The Philadelphia Department of Human Services
Children and Youth Division
Policy and Procedural Guide

Issue Date: October 21, 2009

TO: All CYD Staff and Provider Staff

FROM: Dell Meriwether, Deputy Commissioner, CYD
Pamela Mayo, Operations Director

RE: Identification and Notification of All Adult Relatives of a Child's Removal from Parent/Guardian

Effective: Immediately

Purpose
The purpose of the guide is to inform CYD and provider staff of the new requirement to use **due diligence** to identify and notify **all adult relatives** of a child who has entered or is entering placement. This guide will:

- explain CYD policy and procedures to be used to identify relatives and determine which relatives must be contacted;
- explain the procedure by which identified relatives must be notified; and
- explain what to do once relatives respond and acknowledge their desire to be involved with the child who has been, or is about to be, removed from the home.

Discussion
As a result of the Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351), 42 U.S.C. section 671 (9)(a) (29), Title IV-E agencies are required to exercise due diligence to identify and notify all adult relatives within **30 days of the child's removal from the home**, giving relatives the opportunity to be considered as a **resource** (permanency, placement, **life connection**) for the child. CYD practice has been to seek relatives who are deemed appropriate as caregivers; however, the Act goes beyond the expectation of seeing the relatives only as caregivers, in that CYD does not have to intend to place the child with the relative in order to notify the relative. Regardless of whether a relative would be a suitable caregiver, s/he must still be notified that the child is entering or has entered placement to meet the requirement of the law.

Definitions:

Relatives- Includes all family members, 21 years old or older, related to the parent of the child being removed to the 1st, 2nd, and 3rd degree by blood and/or marriage. This will include all parents, step-parents, adult siblings, maternal and paternal: aunts, uncles, and grandparents, great grandparents, great uncles, great aunts, and first cousins.

Kin- An individual who has a relationship with the child or the child's family. This individual is related to the child through blood or marriage, is a godparent as recognized by an organized church, is a member of the child's tribe or clan, or has a significant positive relationship with the child or the child's family.

Due Diligence- Social Workers must use a measure of prudence or persistent effort to find relatives who are in the area and/or in distant communities or states.

Resource- Prevention of placement is the primary purpose of seeking out relatives; however, in the event placement cannot be prevented, relatives and/or kin should be considered first as a placement resource for a child. Relatives with whom the child was not placed are still given the opportunity to participate in the care of the child. Relatives could also be added to the Family Service Plan (FSP) to assist with either expediting the return to the home from which the child/ren were removed, or being an alternative respite placement or a life connection resource.

Life Connection- A relative with the ability to participate in a child's placement in other important ways, such as by maintaining a relationship with the child through weekend visits or taking the child to doctor's appointments, extracurricular activities or visits with birth parents and/or siblings, etc.

Policy

All CYD staff and provider workers are required to use due diligence to identify all adult relatives of a child being removed from the custody of his/her parents/caregivers.

When identifying relatives, CYD staff will gather all necessary information at the initial time of placement and on-going as information continues to be gathered throughout the life of the case. Provider workers will gather all adult relative information once the child has been placed with their agency and they will continue to gather information throughout the life of the case, while continuing to update the CYD SW within the prescribed timeframes. The information to be gathered will consist of the relatives': date of birth, social security number, current and/or last known address. The parent/caregiver from whom the child is being removed, and a child over the age of 14 (who provides information), must be requested to sign the form, validating that the information given is in fact true and complete to the best of their knowledge.

CYD staff **must** notify all adult relatives within 30 days from the date the child was placed, but should notify all adult relatives of a child who is about to be removed from his/her parents' home or care as soon as the need for removal becomes known. It remains CYD policy that CYD staff and provider worker staff seek out kin who can be valuable resources to the child's care. However, the notification requirement only applies to adult relatives as defined above.

- If SWs have a reasonable belief that a relative or kin pose a risk to the child or parent/caregiver, such as in cases of domestic violence, then notification should not be provided to those relatives, including bio-parents. Exclusion from receiving notification should not be automatic, unless the parent/caregiver and child are afraid of the relative and/or have been victimized by them in the past. The reasons for any exclusion from receiving notification should be documented in the family and child case record.
- If additional relatives are identified after 30 days from the date of placement, the provider staff must forward that information to the CYD SW within 7 calendar days. The CYD SW and supervisor can determine, on a case-by-case basis, whether to notify a later-identified relative.

