

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

POLICY GUIDE 2002.12

Distribution: X and Z

**FEDERAL TITLE IV-E REQUIREMENTS
SIX MONTH TRIAL HOME VISITS AND PERMANENCY HEARINGS**

DATE: October 22, 2002

TO: All DCFS and Purchase Of Service Agency Child Welfare Staff and
All Rules and Procedures Bookholders

FROM: Jess McDonald

EFFECTIVE: Immediately

I. Purpose

The purpose of this Policy Guide is to incorporate two Federal Title IV-E requirements into Department Permanency Planning policy. Title IV-E requires annual court findings of “reasonable efforts towards the permanency goal” and new findings of “contrary to the welfare of the child” and court findings of “reasonable efforts to prevent placement” when reunification (Trial Home Visit) fails. The phrase, “trial home visit” is federal terminology that describes a predominately downstate practice of sending children home while the Department retains legal custody of the child.

II. Primary Users

The primary users of this Policy Guide are Permanency Staff of DCFS and purchase of service agencies.

III. Trial Home Visits

A new court finding of “reasonable efforts to prevent placement” and “contrary to the welfare of the child” are necessary when the child returns to care after an extended “trial home visit” of more than six months, even if the court continued DCFS guardianship of the child during the trial home visit period.

“Trial home visit” is the term used in federal regulations for situations in which DCFS wards are returned home to their parents with DCFS guardianship continuing. If the “trial home visit” lasts for more than 6 months without a court order specifically indicating the trial home visit is to last longer, Federal regulations require that new findings must be made if those children re-enter care. The child’s removal must be treated as a new entry into foster care and eligibility for IV-E funds must be re-established, i.e. a court hearing must be held to determine that reasonable efforts have been made to eliminate the necessity of **this** removal and that remaining in the home any longer is contrary to the child’s welfare. Additionally, initial eligibility documents must be completed. The eligibility determination unit will need financial and deprivation information for the family as of the new entry date. Complete the Eligibility I & II upon request. If the appropriate



findings are not made when the child returns to care, that child will no longer be eligible for Title IV-E funds.

For example, if a child is placed in the home of parent (HMP) and after six months an issue arises in the home prompting the worker to remove the child, the case must be brought before the court for new findings of reasonable efforts and "contrary to the welfare of the child" even, though the Department retained legal custody. A new determination of Title IV-E eligibility will need to be made with new financial and removal information. Workers may be asked to complete the Eligibility I and II forms.

IV. Permanency Hearings

For title IV-E claiming, reasonable efforts towards achievement of the permanency goal must be documented at a permanency hearing at least annually after the initial reasonable efforts finding is made at the shelter care hearing. The finding concerning reasonable efforts to achieve permanency must be made as part of the permanency hearing order signed and dated by the judge. A copy of the order must be obtained and filed in Section IV of the case record, per Administrative Procedure #5, Appendix C – Case Record Organization. Illinois law and Department Rule Section 316.120, Permanency Hearings requires these hearings every 6 months .

V. Questions

Questions about this Policy Guide should be directed Kris Carter at 217-557-1725.

VI. Filing Instructions

File this Policy Guide behind page Rule 316 – (10) of Rule 316, Administrative Case Reviews and Court Hearings