

16. Identifying Legal Parents

Procedure

Immediately after a child is taken into protective custody the CPS worker or designee must make diligent efforts to identify legal parents and putative fathers. In taking steps to determine and establish legal paternity, the CPS worker's efforts include:

- Recording information about putative and legal fathers on form CF418, "Father Questionnaire," and filing the form in the case record.
- Notifying the Department of Child Support (DCS) by completing and forwarding form CF5600, "Child Welfare Parentage Testing and Division of Child Support Notification," and/or review related IIS screens.
- Ordering the child's birth certificate to determine if a father is named or if the certificate has been amended.
- If there is a putative father, assisting him in contacting the State Recovery Central Unit in DCS.
- Obtaining copies of marriage certificate or divorce decrees as applicable.
- Determining if DNA testing should be pursued. It may be an option through DCS or using system of care funding.

Absent parent search

DHS must give parents and guardians with legal standing notice of dependency proceedings that may limit or terminate parental rights. When filing a petition, DHS shall give the parents notice of the child's placement and offered services to determine if they are resources for placement. If parents' whereabouts are unknown, DHS must conduct reasonably diligent searches for them to give them notice of the juvenile court proceedings. A "reasonably or duly diligent search" is a systematic investigation that extends to persons who, in the ordinary course of events, would be likely to receive news of or from the absent parent, and to places where information likely would be obtained. A reasonably diligent search pursues and exhausts all reasonable, not conceivable, avenues of inquiry.

The Oregon Juvenile Court Dependency Procedures prescribes the mechanics of giving parents notice of juvenile court cases by serving them with a summons and the petition. The inquiry must be made in good faith.

An inadequate search can hurt a dependent child if it causes the reversal of a judicial decision or judgment the child and family thought was final and permanent. Good searches enhance stability and certainty in child dependency matters.

Chapter II - Screening and Assessment

While support staff may conduct searches, **it is the responsibility of the caseworker to ensure the completeness of the search.**

Procedure

The CPS worker must:

- Read the family's child welfare files. Look for existing birth certificates or birth data, names, social security numbers, last known addresses, names of individuals who may have current information (relatives, employers, professionals who have worked with the family).
- Within 30 days of placement, obtain and review birth certificates for children in temporary custody of DHS. When obtained, these documents may include names of previously unknown legal parents, or confirm who may establish paternity.
- Take notes and make a list of all relevant pieces of information, places and people likely to provide information about the parent. Each potential source, linked by place or relationship to the parent, is a reasonable avenue of inquiry.
- Use all relevant and available file material and results of interviews.
- Contact known relatives, friends and co-workers of the parent. Include the parent's last known address and last place of work.
- Follow up reasonable avenues of inquiry. Ask each contact for the parent's current and last known addresses.
- Review other DHS program files if accessible, such as Self Sufficiency and Division of Child Support screens. **Note:** The latter screens are viewer access only; they may not be printed or filed in case files.
- If verifiable information is not available through the above sources, access the Federal Parent Locator Service through the Division of Child Support to assist in locating and identifying individuals who have or may have parental rights to a child. To do this, send a letter requesting to locate the parent, signed by the authorized requestor, to:

Division of Child Support
Locate Branch Manager
3200 Lancaster Drive NE
Salem, Oregon 97305

Send a copy of the letter to:

DHS Child Support Coordinator
500 Summer Street NE
Salem, Oregon 97310-1017

- When available, include in your request the social security number of the parent, name of the parent, name of the child in care, and the case number.

- Information that may be made available through the Federal Locator process includes social security number, address or location, employer's name, employer's address, and employment wages, benefits or other income.

Do not request the Division of Child Support to search for a parent for the purpose of notifying the parent that their child is in state care.

Note: When searching for a parent who is the perpetrator of domestic violence against the other parent, the CPS worker should inform the adult victim that the attempt to locate the other parent is being made. The CPS worker should make a safety plan with the adult victim when appropriate, but the search still needs to be made.

Please refer to the booklet, Child Welfare Practices for Cases with Domestic Violence, DHS9200, <http://dhsforms.hr.state.or.us/Forms/Served/CE9200.pdf>.