



# Handbook for Parents of Children in Alternative Care

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# Introduction



This handbook is designed for parents/guardians whose child(ren) have been removed from their home and placed in Children’s Division custody. The information in this handbook will help you understand what it means for your child to be in Children’s Division custody (also known as alternative care or out-of-home care) and how important it is for you stay involved in your child’s life.

Our team will be doing all they can to make your child’s time in alternative care as temporary as possible. Teamwork is an important part of making this possible. You will work together with the Children’s Division case manager, the courts, and the person temporarily caring for you child to:

- Address the concerns that led to your child’s alternative care placement
- Return your child(ren) to your care and custody

The overall goal is to strengthen your family and create a safe place for you and your children to live. Your cooperation and involvement is very important, and it is important that you stay in contact with your Children’s Division case manager. We also encourage you to ask questions and to express your concerns if you have any. We all need to work together so that your children may safely return home as soon as possible.

# Important Names and Phone Numbers

Your Children's Division Case Manager is:

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They can be reached during business hours at:

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The Children's Division office address is:

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You may want to sometimes talk with your case manager's supervisor, their name is:

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They can be reached at:

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The Juvenile Officer for your case is:

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The Guardian Ad Litem (GAL)/Court Appointed Special Advocate (CASA) for your child is:

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# Common Questions

Here are some of the most common questions parents ask when their child enters alternative care that may be helpful to you.

## **What is the Family Support Team?**

The Family Support Team (FST) works together to help families get through their situation and reduce the amount of time that children spend in alternative care. The overall goal of the Family Support Team is to strengthen your family and help create a safe space for you and your child(ren) to live. The Family Support Team includes:

- You
- Your Children's Division case manager
- The court and any attorneys
- The person temporarily caring for your child (relative, foster parent, or kinship care provider)
- Your child's Guardian Ad Litem (GAL) or Court Appointed Special Advocate (CASA)
- Any other service providers (therapists, parent aides, etc.)

## **When can I see my child?**

The Children's Division team will schedule a visit between you and your child(ren) as soon as possible, unless the court or Family Support Team decides a visit would not be in the best interest of the child.

## **When can my child(ren) come back home?**

Ultimately, the court decides when your child(ren) can return to your home. This decision should be discussed in your Family Support Team meetings, and the Family Support Team will provide this information to the court to use when making a decision. There is no set timeframe for returning a child to their parent(s), but the goal of the Children's Division is to return your child(ren) to your home as quickly as possible as long as they will be safe.

## **Can my children stay with a relative?**

Yes. In fact, Missouri statutes require the Children's Division to make every effort to place the child(ren) with a grandparent or other relative when they are removed from your home. You should be asked about a non-custodial parent, grandparents, or any other relatives at the time of removal or during the first Family Support Team meeting. If you are not asked, you should bring up relatives or friends you believe may be able to care for your child(ren). Anyone who agrees must pass a background check before your child(ren) can be placed in their home. This background check includes a child abuse and neglect and criminal records check.

## **Have my parental rights been taken away?**

No. Even though your child(ren) is now in Children's Division custody, you have not lost your parental rights. Only a court can decide to terminate your legal parental rights. While this is a possible outcome when a child is removed from a parent(s) care, it does not happen immediately. If you are concerned the court may terminate your parental rights, you should speak to an attorney who can provide you with advice and more information.

# Foster Care – A Temporary Alternative



A child is placed in foster care when they can no longer safely live in their current home. Foster families provide a safe, temporary place for a child to stay while the child's parent(s) work to make their home safe for the child again.

The decision to place a child in alternative care, like foster care, is made by the juvenile court. This decision is typically made to make sure a child stays safe during a time of family crisis. The Children's Division will then work with you to help you work through the crisis and bring your family back together safely as soon as possible.

If your child is in foster care, you will be working together with the Family Support Team to help strengthen your family and make plans for both you and your child. Your child's Children's Services Worker will be your main contact during this time. It's also important to remember that while your child is away from your daily care, you will still need to keep in touch with them and let them know that you care. A child's need for a parent does not stop while they are in alternative care.

