

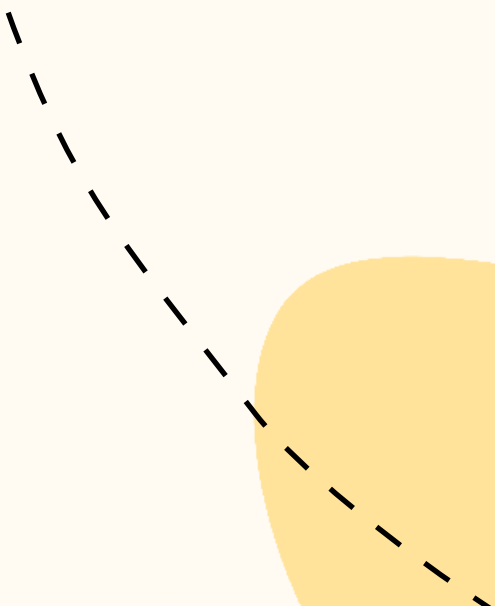
A parent's guide to

working with child welfare



OKLAHOMA DEPARTMENT OF HUMAN SERVICES

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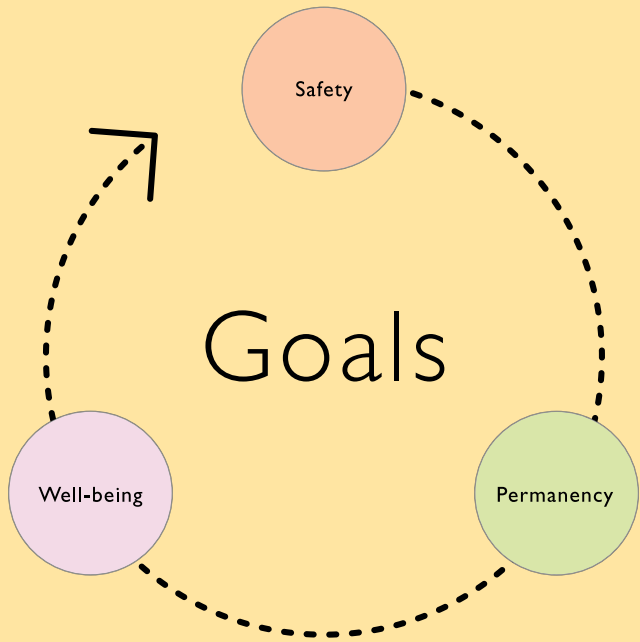
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Introduction

The Oklahoma Department of Human Services' Child Welfare (CW) Division works with Oklahoma families whose children are abused and neglected. CW helps protect children and tries to keep them in their homes with their family. When this can't happen, CW looks for a safe place for the child to live until the child can go back and live safely with his or her parents. Sometimes this does not happen. If the child cannot return home, **OKDHS looks for a new safe and permanent home for the child.**

Safety first

OKDHS CW wants to work with you to help you provide a safe home for your child. Oklahoma law requires that when a report of child abuse or neglect is made, CW must decide how to respond to the report. When there are signs of abuse or neglect, or if a child is in danger of abuse or neglect, an OKDHS CW specialist must report this to the district attorney. If this has happened with your family, a CW specialist may have provided you with a handbook, *Child Protective Services: Questions and Answers for Parents* (OKDHS Publication No. 87-02). If you did not receive this handbook, please ask your current CW specialist to get a copy for you.

The CW specialist who responded to the report about your family felt that to help keep your child safe, the involvement of the deprived court was needed. You may be experiencing court supervision with your child still in your home or your child is placed outside of your home. If your child is not living with you, please remember most children who are placed in the care of the OKDHS go back home to live safely with their families.

*Child Protective Services:
Questions and Answers for Parents
(OKDHS Publication No. 87-02)*



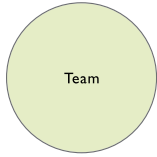
Working as a team

Your experience with CW may cause you to feel angry, sad and even helpless. However, from this point on, please think of **yourself as the most important part of your OKDHS team**. Your team includes you, your child, your CW specialist, service providers, people that support you and people who care about your child. If your child has been removed, a foster parent or another type of caregiver may be part of your team. Your team can also include any other people that you or CW feel are important.

At first, you may not want to work with the team; however, don't forget what you are working for – your child! Your CW specialist will schedule several meetings with you at the very beginning to get to know you better and learn how OKDHS can be most helpful to you. Your specialist will talk with you about why your child is not safe in your home, and what the behaviors or conditions were that made the child unsafe. You can help your CW specialist identify the unsafe behaviors or conditions as the specialist seeks to learn about you and your needs.

If you or your child has Native American heritage, you must let your CW specialist and attorney know. You will need to give them the name of the tribe and roll number, if you have it. If you have your child's CDIB or tribal membership card, please let your specialist make a copy. This will help get tribal assistance for you.

