California Laws

WIC 16501.1(f)(9)

- When goal is reunification, case plan must address both how services will restore family capacity AND how legal permanency will be achieved, should reunification fail.

WIC 358.1(b), 366.21(e) & .22(a)

- Efforts to achieve legal permanency must be addressed at Disposition Hearing & in subsequent court reports.

WIC 361.3 – Relative Placement

- All relative caregivers must be assessed on their ability to provide permanency for a child.

WIC 309 (e)(a))

- Locate and notify all relatives of the child is in care and their right to provide care for the child. Must be done within 30 days of placement.

AB 490 School

- Continued attendance in school of origin.

WIC 366.1. (f)(1) Siblings

Whether the child has any siblings under the court's jurisdiction, and, if any siblings exist, all of the following:
(A)The nature of the relationship between the child and his or her siblings.
(B)The appropriateness of developing or maintaining the sibling relationships pursuant to Section 16002.
(C)If the siblings are not placed together in the same home, why the siblings are not placed together and what efforts are being made to place the siblings together, or why those efforts are not appropriate.
(D)If the siblings are not placed together, the frequency and nature of the visits between siblings.
(E)The impact of the sibling relationships on the child's placement and planning for legal permanence.

(g)Whether a child who is 10 years of age or older and who has been in an out-of-home placement for six months or longer has relationships with individuals other than the child's siblings that are important to the child, consistent with the child's best interests, and actions taken to maintain those relationships.

WIC. CODE 358.1 Relative Visits

(c)Whether the best interests of the child will be served by granting reasonable visitation rights with the child to his or her grandparents, in order to maintain and strengthen the child's family relationships.

WIC. CODE 16501.1 Siblings kept informed about each other

(6)When out-of-home placement is made, the case plan shall include provisions for the development and maintenance of sibling relationships as specified in subdivisions (b), (c), and (d) of Section 16002. If appropriate, when siblings who are dependents of the juvenile court are not placed together, the social worker for each child, if different, shall communicate with each of the other social workers and ensure that the child's siblings are informed of significant life events that occur within their extended family. Unless it has been determined that it is inappropriate in a particular case to keep siblings informed of significant life events that occur within the extended family, the social worker shall determine the appropriate means and setting for disclosure of this information to the child commensurate with the child's age and emotional well-being. These significant life events shall include, but shall not be limited to, the following:
(A)The death of an immediate relative.
(B)The birth of a sibling.
(C)Significant changes regarding a dependent child.

Permanency Planning Hearing – 26 hearing

In any case in which the court orders that a hearing pursuant to Section 366.26 shall be held, it shall also order the termination of reunification services to the parent or legal guardian. The court shall continue to permit the parent or legal guardian to visit the child pending the hearing unless it finds that visitation would be detrimental to the child. The court shall make any other appropriate orders to enable the child to maintain relationships with other individuals who are important to the child.

One factor for court to determine the right to request extension of reasonable effort services at the .26 hearing is: A) That the parent or legal guardian has consistently and regularly contacted and visited with the child.

Phone Contact

Worker must offer a child who is ten years of older phone contact **within one hour** of detention with parents or attorney. W&I Code 308(b)

(W&I Code 16001.9(9)) telephone access for children in out-of-home care. Children and youth have the right to confidential phone calls and caregivers need to provide a private space.

WIC 366.22 (a) and (b): *Incarcerated Parents* – Extended Reunification time can be requested

The permanency review hearing would be continued for up to six months, provided it is held no more than 24 months from the date the child was originally taken from the physical custody of the incarcerated or institutionalized parent or legal guardian.

(1) **That the parent or legal guardian has consistently and regularly contacted and visited with the child.**

(2) That the parent or legal guardian has made significant and consistent progress in the prior 18 months in resolving problems that led to the child's removal from the home.

(3) The parent or legal guardian has demonstrated the capacity and ability both to complete the objectives of his or her substance abuse treatment plan as evidenced by reports from a substance abuse provider as applicable, or complete a treatment plan postdischarge from incarceration or institutionalization, and to provide for the child's safety, protection, physical and emotional well-being, and special needs.

CDSS Division 31-201 Regulations

- Order of service priority when determining the case plan goal: FM → FR → PP
- Permanency priority: Reunification → Adoption → Legal Guardianship
- Prior to termination of reunification services, determine potential for adoption

YOUR County

- Visit Policy and Procedures (check your local policies and determine how that impacts visit planning)