

# Permanency Values and Best Practices

Minnesota Regional CJJ Team  
Meeting

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# Permanency Planning

- **It is everyone's job!**
- Begins at the time of removal and involves a set of goal directed activities designed to ensure that children exit temporary care as soon as possible and that they do not re-enter the foster care system in the future.
- Based on research
  - child's well-being and safety are compromised when the child's permanency is not obtained in a timely manner.
  - children need (and will have) connection with their biological family even if they are not raised by that family.

# Concurrent Planning

- A practice model which addresses a child's need for expedient family reunification while, at the same time works toward an alternate permanent placement (adoption, relative care, guardianship)
- The case plan must provide services that are reasonably able to help a family reunify by improving the parental skills and the family's safety net.
- There are not TWO different case plans
- 



# Concurrent Planning

- A parent's ability to improve his/her skills in a timely manner is the primary information in determining the child's final permanent plan. *Not the completion of services or elimination of all risk.*
- The parents will likely have to participate concurrently in treatment programs or services, i.e. attend addiction treatment and parenting counseling at the same time.



# Case

**Referral:** A twenty month old child, Jeff, who was left unsupervised. During that time the child left his bedroom and was found by a neighbor on a busy street a block away his mother's home.

The mother and her boyfriend were found by the police to be asleep. The boyfriend has helped to parent Jeff since he was 6 months old.

They stated that they thought Jeff was asleep and they believed he was not able to get out of his room by himself.

This is the third similar referral for this family. The mother and boyfriend did not follow through with attending parenting classes or other ways to ensure safety for Jeff as recommended by the previous worker.

The boyfriend said they could not afford baby sitting or other methods of watching Jeff while he slept. Both adults are employed and often work swing shifts.

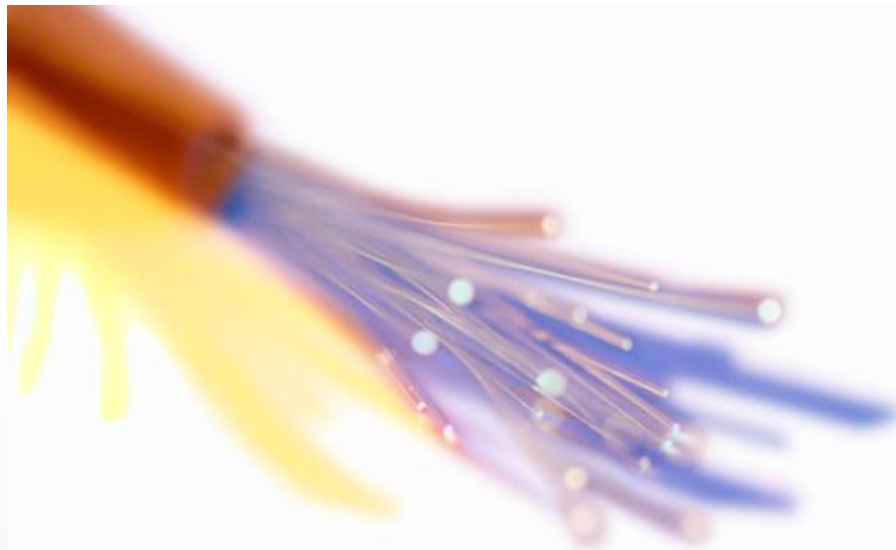
# What Does a Child Lose?

If Jeff is placed with a family unknown to the him, what connections might he lose?





Children are more resilient  
when they have multiple  
healthy connections.  
Resiliency is the key to  
surviving trauma.



# The Impact of Foster Care on Development

*...while out of home care is intended to ameliorate adverse caregiving conditions, the accumulation of experiences necessitating placement often render children even more vulnerable to emotional and behavioral difficulties.*

C. R. Lawrence, E. A. Carlson, and B. Egeland, Univ of Minnesota, 2006

## **Jessica Braam vs. State of Washington**

“Long term foster care with multiple placement violates the child’s constitutional rights and harms the child.”





# Legal Permanency: Preferred Order

1. Reunification with Birth Parents (custodial or non-custodial)
2. Adoption (relative and customary adoptions have priority)
3. Legal Guardianship (relative has priority)

**Placement in care  
does not equal  
permanency for a  
child.**



# Emotional Permanency

- Emotional permanency is when an adult and child have developed an attachment that provides long lasting love, trust and commitment. This commitment does not require a legal relationship or living together.
- How children define permanency
  - I belong to a family and do not worry that they will ask me to leave.
  - These adults are reliable.
  - I can depend on my family and people whom they entrust to educate and spend time with me.
  - I can get help with psychologically overwhelming events and feelings.

***Do you assess for emotional permanency?***

# Permanency for every Child

***Planned Permanency Living Arrangement (PPLA), Independent Living Plans and Long Term Foster Care (LTFC) are NOT forms of legal permanency.***



*PPLA can meet CFSR expectations but we must continue to work on legal and emotional permanency for every child as long as a child is in our care.*

# Concurrent Planning Positive Effect on Disproportionality

- Increased involvement of families in decision making and choosing services that will be appropriate for that them
- Building community supports and partnerships
- Targeted Recruitment of caregivers
- Confronts biases and acknowledges power and authority dynamics.
- Supportive of relative placements and customary adoptions



