

Section 4: Citizen Review Board

The 1985 Oregon Legislature created citizen review boards (CRB) to review cases of children placed in substitute care to assist the courts in ensuring permanency for the child and reviewing the appropriateness of the placement. Each board consists of 3 to 5 members who have a special knowledge of or interest in foster care and child welfare and who represent various socioeconomic and ethnic groups in the area served. The presiding judge of the court makes appointments of members. Each member participates in 16 hours of orientation training and participates in an additional 8 hours of training annually.

Boards review the case plan of each child in substitute care, including children that are under the jurisdiction of the juvenile court and children that are placed voluntarily through a Voluntary Custody Agreement or a Voluntary Placement Agreement. Each board member must keep confidential the information reviewed by the board and its actions and recommendations. Reviews occur no more than six months from the date the child was placed in substitute care and every six months thereafter, until the child is no longer in substitute care, no longer within the juvenile court's jurisdiction, or an adoption proceeding becomes final. The juvenile court may relieve the board of its responsibility to review a case if a complete judicial review has occurred within 60 days prior to the next scheduled board review. The caseworker reviews local practice before asking the court to relieve the CRB of its first review.



If the caseworker asks the court to relieve the CRB of its review, the caseworker must still complete the form 333a, Case Plan, to comply with federal and state requirements. The caseworker provides this completed form to the juvenile court as part of the DHS Court Report.

The department and the State of Oregon Judicial Department, Citizen Review Board, signed a Memorandum of Understanding (MOU). A copy of this MOU is found in Chapter IX: Interagency and Intergovernmental Agreements. The agreement acknowledges the importance of effective and efficient service delivery to the children and families of Oregon. Both departments agree the MOU supports this goal.

After each review, the CRB provides the caseworker, the court and other interested parties with written findings and recommendations addressing: the reasonableness of the efforts made to avoid placement and to reunify the family, the continued need for and appropriateness of the child's placement, compliance with the case plan, progress made toward alleviating the need for placement, a tentative date for return home or placement for adoption, if applicable, and other solutions or alternatives that should be explored.

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Procedure

Before a CRB review, the caseworker:

- Receives notice of the upcoming review via the CRB 700, Request for Case Information, approximately 45 days prior to the review.
- Completes the CRB 700 form and the appropriate CF 333, Case Plan, and sends the information packet, along with the file materials listed on the CRB 700, to the CRB at least 21 days prior to the review.
 1. Using the CRB 700, the caseworker:
 - a. Ensures all interested parties to the case are invited to the review, including the mother, the father, the foster care provider, attorneys for parties, the CASA (if one is appointed), significant relatives, the adopting parent (if the child is in a designated adoptive placement), the child's tribe (if applicable), and the child if the child is 14 or older.
 - b. Notifies the CRB if an interpreter is needed.
 - c. Notifies the CRB of any special circumstances in a case; for instance, a 'no contact' order or a dangerous parent.
 2. The caseworker copies file materials listed on the CRB 700 form and includes them with the completed form.
 3. Using the CF 333a for a Child Welfare Case Plan or a CF 333 for a Family Support Service Case Plan, the caseworker:
 - a. Thoroughly documents information regarding the caseworker's work with the child and the family.
 - b. Focuses on providing information about child safety, permanency and well-being.
- Receives notice of the time of the CRB review 15 days prior to the review.
- Notifies the adoption worker of the date and time of the review so the adoption worker can attend the CRB review if the case is an adoption case.
- Notifies other caseworkers who may be sharing casework responsibilities for the family, including other local staff or courtesy supervision workers from another county or state.
- Reviews prior CRB recommendations to determine whether DHS has implemented the recommendations of the board.

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During a CRB review, the caseworker:

- Discusses the Child Welfare Case Plan.
 1. For a Child Welfare Case Plan, the caseworker discusses the identified safety threats, the safety analysis, the Indian Child Welfare Act summary, the legal basis for jurisdiction, the protective capacity of the parents, the ongoing safety plan, the conditions for return of the child, the expected outcomes, the current action agreement, reasonable or active efforts made by Child Welfare to prevent placement, reasonable or active efforts made by Child Welfare to reunify the family, the progress of the parent in meeting the conditions for return and achieving the expected outcomes, the visitation plan, progress on the relative search, the appropriateness of the current placement, and permanency planning.
 2. For a Family Support Services Case Plan involving children placed in substitute care through a Voluntary Custody or Voluntary Placement Agreement, the caseworker discusses the identified needs of the family, the service goals developed with the parents, the type and reason for substitute care, the visitation plan, the Indian Child Welfare summary, and the conditions under which the department will close the case plan.
- Describes the child, the child's needs, and the services the child is receiving.
- Addresses how DHS is implementing the board's prior recommendations or the reasons why DHS has not implemented the recommendations.

During a CRB review, the board focuses on:

- Whether proper notice of the review was given to parents and guardians.
- Whether the agency made reasonable or active efforts prior to placement to prevent or eliminate the need to remove the child from the child's home.
- Whether the agency made reasonable or active efforts to provide services to make it possible for the child to safely return home, if the case plan is return to parent.
- Whether the agency made reasonable efforts to place the child in a timely manner and complete the steps necessary to finalize the permanent plan, if the case plan is something other than return to parent.
- Whether Child Welfare is in compliance with the case plan and court orders.
- Whether the parents are in compliance with the case plan and court orders.

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- Whether the parent has made sufficient progress to make it possible for the child to safely return home.
- Whether out-of-home placement is still necessary.
- Whether the current placement is the most appropriate and least restrictive.
- Whether progress has been made to alleviate the need for placement.
- Whether progress has been made on the concurrent plan.
- The likely date Child Welfare expects the child to return home or be placed for adoption.
- Other problems, solutions, or alternatives the board determines should be explored.

After a CRB review, the caseworker:

- Within 21 days of the review, receives the written CRB findings and recommendations.
- Immediately reviews the findings and recommendations and consults with his or her supervisor if the caseworker disagrees with one of the findings or if the CRB found that DHS did not make reasonable or active efforts.
- Within 10 days of receiving the written findings and recommendations, requests a hearing, with the assistance of the assistant attorney general assigned to the local office, if Child Welfare wishes to challenge any CRB finding or recommendation.
- Within 17 days, notifies the CRB in writing if Child Welfare does not intend to implement the recommendations of the board.

Role of the Supervisor

- Provides the caseworker with the Memorandum of Understanding between DHS and the CRB.
- Reviews and approves the completed 333 form prior to submission to the CRB.
- Consults with the caseworker when the worker disagrees with the findings or recommendations of a CRB and ensures the timelines for a response are met.
- Discusses with the caseworker the need for a court hearing to resolve a dispute over any of the findings or recommendations of the CRB.

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Legal References

- ORS 419A.090 et seq: Local Citizen Review Boards



Forms

- CF 0333a Child Welfare Case Plan (Child in Substitute Care, DHS has Custody)
http://dhsresources.hr.state.or.us/WORD_DOCS/CE0333a.doc
- CF333e Family Support Service Plan (Child in Substitute Care)
http://dhsresources.hr.state.or.us/WORD_DOCS/CE0333a.doc
- CRB 700 Request for Case Information