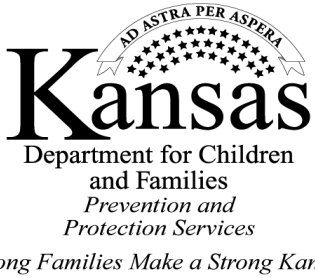
Prevention and Protection Services Family Handbook



Introduction

A Message for You

Over the past few years, child welfare services in Kansas have placed added value on the voice and involvement of families, and have become more family-centered. This Family Handbook is a result of this change.

This Handbook was written by Family Partners of the Kansas Family Advisory Network in partnership with the then named Kansas Department of Social and Rehabilitation Services, Children and Family Services. The new name for the agency is the Department for Children and Families, Prevention and Protection Services. Family Partners are birth parents, relative and kinship caregivers, foster and adoptive parents and former youth, who have experience with the Kansas child welfare system.

This Handbook has been written to:

- *Help you understand what is happening and what may happen;*
- *Provide you with information so you may be prepared in advance;*
- *Inform you of important steps to take, and resources available to you and your family;*
- *Give you hope.*

As family partners, we have been in your shoes, and some of us still are. We know the feelings, and the fear of the unknown you may be having. It is our hope that this Handbook will help you through this time. And no matter the challenges you may face, please remember that you are the most important person in the life of your child.

The Family Partners of the
Kansas Family Advisory Network

About This Handbook

The Family Handbook gives an overview of the Kansas child welfare system beginning with “out of home placement” (this will be used instead of foster care), and continues through reunification (return home). A brief description of the court process is also included.

The symbols below and the information they represent are located at different places in the Handbook to give additional information.

Key points to pay attention to or do

Practical tips from family partners

Time related information and a reminder that there is a limit on how long a child can be in out of home placement

In the back of the Handbook are **References** and additional resources for you to explore. Included in the **Resource** section are common definitions and acronyms (initials of words) used in child welfare along with pages for you to record **Contact** information and **Notes**.

If English is not your first language, you may ask for the written information in your own language or request an interpreter.

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Getting Organized

Throughout the process, you will be given a lot of information such as contacts, appointments, hearing dates, and other documents. You will also need to provide information about your child and family. Keeping this information in order will be helpful to you. Below is a list of some of the information you will need:

- Agency contact information.
- Foster family information for your child.
- Contact List: Who does what and how do you contact them (maybe use a business card holder).
- Calendar: What appointments you have including the date, time and place.
- Log: This is a written record of each meeting, call, or contact. Include who attended, your experiences and thoughts about what happened.
- Records: Case plan, legal documents such as court orders, forms, correspondence, etc.
- Pictures, special cards, etc. to share with your child.
- Your child's full name, age, gender, school grade, date of birth and social security card; immunization record; birth certificate.

Get a 3-ring notebook with dividers to organize the information you will be receiving.

Important Information about Your Child

Answering the following questions about your child will help others to understand his/her uniqueness, special circumstances or needs:

- Does your child have any fears?
- Does your child have a special comfort toy or blanket?
- What helps to calm your child?
- What is your child's regular routine each day?
- Who can have contact with your child?
- Does your child have any special physical needs? Allergies to food?
- Where does your child go to school? Grade?
- Does our child have any cultural needs?
- What types of foods does your child like?

- What types of food will your child not eat?
- Does your child go to church? What type of church? Is there a special contact there for your child? Are there religious food restrictions?
- How does your child act when he or she is upset, happy, angry, or sad?
- Does your child have any diseases or disorders?

Documents you may be asked to provide for your child:

- Birth Certificate
- Social Security Card
- Adoption Papers/Legal Guardian Papers
- Divorce/Custody Papers
- Medical Information (medical and mental health doctors-name, address, phone, insurance card, medical card)
- Medical Records (family history, immunization records, medications, allergy list)
- Mental Health Treatment Plans and Contact Information (case manager, therapist, psychologist, etc.)
- Report cards and/or Individualized Education Plan (IEP)

You may also be asked or can offer to provide personal information such as:

- Names and addresses of relatives and family friends who might be able to take care of your child (kinship care)
- Identifying information for both parents (including names, addresses, social security numbers, birth dates, phone numbers, driver's licenses, places of employment, etc.)
- Your lawyer's contact information
- Your wage and income

Attend and participate in your child's education and school activities especially parent/teacher conferences or special education meetings. Does your child have an Individual Education Plan (IEP) or 504 Plan? Check with the child's school if you are not sure and get a copy.

What is the Child Welfare System?

The child welfare system was created to help every child have a safe and secure home life and is governed by federal and state laws.

The Adoption and Safe Families Act of 1997 (or ASFA, pronounced "as-fa" for short) is one of these laws and was designed to establish the goals of safety, permanency and well-being for children in the child welfare system. The Revised Kansas Code for the Care of Children (K.S.A. 38-2201) was amended to comply with Federal (ASFA) law.

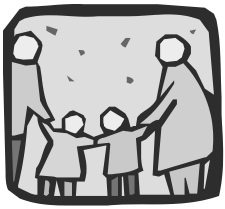
DCF & Child Welfare Case Management Providers

In Kansas, the Department for Children and Families (DCF) is the state agency responsible for providing child welfare services to children and their families. Children are placed in the custody of the Secretary of DCF through state laws under the Kansas Code for the Care of Children. A child in the Secretary's custody is referred to as a "Child in Need of Care" or CINC (pronounced "sink") for short.

DCF/Prevention and Protection Services (PPS) contracts with licensed child placing agencies, referred to as Child Welfare Case Management Providers, to provide in-home and out-of-home child welfare services. When the court orders out-of-home placement these providers, in partnership with DCF and other community partners, are responsible to deliver appropriate services and supports to help your child return home as quickly as possible.
(See Resources for a map of the provider regions).

