

IT TAKES A VILLAGE

Permanency Enhancement Project

UIC
UNIVERSITY OF ILLINOIS
AT CHICAGO

JANE ADDAMS
COLLEGE OF SOCIAL WORK





IT TAKES A VILLAGE – ACTION TEAM

The “It Takes a Village Action Team” exists to empower families. One of our goals is to see an increase in the number of children safely returned to their parents. We also want to see a reduction in the amount of time it takes for children to return home to their parents.

This resource is a tool to give an overview of the child welfare system. This tool does not explain everything in the child welfare system, but it gives helpful information to empower you and your family in your child welfare experience.

Follow the subject areas to learn more about: The Child Welfare Experience Services The Court Process

For more information, feel free to call the “It Takes a Village” Action Team at its host site Metropolitan Family Services, 773-371-3629

THE CHILD WELFARE EXPERIENCE

This section gives information about what happens to families that enter the child welfare system. It also gives an overview of some of the reasons a family may come in contact with the child welfare system, and some of the things a family can expect during the process.



Child Protective Services (CPS)

Child Protective Services (CPS) is part of the child welfare system. CPS investigates reports of child abuse or neglect. Illinois law requires Child Protective Services to do the following:

- Take reports from people who believe a child has been abused or neglected
- Find out if abuse or neglect has taken place
- Make sure there is a plan to keep children safe
- Attempt to keep children safe by providing services to families

Child Abuse and Neglect

Physical abuse is causing injury to a child by beating, kicking, biting, burning, shaking, or other ways of harming the child. Even when a parent does not intend to hurt the child, a child's injuries may be legally called abuse. Excessive physical punishment is an example of an injury that may not be intended. A parent is responsible for the safety of their child(ren) even if someone else in the home injures their child(ren).

Child Neglect is a failure to provide for a child's basic needs. This includes a child's physical, educational, medical and emotional needs. For example, when a parent abuses drugs or alcohol, or suffers from a mental illness sometimes child neglect happens. Not having enough money to take care of a child's basic needs does not mean a parent is neglectful. It may mean that the parent needs help.



Child Placement

If it is determined that your child must be removed from the home to keep him/her safe, DCFS or a private child welfare agency will decide where your child will be placed. It is the agency's responsibility to locate a placement that is safe and appropriate for your child(ren). Federal law requires the agency to first investigate if your child can safely live with a relative. You can suggest a relative or god parent who can care for your child.

If placement with a relative is not possible, your child will likely go to a traditional foster home or a temporary shelter. A temporary children's shelter is a short-term residence for your child until a placement that best suits your child's needs is located. Efforts are made so that children go directly to the placement that will care for them until they can return home. Agencies usually try to place children close to their own homes and communities.

If your child has complicated treatment needs, a family foster home or a home of a relative might not be able care for him/her. If this is the case, your child should be placed in a space where his/her needs will be met. This could be a foster home where the foster parents have been trained in specialized care, a residential treatment center, or some type of medical placement.

Placing All Children Together

The agency should make every effort to place all of your children together. Sometimes this is not possible. There may not be a foster home large enough to care for all of your children, or one of your children might need to be placed separately where he/she can receive special treatment. Even if that is the case, the agency should make sure that your children visit one another two times a month.



If your child(ren) is removed from your home, you have the *RIGHT* to the following:

- Know why your child(ren) is placed in an out-of-home placement
- Know exactly what needs to happen for your child(ren) to return home
- Suggest the names of relatives who might care for your child(ren)
- Have your child(ren) placed with a relative if there is a relative who can safely care for him/her
- Visit and communicate with your child(ren) regularly, if it is safe for your child(ren) that you do so
- Be informed about the progress your child(ren) is making or not making while in the foster care system
- Be consulted and make decisions about things such as your child(ren)'s religion, health care, and education
- Be informed about the people and/or services involved with your child(ren) such as the school, teacher, medical doctor, and dentist
- Go with your child(ren) to medical and/or dental appointments, if it is safe for your child(ren) that you do so
- Be notified of any medical emergencies your child(ren) may have Inform the agency worker about any problems with your child(ren)'s placement
- Report to the child abuse hot line if you suspect your child(ren) is being abused or neglected by the current caretaker