In the event that relatives are identified, but their addresses are unknown, or mail has been returned due to an incorrect address, the CYD SW must request an **electronic**[1] search. In order to meet the due diligence requirement, this last step is crucial.

The CYD SW will respond to all relatives and kin who come forward on behalf of a child/ren. SWs are obligated to make sure that all relatives or kin being considered as resources meet the clearance requirements of the CPS law and all other CYD regulations and policies. If placement with a relative or kin is not possible, then relatives may be able to participate in the child's care in other important ways; for example, they can maintain a relationship with the child, take the child to doctor's appointments, extracurricular activities or visits with birth parents, etc.

[1] Procedural guide describing process for accessing Accurint program will be forthcoming.

Relatives may also inform SW how they feel they can be of assistance with regard to the child in placement.

Confidentiality must be observed. Information regarding why a child came into placement must not be shared with relatives. During every FSP review, the CYD SW will review the relative information gathered during the first stages of placement to assure that the information continues to be accurate and current.

Procedure

1) *When the CYD SW determines that a placement will be necessary, the CYD worker must complete the* ***Family Information Form (FIF)*** *(attachment C) and submit this form with the CRU referral packet. The CYD SW will continue to gather information on relatives and send notifications up to 30 calendar days after the child has been placed. If information has been gathered after 30 calendar days, the CYD SW and supervisor can determine, on a case-by-case basis, whether to notify a later-identified relative.*

2) *Once the child has been placed, it will be the primary responsibility of the provider worker to forward the FIF to the CYD SW. The Provider Worker will forward the FIF to the CYD worker within 3 calendar days of learning the information. If the Provider Worker learned the information after the 30th calendar day of placement, then the provider must forward the information within 7 calendar days to the CYD SW. The CYD SW will in turn make every effort to inform the provider worker, in a timely manner, of any new information gathered about relatives, to avoid as much duplication as possible.*

3) *If more than one child has been placed, and they have different fathers, then the CYD SW and Provider SW will need to gather information on paternal relatives of each child; therefore, an additional Family Information Form may need to be used in these instances. This form must be placed in the case record.*

   Methods of identifying relatives
   - *Interviewing the care giving parent(s) from whom the child is being removed*
   - *Interview all school age children in the household*
   - *Interview any other adults in the household at the time of removal*
   - *Interview other known provider worker/caseworkers, known adult kin, and/or relatives of the child/ren before child is placed or at the time of placement or within 24 hours of child/ren being placed.*
   - *Review case file (open and closed), FACTS, JPO, etc.*
   - *Interview the probation officer for children who were in the delinquent system.*

4) *CYD SW will notify relatives, once they have been identified. The CYD SW must use the* ***State Standardized Notification Letter*** *(attachment B) along with the CYD* ***Standardized Cover Letter*** *(attachment A) to notify relatives that the child/ren are unable to live at home and they are being invited to participate in the planning process. Copies of all notifications are to be put into the family section of the case record. There is an exception to the notification, if that relative poses a risk to the birth parent or child. This must also be documented in the case record.*

5) *When relatives contact the CYD SW stating they wish to be involved after a child has been placed, the CYD SW should:*
   - *Gather all identifying information from the relative for the purposes of completing clearances*
   - *Discuss with the relative how they wish to be involved with the child/ren in placement*
   - *Discuss with the supervisor and administrator for next steps*

6) *The CYD SW must request the Accurint (****electronic)*** *search when the address of the relative is unknown or within 24 hours of mail being returned to the CYD SW due to an incorrect address. When requesting an Accurint search, the SW should have the following information: the name, date of birth, social security number, and the last known address of the person being searched. The minimum requirement to complete an Accurint search is the person's full birth name and/or married name.*

7) *Once the* ***Accurint*** *search results have been received, the CYD SW must follow up by sending the notification to the relative. Regardless of whether addresses for additional relatives have been identified, the CYD SW will insert the* ***Accurint*** *search results information into the case record, in the*

family section, for documentation purposes.

