

TITLE 89: SOCIAL SERVICES  
CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
SUBCHAPTER a: SERVICE DELIVERY

**PART 316**

**ADMINISTRATIVE CASE REVIEWS AND COURT HEARINGS**

**Section**

316.10	Purpose
316.20	Definitions
316.30	Administrative Case Review System
316.40	Frequency of Administrative Case Reviews
316.50	Conduct and Participation at Administrative Case Reviews
316.60	Notice of Administrative Case Reviews
316.70	Roles and Responsibilities of the Administrative Case Reviewer
316.80	Caseworker Responsibilities at the Administrative Case Review
316.90	Decision Review
316.100	Appealability of Decisions
316.110	The Department's Role in the Juvenile Court
316.120	Permanency Hearings
316.130	Caseworker Responsibilities at the Permanency Hearing
316.140	Compliance with the Client Service Planning Requirements

**AUTHORITY:** Implementing and authorized by Section 5 of the Children and Family Services Act [20 ILCS 505/5], Section 7.1 of the Abused and Neglected Child Reporting Act [325 ILCS 5/7.1], the Adoption Assistance and Child Welfare Act of 1980, amending Section 475 of the Social Security Act (42 USCA 675), Section 2-5 of the Juvenile Court Act of 1987 [705 ILCS 405/2-5], and Section 1 of the Adoption Act [750 ILCS 50/1].

**SOURCE:** Adopted at 23 Ill. Reg. 2528, effective February 1, 1999; amended at 26 Ill. Reg. 16909, effective November 1, 2002; amended at 35 Ill. Reg. 14942, effective September 1, 2011; amended at 36 Ill. Reg. 4082, effective March 5, 2012; amended at 40 Ill. Reg. 767, effective December 31, 2015; amended at 40 Ill. Reg. 7764, effective May 16, 2016; amended at 42 Ill. Reg. 2215, effective January 17, 2018.

**Section 316.10 Purpose**

The purpose of this part is to describe the independent review processes required by federal and State law for the purpose of ensuring that children and families who receive services from the Department or its provider agencies have participation and periodic review to determine and ensure safety, well-being, and permanency.

**ADMINISTRATIVE CASE REVIEWS AND COURT HEARINGS**  
**March 27, 2018 – PT 2018.07**

**Section 316.20 Definitions**

"Administrative case review" means a review of permanency planning open to the participation of the parents of the child, conducted by a person who is not responsible for the case management of, or the delivery of services to, either the child or the parents who are the subjects of the review. (See 42 USC 675(6)). The administrative case review is also open to the participation of other professionals involved in assessing or treating the child, any legal representative of the parent or child, and the foster parents as specified in this Part.

"Administrative case reviewer" means a trained professional who is not responsible for the case management of, or delivery of services to, either the child or the parents who are the subjects of the review.

"Children for whom the Department is legally responsible" means children for whom the Department has temporary protective custody, custody or guardianship via court order, or children whose parents have signed an adoptive surrender or voluntary placement agreement with the Department.

"Contact between siblings" means contact between or among siblings who are residing apart from one another and may include, but is not limited to: telephone calls; video conferencing; in person visitation; sending/receiving cards, letters, emails, text messages, gifts, etc.; sharing photographs or information; use of any approved social media (e.g., Facebook); and any other agreed upon forms of communication.

"Family" means one or more adults and children, related by blood, marriage, civil union, or adoption and residing in the same household.

*"Fictive kin" means any individual, unrelated by birth or marriage, who:*

*is shown to have significant and close personal or emotional ties with the child or the child's family prior to the child's placement with the individual; or*

*is the current foster parent of a child in the custody or guardianship of the Department pursuant to the Child and Family Services Act and the Juvenile Court Act of 1987, if the child has been placed in the home for at least one year and has established a significant and family-like relationship with the foster parent, and the foster parent has been identified by the Department as the child's permanent connection. [20 ILCS 505/7(b)]*

"Godparent" is a person who sponsors a child at baptism or one in whom the parents have entrusted a special duty that includes assisting in raising the child if the parent cannot raise the child. If the person is considered to be the child's godparent, in order for placement to occur, the same placement selection criteria as contained in 89 Ill. Adm. Code 301.60 (Placement Selection Criteria) must be met. If the godparent is not a licensed foster parent, all the conditions currently in effect for placement with relatives in 89 Ill. Adm. Code 301.80 (Relative Home Placement) must be met.

**ADMINISTRATIVE CASE REVIEWS AND COURT HEARINGS**  
**March 27, 2018 – PT 2018.07**

"Parents" means the child's legal parents, whose rights have not been terminated. Biological fathers are considered legal parents when paternity has been established as required by the definition in (89 Ill. Adm. Code 315) (Permanency Planning).

"Permanency goal" means the desired outcome of intervention and service, that is determined to be consistent with the health, safety, well-being, and best interests of the child. A permanent legal status is usually a component of the permanency goal.

"Permanent connection" means a family-like relationship, consistent with a child's best interests, health, safety and well-being, that provides:

- safe, stable and committed parenting;
- unconditional love and lifelong support; and
- a permanent legal status between child and family.

For a child for whom the Department is legally responsible, a permanent connection may be the child's parents or another caregiver in the child's home of origin. When the child cannot be safely returned home, a permanent connection may be the current or former foster parent or relative caregiver, an individual identified as an adoptive or legal guardianship placement resource, or another individual from among the child's or family's lifelong connections with whom a child has developed a familial relationship.

*"Relative"*, for purposes of placement of children for whom the Department is legally responsible, *means any person, 21 years of age or over, other than the parent, who:*

*is currently related to the child in any of the following ways by blood or adoption: grandparent, sibling, great-grandparent, uncle, aunt, nephew, niece, first cousin, first cousin once removed (children of one's first cousin to oneself), second cousin (children of first cousins are second cousins to each other), godparent (as defined in this Section), great-uncle or great-aunt; or*

*is the spouse, or party to a civil union, of such a relative; or*

*is the child's step-father, step-mother, step-grandfather, step-grandmother, or adult step-brother or step-sister; or*

*is the partner, or adult child of a partner, in a civil union with the child's mother or father; or*

*is a fictive kin as defined in this Section.*

## ADMINISTRATIVE CASE REVIEWS AND COURT HEARINGS

March 27, 2018 – PT 2018.07

*“Relative” also includes a person related in any of the foregoing ways to a sibling of a child, even though the person is not related to the child, when the child and its sibling are placed together with that person. For children who have been in the guardianship of the Department, have been adopted, and are subsequently returned to the temporary custody or guardianship of the Department, a “relative” may also include any person who would have qualified as a relative under this definition prior to the adoption, but only if the Department determines that it would be in the best interests of the child to consider this person a relative. [20 ILCS 505/7(b)]*

"Service plan" means a written plan on a form prescribed by the Department that guides all participants in the plan toward the permanency goals for the children.

"Siblings" means children who have at least one parent in common. Children continue to be considered siblings after parental rights are terminated, if parental rights were terminated while a petition under Article II of the Juvenile Court Act of 1987 was pending. Children continue to be considered siblings after one or more of the children are adopted or placed in private guardianship, if they were in the custody or guardianship of the Department pursuant to Article II of the Juvenile Court Act of 1987 [705 ILCS 405] immediately prior to the adoption or guardianship. Step-siblings may be considered "siblings" when the children enter into substitute care together have a positive relationship.

