

	<b>STATE OFFICE for SERVICES to CHILDREN and FAMILIES</b>  <b>CLIENT SERVICES MANUAL I</b> <b>ISSUED BY: Program Operations</b> <b>EFFECTIVE DATE: August 8, 2000</b>	<b>NUMBER: I-B.3.1</b> <b>OAR: 413-040-0000 / 0045</b>
		<b>SECTION: B. Case Management</b>
		<b>SUBSECTION: 3. Service Planning</b>
<b>SUBJECT: 1. Service Plans: Service Agreement or Letter of Expectations and Family Decision Meetings - Oregon Administrative Rules</b>		

Responsible Manager : Assistant Administrator, Program Operations      Approval: \_\_\_\_\_  
Assistant Administrator,  
Program Operations

Interpretation:                      Manager,  
Foster Care and Family Based Services Unit

**REFERENCES:** SOSCF Policy I-B.2.1, Screening  
SOSCF Policy I-E.2.1, Placement of Indian Children  
SOSCF Policy I-E.2.2, Placement of Refugee Children  
SOSCF Policy I-I.2, Narrative Recording  
Family Decision Meeting Guide  
ORS 417.365 - 417.375

**PURPOSE**

**413-040-0000** The purpose of these rules is to define the minimum requirements for developing and maintaining a service plan. The service planning process requires that the worker and family identify the key problem issues facing the family, determine the objectives to be achieved and agree upon the action to be taken. When a child resides in substitute care, a Service Agreement or Letter of Expectations shall be used in developing and supporting the service plan.

**Statutory Authority: ORS 418.005**  
**Stats. Implemented: ORS 417.365 - 417.375**

**DEFINITIONS**

**413-040-0005 (1) "Concurrent Permanency Plan"** means a plan established as an alternate or backup permanency plan. Although the plan may change as more information becomes available, the goal is to develop a safe and permanent resource with the family, relatives or other people who will assume legal responsibility for the child during the remaining years of dependency and be accessible and supportive to the child in adulthood. The child's important attachments will be considered and maintained when appropriate and supported by SOSCF policy.

**(2) "Family Decision Meeting (FDM)"** means: A family focused intervention

facilitated by professional staff that is designed to build and strengthen family supports and the natural care giving systems for the child(ren). Family Decision Meetings may include family group conferences, family unity meetings, family mediation or other professionally recognized interventions that include extended family and rely upon the family to make decisions about planning for its child(ren). The purpose of the Family Decision Meeting is to establish a plan that may include a permanency plan, concurrent permanency plan, placement recommendation and/or service recommendation and agreements, which provide for the safety, attachment and permanency needs of the child. Family Decision Meetings emphasize the family's unique plans for their child(ren); they collaborate, rather than just participate in the meeting. It is also essential that the professionals in the meeting have direct involvement with the child and/or family and are not just members of a committee.

**(3) "Family Member"**, as defined in ORS 417.371(4)(a), means any person related to the child by blood, marriage or adoption, including, but not limited to the parents, grandparents, stepparents, aunts, uncles, sisters, brothers, cousins or great-grandparents. Family member also includes a child 12 years of age or older, or child younger than 12 years of age, when appropriate.

**(4) "Letter of Expectations"** means a written statement developed by Services to Children and Families which identifies needs and services and clarifies agency expectations and timelines, without the joint participation or agreement of the parent(s).

**(5) "Permanency Plan"** means a plan which will achieve permanency for the child. Reunification of the child(ren) with their family will be of primary importance. Although the plan may change as more information becomes available, the goal is to develop safe and permanent family resources with the parent(s), relatives, or other people who will assume legal responsibility for the child during the remaining years of dependency, and be accessible and supportive to the child in adulthood. The child's important attachments will be considered and maintained where appropriate and when supported by SOSCF policy.

**(6) "Reasonable Inquiries"**, as defined in ORS 417.371(4)(b), means efforts that include reviewing the case file for relevant information, contacting the parents or guardians and contacting additional sources of information that may lead to ascertaining the whereabouts of family members.

**(7) "Service Agreement"** means a written, signed statement developed jointly by Services to Children and Families and the parent(s) or legal guardian(s), and extended family when appropriate, which identifies strengths and needs, clarifies expectations, identifies permanent and concurrent plans, and establishes services and timeframes.

**Statutory Authority: ORS 418.005**

**Stats. Implemented: ORS 417.365 to 417.375**

**POLICY****DEVELOPING A SERVICE PLAN**

**413-040-0010 (1)** The initial service plan shall be developed and carried out through a process which assures that the client/family will have to relate to the fewest persons necessary to provide services. This process may include the Family Decision Meeting or other meeting and process which supports family participation in the development of their plan and services. A Service Agreement or Letter of Expectations will be used to support the service plan for all children in the custody of SOSCF who reside in substitute care. A Service Agreement or Letter of Expectations should be considered in supporting plans and services developed for all other cases as well.