Significant progress toward reintegration must be made within **12 continuous months, or 15 of the last 22 months**, from the date your child entered out-of-home placement or the court will look seriously at moving toward termination of parental rights or another permanency plan

The Indian Child Welfare Act (ICWA) is a Federal law that recognizes the sovereignty of Native American Tribes and Nations including their jurisdiction over Native American children. ICWA applies to Child In Need of Care cases. If you are Native American or if your child is Native American tell you case manager as the ICWA may apply to your case.



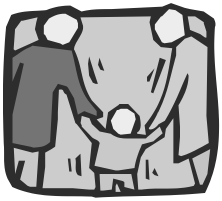
Family Centered Practice

The services and supports that you and your child receive will be designed by building on the strengths of you and your family and offering needed supportive services through a culturally competent and family centered approach.

- The family as a whole is the focus.
- Strengthening the capacity of families to function effectively is emphasized.
- Families are engaged in designing all aspects of polices, services, and program evaluation.
- Families are linked with more comprehensive, diverse, and community-based networks of supports and services.
- Services received by families are given in the least-restrictive and most family-like setting possible.
- Immediate and extended family members are crucial partners in case planning and are expected to be actively involved in the process, unless significantly detrimental to the child or youth.
- Families are treated with respect.
- Families have the right to privacy.

Under Kansas law, Grandparents are considered interested parties and may be represented in hearings by a lawyer. They may also attend case planning conferences; receive notice of and attend court hearings; and receive information from DCF, the Child Welfare Case Management provider and the Guardian ad Litem.

People Involved



You will come into contact with a variety of people such as those listed below. Please note that titles may vary but the person's responsibilities are usually similar.

Provider: A Child Welfare Case Management agency that contracts with DCF to provide services to your family. Each agency will have some, if not all, of the workers listed below although they may have a different title.

Case Manager: Licensed social workers, therapists, or counselors responsible for working with the family to write and implement a case plan; set and assist in meeting goals; collaborate with the DCF, courts, and service providers; ensure your family's needs are being adequately met; and monitor the care of your child.

Family Support Worker: Paraprofessional staff providing direct services to children and families; arranging visitation, answering questions; and accessing community resources for parenting classes, budgeting, adult independent living services, and transportation.

Supervisor: Professional who provides guidance and assistance to case managers and other staff when questions arise. You may contact this person when you have concerns that are not being addressed by your case manager or family support worker.

Program Manager: Professional who directs the supervisors from various offices. You may contact this person if your concerns are not addressed by the case manager or supervisor.

Foster Home Worker: Worker responsible for providing licensing assessments, guidance and support to the resource (foster) parents who will be providing direct care of your child; acting as part of the external team; and having knowledge about daily care and needs of your child.

Volunteers: Unpaid staff who help with transporting, filing, and other duties needed.

Students: People studying to become a professional may "shadow" your case manager to learn skills or may work with your family directly.

Parent's Rights

- To be treated as an individual with dignity and worth.
- To be listened to and consulted with regarding your child's care.
- To have the opportunity to demonstrate your capacity to provide a suitable home for your child, and to regain custody of your child as quickly as possible, when regaining custody is consistent with the health and welfare needs of your child.
- To participate in planning for your child, to receive a copy of the case plan and to receive notice of any formal review of your child's case plan.
- To receive services, in accordance with the case plan and court orders, to assist you in overcoming the conditions which led to the removal of your child, and if return of your child to your care is not feasible, to help you cope with an alternative plan for your child.
- To visit and communicate with your child within reasonable guidelines as set by the case plan and/or by the court.
- To have your child's cultural, religious, ethnic or racial heritage respected and planned for as much as possible.
- To receive an explicit description of the expectations you must meet in order to have your child returned to your home and of the services that the agency will provide to help you meet those expectations.
- To have your information that is maintained by the agency kept confidential.
- To have access to your information that is maintained by the agency within a framework of agency guidelines which take into consideration others' rights to privacy, and to correct errors contained in these records.

When a child is place in the custody of the Secretary for out-of-home placement, you are not relieved of your financial responsibility to support the child. DCF is responsible to complete an assessment of the ability of both parents to provide financial support for the child while in out-of-home placement.

Parent's Responsibilities

You have the responsibility to do the following:

- Participate in creating you family's and child's case plan
- Share important information about your child
- Participate in the services that are offered
- Attend all court hearings
- Keep appointments you have agreed to
- Make the agreed upon changes
- Do your part in helping your child return home (if that is the goal)
- Visit and communicate with your child as agreed upon
- Participate in your child's care and education planning
- Stay in contact with the case manager
- Provide information about your progress and changes in your life
- Communicate any concerns that you have to the case manager or your lawyer
- Pay towards the cost of your child's case

It is important to:

- *Form a support system around yourself to help you get through the tough times. Take care of yourself so you can be there for your child.*
- *Stay involved with your child during this difficult time and show concern and interest in his/her welfare.*
- *Remember that you are still your child's parent and your child will be helped most by your love and understanding.*

How to Address Concerns

When your child is placed in the child welfare system, DCF and the Child Welfare Case Management provider are responsible for, and very interested in his or her care. There may be times, however, when you are not in agreement with decisions that are made regarding the best placement and care for your child.

1. **Speak with the Provider staff**
   Each provider has a process to address concerns. This information may be located in the material you were given about the agency. If not, ask your case manager for a copy. The process usually begins with having you speak with the case manager and/or their supervisor.

2. **Contact the DCF Customer Service**
   Each DCF region has assigned staff to address customer concerns. *(See Resource section).*

3. **Ask for a Court Hearing**
   If the disagreement is about your child's return home, or the provider is not allowing interactions/visitations, then you may go to court to settle it. Your lawyer can assist you, and it is best to work with your lawyer if you are represented. The judge may hear testimony from you, the Guardian Ad Litem (GAL), and the provider, and will make a decision based on what is thought to be in the best interest of your child. Both you and the provider must follow the judges' order.

4. **Ask for a DCF Fair Hearing**
   You are allowed a fair hearing to appeal a decision by any agent or employee of DCF. Contact your local DCF office for information about the process, or online at www.da.ks.gov/hearing/request.htm.

