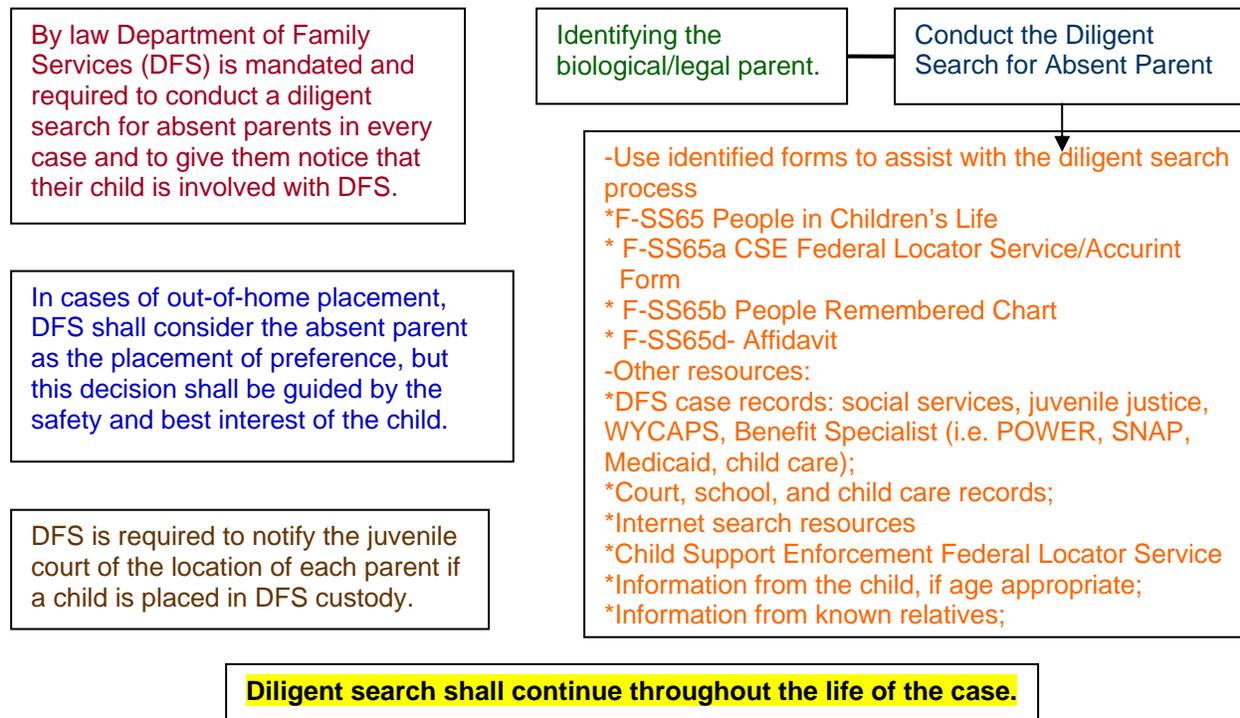


<b>WYOMING DEPARTMENT OF FAMILY SERVICES</b>	<b>CHAPTER:</b> Placement and Permanency <b>POLICY:</b> Diligent Search for Absent Parents <b>POLICY NUMBER:</b> 5.6
<b>EFFECTIVE DATE:</b> March 2010	<b>Current:</b> 3/10 <b>Revised:</b> 9/07, 3/10 <b>Original:</b> 7/99



**A. Purpose**

By law the Department of Family Services (DFS) is mandated and required to conduct a diligent search for absent parents in every case to give them notice their child is involved with DFS and to provide the parents an opportunity to participate in the family service plan. The diligent search shall continue throughout the life of the case.

Relevant Laws/Statutes:

- Wyo. Stat. § 14-3-204(vi)
- Wyo. Stat. § 14-3-208(a)(ii)
- Wyo. Stat. § 14-3-414(c)
- Wyo. Stat. § 14-6-214(c)
- Adoption and Safe Families Act of 1997

**B. Procedure**

**1. Identifying the Biological/Legal Parent**

- The DFS caseworker shall obtain a copy of each child's birth certificate and identify the biological mother.

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- b. The DFS caseworker shall check for a father listed on the birth certificate.
- c. If no father is listed on the birth certificate, the DFS caseworker shall obtain the name or possible name(s) of each child's father from the biological mother or other family members. This information shall be provided to the Child Support Enforcement (CSE) office (CSE) by completing the *Report to Child Support Enforcement* (DFS-543). This will initiate the genetic testing process.

## 2. Conducting the Diligent Search for Absent Parent

- a. The DFS caseworker shall assist the available parent in completing the *Report to Child Support Enforcement* (DFS-543), and submit it to the benefit specialist who will submit a copy to the Child Support Enforcement office.
- b. The DFS caseworker shall have the available parent complete the *Important People in the Child(ren)'s Life* (F-SS65) to assist in the diligent search process. It is important to follow-up on this information and makes contact with the people listed on this form.
  - 1) The custodial parent may have information which would be helpful in locating the absent parent. Ask the custodial parent questions about the absent parent, such as:
    - a) What is his/her name?
    - b) What is his/her date of birth?
    - c) What is his/her social security number?
    - d) Do you have any copies of his/her driver's license or other identification?
    - e) What is his/her hometown?
    - f) Where did you meet?
    - g) Where are/was he/she employed?
    - h) When and where were they married?
    - i) When and where did they divorce?
    - j) Was he/she in the military? Which branch?
    - k) Do you know the names of any of his/her family members?
    - l) Do you know where his/her family is located (city, state)?
- c. The DFS caseworker shall not assume the absent parent does not exist based solely on the available parent's statement(s).
- d. The DFS caseworker shall follow-up with information provided on the above listed forms using the following resources, as well as any other resources available which may not be listed here:

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- 1) Existing DFS case records, including, but not limited to social services, juvenile justice, WYCAPS, Benefit Specialist (POWER, SNAP, Medicaid, child care);
- 2) Court, school, and child care records;
- 3) Internet search resources (example: www. 411.com, Google, Ancestry.com);
- 4) Child Support Enforcement Central Registry by using the *Parent Locate Request Form* (F-SS 65a);
- 5) Information from the child, if age appropriate, regarding location of the absent parent or any relative or kin known to the child. *People Remembered Chart* (F-SS65b) may be used to help the DFS caseworker and child in identifying important people;
- 6) Law enforcement contacts, local jail bookings, and prison inmate searches;
- 7) Military branches, if applicable;
- 8) Information from known relatives as to the location of the absent parent; and
- 9) The *Parent Locate Request Form* (F-SS 65a) form should be submitted to the Permanency Consultant to conduct an Accurint Search.
  - a) Information shall be utilized for placement and/or keeping connections for the child(ren)/youth.
  - b) Accurint reports are confidential and are not to be shared with family members, court personnel or anyone outside of the DFS per federal guidelines, unless the file was subpoenaed.
  - c) Accurint requests shall be utilized after other resources have been used.
- e. If the absent parent lives out of the country, and is unable to be located by gathering information from the family or other common search methods, the DFS caseworker shall consult with their supervisor and district manager on how to proceed with the diligent search. The DFS district manager shall work with the DFS financial services division in order to contract with an agency (such as International Social Services, (ISS) to complete an international search and home study.

Note: ISS may be contacted at 443-451-1200 or online at <http://www.iss-usa.org/>

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- f. After using the resources in section (d), if the absent parent is not found, the DFS caseworker shall use the information found to continue the diligent search.
- g. If the absent parent is not located within sixty (60) days, the DFS caseworker shall complete an affidavit stating efforts made in completing the diligent search to locate the absent parent. The DFS caseworker may use *Affidavit of Diligent Search* template (F-SS65d).
  - 1) The affidavit shall be filed with the juvenile court, and a copy shall be kept in the DFS file.
  - 2) After the affidavit of diligent search is completed, the diligent search must continue throughout the life of the case.
  - 3) The affidavit shall be updated and provided to the courts with every six (6) and twelve (12) month review.
  - 4) The DFS caseworker may use the *Diligent Search Log* (F-SS65e) in order to keep track of efforts made to locate the parent. This may help organize information needed to prepare the affidavit.
- h. If the DFS caseworker locates the absent parent, the absent parent has the right to participate in reunification and family service plan decisions for his/her child(ren)/youth. Once the absent parent is located, reasonable efforts and engagement of the absent parent shall occur and must be documented in WYCAPS and in the family service plan.
  - 1) The absent parent (to include biological and/or legal father) shall be the first placement resource to be explored. If the absent parent is out of state, the DFS caseworker is responsible for explaining and initiating an Interstate Compact on the Placement of Children process ([ICPC Policy 5.18](#)).
  - 2) If the absent parent does not want to participate with the family planning decisions, the DFS caseworker shall continue to notify the absent parent with case decisions and permanency planning, including relative/kinship placement options. If the absent parent is not interested in placement or is determined to be inappropriate, the DFS caseworker shall attempt to obtain information about other relatives or kinship not previously provided by the parent(s).
- i. Unless superseded by court order, if a parent objects to DFS contacting the absent parent, the local DFS district/region manager of the child(ren)'s/youth local office shall make a determination as to whether the absent parent should be contacted. In making this determination, the local DFS district/region manager shall consider

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only whether the safety of the child(ren)/youth or the parent will be jeopardized if the absent parent is contacted.

- If the DFS district/region manager determines that the safety of the child(ren)/youth will be jeopardized if the absent parent is contacted, DFS must request an order from the juvenile court stating DFS is relieved of the duty to conduct a diligent search for the absent parent due to these safety concerns. Without such an order, DFS must still conduct the diligent search.

### **3. Genetic Testing of Alleged Fathers**

If the absent father is not on the child's birth certificate and there is no order from a court establishing paternity and if the absent father and biological mother were not married at the time of the child's birth, the father is an alleged father.

- a. DFS caseworker shall send the alleged father and all information on the alleged father to Child Support Enforcement for genetic testing and paternity establishment.
- b. DFS caseworker shall contact Child Support Enforcement to utilize their contract with CSE genetic testing vendor for paternity testing on other suspected alleged fathers. DFS caseworker may contact CSE to obtain provider information.
- c. The following may constitute proof that the person is the legal father:
  - 1) Birth certificate listing person as father;
  - 2) Order from court establishing paternity; or
  - 3) Signed and notarized acknowledgement of paternity from the person.

### **4. Documentation**

- a. The DFS caseworker does not need to conduct a diligent search if the following information is in the case file:
  - 1) An order from the juvenile court ordering DFS to not conduct a diligent search due to safety concerns for the minor;
  - 2) A death certificate of the absent parent;
  - 3) A signed and notarized relinquishment from the parent; or
  - 4) An order terminating the legal parent(s)' rights to the minor child.

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- b. The DFS caseworker shall keep copies of all records, reports, forms, and other information obtained in the case file and documents all efforts in the narrative (using “Diligent Search for Absent Parent” contact type) and composition maintenance on WYCAPS.
- c. Diligent search efforts shall continue throughout the case until the DFS caseworker has identified the absent parent, has proof the absent parent has a legal relationship with the child(ren)/youth ,and updates the composition screen in WYCAPS with the current address and phone number of the absent parent. Thereafter, the DFS caseworker shall continue to maintain the absent parent’s current address and phone number in the DFS file and offer services even if the absent parent does not wish to participate with the family planning decisions.