**(2)** In all cases an evaluation shall be made to determine if the child is covered by and entitled to rights provided under the Indian Child Welfare Act (OAR 413-010-0100/0260, SOSCF Policy I-E.2.1 or the Refugee Act (OAR 413-070-0300/0380, SOSCF Policy I-E.2.2).

**(3)** In all cases, a minimum of one face-to-face client interview shall be made in order to develop the service plan. When a service plan is in effect, contact with the client/family shall occur at least once per month or as specified in the service plan, Service Agreement or Letter of Expectations. Contact with family members shall be recorded and documented in the 147 narrative recording. Family members (including children who are old enough) to whom the service plan is primarily addressed shall be given an opportunity to participate in its development, and to discuss their options in participating in the plan. All service plans developed must be available to the parents.

**(4)** The Family Decision Meeting is defined in statute ORS 417.365 through 417.375.

**(a)** A Family Decision Meeting will be considered in all cases when a child has been in substitute care placement for more than 30 days. Whenever possible, the Family Decision Meeting should be held before the child has been in substitute care for 60 days. If it is determined not to use a Family Decision Meeting, the rationale must be documented and recorded in the 147 narrative recording;

**(b)** When SOSCF and the family decides to use the Family Decision Meeting, the Office shall conduct and document reasonable inquiries to promptly locate and notify the parents, grandparents, and any other family member who has had significant, direct contact with the child in the year prior to the substitute care placement, of the Family Decision Meeting. Other participants in the

meeting may include other professionals, foster parents, neighbors and friends of the family as appropriate;

**(c)** Family members that are located after reasonable inquires shall be notified of the Family Decision Meeting in a timely manner which will allow family members the opportunity to become prepared for and attend the meeting;

**(d)** Other participants shall be jointly identified by the parents or legal guardians of the child(ren) and the State Office, and they shall also be notified in a timely manner which will allow them the opportunity to become prepared for and attend the meeting.

**(e)** The located family members may attend the Family Decision Meeting unless the other participants determine that the family member may threaten or place other participants at risk: Violent, unpredictable or abusive family members, alleged perpetrators of sexual abuse, domestic violence, or severe physical assault are examples. Family members who are not allowed to participate may address the subjects of the Family Decision Meeting, including concerns regarding the placement of the child(ren), permanent plan, concurrent plan and services, by submitting their concerns and interests in writing to the family's social service worker prior to the scheduled Family Decision Meeting.

**(f)** The Family Plan developed at the Family Decision Meeting may include a permanency plan, concurrent permanency plan, placement recommendations, and service recommendations. The family plan shall also include: expectations of the parents of the child, and other family members; services SOSCF will provide; timelines for implementation of the plan; benefits of compliance with the plan; consequences of noncompliance with the plan; and a schedule of future meetings if appropriate.

**(g)** Any family member participating in a family decision meeting shall sign a written acknowledgment of the content of the family plan developed at the family decision meeting and their attendance at the meeting.

**(h)** SOSCF shall send a copy of the Family Plan developed at the Family Decision Meeting within 21 days to family participants including those who participated in writing.

**(i)** SOSCF will incorporate the Family Plan developed at the Family Decision Meeting in the Office's Service Plan to the extent that the plan protects the child, builds on family strengths and is focused on achieving permanency for the child within a reasonable time. If the family's plan developed at the Family

Decision Meeting cannot be incorporated into the Service Plan, the reasons shall be documented in the 147 narrative recording.

(5) In all other cases when a family decision meeting was not used to develop the Service Plan, a minimum of one face-to-face client interview shall be made in order to develop the service plan. When a service plan is in effect, contact with the client/family shall occur at least once per month or as specified in the service plan, Service Agreement or Letter of Expectations. Contact with family members shall be recorded and documented in the 147 narrative recording. Family members (including children who are old enough) to whom the service plan is primarily addressed shall be given an opportunity to participate in its development, and to discuss their options for participation. All service plans developed must be available to the parents (see exceptions below).

(6) The parent or guardian shall participate in developing and reviewing services planned when the service is directed toward specific behavior problems of a minor unless the service pertains to an exception in statute. (See OAR 413-020-0300/0390, SOSCF Policy I-B.2.1 for the statutory exemptions, i.e., diagnosis and treatment of venereal disease of children 12 years of age and older; referral of minors 15 years of age and older for pregnancy termination; surrender of parental rights by minors; services to minors who are legally emancipated.)

(7) A service plan shall be revised and recorded in accordance with sections (1) through (5) of this rule any time there is a substantial change in a service objective or the planned services.

**Statutory Authority: ORS 418.005**

**Stats. Implemented: ORS 417.365 to 417.375**

## **SERVICE AGREEMENT**

**413-040-0015 (1)** When a child is placed in substitute care, a Service Agreement shall be developed within 60 days of placement unless one of the criteria listed under OAR 413-040-0035 is met. The caseworker shall develop the Service Agreement with the parent(s) or legal guardian(s), and as appropriate, extended family members.

(2) The results of a Family Decision Meeting, or of strengths/needs based planning, may be incorporated into the Service Agreement.

