

# Section 7. Document the Child Welfare Case Plan

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The Child Welfare Case Plan developed as a result of an unsafe child must be created within 60 days of the child's placement in substitute care or within 60 days of the completion of the CPS assessment when the child remains in the parents' home (and the child remains in the parent's custody). The Child Welfare Case Plan is the documented case plan that describes the reasons for Child Welfare's involvement and the actions and services required to change behaviors, conditions or circumstances that led to the child being unsafe.

### **Procedure**

The caseworker must:

- Analyze the information gathered during the protective capacity assessment to develop a Child Welfare Case Plan.
- Include the following people in the development of the Child Welfare Case Plan:
  1. Parents, unless an exception exists (described later in this section).
  2. The child aged 14 and older and at their option, up to two members of the case planning team who they choose, and who are not the foster parents or caseworker.
  3. An American Indian or Alaska Native custodian, when applicable.
  4. When the child is an American Indian or Alaska Native child, the child's tribe(s) and extended family members.
  5. Whenever appropriate:
    - a. The child, at any other age
    - b. Other relatives
    - c. Other service providers
    - d. Persons with significant attachment to the child
    - e. A substitute caregiver when the child is in substitute care and the placement is intended to become the adoptive home.

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The caseworker should consult with his or her supervisor when the child 14 and older chooses a member of the case planning team the caseworker believes would not be suitable for this role. The caseworker, after consulting with his or her supervisor, can find good cause to deny the youth placement of a person on their case planning team. Good cause means there is adequate or substantial grounds or reason to take a certain action or fail to take an action. What constitutes good cause is determined on a case by case basis. Here are some examples of when you might use good cause to deny a youth placement of a person on their case planning team:

- You are prohibiting the youth to have contact with the person in other circumstances;
  - The person may be disruptive to the case planning process or otherwise be unable to participate in an appropriate fashion;
  - The person may pose a physical or emotional threat to the youth or someone else on the youth's case planning team; or
  - The parents of the youth have a valid reason to request the person not be included to the point that it may hinder participation on the part of the parents or other family members.
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- Document the Child Welfare Case Plan, recording the information on the case plan form in the DHS electronic information system
  - If our involvement with the family is for reasons *other than a child's safety because a parent or caregiver cannot and will not protect a child*, refer to Chapter 4, Family support services. These reasons may include an eligible family who has requested voluntary placement of their child or has requested the department take voluntary custody of their child.
  - Consider meeting with the family. You may want to use an OFDM, described earlier in this chapter, when a child is in substitute care. If an OFDM is not used, follow the documentation requirements detailed in the Conducting family meetings, OFDM section.
  - Include all of the following information in the Child Welfare Case Plan:
    1. Family composition. Provide identifying information regarding:
      - a. Each child.
      - b. Each young adult.
      - c. When the child is an American Indian or Alaska Native child, the child's tribe(s).
      - d. Each parent, including documentation on how the father was determined to be the legal father.
    2. Document the active efforts to ensure the American Indian or Alaska Native child's tribe and/or American Indian or Alaska Native parent's tribe participates in person, by telephone or another effective means of communication when selecting services and activities.

