

- **Concurrent Planning for Foster Children and Families**

Wyoming – Fall 2011

Margaret A. Burt, Esq.

ASFA and Concurrent Planning

Reasonable Efforts to finalize an alternate permanency plan *may* be made concurrently with reasonable efforts to reunify the family

Once TPR petition filed, agency must identify, recruit, process and approve a qualified family for adoption.



But -- what is it?

- Working toward reunification while also establishing and implementing an alternative permanency plan
- Plan A – Reunify with Parents / Plan B – Custody with a Relative
- Plan A – Reunify with Mother/ Plan B – Adoption by Fost/adopt family

Do we do this in Wyoming?

- Yes, DFS does have a policy re concurrent planning.
- They do not do it on all cases; they identify children using a planning guide and tool
- You can look at their policy, a handbook, the tool for assessment and materials for parents on their website
- dfsweb.state.wy.us

Concurrent Planning

- A practice model which addresses a child's need for expedient family reunification while, at the same time works toward an alternate permanent placement (adoption, relative care, guardianship)
- The case plan must provide services that are reasonably able to help a family reunify by improving the parental skills and the family's safety net.
- There are not TWO different case plans
- There is only one goal - permanency

Concurrent Planning

- ***Success Redefined:***
- The agency and the court define their primary goal as *timely* permanency, with family reunification as the first, but not the only, option.
- ASFA goals of Safety, Permanency AND Well-Being must ALL be met to achieve success.

Concurrent Planning

Timelines:

- The entire case plan is structured by the legal requirements for timely permanency; these timelines are explained to families within the **Full Disclosure** process.
- Timelines should be designed to meet children's developmental needs.

Working on Reunification & the alternative permanent plan CONCURRENTLY:

- It is one case plan that discusses two ways to achieve permanency
- If the case is assessed as one where return home is not likely to occur quickly, a case plan is developed that discusses work toward to options.
- The child is placed with a resource family – could be relatives or a “fost-adopt” family - willing and able to work cooperatively with the biological parents but also prepared to become the children’s permanent family if needed.

What Is Permanency?

- **Stability without disruption**
- **Safe and nurturing home environment and set of relationships**
- **Growing up with siblings**
- **Connections of Community of Origin**
- **Religion and Culture Preserved**
- **Gives child a sense of belonging and a definitive legal and social status**
- **Educational needs met**
- **Healing of past trauma**
- **Physical/ Emotional Needs met**
- **Contact with appropriate family of origin members**
- **Opportunity to live in a permanent home, one which can be returned to for support even as an adult; home intended to last indefinitely**

Permanency Planning Philosophy

- Permanency planning guided by a child's sense of time, not convenience or schedule of adult
- Least Detrimental Alternative → “each move hurts”
- A range of parenting styles and practices is acceptable, if minimum care is provided



What actually happens?



Efforts made to reunify the family while at the same time, developing and working on an alternative permanent plan. Concurrent rather than sequential planning efforts to move children to permanency

Result: expedites reunification because of the structured, focused and respectful involvement of parents and family early in the planning process



What about the court and legal process?

Does the legal system have a fear of concurrent planning?

While I Have Been Talking – Have You Had These Thoughts?



- “Concurrent planning really means fast track to TPR”
- “Caseworkers who say they are doing concurrent planning are not sincerely working on reunification”
- “It’s just not fair to parents”
- “Parents/ foster parents/ child will be confused as to what the goal is”

OR - This is interesting,
but.....

- I am an attorney, Judge, child advocate – this is really the caseworkers' problem.....

Courts and Attorneys should

- Disclose ASFA time frames, expectations and consequences
- Explain child's need for permanency and role in that
- Review both – stressing reunification is number one goal
- Open communication with placement resources
- Draft court orders that reflect expectations

Ideas for Judges



- Supporting Family Meetings/Group Conferencing or Mediation
- Asking for Family Tree information
- Clarifying financial options and custodial options for relatives and fictive kin
- Assisting in Full Disclosure to birth parents and placement resources
- Order that CCP be done/considered and order specific aspects of the concurrent plan



Role of Judges at Hearings

- Ensure that referrals re made early and that they are targeted to the individual family
- ***Ask about the concurrent planning goal*** and WHAT specifically is being done to achieve it
- Make sure the concurrent planning goal is expressly stated in open court
- Remind everyone that the timeframe is child centered

Role of Parent's Attorney

- Help client develop an alternative plan if appropriate
- Urge parent to identify and involve relatives asap and help client understand rationale for that
- Urge mothers to indentify fathers early in the case and to disclose relevant information regarding the father



Benefits To the Parents

Creates sense of urgency which motivates
Early accessible services and inclusion in
decisions

Allows parent to determine what role they
will play in child's permanency outcome

Lays the groundwork for openness with
permanent caregiver for providing on
going support or even ongoing
involvement with child after permanency