What is a Case Plan?

A case plan, or permanency plan, is a mutual, cooperative agreement that is developed in partnership with you and your child, the Child Welfare Case Management provider, DCF and all involved service providers. The case plan documents your agreement to participate in the permanency plan.

The provider will ensure your family receives services to address the concerns which resulted in the out-of-home placement. Identification of these services will take place during all case planning conferences. The provider and DCF will continually monitor the effectiveness of these services.

Your family as a whole is the main focus of the case plan. The case plan reflects the capacity of your family to function effectively by meeting goals in a timely manner.

Your immediate and extended family members are crucial partners in the development, services, and evaluation of the planning process unless their involvement is significantly detrimental to your child. You will be asked to provide names and contact information of relatives and non-related kin (close family friend) support systems.

The protection and safety of your child will be assessed and evaluated throughout the time period he/she is receiving services. Community services provided to your family are the most effective form of intervention.

Case planning is a continuous and ongoing process. The plan will use information provided by you, your child, relative/kin and other support persons. Additional information is provided by social workers, foster families, therapists, school personnel, guardians, Court Appointed Special Advocate (CASA) and others who have knowledge of your family and child. The case plan may also include information contained in psychological and other assessments, medical reports, and therapist reports.

All case plans:

- Contain specific services to be provided to meet the needs of your family
- Identify specific steps to be taken by your family, the DCF social worker, and any other service providers involved.
- Document participation for purposes of meeting your child's protection plan, the goals for your family, and time frames to meet permanency goals and child protection objectives.
- Are relevant to the critical issues in your family situation;
- Are realistic in terms of emotional, physical, and intellectual capabilities of family members;
- Are written in clear language that your family understands;
- Are specific about what must change in your family and ways those changes are expected to occur;
- Describes how success will be determined giving specific time lines and review dates;
- Includes court orders and actions likely to be taken by DCF if the plan is not carried out;
- Will be completed and signed by all participants;
- Will be reviewed at least every 170 days or when requested by any of the team;
- Will also be held within 30 calendar days of a permanency goal change.

- *Let the team know about services that have already been started for you and your child, as well as services that you may still need.*
- *If you need mental health or substance abuse treatment, the decision to participate in treatment is yours alone. But be aware that if you chose not to go, it will probably affect whether your child can return home*
- *Sometimes there are waiting lists for services that you may need (for example mental health services, public housing, substance abuse treatment). Check to see if there are agreements that allow families whose children are in foster care to move up on these waiting lists. Talk to your case manager if there are problems.*

Case Planning Conferences

The initial case plan is developed cooperatively with you and your family, the case manager, service providers and other supports as identified by you. This group will become the Child and Family Team. The case plan is to be held within 20 calendar days of the referral, and will be reviewed at least every 170 days or when requested by any member of the team.

You and the other team members will be trained on the purpose of the case planning conference by the case manager. You will also be offered the following pamphlets: *Introduction and Parent's Guide to Case Planning Conferences.*

The case planning conference can be held in a location, and at a time, that is convenient for you and your family in order to provide a safe and favorable setting to meet and develop the plan. If transportation is an issue, let your case manager know.

During the case planning conference, a respectful, open discussion will include the impact of services on your family. The discussion will also include your rights and responsibilities as the birth or legal parent, the services to be provided, other permanency options, and the consequences of not following through with the case plan goals, tasks, objectives, and other offered services. The plan will be directed toward maintaining the integrity of your family, consistent with child safety, permanency and improved family functioning.

Team members have equal rights and shall have equal opportunity to actively participate. If any of the members are non-English speaking or hearing impaired or have other special needs, let your case manager know so that arrangements or accommodations can be made.

Your participation in the case planning conferences and completion of tasks and court orders is the foundation for permanency decisions.

What are my rights related to case planning?

You have the right to:

- Participate in creating your family's and child's service plan;
- Sign the service plan and to have a written copy;
- Receive the services that are described in the plan;
- Be informed of the actual services your child receives;
- Be informed of any changes in your service plan;
- Ask your case manager to coordinate your service plan with any other service plans you or your child are involved in;
- Have the service plan written in your own language, if English is not your first language;
- Review information written by the case manager about you or your child.

Have someone else present who can help you understand what is taking place and support you in advocating for yourself and your family.

Permanency Goals

Each case plan must have a permanency goal for the child, and it is established at the first (initial) case planning conference. The progress you and your family make towards meeting the permanency goal is documented on the Permanency Plan and is reported to the court at every hearing.

There are four possible permanency goals for children in out-of-home placement: Reintegration, Permanent Custodianship, Adoption, and Other Planned Permanency Living Arrangement (OPPLA). (See Resource section for definitions)

The preferred permanency goal is reintegration (return home), and case planning is directed toward addressing the concerns which led to your child's removal.

The Child Welfare Case Management provider will provide, or link you to, a variety of services to help you resume care and responsibility for your child at home in the shortest time possible, with consideration of the child's safety and well-being. For more information see section 3000 of the Prevention and Protection Services Policy and Procedure Manual (see Resource section for the DCF/PPS website address).

The goals of case planning are:

- Supporting the safety and well-being of children and families;
- Promoting earlier permanency decisions for the child;
- Decreasing child's length of stay in out-of-home placement;
- Reducing the number of moves and disruptions for the child;
- Engaging families in early case planning, review and decision-making;
- Maintaining continuity in child's relationships;
- Increasing the likelihood of child having lifetime family connections;
- Setting clear time frames for all parties to successfully achieve the preferred reintegration permanency goal before recommending a goal change.

Concurrent Case Planning

In Kansas, a concurrent plan is developed for a child in out-of-home placement when indicated, concurrent case planning means that the Provider works with you on two different plans at the same time. One plan is to get you and your child back together. However, *at the same time* (concurrent), there is a back-up plan for the child to live in another permanent home in case he/she is not able to return to your home.

