. The limitations of long-term foster care should be carefully considered. These include the fact that:

- This living arrangement lacks permanency and should not be selected for a young child.
- As the child becomes increasingly independent, he/she may determine that the placement is no longer desired, and there is no legal bond to the substitute caregiver.
- The substitute caregiver may decide the child is presenting problems, and there is no legal responsibility for the child.
- Although the parent may have signed the agreement, there is nothing to prevent the parent's situation or attitude from changing. The parent may decide at a later date to pursue custody, at which point the child and the substitute caregiver may be psychologically attached. To prepare both the child and the caregiver for this possibility, the agreement should use terminology that the child will remain in the intended placement "as long as foster care is needed."
- Although the placement may have seemed stable at the time the agreement was signed, the county department may later determine that the placement is not meeting the child's needs or the child is placing such stress on the substitute caregiver, that another placement resource is needed.

4. In order for the court to adopt the permanency goal of another planned permanent living arrangement such as long-term foster care, the Case Manager documents the following in the Case Plan:

- A "compelling reason" for ruling out the "higher priority" permanency plans as not in the child's best interest; and
- The steps being taken to place the child in a more permanent living arrangement.

i. The Case Plan is submitted to the court at the time of the scheduled periodic review. Should the compelling reason justify its selection, the court will adopt the permanency plan of "another planned permanent living arrangement" and enter the plan into an order, along with the name of the substitute caregiver and the "compelling reason."

6. At the time of the permanency hearing, a finding of "*reasonable efforts to finalize a planned permanent living arrangement*" is made by the court, if appropriate.

### *Emancipation*

1. Emancipation is selected as "another planned permanent living arrangement" when

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placement with the parent or relative is not possible, and without the prospects of a consistent adoptive or foster family, continued foster care arrangements are needed until the child reaches age 18.

2. While this plan is lacking in “permanence” in comparison with the other permanency options, its selection provides a planned arrangement for maintaining the child in foster care until eventual emancipation to independent living or to a protective environment.
3. For youth age 14 and over preparing for independent living, a referral to the Independent Living Coordinator must be made. In addition, Written Transitional Living Plan (WTLP) must be developed with the youth outlining the necessary goals and services for emancipation. The WTLP (which accompanies the Case Plan) is subject to review by the court to determine the appropriateness of the services being provided
4. The case manager and ILC may determine at any point after a young person reaches age 14 that an Adolescent Assessment is needed to assist in permanency planning for the young person. (Fiscal Chapter 1016.)
5. For youth whose special needs or severe limitations will require some type of protective environment beyond age 18, planning begins well in advance of the youth reaching the age 18 due to the limited number of resources and the long waiting lists for placement consideration.
5. Youth for whom this goal is selected do not have a Long-Term Foster Care Agreement.
6. In order for the court to adopt the permanency goal of another planned permanent living arrangement for a particular child, the Case Manager documents the following in the Case Plan:
  - A “compelling reason” for ruling out the “higher priority” permanency plans as not in the child’s best interest; and
  - The steps being taken to place the child in a more permanent living arrangement.
7. The Case Plan is submitted to the court at the time of the scheduled periodic review. Should the compelling reason justify its selection, the court will adopt the permanency plan of “another planned permanent living arrangement” and enter the plan into an order, along with the “compelling reason.”
8. At the time of the permanency hearing, a finding of “*reasonable efforts to finalize a planned permanent living arrangement*” is made by the court, if appropriate.

### SERVICES TO BIRTH PARENTS

#### 1006.9

##### *Requirement*

Until the court directs otherwise, the Case Manager is obligated to make reasonable efforts to reunify the child and family through the provision of intensive, time-limited reunification

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services.

## 1006.9 PRACTICE ISSUES

1. Services must be directed toward achieving the identified goals and steps outlined in the Case Plan. The most frequently provided services to parents with children in care are visitation, housing assistance, income maintenance, mental health, substance abuse treatment/recovery and parenting education. To accelerate permanency, services must be planned, organized and immediate. Selected services may include:

**Comprehensive Child and Family Assessment (CCFA) Wrap-Around (WA) Services** (see 1016.15 for description and instructions for accessing and paying for these services):

- *In-Home Intensive Treatment* provides therapeutic and/or clinical services for a family in preparation for the safe return of a child and/or to maintain and stabilize a child's current placement.
  - *In-Home Case Management* provides case management assistance to families in completing the defined goals and steps of the Case Plan.
  - *Crisis Intervention* provides an immediate service to stabilize a volatile family situation where safety of the child is not an issue, but may result in a child's placement disrupting; e.g., child on Aftercare status who is at risk of re-entering care.
- **Family Preservation Programs** (see CPS Service Manual, Chapter 2107 for program description and criteria):
    - *Parent Aide* provides parenting skills, education and training through in-home visitation and group classes.
    - *Homestead* provides intensive, short-term, in-home counseling and support to families being reunified.
    - *Prevention of Unnecessary Placement (PUP)* provides financial assistance to facilitate the return of a child through emergency housing assistance, psychological evaluation, drug screens, etc.
  - **Other formal and informal resources (if available) in the community:**
    - Family Service Workers provide in-home help with parenting education, home and financial management, shopping and meal management, etc.
    - Educational services help with completion of school or GED and/or preparation for employment.
    - Marital and family counseling assists families in gaining an understanding of and insight into behavior and relationships.
    - Individual and group counseling assists with understanding and resolving interpersonal issue or other mental health needs.

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- Employment services assist in obtaining a job to provide for basic economic needs.
- Housing services assist in the finding and securing adequate and safe living arrangements.
- Drug treatment provides residential services, recovery/support groups, outreach for relapse, drug screens, etc.