"Substitute care" means the care of children who require placement away from their families. Substitute care includes foster family care, care provided in a relative home placement as defined in 89 Ill. Adm. Code 301.80 (Relative Home Placement), care provided in a group home, care provided in a maternity center or a child care, mental health or other institution, and care provided in an independent living arrangement.

"Visitation" means face-to-face contact:

between parents and their children who are in substitute care;

between siblings in substitute care who are placed apart from one another; or

between siblings in substitute care with siblings who are not in substitute care (e.g., emancipated, case closed due to independence, adopted, placed in private guardianship, living in home of parent, etc.).

(Source: Amended at 42 Ill. Reg. 2215, effective January 17, 2018)

**ADMINISTRATIVE CASE REVIEWS AND COURT HEARINGS**  
**March 27, 2018 – PT 2018.07**

**Section 316.30 Administrative Case Review System**

- a) The Department has an administrative case review system for all the children in placement and their families. Administrative case reviews are conducted for children living in foster family homes, relative homes, group homes, child care institutions, youth emergency shelters, or detention, correctional, mental or physical health related facilities. In addition, the Department may elect to conduct administrative case reviews on other groups of children as fiscal and staffing resources permit.
- b) Case reviews are conducted in order to:
  - 1) assure that parents and the children (if participating in the planning) are involved in and collaborating in development of the plan and understand and discuss the plan and know what is expected of them;
  - 2) ensure siblings are being placed together whenever possible; when sibling are placed apart, efforts continue to locate a placement that will accept all of the children; contact and visitation between siblings is encouraged and occurring in accordance with the Visitation and Contact Plan; efforts are made to support contact between siblings in substitute care with siblings who are not in substitute care (e.g., because of adoption, legal guardianship, emancipation or adulthood);
  - 3) review whether the Department's continuing intervention is necessary;
  - 4) review whether services, including placement services, are necessary, relevant, coordinated, and appropriate and address the health and safety needs of the child;
  - 5) identify services needed but that are not being provided to the child, family or foster parents and the reasons why they are not being provided;
  - 6) review the disability status of a child to determine the need for and/or appropriateness of specialized services;
  - 7) review the appropriateness of the child's educational placement and the child's educational progress and recommend changes to the caseworker;
  - 8) review health information on the child and family;
  - 9) review any special physical, psychological, educational, medical, emotional, or other needs of the minor or his or her family that are relevant to a permanency or placement determination;
  - 10) review, for any minor age 16 or over, programs or services that will enable the minor to prepare for independent living;

**ADMINISTRATIVE CASE REVIEWS AND COURT HEARINGS**  
**March 27, 2018 – PT 2018.07**

- 11) review whether the Department, the service providers, the family, the substitute care provider, if any, and the child are complying with the service plan and, if they are not complying, whether changes in the service plan or goals are needed;
  - 12) review whether there is progress to resolve the child's and family's problems and whether the progress is satisfactory and whether the child can safely return home;
  - 13) review whether the projected month for achieving the permanency goal should be changed;
  - 14) review the appropriateness of the permanency goal and recommend changes in the goal (if appropriate);
  - 15) review and finalize the service plan for the next period, including an analysis of:
    - A) the appropriateness of the services contained in the plan and whether those services have been provided and, if not, why not;
    - B) whether reasonable efforts by the Department, and reasonable progress by the family have been made to achieve the goal;
    - C) whether the plan and goal have been achieved;
  - 16) refer the case for a family meeting as described in 89 Ill. Adm. Code 315.120 (Family Meetings) when one has not been conducted; and
  - 17) report findings and make recommendations.
- c) The Department shall provide training for all Administrative Case Reviewers, their supervisors and their managers regarding the importance of maintaining sibling relationships and the child's sense of attachment to his/her siblings, the importance of maintaining sibling relationships over the child's lifespan, and the impact on the child if those relationships are severed.

(Source: Amended at 40 Ill. Reg. 767, effective December 31, 2015)

**ADMINISTRATIVE CASE REVIEWS AND COURT HEARINGS**  
**March 27, 2018 – PT 2018.07**

**Section 316.40 Frequency of Administrative Case Reviews**

- a) The first administrative case review shall be conducted within six months after the temporary custody hearing.
- b) Following the six month administrative case review, administrative case reviews shall be conducted every six months thereafter.
- c) **Additional Administrative Case Reviews**
  - 1) The Office of Administrative Case Review may schedule more frequent case reviews for the following reasons:
    - A) the case requires more than the scheduled six-month review. Such cases may be ones in which it is important that follow-up to the recommendations made at the last administrative case review is monitored. For example, cases for which concurrent planning, as described in 89 Ill. Adm. Code 315 (Permanency Planning), is being utilized.
    - B) the biological family requests an Administrative Case Review prior to the first six-month review; or
    - C) cases of workers, teams, offices, and purchase of service agencies are selected for special reviews because those workers, teams, offices, and agencies are shown to be in non-compliance with mandated requirements. Non-compliance of mandated requirements may include, but is not limited to:
      - i) failure to establish and implement procedures for assessment and service planning;
      - ii) failure to set and conduct family meetings;
      - iii) failure to establish or fully implement a Visitation and Contact Plan that is in the best interests of the siblings; and
      - iv) failure to comply with current and ongoing consent decrees.
  - 2) The caseworker and supervisor must attend administrative case reviews scheduled by the Office of Administrative Case Review in accordance with this subsection.

(Source: Amended at 40 Ill. Reg. 767, effective December 31, 2015)

**ADMINISTRATIVE CASE REVIEWS AND COURT HEARINGS**  
**March 27, 2018 – PT 2018.07**

**Section 316.50 Conduct and Participation at Administrative Case Reviews**

Administrative case reviews shall:

- a) be convened by a professional staff member from the Department's Division of Administrative Case Review;
- b) include the worker and/or supervisor from the Department and/or the substitute care provider agency that has case responsibility for both the children and the family;
- c) be open to the participation of the children's parents and their representatives. However, if parents are known to be violent and potentially dangerous to other participants in the review, they will be excluded. If a petition seeking the termination of parental rights has been filed, these parents will be invited to the review until a final decision has been made on the petition;
- d) be open to the participation of children 12 years of age or older with consideration given to the material in the review and the benefits of having the child present. Younger children may attend if the caseworker and supervisor determine that the child can benefit from participation in the review process.
- e) be open to the participation of the foster parents or relative caregivers in the section of the review for the child in their care. Foster parents or relative caregivers may be able to participate in other segments of the review involving the child's family *provided that the information being presented at the review is essential for understanding the needs of and providing care to the child. When a positive relationship exists between the foster parent or relative caregiver and the child's family, the child's family may consent to disclosure of additional information* [20 ILCS 520/1-9] in accordance with the consent provisions of 89 Ill. Adm. Code 431 (Confidentiality of Personal Information of Persons Served by the Department);
- f) be open to the participation of the child's guardian ad litem or legal representative;
- g) be conducted in the office serving the parent's county of residence, if known, unless the parent agrees to travel to another office that is within the State of Illinois;
- h) focus on the issues described in Section 316.30 (Administrative Case Review System); and
- i) be recorded by a written report of their findings.