# Placement Options



There are many placement options when your child is in alternative care, and you have a voice when it comes to where your child is placed. We also encourage you to give your Children's Services Worker the names of any relatives or people you and your child are close to so we can see if they are a safe option and willing to care for your child. The court will make the final decision on where your child is placed. Placement options include:

## **Parental Care**

A child is placed with a non-custodial parent. Even though the child is with a parent, they are still considered to be in Children's Division custody until the child can reunify with the custodial parent or the noncustodial parent is granted custody of the child.

## **Relative Care**

A child is placed with a blood or step relative (ex. grandparent, cousin, stepsibling, etc.). In order for a relative to be a placement option, the relative and all household members age 17 and older must agree to a child abuse and neglect and criminal background check before the child can be placed in their home. There are additional requirements, like a safety check of the household, we will need to do before placing your child there. Your Children's Services Worker can provide more information on these requirements.

## **Kinship Care**

A child is placed with someone they know and have a strong relationship with, but this person is not a blood relative. The friend and all household members age 17 and older must agree to a child criminal background check before the child can be placed in their home. There are additional requirements, like a safety check of the household, we will need to do before placing your child there. Your Children's Services Worker can provide more information on these requirements.

## **Traditional Foster Care**

This is a home where the foster parent(s) have been licensed by the state to provide alternative care to one or more children. Foster parents are referred to as resource providers, and they have received training and completed background checks. This type of foster care is provided to the majority of children in alternative care.



### **Medical Foster Care**

This is care that is provided to a child with physical, emotional, or psychological conditions that require extra care and attention. The resource providers may receive special training to manage the child's condition and are required to provide more intensive care to the child.

### **Residential Care**

A child placed in residential care will be placed in a facility that is staffed 24 hours a day, 7 days a week. The staff will work with the child on any behavioral issues and the child will work with a therapist on a regular basis. The facility will also encourage family therapy and will want you to participate. Residential facilities are not in every county, so this placement option may require traveling for visits.

### **Youth with Elevated Needs-Level A**

A child is placed with a resource provider who has completed background checks and training, including additional training to help prepare them for working with children with behavioral issues. They will also provide behavioral modification and meet on a regular basis with a consultant to address any ongoing concerns and discuss improvements in your child's behavior.

### **Youth with Elevated Needs-Level B**

A child is placed with a resource provider who has completed background checks and training, including specialized training to help them work with children with behavioral issues. These resource providers also meet on a regular basis with a consultant to assess the child's progress or ongoing issues. This placement option is mostly used for children with elevated needs who are coming out of residential care or are trying to avoid placement in residential care.

Once the court decides on a placement for your child, there will be ongoing evaluation to make sure this type of placement is right for them. If you have questions about the type of placement that is being recommended, you should speak to your Children's Services Worker. They can help explain why the placement option is being recommended. You can also talk to your child's placement to better understand how they plan to make sure your child thrives and how you might be able to help during visits.

If you have more than one child that has been removed from your home, please know that the Children's Division makes every effort to keep siblings together. We understand that this is a difficult time for children and that being together can help ease some of the stress. If your children are not placed together, we will make sure the children are able to see each other during visits and will continue to try to find a placement option that will keep them together.



# Family Support Team Process



When your child is placed in alternative care, a Family Support Team is formed to help you and your child safely reunite as quickly as possible. The Family Support Team includes:

- You
- Your Children’s Division case manager
- The court and any attorneys
- The person temporarily caring for your child (relative, foster parent, or kinship care provider)
- Your child’s Guardian Ad Litem (GAL) or Court Appointed Special Advocate (CASA)
- Any other service providers (therapists, parent aides, etc.)

We also encourage you to bring a natural helper with you to be a part of the Family Support Team. A natural helper is anyone you can rely on to support you. It can be a family member, a friend, a minister, or anyone else that you choose.

The Family Support Team will usually meet for the first time within 3 days of your child coming into alternative care to help develop a treatment plan and a visitation plan. This plan will include details about what you and your Children’s Service Worker need to do to work towards safely returning your child home. Often times this plan will ask that you participate in counseling or get other helpful services to strengthen and support your family. The Family Support Team will continue to meet regularly throughout the time your child is in alternative care, typically with meetings planned around court timeframes.