You are part of a team formed to help you, your child and your family. The team's primary purpose is to strengthen your family's potential for carrying out its responsibilities and to assist as you:

- Safeguard your child from dangerous living situations;
- Remedy problem situations;
- Adequately nurture your child;
- Protect your child's right to grow up with a sense of well-being, belonging and permanence;
- Manage the tasks of daily living.

Kinship Care (Relative or Non-Related Kin)

Kinship care giving has been a tradition in many cultures and has increased dramatically in recent years, and is viewed as the best alternative to out-of-home placement for your child. Kinship Care is **when relatives and non-related kin** step forward to care for your child while you are receiving the needed supports and services to be able to provide a safe and secure home for your child.

Kinship caregivers are usually asked to raise children unexpectedly. This arrangement can be made on an informal or formal basis. You and your child have the opportunity to voice your opinion of who could provide a safety net for your child.

Relative/non-related kin shall be considered first when seeking placement.

Kinship care is in the best interest your child and will allow them to remain in their community and/or cultural setting. It provides many benefits for your child, including:

- Maintains connections with your family, culture, language and heritage;
- Provides stability;
- Decreases the likelihood of numerous placement moves;
- Eases the pain of out-of-home placements;
- Minimizes the effects of separation from you and other family members;
- Increases the placements of the siblings together.

Kinship caregivers may be eligible to receive support for financial expenses, food, clothing, medical, dental, childcare, academic and other, including but not limited to: respite, transportation, counseling etc. Check with your local DCF office for information concerning these various supports.

Where is My Child and When Can I See Him/Her?

When children enter out-of-home placement (foster care), the least restrictive (most home-like) placement that best meets their needs will be selected. Your child's connection to family members is important, so placement with related or non-related kin (kinship care) is the most preferred option. When this is not possible, most children are placed with a foster family (see description below).

Initial Team Meeting

An initial team meeting between DCF, the Child Welfare Case Management provider, you and your child will be held within 2 business days of an out-of-home placement referral to the provider. You are encouraged to invite your support person/people to this meeting as well.

Foster Parents

A foster family provides your child with a family life experience for a temporary period of time. Foster parents believe that children should be with their parents, but understand that there may be a time when that is not possible. Foster parents help children return home, and work in partnership with parents, and may serve as a mentor or role model. Foster parents may also commit to being the permanent placement resource for the child when reintegration is not possible.

All foster parents are required to complete a ten week program to help them understand the needs of children in foster care and their families. They must go through background checks and their family must have an assessment by the provider. Their home must also meet Kansas Department of Health and Environment regulations.

Parent/Child Interactions/Visitations

You and your child have the right of reasonable contact, regardless of the case plan goal, unless restricted by the court. This contact is also called interaction.

If the case plan goal is reintegration, you and your child will have at least one face-to-face interaction per week, with telephone contact and unlimited mail – unless it is determined not to be in the best interest of your child. These interactions may occur with the foster family and may be in their home.

If the case plan goal is other than reintegration, the frequency of face-to-face interactions will be determined by the child/family team at a case planning conference.

These interactions are also a means to assess your readiness to resume care of your child. Face-to-face interactions may be supervised as required by the court or limited (or even prohibited) for therapeutic reasons as recommended by a physician or mental health professional.

Interactions/Visitation Tips

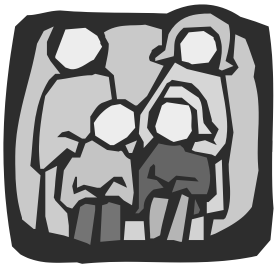
- *Work closely with your case manager to develop your case plan to include visitation if possible. If your children are in different homes, your plan should include sibling visitation*
- *Visit as regularly as you can and stay involved with your child. This will be very important to your child. Doing this shows the agency that your child can depend on you*
- *Ask your case manager what you are supposed to do and whom you call if you can't make a scheduled visit.*
- *If you need help in paying for transportation to the visits, talk with your case manager.*
- *Try to form a connection and relationship with the foster family or the staff where your child lives.*
- *It may be helpful to meet the foster family on neutral ground, especially at first while you are getting to know each other.*
- *It might feel strange to be "visiting" with your own child. You might want to talk with someone who can help you cope with these feelings.*
- *When you visit and talk with your child, try to understand how difficult it is for him/her to have more than one caregiver right now. Your child may think that he/she has to choose between you and the foster parent. Let him/her know that he/she doesn't.*

Sibling Visits

Brothers and sisters (siblings) will be placed with the same foster family whenever possible. However, if there is no one who can take them all, then they will be placed in different placements.

Siblings living in different homes will have at least twice-a-month visitations. At least one of these will occur during one of your interactions with all siblings present. If siblings are not placed together when they enter out-of-home placement, a plan will be made to move them into the same placement as soon as possible

Reunification



You can help your child return home by doing the following:

- Participate in the services described in the case plan and court orders;
- Participate in interactions/visits with your child on a regular basis;
- Stay in contact with the case manager;
- Provide information about your progress and changes in your life;
- Attend all court hearings.

The decision about your child's permanent placement will occur at the permanency hearing or before. The court's decision will be based on your progress in reaching the goals listed in the case plan. The court determines whether your child can safely return to your home (reunification approved).

Aftercare

The Child Welfare Case Management provider will provide services and supports during the 12 month period following your child's return home after care. These services are provided to assure stability and to assist you and your family. The case manager and your family together will develop a plan that details the services and expectations for this period. During this time, the plan will be reviewed and revised as needed and submitted to DCF and the court.

When you, the provider and the court agree that your child is safe with you and that you are able to care for him/her now and in the future, you will regain full custody of your child and your case will be completely closed.

What is the Court Process?

When children and families become involved with the child welfare system, they usually become involved with the court system also. Certain legal decisions about children must be made by the court. These decisions are based on federal and state laws and are binding.

The Adoption and Safe Families Act (ASFA) of 1997 is one of these laws and was designed to establish the goals of safety, permanency and well-being for children in the child welfare system. The Revised Kansas Code for the Care of Children (K.S.A. 38-2201 etc.) was amended to comply with federal ASFA law and requires the court of jurisdiction to hold a permanency hearing within 12 months of the child entering state custody.