(3) Service Agreements shall contain the following elements:

(a) Expected activities and outcomes for parents and other family members;

- (b) Court-ordered expectations, if applicable;
- (c) Services the Office will provide;
- (d) Timelines for completion of agreed-upon activities or accomplishments;
- (e) Benefits of compliance with the Service Agreement in meeting the goal of the "permanency plan" and/or "concurrent permanency plan";
- (f) Potential consequences of non-compliance with the Service Agreement in meeting the goal of the "permanency plan" and/or the "concurrent permanency plan"; and
- (g) Plan for review/update/modifications.

(4) A signature by the family members participating and by the caseworker is required to signify participation in the development of and agreement to the Service Agreement.

(5) The caseworker will give a copy of the Service Agreement to the parent(s), preferably at the time of development and signing, but no later than 21 days thereafter.

(6) If a signature on the Service Agreement cannot be achieved, the caseworker will document in the case narrative recording what efforts were made to develop the Service Agreement and will develop a Letter of Expectations. (See the Narrative Recording Guidelines, form CF 187.)

**Statutory Authority: ORS 418.005**

**Stats. Implemented: ORS 418.005**

## LETTER OF EXPECTATIONS

**413-040-0025 (1)** A Letter of Expectations will be developed by the Office within 60 days of placement of a child in substitute care if a Service Agreement is required, but the parent(s) is unable or refuses to sign a Service Agreement or be involved in planning for the child.

(2) The Letter of Expectations shall contain the following elements:

(a) Reasons the Letter of Expectations is being used rather than a Service Agreement;

(b) Expected activities and outcomes for the parent(s) and other family

members;

- (c) Court ordered expectations, if applicable;
- (d) Services the Office will provide;
- (e) Timelines for completion of activities and accomplishments;
- (f) Benefits of compliance with the Letter of Expectations in meeting the goal of the permanency plan and/or concurrent permanency plan;
- (g) Potential consequences of non-compliance in meeting the goal of the permanency plan and/or the concurrent permanency plan;
- (h) Plan for review/update/modifications;
- (i) Possibility of developing a future Service Agreement.

(3) The Letter of Expectations will be mailed, return receipt requested, to the parent(s) within 21 days of completion.

**Statutory Authority: ORS 418.005**

**Stats. Implemented: ORS 418.005**

### **SERVICE AGREEMENT OR LETTER OF EXPECTATIONS NOT REQUIRED**

**413-040-0035** A Service Agreement or Letter of Expectation is not required if any of the following criteria is met:

- (1) The child is freed for adoption.
- (2) The plan is to not return the child to the care of the parent.
- (3) The parent(s) whereabouts, following a reasonable search, is unknown.

**Statutory Authority: ORS 418.005**

**Stats. Implemented: ORS 418.005**

### **TIME FRAMES FOR SERVICE PLAN DEVELOPMENT**

**413-040-0040 (1) Preventive/Restorative and Protective Services.** A service plan shall be developed within 30 calendar days after the completion of the written assessment. An exception is made in instances when the extended assessment is required and approved by the supervisor. In those instances, the service plan shall be developed within 30 days of completing the extended assessment. A new or revised

service plan shall be developed with families within 30 calendar days following a child's return home from substitute care.

**(2) Substitute Care.** A social study and a service plan shall be developed within 60 calendar days from the date of placement.

**Statutory Authority: ORS 418.005**

**Stats. Implemented: ORS 418.005**

## REVIEW REQUIREMENTS

**413-040-0045 (1) Frequency of Reviews.** A review of the service plan must be completed by the worker:

**(a)** When a plan has been in effect for six months from the date of the last plan;

**(b)** Whenever the plan is changed.

### **(2) The service plan review shall include:**

**(a)** A face-to-face interview with the parent(s) or family covering a review of the objectives of the plan; and components of the Service Agreement or Letter of Expectations for cases with children in substitute care;

**(b)** A determination of the progress toward achieving each objective or as outlined in the Service Agreement or Letter of Expectations.

**(c)** A determination of any further services to be provided by the agency;

**(d)** Consideration of the use of a Family Decision Meeting;

**(e)** The necessary service plan revisions and the development of, or revisions to, the Service Agreement or Letter of Expectations when further services are planned; and

**(f)** Recording in accordance with SOSCF Policy I-I.2, Narrative Recording.

**(3)** If the parent(s) or pertinent family member(s) is not available to participate in a service plan review, an explanation shall be recorded in the case record.

### **(4) Supervisory Review:**

**(a)** Supervisory review is required in each case where no significant progress toward achieving the service plan objectives has been made during a

three month period and further services are planned. The service worker shall be responsible for submitting these cases to the supervisor for review. The purpose of the review will be to assist the worker in reviewing:

- (A) All available resources;
- (B) Alternative service strategies; and to
- (C) Evaluate whether services should be continued;

(b) Supervisors shall review all cases which have received continuous services for a 12 month period;

(c) Supervisors shall document completion of a review by entering "Reviewed" plus date and initials on the respective service plan narrative series.

**Statutory Authority: ORS 418.005**

**Stats. Implemented: ORS 418.005**