Attachments:
Standardized Cover Letter– attachment A
State Standardized Notification Letter – attachment B
Family Information Form – attachment C

Questions regarding this Policy and Procedure Guide may be addressed to:

Patricia C. Ripoll, Policy and Planning Program Administrator x4112
Janice Jervay, Policy and Planning Program Supervisor x4115
Rosemarie Jackson, Policy and Planning Program Analyst x4122

Attachment A

CITY OF PHILADELPHIA

DEPARTMENT OF HUMAN SERVICES
1515 Arch Street, Philadelphia, PA 19102
215-683-4DHS (4347)
www.phila.gov/dhs

Commissioner

ANNE MARIE AMBROSE

Deputy Commissioners

CYNTHIA FIGUEROA
SUSAN KINNEVY
MARK MAHER
DELL MERIWETHER

Date:

NAME
ADDRESS
CITY,STATE,ZIP

Re: Invitation to be involved with the child/ren:

DHS #: [Enter DHS #]
Child Name and Suffix: [Enter Each Child's Name and Suffix]

Dear [Enter Relative's Name]

According to federal law, the Department of Human Services (DHS), Children and Youth Division, must provide all adult relatives with the opportunity to participate in the care and/or involvement of the child/ren mentioned above. Enclosed is a detailed letter inviting you to be a kinship provider, which would give you the opportunity to be considered as a placement resource for [Name of Child/ren].

[Enter Name of Child/ren] is/are being placed on [Enter Date], or has/have already been placed on [Enter Date]. If you would like to be involved with the child/ren, and discuss in detail what that means to you and the child, then please call the assigned DHS social worker [Enter SW's Name] as soon as possible upon receipt of this letter.

Consistent with the Child Protective Services Law, parental rights to confidentiality will be respected.

I look forward to hearing from you at your earliest convenience, since time is of the essence. This invitation will also be sent to other known relatives to this child.

The supervisor and social worker team assigned to provide service to the family on the above named child/ren are listed below.

Sincerely

Social Worker
(215) 683-

Social Work Supervisor

(215) 683-

cc: file

CITY OF PHILADELPHIA

DEPARTMENT OF HUMAN SERVICES
1515 Arch Street, Philadelphia, PA 19102
215-683-4DHS (4347)
www.phila.gov/dhs

Commissioner
ANNE MARIE AMBROSE

Deputy Commissioners
CYNTHIA FIGUEROA
SUSAN KINNEVY
MARK MAHER
DELL MERIWETHER

Caseworker: _____ **Phone #:** _____

Caseworker Supervisor: _____ **Phone #:** _____

Child(ren)'s Name(s): _____ **Date:** _____

Notification for Kinship Caregiver Opportunity

You have been identified as a kinship relation to the above identified child(ren), who cannot remain in the care of their parents(s). This letter will serve as notice of your opportunity to express interest in being considered as a placement resource for the child(ren). Please take the time to read over the following information so that you may decide whether or not you wish to pursue becoming an approved caregiver for this child(ren). We will be happy to answer any questions you have about the information provided, but you will need to respond to us as soon as possible in order to be considered.

Kinship care is the full-time nurturing and protection of a child who is separated from his/her parents and placed in the home of a caregiver who has an existing relationship with the child and/or the child's family. In most cases, a kinship caregiver is a relative of the child by blood or marriage, but kin may also include members of a tribe or clan, a godparent through a recognized church or someone who has a significant relationship with the child or the family.

When the county agency has legal custody of a child, and out-of-home placement is made with a kinship caregiver approved as a resource parent to provide foster care for the child, the arrangement is termed 'formal kinship care'. ('Informal kinship care' occurs when families agree to private arrangements for kin to provide care for a child, and the county agency does not take legal custody of the child.)

When a child is in the custody of the county agency, and placement is planned with a kinship caregiver, the caregiver must meet all of the foster care approval requirements of the foster family care agency as well as those set forth in Title 55 Pa. code, Chapter 3700 (relating to Family Foster Care Agency).

Unless you are already an approved resource parent, if you choose to become an approved caregiver for the child(ren), the county agency or a private foster family care agency will complete an assessment of you and your home. If the child(ren) who is in the custody of the county agency was placed with you on an emergency basis, in order for the child(ren) to remain in your care, resource parent approval must occur **within 60 days**. The county agency or private foster family care agency will assist and guide you through this process. If you are approved as a resource parent, you can receive foster care maintenance payments for the care of the child(ren).

