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 	CHILD AND FAMILY SERVICES AGENCY Approved by: <u>Rogue Gerald</u> Agency Director Date: <u>May 25, 2011</u>	REVISION HISTORY:
LATEST REVISION: May 24, 2011	EFFECTIVE DATE: May 25, 2011	

I. AUTHORITY	The Director of the Child and Family Services Agency (CFSA or Agency) adopts this policy to be consistent with the Agency's mission and all applicable federal and District of Columbia laws, rules and regulations.
II. APPLICABILITY	All direct service Agency employees and private agency staff.
III. RATIONALE	<p>CFSA and its contracted agencies acknowledge the emotional need of all children to live in safe, permanent homes with committed caregivers. Further, clinical research has established the importance of stable and nurturing environments for maintaining children's overall well-being and for promoting successful developmental outcomes on all levels (i.e., physical, psychological, educational, etc.). It is therefore the intent of the District's child welfare system to quickly and safely stabilize the lives of children who have experienced abuse and/or neglect. This stabilization process includes maintaining children safely in their own homes whenever possible or, if out-of-home care is required, returning children to their homes as soon as safely possible. In the event that reunification cannot be achieved, CFSA concurrently explores kinship adoption or guardianship, as well as non-kinship adoption or guardianship as additional permanency options. Legal custody and an Alternative Planned Permanent Living Arrangement (APPLA) are both considered "last resort" alternative options.</p> <p>Whether out-of-home placement is necessary or whether children remain safely in their own homes, the Agency teams with families, professionals, and other significant persons in the child's life to construct individualized, detailed, strength-based permanency plans for children. To guarantee that permanency is maintained as a priority in the case planning process, CFSA has developed a permanency-specific strategy that includes re-establishing and maintaining permanent family connections. In the context of this strategy, permanency means that children and youth who leave the District's child welfare system are entering or continuing in a safe, forever home or relationship via reunification with parents, adoption, legal guardianship (often with family members), or lifelong connection with at least one caring adult. It is important to remember that while CFSA provides recommendations for permanency goals based on thorough planning with the child's family team, only the Family Court has the legal authority to formally establish the permanency goal.</p>
IV. POLICY	It is the policy of CFSA to promote safety and permanence through comprehensive case planning measures that consistently include the participation of families and other individuals identified by the family, as appropriate. The participatory case planning process shall begin at the onset of the Agency's involvement with children and families. It shall focus on creating an individualized family case plan that can serve as the primary mechanism for identifying the family's underlying needs, stabilizing the family, ameliorating the

	<p>family’s underlying needs and, when applicable, achieving timely permanence. Comprehensive case planning shall also serve to sustain positive functioning and overall well-being of the family unit. In the event that a clinical determination necessitates a child being placed in out-of-home care, the social worker shall assess (in collaboration with the family) the appropriateness of three priority permanency goals: reunification, adoption, or permanent guardianship. If reunification is not possible, kin shall be considered as the priority resource for adoption or guardianship, and non-kin only after kin resources have been exhausted. The social worker shall only consider an alternative permanency goal—e.g., APPLA or legal custody—after the other permanency goals have been explored in collaboration with the family team and have been deemed to be not in the best interests of the child. Every child’s permanency goal shall be discussed during the Administrative Review process (under the purview of the Office of Planning, Policy, and Program Support) and during appropriate team meetings which occur throughout the life of the case at which time the Agency shall determine the permanency goal that shall be recommended to the Court. All permanency goals are legally established by the Court based on the thoughtful recommendations of the family’s team and social worker.</p>
<p>V. CONTENTS</p>	<ul style="list-style-type: none"> A. Case Planning for Permanency B. In-Home Services C. Establishing Permanency Goals for Out-of-Home Services D. Appropriate Permanency Goals E. Concurrent Planning and Goals F. Reunification G. Adoption by Kin H. Permanent Guardianship with Kin I. Non-Kin Adoption J. Permanent Guardianship K. Alternative Permanency Goals L. Case Plan Content M. Case Plan Reviews N. Changing Goals O. Reasonable Efforts P. Preparation for the Relinquishment of Parental Rights Q. Termination of Parental Rights (TPR) Proceeding
<p>VI. ATTACHMENTS</p>	<ul style="list-style-type: none"> A. The Court’s Role in Permanency B. Adoption and Safe Families Act (ASFA) Timelines

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VII. PROCEDURE

Procedure A: Case Planning for Permanency

CFSA's Practice Model requires that all permanency planning methods include family engagement and teaming so that children and families are assured successful, positive permanency outcomes. Case plans are designed to outline actions required for achieving permanency goals. When the family and all of its team members have the opportunity to actively participate in case planning for permanency, the resulting written plan will likely match both the family's and the child's comprehensive needs. It shall build on all of their strengths to support safety and to help the family achieve successful permanency outcomes. CFSA assumes the responsibility early in the case planning process for the timely location of those parents, or significant kin whose whereabouts or identities are unknown. Locating family members early and throughout the case affords them the opportunity to actively participate in the case planning process. *See also the policies on [In-Home Services](#), [Out-of-Home Services](#), and [Diligent Search](#).*

1. Case planning strategies for permanency shall focus on achieving the following:
 - a. Consistently focusing on permanency as an urgent priority
 - b. Creating opportunities for more children and youth to achieve permanency expeditiously
 - c. Overcoming obstacles to permanency
 - d. Using evidence-based and innovative approaches to increase the number of youth who can exit the system before aging out and who have a family or lifelong connection to support them
 - e. Mobilizing community supports and resources on behalf of children and youth in need of adoptive homes
2. The initial case planning meeting shall take place as soon as possible, but in all instances shall occur within 7 calendar days of the case transfer from the Child Protective Services (CPS) Administration.
 - a. The social worker shall meet with the family and any other individuals as identified below under # 4 to initiate the case planning process.
 - b. A Family Team Meeting may function as the initial case planning meeting.
3. A written case plan shall be completed within 30 days of the case opening.
4. CFSA and its contracted agencies shall use a participatory process to create timely, comprehensive, individualized, strength-based, written case plans that are updated as needed. In accordance with the Agency's mission to promote the safety, permanence, and well-being of children and families in the District of Columbia, case plans shall fulfill the following objectives:
 - a. Support children's safety.
 - b. Facilitate the successful achievement of permanency goals.
 - c. Embody the principles of family engagement.
 - d. Improve the well-being of children and families.

