



INTRO AND WELCOME STATEMENT

This training is intended to be an overview of the findings and is primarily geared toward new board members

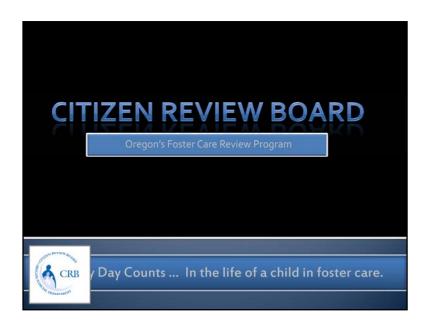
We will give a brief overview of the review process and briefly review each of the findings

You will also have opportunity to practice your skills

The folders you have include a copy of the outline, exercises we will be covering today , and the rest are additional resources for you to take with you

Our goal is to strengthen your confidence in conducting an efficient and professional review.

We only have about an hour and half together and have a lot of information to cover so for the sake of time we need to limit questions and hypothetical review situations.





Our process is known as a findings driven review.

A findings driven review is a structured process for working through the case by concluding one finding before moving to the next.

Purpose and Advantages

- To focus attention on the findings required by state and federal law
- To provide a clear rationale for each finding
- To provide a consistent practice to the CRB review
- Supports the board's authority
- Promotes a transparent review
- Improves opportunity for participants to be heard

The set of 10 legal findings are the STRUCTURE for our review

Ensure we are able to address all the areas that need to be covered and helps the review remain on time.

It allows participants to have a greater understanding for why each finding was made.

Having a standard practice improves credibility and is less of a free for all.

It makes it easier for parties like caseworkers and attorneys to prepare for reviews thereby improving quality of their participation.



The Board ONLY addresses findings that are applicable.

- Introduce the content of the finding to be discussed ie. "We will now address services to the child."
- Ask pertinent questions to obtain information to determine the finding
- Ask other board members if they have any additional questions
- Finding is read as a question by either the board member or CRB Field Manager/ Review Specialist
- The board makes the finding and briefly states reason

This process is repeated for each finding that applies to the current status of the case.

Recommendations can be made with every finding or can be summarized at conclusion of review

Refer to your PINK SHEET in your folder titled format for review

The board ONLY addresses findings that are applicable to their current status of the case.

i.e. If it's a second review, skip the first finding on reasonable efforts for removal and begin the review with the diligent efforts finding. You do not need to state that a particular finding does not apply, skip all findings that do not apply.

For each applicable finding, the chair or lead reviewer:

Introduces the content of the finding to be discussed.

i.e. "We will now address services to the child."

The lead asks pertinent questions and facilitates the discussion to obtain information necessary for the finding.

Finding is read as a question

The board makes the finding by consensus.

If the reasons aren't already clear. The board may briefly state the reason for the finding.

This process is repeated for each finding that applies to the current status of the case.

The board may indicate their recommendations after each finding or summarize the recommendations at the conclusion of the review.

Basis of Jurisdiction: from a trauma informed perspective

Begin by providing an intro statement,

"We will begin by summarizing some of the legal information of the case."

1st Review/ NEW CASE: Confirm accuracy of legal language.

TIP: Provide a disclaimer and explanation to the parents that jurisdiction is the legal basis which has already been established in court.

TIP: Can defer to the parents' attorney or to the CRB field manager if there is discrepancy.

Subsequent review/ return to parent: Provide a summary of jurisdiction for each parent.

If plan is not return to parent: Provide date of jurisdiction. (Jurisdictional basis does not need to be read).

In an effort to conduct reviews with greater sensitivity, we've changed some of our language and review procedures.

There will be greater discussion of this practice in each of your counties but here's an overview of the process for stating the basis of jurisdiction.

What is read under the basis of jurisdiction will depend how long the case has been open. Recommendation from TIC committee.