2. Substance abuse as an underlying need will likely require intensive treatment with anticipated periods of relapse. The parent dealing with addiction problems may still be in the treatment process when one of the following time frames is reached:

- The permanency hearing is held (within 12 months of removal); or when
- The child has been in care “15 out of 22 months” and termination of parental rights is not appropriate.

If the child cannot be safely returned, then a decision *may* be made to continue the treatment plan and work toward reunification. However, there must be a “compelling reason” or justification, which meets the approval of the court. The Case Manager must assess the parent’s situation carefully, along with the progress to date, and the prognosis of treatment providers, to determine if the parent may require (with the court’s approval), additional time for rehabilitation.

**NOTE: In accordance with O.C.G.A. Section 15-11-55 (e), whenever a child is adjudicated deprived as a result of the parent’s alcohol or other drug abuse, the court is authorized to require the parent to undergo substance abuse treatment and random drug screens. However, the court will not permit reunification until DFCS has documentation confirming that the screens remain negative for a period of no less than six consecutive months.**

3. The provision of quality services largely depends on the partnerships and collaborations with community providers assisting DFCS. The SSCM must be specific in the Case Plan regarding the services to be provided, their frequency and expected outcome. Written progress reports from service providers must be documented in the case file.

4. While DFCS is obligated to provide and/or arrange services for the parent, the parent is also responsible and accountable for his/her actions and decisions around participating in those services.

5. The Case Manager should consider how to balance the amount of time needed by the parent to make the changes or improvements with the child’s developmental and permanency needs. The compressed time lines outlined in State and Federal law provide the parameters for determining and finalizing a permanent placement. The parent may require assertive outreach, encouragement and support to realize that actual change, **not promises for change**, is expected.

**CONTACT STANDARDS FOR PARENTS OF CHILDREN IN CARE WITH A PLAN OF REUNIFICATION**

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## 1006.10

### **Requirement**

When the child's permanency plan (or concurrent plan) is **reunification**, the SSCM maintains a casework relationship with the parent to monitor the progress being made toward completion of the permanency plan goals and to continually assess the family's readiness for reunification.

***At a minimum, a face-to-face contact between the parent and the SSCM occurs as frequently as is needed, but no less frequently than once each month.*** Every other month, the contact with the parent must take place in the residence of the parent. When such contact standard cannot be met; e.g., parent's whereabouts unknown, parent lives in temporary housing (shelter or motel), parent resides out-of-state, parent is incarcerated or hospitalized, etc., and then approval to waive the contact must be obtained in writing from the County Director/designee and placed in the record.

Contacts must be documented with sufficient detail to determine, at a minimum, the following information: type of contact, when it occurred, who was there, what happened (purpose in relation to Case Plan goals/steps), and where it occurred.

### **1006.10 PRACTICE ISSUES**

1. The SSCM needs to impress upon parents the importance of keeping the county department informed of any moves/changes of address. When a child's parent resides in another county, the county of legal custody requests the other county to work with the parents in providing "Placement Services to Parents." (See Chapter 60, IDS definition.) A copy of the child's Case Plan accompanies any request for another county to provide services to the parent.
2. If contacts with the parent are being made by outside providers (e.g., Comprehensive Child and Family Assessment (CCFA) Wrap-Around Service providers), documentation of such contacts in the case record via progress notes and/or Wrap-Around Services Documentation Report, will NOT substitute for the SSCM's monthly face-to-face contact standard.
3. If it appears that there is a strong likelihood of early reunification, more frequent face-to-face contacts, especially in the parent's home, are encouraged. In most cases, parents who have the most contact with their SSCM are more likely to remain motivated and engaged in the achieving the Case Plan goals.
4. Purposeful, meaningful contacts with the parent may involve the following activities:
  - Dealing with parental feelings about separation from the child and visitation;
  - Discussing information about the child to assist the parent in understanding what will be required to meet the child's needs;
  - Keeping the parent focused on the reality of the situation and on the major tasks needing attention;
  - Assessing that services identified in the Case Plan are being provided and continue to be relevant and appropriate to the identified needs;

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- Assisting the parent in better utilizing or developing informal support groups, such as neighbors, relatives, faith community, etc.;
- Obtaining signed releases so that service providers can forward timely progress reports for documentation in the case record;
- Supporting the progress being made toward accomplishing established goals;
- If applicable, addressing the lack of progress and any problems/barriers the parent is encountering in achieving the identified goals/steps in the Case Plan. If progress is not consistent and ongoing, or if the parent is ambivalent about parenting role, then again advising the parent of alternative permanency planning for the child; and/or
- Reminding the parent of the “Permanency Time Line” for achieving Case Plan goals and the outcome for permanency.

### **DOCUMENTATION of SERVICES**

#### **1006.11**

##### ***Requirement***

The Case Manager carefully and accurately documents the services offered and provided and the family’s response to the services, including level of compliance and progress.

#### **1006.11 PRACTICE ISSUES**

1. Documentation is critical to building a case for sound decision-making, regardless of the permanency outcome; i.e., reunification, adoption, or any other permanent placement outcome.

Copies of reminder letters to parents, referrals to providers, progress reports, collateral contact entries, etc., are examples of key documentation for the record and the court. See Chapter 80, Social Services

1. Documentation Requirements (Rev 8/02), for additional suggestions for documentation.

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### **CPS REPORTS on PLACEMENT CASES**

#### **1006.12**

##### ***Requirement***

The Case Manager makes an immediate referral to Child Protective Services (CPS) whenever a child is born to a mother who already has a child in placement.

#### **1006.12      PRACTICE ISSUE**

The CPS Case Manager is required to respond to any report of this nature with an immediate to 24-hour response time. A determination is made concerning the safety and risk to the new child.