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	<p>5. Case plans shall be developed in a team environment, including but not limited to input from the following participants:</p> <ul style="list-style-type: none"> a. All age-appropriate children, <i>particularly for permanency planning</i> b. Parents c. Kin (as defined below) <ul style="list-style-type: none"> i. A relative by blood, marriage, or adoption who is at least 21 years of age. ii. An individual identified by a relative (as above) in a sworn affidavit to have close personal or emotional ties with the child or with the child's family. iii. A relative or godparent with whom the child is placed and whose relationship with the child has pre-dated the placement. d. Informal support networks or service providers, e.g., faith communities, therapists, mentors etc. e. Out-of-home caregivers (including resource parents). f. Formal support networks, e.g., guardian <i>ad litem</i> (GAL), parent's attorney, representative from CFSA's Office of Clinical Practice (for consultation on specific service provision and planning for the individual child and his or her family, etc.). <p>6. The family's team shall engage in the following activities during the case planning process:</p> <ul style="list-style-type: none"> a. Actively and intensively work to allow the child to remain safely at home, if appropriate. <i>Note: when children remain in the home, kin and other family supports may assist in stabilization efforts.</i> b. If removal is imminent, a Family Team Meeting shall be held to lay the foundation for the case plan (see the Family Team Meeting Policy for details). c. In those instances where removal from the home has been clinically determined to be necessary for the child's safety, all team members shall collaborate to devise steps for returning the child home under appropriate circumstances consistent with reasonable professional standards. <ul style="list-style-type: none"> i. If children are removed from the home, kin and other family supports may become placement resources and supports for achieving reunification. All efforts shall be made to locate and engage non-custodial parents and their kin supports. ii. If reunification is not possible, and all reasonable efforts (see <i>Procedure M</i>) have been made but have not succeeded to return the child home, kin and other family supports may then become permanency resources. iii. The team shall ensure that the child is placed in an appropriate and permanent placement as quickly and as safely as possible. d. As part of CFSA's permanency strategy, the team shall consider the following procedures for successful permanency outcomes: <ul style="list-style-type: none"> i. Explore multiple pathways to permanency even while working toward reunification, i.e., the team shall undertake a concurrent permanency plan in tandem with the child's primary permanency goal.
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	<ul style="list-style-type: none"> ii. “Jumpstart” any specific adoption or guardianship process that may have stalled. iii. Help age-appropriate children to have a voice in their options, understand a proposed goal change, prepare for adoption, or recover from disruption. iv. Reconcile competing viewpoints among family team members on the best goal or permanency resource. <p>7. In all cases in which either parent’s whereabouts is unknown, the Agency or contracted agency shall immediately institute a diligent search for the parents and document the efforts in FACES.NET (see the Diligent Search Policy for more details).</p> <p>8. The assigned social worker shall ensure that the following tasks have been accomplished for all case plans:</p> <ul style="list-style-type: none"> a. Written in plain, every day language and understood by the child and family members. b. Signed by the parent and the child (all children age 14 and above and younger children as appropriate). c. Approved and signed by the social worker’s supervisor. d. Documented in FACES.NET upon initial completion and updated as needed. e. Distributed to the parent, resource parent, guardian <i>ad litem</i> (GAL), the Court, and both Agency and contracted agency staff.
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	<p>Procedure B: In-Home Services</p> <p>CFSA is committed to pursuing family stabilization as a priority goal whenever it is safe and appropriate for children who have been the subject of substantiated abuse and/or neglect allegations. When a clinical determination has been made that it is in fact safe and in the best interests of the child to remain at home, the Agency and its contracted agency partners shall offer and provide assistance in the form of services that can help to strengthen and preserve family relationships. Services shall also address the circumstances that initially brought the family to the Agency’s attention, direct efforts towards behavior changes that prevent additional abuse or neglect, and assure quality parenting and care for the child. These services may be provided directly by CFSA, its contracted agencies, and/or by other District or community agencies.</p> <p>1. Family Stabilization shall be pursued under the following circumstances:</p> <ul style="list-style-type: none"> a. Abuse or neglect has been substantiated, but (i) the investigative social worker has clinically determined that a child’s out-of-home placement is not necessary for the protection or safety of the child; or (ii) the trauma of removal risks more harm to the child than the harm risked by remaining in the home with services or other supports.. b. It is determined that an in-home case shall be opened as a result of the investigation (see the online CPS Investigations Practice Operational Manual for detailed information on the criteria for making these decisions).
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	<ol style="list-style-type: none"> 2. The Agency and its contracted private agency partners shall make and document reasonable efforts (<i>see Procedure M</i>) to avoid the need for out-of-home placement. Reasonable efforts include but are not limited to provision of the following individualized services for families: <ol style="list-style-type: none"> a. Respite services b. Parenting skills, education, and/or counseling c. Mental health services (including day treatment) d. Substance abuse programs e. Housing assistance f. Day care assistance g. Intensive home-based services h. Intensive 14-day assessments i. Emergency cash assistance j. Access to other public benefits, including assistance with utilities k. Less intensive family services 3. Social workers shall follow all District visitation requirements for families receiving in-home services (<i>see the Visitation Policy</i>).
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	<p style="text-align: center;">Procedure C: Establishing Permanency Goals for Out-of-Home Services</p> <p>CFSA recognizes that when a child is removed from his or her home, the early and continued involvement of parents, relatives and/or significant kin in permanency planning reduces the time that children stay in foster care and helps children achieve permanency sooner. For all children in out-of-home placements, the social worker shall engage the family to the fullest extent possible in the permanency planning process. The family shall be invited to all team meetings and be encouraged to participate in all decisions determining the most appropriate permanency goal for the child's best interests. Since permanency decisions are vital to children's well-being, permanency planning shall include a multidisciplinary team. The team shall incorporate a comprehensive approach to ensuring that the child's safety and best interests are fully considered. The social worker will ultimately present the team's recommendation to the Court for official and legal approval (<i>see Attachment A for more details on the Court's role in permanency</i>).</p> <ol style="list-style-type: none"> 1. Whenever a child is placed in out-of-home care, permanency planning shall begin immediately during the first case planning team meeting as part of the teaming process. 2. The following participants (as applicable) shall be included in all permanency planning team meetings: <ol style="list-style-type: none"> a. Age-appropriate child b. Parents/Caregiver(s) c. Kin resources d. Social worker e. Supervisor f. Family support worker g. Resource parent(s)
