

PROGRAM MEMO

Program memo: Title 390, Protection and Safety #8-2005

To: Holders of Title 390

From: Todd Reckling, Administrator
Office of Protection and Safety

Signed by _____, Director

Date

RE: FAMILY AND CHILD PLANNING (CASE PLANNING) PROCESS

Effective Date: August 15, 2005

Duration: Until regulation is revised and issued

Contact: If you have any questions about this program memo, please contact Margaret Bitz at (402) 471-9457.

The purpose of this program memo is to clarify requirements and instructions for family and child plans (case plans) and the family and child planning (case planning) process. In this process there is emphasis on the need to involve families and family teams in the planning. This memo also defines key terms used in family and child planning (case planning).

DEFINITIONS

Family Team Meeting means a planning meeting that is convened for the purpose of creating, implementing, updating and evaluating an outcome driven plan that furthers an individual's/family's achievement on their priority outcomes and the Department's mandated safety concerns. Outcomes specify changes the individual/family wants to pursue to make their lives better in ways that are meaningful. The family team includes both formal and informal resources. Members of the family team are identified by the family and include anyone who contributes to the planning process and/or implementation of the plan, as well as any mandated participants. Members of family teams evolve and change as individual/family needs evolve and change. Family team members are actively involved in the discovery of strengths, and the development, implementation, and evaluation of the family centered plan. Everyone involved in the family team meeting signs the plan.

Family team meetings continue to be the primary avenue for family and child (case) planning, even when parental rights are no longer intact. In this situation
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the worker is encouraged to identify an advocate for the child. That individual will have the primary decision-making role regarding team membership.

Informal Resource means persons or individuals who participate in the family centered practice process as members of the Family Team and do not receive payment for their responsibility with respect to the family. Informal resource persons include relatives who are old enough to care for the child, neighbors, spiritual leaders, volunteer mentors, friends, etc. As a result, informal resource persons who hold professional/paid employment positions are not in a relationship with the child/family as a result of their profession. In other words, a family may identify a neighbor as an informal resource who happens to be a therapist and the person is on the Family Team because he/she is a neighbor.

Foster parents are considered to be “Formal Resources,” unless they meet one of the following criteria:

1. Foster parents who are related to the birth family (e.g., grandparents, aunt/uncle);
2. Foster parents who are known to and selected by the family (e.g., neighbor, friends); or
3. Past foster parents who continue to support the family by the family’s choosing.

The worker must encourage the family to include informal resource persons as members of the family team.

Formal Resource means persons or individuals who participate in the family centered practice process as members of the Family Team due to their paid relationship with the child/family. Formal resources include teachers, therapists, community treatment aides, family organization advocates (mentors paid to provide support who are not chosen by the family), agency staff or staff of any out of home placement program, etc. Foster parents not known to the family or child who are selected by an agency and are paid to care for the child are formal resources.

FAMILY AND CHILD PLAN (Case Plan)

The family and child plan (case plan) is a written, working agreement developed between the family and the Protection and Safety Worker and other team members as appropriate. The Court approves the family and child plan (case plan). The family and child plan (case plan) includes activities, actions, formal and informal resources and services, and is based on the safety of the child and the family’s needs.

The family and child plan (case plan) includes:

1. Measurable goals that assist the Family and Department to know when the family can live safely without involvement of HHSS-Protection and Safety; or
2. In the case of permanency objectives such as independent living, when the youth can function adequately without HHSS-Protection and Safety Involvement.

Family and child plans (case plans) must be based in family/person centered practice, and must be:

1. Family/Person Driven
2. Strengths based;
3. Needs driven;
4. Individualized;
5. Based on the values, beliefs, principles, and habits of the family;
6. Flexible;
7. Normalized;
8. Comprehensive;
9. Team developed and supported;
10. Community based; and
11. Outcome-focused.

FAMILY AND CHILD PLANNING (CASE PLANNING)

Family and child planning (Case planning) is the process by which the family and child plan (case plan) is established, progress is evaluated, and changes are made to the written plan. Family and child planning (case planning) is an ongoing process, not a one-time event, that continues throughout the time that the Department is involved with the family and/or youth. Family and child planning (case planning) is collaborative, and must not be done in isolation of the family. Both formal and informal resources are encouraged to be used in family and child planning (case planning).

The Protection and Safety worker is encouraged to use family team meetings as the primary avenue for family and child planning (case planning). When it is not possible to hold an in person, face to face meeting, the worker may coordinate the planning effort by soliciting information from the family team members and using it in discussion with the family. Whether planning is accomplished in a formal team meeting or by gathering information from the family and the family team members, the worker must assure that the plan is the result of a

collaborative effort and that the case plan is developed “with”, not “for,” the family. The worker must not make decisions in isolation from the family.