**ADMINISTRATIVE CASE REVIEWS AND COURT HEARINGS**  
**March 27, 2018 – PT 2018.07**

**Section 316.60 Notice of Administrative Case Reviews**

A written notice of the date, time, place and purpose of the administrative case review shall be mailed within 21 calendar days prior to the review to ensure that the notice is received 14 days prior to the scheduled review to the following:

- a) the parents. The notice shall also inform them of their rights to bring a representative with them to the review;
- b) the child, if participating in the review per Section 316.50(d);
- c) the child's foster parents or relative caregiver;
- d) the purchase of service provider agency caseworker (if applicable); and
- e) the child's legal representative. The caseworker is responsible for providing the name and address of the child's legal representative and all parties that are to be invited to the review.

**ADMINISTRATIVE CASE REVIEWS AND COURT HEARINGS**  
**March 27, 2018 – PT 2018.07**

**Section 316.70 Roles and Responsibilities of the Administrative Case Reviewer**

- a) The administrative case reviewer has the responsibility and authority to manage the case review process, which includes:
  - 1) excluding or limiting participation, as needed, to those with a right to share in the process, or excluding or limiting participation of any individual when necessary to promote the achievement of the purposes of the review;
  - 2) convening and conducting a review in such a way as to encourage discussion and participation while respecting the rights and culture of all participants;
  - 3) maintaining the focus of the group on the service plan with good time management; and
  - 4) advising clients and other participants of their rights and providing an explanation of the purposes of the administrative case review process, assuring disclosure.
  
- b) The administrative case reviewer shall ensure that the review complies with Department rules and procedures and is consistent with good child welfare practice and in compliance with 42 USCA 675 and any State or federal court consent decree affecting Department practice. This responsibility includes:
  - 1) ensuring that the purposes of the administrative case review are carried out;
  - 2) determining that the goal and the evaluation of progress are consistent with the facts of the case as presented at the administrative case review, that the outcomes, tasks and time frames are appropriate for the goal, and amending or changing the case plan accordingly;
  - 3) recommending modification or change in the case plan, when in the reviewer's professional judgement the plan or goal is insufficient based on information presented at the review. The reviewer, however, may not change a permanency goal established by the court;
  - 4) convening administrative case reviews sooner than the regularly scheduled case reviews when the facts of the case indicate the need for a review;
  - 5) recommending a family meeting as described in 89 Ill. Adm. Code 315.120 (Family Meetings); and
  - 6) providing a written report of their findings.

**ADMINISTRATIVE CASE REVIEWS AND COURT HEARINGS**  
**March 27, 2018 – PT 2018.07**

**Section 316.80 Caseworker Responsibilities at the Administrative Case Review**

The caseworker's responsibilities at the administrative case review will be to:

- a) present a completed service plan, based on the assessment and developed in collaboration with the family;
- b) present a recommendation regarding the permanency goal;
- c) report on the placement, best interests, health, safety and well-being of the child;
- d) present a copy of the Visitation and Contact Plan and report on the efforts made to encourage and maintain sibling relationships;
- e) present a copy of a Post-Permanency Sibling Contact Plan when one has been developed;
- f) report on the progress of the parent to date toward changing the behaviors and conditions that require the child to be in out-of-home care;
- g) provide a statement as to whether the child can return home, and, if so, when and with what supports;
- h) provide the casework rationale and supporting documentation for all decisions and recommendations.

(Source: Amended at 40 Ill. Reg. 767, effective December 31, 2015)

**Section 316.90 Decision Review**

- a) When a service provider, including foster parents or relative caretakers, or the child's caseworker with supervisory approval, disagrees with any portion of the service plan, including any amendments made by the administrative case reviewer, the provider will be entitled to a review of the issue. Amendments that are the result of decisions made by the court at the permanency hearing or that are the result of any other court order are not subject to a decision review.
- b) Requests for a decision review shall be directed, within five working days after the administrative case review, to the Deputy Director of Administrative Case Review.
- c) A decision review conference shall be held within ten working days after the receipt of the request. A final decision will be made by the Deputy Director of Administrative Case Review or designee, within ten working days after the conference.

**ADMINISTRATIVE CASE REVIEWS AND COURT HEARINGS**  
**March 27, 2018 – PT 2018.07**

- d) Except when an issue affects compliance with a court order or the residual rights of parents, implementation will be stayed until the decision review conference is held. The residual rights of parents as defined in Section 1-3 of the Juvenile Court Act of 1987 [705 ILCS 405/1-3] include the rights to visitation, to consent to adoption and to determine the minor's religious affiliation.
- e) If changes to the service plan are required by the decision review, copies of the changes will be sent to all those who are entitled to a copy of the service plan with a notice of the specific changes made, the reason for the changes and a statement of the right to appeal any such changes.

**Section 316.100 Appealability of Decisions**

When children and/or parents disagree with any portion of the service plan resulting from recommendations made at the administrative case review, they may request a hearing in accordance with 89 Ill. Adm. Code 337 (Service Appeal Process).

**Section 316.110 The Department's Role in the Juvenile Court**

- a) The Department shall inform the Juvenile Court of the Department's planning for the children and families it serves and of their progress toward those goals.
- b) When in the Juvenile Court, the Department shall provide information and recommendations to the court and the parties and shall recommend that the court keep families together in all instances when it is consistent with the children's best interests, health, safety, and well-being. In those instances when children must be removed from their parent's care, the Department shall recommend that the court reunite children for whom the Department is legally responsible with their families as soon as returning home is consistent with their best interests, health, safety and well-being. Finally, when it is clear to the Department that the child's health and safety needs cannot be met by the parents and it is in the child's best interests, the Department will provide that information to the court and recommend that the court establish other permanency goals.
- c) When the DCFS Guardianship Administrator is appointed as the temporary custodian of a child whose siblings are in substitute care and the child and all of his/her siblings are not placed together, the Department shall file with the court and serve on the parties a Visitation and Contact Plan within 10 days, excluding weekends and holidays, after the appointment.

**ADMINISTRATIVE CASE REVIEWS AND COURT HEARINGS**  
**March 27, 2018 – PT 2018.07**

- d) When the Department has legal responsibility for a child, a representative of the Department or its provider agency shall attend all hearings required by the court. At each hearing the Department or its provider agency shall provide information relating to the child's placement, best interests, health, safety, and well-being, and make any appropriate recommendations. Such hearings include:
- 1) the temporary custody hearing;
  - 2) the adjudicatory hearing;
  - 3) the dispositional hearing;
  - 4) permanency hearings (as described in Section 316.120); and
  - 5) all other hearings the court may require.

**Section 316.120 Permanency Hearings**

- a) The Department or its provider agency will participate in permanency hearings conducted by the court at 12 months following the temporary custody hearing and every six months thereafter in order to:
- 1) select the permanency goal;
  - 2) review the appropriateness of the services contained in the plan and whether those services, including sibling visitation and contact have been provided as specified and, if not, why not;
  - 3) determine whether reasonable efforts have been made by all parties to the service plan to achieve the goal; and
  - 4) evaluate whether the plan and goal have been achieved.
- b) The Department or its provider agency shall provide, no later than 14 days in advance of the hearing, a copy of the most recent service plan and Visitation and Contact Plan, prepared within the prior six months, to the court and all parties to the permanency hearings.
- c) If not contained in the plan, the Department or its provider agency shall also include a report setting forth:
- 1) any special physical, psychological, educational, medical, emotional, or other needs of the minor or his or her family that are relevant to a permanency or placement determination; and
  - 2) for any minor age 16 or over, a written description of the programs or services that will enable the minor to prepare for independent living.