NEW CASE – confirm legal basis and verify language

OLD CASE but plan is RTP – summarize content for basis "mother's substance abuse, father's criminal activity and domestic violence"

OLD CASE but plan is no longer RTP – date established

HOW TO PREFACE A CASE:

- Begin by providing an intro statement, "We will begin by summarizing some of the legal information of the case."
- •We are reviewing the case of: (Child (ren's) Name (s) and Age (s))
- The Child (ren) was (were) placed in substitute care on: (Date of Removal)
- Jurisdiction was established on : (Date of Jurisdiction)
- Jurisdiction was based on : (Basis of Jurisdiction)
- ICWA: (Does apply /Does not apply/ pending)
- The permanency plan is:
- The concurrent plan is:

When opening the review the lead reviewer will ensure that all participants understand the background of the case by using the following format:

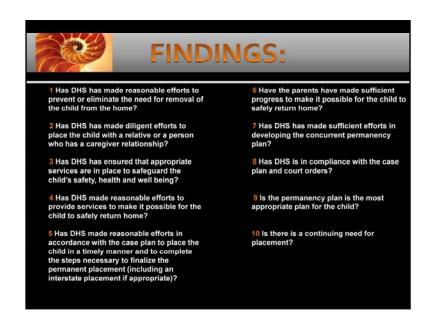
The board verifies this information and obtains any needed information.

The board then begins the review with the first applicable finding.



INSTRUCTIONS: Using the scenario, practice prefacing this case with your partner first as a NEW review and then as a subsequent review with summary only.

Any volunteers?

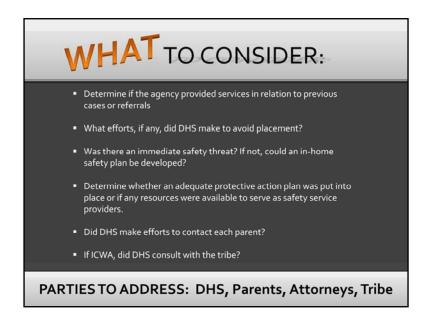


Findings are now prefaced in the form of a question.

"We will first address placement efforts."

1. Has DHS made reasonable efforts to prevent or eliminate the need for removal of the child from the home?

This finding applies if this is the <u>FIRST</u> review of the case.



WHEN making this finding, you do not need to provide detailed content or read contents of a protective custody report and limit the information you cut and paste into your notes.

Again there will be additional recommendations from a Trauma Informed perspective.

FINDING 1: Case Scenario

DHS received a report on 7/15/13 with concern of methamphetamine use. Both parents tested positive. A protective action plan was developed and the children were placed with their maternal aunt/uncle pending further assessment. Between 7/15/13 and 8/16/13, DHS attempted to work with the family to create an in-home safely plan and provided referrals for residential treatment and treatment housing. Ms. Smith continued to use throughout the assessment and Mr. Smith was visibly under the influence of substances during a home visit on 8/14/13 and refused to UA. An emergency FDM was held on 8/16/13. Due to the safety concerns, it was determined petitions would be filed for protective custody. The children were placed into relative care on 8/19/13 once certification was obtained.

WHAT IS YOUR FINDING?

4

2. Has DHS has made diligent efforts to place the child with a relative or a person who has a caregiver relationship?

This finding applies in ALL cases.



There is another workshop on this finding which will go into great detail.

What is a relative?

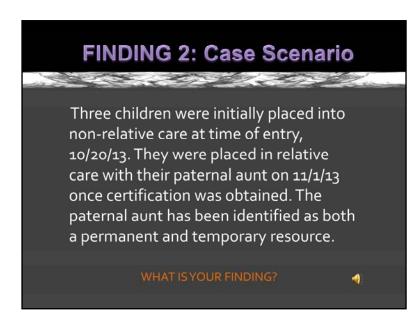
Blood relative, half blood relative, extends to first cousins once removed includes step parents, x-step parents, adoptive parents, and extends to a stanley punitive father but not his relatives.

Important to consider caregiver relationships and not limit searches to only relatives

WHAT TO CONSIDER:

- Is the child placed with a relative? If so, when?
- Determine the status and extent of the relative search? (maternal and paternal)
- Did the agency try to place the child with a sibling(s)?
- Did the agency try to place the child(ren) with a person who has a caregiver relationship?
- Clarify reasons why a child is not placed with a relative or a caregiver?