“Foster Care” or “Out-of-Home Placement”

Foster care is 24-hour care provided by the child welfare system for children who need to move out of their own homes temporarily. If your child(ren) moves into foster care, he or she may live in one or more different types of placements, such as the following:

- A relative’s home (placement with relatives)
- An emergency shelter A foster family home (placement with non-relative)
- A group home
- A residential treatment center, or
- A transitional or independent living arrangement for older youth

Reasons a Child is Placed in Foster Care

Here are possible reasons:

- ***If the court decides that your child was abused or neglected in your home***, it may transfer custody to DCFS so that your child(ren) can live somewhere else. Placement in foster care is designed to be temporary and intended to give you time to make the changes necessary so that your child(ren) can safely return to your home.
- ***If your child has a very serious emotional disturbance or a disability***, the child welfare system may be able to get services to address your child’s needs. This happens sometimes when parents have exhausted all possible services in the community.



The Family Service Plan

This section will focus on the process DCFS uses to determine the services you and your family will need to complete before your child(ren) can be safely returned.

Some families will be asked to participate in an Integrated Assessment. To complete the assessment, your case manager and a clinical assessor will ask you and your family about your background. Once it is complete, the Integrated Assessment will be used by your case manager to develop your service plan. Therefore, it is important that you participate in the process so that your case can move forward through the court system.

After your assessment, a service plan is developed. This plan is called a Family Service Plan, a Client Service Plan, or a Permanency Plan. They are all the same plan. This plan will state:

- the reason your child is involved in the child(ren) welfare system
- what you need to do to have your child(ren) returned to your care
- what the caseworker and others will do to help you
- how long you have to complete your services to work toward family reunification
- what is being done to address your child(ren) special needs

Service Plan Development

You need to be involved in making the “service plan.” This plan is like an agreement between you and the child welfare agency. The development of the first service plan should be completed within the first 45 days of the opening of the case. If your child(ren) is living at home with you, the service plan will describe what needs to happen so that he/she will be safe and can continue to live in your home. If your child(ren) is in an out-of-home placement, the service plan will state the reason he/she came into care. It will also say what needs to happen for him/her to be returned home.

Sometimes a “child and family team” will help you and the caseworker develop the service plan. This team should include people that you know, such as a service provider, someone from your child’s school, a counselor who works with your family, a family advocate, someone from your church, a good

friend, or a close relative. There may be some people on the team that you meet for the first time. Members of the child and family team may have some responsibility to help you and the agency complete the service plan.

You, the parent, should always be involved with the agency worker to develop, write and sign the service plan. It is also important to include children who are old enough to participate. You should receive a copy of the service plan.

SERVICES

This section focuses on some of the most common services that are provided for families. Your services should be included in your service plan. The services will assist you as you work toward the goal of having your child(ren) returned home.

If you are having problems with your services, you should contact your case worker immediately. You should also notify your attorney of any problems you may have.

Case Worker:

Name _____

Phone Number _____

Attorney:

Name _____

Phone Number _____



Parenting Classes

Purpose

Parenting classes provide you with an opportunity to learn skills to help you to become a better parent. Many parents become overwhelmed with the responsibilities of parenting especially when they have multiple children with special needs. Parenting classes will show you how to communicate with, and how to discipline your child(ren) in a positive way. Your assigned private agency/DCFS case manager will identify the need for parenting classes and will refer you to the class that is right for you.

Time of Referral

A referral for parenting classes occurs when the assigned private agency/DCFS case manager becomes aware that you need parenting classes. He/she will typically interview you with a parenting screening/assessment tool. Then the assigned agency case manager and/or their supervisor will discuss your needs with an organization that specializes in parenting classes.