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3. The impending danger/safety threats identified in the CPS assessment.
4. The ongoing safety plan recorded in OR-Kids
5. The findings of the protective capacity assessment.
  - a. Clearly describe enhanced and diminished parental protective capacities of parents or caregivers with legal standing.
  - b. Use caution when documenting information in a case that involves domestic violence. Remember not to include information that will put others at risk of harm, such as a restraining order, names of other victims or people providing information. Redact sensitive information from the copies distributed to one or more of the parties in the case if such information would put a person at risk.
6. Expected outcomes and actions each parent or legal guardian will take to achieve them (as described in a previous section of this chapter).
7. Child description, child's strengths, child's needs, well-being and treatment services, if applicable, including:
  - a. Health and education information whenever Child Welfare has custody of the child. As the legal custodian, Child Welfare is responsible for monitoring the child's health care and educational needs.
  - b. Describe the following:
    - A. The child, including strengths, current development, physical and emotional condition.
    - B. The child's relationship with siblings.
    - C. Support the child receives from parents, extended family, peers, school and, if the child is an American Indian or Alaska Native child, the child's tribe(s).
    - D. The child's needs, including any special needs and, if in substitute care, the child's strengths and needs identified by the CANS unless a CANS has not yet been completed.
    - E. Evaluations or plans that impact the child's needs, such as an IEP or 504 educational plan, developmental screening, I.Q. or adaptive functioning tests, mental health assessment, etc.
    - F. Services provided to address identified needs or to build upon identified strengths of the child including:
      - » Interventions provided by the parents to address a child's special or unique needs.
      - » Educational services including the school of the child or young adult and any special education needs.
      - » Routine and specialized medical and mental health services including the Personal Care Services of a child who is in substitute care and has been

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determined through a Personal Care Services Assessment and documented in a Personal Care Services Plan.

- » Actions taken by Child Welfare to address identified but unmet needs.

8. **When the child is in substitute care**, the child's current placement information.
  - a. Type of placement:
  - b. Location of the child and the substitute caregiver unless:
    - A. Doing so would jeopardize the safety of the child or the substitute caregiver.
      - » Consult with supervisor if needed.
    - B. The substitute caregiver will not authorize release of the address.
      - » Contact the substitute caregiver for permission prior to releasing address.
  - c. Document explanations regarding the following:
    - A. How Child Welfare knows the child is receiving safe and appropriate care. (For additional information on assessment of safe and appropriate care, refer to Section 9, Monitor the case plan and required contact, in this chapter.)
    - B. Why the placement is the least restrictive environment able to provide safety and well-being for the child.
    - C. The child's adjustment to the current living arrangement.
    - D. How the placement preserves the child's connections and attachments including:
      - » Proximity to the child's biological family, including siblings and the child's school.
      - » If the placement is not in close proximity of above individuals or required a change in schools, describe why the placement is in the child's best interests.
      - » If the child was moved within the past six months explain why. Were parents notified of the move? If not, why not?
    - E. Why this placement supports the child's cultural and family identity.
    - F. Describe specific supportive services Child Welfare anticipates will be provided to the child over the next six months that will be developed or tailored to support the placement and to ensure the child receives safe and appropriate care while in placement, including information from the supervision plan for children who are receiving a Level of Care as a result of the CANS screening.
      - » For example: additional home visits or phone contact; substitute caregiver working with parents or professionals as the family moves toward reunification; consultation with a nurse, mental health professional or educational specialist.

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- G. Special services being provided to the substitute caregiver (e.g., relief care or specialized training on managing the specific child's needs).
  - H. If the child is not placed with a relative, an update on the relative search efforts.
  - I. If placed out of state:
    - » Request the receiving state provide monthly face-to-face contact or negotiate a timeframe that meets the child, family and department needs.
    - » Document how the child's placement will be supervised by the receiving state (frequency of contact, type of contact such as face to face or by phone, collateral contact, etc.)
    - » Provide information from the supervising state that reflects their observations from the visits to the child's home.
- NOTE:** Per federal requirements, the child must be visited at least every six months if placed out of the state.
9. Services Child Welfare will provide, including all of the following:
    - a. Case oversight and routine contact with the parents and the child or young adult.
    - b. Appropriate and timely referrals to services and service providers to address identified impending danger/safety threats or strengthen parental protective capacity.
    - c. Ensuring an American Indian or Alaska Native child's tribe(s) is included as a case resource.
    - d. Timely preparation of reports to the court or other service providers.
  10. The date the parent's progress in achieving expected outcomes will be reviewed.
    - a. Must be done at least once every 90 days, in face-to-face contact with the parents, unless an exception is granted.
    - b. May be reviewed more frequently than every 90 days when the caseworker and parents wish to do so.
    - c. More information about this requirement can be found in Section 10, Conduct a case plan review.
  11. Narrate a plan for visitation and contact with parents and siblings, or attach a copy of the Ongoing Visit and Contact Plan (CF 831B).