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	<ul style="list-style-type: none"> h. Assistant attorney general (AAG) i. Other Agency staff involved with the case or with expertise on the issues in the case, which may include but is not limited to representation from the following Agency administrations: <ul style="list-style-type: none"> i. Adoption Services Division (within the Out-of-Home and Permanency Administration) ii. Office of Youth Empowerment iii. Office of Clinical Practice iv. Office of the General Counsel j. GAL k. Parents' attorneys l. Attorneys for foster parent or kin, if applicable <p>3. During team meetings that are scheduled specifically for permanency planning, the social worker and supervisor shall be prepared to discuss their recommendations based on input from the family as well as clinical determinations. The social worker shall facilitate a thorough discussion of the family and child's needs and case history.</p> <p>4. All team members shall seek to reach agreement on the final recommendation for a child's permanency plan, which shall be well-supported by evidence for ensuring and protecting the child's overall well-being.</p> <p>5. The social worker shall present the Agency's recommendation to the Court in the court report filed at least 10 days prior to the court hearing.</p> <ul style="list-style-type: none"> • If the Court makes a decision that the social worker believes is contrary to the best interests of the child, including any concerns related to the child's safety, permanence, and well being, the social worker shall raise the issue to his or her supervisor and to the AAG, and if necessary his or her section chief, immediately. <p>6. A team meeting shall be held whenever a social worker and supervisor believe that it is in the best interests of a child to immediately change his or her permanency plan due to one or more of the following unusual circumstances:</p> <ul style="list-style-type: none"> a. The death of a parent(s). b. The long-term incarceration of a parent(s). c. A recommendation has been made to change the current permanency plan of adoption or permanent guardianship. d. The child is first entering out-of-home care. e. A parent(s) has relinquished parental rights. f. A parent has consented to adoption or permanent guardianship by a specific family. g. A court has found that the parent has abandoned the child. h. A diligent search has not succeeded in locating the parents within three (3) months of the child entering care. i. The parental rights for the care of a sibling have been terminated involuntarily. j. A court of competent jurisdiction has determined that a parent has committed one or more of the following acts:
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	<ul style="list-style-type: none"> i. Murder of another child of the parent. ii. Voluntary manslaughter of another child of the parent. iii. Aided or abetted, attempted, conspired, or solicited to commit murder or voluntary manslaughter of another child of the parent. iv. A felony assault that resulted in serious bodily injury to the child or another child of the parent. <p>7. Within 1 week of a team meeting where the Agency has recommended a goal change or prior to the next Court hearing, whichever occurs first, the social worker shall meet with the AAG assigned to the case to discuss presenting the recommendation to the Court.</p> <p>8. In the event that a child’s permanency plan is changed based on considerations outlined in # 6 above, the social worker shall revise the case plan in FACES within 1 week of the team meeting or prior to the next Court hearing (whichever occurs first).</p> <ul style="list-style-type: none"> • The social worker shall be responsible for ensuring signatures on a printed version of the revised permanency plan are obtained from the child’s parent(s) or caregiver(s) within 2 weeks of its revision. <p>9. The assigned social worker shall ensure that the appropriateness of any recommended or changed permanency goal is presented and reviewed per the procedures of CFSA’s Administrative Review (AR) process.</p> <ul style="list-style-type: none"> • The social worker shall be responsible for attending the AR and presenting the recommendation or changed permanency goal as determined with input from the family.
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	<p>Procedure D: Appropriate Permanency Goals</p> <p>In alignment with the basic tenets of the Agency’s Practice Model and mission, CFSA and its contracted agency partners shall prioritize the goals of reunification and kinship adoption or permanent guardianship before consideration of non-kin adoption or guardianship.</p> <ol style="list-style-type: none"> 1. Reunification: Whenever possible, the permanency goal shall be to safely reunify children and families. CFSA and its contracted agency partners shall make every effort to identify any obstacles to reunification, develop a strategy to resolve those issues, and maintain familial connections as appropriate. Parents shall be engaged to participate as team members in the case planning process and to recognize their strengths while learning needed skills to provide for safe, nurturing homes. 2. Adoption by Kin: When reunification is not in a child’s best interest, adoption by kin shall be prioritized as the permanency goal and as a means of facilitating positive familial connections for children. <i>Note: adoption requires the termination of parental rights, and places parental rights and responsibilities with the adoptive parent.</i> 3. Permanent Guardianship with Kin: Kin may choose to adopt related children, but they may also have legitimate reasons for not adopting. In such cases, permanent guardianship—a judicially created relationship in which certain parental rights and responsibilities are placed with the permanent guardian—shall be considered as a permanency goal.
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	<p>4. Non-Kin Adoption: Adoption by non-kin is an alternative permanency option when permanency with kin is not in the child’s best interests. When a non-kin adoption is a child’s permanency goal, the child’s foster family shall be considered as an adoptive resource first.</p> <p>5. Non-Kin Permanent guardianship: Only after it is determined by the permanency planning team that the kinship goals and adoption by non-kin are not attainable or in the child’s best interest, should permanent guardianship by non-kin be considered.</p> <p>6. Only in rare situations when all other prioritized permanency goals have been exhausted shall case planning involve consideration of legal custody by non-parent or independent living in the form of an APPLA.</p>
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	<p>Procedure E: Concurrent Planning and Goals</p> <p>A guiding principle of the District’s child welfare system is to choose concurrent permanency goals that are appropriate and clinically determined to be in the child’s best interest in the event that the previously established permanency goal is unattainable. Concurrent planning, or planning to achieve a primary goal while at the same time planning for an alternative goal, is an essential component of planning for <i>timely</i> permanence. As stated in this policy, the priority permanency goal shall always be reunification. Simultaneously, all children in out-of-home care shall have a concurrent permanency goal in the event that reunification cannot be achieved. The Agency is committed to ensuring that the concurrent preparations allow for the child to achieve permanency quickly and safely. Social workers shall straightforwardly discuss all permanency goals, concurrent planning, and required timelines with parents and the family team (<i>see Attachment B for ASFA Timelines</i>).</p> <ol style="list-style-type: none"> 1. In some cases, such as when a parent has a debilitating illness, a concurrent goal may need to be set for children receiving in-home services. 2. The social worker shall continue to periodically conduct a diligent search for parents, relatives, or significant kin throughout the life of the case until the person(s) being sought are found or until the child reaches permanency. 3. The following activities shall be included in all concurrent permanency planning: <ol style="list-style-type: none"> a. Whenever possible and appropriate, non-offending parents shall be considered first. If reunification efforts are unattainable, kin shall be considered next as permanent homes before placement with non-kin. b. The number of out-of-home care placements must be held at a minimum and planned with permanency in mind in order to decrease the length of a child’s stay in out-of-home care. c. Permanent homes for children shall be facilitated by the social worker in a timely manner. d. When necessary, the social worker shall also be responsible for facilitating adoption, preferably by kin before non-kin.
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Procedure F: Reunification