Parent Coaching

Purpose

Parenting Coaching will provide you with a one-on-one mentor that will give you individualized attention. You will be provided with parenting skills that address the specific needs of you and your child(ren). Usually parenting coaching takes place in the home while you interact with your child(ren). Sometimes it takes place in the community or at an agency office. The lessons are designed to match your families individual needs. Your assigned private agency/DCFS case manager will identify the need for parenting coaching and provide assistance with the referral process.

Time of Referral

You will be referred for parenting coaching when the assigned private agency/DCFS case manager learns that you could benefit from more parenting skills. He/she will typically interview you with a parenting screening/assessment tool. Then, the assigned POS/DCFS case manager and/or supervisor will discuss your needs and refer you to an organization that specializes in parent coaching.

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Mental Health Services

Purpose

As a birth parent of a child(ren) in the custody of DCFS, one of the referrals that may be made on your behalf is for you to receive mental health services. Your assigned private agency/DCFS case manager, will identify the need for mental health services and make the necessary referral.

- Type of Mental Health services/resources include:
 - Psychological evaluation (to identify a mental health diagnosis, if any)
 - Psychiatric evaluation (to determine a need for medication, if any)
 - Individual counseling
 - Family counseling
 - Group counseling
 - Psychotropic medication monitoring
 - Mental Illness/Substance Abuse Treatment (MISA)

Domestic Violence Services

Purpose

Your assigned private agency/DCFS case manager, can identify the need for domestic violence services and make the necessary referral. He/she will determine if you have been in a violent relationship with a family member.

Time of Referral

Once the assigned private agency/DCFS case manager becomes aware that you have issues with domestic violence, the case manager and/or supervisor will discuss your needs and make a referral to an organization that specializes in the treatment of domestic violence.

Domestic Violence Orders of Protection:

Domestic Violence Court

555 West Harrison Street, Suite 440

Chicago, Illinois 60607

312-325-9500



Substance Abuse Treatment

Purpose

Substance abuse is a challenge for a number of families who have children in DCFS custody. Your assigned private agency/DCFS case manager will identify the need for substance abuse treatment and help you to get connected with the correct provider.

Time of Referral

Once the assigned private agency/DCFS case manager becomes aware that you have issues with substance abuse he/she and/or their supervisor will discuss your needs and refer you to an organization that specializes in the treatment of substance abuse.

Levels of Substance Abuse Treatment:

- Detoxification (detox)
- Residential (inpatient)
- Outpatient Aftercare
- Outpatient Methadone

You may also need to attend self-help meetings (i.e. Narcotics/Alcoholics Anonymous) and secure a sponsor for ongoing support

Recovery Coach Program

Purpose & Time of Referral

Once the assigned private agency/DCFS case manager or court staff identify a substance abuse issue, a referral can be made to the Juvenile Court Assessment Project office (JCAP). At JCAP the assessors will complete a thorough substance abuse assessment with you to determine if you need any substance abuse treatment. If so, then you will be referred to the recommended level of treatment. You may also be referred to the onsite Recovery Coach Program.

The Recovery Coach will assist you with your substance abuse treatment. They will also provide you with outreach services and meet with you one on one. The Recovery Coach will adjust the frequency of contact with you based on your needs and the intensity of the substance abuse treatment you receive. At a minimum, the Recovery Coach will contact you 2-3 times per month. The Recovery Coach will also attend family meetings, case staffings, and court hearings.

Housing Assistance

Purpose & Time of Referral

As a birth parent of a child(ren) in the custody of DCFS, one of the services/resources you may receive is a referral for housing assistance. The private agency/DCFS case management staff will help you fill out the Housing referral form (CFS-370) and/or the Norman Home Certification (CFS-370-1), if it's decided that housing is a barrier to you getting your child(ren) returned home.