**ADMINISTRATIVE CASE REVIEWS AND COURT HEARINGS**  
**March 27, 2018 – PT 2018.07**

- d) The Department's or its provider agency's written report must explain why, if the goal is other than return home, continued involvement is appropriate and why termination of parental rights or private guardianship is not being sought.
- e) The Department's or its provider agency's written report must explain why, if the goal recommended is continuing foster care, all other goals have been ruled out based on the child's best interest and delineate the compelling reasons for selection of this goal.
- f) The Department's or its provider agency's caseworker is required to appear and testify at the hearing and prepare a written report for the court.

(Source: Amended at 40 Ill. Reg. 767, effective December 31, 2015)

**Section 316.130 Caseworker Responsibilities at the Permanency Hearing**

- a) The caseworker's responsibilities at the permanency hearing will be to:
  - 1) present a recommendation regarding the permanency goal, time frame for achievement, clinical intervention, social services, and Visitation and Contact Plans;
  - 2) report on the placement, best interests, health, safety, and well-being of the child;
  - 3) report on the progress of the parent to date toward compliance with the service plan and progress toward correcting the conditions that require the child to be in care; and
  - 4) provide the basis for all decisions and recommendations.
- b) Within 10 working days after the permanency hearing, the worker will:
  - 1) amend the service plan to conform to the court order, if necessary;
  - 2) attach a copy of the permanency order to the amended service plan (as well as ensuring that a copy of the order is in the case record);
  - 3) engage the family to ensure that the family understands the recommendations and decisions made at the permanency hearing and obtain the family's signature on the service plan;
  - 4) file six copies of the plan with the court; and
  - 5) send a copy of the plan to the Administrative Case Review Office Administrator/Scheduler in the region where the next administrative case review will be held.

(Source: Amended at 40 Ill. Reg. 767, effective December 31, 2015)

**ADMINISTRATIVE CASE REVIEWS AND COURT HEARINGS**  
**March 27, 2018 – PT 2018.07**

**Section 316.140 Compliance with the Client Service Planning Requirements**

The Department shall develop a monitoring and reporting mechanism to evaluate the extent of compliance with its client service planning requirements. At the minimum, the Department shall monitor:

- a) the permanency goal for each child;
- b) the planned date of achievement of the permanency goal;
- c) the extent of progress toward the permanency goal; and
- d) the actual date the permanency goal was achieved.

**ADMINISTRATIVE CASE REVIEWS AND COURT HEARINGS**  
**March 27, 2018 – PT 2018.07**

This page intentionally left blank.



**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

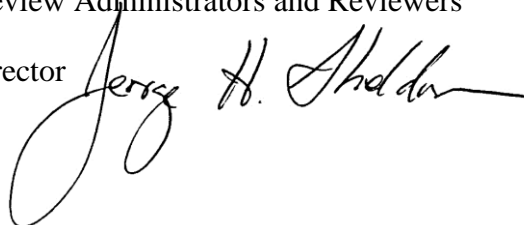
**POLICY GUIDE 2017.07**

**NORMALCY PARENTING AND THE  
REASONABLE AND PRUDENT PARENT STANDARD**

**RELEASE DATE:** June 9, 2017

**TO:** DCFS and Purchase of Service (POS) Permanency Administrators and Staff, DCFS and POS Foster Care Licensing Administrators and Staff, DCFS Agency & Institutions (A&I) Licensing Administrators and Staff, POS Child Welfare Agency and Child Care Institutions Administrators and Staff, and Administrative Case Review Administrators and Reviewers

**FROM:** George H. Sheldon, Director



**EFFECTIVE:** Immediately

**I. PURPOSE**

The purpose of this Policy Guide is to implement Public Act 99-839 (amending Section 7.3a of the Children and Family Services Act [20 ILCS 505/7.3a]) and Title IV-E of the Social Security Act [42 U.S.C. 670 et seq.], both of which authorize all caregivers of children/youth in substitute care to use “normalcy parenting” and apply the Reasonable and Prudent Parenting Standard when making parenting decisions in the children’s best interests. “Normalcy parenting” and the Reasonable and Prudent Parenting Standard are defined in Section III, below.

Procedures 315.135(d), Reasonable and Prudent Parent Standard, address much of the information contained below. To the extent that Procedures 315.135(d) may differ from this Policy Guide, the Policy Guide shall control.

Procedures 327.4(d), Duties of the Guardian, Other Consents address much of the information contained in Appendix A. To the extent that Procedures 327.4(d) may differ from this Policy Guide, the Policy Guide shall control.

This Policy Guide replaces Policy Guide 2015.16, The Reasonable and Prudent Parent Standard.

**II. PRIMARY USERS**

The primary users of this Policy Guide are DCFS and POS Permanency Supervisors and Caseworkers; DCFS and POS Foster Care Licensing Representatives and Supervisors, A&I Licensing Representatives and Supervisors, Child Welfare Agency, Child Care Institution and Group Home Administrators, Supervisors and Staff. This Policy Guide may impact Child Protection Specialists and Supervisors when there is any delay in assignment of a Permanency Worker for a child or youth in Protective or Temporary Custody.



### III. DEFINITIONS

**“Normalcy parenting”** means empowering a caregiver to approve or not approve a child’s or youth’s participation in appropriate extracurricular activities based on the caregiver’s own assessment using the Reasonable and Prudent Parent Standard, without prior approval of the Department, the Permanency Worker or the court. The goal of Normalcy Parenting and the Reasonable and Prudent Parent Standard is to allow children and youth in care the opportunity for normal growth and development through participation in age, physical, culturally and mentally appropriate activities, responsibilities and life skills.

**“Reasonable and Prudent Parent Standard”** means *the standard characterized by careful and sensible parental decisions that maintain the health, safety, and best interests of a child while at the same time encouraging the emotional and developmental growth of the child, that a caregiver shall use when determining whether to allow a child in foster care under the responsibility of the State to participate in extracurricular, enrichment, cultural, and social activities.* [42 U.S.C. 675(10)]

The caregiver must use the Reasonable and Prudent Parent Standard when determining whether to allow a child in care to participate in extracurricular, enrichment, cultural, and social activities.

**“Caregiver”** means a licensed foster parent or unlicensed relative caregiver who provides care for a child in DCFS custody or guardianship, or a designated official employed by and present at the licensed child care facility in which a child in DCFS custody or guardianship is placed. For purposes of this Policy Guide, the “caregiver” for a youth under 18 years of age in an independent living (ILO) or transitional living (TLP) arrangement is assigned or designated staff of the ILO or TLP provider/child care facility.

*“Appropriate activities” means activities or items that are generally accepted as suitable for children of the same chronological age or developmental level of maturity. Appropriateness is based on the development of cognitive, emotional, physical, and behavioral capacity that is typical for an age or age group, taking into account the individual child's cognitive, emotional, physical, and behavioral development.* [20 ILCS 505/7.3a]

### IV. GENERAL PRINCIPLES

Effective immediately, ALL caregivers for all children/youth in out of home placements licensed by the Department should use Normalcy Parenting and the Reasonable and Prudent Parent Standard for decision-making regarding the children/youth’s participation in:

- extracurricular activities;
- enrichment opportunities;
- social activities; and
- cultural activities, religious, and other significant activities.

