

Locating and Notifying Relatives When a Child is Placed in Substitute Care

Requirements

- Placement of a child in a substitute care setting by a public children services agency (PCSA) requires the PCSA identify, search for, and notify adult relatives/kin of the child's removal.
- The PCSA must exercise due diligence to identify all maternal grandparents, paternal grandparents, adult relatives, and kin to the child or family.
- All maternal grandparents, paternal grandparents, adult relatives, and anyone the parents and/or child names must be notified of the child's removal within 30 days of the child's removal.
- The agency is not required to notify family members/kin who have a history of family or domestic violence.
- Notification to adult relatives or kin identified by the parent or child must:
 1. Specify that the child was removed from the custody of the parent(s).
 2. Explain the options available to the relative if the relative participates in the care and/or placement of the child.
 3. Outline available services and supports
 4. Explain the options that may be lost by failing to respond to the notification.
 5. Describe the requirements to become foster parents
- PCSAs shall continue to proactively search for and provide notice to family members beyond the 30 day requirement when a child is placed in a substitute care setting. The ongoing activities to identify and notify relatives/kin shall be documented in the Semi-Annual Administrative Review.
- Once a child is placed in a relative/kin placement by the PCSA, the PCSA is not required to continue to search for other relatives.
- All efforts to locate relatives must be documented in the case record.

Purpose

Identifying and locating non-custodial parents, relatives, and kin of the child may provide the following opportunities:

- Building, expanding and/or maintaining relationships for the child.
- Timely identification of a permanent home for the child.
- Allowing the agency to move expeditiously toward adoption or another

permanent placement if no one is able to provide a home for the child.

- Having family members serve as a temporary relative foster care placement.
- Building or enhancing the family's support network, so that the child can be reunified and safely maintained in his or her own home.
- Encouraging participation in family group conferences, case planning and permanency planning, and developing creative solutions to addressing identified safety and risk concerns.
- Assistance in locating a non-custodial or absent parent.

Strategies for Accomplishing

Identifying Relatives and Kin:

Whenever possible and appropriate, the child should be considered a primary source of information in identifying relatives. He or she should have an active role in identifying the significant people in his or her life. Children can identify the people who know them well, particularly those they seek out for comfort and support; confide in; have frequent contact with; are comfortable spending time with; and those with whom they have a mutual, bonded relationship.

Prior to removal, engage the parent in discussion about the child and family. Work with the family to identify possible relatives/kin who may attend and participate in a family team meeting and decision making for the child. The absent or non-custodial parent may be a *putative father* who is a willing and suitable placement option, or whose relatives are appropriate placement options.

For Native American children and families, tribal child welfare agency resources should be consulted to provide culturally appropriate and effective strategies to locating and engaging relatives. A "key informant" may include a person with appropriate cultural skills and knowledge or familiarity of the child's culture to ensure that the most effective methods of communicating with relatives are used.

Other individuals and agencies may also have information to assist in identification or location of relatives:

- School personnel
- Coaches or mentors
- Health professionals
- Child care providers
- Community service providers
- Faith based services
- Other informal family resources.

Caseworkers have several techniques and tools available to assist in obtaining an overall picture of the family. Working with the family to complete a genogram or ecomap is a technique used to engage parents in a non-threatening dialogue that will elicit significant information about relatives and kin, as well as attitudes, beliefs, perceptions, values, and socio-cultural influences. Once completed, these tools provide

invaluable information for understanding the roles and relationships within a family, and may also be used to engage relatives.

When possible and appropriate, a caseworker may hold a Family Team Meeting for Family Group Conference prior to removing a child or immediately following a child's removal. Relatives should be invited to participate in the meeting with the parents' consent. Even if the relatives participating in the meeting are not able to provide a placement for the child, they may assist in identifying other potential placement options. In addition, individual circumstances are subject to change, and relatives who are unable to provide placement at the time of the removal may be able to do so in the future.

It is important to involve extended family as early as possible, continually assess their willingness and ability to provide care if necessary, and assist them in sustaining their relationships with the child through visitation and regular communication when possible and appropriate. Relatives who are unable to take placement of the child may offer emotional and psychological support, respite care, after school care, transportation or other forms of assistance to help maintain placement with another relative.

Notifying Relatives and Kin:

The language used when providing notifying relatives of a child's removal should be easily understood and respect the sensitive and confidential nature of the family's information. The notice should be provided in writing if possible, even if relatives have been provided with verbal notification.

Accommodations must be made in providing notice to individuals with impairments including, but not limited to, hearing or visual disabilities, and limited English proficiency. Notices to relatives should include the required information as well as suggestions on different ways to help and support the family such as those listed above.