HAP Services

In order to help you find affordable housing, DCFS has created the Housing Advocacy Program (HAP). HAP assigns a worker to help Norman Home Certified families obtain housing. HAP workers can also provide the following assistance:

- Emergency overnight shelter
- Domestic violence shelter and counseling
- Emergency food and clothing

Information and Consultation

Your Housing Advocacy Program (HAP) worker can prepare you to meet with prospective landlords. Your HAP worker keeps listings for apartments in your area that are less expensive or are subsidized.



Housing Assistance

Information on Tenants Rights and Responsibilities

Your HAP worker can provide you with information on tenant's rights and obligations. Your HAP worker can work with you before and after you obtain housing to help you be the best tenant you can be. Your HAP worker can also inform you of your rights as a tenant. Your HAP worker can help you develop a budget to help you spend your income wisely.

Follow-up Services

Your HAP worker may visit you after you have moved into your new home to make sure you are stable. Your HAP worker may stay in contact with you for a few months to see if there is any assistance you may need to remain stable. It is important that you keep in touch with your HAP worker and be honest with them about any problems that you may have. If you have trouble with your landlord, it is important that you tell your HAP worker.

Norman Services

The Department of Children and Family Services (DCFS) has developed services to help families obtain items they need to keep their child(ren) from being placed in DCFS custody. Financial assistance is also provided to help families to purchase needed items when their child(ren) are returned home from DCFS custody. More information on Norman Services can be found in the Norman Service Brochure which you can get from your caseworker or your Housing Advocacy Program (HAP) worker.





THE COURT PROCESS

This section will describe the main court proceedings associated with a child protection case. It also contains a road map so you can see where you are in the process.

Temporary Custody Hearing

Protective Custody takes place when your child(ren) has been removed from your care, or when you are prevented from taking your child(ren) home from a hospital or a police station. A temporary custody hearing will determine if your child(ren) must be temporarily out of your care.

A temporary custody hearing must take place 48 hours after protective custody is taken.

At the temporary custody hearing, the judge and the attorneys will have a copy of the petition which has facts that support an allegation that your child(ren) has been abused, neglected or has a parent that cannot care for him/her. Parents and legal guardians must be told when and where the temporary custody hearing will take place.

If you appear at the temporary custody hearing, the court may appoint an attorney to represent you. Your child(ren) will be appointed an attorney to represent them. Your child(ren)'s attorney is often referred to as a G.A.L., which stands for guardian ad Litem.

At the temporary custody hearing, the court must decide if there are reasons (the judge will call it probable cause) to believe your child(ren) has been abused, neglected or does not have a parent who can care for him/her. The judge must also decide if there is an urgent and immediate necessity to remove your child(ren) from your care. Finally, the court must decide if DCFS has made reasonable efforts to prevent your child(ren) from being removed from your care, or if reasonable efforts would not have prevented your child(ren) from being removed.

If the court does not find probable cause, and/or urgent and immediate necessity and/or that DCFS has made reasonable efforts, the petition may be dismissed and your child(ren) may be returned to your care.

If the judge decides there is probable cause, urgent and immediate necessity, and that either DCFS had made reasonable efforts or that reasonable efforts would not have prevented your child(ren)'s removal you must cooperate with DCFS, comply with the services in the service plan, and correct the condition that caused your child(ren) to be in DCFS custody. If you do not, you risk having your parental rights terminated.

Juvenile Court Map – Temporary Custody Hearing



Some Things You Should Know:

- Arrive to court on time and dress appropriately
- You should stay in touch with your attorney (your voice in court)
- If a visitation order is entered by the court, ask for a copy of it for your records
- Be prepared to give DCFS information about the people you would like your children to live with
- Cooperate with DCFS
- Comply with your service plan
- Correct the “conditions” that brought your child(ren)’s case into the system
- Write down the dates of your next court date or any other important meetings

Court Family Conference

The Court Family Conference will focus on the services that will address the conditions that caused your child(ren) to come into DCFS care. This means you will be told the reason(s) DCFS has temporary custody of your child(ren), and what you need to do to have your children returned to you.