Finally, you and your CW specialist will put together an Individualized Service Plan. This plan lists services and



activities that can help you change the behaviors or conditions that led to your child being unsafe. The court can order any services agreed upon by you and your specialist. Sometimes the court may add a service or an activity that you did not agree with. If this happens, this is a court order and something that must be done. These services or activities may be changed if you or anyone on the CW team or the court feels they are not providing you the assistance needed.

Assessing and planning

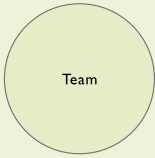
You will be asked to complete a Family Functional Assessment with your specialist. The **Family Functional Assessment** is when you help the CW specialist understand how your family takes care of your child and is used to help decide what activities or services are needed to help keep your child safe. The CW specialist may do this in your home or in another place. If you want to invite your family or friends who you look to for support, please do. The Family Functional Assessment is started no later than 60 days after your child's removal or prior to the Dispositional Hearing, whichever comes first. The Family Functional Assessment is reviewed throughout the case, and when there is an important change in the family, such as one parent leaves or a new person moves into the family home and when there are plans to return your child home.

After the Family Functional Assessment is done, together, as a team, you will work with your CW specialist to make a **Individualized Service Plan**. This plan will give the reasons

your child is unsafe, behaviors or things you will need to change for your child to be safe, and services and activities that will help in changing those behaviors. This plan is only for a limited time. Your specialist helps to make sure that you can get these services and that these services are working for you and your family. The specialist will follow up on your progress and this information is given to the court at each hearing.

Included in your Individualized Service Plan will be a list of **Standard “To Dos.”** These **“To Dos” include** visitation, contacting your specialist when there are changes, being a part of any scheduled court hearings and Family Team Meetings. Also the specialist will ask you to sign releases, complete your services, and follow the recommendation set forth by your service providers. You will also be asked to pay child support. You will be given a copy of the initial Individualized Service Plan and any updates.

Prior to your child being returned to your home, a Federal Bureau of Investigation (FBI) background check has to be completed on any adult residing in your home. Any adult does not include you, the parent, or a legal guardian or custodian. This is a state law and your child cannot return home unless this background check on the adults living in your home has been done. When you go to court, the judge may ask you to provide the court with a copy of the FBI fingerprinting results pertaining to any adult living in the home.



Family team meetings

When working with CW, you will be asked to be a part of a **Family Team Meeting**, also known as Family Group Conference or Team Decision Making, depending on the county where you live. The Family Team Meeting helps to make sure the best decisions are being made for your child, like returning to your home, being adopted or getting a guardian. You have the right to be part of any decision made on your case, and many decisions can be made during a Family Team Meeting. These decisions may be about visitation between you and your child, placement decisions, service provider decisions, changing the permanency plan from reunification to adoption, and anytime you have concerns and feel a Family Team Meeting is needed. Remember, you can request a Family Team Meeting when you feel there are discussions that are needed with your team. By OKDHS policy, Family Team Meetings are held at least once every six months, but Family Team Meetings may happen more often to make sure the best decisions are made.

When your child is living somewhere else

When your child is not living with you, you might hear the words: **Bridge or Bridge Resource Parent**. A Bridge Resource Parent, also called a foster parent or placement provider, is asked to provide temporary care for your child and to help your child stay close to people that are important to you and your child and his or her culture. The Bridge Resource Parent shares parenting with you and is part of your team – helping you learn and practice new skills to safely parent your child.

The Bridge Resource Parent may be related to you or someone who has a relationship with you and your child. The Bridge Resource Parent can also become a friend to you while your child is in care, and after your child leaves care. Remember, the more people you have to support you, the more successful you and your child will be. This may be hard to believe as you may still be feeling angry, sad or even helpless. However, your team is here for you and wants to see you and your child succeed.

Other places your child may live include:

- An emergency shelter, to live with a group of children cared for by shelter staff.
- A therapeutic foster home, to receive special care as long as necessary.
- A group home or live-in child care facility, to receive care for special needs from counselors or house parents.
- A live-in psychiatric facility, to receive care and treatment for behavioral and emotional problems.

Religion beliefs/faith

Removing your child from your home does not end your rights to make decisions about your child's religion or faith, unless you no longer have parental rights. The people caring for your child may include your child, if younger than 12 years of age, in their religious beliefs, unless you disagree. If this happens, you, your CW specialist and the placement provider can work together to let the child attend the church you prefer or have someone keep your child while the placement provider attends church. If your child is 12 years or older, the placement

provider may include him or her in their religious practices, but they must respect the child's religious beliefs – even if this means the child does not go to church. As a parent, your child may not be baptized, confirmed or go through any formal membership ceremony for a religious faith without your say-so.