Parent's Attorney

You have the right to have a lawyer and may hire your own to represent you in court. If you cannot afford a lawyer, you may ask the court to appoint one for you. One will not automatically be appointed for you if you are able to afford an attorney. The judge determines whether you are eligible for a court-appointed attorney.

As a parent you have the right to present your side of the story. You have the right to call and cross examine witnesses. You may also submit a report to the court at the time of each hearing. The case manager will provide you the name and address of the judge as well as the date and time of the court hearings. If you have a lawyer, you and your lawyer should discuss what you want to say at each hearing and whether you want to speak for yourself or have your lawyer represent your point of view.

Types of Hearings

The court process for Child In Need of Care (CINC) involves several types of hearings that are held in the district court for your county. Each has a different purpose and is held within different time frames. Following is a brief description of these hearings.

Temporary Custody Hearing: A temporary custody hearing is held within 72 hours (exclusive of weekends and legal holidays) of child's removal from home, or may be where the decision to remove is made. The judge reviews the petition and reports, as well as the evidence presented, and decides whether the child stays at home or is to temporarily live out of the home. If the judge orders the child to be removed from the home, custody may be given to a relative, kin or other appropriate person or to the Secretary of DCF. The judge may also place additional conditions on the child and family through court orders.

Adjudicatory Hearing: An adjudicatory hearing is to be held within 60 days of the Temporary Custody Hearing. The judge considers the evidence presented to see if there is enough information to determine whether the child is a Child In Need of Care (CINC). If the judge does not find the child to be a CINC, then the case is dismissed and the child is returned to the parents. If the judge finds the child is a CINC, a Dispositional Hearing is scheduled.

Dispositional Hearing: A dispositional hearing may be held at the same time or no later than 30 days after the adjudication hearing. The judge determines if the child will return to the parents, be placed in DCF custody, or placed with relatives or kin. This is different from the temporary custody hearing as the custody decision will be implemented until identified problems are corrected. At this hearing the judge will consider a variety of issues, including:

- The child's physical, mental, and emotional condition;
- The child's need for assistance;
- Results of court-ordered evaluations such as drug and alcohol, parenting, or psychological;
- The parents' past and present actions and behavior;
- Any additional relevant information, and

The judge may also order:

- An agency to move the child;
- The child and parents to participate in counseling;
- Evaluations of child and family members, drug testing or family visitation times;
- The parents to have no unsupervised contact with the child;
- The parents to pay child support.

Review Hearings: Review hearings are held as needed. During these hearings, the judge reviews the progress reports of the permanency plan filed by DCF or the provider, the foster parents and others.

Permanency Hearing: A permanency hearing is held at least every 12 months from the date the child was removed from the home. The judge reviews progress made toward meeting the permanency goal, and makes a written finding as to whether reasonable efforts have been made to accomplish the permanency goal, and if continued out-of-home placement is necessary for the child's safety. The judge will determine when the child should be returned to the family or if another goal should be considered for the child. If reintegration is no longer an option, a petition will probably be filed to terminate the parental rights.

Termination of Parental Rights Hearing: A termination of parental rights hearing may occur anytime during the CINC process. The prosecutor must show by clear and convincing evidence that the parent/child relationship should end:

- Parent is unfit by reason of conduct or condition;
- Parent is unable to care properly for a child;
- Parent conduct or condition is unlikely to change in the foreseeable future.

The judge may terminate the parents' rights or order the family to continue to work on the permanency plan and set another hearing date; or order a new plan and set a review hearing date.

It is important for you to attend and be on time for each court hearing. Failure to attend a hearing could be seen as an indication that you do not care about your child.

The way you dress and act in court shows your respect for the court:

- *Dress clothes are appropriate;*
- *Stand when the judge enters and leaves the courtroom;*
- *Remain seated unless asked to stand;*
- *Be quiet, polite and attentive;*
- *Speak only when asked;*
- *Food or drink is not allowed in the court room;*
- *Turn off your cell phone before entering the court room;*
- *Arrive 15-20 minutes early for the hearing;*
- *Be prepared for delays.*

People Involved

Judge – Makes legal decisions and court orders in your case.

District or County Attorney (usually the Assistant) – Lawyer representing the state.

Guardian Ad Litem (GAL) – Lawyer appointed to protect the interest of the child.

Your Attorney – Lawyer you hire or request to be appointed (if you are not able to pay for one).

Court Services Officer (CSO) – Monitors the case/court orders for the court.

Court Appointed Special Advocate (CASA) Volunteer – Trained volunteer appointed by the judge to advocate for the best interests of the child. Some but not all of the 31 District Courts have CASA programs.

Citizen Review Board - Three to seven trained community volunteers appointed by the judge to review the status of CINC case. Some but not all of the 31 District Courts have Citizen Review Boards.

Parent Ally – Parents may pick up to two people to be present with them at court hearings for support. These support persons, often family or friends, must participate in the Parent Ally program orientation. (*See Resource Section)*

Appeals

A parent may appeal any adjudication, disposition, finding of unfitness, termination of parental rights, or order of temporary custody. There are time limits to file an appeal and the appealing party may be required to pay fees and expenses. Even if an order has been appealed, the order will generally remain in effect until the appeal is decided.

Support Obligations

The judge may order the person responsible for the child to pay child support (expenses relating to the child) at the dispositional hearing, or schedule a separate child support hearing. The judge uses the Kansas Child Support Guidelines to determine the amount each parent must pay.

References

Information contained in this handbook was adapted from the following sources. We encourage you to visit these websites for more information.

1. **Policy and Procedure Manual**, Kansas Department for Children and Families, Prevention and Protection Services, www.dcf.ks.gov.