Although reunification is the first priority permanency goal (whenever appropriate) for a child who has been placed in out-of-home care as a result of imminent danger to his or her safety and well-being, the Agency will only reunify a child with his or her family after a clinical determination that it is safe and in the child's best interest. Both CFSA and its contracted agency partners are committed to engaging the family in case planning efforts for reunification and to ensure that all appropriate services are in place to eliminate obstacles to returning a child to his or her parents.

1. Reunification shall be established as the primary goal once a child has entered out-of-home care, excepting the circumstances outlined above under *Procedure C: Establishing Permanency Goals*.
2. Children placed in out-of-home care who have the goal of reunification shall be placed with resource parents who live in reasonable proximity to the parent(s) and who are willing to accept sibling groups and to interact with parents to facilitate reunification [see the [Placement and Matching Policy](#) for more details on placement].
3. Once the permanency goal of reunification is established, the social worker shall meet with the parents to initiate case planning as soon as possible, but no later than 7 days after the child's removal from the home.
4. To facilitate a working relationship with the family, and ongoing assessment of the reunification goal, social workers shall follow the District's visitation policy pursuant to DC Official Code §16-2310(d), which requires a minimum of weekly visitations between parent and child unless the Court stipulates otherwise. See [Visitation Policy](#) for more details.
5. Agency and contracted agency personnel shall ensure that appropriate services are provided to eliminate as many obstacles to reunification as possible (see *Procedure B: In-Home Services above*).
6. For any child who has a permanency goal of reunification for more than 12 months, the social worker and supervisor shall include in the case record and court report a written explanation documenting progress and justifying the continuation of the goal.
7. No child shall have a permanency goal of reunification for more than 14 months unless the social worker has documented extraordinary circumstances and still has reason to believe that the child can be returned home within 6 months.

Procedure G: Adoption by Kin

When reunification is not in a child's best interest, adoption by kin shall be considered as a permanency goal. Permanency with kin is a means of facilitating positive familial connections for children. Adoption provides kin with the legal rights and responsibilities of parents and requires the termination of the parents' rights.

1. Adoption by kin may be established as the primary goal if the following circumstances have occurred:
 - a. Either reunification has been determined not to be in the best interests

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	<p>of the child according to <i>Procedure F of this policy</i>, or services have been provided to the parents and there has been negligible or no progress made toward reunification within 12 months of the child's entry into care.</p> <p>b. The social worker has documented in the case plan and contact notes all efforts made toward reunification and the reasons why this goal is not feasible or in the child's best interests.</p> <p>2. Adoption by kin may be established as the primary goal by the Court if it is determined to be in the child's best interests.</p> <p>3. When a child's primary or concurrent permanency goal is adoption, the CFSA and its contracted agencies shall offer and provide assistance for using services necessary to preserve families subsequent to the adoption finalization.</p>
	<p>Procedure H: Permanent Guardianship with Kin</p> <p>Permanent guardianship with kin may be an appropriate permanency goal for a child only after reunification and adoption by kin have been ruled out. In such cases, permanent guardianship—a judicially created relationship in which certain parental rights and responsibilities are placed in the permanent guardian while the parent retains other parental rights and responsibilities—shall be considered as a permanency goal.</p> <p>1. Permanent guardianship with kin may be established as the primary goal if the following circumstances have occurred:</p> <p>a. Either reunification has been determined not to be in the best interests of the child according to <i>Procedure F of this policy</i>, or services have been provided to the parents and there has been negligible or no progress made toward reunification within 12 months of the child's entry into care.</p> <p>b. The social worker has documented in the case plan and contact notes all efforts made toward reunification and adoption by kin and the reasons why these goals are not feasible or in the child's best interests.</p> <p>c. The social worker has documented in the case plan and contact notes the reasons why permanent guardianship with kin is in the child's best interests.</p> <p>2. When a child's primary or concurrent permanency goal is permanent guardianship with kin, the CFSA and its contracted agencies shall:</p> <p>a. Seek to license the kinship placement immediately after the primary or concurrent goal becomes permanent guardianship by kin, if the child is not already placed with kin who are licensed.</p> <p>b. Offer and provide assistance in using services necessary to preserve families with permanent guardianship, both prior to and subsequent to the finalization of permanent guardianship.</p>
	<p>Procedure I: Non-Kin Adoption</p> <p>Adoption by non-kin is a permanency option when the permanency goals described in <i>Procedures F – H of this policy</i> are not in the child's best interests. When a non-kin adoption is a child's permanency goal, the child's foster family</p>

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	<p>shall be considered as an adoptive resource first.</p> <ol style="list-style-type: none"> 1. Non-kin adoption may be established as the primary goal if the following circumstances have occurred: <ol style="list-style-type: none"> a. Reunification has been determined not to be in the best interests of the child according to <i>Procedure F of this policy</i> or services have been provided to the parents and there has been negligible or no progress made toward reunification within 12 months of the child's entry into care. b. The social worker has documented in the case plan and contact notes all efforts made toward reunification, adoption or permanent guardianship by kin and the reasons why these goals are not feasible or in the child's best interests. 2. Non-kin adoption may be established as the primary goal if it is determined to be in the child's best interests. The social worker must document in the case plan and contact notes the reasons why non-kin adoption is in the child's best interests. 3. When a child's primary or concurrent permanency goal is non-kin adoption, the CFSA and its contracted agencies shall offer and provide assistance for using services necessary to preserve families subsequent to the non-kin adoption finalization.
	<p>Procedure J: Non-Kin Permanent Guardianship</p> <p>A goal of permanent guardianship with non-kin may be appropriate for a child only after efforts towards the other permanency goals have been exhausted or compelling reasons exist and have been documented showing that all other permanency options are unacceptable.</p> <ol style="list-style-type: none"> 1. Permanent guardianship with non-kin may be established as the primary goal if the following circumstances have occurred: <ol style="list-style-type: none"> a. Either reunification has been determined not to be in the best interests of the child according to the criteria in <i>Procedure F</i> of this policy, or services have been provided to the parents and there has been negligible or no progress made toward reunification within 12 months of the child's entry into care. b. The social worker has documented in the case plan and contact notes all efforts made toward reunification, adoption by kin and non-kin, and permanent guardianship by kin and the reasons why these goals are not feasible and/or in the child's best interests. c. The social worker has documented in the case plan and contact notes the reasons why permanent guardianship with non-kin is in the child's best interests. 2. When a child's primary or concurrent permanency goal is permanent guardianship with non-kin, the CFSA and its contracted agencies shall offer and provide assistance for using services necessary to preserve families subsequent to the permanent guardianship finalization.

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Procedure K: Alternative Permanency Goals

Only in rare situations when the other prioritized permanency goals have been ruled out may case planning involve consideration of legal custody by non-parent or independent living in the form of an APPLA. Social workers should refer also to *CFSA's policy on [Transition Services for Youth](#)*.