ADDITIONAL PROCESSES FOR FAMILY AND CHILD PLANNING (CASE PLANNING)

FAMILY GROUP CONFERENCE (FGC)

A Family Group Conference is a process that can help in planning and locating resources at any point in the Department’s involvement with a family.

Optimally, a family group conference is convened during the first 60 days of a child’s referral or removal for three primary reasons:

1. To immediately begin identifying and engaging a comprehensive list of extended family members in family and child planning (case planning) and to participate in ongoing family team meeting processes;
2. To address the safety, permanency, and well-being of the child; and
3. To optimize and engage the family’s involvement and commitment in creating and implementing the case plan.

FGC can also be used at key transition points throughout the family’s involvement with the Department for the family to work through critical issues related to the child, such as “aging out,” need for plan revision, termination, adoption, and juvenile justice matters. It is usually a one-time meeting, facilitated by a professional experienced in family/child welfare and conflict resolution, and allows for one or two follow up sessions. A responsible family member is often identified to work hand-in-hand with the case manager to follow up on the case plan. By definition, the FGC coordinator spends a significant amount of time preparing for the conference, beginning with a thorough meeting with the case manager to understand the risk and protective factors, the circumstances of removal, and the critical issues that need to be addressed by the family plan. The coordinator then meets with or talks with all the family members, the children, and other providers; schedules the meeting; arranges for a meal or refreshments; and ensures that relevant persons can participate, either in person or by phone. An essential portion of the meeting is the “private family time,” during which the family members meet without any professionals to address the critical issues and to develop their plan for the safety, welfare, and permanency of the children. The proposed family plan is then presented to the larger group during the decision-making phase of the conference for the case manager to “reality test” in terms of the child’s and the Department’s interests.

EXPEDITED FAMILY GROUP CONFERENCE (EFGC)

The Expedited Family Group Conference consists of a facilitated meeting involving the child's parents, the Department, and any other key family members and service providers. The purpose of the Expedited Family Group Conference (EFGC) is to convene immediately (within 5-10 days, generally) upon removal of a child from their home and to facilitate the development of a limited plan which primarily addresses the placement issue for the children, with the expectation that the outcome may be placement with extended family members or return to the home as quickly as possible. The meeting is organized and facilitated by a family group conference coordinator who is responsible for identifying, inviting, and preparing parents, extended family members and others to participate in the EFGC. The Expedited Family Group Conference consists of three phases: 1) Referral; 2) Preparation; and 3) Conference. Post-Conference facilitation and follow-up may be provided on a limited basis at the request of the Department. A "full" Family Group Conference may be convened after 45-60 days to allow the family, service providers, and case manager to examine all the critical issues that put the child at risk, and to develop a full family and child plan (case plan) to address safety, permanency, and child well-being.

MEDIATION

Mediation is a voluntary process in which families agree to work with an impartial mediator/facilitator to assist them in coming to a mutually acceptable resolution to a dispute or conflict within a family or between the family and the Department. Mediation is an effective way to listen, communicate and understand the issues in a way that solves the problem and moves forward in a manner that encourages all involved to have a continued and satisfactory working relationship. Mediation gives all participants an equal opportunity to solve their problems/disputes by developing an agreement which reflects the best interests of the child(ren) and also allows an effective method to channel confrontation into effective decision making. Examples of use of mediation include: parent/child conflict; parent-parent; family-foster family; foster family-Department, etc.

FACILITATION

Facilitation is a large group consensus and/or dispute resolution process facilitated by a 3rd party neutral facilitator that provides a forum for multiple participants to address issues, plans, conflicts, or problems in order to achieve a resolution, strategy, or consensus. The facilitator will have background, education, and experience in process skills, communication strategies, conflict resolution, and multi-party dynamic.

**SPECIAL POLICY CONSIDERATIONS WHEN WORKING WITH
NATIVE AMERICAN FAMILIES**

Department staff must use Tribal Social Services whenever possible when working with Native American parents and children. Family and child planning (case planning) and service provision will be based upon the social and cultural standards of the family's tribe. Active efforts will be made to provide the culturally relevant remedial and rehabilitative services to prevent the breakup of the family and to reunify the youth and family. The "active efforts" standard places a higher burden of proof on the Department than does the "reasonable efforts" standard.

For more information regarding Native American Families see Program Memo # 7-2005 and 390 NAC 7-003.01B and 7-001.07 for further instruction.