

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Child and Family Services Agency**



**Business Process: Permanency Goal Change**

**I. POLICY**

When a child is placed in out-of-home care, under most circumstances CFSA's first objective is to seek reunification with the birth family or caretaker from whom the child was removed, unless the court deems it is not in the child's best interest. It is also CFSA's practice to identify a concurrent (alternative) goal, such as adoption or guardianship, with a commitment to prioritizing kin as the first option. The concurrent goal is discussed with the family at the first Family Team Meeting (FTM) and planning for both reunification and the concurrent goal continues as the case moves forward. If reunification is not an option, CFSA shall pursue the alternative permanency goal.

This business process describes the steps that are taken to effect a change in a child's permanency goal. Changing a permanency goal is a multi-faceted process that requires collaboration with the case management team, which includes, but is not limited to: all age appropriate children; all parents, when applicable; kin; resource parent(s); legal representatives [the Office of the Attorney General (OAG), Guardian ad Litem (GAL) and the parent's attorneys]; internal and external service providers (e.g., therapist), and the social worker and supervisory social worker. Through collaborative efforts with this team, CFSA shall develop recommendations for a permanency goal change, but only the Family Court has the legal authority to formally establish or change a permanency goal.

**II. PROCEDURES**

**A. Efforts that May Lead to a Goal Change:**

The following work shall be undertaken prior to a recommendation by the Agency for a goal change.

1. On-Going Teaming with a Family about Permanency Goals. When a child is removed, the family immediately begins participating in a series of teaming efforts aimed at: (1) orienting them to the agency and its processes; (2) establishing the primary permanency goal and developing an initial case plan for achieving that goal, with specific, time-defined strategies for resolving the issues that necessitated removal of the child; and (3) developing concurrent permanency plans if reunification is not an option. These teaming efforts shall include, but are not limited to the following:
  - a. A removal FTM, convened by the FTM unit.
  - b. A 1:1 orientation with a member of the Parent Engagement, Education and Resources (PEER) Unit for families case managed by CFSA. Alternative parent engagement strategies may be utilized by contracted agencies.
  - c. Frequent parent-social worker visits and contacts.
  - d. Periodic team meetings convened by the social worker that include members of the family's and child's personal and professional support networks.
2. On-Going Internal Case Review. In addition to the above activities, the Agency shall conduct routine internal case reviews to promote case progress, provide oversight, and make preparation for a goal change, if needed, and document these reviews in FACES.net. This includes:
  - a. Minimum monthly review and discussion of the case between the social worker and the supervisory social worker.

- b. Review and discussion of the case between the supervisory social worker and the program manager as needed.
  - c. A Permanency Goal Review Meeting (PGRM) with a multi-disciplinary team, to include the Office of Attorney General (OAG), PEER and Kinship Unit managers, as well as other program area representatives relevant to the case. At a minimum, PGRMs are held on all cases as they approach or exceed their federally recommended permanency timeline: At 9 and 15 months for reunification cases; at 15 and 21 months for guardianship cases, and at 21 and 27 months for adoption cases. PGRMs outside of these timeframes are scheduled as needed.
3. Development of a recommended goal. If after working intensively with the birth parents or caretakers from whom the child was removed, reunification is not an option, the Agency shall make a recommendation of a goal change, generally to adoption as the first choice. Depending on case circumstances, or if adoption is not an appropriate goal, for example if the child is over the age of 14 and declines and there are extenuating circumstances that make guardianship more appropriate for the child and family, then the Agency shall recommend a goal change to guardianship. *(See the Permanency Practice policy for more information.)*
- a. While the case management team has been participating in this process, the social worker shall ensure this decision is formally communicated to all members of the team, including the family members.
  - b. The social worker shall work with the AAG to prepare for the court hearing at which the recommendation for a permanency goal change will be made.
4. Ta.L. Evidentiary Hearings. In a December 2016 case (“In re Ta.L.”), the D.C. Court of Appeals held that parents have the right to an evidentiary hearing before the court changes the goal of a case away from reunification. The ruling in Ta.L. means that to change a child’s permanency goal, the following steps must be taken:
- a. Serve notice of a plan to change the goal. CFSA shall strive to make a goal change recommendation to the Family Court between the ninth and eleventh month following a removal. This timeframe supports the Agency in achieving federally-recommended permanency timelines of 18 months for finalization of a guardianship and 24 months for the finalization of an adoption; however, a goal change recommendation can be made at any time during the life of the case.
  - b. Prepare the case for the Ta.L. evidentiary hearing.
    - i. At the Ta.L. hearing, the Judge must make a finding, by a preponderance of the evidence, on four criteria:
      - a) CFSA has provided the parents with a reasonable plan for achieving reunification;
      - b) CFSA has expended reasonable efforts to help the parents ameliorate the conditions of neglect;
      - c) The parents have failed to make adequate progress toward satisfying the requirements of the plan; and
      - d) Other vehicles for preventing termination of parental rights have been explored (e.g., CFSA has made efforts to involve kin in its work with the family).
    - ii. The social worker’s efforts in all four areas, as documented in FACES.net, serve as the needed evidence.