1. The goal of APPLA shall be applied only under the following circumstances:
 - a. Agency and/or contracted agency personnel have made the following reasonable efforts:
 - i. To reunify the child with his or her parent(s).
 - ii. To place the child with kin for adoption or permanent guardianship.
 - iii. To pursue a non-kin adoption or permanent guardianship, regardless of the age or special needs of the child.
 - b. The youth is at least 16 years old.
 - c. The Agency has provided ongoing psychological and emotional support for the youth to explore the possibilities either of kin or non-kin adoption and permanent guardianship through opportunities such as therapy, counseling, or peer group discussion.
 - d. The youth has been enrolled in services designed to develop the life skills necessary to achieve independence and the youth has a reasonable expectation of being self-sufficient, including access to supportive services as needed, appropriate housing options, and a self-sustaining income.
 - e. The permanency plan of APPLA is determined to be in the youth's best interests.
 - f. The youth has an established life-long connection with a caring and stable adult who is vested in the youth's well-being.
 - g. The Agency's Director has approved the goal of APPLA (see *the [Establishing the Goal of Alternative Planned Permanent Living Arrangement](#) (APPLA) Policy for more details*).
2. Because legal custody only gives limited rights to the legal custodian, it shall be pursued solely as a permanency goal in very rare cases and must first be discussed with the Deputy Director for Agency Programs or the Deputy Director for Community Services (for private agencies), who shall ultimately be responsible for final approval of this goal.
 - a. Planning for legal custody may only occur under the following circumstances:
 - i. The child is at least 12 years old.
 - ii. Agency and/or contracted private agency personnel have made and documented the following reasonable efforts:
 - a) To reunify the child with his or her parent(s).
 - b) To place the child with kin for adoption or permanent guardianship.
 - c) To pursue a non-kin adoption or permanent guardianship, regardless of the age or special needs of the child.