**NOTE:** Chapter 4 of this manual provides additional information on family visits and contacts.

    - a. Ensure a child, the parents and each sibling (who are not in the same substitute care setting) are able to visit each other while the child is in substitute care, as often as reasonably necessary, to support and enhance their attachment to each other.
    - b. Document the visitation plans using forms CF 0831A and CF 0831B.

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- A. Develop a Temporary Visit and Contact Plan (CF 0831A) when a child first enters substitute care.
    - » Facilitate the first visit as soon as possible and within the first week of placement. If not done, the caseworker must document the reason the visit was delayed in the DHD electronic information system.
  - B. Develop the Ongoing Visit and Contact Plan within 30 days from the date the child enters substitute care.
  - c. Indicate whether there are any court orders regarding visitation.
  - d. Level of supervision of the visits.
  - e. How this level of supervision meets the child's safety needs.
  - f. How this visitation plan is the least intrusive and most appropriate plan.
  - g. Other forms of communication used for additional parent/child contact.
12. The primary permanency plan, which is one of the following plans:
- a. Place with parent (return to parent home)
  - b. Adoption
  - c. Guardianship
  - d. Placement with a fit and willing relative
  - e. APPLA permanent foster care
  - f. APPLA permanent connections and support.
13. The conditions for return (is required for every child in substitute care unless aggravated circumstances preclude a child's return home).
- a. Document the specific behaviors, conditions or circumstances that must exist within a child's home for a child to safely return and remain in the home with an in-home ongoing safety plan. Refer to section 5e of this chapter for more information about conditions for return.
14. The concurrent permanent plan (the alternate permanent plan is required when the child is in substitute care).
- a. The choices for a concurrent permanent plan are the same as choices b through f in the primary permanency plan (see 12 above).

The Permanency Planning guide is a tool that compares the various rights and responsibilities associated with adoption, subsidized guardianship and permanent foster care. Using this tool can help the caseworker, family and potential permanent placement resource understand the differences between these concurrent plans. The Permanency Planning Guide is not on the forms server. Contact your assigned permanency consultant for a copy.

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- b. Briefly describe the discussion between Child Welfare and the parents about:
    - A. The concurrent permanency plan.
    - B. Adoption Safe Families Act (ASFA) requirements and timelines (you can use the DHS 9120 to explain ASFA).
    - C. Benefits of compliance with the case plan.
    - D. Consequences of noncompliance and/or lack of progress with the case plan.
      - » Lack of progress includes not being able to demonstrate a capacity to sustain the safety of the child without the involvement of Child Welfare.
      - » Consequences include implementation of the concurrent plan if the parent has not made adequate progress within specified ASFA timeframes.
  - c. If any of the above discussions did not occur with either parent, explain why. Also indicate if this information has been shared with the parents in any other way.
15. Progress to date, including:
- a. Document the progress made by the parents in:
    - A. Achieving the conditions for return (when the child is in substitute care)
    - B. Achieving expected outcomes
    - C. Completing any action agreements and the related expected outcome the agreement has or is addressing
    - D. Observable changes in parental protective capacity (cognitive, behavioral and emotional)
  - b. Document actions Child Welfare has taken to support achieving conditions for return (when the child is in substitute care) and expected outcomes.
  - c. When the child is in substitute care, indicate whether the child has been in substitute care 15 of the last 22 months.
    - A. If not, circumstances requiring filing a petition to terminate parental rights (TPR) do not exist at this time.
    - B. If so:
      - » Indicate whether the TPR petition has been filed.
      - OR–
      - » List the compelling reason that prevents filing a TPR petition.
  - d. When the child is in substitute care, what actions have been taken and what progress has been made on achieving the concurrent permanency plan for the child?
    - A. For example:
      - » Diligent relative search
      - » Identification of family member for permanent placement