# CFSR Rounds One and Two – National Data

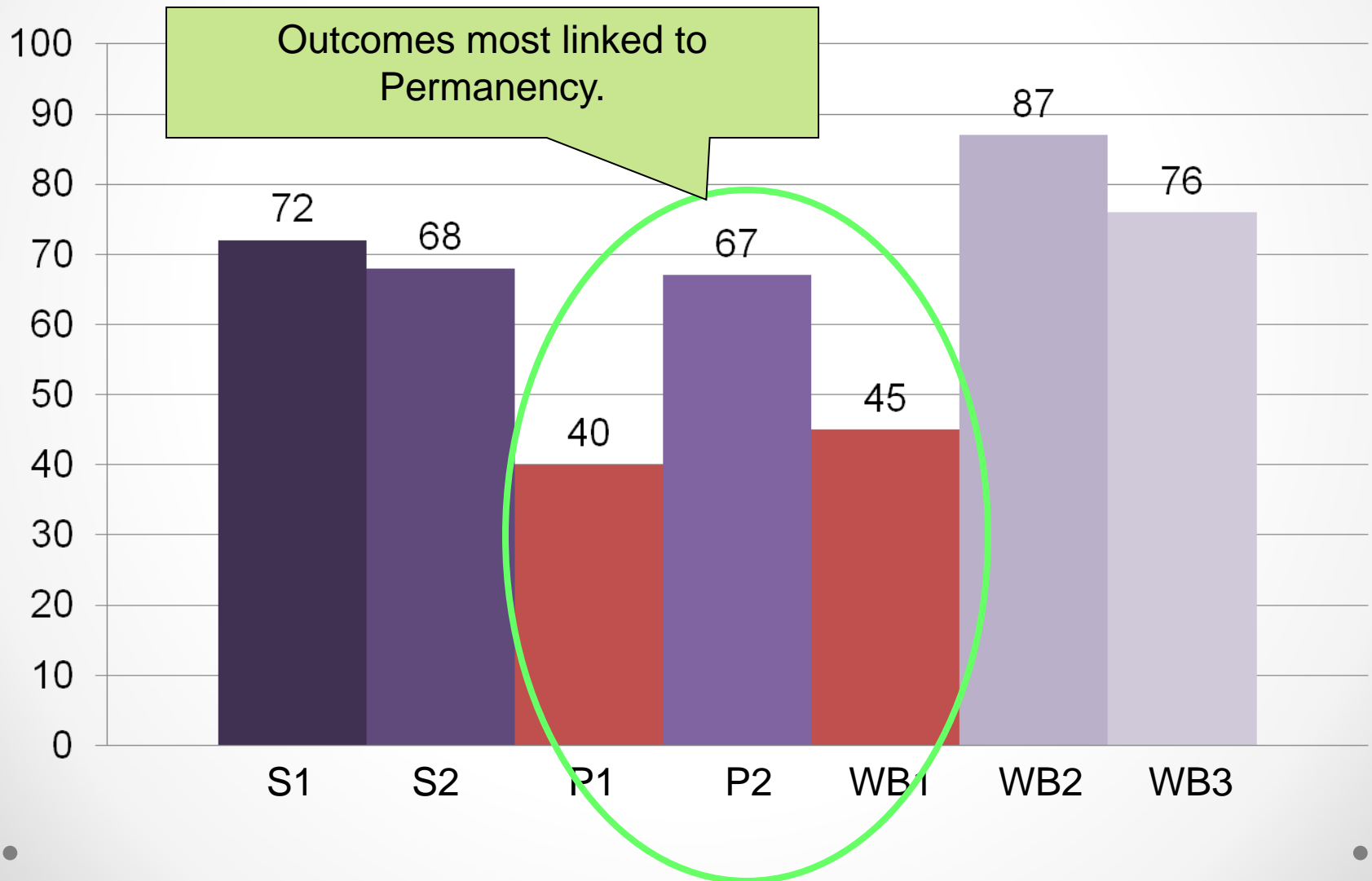


The key outcome items related to permanency are:

# State-Level Data: 32 States – Round Two CFSR

## National Outcomes

### Average Percent Achieved Across States





# Permanency Outcome 1

Children have permanency and stability in their living situations.

- **Item 5:** Foster care re-entries
- **Item 6:** Stability of foster care placement
- **Item 7:** Permanency goal for child
- **Item 8:** Reunification, guardianship, or permanent placement with relatives
- **Item 9:** Adoption
- **Item 10:** Other planned permanent living arrangement

**40% achieved**

# Permanency Outcome 2

The continuity of family relationships and connections is preserved for children.

- **Item 11:** Proximity of foster care placement
- **Item 12:** Placement with siblings
- **Item 13:** Visiting with parents and siblings in foster care
- **Item 14:** Preserving connections
- **Item 15:** Relative placement
- **Item 16:** Relationship of child in care with parents

**67% achieved.**

# Well-Being Outcome 1






Families have enhanced capacity to provide for their children's needs.

- **Item 17:** Needs and services of child, parents, foster parents
- **Item 18:** Child and family involvement in case planning
- **Item 19:** Caseworker visits with child
- **Item 20:** Caseworker visits with parent(s)

**45% achieved**

Case-Level Data: 32 States  
**Permanency Outcome 1**

**Items Associated with Stronger Performance in  
Permanency Outcome 1**

-  Item 3: Services to family to protect children in the home and prevent removal or re-entry into care
-  Item 17A: Needs assessment and services to children
-  Item 17B: Needs assessment and services to parents
-  Item 19: Caseworker visits with child
-  Item 20: Caseworker visits with parent(s)

## Case-Level Data: 32 States

### Item 20

#### Additional Associations Related to Caseworker Visits with Parents



**Stronger performance in caseworker visits with parents is associated with stronger performance on Item 7 (timely establishment of permanency goals and timely filing for TPR)**



**Stronger performance in caseworker visits with parents is also associated with stronger performance on Item 8 (reunification, guardianship, or permanent placement with relatives)**

**2006 Children and Family Services Improvement Act  
Requires MONTHLY contact by case carrying worker for every child and parent with a dependency order**

# Permanency Outcome 1

## Item 9 Concerns - Adoption

- **Lack of effective concurrent planning (especially when goals of reunification and adoption identified)**
- **Lack of effort to identify pre-adoptive families**
- **Worker turnover/lack of urgency on part of agency to pursue adoption goal**
- **Court delays: multiple and ongoing continuances; lengthy TPR appeals; parents given more time for reunification; changes in bench officers**
- **Challenges to achieve timely adoptions where practice dictates that adoption goals are not put in place until after TPR**
- **Progress on adoption goal delayed due to child staying in care to keep services in place**
- **Lack of clarity regarding availability of subsidies**



# Case-Level Data: 32 States

## Permanency Outcome 1

### Top Three Metro Sites: What Worked to Achieve Permanency

Foster  
care  
reentry

Item  
5

- Provision of post-reunification services
- Utilization of risk tools/reintegration assessments

Stability of  
foster  
care

Item  
6

- Utilization of relative placements
- Improvement of independent living services for youth

Perman-  
ency goal  
identified

Item  
7

- Ongoing and meaningful concurrent planning
- Goals established and case plans developed quickly

## Case-Level Data: 32 States

# Permanency Outcome 1

## Top Three Metro Sites: What Worked to Achieve Permanency

Reunifica  
tion, kin,  
guardian-  
ship

### Item 8

- Multi-system collaboration
- Early emphasis on reunification
- Utilization of relative placements

Adopt-  
ion

### Item 9

- Ongoing and meaningful concurrent planning
- Filing TPR prior to 15 months of child entering foster care, when appropriate
- Permanency (including option of adoption) addressed meaningfully in family team meetings
- Early search for adoptive families

Case-Level Data: 32 States

## Permanency Outcome 1

Top Three Metro Sites: What Worked to Achieve Permanency

Other  
PP  
Living  
Arrange-  
ment

Item  
10

- Engaging youth in independent living services at a young age
- Emphasis on utilizing standardized assessment tools



# DATA

- Do you know your county's permanency data?
- Do your staff, legal professionals, community members and others know the data?
- Do you track children in institutional settings? (Juvenile Justice – dual status)
- How do you use the data to improve outcomes?