2. ***A Family's Guide to the Child Welfare System*** is a comprehensive resource that answers many questions families face when they become involved with the child welfare system. The *Guide* is a collaborative effort among five organizations - National Technical Assistance Center for Children's Mental Health at Georgetown University Center for Child and Human Development; Technical Assistance Partnership for Child and Family Mental Health at American Institutes for Research; Federation of Families for Children's Mental Health; Child Welfare League of America; and National Indian Child Welfare Association. Authors include Jan McCarthy, Anita Marshall, Julie Collins, Girlyn Arganza, Kathy Deserly, and Juanita Milon. The *Guide* was supported with funding from the federal Department of Health and Human Services

   You may view, or download the Guide at no cost. (Note: it is 140 pages). http://www.tapartnership.org/advisors/childwelfare/resources/family_guide.asp Or you may order a copy for $10 by contacting: Technical Assistance Partnership for Child and Family Mental Health, American Institutes for Research, 1000 Thomas Jefferson St. NW, Washington, DC 20007 TAPPublications@air.org

3. **Parent Ally Program Orientation**, Kansas Judicial Branch www.kscourts.org/programs

4. **Kansas Child in Need of Care (CINC) Statute** www.kslegislature.org (Find a Statute: Enter Statute 38-2201)

Additional Information

1. **Kansas Lawyer Referral Service** Phone: 1-800-928-3111 www.ksbar.org/public/public_resources/lawyer_referral/

2. **Child Welfare Information Gateway** provides access to information and resources to help protect children and strengthen families. The Gateway is a service of the Children's Bureau, Administration for Children and Families, U.S. Department of Health and Human Services. www.childwelfare.gov

Resources

Acronyms Used In Child Welfare

A
ADA- Americans with Disabilities Act
ADD- Attention Deficit Disorder
ADHD- Attention Deficit with Hyperactivity Disorder
C
CASA- Court Appointed Special Advocate
CINC- Child in Need of Care
CINC-NAN- Child in Need of Care/Non-Abuse Neglect
CPS- Child Protective Services
CRB- Citizen's Review Board
CSE- Child Support Enforcement
D
DCCCA- (pronounced "Deck-a"), a Child Welfare Case Management Provider
DCF- Kansas Department for Children and Families
DD- Developmental Disability
E
EMH- Educable Mentally Handicapped; an education term
EPSDT- Early and Periodic Screening, Diagnosis and Treatment; called KanBeHealthy in Kansas
G
GAL- Guardian ad litem
H
HCBS- Home and Community Based Services
HIPPA- federal Health Insurance Portability and Privacy Act
I
ICPC- Interstate Compact on the Placement of Children
ICWA- Indian Child Welfare Act
IDEA- Individuals with Disabilities Education Act
IEP- Individualized Education Plan
IL- Independent Living
J
JJA- Kansas Juvenile Justice Authority
JO- Juvenile Offender; a legal term defined by the Kansas Juvenile Offender's code

K

KCSL- Kansas Children's Service League, The Adoption Exchange Contractor

KDHE- Kansas Department of Health and Environment

KPRC- Kansas Protection Reporting Center

KVC- KVC Behavioral Health Care (formally known as Kaw Valley), a Child Welfare Case Management Provider

O

OPPLA- Other Planned Permanency Living Arrangement

P

PPS- Prevention and Protection Services- division of DCF

PS-MAPP- Permanency and Safety Model Approaches to Partners in Parenting

R

RADAC- Regional Alcohol and Drug Assessment Center

RPC- Regional Prevention Center

S

SASSI- Substance Abuse Subtle Screening Inventory

SFCS- St. Francis Community Services, a Child Welfare Case Management Provider

SSI- Supplemental Security Income (disability Social Security)

SSN- Social Security Number

T

TANF- Federal Temporary Aid to Needy Families

V

VR- Vocational Rehabilitation Services

Definitions Used in Child Welfare

Adoption If reintegration (return home) is not possible, this is the next preferred permanency option for children. When a child has been in out-of-home placement for 12 continuous months, this option will be considered.

Assessments Culturally respectful process and written documentation that addresses individual strengths, needs, and core concerns of the child and family.

Central Registry The Child Abuse and Neglect Central Registry is a computerized name-based list of persons who have been confirmed validated or substantiated for child abuse or neglect.

Child Welfare Case Management Provider A private agency DCF contracts with to provide family preservation, reintegration/foster care/adoption services. The state is divided into five contract regions for the family preservation and reintegration/foster care/adoption contracts.

Child in Need of Care (CINC) According to Kansas law (K.S.A. 38-2201), the state oversees what happens when a child less than 18 years of age has been:

- Injured by a parent;
- Is being neglected;
- Has been abandoned;
- Is not attending school;
- Has run away from home;
- Is under 10 years of age who may have committed a crime.

CINC-NAN Child in Need of Care (Non abuse/neglect) Children who come to the attention of the agency for reasons other than alleged abuse or neglect or juvenile offense and who meet one or more of the definitions in K.S.A. 38-2202(d).

Citizen Review Board A group of citizen volunteers appointed by a court to review child in need of care cases and make recommendations to the court.

Court Appointed Special Advocate (CASA) A responsible adult other than an attorney or guardian ad litem appointed by the court to represent the best interests of a child.

Evidence Proof submitted to the court to influence its decision. Evidence can be written, verbal or physical.

Ex Parte Order An order issued by a judge without a hearing.

Family Centered Practice Engages families and their communities to prevent and respond to child abuse and neglect, thereby strengthening families and enhancing the safety of children in their communities.

The six guiding principles of systems of care are:

- Youth and family involvement;
- Individualized strengths-based care;
- Cultural competence;
- Interagency collaboration;
- Community-based services;
- Accountability

Foster Family Home A private home in which care is given for 24 hours a day for a small number of children away from their parent or guardian (K.A.R. 28-4-311 (d)).

Full Disclosure A respectful, candid discussion with parents about the impact of services and out-of-home placement on the family including the rights and responsibilities of birth or legal parents, the services to be provided, other permanency options, and the consequences of not following through with the case plan goals, tasks, objectives and other offered services.