- iii. Efforts for both parents (regardless of involvement with their child) shall be documented in: the family case plan; contact notes in FACES.net; visitation logs; and court reports.
  - iv. Court orders are also used by the AAG to prepare the case for the Ta.L. hearing.
  - v. Under the guidance of the AAG, the social worker shall be the primary individual to testify and provide evidence for a goal change to the court.
- c. Abide by the findings. If the court finds in favor of the Agency, the child's permanency goal shall either be changed at the time of the hearing (usually to the Agency's recommended goal of adoption or guardianship), or the judge may include an order changing the goal as part of written findings. If the court finds that the government did not meet its burden on any one of the factors outlined above, the goal remains reunification, at least until the next permanency hearing, and the Agency continues to work with the family to achieve that goal and simultaneously retain a concurrent goal.
  - d. Continue permanency efforts while an appeal moves forward. Parents have the right to appeal a Ta.L. decision. If an appeal is filed, then the social worker shall proceed with standard practice for achieving the new goal (usually adoption or guardianship) while continuing to assist parents in efforts to reunify in the same manner as they would if the goal was still reunification, until the appeal is resolved.

## B. Other Goal Change Options

While changing a goal to adoption or guardianship as described in Procedure A above, is the most common goal change pursued by CFSA, additional goals may be considered as follows:

1. Alternative Planned Permanent Living Arrangement (APPLA). If neither reunification, adoption nor guardianship is determined to be a viable permanency goal, and a youth is age 16 or older, the agency shall consider establishing a goal of APPLA. Formal consideration must include convening a Listening to Youth and Families as Experts (LYFE) meeting to review the youth's progress and plans in the context of a potential APPLA goal (*See the [APPLA](#) policy for more details on LYFE meetings*).
  - a. If, following the LYFE meeting, the team's recommendation is to change the youth's permanency goal to APPLA, the Agency Director must formally approve the decision.
  - b. A decision memorandum providing the case details and rationale for an APPLA goal is written by the social worker and approved first by the supervisor, program manager, and administrator. The Deputy Director for Program Operations then submits the decision memorandum to the Director for final approval.
  - c. The social worker shall work with the AAG to prepare for the court hearing at which the recommendation will be made.
  - d. If the Family Court establishes the goal of APPLA without the recommendation of CFSA, the assigned social worker shall immediately notify his or her supervisor and administrator (or the private agency's executive director) to discuss the Family Court's Order. If the Agency is not in agreement with this goal change, the social worker shall consult with the OAG. (*See the [APPLA](#) policy for more information.*)
2. Legal Custody. Under rare circumstances, a caretaker who has demonstrated a commitment to assuming long-term responsibility for a child may have sound reasons for not pursuing adoption or guardianship. These might include, for example: disinterest in following (or inability to meet) non-safety-related licensing requirements; or having no need for the guardianship or adoption subsidy. Additionally, a non-offending parent may seek legal custody as a means of expediting safe case closure.

- a. To make a recommendation for a goal of legal custody, a decision memorandum providing the case details and rationale is developed by the social worker and must first be approved by the supervisor and program manager. The program manager then submits the memo to the program administrator for the final decision..
  - b. The social worker shall work with the AAG to prepare for the court hearing at which the recommendation will be made.
3. Changing the Goal Following the Re-opening of a Finalized Guardianship. A finalized guardianship may be re-opened in court when there is a material change in circumstances for the child (e.g., upon the death of a guardian; deteriorated relationships with the guardian; or because the parent and child have re-established positive contact with each other.) A parent, guardian, child or the government may file a motion to terminate or modify the guardianship at any time.
  - a. CFSA's Post Permanency Unit shall work with the family to resolve challenges they are facing and stabilize the guardianship to prevent disruption
  - b. When a guardianship re-opens, the court typically schedules a hearing and requests a report from CFSA. CFSA will only recommend continuing the goal of guardianship when an alternative guardian is available and permanency with that guardian is determined to be in the child's best interest.