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	<ul style="list-style-type: none"> iii. The proposed legal custodian has demonstrated a commitment to assuming long-term responsibility for the child. iv. The Deputy Director for Agency Programs has approved the goal of the legal custody. <p>b. The goal of legal custody may be used for a child younger than 12 years old if the Agency or contracted agency has not made adoption efforts and the following circumstances apply:</p> <ul style="list-style-type: none"> i. The child is placed with kin. ii. The kinship caregiver is willing to assume long-term responsibility for the child but has legitimate reasons for not adopting or obtaining permanent guardianship of the child. iii. It is in the child’s best interests to remain in the home of the kinship caregiver rather than be considered for adoption or permanent guardianship by another person(s). <p>c. The permanency goal of legal custody with a permanent caretaker may also be used for children under the following circumstances:</p> <ul style="list-style-type: none"> i. The child’s parents do not have custody based solely on a permanent disability. ii. In-home services for the parent with the disability are not sufficient to enable them to assume care of the child. iii. The parent with the disability nonetheless has a significant and meaningful relationship with the child.
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	<p>Procedure L: Case Plan Content</p> <p>Case plans shall always be strength-based and oriented toward safety, well being, and permanence. As such, plans shall specify the primary permanency goal and outline achievable steps for reaching that goal. <i>Note: all children in out-of-home care with the goal of reunification shall always have concurrent goals and plans in case reunification is not attained or deemed not to be in the best interests of the child.</i> For plans to be most useful in guiding children to permanency, they shall be behaviorally specific, identify what shall be different when the plan has been accomplished, and indicate how progress shall be measured over time.</p> <ul style="list-style-type: none"> 1. When the child remains in the home, the social worker shall meet with the family to create a family plan that includes child-specific components. <ul style="list-style-type: none"> a. The social worker shall include in the planning any other individuals selected and considered by the family to be important (as appropriate) in the permanency and case planning process. b. The following information shall be documented in the family case plan for children remaining in the home: <ul style="list-style-type: none"> i. A family assessment that includes the following information: <ul style="list-style-type: none"> a) The structure of the family. b) The nature and quality of family relationships.
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	<ul style="list-style-type: none"> c) Formal and informal family support. d) Areas that impede family functioning. e) Parent capability. f) Parental commitment to the child. g) Underlying conditions contributing to the maltreatment. h) Specific behaviors to be modified in order to support the child's safety. i) Specific services to be provided to address the needs of family members and support achievement of the case plan goal. <ul style="list-style-type: none"> ii. Assessments of the needs of all children in the family. <p>2. If a child has been removed from the home, the social worker shall meet with the family and other individuals (as defined in #1a above) to create both a child plan and a family plan that complement and coincide with each other appropriately.</p> <ul style="list-style-type: none"> a. The family plan for a child in out-of-home care shall include the same assessment information as stated in #1b (i-ii) above in addition to the following information: <ul style="list-style-type: none"> i. The specific needs of the child and the family as they relate to the child's permanency goal. ii. The following sibling-specific information: <ul style="list-style-type: none"> a) If siblings are placed apart from one another, the family plan shall cite the reasons why. b) Information shall include what efforts are being made to find one placement for the sibling group. c) The plan shall document proposals for ensuring at least twice-a-month visitation between the child and her/his siblings. d) If sibling visitations are not in the child's best interest, the plan shall document the reasons and/or justification. iii. The specific services that will be provided to the child and family if the permanency goal is reunification, including but not limited to all services outlined under <i>Procedure B: In-Home Services</i>. b. The child's case plan shall include the following information: <ul style="list-style-type: none"> i. The child's permanency goal and the reasons for the selection and continuation of that goal. ii. The specific reasons necessitating the child's entering and continuing in out-of-home care. iii. The specific needs of the child and the child's family as they relate to the child's permanency goal. iv. A specific schedule of visitation between the child and the child's parent(s) and other appropriate kin, including siblings (see the Visitation Policy for requirements).
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	<ul style="list-style-type: none"> v. Detailed documentation of the child’s placements and how they are affecting achievement of the permanency goal. vi. The specific services being provided to meet the child’s specific needs. vii. For children 15 and older (regardless of their permanency goal), a written description of the programs and services which are intended to help the child prepare for the transition from out-of-home care. viii. A healthcare plan that includes an explanation of the general services needed and/or planned for the child along with the following information: <ul style="list-style-type: none"> a) The name and address of the child’s health provider. b) A record of the child’s immunizations. c) The child’s known medical problems. d) The child’s medications. e) Supporting data and/or assessments from health professionals. f) Interventions and continuing care proposed by health professionals as substantiated by their reports. g) Evaluations of the results of health care interventions, including defined outcomes and dates. ix. A description of any mental health services to be provided to address the child’s mental health needs, including the following information: <ul style="list-style-type: none"> a) The goals of those services. b) How progress toward goal attainment shall be measured and/or assessed. c) The anticipated achievement date of goals. x. A description of any non-educational specialized services the child is receiving or should receive for each disability, including the following information: <ul style="list-style-type: none"> a) The goals of those services. b) How progress shall be measured and/or assessed. c) The anticipated achievement date. xi. A description of educational services the child is receiving or should receive, including the following information: <ul style="list-style-type: none"> a) The name and address of the child’s educational provider. b) The child’s overall grade level performance. c) The child’s school records. d) Documentation of efforts to retain the child in his/her home school (including provision of transportation to the child’s
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	<p style="text-align: center;">school of origin) or justification as to why this was not in the child's best interest.</p> <p>xii. A specific schedule of service contacts between the child's social worker(s) and the child, the child's parent(s), other appropriate kin, and the foster parents or other caretaker where the child is placed.</p> <p>3. If the goal is no longer reunification, the social worker shall meet with the family and others (as defined in #1a above) to develop a child plan only. The child plan shall always include references to the current role of the parents and the status of siblings.</p> <p>4. Case plans shall include the following information related to service agreements and shall include specific tasks and objectives necessary for achieving the desired permanency goal:</p> <ul style="list-style-type: none"> a. The specific objectives that shall be accomplished by the parent(s), social worker, and others involved (including placement resources) to facilitate successful achievement of the permanency goal. b. An individualized and specific timetable for the provision of the services shall reflect a sense of urgency in meeting goals and for the completion of tasks that shall be provided to the age-appropriate child and family. c. An identification of who shall be responsible for the provision of the specific services. d. A description of reunification efforts (if reunification is to occur). e. The status of the following steps taken if the child's permanency goal is adoption or permanent guardianship: <ul style="list-style-type: none"> i. Location of kin or an adoptive family. ii. Placement of the child in an adoptive home or a permanent guardianship home. iii. Finalization of the adoption or permanent guardianship.
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	<p>Procedure M: Case Plan Reviews</p> <p>In order to ensure timely permanency for children, case plans shall be updated as needed, and reviewed quarterly or more frequently if significant changes occur in the family's situation. Case plans and permanency goals shall also be reviewed every six (6) months during Administrative Reviews (ARs) and/or during team meetings as needed (<i>see Procedure C: Establishing Permanency Goals</i>). Case plans shall always document services offered and progress made toward the permanency goal.</p> <p>1. The child's social worker and supervisor shall have an ongoing responsibility to take appropriate action to ensure the following outcomes, including the initiation of team meetings to address any necessary changes if the outcomes are not being met:</p> <ul style="list-style-type: none"> a. The child's permanency goal is appropriate. b. The child's services and placement are appropriate and are meeting the
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	<p>child's specific needs.</p> <p>c. The parents and children are receiving services specifically outlined by the family case plan and they are progressing towards the specific objectives identified in the plan.</p> <p>d. The provision of services is coordinated to assure the actual delivery of the mandated services in those cases in which there are multiple service providers.</p> <p>2. Case plan updates shall be driven by the safety, permanency, and well-being needs of both the child and his or her family.</p> <p>3. The Agency or contracted agency shall review the case plan as needed, but no later than 90 days of the child's entry into the Agency's physical or legal custody and every 90 days thereafter. All reviews shall consider the case plan in light of CFSA's Practice Model. At a minimum, the review shall address the following components of the case plan:</p> <p>a. The provision of services to the child, the child's parent(s), and the child's caregiver, including the appropriateness, timeliness, and consistency in delivery of services.</p> <p>b. In those cases in which reunification is the permanency goal, the progress the parent(s) have made toward accomplishing the specific objectives that need to be met for the child to safely return home, the progress that still needs to be made, and what barriers, if any, are hindering the parent(s)'s progress.</p> <p>c. The appropriateness of the concurrent permanency goal, the progress toward accomplishing the specific objectives that need to be met for this goal to be achieved, the progress that still needs to be made and what the barriers , if any, are hindering progress to achievement of the concurrent goal.</p> <p>d. The appropriateness of timetables.</p> <p>e. Whether additional or different services are necessary to facilitate achievement of the permanency goal and concurrent permanency goal.</p> <p>f. The appropriateness of continuing the child's permanency goal and concurrent permanency goal.</p> <p>4. The case plan shall also be reviewed and revised to determine the services that might be necessary to support the child and the family before a replacement in out-of-home care or to prevent a replacement in the case of a potential adoption disruption.</p> <p>5. All reviews shall be attended by the Agency or contracted agency social worker and the social worker's supervisor, the child's parent(s), other appropriate kin, and others the family wishes to involve, as appropriate.</p> <p>6. The social worker shall make every reasonable effort to facilitate the participation of the child, birth parent(s), other appropriate kin, and others the family wishes to involve, as appropriate, in case plan reviews. <i>(Contact the Office of the General Counsel and Privacy Office for further questions.)</i> At the very least, the social worker shall make whatever arrangements are necessary to facilitate participation, including assistance with transportation and child care services.</p>
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	<ol style="list-style-type: none"> 7. The social worker shall also invite the foster parent or congregate care provider, the AAG and other professionals (e.g., GAL, nurse care manager) involved with the family and or the child to attend the case plan review or to facilitate their participation via telephone, as appropriate. 8. All parties shall receive notice of the meeting at least seven (7) calendar days before the review is scheduled. 9. Case plans shall be updated (at a minimum) every six (6) months. <ul style="list-style-type: none"> • All significant changes to a case plan shall be updated in FACES and provided to members of the family’s team within one week of the change. 10. The social worker shall facilitate the implementation of all recommendations set forth in the review. The child (if applicable), his or her parents, any participating appropriate kin, and all other participants in the review shall receive and sign a copy of the agreements made. 11. The updates of all reviews shall be documented by the social worker in FACES.
	<p>Procedure N: Changing Goals</p> <p>Before CFSA recommends changing a goal, reasonable efforts shall be made to pursue the primary goal. To facilitate timely permanency for children, the concurrent goal recommendation shall be chosen such that children shall exit care without requiring a subsequent change.</p> <ol style="list-style-type: none"> 1. As outlined in Procedure E of this policy, the child’s concurrent permanency goal is determined through team meetings, based on the social worker’s recommendation for a permanency goal, as determined with the family as well as through the AR review process. 2. As noted above in <i>Procedure C: Establishing Permanency Goals</i>, it is the responsibility of the social worker to present the Agency’s recommendation for permanency goals, including changes in goal, to the Court. <ol style="list-style-type: none"> a. A permanency goal is not official until the Court approves it. b. If the Court makes a decision that the social worker believes is contrary to the best interests of the child, including safety, permanence, and well being, the social worker shall raise the issue to his or her supervisor and to the AAG, and if necessary his or her section chief immediately. 3. If a permanency goal is changed, the case plan shall be updated within one (1) week to reflect the change in goal as well as any activities to support the new goal.
	<p>Procedure O: Reasonable Efforts</p> <p>The social worker shall document efforts to reunify a child with his or her family. Reasonable efforts to reunify can be waived, based on the Court’s findings that (a) the child has been subject to “aggravated circumstances”, such as abandonment, torture, chronic abuse and sexual abuse, and/or (b) a parent has assaulted their child or children or has killed one of the children, or</p>