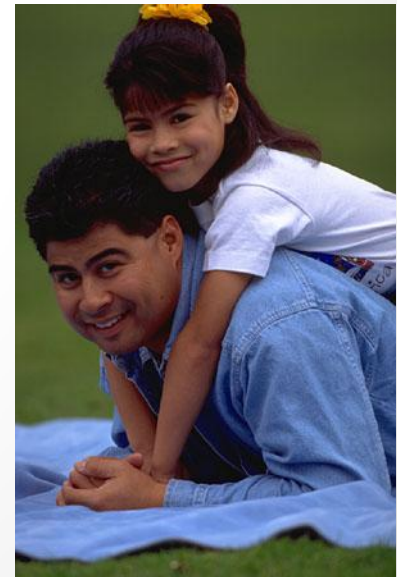
# Federal Law

## Foster Connections Act 2008

- Locate ALL family members within 30 days of placement. Inform them of their right to be placement resource. (Finding Families programs and Family Engagement methods)
- Can waiver non-safety requirements for licensing relative homes.
- Access to Federal Parent Locator Services
- Educational stability plan - \$ for transportation
- Place with siblings and if not must have a visit plan

# MN Laws

- **Diligent Efforts to Identify Parents - Agency**
  - Ask custodial or known parent
    - Marriages, divorces
    - Details of child's birth
    - Full name, birthdate, SS#
    - Relatives
  - Check with child support enforcement
  - MN Fathers' Adoption Registry





# MN Law



- **Diligent Efforts to Identify Parents – Court**
  - First hearing inquire about identities and whereabouts of all possible parents
  - Sworn testimony from known parent
  - No later than first review hearing, the agency shall include their efforts to locate parent in court report
  - If court determines the agency has not made diligent efforts – court shall order agency to take further steps
  - Ensure that parents have been served with summons and petition

# Tribal Identification MN Policy

- Interview all known family members
- Contact the tribe
- Identify father and his family
- Use ICWA-MIFPA social worker checklist
- Gather family history
- Indicating within the Social Services Information System (SSIS) Client Field whether a child is ICWA eligible



# Permanency Planning Framework

- **Case Plans**
  - Assessments
  - Identify changes a parent must accomplish
  - Family Engagement in case planning
  - Reasonable/Active Efforts
  - Timely Decision Making
- **Resource Families**
  - Least Restrictive placement
  - Maintain Connections & Continuity
  - Partnerships with Foster & Birth Parents
- **Visits**
  - Parent and child
  - Worker visits

# Case Plans

- Unique and tailored – no more drop down case planning
- Developed with family and their support system – family meetings and full family engagement
- Full disclosure with everyone who is impacted by the case plan (informed consent)
- Shared with EVERYONE
- Reviewed at every hearing
- Connection between maltreatment, changed behaviors and services is clearly stated

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# Assessment

1. Identify possible underlying causes
2. Professional assessments of parent and child that may confirm or rule out underlying causes
3. Identify parenting behaviors/capacities that are reasonable, doable and behaviorally specific
4. Family participates in determining how they can improve or prove their capacities (treatment, concrete resources, informal resources, progressive visits)

# Defining and Measuring Parenting Skills

## **Minimum Sufficient Level of Care/Protective Capacities**

Child Welfare law states that we can only intervene when a family does not meet the community and/or legal standard for safe parenting.

The changes a parent must demonstrate in order for reunification to successfully occur.

- Minimum not ideal
- Case specific – based on facts of maltreatment
- Remains consistent - If one cannot remove a child for that reason that is not a reasonable expectation for a parent to achieve to have the child returned. •



# Defining and Measuring Parenting Skills

## **Minimum Sufficient Level of Care/Protective Capacities**

- Community and cultural standards
- Describes positive parenting actions or capacities - not just a list of what NOT to do
- Should be identified early in the case and in the case plan and court order
- Discuss at all case planning meetings
- Answers the parent's question: What do I have to do to get my child back?
- It is the changed behaviors you hope will occur if treatment is successful.

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# MN Law

## The Case Plan:

- Specifies the actions to be taken by the child's parents to eliminate or correct the problems or conditions causing the child's removal from home;
- The specific behavioral changes that must be demonstrated and sustained by the parent before the child may be returned home; and
- The time period during which the actions are to be taken.

MIN STAT 260C.212 subd. 1(c)



# Case

- Jeff is now in foster care and the court has found that the parents neglected him and no safety plan could keep him safe in his home.
- What is the underlying causes or your hypothesis why this neglect occurred?
  - Poverty
  - Home – lack of resources to keep Jeff safe
  - Drug use
  - Lack of parenting knowledge or skills
  - Work schedules
  - Lack of resources or support system
  - Jeff is able to get out of any room quietly

# Sample case plan objectives:

## Behavioral Changes

- Jeff will not be out of sight and sound distance from a responsible person at all times.
- A responsible person is able to wake up and help the child remain safe.
- That person will know Jeff's abilities and how to provide a safe environment for the child.
- That person will be capable of doing the above for Jeff at all times even when Jeff is asleep.
- Parents will develop and use a safety plan that ensures Jeff cannot leave his room or house without a responsible person.



