

Parent Fact Sheet on Concurrent Planning

What is Concurrent Planning?

In 1997 a law called The Adoption and Safe Families Act (ASFA) was passed. ASFA encourages the use of concurrent planning for all children in foster care to help them move more quickly to permanency. Permanency for children in out of home care can take many different paths. It is always the first priority of the caseworker to achieve reunification, which is the return of the child safely to their parents.

But ASFA requires that if a child has been in foster care for 15 of the past 22 months and cannot safely return home, the agency must seek another permanent family for the child unless there are extenuating circumstances, such as the child is placed with a relative who can care for the child or the agency is not providing the parent with the services needed to safely return the child to their parent. Concurrent planning is a way for agencies to comply with this law. When using concurrent planning, a caseworker will not only work hard with you to meet the first goal of reunification, but will also be actively seeking a permanent family for your child in case reunification does not happen within the required timeframe.

Every child deserves a family to grow up with. Concurrent planning is a way to make sure that children who go into foster care do not spend too much time in foster care. It requires the caseworker to work intensively with you to safely return your child home, while at the same time making sure your child will have a permanent family who can take care of them if you are unable to provide a safe home within the legal time frames.

What else is involved in Concurrent Planning and what does it mean to me as a parent?

There are many pieces to Concurrent Planning including:

- ✓ Early Assessment
- ✓ Early Paternity Determination
- ✓ Case Planning
- ✓ Full Disclosure to Parents
- ✓ Placement with a Permanency Planning Family
- ✓ Regular Court Reviews

Each one is described below.

Early Assessment

Assessment is the process of finding out the needs that you and your child might have. Caseworkers will work right away with you after your child comes into placement to figure out what issues are making your home unsafe for your child. You may be asked to have an evaluation by a professional who can help provide more information to the agency and judge about what is happening in your home. Then you will decide, along with your caseworker and others, what will help improve the situation in your home and what you need to do to keep your child safe. The judge may order specific services for you and others living in your home and you may have the ability to choose services that you believe will be the most helpful.

Early Paternity Determination and Searching for Other Family Members

The law requires that when a child enters foster care, the agency must notify both parents and relatives who may be willing to care for the child. Sometimes when a child enters foster care, the identity of the child's relatives, including the child's father is not clear. You will be asked by your caseworker to give the names and addresses of all other family members. When you are asked information about your child's family members and you are not sure who they are or where they live, efforts will be made by the agency and the court to find this information and contact those relatives.

Case Planning

Once the needs of you and your child are identified through assessment, a case plan will be developed and intensive services will be provided to you, your child and other family members. The case plan is your guide that tells you what you must do to have your child return home. The services offered focus on your ability and willingness to make the changes needed to have a safe home for your child. The services are supportive and are intended to promote reunification. For example, you will have visits with your child (unless there is a court order denying visits). You will be expected to make every effort to visit with your child on a regular basis. Depending on the issues that your family is facing, you may also be asked to participate in other services such a parenting program, a drug or alcohol treatment program, or a course of therapy. The caseworker will help you find the best programs to meet your needs. You are expected to work with your caseworker and service providers and you are expected to make progress on your case plan goals so that you can provide a safe home for your child.

Full Disclosure to Parents

Caseworkers will talk with you regularly about your rights, responsibilities, expectations, and the effects that living in foster care may have on your child. Here are some examples of each of these:

- **Rights:** You have the right to be present in all court hearings and you have the right to be represented by an attorney in all court hearings. You have the right to visit your child (unless the court has decided not to allow visits). You have the right to be kept informed about how your child is doing in foster care. You have the right to be involved in making educational and medical decisions for your child.
- **Responsibilities:** You have the responsibility to follow the court order and participate in services. You have the responsibility to visit your child while they are in foster care. You have the responsibility to know what your case plan requires of you and to take the steps you need to meet the goals of your case plan.
- **Expectations:** You are expected to work with your caseworker and service providers to make progress towards the goals of your case plan so you can provide a safe home for your child. You are expected to help locate other family members who may be willing to be permanent caretakers for your child and to participate in meetings to help decide the best plan and placement for your child.
- **The Effects of Placement on Children:** For a child, living in foster care means being separated from their family and not being sure about whether or not they will go home. This can create stress for the child and the child may become scared, angry, sad, and frustrated. Sometimes children will have a hard time behaving in school and in their foster home because of these feelings.

Placement with a Permanency Planning Family

One of the most important pieces of concurrent planning is deciding which family will be the permanent family for your child if they cannot return to your home. There are new laws that require the agency to locate, notify, and consider all relatives to care for and support your child.

Although it is best for children to grow up in their families, sometimes there are no relatives who are willing to care for the child. Other times, relatives do not meet the requirements in the law or state regulations to be approved to care for

the child. If this is true in your case, a foster family who is not related to or kin with you will be found for your child. The foster family will work hard to support you and your child while you work on your plan to safely have your child returned home. If reunification is not possible, the foster family may be the best option to raise your child as a member of their own family, either through adoption or permanent legal custodianship.