The Court Family Conference should be attended by all of the parties. This includes the parents and their attorneys, the legal guardian, if any, and their attorney, the child(ren), if appropriate, and their attorney, and the attorney for the state. The caseworker assigned to your case will be present. If you fail to attend, the court can still proceed with the Court Family Conference.

The service plan and the Integrated Assessment for the family should be given to all the parties, including you and your attorney, before the Court Family Conference takes places.

Your services will be discussed at the Court Family Conference. Services for your child(ren) will also be discussed. The court will discuss visitation between you and your child(ren), and the visitation between the siblings, if any.

The court will either approve the service plan, or the court will order that the caseworker make the changes to the service plan that have been recommended by the parties.

Juvenile Court Map – Family Court Conference



Some Things You Should Know:

- Arrive to court on time and dress appropriately
- Judge may continue court hearing for various reasons
- You should stay in touch with your attorney (your voice in court)
- Your caseworker will be expected to make recommendations regarding your services
- Your service plan may be amended to add, eliminate or change your services
- Cooperate with DCFS
- Comply with your service plan
- Correct the “conditions” that brought your child(ren)’s case into the system
- Keep good records of your services
- Write down the dates of your next court date or any other important meetings

Adjudication (Trial)

An adjudication is also referred to as a trial. At the adjudication the judge will determine if there is enough evidence to prove that your child was abused, neglected, or that your child is without a parent who can care for him/her.

You are a party in your child(ren)'s juvenile court case. Your child(ren) is also a party. The child(ren)'s legal guardian may be a party. A person who had custody of your child(ren) before protective custody was taken may also be a party. All of the parties to your child(ren)'s juvenile court case have the right to be present in court and represented by an attorney.

An adjudication must take place 90 days after the parties have been served with the legal document that tells them the child(ren)'s case is being heard in juvenile court. The parties may agree to waive the 90 day time requirement and have an adjudication after 90 days have passed.

If you do not come to court, your child(ren)'s case will continue without you.

At the adjudication, the parties will have the opportunity to present evidence to the judge to support their position. Usually the State's Attorney will present their evidence first followed by the child(ren)'s attorney (GAL). Next, your attorney will have an opportunity to present evidence to the court.

The parties may give the judge documents to consider.

After the judge hears all of the evidence, he/she will decide if your child(ren) was abused neglected, or if your child is without a parent who can care for him/her.

Juvenile Court Map – Adjudication Hearing (Trial)



Some Things You Should Know:

- Arrive to court on time and dress appropriately
- Judge may continue court hearing for various reasons
- You should stay in touch with your attorney (your voice in court)
- Don't be afraid to read documents and ask questions
- The judge will decide if your child(ren) was abused, neglected, or is without a parent who can care for him/her
- Cooperate with DCFS
- Comply with your service plan
- Correct the “conditions” that brought your child(ren)’s case into the system
- Keep good records of your services
- Write down the dates of your next court date or any other important meetings

Dispositional Hearing

The judge will determine 3 main things at the dispositional hearing:

1. The judge will decide whether your child(ren) will remain under the court's jurisdiction as a ward of the court, or if he/she will immediately return to your care. If the judge decides your child(ren) is to be a ward of the court, the court will monitor the case. The judge may also decide that another person will become your child(ren)'s legal guardian.
2. The judge will make a decision about your fitness, willingness and/or ability to care for your child(ren).
3. The judge will determine who will have guardianship of your child(ren):
 - If the court finds that you, as a parent are unfit, unwilling and/or unable to care for your child(ren), the court may make DCFS the child(ren)'s guardian. You will still have parental rights such as visitation, but DCFS will have legal custody of your child(ren)
 - If the court finds that you are fit, willing and able, to care for your child(ren) the court can enter an order of protection and allow the child(ren) to return home. The court will continue to monitor the case until the court is ready to close the case
 - The court may grant guardianship of your child(ren) to another person if they find that this is in your child(ren)'s best interests.