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- » Discussion of supports available to substitute caregiver if concurrent plan implemented
  - » Relinquishment signed
  - » Adoption recruitment bulletin completed
  - » Current caretaker staffing occurred,
  - » Adoption home study completed
  - » Adoption assistance agreement signed
- B. Are there any barriers to achieving permanency? And if so, what are they and what is being done to address them?
- C. If either of the APPLA options has been selected as the permanency plan, explain:
- » How this plan was selected for the child.
  - » How it best meets the child's needs.
  - » The compelling reasons why other, more permanent options were ruled out or determined to be inappropriate.
16. When applicable, the caseworker must also include:
- a. The goals and activities required for:
- A. An American Indian or Alaska Native child under Indian Child Welfare Act, and how the activities and services are provided in a culturally competent manner.
  - B. A refugee child under the Refugee Act and how the activities and services are provided in a culturally competent manner.
  - C. Recommendations of expert evaluations requested by Child Welfare whenever they may impact parental protective capacities or treatment services for the child.
    - » If recommendations are not included in the Child Welfare Case Plan, the rationale must be documented in OR-Kids.
  - D. Youth Transition programs and services to transition to independent living in all cases when a child is 16 years or older, and when provided to a child who is 14- or 15-years-old (refer Chapter 4, Youth transitions), including:
    - » Was an assessment done?
    - » If an assessment has not been completed for any child older than age 16, provide an explanation.
    - » Describe the Youth Transition programs and services offered.
    - » Attach the comprehensive transition plan.
    - » If services are not being provided, explain why.

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- E. When the child is in substitute care, discuss sibling issues including:
- » If the child has a sibling, is he/she in the same placement?
  - » If not:
    - Why not (lack of placement resources, safety issues, different level of care needs at this time, etc.)?
    - What is being done to address issues that contribute to siblings being apart?
    - In what ways has Child Welfare conveyed to all involved that the sibling separation is intended to be temporary?
    - What efforts are being made to reunite siblings?
    - In what ways are sibling connections being maintained (siblings visit at weekly parent/child visits and every other week facilitated by foster parents, phone calls, letters, etc.)?
  - » If siblings are placed together, are there any issues that may threaten continued placement together?
  - » If so, what is being done to address this to preserve the sibling placement together?
- F. Orders of the court and the efforts the department is making toward meeting those orders.
17. List information regarding caseworker contacts with the child, parents, substitute caregiver and other collateral contacts.
- NOTE: Contact dates with the child and parents will prefill from the OR-Kids database. Collateral contacts will need to be entered into the form by the caseworker.
- Also include in the narration:
- a. description of how the contact included discussion of the implementation of the Child Welfare Case Plan.
  - b. If contact occurred less frequently than required, explain why.
    - A. If a supervisor approved an exception to the requirement document:
      - » Name of the supervisor who authorized exception.
      - » The rationale behind granting the exception.
18. Have the case plan translated into a language the parents understand, if the primary language of the parent is other than English.
19. Complete a CF 0010 A to request translation and refer to the Child Welfare AR 06 002 dated 6/30/06 located at [www.dhs.state.or.us/policy/childwelfare/ar/2006/cw\\_ar\\_06\\_002.pdf](http://www.dhs.state.or.us/policy/childwelfare/ar/2006/cw_ar_06_002.pdf)