# Reasonable/Active Efforts



- Service has evidence that it can help the parent
- Accessible and culturally appropriate
- If substantial progress is not being made - review services
- Offering at least one alternative if services are not helping
- Use tribal and community experts

# Timely Decision Making



## Role of Judges at Hearings

- Obtain and review case plans at **every** hearing
- Explore all possible placement resources, including maternal & paternal relatives
- Establish and/or approve specific permanency plans (reunification and one alternative plan) by time of the Jurisdiction/Adjudication hearing
- Adjudication order should include a clear behavioral statement of what the parent must demonstrate in order to reunified with his/her child

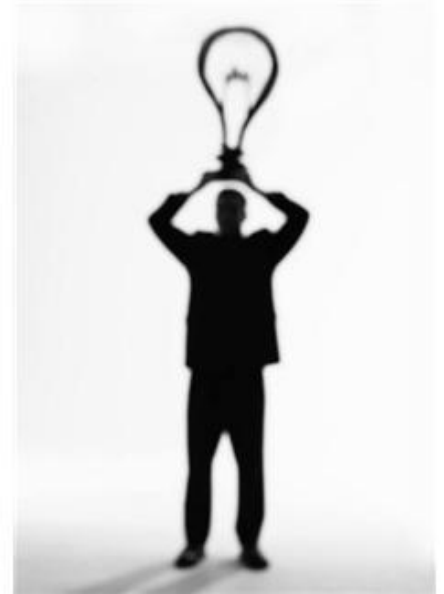
## Maintaining a Child's Connections

# Role of Judges at Hearings

- Use progressive visitation to determine parental progress
- Request information about the nature and quality of foster children's visits, contacts, and relationships with parents and siblings
- Ensure child's connections are strengthened
- Request that aggressive efforts to keep siblings together occurs; and if no ensure sibling visitation



# Also.....



- More frequent PP hearings
- Resource family involvement at hearings
- Ensure that reasonable/active efforts are being made or barriers to service addressed
- Review educational and medical needs of each child
- **Talk** to the parents and child during the hearing
- Do not “reset” the bar

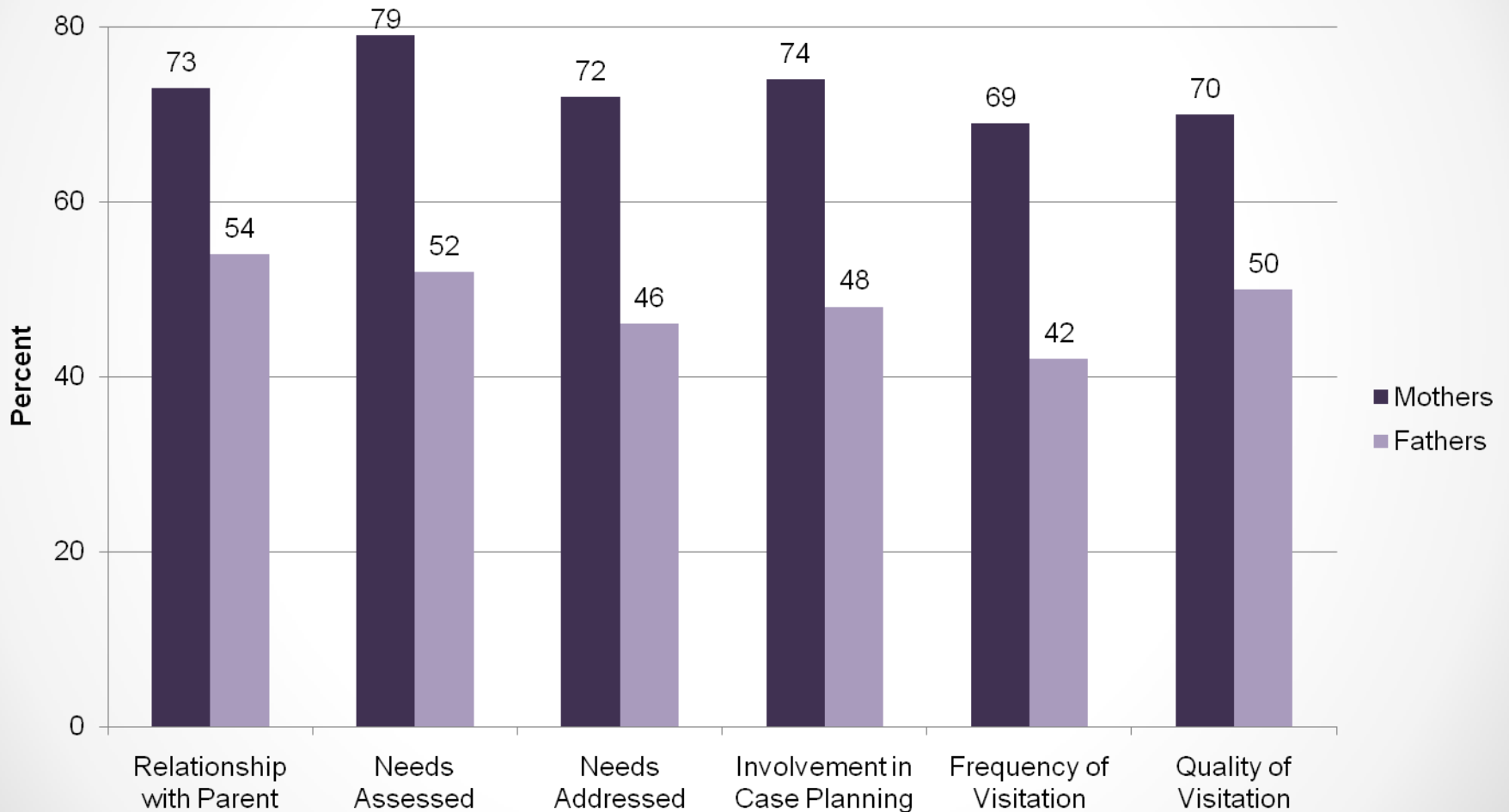


# TIME – 2 Perspectives

- Locating family
- Engaging the family
- First visit within 72 hours of placement
- Identifying maltreatment
- Identifying changed behaviors that parents must achieve
- Identifying and beginning services/treatments
- Selecting the resource family