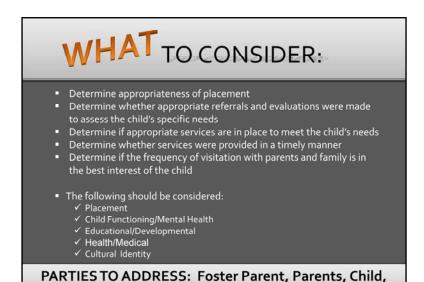
PARTIES TO ADDRESS: DHS, Parents, Child, CASA, Tribe



"We will now address services to the child."

3. Has DHS has ensured that appropriate services are in place to safeguard the child's safety, health and well-being?

This finding applies in ALL cases.



CASA, Child's Attorney, Service Providers

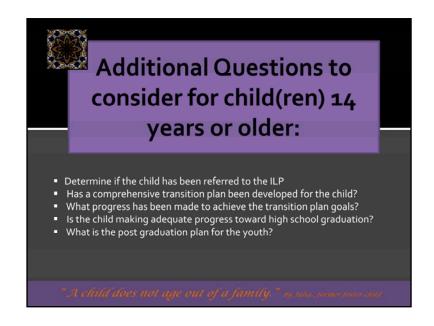
This finding encompasses everything having to do with the child.

Focus on questions and not reading of information and not how the child is DOING.

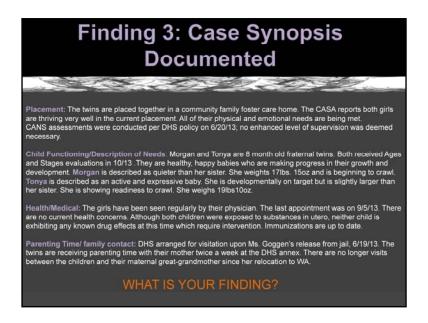
Focus on adequate services, timeliness of services and implementation of recommendations.

Categorize your questions.

Always consider placement and frequency of family visits and parenting time!



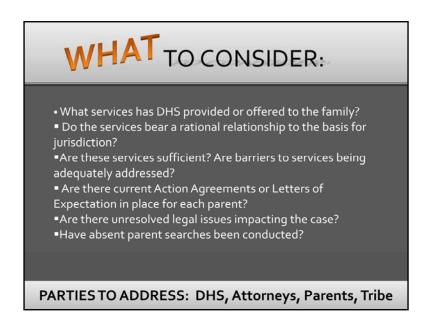
There are separate considerations for youth above the age of 14 and a focus on independent living services, high school credits and transitional planning.



This is in an example of how info would be categorized in a CRB report. Take a moment to read this scenario on your own.

"We will now address efforts the agency has Made toward the Permanency plan." 4. Has DHS made reasonable efforts to provide services to make it possible for the child to safely return home?

This finding applies if the plan remains RETURN TO PARENT.



Absent parent searches, paternity issues, delayed jurisdiction.

REMINDER – this finding applies only to DHS and the services the agency has provided to the family - do not cover the parents' involvement in services under this finding.

finding is made from date of last permanency hearing or date of last RE finding.

Finding 4: Case Scenario



The case involves Dakoma, a 3 year old child placed in foster care due to the mother's substance abuse, mental health issues and domestic violence in the home between the mother and her partner. There is no legal father. The mother is an enrolled member of the Klamath Tribe. The child's enrollment in the tribe remains pending. The agency has not been in contact with the tribal representative.

An Action Agreement has been developed. The agency has provided the mother drug and alcohol treatment and a referral for a psychological evaluation.

The DHS caseworker indicates that mental health services and the domestic violence assessment will be provided at a later date.

Visitation is being provided once per week.

WHAT IS YOUR FINDING?

5. Has DHS made reasonable efforts in accordance with the case plan to place the child in a timely manner, and complete the steps necessary to finalize the permanent placement including an interstate placement if appropriate?