Normalcy parenting empowers caregivers to make these decisions without seeking approval or consent from the Permanency Worker or other child welfare staff.

The caregiver must still seek consent in other areas where specific State or federal laws limit consent authorization. Some examples where Normalcy Parenting does not apply include to consent to medical and dental care, and disclosure of mental health information.

**Appendix A** lists frequent events affecting the lives of children and youth in care, and the persons authorize to give consent for those events. Appendix A includes the categories of events where, under normalcy parenting, the caregiver is authorized to consent.

Appendix A is not intended to be exhaustive, since it is impossible to predict every potential event that may arise in a child's lives. If an event is not listed in Appendix A, the caregiver should consult with the Permanency Worker. If necessary, the Permanency Worker or Supervisor can consult with the Office of the DCFS Guardian.

Section 7.3a of the Child and Family Services Act lists 5 factors (a through e, below) that caregivers should consider as they apply the Reasonable and Prudent Parent Standard. Under each factor are a few questions that may help the caregiver in this process.

a) *The child's age, maturity, and developmental level to promote the overall health, safety, and best interests of the child.*

- Is my decision based on my child's individual needs and abilities?  
(Remember: every child is different.)
- Does this activity conflict with my child's Service Plan?
- Does my child/youth demonstrate sufficient maturity in decision-making as appropriate for his/her age/ability and participation in this activity?
- Does my child/youth understand his/her medical needs and is he/she able to tell others how to help him/her if necessary?
- If on medication, can my child/youth carry and self-administer medication?
- If needed, is my child/youth able to use public transportation or self-transportation?

b) *The best interest of the child based on information known by the caregiver.*

- Do I know my child/youth well enough to approve participation in this activity?
- Will the timing of this activity interfere with sibling or parent-child visitation, counseling appointments or doctor's appointments? Scheduling conflicts should be discussed with my child/youth's Permanency Worker to explore options that may enable the child/youth to participate in the activity.

- c) *The importance and fundamental value of encouraging the child's emotional and developmental growth gained through participation in activities in his or her community;*
- Does this activity promote my child/youth's social development?
  - Have I shared information with the Child and Family Team about my child's participation in this activity?
  - Does this activity support my child/youth's connection to his/her roots?
  - Is this activity an important milestone in my child/youth's culture?
- d) *The importance and fundamental value of providing the child with the most family-like living experience possible; and*
- Do I know who will be attending the activity?
  - Does my child understand our parental expectations regarding curfew, approval for last minute changes to the plan and the consequences for not complying with the expectations?
  - Does my child know who to call in case of an emergency?
- e) *The behavioral history of the child and the child's ability to safely participate in the proposed activity.*
- Can my child/youth take care of himself/herself, make a decision and make good choices?

**A caregiver is not liable for harm caused to a child in care who participates in an activity approved by the caregiver, provided that the caregiver has acted as a reasonable and prudent parent in permitting the child to engage in the activity.**

## **V. INSTRUCTIONS TO CHILD WELFARE STAFF (AND CHILD PROTECTION STAFF)**

**Procedures 315.135(d), Reasonable and Prudent Parent Standard** require Permanency Workers to discuss the importance of normalcy parenting with the caregiver at each monthly home visit.

Department and Purchase of Service (POS) agency Permanency Workers (Child Welfare Staff) shall ensure that each caregiver understands his/her responsibility to use the Reasonable and Prudent Parent Standard when deciding whether to allow children in care to participate in extracurricular, enrichment, cultural, and social activities offered by the children's school or in the community.

Permanency Supervisors shall ensure that these discussions occur and that Permanency Workers document these discussions in contact notes.

Procedures 315.135(d) address much of the information contained in this Policy Guide. To the extent that Procedures 315.135(d) may differ from this Policy Guide, the Policy Guide shall control.

## **VI. INSTRUCTIONS TO FOSTER CARE LICENSING STAFF**

Foster Care Licensing Representatives are required to discuss “normalcy parenting” and the Reasonable and Prudent Parent Standard with Foster Family Home licensees and permit holders at each announced and unannounced monitoring visit. The Licensing Representative shall ensure that licensees and permit holders understand their responsibility to use the Reasonable and Prudent Parent Standard when deciding whether to allow children in care to participate in extracurricular, enrichment, cultural, and social activities offered by the children’s school or in the community.

Foster Care Licensing Supervisors shall ensure that these discussions occur and that Licensing Representatives document these discussions in a contact note.

**Note:** Instruction for prospective foster parents on the Reasonable and Prudent Parent Standard has been included as a pre-service supplemental training. Current foster parents should complete training on the Reasonable and Prudent Parent Standard as on-demand in-service training.

## **VII. INSTRUCTIONS TO AGENCY AND INSTITUTIONS LICENSING STAFF**

Agencies & Institutions (A&I) Licensing Representatives are required to discuss “normalcy parenting” and the Reasonable and Prudent Parent Standard with administrators at each child care facility on their caseload. The A&I Licensing Representative shall ensure that the administrators understand:

- the responsibility to use “normalcy parenting” and the Reasonable and Prudent Parent Standard when deciding whether to allow a child placed at the child care institution to participate in extracurricular, enrichment, cultural, and social activities offered by the child’s school, family of origin, and/ or in the community; and
- the requirement to have present on-site at least one official who, with respect to any child placed at the child care institution, is designated to be the caregiver who is authorized to apply the Reasonable and Prudent Parent Standard to decisions involving the participation of the child in age or developmentally appropriate activities, and who is provided with training in how to use and apply the Reasonable and Prudent Parent Standard in the same manner as foster parents.

## VIII. INSTRUCTIONS FOR ADMINISTRATIVE CASE REVIEWERS

Administrative Case Reviewers shall ensure the children’s foster parents/relative caregivers or child care institution administrators are using “normalcy parenting” and the Reasonable and Prudent Parent Standard. At each ACR, Reviewers shall ask whether children have regular ongoing opportunities to engage in age or developmentally appropriate extracurricular, enrichment, cultural, and social activities (including by consulting with the child in an age-appropriate manner about the opportunities of the child to participate in such activities).

## IX. QUESTIONS

Questions about this policy guide should be directed to the Office of Child and Family Policy at 217-524-1983 or via Outlook to OCFP – Mailbox.