# Case-Level National Data: 32 States

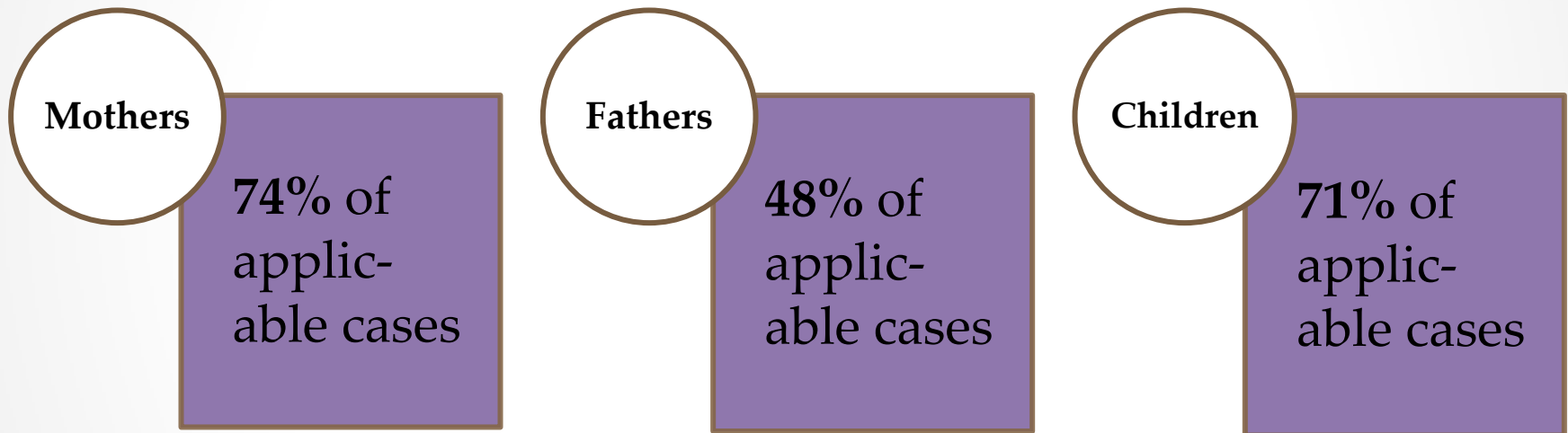
## Differences In Serving Mothers and Fathers



# Case-Level National Data: 32 States

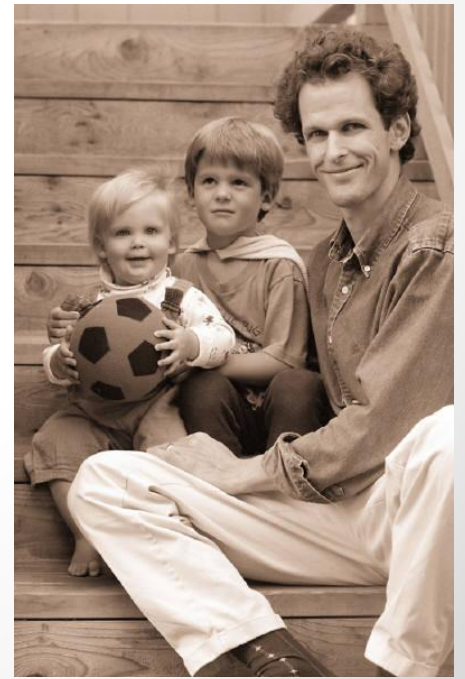
## Involvement in Case Planning

Child welfare agencies are making concerted efforts to involve children and parents in case planning in:



# Jeff's Fathers

- What would indicate that Jeff's fathers have been engaged?
- What type of visits should occur for his birth father? For his caregiving father?



# Engaging Fathers



- Identification ASAP (non-custodial AND caregiving fathers)
- Father specific engagement approaches: role as a father, family meetings, engaging his family
- Services: male specific programs, concrete services, employment services, coaching approach vs. therapy
- Assume he has something he can and wants to offer his child

# Engaging Fathers

- Talk to him about his view of being a man, a father
- Do not “write off” dads: incarcerated, never married mother, has not had previous involvement with child, because mother says he is no good
- Check for system or personal bias that makes it hard for fathers to engage with us and be a part of his child’s life



# Three Types of Caregiving Families

- **Foster Care** – True short term placements usually used at time of initial emergency placement. Do not plan to adopt. *Skill: Help the child through initial transitions.*
- **Resource Family** – Willing to actively support reunification including having a relationship with the birth family, teaching/modeling parenting skills, willing to adopt/guardianship if reunification cannot occur, willing to maintain connections post permanency, and able to handle the unknown. *Skill: Able to engage with birth family long term.*
- **Adoption Family** – Willing to adopt after permanent plan is determined. *Skill :Able to support a child's ongoing need to have connections with family and others with whom the child has emotional connections.*

# Caregiving Families

- We must locate ALL relatives within 30 days of placement per 2008 Family Connections Act
- AND we must inform family members of the right to be considered as a placement option
  
- We need to do a better job at matching a child to a Resource Family who will ensure that the child has long term placement stability.