This finding applies if the CONCURRENT goal has been implemented

WHAT TO CONSIDER:

- When was the goal court ordered?
- What specific steps have been taken to finalize the plan? Has DHS made timely efforts to accomplish the stated goal?
- If applicable, when was the ICPC initiated and what is the status?
- If the goal is APPLA, consider the following:
 - √ Has a transition plan been developed/ enrollment in ILP
 - ✓ Has the APPLA plan been reviewed

PARTIES TO ADDRESS: DHS, Attorneys, Child, Foster Parent, Relative, CASA

WHEN was the goal oriented? What SPECIFIC STEPS have been taken?



"We will now address progress and compliance issues." 6. Have the parents have made sufficient progress to make it possible for the child to safely return home?

This finding applies ONLY when the plan is RETURN TO PARENT.



DOES not mean child can GO HOME Today and all conditions have been met, it's a subjective measure.



- Determine each parent's progress in addressing the jurisdictional issues
- Have the parents made measurable change?
- Progress is measured by ASFA timelines/ 15 of 22 months
- Has the parent meet the minimal conditions for return
- The child's needs, age and maturity are a factor in determining parental progress
- What are the remaining barriers and safety issues preventing the child from returning home?

PARTIES TO ADDRESS: DHS, Parents, Attorneys, Service Providers, Tribe

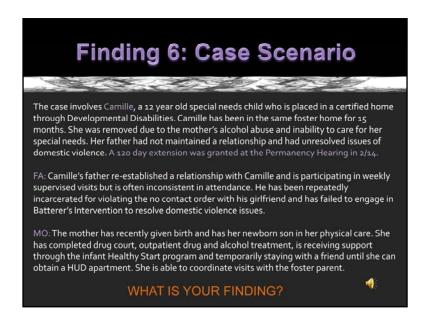
The finding is made separately for each parent

The parent is NOT entitled to ONE year

Needs of child may negate parental progress

This means that it is expected that the child will return home at or before 14 months from placement. When thinking about parental progress, determine if at the current rate of progress, if is still likely for the parent to regain custody within the given timeframe.

Is it your first review at the 6 month mark or your second review at the 12 month mark?



Extension from 2/14 was 120 days - next PH review due in June 2014

Mom may have another child in her care
The special Needs of the Camille trump parental progress

Yes, you may have additional questions...
This mother may even be in support of an alternate plan for Camille.

7. Has DHS has made sufficient progress in developing the concurrent permanency plan?

This finding applies when the plan remains RETURN TO PARENT.

WHAT TO CONSIDER:

- Identify the concurrent plan
- What steps have been taken to develop the concurrent plan?
- Determine the status of the maternal and paternal relative search? Is there an ICPC in process?
- Has an OFDM been held?
- What permanent resources have been identified
- Has DHS confirmed the child's Title IV-E eligibility?
- If ICWA, has the tribe been consulted and approved the concurrent plan?

PARTIES TO ADDRESS: DHS, Parents, Foster/Relative Care Provider, CASA

WHAT is the plan? Is there an identified resource?

Has the case been staffed with Legal Consultants?

Has an OFDM (Oregon Family Decision Meeting) been held?

Determine sufficient progress at the 6 month mark vs. the 12 month mark.

Finding 7: Case Scenario

The children are placed together in relative care with their adult sister. They have been in this home since date of entry, 11/23/13. The relative care provider is a willing guardianship resource. Relative searches have been initiated for both maternal and paternal relatives. Letters were sent to multiple maternal family members and to the paternal grandparents and a paternal uncle. The maternal grandmother responded but cannot be certified. No other relative responses were received.

An Oregon Family Decision Meeting (OFDM) was held on 1/31/14.

WHAT IS YOUR FINDING?

1

8. Is DHS in compliance with the case plan and court orders?

This finding applies in ALL cases.

WHAT TO CONSIDER:

- If reasonable/active efforts finding is "NO", then DHS compliance is no
- Determine whether face-to-face contacts have been conducted per DHS policy
- Determine whether court orders and previous CRB recommendations were implemented

PARTIES TO ADDRESS: DHS, Attorneys, Parents



"We will now address the appropriateness of the plan." 9. Is the permanency plan is the most appropriate plan for the child?

This finding applies in ALL cases.