## X. FILING INSTRUCTIONS

Remove **Policy Guide 2015.16, The Reasonable and Prudent Parent Standard** from behind the following:

- **Rules 316, Administrative Case Reviews and Court Hearings;**
- **Rules 402, Licensing Standards for Foster Family Homes; and**
- **Rules 404, Licensing Standards for Child Care Institutions and Maternity Centers.**

Place this Policy Guide immediately following:

- **Procedures 301.80, Relative Home Placement;**
- **Procedures 315. 135(d), Reasonable and Prudent Parenting Standard;**
- **Procedures 327.4(d), Other Consents;**
- **Rules 316, Administrative Case Reviews and Court Hearings;**
- **Rules 340, Foster Parent Code;**
- **Rules 402, Licensing Standards for Foster Family Homes;**
- **Rules 403, Licensing Standards for Group Homes; and**
- **Rules 404, Licensing Standards for Child Care Institutions and Maternity Centers.**

**Policy Guide 2017.07.Appendix A**

<b>Event</b>	<b>Who may consent</b>
<b>Adoption</b> , consent for child/youth under age 18	DCFS Guardian or an Authorized Agent from the Consent Unit*
<b>Athletic participation</b> , school extracurricular or recreational	Caregiver
<b>Behavioral/Mental Health Services</b> for a child/youth in care under age 18, including: <ul style="list-style-type: none"> <li>• Pre-hospitalization screening;</li> <li>• Rehabilitative or Mental Health Assessment;</li> <li>• Individual Treatment Plan (ITP) development;</li> <li>• Psychiatric Evaluation;</li> <li>• Psychological testing; and</li> <li>• Treatment with psychotropic medication</li> </ul>	DCFS Guardian or an Authorized Agent from the Consent Unit.* Youth between the ages of 12 and 18 years old must also consent to release of their mental health information.
<b>Cell phone</b> , permission to carry	Caregiver
<b>Consumer credit report checks</b> for a child/youth in care: <ul style="list-style-type: none"> <li>• Running a credit check</li> <li>• Reporting identity theft</li> </ul>	DCFS Guardian
<b>Dating</b>	Caregiver
<b>Driver's license / learner's permit</b>	The DCFS Guardian recognizes the caregiver as the "responsible adult" for purposes of the Illinois Driver Licensing Law [625 ILCS 5/6-100], noting that the caregiver is in the best position to assess that the youth is sufficiently prepared and able to safely operate a motor vehicle.
<b>Enlistment in armed forces</b> by youth under age 18	DCFS Guardian
<b>Enlistment in Job Corps</b>	DCFS Guardian or an Authorized Agent**
<b>Home schooling</b> a child	DCFS Guardian
<b>Legal representation</b> for child: <ul style="list-style-type: none"> <li>• Obtaining legal counsel</li> <li>• Filing a lawsuit</li> <li>• Negotiating settlements</li> <li>• Petition to change child's name</li> </ul>	DCFS Guardian or Special Counsel to the Guardian***
<b>Marriage license</b> , issuance to any youth in care who is at least 16 but less than 18 years of age	DCFS Guardian
<b>Media requests:</b> <ul style="list-style-type: none"> <li>• Release forms</li> <li>• Requests to interview of child/youth in care</li> </ul>	DCFS Guardian or an Authorized Agent from the Consent Unit*
<b>Overnight / Sleepovers</b> , not exceeding 48 hours (e.g., at friend's home or other planned activity)	Caregiver
<b>Out-of-country travel</b>	See <b>Travel</b> , below

\* Authorized Agents from the Consent Unit work for and report directly to the DCFS Guardian

\*\* These Authorized Agents are located in the DCFS Regional and Area Offices

\*\*\* Special Counsel to the Guardian work for and report directly to the DCFS Guardian

Event	Who may consent
<b>Out-of-state travel</b>	See <b>Travel</b> , below
<b>Passport</b> , obtaining for child/youth in care	DCFS Guardian or an Authorized Agent from the Consent Unit*
<b>Release of Information Consents</b>	DCFS Guardian or an Authorized Agent**
<b>Release of Liability forms</b>	DCFS Guardian or an Authorized Agent from the Consent Unit*
<b>Research project</b> in which the child/youth is a subject (not a school project)	DCFS Guardian or an Authorized Agent from the Consent Unit*
<b>Routine school activities</b> , such as: <ul style="list-style-type: none"> <li>• school enrollment</li> <li>• notification of change in school placement</li> <li>• school conferences and problems at school</li> <li>• field trips within Illinois</li> <li>• field trips outside of Illinois (day trips only)</li> <li>• routine social events (picnics, school parties, etc.)</li> <li>• attendance at sporting events</li> <li>• extra-curricular activities (including athletic participation)</li> <li>• cultural events</li> <li>• school photos and years book pictures</li> <li>• report cards</li> </ul> <b>Other school activities:</b> <ul style="list-style-type: none"> <li>○ Special education programs – records, reports, conferences, evaluations and placement changes</li> <li>○ Mental health records (often part of the IEP)</li> <li>○ Release of school information (except special education records)</li> <li>○ School suspension / expulsion notices</li> <li>○ Fiscal, other (e.g., school fees)</li> </ul>	<p>Caregiver</p> <p>Caregiver or a Surrogate Parent appointed by the Illinois State Board of Education <b>ONLY</b></p> <p>Authorized Agent only**</p> <p>Authorized Agent only**</p> <p>DCFS Guardian only Permanency Worker/Case Manager</p>
<b>Social media</b> – Facebook, Instagram, etc.	Caregiver
<b>Travel</b> <ul style="list-style-type: none"> <li>• <b>In state travel</b></li> <li>• <b>In state travel and out-of-state travel</b>, not exceeding 48 hours and accompanied by caregiver</li> <li>• <b>Out-of-state travel</b>, 30 days or more</li> <li>• <b>Out-of-country travel</b>, all</li> </ul>	<p>Caregiver</p> <p>Caregiver. For travel more than 48 hours, the caregiver must notify the Permanency Worker/Case Manager of the trip, and provide the child/youth’s location and contact information.</p> <p>DCFS Guardian or an Authorized Agent from the Consent Unit*</p> <p>DCFS Guardian or an Authorized Agent from the Consent Unit*</p>

\* Authorized Agents from the Consent Unit work for and report directly to the DCFS Guardian

\*\* These Authorized Agents are located in the DCFS Regional and Area Offices

\*\*\* Special Counsel to the Guardian work for and report directly to the DCFS Guardian



**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

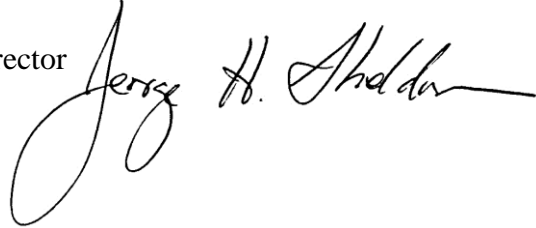
**POLICY GUIDE 2015.15 (Amended)**

**ILLINOIS FOSTER CHILD AND YOUTH BILL OF RIGHTS**

**RELEASE DATE:** November 2, 2015

**TO:** DCFS and Purchase of Service (POS) Permanency Administrators and Staff, Administrative Case Review Administrators and Reviewers

**FROM:** George H. Sheldon, Acting Director



**EFFECTIVE:** Immediately

**I. PURPOSE**

The purpose of this Policy Guide is to provide information to DCFS and POS Permanency Workers regarding **Public Act 99-344, Illinois Foster Child and Youth Bill of Rights**. With the passage of this Public Act, the Department of Children and Family Services recognizes the many rights of children and youth in foster care. These rights are intended to guide the Department and its providers in the delivery of care and services to foster children and youth with the commitment to safety, permanency and well-being.

**II. PRIMARY USERS**

The primary users of this Policy Guide are DCFS and POS Permanency Supervisors and Caseworkers; DCFS and POS Foster Care Licensing Representatives and Supervisors, A&I Licensing Representatives and Supervisors, Child Welfare Agency, Child Care Institution and Group Home Administrators, Supervisors and Staff.