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	<p>a parent's rights to a sibling have been involuntarily terminated.</p> <ol style="list-style-type: none"> 1. Within 30 days of a waiver based on the above-cited reasons, the social worker shall contact the AAG to arrange for a permanency planning hearing to be held. 2. The social worker shall document in FACES that the case is ongoing and that concurrent planning has occurred. 3. The social worker shall document in FACES the goal for the child and that the goal will suitably address the child's safety and wellbeing.
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	<p>Procedure P: Relinquishment of Parental Rights</p> <p>Parental rights are relinquished when a birth or legal parent voluntarily releases all authority, parental, and legal rights over the child. Following a relinquishment, CFSA becomes the child's legal guardian. <i>All relinquishments and any revocations must be filed with the Court.</i></p> <ol style="list-style-type: none"> 1. The relinquishment process differs slightly for committed children than for those who are still at home. In all cases, the ongoing social worker must document the following information in FACES: <ol style="list-style-type: none"> a. Work done to prevent placement and reunify the child with parents or a relative. b. Reasons the actions were unsuccessful. <i>Note: no relinquishment may be accepted within the first 72 hours after a child's birth.</i> 2. Before accepting a parent's relinquishment for a child who is not committed to CFSA custody, the ongoing social worker shall complete the following tasks: <ol style="list-style-type: none"> a. Carefully evaluate the entire situation and determine whether relinquishment is in the best interest of the child. b. Consult with the ongoing supervisor and program manager throughout the relinquishment process. c. Conduct at least one pre-relinquishment counseling session if the parent is an adult and at least four sessions if the parent is a minor or has a disability which affects the parent's ability to understand the consequences of relinquishment. All sessions shall be documented in FACES and shall include the following discussions: <ol style="list-style-type: none"> i. The ability of both parents to care for the child. ii. Alternative services that might enable the child to remain in the home, including but not limited to psychological and emotional counseling to both the parent and the child per DC Official Code § 4-1406(b). iii. Consequences of relinquishment, specifically severing all legal rights to the child and the transfer of those rights to CFSA on behalf of the District. iv. The limited information to which a parent may be entitled in the future, including discussion of the foster care registry. v. Possible future contact to supplement family information for the
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	<p>Court (for example, if a birth mother originally refused to name the birth father or to sign an affidavit stating that she has no knowledge of the identity of the birth father but then provides the information).</p> <ul style="list-style-type: none"> vi. CFSA's or the contract agency's role in caring for the child until a suitable adoptive home is identified. vii. The ongoing social worker's responsibility to obtain a relinquishment from both parents and the fact that the social worker must refer the parents to the Diligent Search Unit if one of the parents cannot be found. viii. The requirement that each relinquishment be signed in the presence of the social worker and at least one witness, including picture identification or verification and notarization. ix. The relinquishment shall be submitted (or forwarded by the contracted agency when applicable to a ward of CFSA) to CFSA's Out-of-Home and Permanency Administration for filing with the Court. x. The parent shall be informed that there is a 10-day revocation period, during which the parent may change his or her mind about the relinquishment and regain parental rights by providing written notice to CFSA of their Intention to Revoke. <ul style="list-style-type: none"> • If the 10th day falls on a weekend or legal holiday, the parent may submit the written revocation on the next business day. xi. Following the 10-day revocation period, a relinquishment may be reversed only by Court order. xii. A second relinquishment by the same parent for the same child will not be accepted for at least 30 days. <ul style="list-style-type: none"> • The second relinquishment is irrevocable unless the Court finds that the relinquishment was not voluntary. <ul style="list-style-type: none"> d. If the parent is a committed ward, the parent's attorney shall be involved in the process, unless waived by the parent, even if the child being relinquished is not in CFSA's care. e. When a parent wants to relinquish their parental rights for a child in CFSA custody, the ongoing social worker shall advise them to consult their attorney before proceeding with the relinquishment process. The parent may waive this consultation, but CFSA must advise them to consult and immediately notify the attorney of the parent's choice. If the parent is a committed minor, the parent's attorney shall be involved in the process. f. The child's ongoing social worker shall complete the following tasks no later than 15 business days after the child's permanency goal has become adoption: <ul style="list-style-type: none"> i. Confirm the parent's intent to relinquish and sign all documentation in the presence of the parents' attorney, unless waived by that attorney. ii. Make every effort to obtain a relinquishment of parental rights
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from both of the child's parents.

iii. Renew or initiate a diligent search for any parent whose whereabouts are unknown and begin, in conjunction with the AAG, the process of documenting search efforts.

3. If the parent or parents intend to relinquish, the social worker shall then follow the requirements for evaluation and counseling found in relinquishment of children who are not in care.

Procedure Q: Termination of Parental Rights (TPR) Proceeding

TPR proceedings are one stage of an abuse or neglect case. The proceedings may only begin by a motion filed either by an AAG or the child's guardian *ad litem* (GAL).

1. The TPR serves two purposes:

a. In the event that the parent does not consent to a specific adoption or has not relinquished their rights, a TPR shall be necessary to expedite permanency.

b. When a child's goal is adoption but no prospective adoptive parents have been identified, the TPR can assist in the recruitment process. *Note: Many people are reluctant to accept at-risk pre-adoptive placements. A TPR severs the birth parent-child relationship at an early point, so the risk of legal disruption to a placement is minimized.*

2. When in the best interest of the child, a TPR may be pursued under the following circumstances:

a. At least 6 months have passed since a child was adjudicated neglected and the child is in the court-ordered custody of CFSA.

b. Immediately upon adjudication when despite reasonable efforts to do so, the parent could not be located for the fact-finding hearing nor during the period from the child's removal from the home to the fact-finding hearing per DC Official Code §16-2354 (b)(2).

3. A TPR shall be filed by the AAG upon the occurrence of any one of the following conditions:

a. The child has been in court-ordered custody under the responsibility of CFSA for 15 of the most recent 22 months, unless the following circumstances apply:

i. The child is being cared for by a kinship caregiver and adoption is not the child's permanency plan.

ii. A compelling reason exists to not seek a termination for parental rights.

iii. CFSA has not provided reasonable efforts to reunify.

b. The Family Court has determined the child to be abandoned.

c. A court of competent jurisdiction has determined that the child's parent has committed one or more of the following acts:

i. Murder of the child's sibling or another child.

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	<ul style="list-style-type: none"> ii. Voluntary manslaughter of the child's sibling or another child. iii. Aided or abetted, attempted conspired or solicited to commit such a murder or voluntary manslaughter. iv. Felony assault that has resulted in a serious bodily injury to the child, the child's sibling or another child. <p>d. The Family Court has determined that the child's parent has subjected the child to intentional and severe mental abuse.</p> <ul style="list-style-type: none"> i. Within 45 days of the child's permanency goal becoming adoption, unless the parent has consented to the adoption, the parent has relinquished their rights, or if the prospective adoptive parent has filed an adoption petition.
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ATTACHMENT A

The Court's Role in Permanency

The District of Columbia Family Court ("Court") has jurisdiction over children alleged to be neglected, including alleged to be abused. As part of its responsibility, the Court makes the final decision on permanency for a foster child.

The Court does not make its decision alone. The ongoing social worker is responsible for providing the Court with information necessary for the Court to approve the permanency plan that CFSA has presented. The social worker must advise the Court of the Agency's conclusion as to what permanency plan is in the child's best interests, why that plan is best, and how the Agency will put the plan into effect.

Decisions about permanency are made by the Court at four hearings:

(1) DISPOSITIONAL HEARING: the hearing at which the Court determines who will have custody over a neglected child and the services that will be provided to the child and family.