You must meet the following foster care requirements set forth in Chapter 3700 in order to become an approved resource parent:

- Be at least 21 years of age;
- Have a medical appraisal performed by a licensed physician to establish that you are physically able to care for the child(ren) and are free from communicable disease;
- Complete a criminal background record, including an FBI check, and child abuse clearance to

If you have a question, complaint, concern, or suggestion about DHS and its operations
call the Commissioner's Action Response Office at 215-683-4DHS (4347)
or visit our website: dhs.phila.gov and click on the "suggestions" link.

determine the existence of certain criminal offenses and/or history of child abuse;

- Undergo at least two interviews with a caseworker. The purpose of these interviews is to enable the agency to assess the following:
    - Your ability to provide care, nurturing and supervision to the child(ren) and to protect the child(ren) from abuse or neglect;
    - Your mental and emotional stability;
    - Your supportive ties within the community;
    - Your own relationships;
    - Your ability to work in partnership with the agency, the child(ren) and his/her family; and
    - Your ability to discipline the child(ren) without using physical or corporal means.
- Consent to agency inspection of your house to make sure it meets all of the requirements for foster family residences, including:
    - Safety caps on electrical outlets;
    - Poisonous materials marked and not accessible to children;
    - An operable portable fire extinguisher;
    - Heating devices which have been properly installed and maintained;
    - Emergency telephone numbers posted adjacent to the telephones;
    - Operable smoke detectors;
    - Separate and adequate bedroom space for the child;
    - Drinkable well water (if you have a well, it must be tested);
    - An operable heating system; and
    - An operable telephone.
- Supply several references, (these may include your family physician, family members, neighbors and other unrelated persons);
- Complete an orientation program for new resource parents;
- Cooperate with an annual re-evaluation.

To be an approved resource parent you must meet all of the above requirements. However, in any case in which a non-safety related requirement cannot be met, making home approval difficult (a health problem, for instance), our office may request a waiver. A waiver request is possible for any regulatory requirement that would not affect the health, safety or rights of the child. Such a request would be submitted to the Department of Public Welfare for approval.

In some situations, we may conduct an initial home visit and assessment and recommend that the child(ren) be placed with you while a full home assessment is being completed. If such a placement occurs, you must obtain criminal, FBI and child abuse clearances from the appropriate offices **immediately** upon placement of the child(ren). Our agency will provide you with the necessary forms and direction. You are eligible for payment of the child(ren)'s care during this period.

If these clearances are not returned to you within **60 days** of the initial placement of the child(ren), your home cannot be approved. During this 60 day period, if the rest of the home assessment, including training requirements, is not completed, your home cannot be approved. **These timetables are important to remember.**

Not all applicants are approved. If you do not, or your home does not, meet regulatory requirements at the time of the home assessment, we will notify you that we cannot approve you as a resource parent. If you are not approved as a resource parent, you have the right to appeal the decision to the Department of Public Welfare. Should this situation arise, we would provide you with notice of your right to appeal. If you are not approved as a resource parent, the child(ren) may not be able to remain in your care while in the legal custody of the county agency unless ordered by the court.

If you are not approved and still want to provide care to the child, an option would be to transfer custody of the child(ren) to you giving you legal guardianship. Should this occur, financial support and medical coverage may be available either directly from the parents or through the County Assistance Office (CAO). This would include Temporary Assistance for Needy Families (TANF) benefits. The phone number for the local CAO is [Insert Local CAO Phone Number]. The CAO worker will assist you in determining what benefits are available. Our agency will remain available to assist you in this process.

If you have a question, complaint, concern, or suggestion about DHS and its operations
call the Commissioner's Action Response Office at 215-683-4DHS (4347)
or visit our website: dhs.phila.gov and click on the "suggestions" link.

If you are approved as a resource parent, you can expect the following to occur:

- You are eligible to receive the same foster care maintenance payments as a non-relative/non-kin resource parent for the care of the child(ren). In addition, a Pennsylvania Medical Assistance Card or HMO Membership Card may be available to the child(ren) to cover medical costs.
- You may work with more than one caseworker. One may be a coordinator who will meet with you periodically after your home assessment is completed to assist you in understanding your role as a resource parent with our agency and providing you with support services. Another case worker may work with you, the child(ren) and the child(ren)'s parents towards the short and long-term goals of placement and permanency for the child(ren). You will see one of these workers at least monthly.
- You will be expected to be the primary caregiver to the child(ren) and to work with the agency and the child(ren)'s family around visitation and planning for the child(ren). This expectation includes participation in service plans, ongoing team meetings, and court hearings if requested. You will need to keep the agency aware of all contact between the child(ren) and his/her parents. You will care for the child(ren) as a parent would, working at all times to nurture and meet his or her developmental needs.