**Goal: No more than two out of home placements.**

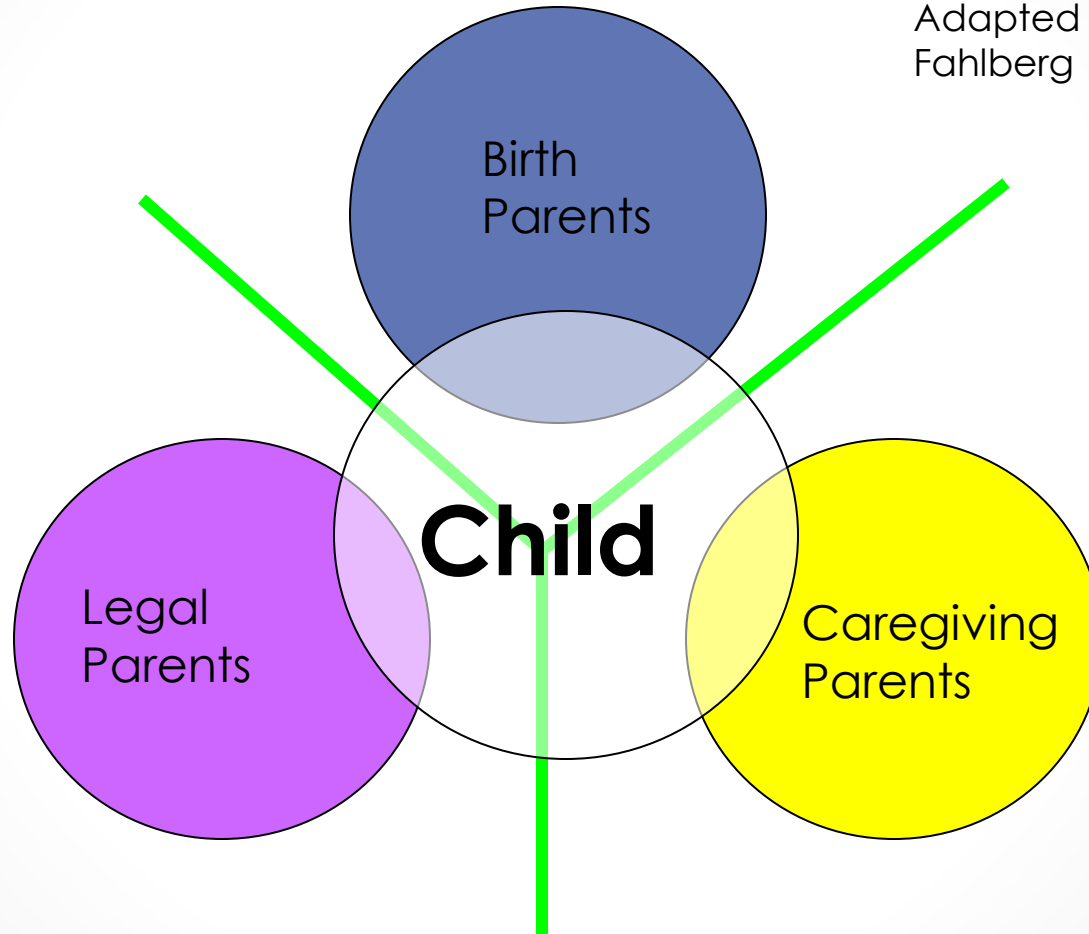


# Roles of Resource Families

- Nurture Children – no loyalty binds for the child
- Facilitate Visits with family and other – may have visits occur in their home
- Support Reunification Efforts
- Mentor/teach/support Birth Parents
- Serve as members of the Planning Team
- May attend court hearings – their point of view and information should be included in court reviews
- Serve as Adoptive Home if Necessary
- Ongoing support to child and family if the child goes home

# 3 Roles of Parenting

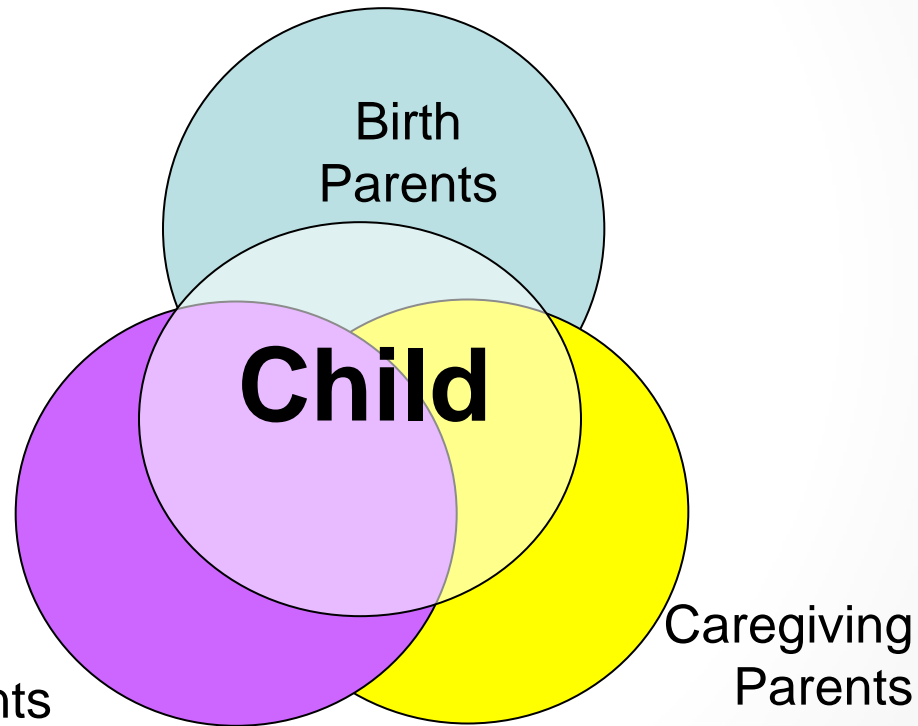
Adapted from Vera  
Fahlberg



Legal  
Parent:

- Court
- Agency
- CASA/GAL
- Attorneys

# Co-Parenting while the child is in care



Legal Parents includes:

- \* Court
- \* Agency
- \* CASA/GAL
- \* Attorneys

# Making a Placement Decision

**Minnesota guidelines to match child and caregiving family. The following items should be a part of the decision**

- The child's current functioning and behaviors.
- The medical, educational, and developmental needs of the child.
- The child's history and past experience.
- The child's religious and cultural needs.
- The child's connection with a community, school, and church.
- The child's interests and talents.
- The child's relationships to current caretakers, parents, siblings, and relatives.
- The reasonable preference of the child, if the court deems the child to be of sufficient age to express preferences •

# Partnership

- Resource family and birth family meet as soon as possible (Ice Breaker meetings, family helps to select Resource Family)
  - Develop agreements on caregiving decisions
  - Birth parents involved in as many daily care needs as possible (school, religion, hair cuts, discipline, teaching family values, sports, etc.)
  - Both families support the child having meaningful, healthy relationships with everyone with whom the child is attached – **NO matter what the final permanent plan**
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# Selecting a Resource Family for Jeff

- What things would you consider in making a selecting a Resource Family for Jeff?
- Where might you find a Resource Family for Jeff?
- What legal requirements are there about selecting the placement?