**III. INSTRUCTIONS TO PERMANENCY WORKERS AND ADMINISTRATIVE CASE REVIEWERS**

Permanency Workers shall provide a copy of the **CFS 496-1, Foster Child and Youth Bill of Rights** to all children and youth ages 5 and older, and the child's current caregivers (i.e., foster parents/relative caregivers, group home/residential facility staff, or pre-adoptive parents) during casework contact. For children/youth entering substitute care this shall occur within the first 30 days of placement. For all other children/youth this shall occur at the next monthly caseworker contact.



The Permanency Worker shall review the Foster Child and Youth Bill of Rights with children/youth annually during casework contact and document that review in a contact note.

**Note:** Step-by-Step Instructions for Distribution and Review of the Bill of Rights are also printed on the **CFS 496-1, Foster Child and Youth Bill of Rights**.

Administrative Case Reviewers shall also review the Foster Child and Youth Bill of Rights at each ACR with children and their parents/legal guardians in order to engage parents/guardians and empower them to share the responsibility for the safety, permanency and well-being of their children.

#### **IV. REVISED FORM**

**CFS 496-1, Foster Child and Youth Bill of Rights (Rev 11/2015)**

#### **V. QUESTIONS**

Questions about this policy guide should be directed to the Office of Child and Family Policy at 217-524-1983 or via Outlook to OCFP – Mailbox.

#### **VI. FILING INSTRUCTIONS**

Remove Policy Guide 2015.15 from behind **Procedures 315, Permanency Planning** and immediately following **Rule 316, Administrative Case Reviews and Court Hearings** and replace with this amended Policy Guide.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

Distribution: X, Z, and C-3

**POLICY GUIDE 2001.01**

**PERMANENCY COMMITMENT BY FOSTER PARENT/RELATIVE  
CAREGIVER**

**January 15, 2001**

Prior to the first Permanency Hearing form **CFS 1443, Permanency Commitment by Foster Parent/Relative Caregiver**, is to be completed in accordance with Policy Guide 2001.01, which can be found in Rule **Section 309.80, Termination of Parental Rights**.

Do not complete this form, however, if the recommended permanency goal is return home.

**Filing Instructions:** File this page in Rule Section 316.120, Permanency Hearings

This page intentionally left blank

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Distribution: X, Z, C-3

**Policy Guide 99.05**

**Cook County Juvenile Court Substance Abuse Assessment Project For DCFS -  
Involved Parents**

**RELEASE DATE:** March 29, 1999

**TO:** Rules and Procedures Bookholders  
All DCFS and Private Agency Child Welfare Staff and Supervisors  
All DCFS Child Protection Investigation Staff and Supervisors

**FROM:** Jess McDonald, Director

**EFFECTIVE DATE: IMMEDIATELY**

**I. PURPOSE**

This is to advise staff regarding a new project which has been developed in response to the concerns raised by judges at the Cook County Juvenile Court. The project will provide a substance abuse assessment, including a determination of the level of care needed and a same-day referral to a treatment provider offering that level of care.

**II. PRIMARY USERS**

The primary users of this Policy Guide are DCFS child welfare and child protection investigation staff and staff of purchase of service provider agencies.

**III. KEY WORDS**

Service Plans, Substance Abuse Assessment, Substance Abuse Treatment, DCFS Wards of the Cook County Juvenile Court

**IV. GENERAL INFORMATION**

Presently, DCFS has contracted with Interventions, Inc. to develop the court assessment project. **This project is for new temporary custody cases, in Cook County only, where the parent(s), or other significant adult household members, have substance abuse issues.** The project may be expanded in the future. Only those individuals referred by the Cook County Juvenile Court Child Protection Judges are eligible for this project. Caseworkers may request that the Court make a referral, but the Court must be the referral source. Interventions has an office at the Cook County Juvenile Court in order to serve adults referred to them through this project.



For existing cases, caseworkers are responsible for making referrals to the Office of Alcoholism and Substance Abuse Initiative and performing Alcoholism and Other Drug Abuse (AODA) screenings.

The referral and feedback process for the Cook County Juvenile Court Substance Abuse Assessment Project is outlined below. The party responsible for implementing each step is also identified.

- a) The court will identify parents, or other significant adult household members, at temporary custody hearings in order to refer them to Interventions to receive a substance abuse assessment.

Any parent, or other significant adult household member, involved in the DCFS case is eligible to be referred for a substance abuse assessment

- b) Court personnel will complete the top section of the Referral/Status Report form (see Attachment A). One copy will be kept in the court file. Another copy will be given to the DCFS or POS caseworker. In addition, court personnel will fax the form to the Interventions' office.

Forms will be available in each courtroom. **This form is not available through Central Stores.**

- c) The DCFS or POS caseworker will complete the middle section of the form and will take the form when escorting the parent, or other significant adult household member, to the Interventions' office for the assessment.

Substance abuse assessment staff are located at the Cook County Juvenile Court building daily between the hours of 8:00AM-4:30PM. The office is located on the Concourse Level in Room CO63 (Calendar 49).

- d) Interventions staff will conduct the substance abuse assessment and determine the appropriate level of care.

The caseworker will receive feedback on the results of the assessment and referral within 24 hours. Interventions will notify the DCFS or POS caseworker if a parent, or other significant adult household member, for whom a court referral is received, fails to appear for the assessment.

- e) A treatment appointment will be scheduled for the parent, or other significant adult household member, as part of the assessment process. The assessment forms and the parent's, or other significant adult household member's, consent for treatment are sent to the treatment provider with the referral.



A Substance Abuse Screening/Assessment Summary and Recommendation form 11 will be completed by Interventions and returned to the DCFS Juvenile Court Unit and the assigned DCFS or POS caseworker listed on the Referral/Status Report Form within 7 - 14 calendar days. This document provides written notice of the assessment's findings.

- f) Interventions will follow up with the treatment provider the next day to ensure that the parent, or other significant adult household member, kept his/her appointment. Interventions will notify the DCFS or POS caseworker and the treatment agency outreach staff if the parent, or other significant adult household member, fails to keep the treatment appointment. The caseworker and treatment agency staff will follow up with the parent, or other significant adult household member, and attempt to re-engage him/her in the treatment process.
- g) The substance abuse treatment agency will send monthly progress reports to the DCFS or POS caseworker.
- h) The DCFS or POS caseworker will attach the Substance Abuse Screening/Assessment Summary and Recommendation form and the monthly treatment progress reports to the initial service plan and submit them when the plan is filed with the Court through the DCFS Service Plan Distribution Unit.
- i) At the Court Family Conference or other court date designated by the court, the DCFS or POS caseworker will present information to the court regarding the status of the parent's, or other significant adult household member's, assessment.
- j) The substance abuse treatment agency will continue to send monthly reports to the DCFS or POS caseworker as the parent, or other significant adult household member, progresses in treatment and the case moves toward a permanency decision.
- k) The DCFS or POS caseworker is responsible for ensuring that the documentation is placed in the child's case file. In the event the case is transferred to a new caseworker, the caseworker at the time the services began is responsible for transferring all documentation to the new caseworker.

## **V. QUESTIONS**

If there are any questions regarding the on-site assessment service, please contact the Interventions Office at (312) 492-8785. Other questions regarding this project can be directed to Nancy Roncancio, DCFS Office of Health Policy, at (217) 524-2030.

## **VI. FILING INSTRUCTIONS**

File this Policy Guide directly behind Rule 316 in your volume of Rules and Procedures.