The Family Support Team will also meet 30, 60, and 90 days after your child is placed in alternative care, and then every 6 months from that point forward, and any time your child’s placement is changed or needs to be changed. The point of these meetings is to review your plans and discuss progress, additional concerns, or changes that need to be made if your child is unable to safely return home within 30 days.

There are two additional plans that the Family Support Team must create and revise as needed while your child is in alternative care, which are permanency plans and concurrent planning.

# Permanency Plans

As we work with your family, our main goal is to get your child to a permanent, safe home. This usually means returning the child to your home, but it could also mean exploring other options. We will constantly review your plan and situation, and every 6 months there will be formal review with your Family Support Team and your child (if appropriate). You will get at least two weeks' notice of this meeting and after the meeting your Children's Services Worker will submit a report to the court to review. This report will include recommendations made by the team for you and your child.

Permanency options include:

## Reunification

This is achieved when the juvenile court determines your child can safely return to your home and no longer needs to be in Children's Division custody. This is the most common permanency goal. The Family Support Team will recommend reunification to the court when progress has been made and going home is considered the best plan for your child. (NOTE: You may also request a hearing or have an attorney represent you at any proceedings.)

## Guardianship

Guardianship may be the recommended permanency plan when a child is placed with a relative or kinship care provider and it is determined it is not safe for the child to return home. Guardianship means the relative or kinship provider are given legal custody of the child through the court but the biological parents do not have to give up their parental rights. The guardian would have the legal rights of a parent to make decisions for the child but, if their circumstances change and the biological parents believe they can provide for their child again, they can petition the court to regain custody of the child.

## Adoption

Adoption is only a permanency option if parental rights are terminated. Adoption may become the permanency plan if it is clear that the child will not be able to safely return home and guardianship is not an option. Once parental rights have been terminated, the parent will no longer have any legal rights or legal relationship with their child, and they would not be able to get their parental rights back at any time.

## Placement with a fit and willing relative

This is not a legally final permanency option, and annual permanency hearings will need to continue until the court determines a legally final permanency option or the child reaches the age of 21. This placement option does not prevent adoption or guardianship from becoming an option. If the child is with a relative who wants to care for the child long-term, adoption and guardianship should still be explored since they offer more permanence for the child.

## Another planned permanent living arrangement

This may be the best option when there is a specific, long-term placement for the child and it has been documented to the court that compelling reasons exist which make the other permanency options unacceptable. According to Adoption and Safe Families Act (ASFA) regulations, examples of compelling reasons include an older youth requesting emancipation or when there is a significant bond, but the parent cannot care for the child due to disability.

## Concurrent Planning

The Children's Division requires that a concurrent plan is discussed at each Family Support Team meeting. The concurrent plan is basically a backup plan if the primary permanency plan is no longer an option. For example, the primary plan may be for reunification but the concurrent plan would be for guardianship with the relative care provider.

Having a concurrent plan does not mean that the Children's Division or the Family Support Team do not think that your child will be able to return home. It just means that if at any point it becomes clear that the original plan will not work, the Family Support Team can begin focusing on working towards the backup plan to help make sure the child finds a permanent home as quickly as possible.



# Adoption and Safe Families Act

The Adoption and Safe Families Act (ASFA) was passed to help children not stay in foster care indefinitely. This act provides timeframes and requires the Children's Division and juvenile court to have regular hearings (every 6 months) to review the permanency plan. The act also requires that a termination of parental rights (TPR) must be filed once a child has been in alternative care for 15 continuous months. NOTE: If your child is in care for 6 months, returns home, but returns to care shortly after, termination of parental rights must be filed after 9 months. The 6 months your child was in care before would count toward the 15 months. The only way it would not count is if your child was not in alternative care for more than 22 months before returning to care.

In some situations, the court can give permission to not file for termination of parental rights. The specific reasons allowed under ASFA include:

- The child's family is making progress toward reunification but the child cannot yet return home
- The child is over age 13 and does not want his parent's parental rights terminated
- Termination would not be in the child's best interest (based on the behavior of the child)
- The child is placed with relatives

Unless one of these reasons are given to and accepted by the court, termination of parental rights will be filed. Also, it is important to note that even if one of these reasons exist, termination of parental rights may still be filed. For example, one child may be over age 13 and not want termination of parental rights to occur but has other siblings under age 13 and it would not be in their best interest to terminate parental rights on the younger siblings and not the oldest.