Benefits To the Child

- Reduced number of placements, reduces attachment disorders
- Earlier permanency through reunification or other permanency option.
- Reduces loyalty issues
- Less identity issues in adolescence and adulthood



Goals of Concurrent Planning

- Promote **early permanency decisions** for children and **engage families and relatives** early
- Reduce **unnecessary delays** and **number of temporary placements**
- **Shorten time** children stay in foster care
- **Increase consents** as parents are informed up front about permanency options and can make responsible decisions.
- Develop **case plans** with **measurable goals** and shorter time frames
- **Develop network of foster parents willing to work with biological families** and serve as **permanency resource** for children

Concurrent Planning

- **Full disclosure:** Parents are informed of the importance of their involvement and actions in planning for the return of the child and the legal consequences of failure to do
- **Locate supportive caregivers** who are actively involved in supporting reunification and can provide a permanent home if necessary
- **Provide intensive up-front reunification services,** including frequent visitation & other focused services to meet child's need for stability and continuity
- **Engage families in early decision-making,** should reunification seem unlikely, parents are respectfully counseled about options: relinquishment, open or cooperative adoption
- **Enhance child's connections to community, siblings, family.** Encourages adults to be partners instead of adversaries

Implementation: Steps to Concurrent Planning

Family Assessment

- Begin with good engagement. Clearly define everyone's role, expectations, the law and goal of permanency for the child.
- Assessment within first 60 days in care
- Assess family's likelihood of reunification and make a reasoned hypothesis
- Assess: family history, relationship with child, progress to date, family strengths, available support systems
- If poor prognosis and sufficient reasonable efforts made, develop and pursue the concurrent plan

Implementation: Steps to Concurrent Planning

Locate Supportive Temporary and Permanent Caregivers

Locate and attempt to utilize relatives, including fathers and their relatives

Ideally, caregivers should support both plans, mentoring the biological family yet willing to provide permanent home if reunification isn't realistic.

Work with caregivers and train to easily transition to adoptive resource and train kinship caregivers to understand need for permanence.

- **Fost/Adopt and Relative Caregivers** should
 - Be willing to actively support reunification,
 - Being involved in case planning including case meetings,
 - Help with family visits,
 - Be invited and attend court proceedings,
 - Willing to adopt/guardianship if reunification cannot occur,
 - Willing to maintain connections post permanency,
 - and able to handle the unknown.
- Can also
 - Have a direct co-parenting relationship with the birth parents/family,
 - Teach and model parenting skills,
 - Or other activities agreed upon by the case planning team.

Implementation: Steps to Concurrent Planning

Characteristics of good caretakers:

Empathy for children and biological parents

Flexibility in expectations

Belief system that supports notion of caring for others

Resourcefulness when confronted with a challenge

Positive connections with community and good support system

Tolerance for ambiguity and uncertainty

Good sense of humor.

Implementation: Steps to Concurrent Planning

Full Disclosure

Fully disclose to all families early in case:

- negative effects of placement on children
- urgency for reunification
- agency's need for concurrent plan if poor follow through

Explain shortened time frames, expectations and parents responsibilities to work toward reunification in a timely manner

Clear, concise, written service plans

Implementation: Steps to Concurrent Planning

Full Disclosure (continued)

Specify time limits as established by the law

Time is measured not by parent's clock but by child's point of view and needs

Timely permanency is the primary goal of case

Review all permanency options and involve parents in making permanency decisions

Implementation: Steps to Concurrent Planning

Develop Plan A and Plan B

If case assessed to have poor prognosis of reunification, place child in home willing to work with biological parents but also prepared to become permanent placement

Disclose both permanency plans – reunification and alternative permanent placement to parents and to court – discuss openly plan B

Plan A services should continue to be diligently offered even if agency believes Plan B should become primary until court states otherwise

How to Determine Plan B & When to Move to Plan B

Identify and locate all parents (fathers)

Explore all relatives

Family Group Decision Making

Fost/Adopt Homes

Child-centered decisions: child's timeframe and need for permanency

When is enough services, enough?

Court involved, advocacy for the parties

Voluntary Relinquishments

Common Problems/Tips to Effective Permanency Planning

- **Tendency to focus on adoption as only goal from beginning and minimize reunification**
- **Concurrent planning is hollow – Plan B is just a checkbox**
- **Assessment is tool to determine likelihood of reunification, not a safety assessment**
- **Engage parents in process of decision-making, the agency is not the enforcer**
- **Make case plans family centered with parents taking an active role**
- **Don't alienate the treatment community, they may have different goals than you. Collaboration is key, find common ground**
- **Above all - honesty with parents and caregivers, honesty in court**
- **Explain risks involved to caregivers of child returning, no guarantee of adoption**
- **Train and support caregivers**

- QUESTIONS ABOUT WHAT IT IS AND HOW IT WORKS?
- COMMENTS ABOUT THE CONNECTION TO COURT PROCEEDINGS?
- PROBLEMS WITH IMPLEMENTATION?
- Thank you!