This page intentionally left blank

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

Distribution: X and Z

**POLICY GUIDE 2010.03**

**DIVISION OF CLINICAL PRACTICE  
CONSULTATIONS OR CLINICAL STAFFINGS BY REGIONAL CLINICAL UNITS**

**RELEASE DATE:** December 23, 2010

**TO:** Rules and Procedures Bookholders and Child Welfare Staff

**FROM:** Erwin McEwen, Director



**EFFECTIVE:** Immediately

**I. PURPOSE**

The purpose of this Policy Guide is to present procedures for accessing clinical consultation or staffings in the Regions. Clinical consultations or staffings provide support to caseworkers in planning and obtaining clinical services for their clients which are beyond the ability of the existing service array. This service is not meant to replace supervisory decision making, nor do these procedures replace the Purchase of Service (POS) agencies staffing processes.

**II. PRIMARY USERS**

The primary users of this Policy Guide are DCFS and POS staff such as Investigation Specialists, Child Welfare Workers, Licensing Workers, Resource Workers and their Supervisors, and Office of Legal Services staff.

**III. DEFINITIONS**

a) Consultation means a supportive clinical activity where cases are reviewed and analyzed to provide guidance and insight. This may include the consideration of various practice alternatives that will enhance the determination of a course of action. Consultation is not meant to replace supervisory decision making or existing DCFS or POS agencies' clinical processes. Consultation may consist of, but is not limited to:

- Client advocacy and empowerment;
- Diagnostic clarification and treatment recommendations;
- Procedural clarification;
- Resource and service linkage;
- Education in clinical specialty areas; and/or,
- Systems facilitation and coordination of collateral providers.



- b) Staffing means a structured multi-disciplinary meeting convened to analyze a case situation. The focus may include a review of the service needs of the client(s), safety concerns, progress toward the permanency goal and/or well-being, problem solving, making a case decision or practice recommendations. Clinical specialists may be invited. Staffings are convened to view a case in a new way, which may provide the case work staff new clinical insight or information. Staffings may also disclose old case information that wasn't previously considered.

The formal staffing process consists of three phases:

- Pre-staffing review of case and clinical materials;
- Staffing; and
- Report writing and sharing of findings and/or recommendations.

#### **IV. OVERVIEW**

The Division of Clinical Practice's Regional Clinical Unit is responsible for supporting the field through the provision of clinical consultations or the convening of clinical staffings. The Division accomplishes this mission through its Regional Clinical Units or linkages to the Clinical Specialists. The Regional Clinical staff consists of the Regional Clinical Units (Clinical Service Coordinators and Nursing staff), the Clinical Coordinators at Cook County Court, Sexual Abuse Service Coordinators and the Clinical Specialists.

- a) The Division of Clinical Practice offers an array of services to all DCFS/POS staff for the following types of case situations:
- Developmental Disabilities services consult;
  - Domestic Violence;
  - Caregivers identified with a chronic illness or a marked deterioration of their ability to provide care to our wards (such as, Care givers with an impaired ability due to: mental infirmity, serious health restrictions and age);
  - Consultations for DCFS and POS Investigations, Intact, Placement, etc;
  - File reviews of clinical data (consultations);
  - Hearing Impairment;
  - Indian Child Welfare Act Consultations and identification;
  - Lesbian, Gay Bisexual, Transgender and Questioning (LGBTQ) youth;
  - Mental Illness, child and adult psychiatric illness. In Cook County access to the Parent Assessment Team services;
  - Permanency Planning;
  - Psychiatric Hospitalization ward and non-wards (Lock out);
  - Referrals' from Court personnel GAL, DCFS Legal, Assistant States' Attorney, Judges etc;
  - Sexual Abuse and Victimization;

- Substance Abuse Assessment referrals;
- Other clinical situations needing consultation.

The Regional Clinical Manager for your area is your primary contact person when seeking information on how to access Clinical services.

**b) The Referral Process**

Clinical consultation or staffing requests may be made by DCFS and POS staff such as Investigation Specialists, Child Welfare Workers, Licensing Workers, Resource Workers and their Supervisors. Court personnel acting on behalf of DCFS wards can also make referrals.

**1) Making the Referral**

Requests for consultations or staffings are made by:

- discussing the referral with the Regional Clinical Manager, or by completing the **CFS 399-1, Clinical Referral Form**, and E-mailing it to the Outlook mailbox [ClinicalRef@illinois.gov](mailto:ClinicalRef@illinois.gov) or faxing it to Fax# (800) 733-3308; or
- calling (312) 328-2150 when seeking to make a referral for Specialty Services; or
- contacting the assigned DCFS/POS Regional Consulting Psychologist when seeking to make a referral for a Psychological, an/or Parenting Capacity Assessments.

Additional assistance, including a directory of the assigned Consulting Psychologist, may be obtained by calling the Division of Clinical Services at 312/814-4153.

**2) Processing the Referral**

Referrals will be screened and a determination of its appropriateness will be made within two (2) working days of receipt. Appropriate referrals will be assigned to the Regional Clinical staff, Clinical Specialist or program specialist for staffing or consultation.

- Consultations will be entered as completed once the Assignment Administrator or the Regional Clinical Manager approves the consultation note on page 3 of the **CFS 399-1**. A copy of the consultation note will be provided to caseworker staff and must be e-mailed to ClinicalRef mailbox on Outlook for data entry.

- Staffings will be conducted within 21 working days from the date that the case is assigned to the Regional Clinical staff. Extensions beyond this time frame will be documented via e-mail to the casework staff and the Clinical's Assignment Administrator.
- The Staffing Convener will send an e-mail to the caseworker and supervisor to begin the staffing process within 2 working days of the assignment. The e-mail will request the clinical material needed for the staffing not found in the SACWIS case file. The caseworker and supervisor are be responsible for providing all requested supporting documentation not in the SACWIS system at least **one week prior** to the staffing.
- The convener will provide the caseworker and supervisor a completed **CFS 399, Clinical Staffing Summary** form, within ten (10) work days after the initial staffing completion. The staffing will be entered as "completed" once the approved Summary/Report is e-mailed to the Outlook mailbox, ClinicalRef.

**NOTE:** A lack of timely response from the referral source may result in closure of the referral. A timely response is considered to be 10 working days from the date the casework staff is e-mailed by the Convener to begin the staffing process. This determination will be at the discretion of the Clinical Manager or the assignment Administrator.

## **V. STAFFING OUTCOMES**

The staffing convener will document the outcome of the intervention. The documentation will provide clinical recommendations. If the caseworker and supervisor determine to follow the recommendations which alter the nature of the services delineated in the current SACWIS Client Service Plan, the caseworker will amend the SACWIS Client Service Plan to reflect changes in the services being provided. If no SACWIS Client Service Plan exists because it is a new case to DCFS, the clinical recommendations must be included in the initial SACWIS Client Service Plan.

## **VI. ATTACHMENTS**

**CFS 399 Clinical Staffing Summary**

## **VII. QUESTIONS**

Questions regarding this Policy Guide may be directed to the Division of Clinical Services by calling (866) 225-1431.

## **VIII. FILING INSTRUCTIONS**

Remove Policy Guide 2006.01 in its entirety from behind Rules 316, Administrative Case Reviews and Court Hearings, and replace it with this Policy Guide.