WHAT TO CONSIDER:

- Determine if there are any significant concerns that may be a barrier to reunification.
- If return to parent, consider amount of time child has been in care and level of progress by parents.
- Is there a more permanent plan that can be implemented?

PARTIES TO ADDRESS: DHS, Parents, Child

Not a gut feeling finding!

Consider Legal circumstances of the case.

If reunification, is it still possible within ASFA timelines or with an extension.

Permanency Hierarchy:

- Return to Parent
- Adoption
- Guardianship
- APPLA:
 - ✓ PFC
 - ✓ Permanent/Connections and Support

The two types of APPLA are now Permanent Foster Care
Or Permanency /Connections and Support – no longer OTHER or independence.

Finding 9: Case Plan Scenario

The permanency plan of guardianship is the most appropriate permanency plan for both children. The children have a strong sibling bond as well as a significant attachment to their providers and older half-brother, who resides in the same home. Reunification with the parents is not a viable permanency option. The children are 14 years of age, have stated they do not wish to be adopted and there are no relative resources identified for placement. Ms. Howard is willing to consent to the permanency plan of guardianship and acknowledges she is unable to parent at this time. The whereabouts of Mr. Howard remain unknown and he has had no relationship with the children.

WHAT IS YOUR FINDING?



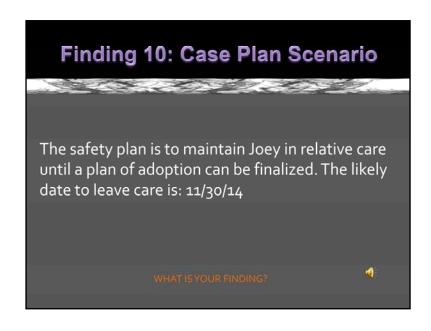
10. Is there is a continuing need for placement?

This finding applies in ALL cases.



The goal is for children to return home as soon as it is safely possible with a focus on services provided in the home.

DHS maintains all cases on a trial home visit for the first 6 months.

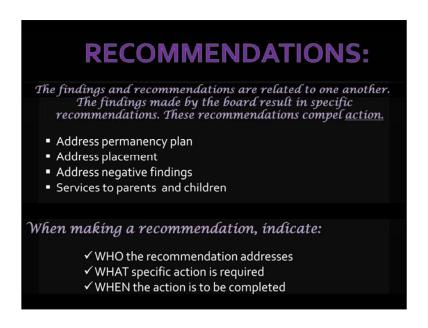


Additional Findings: Document additional conclusions made by the board related to the case Document next court hearing Used to highlight legal facts of the case

Additional findings relate to legal facts and draw attention to significant issues

Example – ICWA status is pending Jurisdiction has not been established for the father.

This is where you can commend parties but make sure it's for something specific



The findings and recommendations are related to one another.

The findings made by the board result in specific recommendations. These recommendations compel action.



Each table has a set of findings cards and a set of questions

Work together to match each question to the most appropriate finding

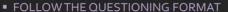
TIPS and SUGGESTIONS:

- Helpful Hints for conducting the review.
- Appropriate Questioning Strategies
- Board Demeanor and Trauma Informed Practice

We will briefly go over some tips and suggestions for conducting a more effective review

Many of these are based on common mistakes

Helpful Hints:



- ✓ Allow the lead questioner to complete their questions before interjecting your own
- ✓ Categorize your questions/ level of hierarchy
- Remember to address all appropriate parties and ask other board members for additional questions before making a finding
- Pay close attention during introductions; note who is in attendance
- The reasonable efforts finding *only* relates to efforts made by DHS
- Direct your question to the most appropriate party and address parties by name and not their role
- Use active listening skills to prevent repetitive questioning
- Be conscious of time allocated for review

HELPFUL HINTS

Stick with the format.