# Parent Child Visits

Primary purpose: To meet the child's needs (not a reward or punishment of the parent)

- Within 72 hours face-to-face
- A phone call the first night
- Everyone with whom the child is attached

Teaching and evaluating parenting skills – 2<sup>nd</sup> purpose

- Progressive process to slowly teach and assess improved parenting
- NEVER used as rewards and punishment
- Children will have emotions but should not be traumatized by visits
- Focus on MSLC skills NOT on generic parenting

# PP and Visits

- No child should be returned home who has not had:
  - **Multiple;**
  - **Overnight;**
  - **Unsupervised visits;**
  - **In the parent's home;**
  - **Testing the parent's stress and relapse;**
  - **And with all the adults who will be a part of that household.**

If visits progress to the above standard but the parent is not making progress in treatment, **the child can be returned home.**



# Worker Visits

- Face-to-face each month
- By the case carrying worker
- With the child, birth parent and caregiver
- The majority occurring in the home
- Purposeful – working on one or more case objective or the goals of safety, permanency and well-being

**Federal law 2006** - Children and Family Services Improvement Act – **legally mandates these visits with every child in state custody**

# Youth Permanency

## Fostering Connections Act 2008

- 90 days prior to emancipation must have a transition plan – **best if done much earlier**
- Kinship Guardianship Assistance Payment (GAP)
- Provide services to youth leaving foster care after 16 years old for kinship guardianship or adoption
- Youth up to age 21 can stay in foster care – state can still
- receive Title IV-E payments



# Helping Aging Out Youth – MN law

- Help applying for post-secondary financial aid
- Information or help for: health care, disability income, housing, selective service
- Has a permanent connection with a caring adult
- Has legal and other critical documents



# Start Early and Never Stop

- NUMBER ONE: never stop believing and working for the youth to have permanent connection with at least one adult
- No later than 16 years old there should be a plan on how to address all of these issues.
- Review at every court hearing – even if planned permanent living arrangement has been approved
- Do not assume that first "no" from youth or failed earlier efforts mean it is not possible.
- ASK the youth!!!! Engage the youth in every case decision.



# Aging out of the System

**This is not acceptable  
permanency goal.**

MN law:

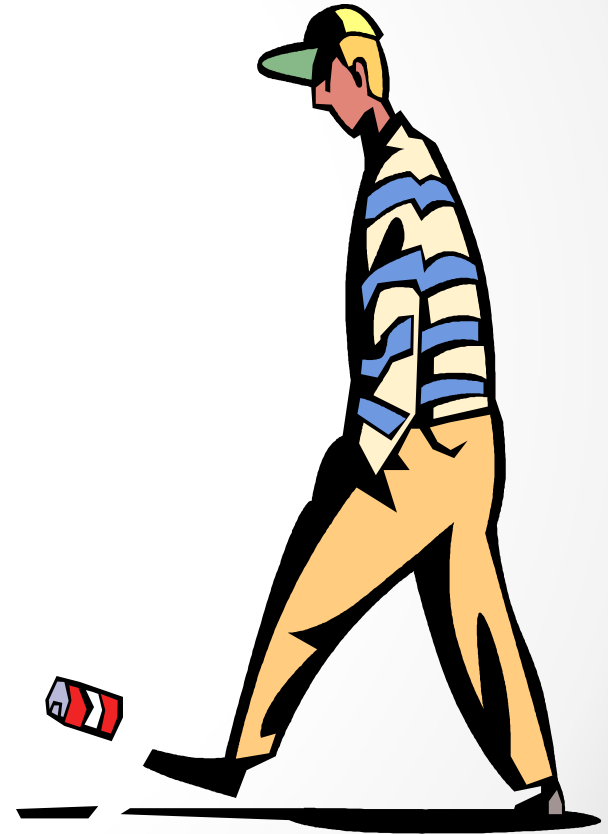
- Right to receive services beyond 18 years old
- Insure youth obtains HS diploma
- Complete driver's education or ability to use public transportation
- Help youth with ongoing education and employment



# Who Wouldn't Want a Family?

Who wouldn't want a family?  
Who wouldn't want to have a family to spend holidays with, to call when things don't go right, or to call when things are great to celebrate?  
Who wouldn't want that?  
- *Former Foster Care Youth*

Think developmentally –  
a youth with that life's  
experience may say no at  
first.



# Jeff at 17

- He has been returned home and came back into care
- His parent's rights were terminated and his adoption failed
- He is failing at school and has been asked to leave several foster homes
- Recently was arrested in possession of drugs
- **What would you do to ensure Jeff obtains permanency?**

# Lifelong Family Connections

An adolescent worker states, “I spend so much time putting back together relationships that previous workers tore apart.”





# Instead of accepting NO



- Who cared for you when your parents could not? Who paid attention to you, looked out for you, cared about what happened to you?
- With whom have you shared holidays and/or special occasions?
- Who believes in you? stands by you? compliments or praises you? appreciates you?
- Who do you like? feel good about? enjoy being with? Admire? look up to? want to be like someday?
- Who can you count on? Who would you call at 2 am if you were in trouble? Wanted to share good news? Bad news?



Foster

care

drift!

# Fully Implementing CP

## **Systemic reform is essential**

All members of the child welfare system need to be involved in this reform:

- Caregivers
- Birth parents and their extended family
- Children
- Legal professionals
- County agency
- Community service providers
- Tribes

# The Journey to Permanency: Does your agency have a clear road map?



# Common Challenges to Implementation of CP

- Belief that we have tried CP and other PP methods and they do not work.
- Value/attitudes about permanency
- Locating and supporting resource families
- Competency development of professionals
- Workload (agency, legal, caregivers)
- We have too many other change efforts and cannot do this one also
- Underestimating how much time and effort change will take



# Models for Implementation

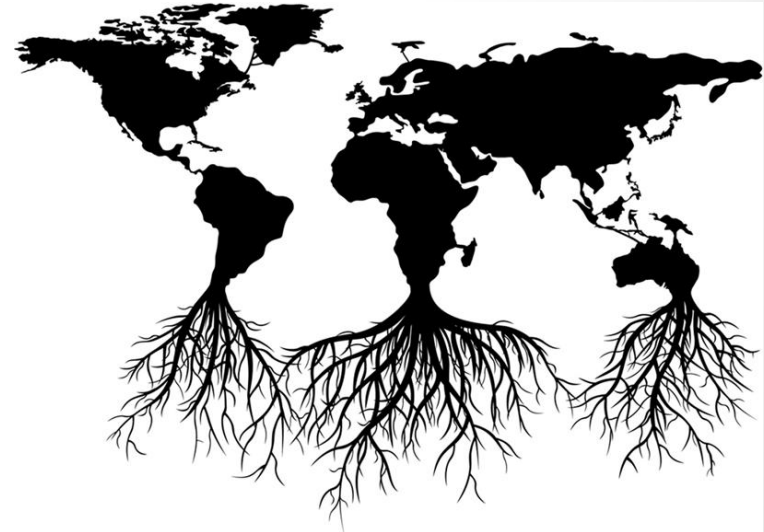
1. Ground Up and Top Down
2. Stakeholder Workgroup
3. Learning Circles or Breakthrough Collaborative

**What has worked in your county to implement systemic reform?**



# What the Models have in Common

- The lead group/committee must agree to common values, principles and definitions early in the process.
- Develop the vision, goals and measurements of successful Concurrent Planning beyond the federal measurements.
- An evaluation and continuous quality improvement process are designed into the change process from the beginning.
- Able to work collaboratively across systems and agencies.