Guardian *ad Litem* (GAL) An attorney appointed by the court in child in need of care proceedings to represent the best interests of the child.

Independent Living Services and supports to help youth in out-of-home placement to move towards self-sufficiency.

Juvenile Justice Authority (JJA) The agency created by law that oversees some aspects of the Juvenile Offenders Code (K.S.A. 38-1600 et seq.) JJA provides intake and assessment services for alleged juvenile offenders and for alleged children in need of care (CINC) who come to the attention of law enforcement.

Juvenile Offender A child or youth at least 10 years old who commits an act that would be a felony or misdemeanor if committed by a person over 18, and who has been adjudicated as a juvenile offender by a juvenile court.

K.A.R. Kansas Administrative Regulations are enacted by state agencies after a process of public hearings and regulation. KAR's have the force of law.

K.S.A. Kansas Statutes Annotated are laws enacted by the Kansas legislature and signed into law by the governor.

Kin Any adult, related by blood or not, who plays a significant role in the life of a child or family and who may be considered for placement if a child has to be removed from the child's home.

Kinship Care The placement of a child in the home of the child's relative or in the home of another adult with whom the child or the child's parent already has a close emotional attachment. Kinship Care involves relatives and non-relative members (extended, blended and other significant support persons) caring for the child when the birth parent(s) cannot.

Kinship Definitions:

- **Relative** is defined as a person related by blood, marriage or adoption.
- **Non-Related Kin** is defined as someone with an emotional bond to the child.
- **Informal** The relative or non-related kin raising children placed in their care without legal intervention.
- **Formal** The relative is non-related kin raising children placed in their care through legal intervention.

Notice Written information to parties about the date, time and place of court hearing. A copy of the petition in included with the notice.

Other Planned Permanency Living Arrangement (OPPLA) This permanency option is only considered when there are strong reasons why the others are not acceptable for a child and family.

Parent A birth parent and any adult who is the primary caregiver of a child.

Parties People actively involved in the case: child, parents, grandparents, and/or other individuals approved by the judge.

Permanency The child is released from DCF custody and has a stable, permanent home through reintegration, custodianship, adoption, or OPPLA.

Permanent Custodianship A permanency option that allows the current caregiver for a child in out-of-home placement to have all the rights and responsibilities of a parent.

Petition Document written by the County or District Attorney (prosecutors) that describes why the court should find the child to be a Child In Need of Care (CINC).

Protective Custody A law enforcement officer may remove a child from any location if he or she believes the child is not safe (Police Protective Custody), or a judge may order law enforcement to take the child into custody if he or she believes the child is not safe (Order of Protective Custody).

Reasonable Efforts Services and supports provided a child and family to keep the child at home, or help the child return home safely, or achieve another permanency goal.

Relative A person related by blood, marriage or adoption but when referring to a relative of a child's parent, does not include the child's other parent.

Resource Family A family willing to provide short term care or service as the adoptive or legal guardian for the child. The resource family is a valued member of the team and will participate in the case planning process and court hearings, serve as a mentor to birth families, and will encourage parent/child interactions in a natural setting.

Safety A child is protected from abuse and neglect.

Temporary Custody Custody awarded by a court based upon evidence in a hearing prior to disposition.

Truant A child not attending school as required by law.

Well-Being A child's physical health, mental health, development and educational needs are provided for.

DCF Assessment Process for Allegations of Child Abuse and Neglect

Allegation of Suspected Child Abuse or Neglect
is received from a reporter

Initial Assessment and Response Determination
are done by the Kansas Protection Report Center. Reports are assessed to eliminate those that do not appear to allege abuse or neglect, or are too vague to investigate. The response determination specifies how quickly reports should be investigated

Investigation, Family Assessment, and Finding
to assess health and safety of child, and to determine whether abuse or neglect occurred. Depending on the assessment, the case is referred to...

. . . Protective Custody
if the information shows that the child is in imminent danger or harm, DCF may request a law enforcement officer to take the child into protective custody for as long as 72 hours pending court action

. . District/County Attorney
may file petition to declare the child in need of care. District/County Attorney can become involved on own initiative) but usually at the request of DCF

. . . Family Services
may include direct services by DCF or referred to intensive in-home Family Preservation services provided to prevent removal of child from the home

. . . Other Alternatives may include referrals to community mental health center or other community services

District Court
The court may release the child to the parents or if there is evidence that the child should not be in the home the court can order temporary custody pending the hearing.

or

The court can find a child to be in need of care and grant custody to DCF or other person, can order the family to accept family services, or can dismiss the case.

Evaluation and Placement
For children placed in DCF custody by the court, DCF's placement options include: foster care with services to unite the family, or adoption if indicated. While children are in DCF custody, services are provided to the child and family and progress is reported to court. The court may return custody to parents, grant custody to a relative, or sever parental rights to allow for adoption.

Definitions of Abuse, Neglect and Sexual Abuse

Abuse means any act or failure to act which results in death, physical harm, emotional harm, or which presents a likelihood of harm to a person under age 18." KAR 30-46-10

Physical Abuse means the infliction of physical harm on a child or the causation of a child's deterioration. This term shall include any non-accidental or intentional action or inaction that results in bodily injury or that presents the imminent risk of serious injury. KAR 3-46-10

Sexual Abuse means any act committed with a child, including the following: 1) Any contact or interaction with a child in which the child is being used for the sexual stimulation of the perpetrator, the child, or another person; and (2) allowing, permitting, or encouraging a child to engage in prostitution or to be photographed, filmed, or depicted in obscene or pornographic material. KAR 30-46-10

