



JELI

Reasonable Efforts Work Group

Referee/Judge Pro Tem Linda Hughes(Chair)

The Honorable Cynthia Beaman

The Honorable Patricia Crain

The Honorable Eve Miller

The Honorable Ronald Pahl

The Honorable Tracy Prall

Referee/Judge Pro Tem Paulette Sanders

The Honorable Janet Stauffer

The Honorable Patricia Sullivan

The Honorable Kathryn Villa-Smith

Conditions of Return - as Related to Reasonable Efforts Findings

JUDICIAL REFLECTION

- What is the basis for Jurisdiction?
- Can the child be returned home today?
- If not, why not?
- What must the parent do, or stop doing, to allow the child to return home?

CAVEAT

- The ability to safely return children home is different than the readiness to terminate wardship.
- Lack of clarity of conditions - Specific, Time Limited, Understandable, - can cause loss of focus on efficient return of children.

JUDICIAL INQUIRY

For the DHS Caseworker...

- If the condition for return statement uses vague terms or phrases (for example: appropriately, take steps towards addressing, in a prompt manner, change of attitude, demonstrate, sustainable amount of time...) ask the caseworker to clarify.
- Can this child go home today? If not, why not?
- What creative ways can we come up with to get the child back in the home safely?
- What would an in-home safety plan look like if the child went home today?
- Specifically, what does the parent need to do to have the child returned?
- What services are/should the Department be offering to assist in the child returning home?
- Are the services rationally related to the jurisdictional safety threats?
- Will the offered services accomplish the return home?
- Are visits reasonable? Number, duration, location, parent availability
- What does the child need?

For the Parent...

- Do you know what you need to do or stop doing to have your child returned home to you?
- What does your child need?

Initiative: Judges and referees hearing juvenile dependency matters will look at Conditions of Return statements and ensure they are clear and concise, and if they are not, clarify during court. This segues into judicial inquiry to be made at every hearing; **What is preventing this child from returning home today?**

Performance Measures: The % of case plans that include clear conditions of return language that meets the standard in the OAR.

OAR 413-040-0009: REQUIREMENTS FOR CONDITIONS FOR RETURN

1. The caseworker must determine the conditions that must exist prior to the return of the child to a parent or legal guardian.
2. The conditions for return are documented in the case plan and must describe:
 - a. The specific behaviors, conditions, or circumstances that must exist before the Department may develop an in-home ongoing safety plan that assures a child's safety, as described in OAR 413-015-0450(2)(b)(A)(i)-(iii); and
 - b. The actions, services, and time requirements of all participants in the in-home ongoing safety plan.