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20. The caseworker must also:
  - a. Obtain the following signatures on the appropriate Child Welfare Case Plan document:
    - B. The caseworker.
    - C. The supervisor, once the supervisor has approved the Child Welfare Case Plan (see supervisor's role below).
    - D. Each parent.
      - » Unless an exception exists, as allowed by policy (refer to end of this section of caseworker responsibilities for exceptions).
  - b. Distribute the Child Welfare Case Plan.
    - A. Give a copy of the Child Welfare Case Plan to the following people:
      - » Parents of the child.
      - » The American Indian or Alaska Native child's tribe(s) (when applicable).
    - B. Distribute the Child Welfare Case Plan as soon as possible, but no later than seven days after the supervisor approves the plan (unless):
      - » If doing so would provide information that places another person at risk.
      - » Consult with supervisor to determine if a particular situation warrants withholding the Child Welfare Case Plan.
        - To determine other ways to communicate information to that individual that will not place others at risk.
  - c. Complete the Child Welfare Case Plan within 60 days of a child's removal from home *when the child is in substitute care* or 60 days from the completion of the CPS assessment in cases where the child remains in the home of a parent or guardian.
  - d. Adhere to procedure and policy requirements unless an exception exists including:
    - A. A parent's participation in the development of the Child Welfare Case Plan threatens or places other participants at risk.
      - » When this occurs:
        - Consider other meaningful ways to include the threatening parent.
        - Consult with supervisor to explore safe ways to include a parent when other participants may be at risk when developing the Child Welfare Case Plan.
        - Attempt to obtain the signature of the parent, even though perhaps not involved in developing the Child Welfare Case Plan.
        - Consider whether the caseworker should prepare and send a Letter of Expectation (LOE) and a copy of the Child Welfare Case Plan to the parent (more detail on LOE below).

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- B. The court has authorized an exception to the involvement of a parent when the court determined reasonable efforts (or active efforts for ICWA) to return a child are not required.
  - » When this occurs:
    - Consider whether Child Welfare still wishes to include the parents in the case planning process.
    - Consult with the supervisor prior to deciding not to include the parents in the case planning process to fully consider potential negative consequences of excluding the parent, even when legally able to do so.
- C. When a child is in substitute care and Child Welfare is unable to obtain a parent's signature on the Child Welfare Case Plan and/or involve the parents in the development of the Child Welfare Case Plan do the following:
  - » Prepare and send a Letter of Expectation (LOE) and a copy of the Child Welfare Case Plan to the parents within seven days after the supervisor has approved and signed the Child Welfare Case Plan.
  - » LOE means a goal oriented, time-limited, individualized written statement for the family of the child that identifies:
    - Family behaviors, conditions or circumstances.
    - The expected outcomes of improved parental capacity.
- D. What Child Welfare expects each parent will do to achieve safety, permanency and well-being of the child or young adult in the parental home.
  - » If a parent's whereabouts are unknown:
    - Conduct a search for the absent parent.
  - » Upon locating the parent, engage in a discussion about planning for the child, including development of a Child Welfare Case Plan, or develop and send an LOE and a copy of the Child Welfare Case Plan, unless doing so would place another person at risk.
  - » Consult with supervisor as needed, to determine ways to involve a parent who has been located, when a child has been in substitute care for a considerable period of time.

### Role of the supervisor

- While reviewing the Child Welfare Case Plan, attend to:
  1. Are there any issues concerning child safety that have not adequately been addressed, and a child may be unsafe? If so:
    - a. Determine what needs to be done to protect the child at this time, including implementing a protective action plan or modifying the ongoing safety plan.