There will be testimony from your case worker during the dispositional hearing. Other people may also be asked to testify like your therapist or your child(ren)'s therapist.

At the hearing, your service plan will be discussed. The judge will find out what services are in place for you and your child(ren). He/she will find out what progress you and your child(ren) have made in the services. The judge will also hear testimony about your visits with your child(ren). Depending on the testimony the judge may allow you to have increased visitation.

At the end of the dispositional hearing, the judge will tell you that you have the right to appeal the adjudication hearing and the dispositional hearing.

Juvenile Court Map – Dispositional Hearing



Some Things You Should Know:

- Arrive to court on time and dress appropriately
- Judge may continue court hearing for various reasons
- You should stay in touch with your attorney (your voice in court)
- Your caseworker will be expected to tell the court about your progress in services
- Don't be afraid to read documents and ask questions
- Cooperate with DCFS
- Comply with your service plan
- Correct the “conditions” that brought your child(ren)’s case into the system
- Keep good records of your services and provide documentation to the caseworker
- Write down the dates of your next court date or any other important meetings

Permanency Planning Hearing (Permanency Hearing)

At the permanency hearing, the judge will decide a goal for your child(ren)'s case. At the first Permanency Hearing, the court usually enters a goal of return home.

The court is required to conduct the first permanency hearing before your child(ren) has been in DCFS custody for a year.

All of the parties and/or their attorneys will be present at the permanency hearing. Your attorney will be at the hearing to represent you. Your child(ren)'s attorney will be present to represent him/her. The attorney for the State will also be present. The attorney that represents DCFS may be present as well.

At the permanency hearing your case worker will discuss your participation in the services listed in your service plan. The case worker will tell the court if you are engaged in the services the agency has asked you to complete. The case worker will also tell the court if there are any additional services you need to complete before your child(ren) can be safely returned to you.

The case worker will tell the court about the services that have been recommended for your child(ren). The court will hear about the visits you have with your child(ren). The court will also hear testimony about the welfare of your child(ren) so that he/she can ensure that your child(ren) is safe while in foster care.

The case worker will recommend a permanency goal for your child(ren). The judge will consider the recommendations of all the parties, including your attorney, your child(ren)'s attorney and the attorney for the State. After all of the parties have recommended a goal to the judge, he/she will enter court order with a permanency goal for your child(ren). This goal will determine the direction of your child(ren)'s case for the next six months.

After the first permanency hearing takes place, another permanency hearing should take place every six months thereafter. Any one of the parties may ask the court to conduct a permanency hearing before the end of the six month time period. The goal for your child(ren)'s case may be changed at any permanency hearing.

Juvenile Court Map – Permanency Hearing



Some Things You Should Know:

- Arrive to court on time and dress appropriately
- Judge may continue court hearing for various reasons
- You should stay in touch with your attorney (your voice in court)
- Your caseworker will be expected to make a recommendation regarding the direction of your child(ren)'s case
- Don't be afraid to read documents and ask questions
- Cooperate with DCFS
- Comply with your service plan
- Correct the “conditions” that brought your child(ren)'s case into the system
- Keep good records of your services and provide documentation to the caseworker
- Write down the dates of your next court date or any other important meetings

Your Rights

As a parent and/or adult respondent, you have the right to the following:

1. To attend every court hearing
2. To be heard at every court hearing
3. To present evidence that is related to the court hearing
4. To question witnesses in court
5. To look at the court files and records in your case
6. To have an attorney represent you in court
7. To appeal some of the orders in your case

Your responsibilities:

1. To cooperate with the Department of Children and Family Services (DCFS)
2. To comply with your service plan
3. To correct the conditions that required your child to be in DCFS custody

Once you appear in court, you will not be entitled to future notice of proceedings in your case, including the filing of a motion to terminate your parental rights, except as required by Supreme Court Rule 11. Therefore it is important that you attend your court proceedings.

Case Worker:

Name _____

Phone Number _____

Attorney:

Name _____

Phone Number _____



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AT CHICAGO

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