Allow the lead questioner to complete their questions before interjecting your own (don't take over the review)

Cathgorize your questions

Remember to address all appropriate parties and ask other board members for additional questions before making a finding

(don't jump to your finding before you've given opportunity for input)

Pay close attention during introductions and note who is in attendance

(write down people's names and roles - make sure you know who to address for each finding)

The reasonable efforts finding relates to efforts made by DHS and NOT the parents

(phrase your statements as to what the agency has provided and NOT what is expected of the parents)

Direct your question to the most appropriate party

(Address teens directly, don't rely on DHS for all of your info)

Use active listening skills to prevent repetitive questioning

You do not need to prove to other parties that you've done your homework or convince you have an understanding of the case, do not need to regurgitate all of the information that was provided to you as this does not help conduct an efficient review.

Time efficiency!

The parties across the table are living and breathing these cases on a daily basis. You have read a portion of the discovery and are conducting a 40 minute synopsis of 6 months of events.



The demeanor of the board affects the level and quality of participation by the parties.

- Be aware of your perspectives and perceptions and how they influence you
- Discuss judgments, reactions and concerns during board meeting time
- Be aware of your audience
- Be sensitive of language (avoid trigger questions, legal jargon)
- Be aware of body language and tone of voice
- Avoid lecturing, counseling, and story telling
- Provide parties with a welcome environment.
- Provide explanation, context and allow opportunity to ask questions

DISCLAIMER: if the concept of Trauma Informed care is new or you did not attend the conference last year, there will be a lot more discussion about this in your counties as the revised forms are distributed.

Be aware of your Audience: Appropriate engagement of youth, children and parents

Be Sensitive in your Language: appropriate verbiage, no jargon, trigger questions, acronyms,

Appropriate Questioning Strategies:

- Questions should be relevant to the finding.
 (Fact vs. Curiosity) Avoid asking questions outside scope of the findings.
- Refrain from lecturing and sharing personal anecdotes
- Sensitive Subjects: (mental health diagnoses, sexual orientation, marital status, employment)
 Focus on services and questions essential to finding.
- WHO, WHAT, WHEN?
 (ie. dates, legal obligations within review period, parental progress within ASFA)

A. Must be relevant and not a curiosity question.

WHO does the finding reference – DHS, the parent? So who is the most appropriate party to ask...

- A. WHAT additional information is necessary? What don't you already know?
 - Direct questions vs. open ended questions to solicit response and obtain information?
 - VERY DIRECT =YES or NO. ex. "did you response a written response from the tribe". WHEN was the referral submitted? What is your clean/sober date?
 - OPEN ENDED = ex. What ongoing efforts have been made to locate and contact relatives? What is the status of determining suitability of these families? tell me, explain to me, HOW, these questions ask parties to evaluate. BE careful of phrasing. WHY did you... leave your children with your ex-boyfriend? Why not? Acronyms, etc. What's was JCMH contacted for PCIT services to address his ODD.
 - You are conducting a legal review but not an interrogation. You want parties to be engaged. We want to ask specific questions but in a way that solicits answers, not causes defensiveness, unnecessary rambling, parties to shut down or to escalate.
- C. WHAT are your measuring? Reasonable Efforts toward adoption? Parental Progress?
- D. If the purpose of your question does not help you evaluate the finding or substantiate the finding you are addressing, it's likely not something you NEED to know. ie child's ballet performance, softball game,
- WHAT WE WANT TO KNOW do you have a job? Where do you work? How do you support yourself? Where do you live? What church do you attend? Ex. Citing historical details from psych evals? I read in your psychological evaluation that you were a victim of sexual abuse as a child, have you dealt with that?



Please take out your true and false questionnaire we will do this exercise as a group How do you feel about the possibility of Jack returning home this summer?
 FALSE

- Is there a reason you are not paying child support? FALSE
- Have you conducted a safety check of the mother's residence?

TRUE

I'm concerned about your mood instability during visits have you been evaluated for bi-polar medication?

FALSE

- How often does Renea meet with her Neurologist to monitor her seizure condition? TRUE
- Are you sexually active with your boyfriend?
 Are you using birth control?
 FALSE

Has Storm received an eye examination?
 My granddaughter was getting headaches and it was later discovered that she just needed glasses.

FALSE

Is the child participating in PCIT or just FSAT services? Does her IFSP reflect the results of her El assessment?

FALSE

What is your means of income and where do you work?

FALSE