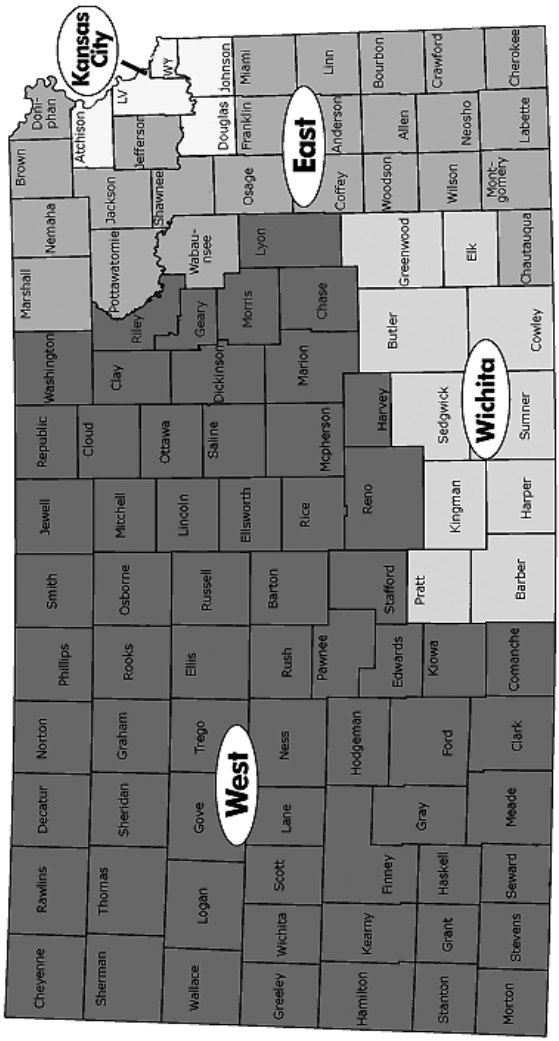
Mental or Emotional Abuse means the infliction of mental or emotional injury on a child or the causation of a child's deterioration. This term may include the following: 1)Any act or omission that impairs a child's social, emotional, or intellectual functioning; (2) terrorizing a child, by creating a climate of fear or engaging in violent or threatening behavior toward the child or toward others in the child's presence that demonstrates a flagrant disregard for the child; (3) emotionally abandoning a child, by being psychologically unavailable to the child, demonstrating no attachment to the child, or failing to provide adequate nurturance of the child; (4)corrupting a child, by teaching or rewarding the child for unlawful, antisocial, or sexually mature behaviors; or (5)engaging in any behavior having substantially the same effect on the child as that of any of the actions specified in paragraphs (e)(1) through (e)(3). KAR 30-46-10

Physical Neglect means any act or omission resulting in harm to a child or presenting a likelihood of harm if the act or omission is not due solely to the lack of financial means of a child's parent or other custodian. This term may include the following: failure to provide the child with food, clothing, or shelter necessary to sustain the life or health of the child. KAR 30-46-10

Medical Neglect means any act or omission resulting in harm to a child or presenting a likelihood of harm if the act is not due solely to the lack of financial means of a child's parent or other custodian. This term may include the following: failure to use resources available to treat a diagnosed medical condition if the treatment would make the child substantially more comfortable, reduce pain and suffering, correct or substantially diminish a crippling condition, lengthen the life span, or prevent the condition from worsening. KAR 30-46-10

Child Welfare Case-Management Provider Map

Kansas Department for Children and Families
Child Welfare Case Management Provider Regions
Prevention and Protection Services; 785-296-4653



East Region – KVC Behavioral Healthcare, Inc.; 913-499-8100
Kansas City Region - KVC Behavioral Healthcare, Inc.; 913-499-8100
West Region – St. Francis Community Services; 785-825-0541
Wichita Region - St. Francis Community Services; 785-825-0541

Kansas Department for Children and Families
Customer Service Contact Information

DCF believes in excellent customer service, the importance of listening to customer's needs, and helping customers gain access to a wide variety of agency and community services. If you have an issue you need to discuss, please contact customer service in your Region, or the Office of Customer Service with DCF Administration.

Regions	Counties Served	Phone
Kansas City	Atchison, Douglas, Johnson, , Leavenworth, Wyandotte	(913) 826-7450 (913) 367-5345 x256
East	Allen, Anderson, Bourbon, Brown, Chautauqua, Cherokee, Coffey, Crawford, Doniphan, Franklin, Jackson, Jefferson, Labette, Linn, Marshall, Miami, Montgomery, Nemaha, , Neosho Osage, Pottawatomie, Shawnee, Wabaunsee, Wilson, Woodson	(785) 296-2230
West	Barton, Chase, Cheyenne, Clark, Clay Cloud, Comanche, Decatur, Dickinson, Edwards, Ellis, Ellsworth, Finney, Ford, Geary Gove, Graham, Grant, Gray, Greeley, Hamilton, Harvey, Haskell, Hodgeman, Jewell, Kearney, Kiowa, Lane, Lincoln, Logan, Lyon, Marion, McPherson, Meade, Mitchell, Morris, Morton, Ness, Norton, Osborne, Ottawa, Pawnee, Phillips, Rawlins, Reno, Republic, Rice, Riley, Rooks, Rush, Russell, Saline, Scott, Seward, Sheridan, Sherman, Smith, Stafford, Stanton, Stevens, Thomas, Trego, Wallace, Washington Wichita	(620) 272-5985 (620) 342-2505 x 207
Wichita	Barber, Butler, Cowley, Elk, Greenwood, Harper, Kingman, Pratt, Sedgwick, Sumner	(316) 337-6311
DCF Administration		785/296-4687

Contact Information

Agency's Name _____

My Case Manager _____

Office Phone _____ Alternative Phone _____

Address _____

City _____ State ___ Zip _____

Supervisor's Name _____

Office Phone _____ Alternative Phone _____

Resource Parent _____

Office Phone _____ Alternative Phone _____

Address _____

City _____ State ___ Zip _____

Guardian Ad Litem _____

Office Phone _____ Alternative Phone _____

Address _____

City _____ State ___ Zip _____

My Attorney _____

Office Phone _____ Alternative Phone _____

Address _____

City _____ State ___ Zip _____

Other _____ Agency _____

Office Phone _____ Alternative Phone _____

Address _____

City _____ State ___ Zip _____

Notes