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- b. Ensure a screener is immediately notified if the safety issue constitutes a new report of child abuse or neglect not previously identified.
  - c. Meet with caseworker to obtain more information when needed, and ensure documentation is adequate.
  - d. Assist the caseworker to better understand safety issues, including ways to manage safety and how to better document activities in the future.
2. Was the protective capacities assessment thorough and is there a good understanding of the capacities that need to be enhanced to manage or mitigate identified impending danger safety threats?
3. *When a child is in substitute care*, do the conditions for return reflect what is needed in the home environment to allow for the development of an in-home ongoing safety plan that will adequately manage child safety?
4. Do the expected outcomes reflect the sustained changes which, if achieved over time, will eliminate or reduce impending danger/safety threats and will enhance protective capacities in a way that child safety can be managed without Child Welfare's involvement?
5. Is Child Welfare providing adequate and appropriate services, which are culturally relevant, to assist the family in making progress toward the expected outcomes?
6. Are service providers providing information that allow Child Welfare to assess the progress the parents are making?
  - a. If not, consult with worker to discuss ways to receive necessary information from service providers.
7. Are the parents making reasonable progress, such that the child's need for permanency and stability is being met?
  - a. If no, what is being done to enhance stability?
8. Are the parents making reasonable progress, such that the child's need for permanency will likely be achieved in the child's timeframe?
  - a. If not, is adequate progress being made with the concurrent permanency plan?
  - b. If not, has Child Welfare done what was needed for the diligent relative search and is there an identified person to be a permanent resource in the concurrent plan?
  - c. Are there any committee staffings or legal processes needed to move along the concurrent plan?
9. In what ways have the strengths and needs of the child identified by the CANS been incorporated into the case plan? What services are being offered to build upon those strengths and meet the needs? If the child is receiving a Level of Care, how has the supervision plan been developed (i.e., with the foster parent or with the child's team)? Does the supervision plan appear to meet the child's needs?
10. Does the child have personal care services and, if so, how have the child's medical needs and care been included in the case plan?

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- a. Approve and sign Child Welfare Case Plan when the plan is adequate and no changes need to be made.
  - A. If changes need to occur, consult with caseworker, as needed.
  - B. If changes may impact the family or child, encourage discussion with the individuals before changes are made.
- b. Be available to meet with the caseworker and other people connected with the Child Welfare Case Plan, if needed.
- c. As needed, consult with caseworker and/or provide connections with others who can assist worker with understanding the need for and accessing culturally appropriate services and service providers.
- d. Ensure parents are adequately included in the developing the Child Welfare Case Plan (refer to detail in caseworker section above regarding possible exceptions to a parent's involvement). Consult with the caseworker to consider:
  - A. Safety issues and options to work with a parent when the parent's participation in the Child Welfare Case Plan may threaten the safety of others or may put other participants at risk.
  - B. Review of the LOE to ensure its adequacy when a parent is not involved in the development of a Child Welfare Case Plan. NOTE: Parents must cooperate with the Child Welfare Case Plan and the ongoing safety plan when the child remains in the parents' home.
  - C. Whether to include the parents in the development of a Child Welfare Case Plan (and use resources to consider potential implications), even when there is an option to exclude the parents.
- e. Consult with caseworker when a parent is absent to determine that Child Welfare is conducting a thorough search, following up appropriately when location is identified, and the child's need for permanency is considered when involving a parent who has been absent for a period of time.

### Forms and references

#### References

- CF 0010 A  
[http://dhsresources.hr.state.or.us/WORD\\_DOCS/CE0010a.doc](http://dhsresources.hr.state.or.us/WORD_DOCS/CE0010a.doc)
- DHS 9120  
<http://dhsforms.hr.state.or.us/Forms/Served/DE9120.pdf>
- CF 0994  
[http://dhsresources.hr.state.or.us/WORD\\_DOCS/CE0994.doc](http://dhsresources.hr.state.or.us/WORD_DOCS/CE0994.doc)

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## Legal references

- CPS Assessment, [OAR 413-015-0400 to 0485](#)
- Developing and Managing the Case Plan, [OAR 413-040-0005 to 0032](#)
- Monitoring Child Safety, [OAR 413-080-0040 to 0067](#)
- Achieving Permanency, [OAR 413-070-0500 to 0519](#)
- Determining the Appropriateness of Adoption as a Permanent Plan, [OAR 413-110-0300 to 0360](#)
- Guardianship Assistance, [OAR 413-070-0900 to 0974](#)
- Another Planned Permanent Living Arrangement, [OAR 413-070-0520 to 0565](#)
- Placement of Indian Children, [OAR 413-070-0100 to 0260](#)
- [Placement of Refugee Children](#)
- [Youth Transitions](#)
- [Identifying Legally Recognized Parental Relationships](#)
- Enhanced Supervision, [OAR 413-020-0200 to 0255](#)

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