CRB Findings 101: THE STRUCTURED REVIEW

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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 a 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.
CITIZEN REVIEW BOARD
Oregon's Foster Care Review Program

Day Counts ... In the life of a child in foster care.
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.
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.
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.
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
When opening the review the lead reviewer will ensure that all participants understand the background of the case by using the following format:

- 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:

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 FIRST 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.
2. Has DHS 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
FINDING 2: Case Scenario

Three children were initially placed into non-relative care at time of entry, 10/20/13. They were placed in relative care with their paternal aunt on 11/1/13 once certification was obtained. The paternal aunt has been identified as both a permanent and temporary resource.

WHAT IS YOUR FINDING?
“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.
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 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 Dakomo, 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.
WHEN was the goal oriented?
What **SPECIFIC STEPS** have been taken?

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**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
Finding 5: Case Scenario

The court ordered the plan of adoption for Angelica at the Permanency Hearing on 11/10/13. The adoption home study was completed 2/14/14. A permanency staffing was held on 2/28/14 and the paternal aunt was approved as the adoptive resource. Adoption assistance paperwork was submitted to Central Office on 3/30/14 and a negotiated rate is being determined.

WHAT IS YOUR FINDING?
“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.
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 made sufficient progress in developing the concurrent permanency plan?

This finding applies when the plan remains RETURN TO PARENT.
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?
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
Finding 8: Case Scenario

See findings #3 and #4. Face to face visits have occurred per DHS policy and appropriate service referrals have been made in accordance with the permanency plan of return to parent.

WHAT IS YOUR FINDING?
“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.
Not a gut feeling finding!

Consider Legal circumstances of the case.

If reunification, is it still possible within ASFA timelines or with an extension.
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.
Finding 10: Case Plan Scenario

The safety plan is to maintain Joey in relative care until a plan of adoption can be finalized. The likely date to leave care is: 11/30/14
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.

**RECOMMENDATIONS:**

The findings and recommendations are related to one another. The findings made by the board result in specific recommendations. These recommendations compel action.

- Address permanency plan
- Address placement
- Address negative findings
- Services to parents and children

**When making a recommendation, indicate:**

- WHO the recommendation addresses
- WHAT specific action is required
- WHEN the action is to be completed
Each table has a set of findings cards and a set of questions

Work together to match each question to the most appropriate finding
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

Stick with the format.

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

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.
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,
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 respond 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?  
  \text{FALSE}

- How often does Renea meet with her Neurologist to monitor her seizure condition?  
  \text{TRUE}

- Are you sexually active with your boyfriend? Are you using birth control?  
  \text{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 EI assessment? **FALSE**

- What is your means of income and where do you work? **FALSE**
“Volunteers do not necessarily have the time; they just have the heart.”

- Elizabeth Andrew
QUESTIONS?

“Sometimes the questions are complicated and the answers are simple.”

~ Dr. Seuss
THANK YOU
Suzanne Callahan and Tina Qualls