# What the Models have in Common

- Have the support and/or authority to implement a multi-year process across the different parts/agencies of the child welfare system in your community.
  - Able to review and have influence to change the entire system
- Conduct an assessment of the barriers to CP implementation.
- Use local and national expertise, and evidence based practices to build on successes and learn from challenges.



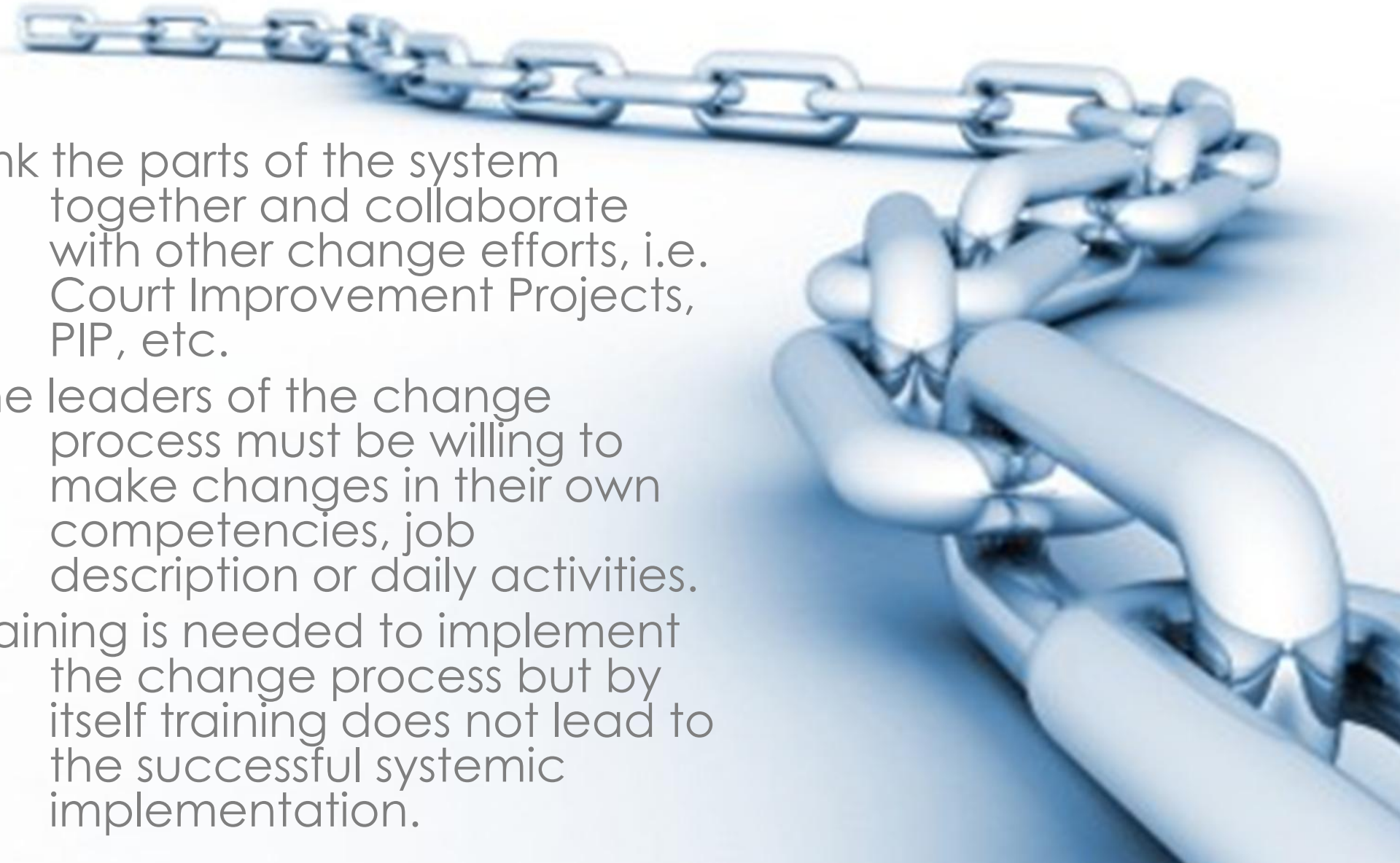


# What the Models have in Common

Link the parts of the system together and collaborate with other change efforts, i.e. Court Improvement Projects, PIP, etc.

Change leaders of the change process must be willing to make changes in their own competencies, job description or daily activities.

Training is needed to implement the change process but by itself training does not lead to the successful systemic implementation.



# CP Implementation Tools

- **A CP Readiness Assessment** - to use to assess if a community is ready . UC Davis Center for Human Services
- **CP Activity Checklist** – A checklist to determine if you are doing the CP activities in the correct time frame to ensure timely permanency.
- **CP Competency List** – A list of competencies needed by caseworkers, supervisors and others to implement the CP Practice Model.



# 10 Pitfalls of CP

- Assuming the initial assessment will predict case outcomes
- Workers investing in a particular outcome
- Case plans that are not family centered
- Offering caregiving families estimates of legal risk
- Interpreting 12 months as a absolute limit to reunification



# 10 Pitfalls of CP

- Not attending promptly to potential CP “time grabbers”
- Giving workers higher caseloads than they can handle
- Not having adequate resources for birth families
- Workers feeling disloyal to birth parents if they practice CP
- Workers equating CP with adoption



# Resources

- National Resource Center for Permanency and Family Connections  
[http://www.hunter.cuny.edu/socwork/nrcfcpp/info\\_services/concurrent-permanency-planning.html](http://www.hunter.cuny.edu/socwork/nrcfcpp/info_services/concurrent-permanency-planning.html)
- Children's Bureau - Federal Web Site  
[www.acf.hhs.gov/programs/cb](http://www.acf.hhs.gov/programs/cb)
- Center for Human Development – UC Davis  
[http://www.humanservices.ucdavis.edu/news/pdf/091\\_252\\_ro.pdf](http://www.humanservices.ucdavis.edu/news/pdf/091_252_ro.pdf)
- Rose Wentz [www.wentztraining.com](http://www.wentztraining.com)