Formal kinship care, as is true for all types of substitute care, is intended to be temporary. Out-of-home placement allows the family a reasonable period of time to correct the circumstances that resulted in the placement of the child(ren). The agency has a duty to work toward the most permanent home possible for the child(ren) in the most timely manner possible, as a result, the agency conducts concurrent planning, a practice that plans for family reunification while, at the same time, plans for an alternate permanency option. A permanency plan is developed as soon as a child is placed in foster care.

Permanency plan options include the following:

- Return home;
- Adoption;
- Placement with a permanent legal custodian;
- Placement with a fit and willing relative; and
- Another planned placement that is intended to be permanent.

The information provided to you is intended to assist you in making decisions regarding your willingness and ability to provide kinship care or permanency to the child(ren). Should you have further questions, you may contact the caseworker or supervisor listed on the first page of this letter.

If you have a question, complaint, concern, or suggestion about DHS and its operations
call the Commissioner's Action Response Office at 215-683-4DHS (4347)
or visit our website: dhs.phila.gov and click on the "suggestions" link.

FAMILY INFORMATION FORM

Child's name and suffix: **Date of removal:**		**Social Worker who gathered information:** **Source:**	
INPUT ALL AVAILABLE INFORMATION WHILE IN THE HOME **NAME**	**DATE OF BIRTH/ Approximate Age if DOB is unknown**	**SSN**	**CURRENT/LAST KNOWN ADDRESS**
Mother:			
Father:			
Siblings **A.** **B.** **C.** **D.** **E.**	 **A.** **B.** **C.** **D.** **E.**	 **A.** **B.** **C.** **D.** **E**	 **A.** **B.** **C.** **D.** **E**
Maternal grandmother:			
Maternal grandfather:			
Maternal aunt:			
Maternal aunt:			
Maternal aunt:			
Maternal uncle:			
Maternal uncle:			
Maternal uncle:			
Maternal Great-Grandmother:			
Maternal Great-Grandfather:			
Maternal Great aunt/uncle;			
Maternal cousin:			
Maternal cousin:			
Maternal cousin:			

Instructions: Complete both pages with all known adult relatives' information gathered from as many sources as possible: parents, relatives, school age children, etc.
If information for a relative is not known, write "unk", in box. If the relative is deceased, write "deceased" in box for that relative. If the date of birth is not known, write the age or approximate age of the person. The more information provided will allow the electronic search to be done more accurately. Make sure that at least the primary person who you received information from signs and dates the form. Their signature indicates that the information provided is accurate and true, to the their best of their knowledge.

INPUT ALL AVAILABLE INFORMATION WHILE IN THE HOME NAME	DATE OF BIRTH/ Approximate Age if DOB is unknown	SSN	CURRENT/LAST KNOWN ADDRESS
Paternal grandmother:			
Paternal grandfather:			
Paternal aunt:			
Paternal aunt:			
Paternal aunt:			
Paternal uncle:			
Paternal uncle:			
Paternal uncle:			
Paternal Great-Grandmother:			
Paternal Great-Grandfather:			
Paternal Great aunt/uncle:			
Paternal cousin:			
Paternal cousin:			
Paternal cousin:			
Kin (name relationship to child): Ex: god-mother, friend, etc.			

Signature:_____ Date:_____

(your signature indicates that the information provided is accurate and true, to the best of your knowledge)

Instructions: Complete both pages with all known adult relatives' information gathered from as many sources as possible: parents, relatives, school age children, etc.
If information for a relative is not known, write "unk", in box. If the relative is deceased, write "deceased" in box for that relative. If the date of birth is not known, write the age or approximate age of the person. The more information provided will allow the electronic search to be done more accurately. Make sure that at least the primary person who you received information from signs and dates the form. Their signature indicates that the information provided is accurate and true, to the their best of their knowledge.