Please remember that just because termination of parental rights has been filed, it does not mean that it will be granted. There must be a hearing to determine if the terminations of parental rights is justified in the case.

## Termination of Parental Rights

Termination of parental rights means the parent/child relationship legally ends. Any questions you have about this should be directed to your attorney. Until the court determines the best permanent placement option for a child, the Children's Division is required to prepare parents for termination of parental rights and transfer of custody through services just in case. This includes, but is not limited to:

- Education about legal rights and planning for participation in the legal process (when appropriate)
- Discussion of plans for visitation/family time that are in the best interest of the child
- Education about the importance of permanency and stable homes
- Counseling and support to cope with the termination of parental rights, grief, separation, loss and the lifelong implications of adoption
- Education on issues related to confidentiality, search and reunion
- Information and counseling on the continuum of openness in adoption (if desired)
- Discussion of changing roles and relationships in guardianships or in situations where the birth parents will have an ongoing relationship with the adoptive family
- Planning for participation in the adoption process (when appropriate)
- Planning for the immediate future and referral for needed services

# Court Information



The Juvenile Court makes the final decisions in all Children's Division cases. The court removes children from their homes, approves the permanency plans and visitation schedules, and decides if a child can safely return home or if termination of parental rights will be granted. The court is a very important component for you and your child once your child enters alternative care. It is important to know when and why you will be in court, as well as how to dress and conduct yourself in the courtroom.

## Hearing Types and Timeframes

### **Protective Custody**

This hearing is held within 72 hours of your child being taken into alternative care to decide if removing them from your home was appropriate and if the child(ren) should stay in the temporary custody of the Children's Division.

### **Adjudication Hearing**

This hearing is held within 30 to 60 days of your child entering alternative care and is an evidentiary hearing on whether the allegations that led to your child's removal from your home are true. The adjudicatory hearing determines if your child(ren) will be placed in the legal custody of the Children's Division and will no longer be in temporary custody.

### **Dispositional Hearing**

This hearing must be held within 90 days of your child's removal from your home to determine your child's permanency plan. This hearing may be held immediately after the adjudication hearing.

## Dispositional Review Hearing

This hearing should be held within 90 days of the Dispositional Hearing and may be held as often as needed to determine the appropriate permanency plan for the child. These hearings will stop only when the Permanency Hearing has been held.

## Permanency Hearing

This hearing must be held within 12 months of your child entering care. This hearing determines the permanency plan for your child and if the Children's Division has made reasonable efforts to finalize this permanency plan. This hearing must be held annually.

## Permanency Review Hearing

This hearing may be held as often as is necessary, at least every 6 months following the Permanency Hearing. The purpose of this hearing is to determine if the permanency plan in place is the most appropriate option for the child and whether the Children's Division has made reasonable efforts to finalize the plan.

## Etiquette and Dress

Court is a formal hearing to address your child's custody and case plan. It is important that you dress and behave accordingly. Remember, your appearance plays a role in how you are seen by the court.

We strongly suggest you wear dress clothes to any formal hearings. This doesn't have to mean a suit or a dress, but business casual clothing should be considered. You should not wear casual clothing, like jeans or sweatpants, to court.

It is important to be respectful of the judge or commissioner hearing your case as well as any other parties involved in your case. You can disagree with what is said, but use your attorney to express your objections and/or disagreements. There is a protocol to follow in each hearing, but this protocol will depend on the type of hearing and the presiding judge presiding. Talk to your attorney or case manager about what to expect before you go to court.

It is also important that you maintain contact with your attorney during your involvement with the juvenile court. You should share what you are doing with them so they can present this information to the court. It is their job to make sure that your rights are protected in the court proceedings, but they cannot do that if they are unable to locate you or do not know what you are doing.



# Parents Rights and Responsibilities

Even though the decision was made to place your child(ren) in alternative care, you still have rights and responsibilities to them.