Scheduling - The dispositional hearing occurs following the fact-finding hearing (the hearing that determines whether the allegations of a petition alleging a child to be neglected are true). The dispositional hearing may be combined with the fact-finding or, for good cause, held separately.

Social worker's role - The social worker must prepare the pre-dispositional report and recommendations for the Court's review. The Court may accept, modify or reject the report. If rejected or if major modifications are made, the social worker must submit a revised report. The social worker is responsible for providing the Court with accurate and up-to-date information on the child and family.

(2) REVIEW HEARING: the hearing at which the Court reviews the child's circumstances to determine the following issues:

- a. The child's safety.
- b. Whether the current placement is necessary and appropriate.
- c. Compliance with the case plan.
- d. Progress towards lessening the conditions that lead to the foster care placement.
- e. Identifying a likely date by which the child may be either returned home safely or placed for adoption or permanent guardianship.

Scheduling - A review hearing must be held at least every six months for as long as the child remains in an out-of-home placement, unless the child has received a permanency hearing within the past six months. If the child is not in an out-of-home placement, the review hearing is held every year.

Social worker's role - The social worker is required to submit a report to the Court at least ten days prior to the hearing. If the child is in the custody of anyone other than a parent, the report must include the estimated time until the child can be returned to the home and whether the Agency has initiated or intends to initiate the filing by the Office of the Attorney General of a motion requesting the termination of parental rights and, if not, any reasons why it does not intend to initiate the filing of the motion. Again, the social worker is responsible for providing the Court with accurate and up-to-date information on the child and family. The report should make clear to the Court the efforts made to implement the permanency plan and any problems or issues that have been identified that may hinder the child's achievement of that plan.

(3) PERMANENCY HEARING: the hearing that determines the permanency plan for the child.

Scheduling - There are two circumstances that require holding a permanency hearing. First, a permanency hearing must be held within 12 months after the child's entry into foster care and at least every six months

thereafter, for as long as the child remains in an out-of-home placement. Second, if the Agency has determined that reasonable efforts to reunify the family are not required, a permanency hearing must be held within 30 days after that determination is made. *Note: Entry into foster care is considered to be 60 days from the date of removal from the home or the day a child is adjudicated neglected, whichever is earlier.*

Social worker's role - As with the review hearing, the social worker is required to submit a report to the Court at least ten days prior to the hearing. It is important that the report tells the Court the specific permanency plan that the Agency has concluded is in the child's best interests and why the Agency has made that decision. It is equally important that the report advise the Court of the Agency's strategy for implementing that permanency plan.

(4) TERMINATION OF PARENTAL RIGHTS HEARING: the hearing that determines whether to end the legal relationship between a child and parent, and thus free the child to be adopted.

Scheduling - The termination of parental rights (TPR) motion may be filed (after a child has been determined to be a neglected child in a fact-finding hearing) when: 1) at least six (6) months after the fact-finding hearing when the child is in the court-ordered custody of a department, agency, institution, or person other than the parent; or 2) immediately when, despite reasonable efforts, the parent could not be located for the fact-finding hearing and during the period from the child's removal from the home to the fact-finding hearing; or 3) with certain exceptions (addressed below), the TPR motion must be filed by the District in any one of the following circumstances:

- a. The child has been in court-ordered custody under the responsibility of the District for 15 of the most recent 22 months.
- b. The Court determined the child to be abandoned.
- c. The Court determined that the parent committed any one of the following:
 - i. Murder of a child sibling or another child.
 - ii. Voluntary manslaughter of a child sibling or another child.
 - iii. Aiding, abetting, attempting, conspiring, or soliciting to commit the murder or voluntary manslaughter of a child sibling or another child.
 - iv. Felony assault that resulted in serious bodily injury to the child who is the subject of the petition, a child sibling, or another child.
- d. The Court determined the child to be subject to intentional and severe mental abuse.

The District is not required to file the TPR motion if the Agency determines and documents in the case plan the following circumstances:

- a. The child is placed with a licensed foster parent who is kin to the child and adoption is not the child's permanency plan.
- b. There is a compelling reason documented in the case plan why filing the TPR motion would not be in the child's best interest.
- c. Reasonable efforts to reunify the child with the family were required and the District did not offer or provide such services.

Social worker's role - The social worker plays two vital roles in the TPR hearing. First, the information the social worker provides the Court in the TPR hearing will be the basis for the Court's decision whether to terminate the parents' rights. Second, at the same time that the court case is proceeding, the Agency is required to find and approve a qualified family to adopt the child. The social worker's assistance in the process is necessary to ensure that a home is identified and approved.

ATTACHMENT B

ASFA Timelines

Action	Date	Cite
Removal of child from the home	Day 1	NA
Entry into foster care	The earlier of-- (i) the date of the first judicial finding that the child is abused/neglected; or (ii) 60 days after the date the child is removed from the home	42 USC § 675(5)(F) DC Official Code § 4-1301.02(9)
Permanency hearing	Within 30 days after the determination that reasonable efforts to reunify the family are not required	42 USC §671(a)(15)(E)(i) DC Official Code § 4-1301.09a(e)(1), 16-2323(a)(3)
File TPR pleading	If, despite reasonable efforts, parent could not be located for the fact-finding hearing and during the period from child's removal from the home to the fact-finding hearing.	DC Official Code § 16-2354(b)(2)
File TPR pleading	If a court determined child was abandoned, parent committed certain crimes, or child was subject of intentional and severe mental abuse	DC Official Code § 16-2354(b)(3)(B), (C) and (D)
Periodic review	At least once every 6 months	42 USC § 675(5)(B)
Periodic review	At least once every 6 months, while child is in an out-of-home placement, unless there was a permanency hearing in the past 6 months	DC Official Code § 16-2323(a)(1)
File TPR pleading	May be filed at least 6 months after the fact-finding when the child is in the court-ordered custody of a department, agency, institution, or person other than the parent	DC Official Code § 16-2354(b)(1)
Permanency hearing	No later than 12 months after the child's entry into foster care	42 USC § 675(5)(C) DC Official Code § 16-2323(a)(4)

Action	Date	Cite
Permanency hearing	At least every 6 months after the initial permanency hearing	DC Official Code § 16-2323(a)(4)
Periodic review	At least once every year if the child is not in an out-of-home placement	DC Official Code § 16-2323(a)(2)
Time-limited family reunification services	Provided during the 15 months after the child entered foster care	42 USC § 629a(a)(7)(A)
File TPR pleading	Child has been in foster care under the responsibility of the State for 15 of the most recent 22 months	42 USC § 675(5)(E))
File TPR pleading	Child has been in court-ordered custody under the responsibility of the District for 15 of the most recent 22 months	DC Official Code § 16-2354(b)(3)(A)
Permanency hearing	At least every 12 months after initial permanency hearing	42 USC § 675(5)(C)