Exception to Providing Notification to Relative/Kin:

The only time a maternal or paternal grandparent or an identified adult relative is not required to be notified of a child's removal from his or her home is when the relative has a history of family or domestic violence. Documentation in the case record must support the agency's decision to not notify a specific relative. At a minimum, the documentation must include the facts used to demonstrate the individual's history of family or domestic violence and should also address how that history places the child or parent at risk of physical, mental, or emotional harm.

Information which may support a relative not being notified of the child's removal includes, but is not limited to, a history of:

- Convictions for family or domestic violence.
- Multiple reports of family/domestic violence where law enforcement was involved.
- Multiple arrests for family or domestic violence without conviction.
- Civil or criminal protection orders against him or her.

- Reports from family members of ongoing family/domestic violence without law enforcement involvement.

Federal Parent Locator Service:

Federal Parent Locator Service (FPLS) is a computerized network of information that was developed in cooperation with the states, employers, federal agencies, and the judiciary. It was designed to assist states in locating non-custodial parents, putative fathers, and custodial parties for matters related to paternity establishment, child support obligations, custody, and visitation.

In 2010, use of the state and federal child support enforcement databases maintained under title IV-D of the Social Security Act was expanded to allow disclosure of FPLS information to the child welfare system. Local child support enforcement agencies are the leads for access to the FPLS, and child welfare agencies must contact them to obtain information.

The Ohio Department of Job and Family Services, Office of Child Support developed the JFS 07713, "Child Welfare Agency Locate-Only Request" (5/2008) form for PCSAs to submit a request to locate a parent. While FPLS is used primarily to locate a non-custodial parent, it may also assist in locating other relatives of the child such as paternal grandparents.

FPLS contains sensitive data on individuals in the database, including social security numbers, most recent home addresses, wage and benefit information, and employment data. Information from other federal and state agencies is also accessible through the FPLS, including information from the following:

- Putative Father Registries of some states (not all states allow this search).
- Child Support Enforcement databases.
- Motor vehicle departments.
- State tax and finance agencies.
- State unemployment insurance systems.
- Criminal justice systems including federal, state, and local prisons.
- State and federal Veteran's Affairs.
- The Social Security Administration.
- The U.S. Department of Defense and all branches of the military.
- The Internal Revenue Service.
- National Personnel.

To search the FPLS, the PCSA must complete the JFS 07713 with the name of the relative/kin identified for the child and submit it to the county child support enforcement agency (CSEA). The CSEA will provide the PCSA with the results of the FPLS search. Successful searches will contain the individual's contact information, if available, and the PCSA should exercise due diligence in locating any individual for whom information is provided from the FPLS.

Things to Consider

A child's safety is always paramount. The requirement to notify all relatives of the child's removal does not obligate the agency to consider all relatives as potential placement options. Although there may be other factors (e.g., history of child maltreatment or other criminal offenses), which prevent the agency from considering the relative as a placement option for the child, the only exception to the federal requirement for notifying all identified relatives is the history of family or domestic violence. Agencies should seek advice from their legal counsel if they believe that notification of a relative who does not have a personal history of family or domestic violence will place the child or family in danger.

Notification of relatives is specific to the fact of the child's removal or pending removal from the custodial parent. The family's confidentiality must be maintained, and details of the case, including the circumstances resulting in the need for removal, should not be provided in the notice.

Resources

Applicable Ohio Administrative Code Rules:

5101:2-39-01 Removal of a Child From His or Her Own Home.

5101:2-38-05 PCSA Case Plan for Children in Custody or Under Protective Supervision.

5101:2-39-10 PCPA Case Plan for Children in Custody or Under Court-Ordered Protective Supervision.

Family, Children and Adult Services **Procedure Letter No. 151**

<http://emanualstest.odjfs.state.oh.us/emanuals/>

Other Information and Resources:

Fostering Connections To Success and Increasing Adoptions Act 2008, P.L. 110-351:

http://www.fosteringconnections.org/tools/assets/files/Public_Law_110-351.pdf

Child Welfare Information Gateway: <http://www.childwelfare.gov/>

Grandfamilies State Law and Policy Resource Center: www.grandfamilies.org

Resources for information on Genograms and Ecomaps:

<http://www.genopro.com/genogram/templates/>

<http://www.routledgesw.com//sanchez/assess/genogram>

http://www.ehow.com/how_5063840_construct-ecomap.html

http://www.researchgate.net/publication/5670819_Interactive_use_of_genograms_and_ecomaps_in_family_caregiving_research