Regular Court Reviews

The judge will make the final decisions about what services you receive, where your child will live while in foster care, how often and where you and your child will visit, and what is the best permanent home for your child. The judge ensures that you and the agency are complying with all court orders. All cases must be reviewed in court at least once every six months. Many judges review cases every three months or more often. This helps the judge make sure that you, other family members, the agency, the foster family and the service providers are all doing their parts to make sure that your child is living in a permanent home as quickly as possible. You have a right to be present and represented by an attorney in all court hearings.

If my children are in placement, how long do I have to complete my case plan and get them back home?

The law says if your child is in placement for 15 out of the last 22 months, the agency must file a petition in court to terminate your parental rights. There are some exceptions to this law:

- ✓ If the agency has not provided you with services to help you make your home safe for your child.
- ✓ If your child is placed with a relative.
- ✓ If there are compelling reasons that Termination of Parental Rights would not be in your child's best interests.

Only the judge can decide if these exceptions apply to your case. The judge may decide, for example, that even though your child is placed with your relative it is still in the child's best interests for your parental rights to be terminated and for your child to be adopted by that relative.

What does Termination of Parental Rights mean?

Termination of Parental Rights (TPR) is a legal decision a judge makes to forever end the parent/child relationship. Once a judge makes this decision, a parent no longer has any rights to see or contact the child, and can no longer make any

decisions for the child. Although the agency will be working very hard with you to help you complete your case plan goals so that your child can return home, if you do not complete the case plan or if it is felt that you cannot provide a safe environment for your child, the agency may ask the judge to terminate your rights to your child.

If this were to happen you would no longer have any legal rights to your child and your child may be adopted by another caregiver who is approved by the agency and the judge. Your child will then live with the adoptive parent who will care for them and make all decisions about their day to day activities, school, and medical care.

In some cases, even after TPR, a parent can make a legal agreement with the adoptive parent to have ongoing contact such as visitation or phone calls with their child. If your case ever progresses towards TPR and you would like to have contact with your child, you should discuss your wishes with your attorney.

What are Compelling Reasons?

Only a judge can determine if there are compelling reasons not to Terminate Parental Rights. The decision about whether compelling reasons exist is made by the judge on a case-by-case basis. Judges can make that determination based upon a variety of factors. For example, a judge might decide that you are making good progress toward having your child come home and may give you more time to get to that goal. Or the judge may decide that your child must receive more mental health treatment while in their placement before coming home. It is best for you to discuss compelling reasons with your attorney.

What are the Permanency Options for Children?

Permanency planning is the process of finding a permanent home for your child. There are four permanency options for children in foster care:

1. Return home to the parent (reunification)
2. Adoption
3. Permanent legal custodianship
4. Placement with a fit and willing relative.

The judge always decides the goal for the child with input from everyone who participates in the court hearing.

The first choice for most foster children is for them to **return home**. However, you must be able to demonstrate to the judge that you can provide a safe home for your child.

If the judge decides that your child cannot safely return home, the second option that the judge must consider is **adoption**. Both relatives and non-relatives may adopt children in their care.

If return home and adoption have been ruled out, the third option is **permanent legal custodianship (PLC)**. This means that the judge could order that your child be placed into the permanent legal custody of relative or non-relative caregivers with whom they will live until adulthood. Your parental rights would not need to be terminated for this to happen. Your case would be closed with the court and the PLC parents would then make all decisions about school, medical care, and the day to day activities of your child. If this were to happen, you may be permitted to visit your child and you may have to pay child support. Although PLC is intended to be permanent, in the future you may ask the court to return the child to you.

If return home, adoption and PLC have been ruled out, the judge could order that your child be placed with a **fit and willing relative**. A fit and willing relative is someone who is related to your child who is not willing to adopt them or become a permanent legal custodian but who is willing to provide care for them until they reach adulthood. Your child could be placed into the home of a fit and willing relative with continued court and county agency supervision of the case or the judge could give custody of your child to the fit and willing relative and close the case.

Now that I know about concurrent planning, what should I do?

You should:

- ✓ Realize that you are part of a team that will work together to help address the problems that lead to the placement of your child;
- ✓ Make sure you understand the goals in your case plan that you must meet in order to reunify with your child;
- ✓ Talk with your caseworker often about your progress in meeting the goals of your case plan;
- ✓ Tell your caseworker if you don't understand something and ask for it to be explained it in a different way;
- ✓ Tell your caseworker if you need help getting access to the services needed to work on your case plan;
- ✓ Go to and actively participate in all visits with your child;

- ✓ Share information about your child with the relative caregiver or foster family;
- ✓ Stay involved with your child's school, medical providers, and other professionals working with them;
- ✓ Meet with your attorney regularly to share information about your case and ensure this information gets shared with the judge;
- ✓ Attend all court hearings; and,
- ✓ Ask family members and others who care about you and your child to help, to attend family group meetings and to consider being a caregiver for your child.

Where can I find more information about Concurrent Planning?

http://www.hunter.cuny.edu/socwork/nrcfcpp/info_services/concurrent-permanency-planning.html

http://www.childwelfare.gov/pubs/issue_briefs/concurrent_evidence/index.cfm

<http://www.nrcpfc.org/cpt/overview.htm>