



Administrative Policies and Procedures: 16.59

Subject:	Disclosure of Legal Options and Available Services for Relative or Kin Caregivers
Authority:	TCA 37-5-106, 37-1-801, 37-1-802, Adam Walsh Child Protection and Safety Act of 2006, Fostering Connections to Success and Increasing Adoptions Act of 2008, Indian Child Welfare Act of 1978 (ICWA).
Standards:	COA: CFS 8.02, CFS 13.02, 13.03, 14.02, 14.05, 23.03, 24.08, CFS 25, CFS 26, CFS 31
Application:	To all CPS, Foster Care, Juvenile Justice and Relative Caregiver staff
Policy Statement:	
In accordance with DCS Policy 16.46, Child/Youth Referral and Placement , placement with a relative or kin who can provide safety, permanence and ensure well-being for a child/youth shall be preferred over that of a non-relative. DCS staff must inform relative/kinship caregivers of their options and associated support services, prior to entering a safety plan or placement agreement, and throughout the life of the case.	
Purpose:	
The purpose of this policy is to reduce trauma to children removed from their homes and increase placement stabilization and to inform relatives or kin of the legal options and support services that are available to support them in helping children regain their sense of permanence, safety, and well-being.	
Procedures:	
A. Pre-Placement	<ol style="list-style-type: none"> 1. When a child comes to the attention of the Department and is at-risk of or the victim of abuse or neglect and in need of out-of-home care, it is the responsibility of Departmental staff to engage the family in identifying relatives or kin who may be willing to serve as a placement resource. Staff makes reasonable attempts to contact the relatives or kin and assess their appropriateness to serve as a resource. 2. Whenever contact is made with a relative or kin, DCS initiates discussion regarding the potential relative's or kin's legal options and support services should they provide a placement for the child. As part of this discussion, the worker shows the potential relative or kin the Disclosure of Legal Permanency Options Video and the Guide to Full Disclosure of Permanency Options. Following this discussion the worker asks the relative or kin to sign form CS-0660, Full Disclosure Statement – Permanency Options for Relative or Kin Caregivers acknowledging they have received this information. This may occur at any Child and Family Team Meeting (CFTM), home visit, court contact, Foster Care Review Board meeting, family

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	<p>outing/visitation, etc. DCS staff may need to revisit this conversation several times for relatives or kin to understand their options. This discussion must occur prior to the initial placement of a child in the home of a relative or kin.</p> <p>3. The caregiver and their home must be assessed in order to ensure that the placement is safe and in the best interest of the child, and to assist the family in deciding which option is best for them.</p>
<p>B. Considerations in assessing legal options for relative caregivers</p>	<p>When exploring permanency options with a family, the following should be considered:</p> <ul style="list-style-type: none"> ◆ The likelihood of reunification with birth parent(s) and identifying the role DCS staff and the caregiver or kin have in achieving that goal. ◆ The relationship the relative or kin caregiver has with the birth parents, their ability to manage parental visitation and ability to ensure the child's safety. ◆ The relative or kin caregiver's current financial situation to determine if additional resources are needed in order to ensure the safety, permanency, and well-being of the child. ◆ The level of involvement and types of services that will need to be provided by DCS to the relative or kin caregiver and child in care in order to maintain safety, permanency, and well-being. ◆ The level of support and types of services that will be needed should the relative or kin agree to assume legal responsibility. ◆ The most appropriate and least restrictive environment that promotes safety, permanency, and well-being.
<p>C. Available Options and Services</p>	<p>Available options for relative and kin caregivers can be found in the Guide to Full Disclosure of Permanency Options.</p>
<p>D. Children of Native American Heritage</p>	<p>For cases that involve the placement of children of Native American heritage, please refer to DCS Policy 16.24, Children of Native American Heritage.</p>
<p>E. Documentation</p>	<p>The relative or kin caregiver and staff must sign and date form CS-0660, Full Disclosure Statement – Permanency Options for Relative or Kin Caregivers indicating that permanency options were explained and a copy of the Guide to Full Disclosure of Permanency Options was provided. DCS staff must provide the relative or kin a copy of form CS-0660 and upload the document to the electronic record. DCS staff must document this discussion with the relative or kin in case recordings.</p>

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Forms:	<u>CS-0660, Full Disclosure Statement – Permanency Options for Relative or Kin Caregivers</u>
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Collateral documents:	<p><u>Guide to Full Disclosure of Permanency Options</u> <u>Disclosure of Legal Permanency Options Video</u> <u>Becoming a Family Caregiver for a Child in Your Family</u> <u>Protocol for Subsidized Guardianship Case Planning</u> <u>CS-0817, Power of Attorney for Minor Child</u> <u>CS-0913, Revocation of Power of Attorney</u></p> <p>(Note: The Power of Attorney (POA) forms are not DCS forms but are standard POA forms for DCS use as mandated by the Legislature. They can be accessed through the above links or on the DCS Intranet).</p>
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