You are responsible for:

- Financially supporting your child(ren), which may include child support payments
- Maintaining contact with your child

You have the right to:

- Be consulted on all decisions involving your child, including major medical services, entrance into the military, etc., but the juvenile court has the final approval for all decisions made on behalf of your child (emergency medical conditions may require immediate action prior to contact with you, but you will be notified of any medical concerns regarding your child)
- Be represented by an attorney (if you cannot afford one, you may request that the court appoint one for you)
- Request a hearing be held in juvenile court (even though most court hearings are initiated by the juvenile officer)
- Information and records about your child
- Determine the religious practice of your child
- Receive proper legal notice in court actions involving your child and to attend all court proceedings
- Review the records and information that we have on your family (NOTE: Your Children's Services Worker can tell you how to arrange this review, and the Children's Division and juvenile officer must allow certain records to be available to all parties within 10 days of the protective custody hearing or 14 days of a petition to motion/modify)
- Be informed of services available to you under the Indian Child Welfare Act (ICWA) of 1978 (NOTE: If you believe you are of Native American heritage and are entitled to those provisions, notify your Children's Services Worker so they can apply any ICWA requirements when providing services)
- Referral for services based upon need

Full details about your rights can be found in the "Know Your Rights" flyer provided to you.

If you have any issues or concerns with your case, you will need to follow a specific process. First, you will need to discuss your concerns with your case manager. If this does not resolve the issue, you can ask to speak to the case manager's supervisor. You can continue to ask for help through other avenues, which include the Circuit Manager, then the Regional Office, and finally Central Office.

# Visitation



When your child is placed in alternative care, there will still be regularly scheduled visits between you and your child(ren) and other family members as long as the court agrees that visits are in the child's best interest. It is important that visits take place as planned for both you and your child. Depending on the situation, visits may happen in your home, in the foster parent's home, in a Children's Division office, or in another place everyone agrees on. You and your Children's Services Worker will both need to agree on the time and place of visitations. The visitation plan for you and your child(ren) will be developed by the Family Support Team and updated as needed during Family Support Team meetings.

In many situations, visits will begin as supervised visits. This means that your Children's Services Worker or another person the Family Support Team agrees to will need to be present during your visit with your child to help make sure the child is safe and the visit is appropriate. Supervised visits can take place at your home, a Children's Division office, or at another location everyone agrees on. All interactions with your child(ren) must be supervised during this type of visit. For example,

this means that you cannot take your child to the restroom without the visit supervisor coming with you, and your conversations must be loud enough for the person supervising the visit to hear (no whispering or writing notes will be allowed). Your Children's Services Worker will explain the visit rules and requirements.

Even though your visit may be supervised, this does not mean that you and your child cannot enjoy your time together. We encourage you to bring games, toys, books, etc. to visits. This is your time to spend with your child and for the Children's Division to observe that interaction. It is through this observation that your worker will be able to recommend moving to less restrictive visitations.

Finally, please remember that visits are about you and your child, not about the court hearings, team meetings or case plan. If you have questions about your case and want to talk to your worker about it, schedule to meet with your worker at a different time. Do not bring these up during your visit with your child as it takes away from the time you have together.



# Children's Rights and Responsibilities

## **Your child has rights while in alternative care. These include the right to:**

- Adequate and appropriate food, clothing and housing
- Protection and safety
- Medical diagnosis and treatment
- Education
- Emotional security
- A permanent home
- Be placed in the same setting as any siblings whenever possible if the sibling(s) is also being placed outside the home
- Maintain contact with any siblings if not placed together
- Visits with their parent(s)
- Participate in their case planning (when appropriate)

## **Your child also has responsibilities while in alternative care, including:**

- Participating with the assigned worker and care provider in developing rules and guidelines to follow
- Attending school according to the provisions of the law
- Participating in the development of the visitation plan and behaving responsibly during visits
- Taking part in developing a permanency plan and committing to that plan
- Participating in permanency planning reviews
- Keeping scheduled appointments and following any prescribed treatment
- Acting responsibly and appropriately while participating in school, religious, cultural and neighborhood activities
- Openly discussing current problems with the worker



# Signature Sheet

I/We have received the **Handbook for Parents of Children in Alternative Care**. A Children's Services Worker has reviewed the material with me/us and I/we understand that I/we may contact my/our Children's Services Worker with any questions about the content.

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Parent/Guardian

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Date

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Parent/Guardian

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Date