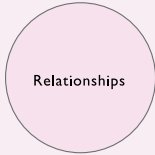
Discipline

Each child in OKDHS custody must be treated with respect and dignity. **Discipline is not punishment.** The main purpose of discipline is to teach the child, not to punish the child. Discipline must fit each child's needs and situation, like the child's age, stage of development, behaviors, and history of physical or emotional abuse.

Visiting your child

Visits between you and your child should begin no later than one week after your child began to live somewhere else, and at least more than one time per month. In the beginning, your visits may be supervised. As you make progress, visits may occur more often with less supervision. There are different types of visitation; supervised, unsupervised, observed/monitored and therapeutic. Sometimes during your visits there will be planned activities that allow you to learn and practice new skills. We prefer that as your child gets ready to return home, the visits begin to increase in number and time spent with you, including overnights and weekends in your home with all who will be actively involved in your child's life.

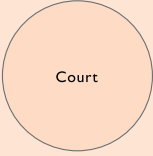
Visits are available as long as the child is safe and the plan is to return the child to the parent.



Here are a few things to remember about visiting your child:

- Visit your child regularly. This is important to show your child that you love and have not forgotten about him or her.
- Call your CW specialist as soon as possible if for some reason you can't visit when you said you would.
- Be on time. If you are late, your visit may be shorter, or may even be cancelled, especially if you do not let your CW specialist know you are going to be late.
- Talk with your CW specialist and your child's placement provider about your child's health, progress in school and adjustment to placement.
- If you bring your child toys or clothes, leave them with your child after the visit as a reminder of your love.
- If your child asks when he or she can come home, don't make promises that you do not control. Talk openly with your child about your situation.
- If you have a complaint about the care your child is receiving, tell your CW specialist alone. Don't talk about the problem in front of your child.
- Visits with your child will allow you a chance to practice some of the changes you are making in how you care for your child, and it allows your CW specialist to have an understanding of how you are doing and your interest in your child.





Court

Deprived court is the court that handles cases involving children. **The deprived court is set up to protect children,** not to punish families. In deprived court, the judge hears the evidence and decides if your child is deprived. A finding of deprived means the concerns about your child’s health and safety require the court to make decisions and set certain conditions to make sure your child is safe.

Your rights

Ask your attorney for legal advice and a full explanation of your rights. If you want copies of the law about child abuse and neglect, you may ask your attorney to provide them. You also may be able to get copies of the law at your county law library. Most of the laws about child abuse and neglect are in the Children’s Code in Title 10A of the Oklahoma Statutes, starting at Section 1-1-101. You have the **right to review anything in the court file, unless** the review may affect an ongoing criminal investigation or adjudicatory hearing. The file will not include the name of the person who made the report of abuse or neglect. You will be provided copies of progress reports for every hearing throughout the life of your CW case.

OKDHS has policy and procedures for working with families. You have the right to expect that OKDHS policy is followed. OKDHS policy is public information. If you have any questions about policy, you may ask your CW specialist or you may review policy at www.okdhs.org.

Finding your attorney

You can find an attorney by calling local Legal Aid services or your local attorney referral service. **If you cannot afford an attorney, you can ask the court to appoint an attorney** to represent you. The court will decide whether you are able to hire your own attorney or if the court will appoint one. You also may waive your right to an attorney.

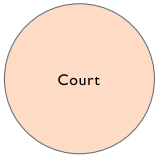
Note: The court will appoint an attorney to represent your child and to make sure your child's interests are represented in court.

Court actions that affect your child and you

Always go to court when you are told that there will be a hearing about your child. If you get a legal notice, a phone call, a written message or just word-of-mouth, as a parent **you have a right and responsibility to be at the hearing**. You may ask the judge for an interpreter if you are not able to speak and understand English or if your hearing is impaired.

Tips for appearing in court

- Always be on time. If possible come to court about a half hour early just in case you need to meet with your attorney or CW specialist.
- Look your best. Be clean and wear clean clothes.
- Do not bring your cell phone into the courtroom. If you must bring your cell phone, make sure you turn it off.
- Always use “Your Honor” or “Judge (his/her name)” when talking to the judge.



- Be polite to your attorney and CW specialist. Listen to them, even if you don't like what they have to say.
- If possible, don't bring children who are not involved in the case. Small children usually get fussy and tired when waiting.
- Your attorney will speak for you. If there is something you would like to say in court to the judge, talk with your attorney first.
- Keep a copy of any papers you receive. Your attorney can explain everything to you before signing any paperwork.
- Talk to those assigned to your case – keep them up-to-date about any new information.
- Leave the courthouse quietly – even if things don't go your way.

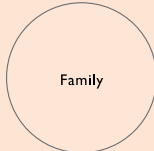
Types of hearings in deprived court

Emergency custody hearing

When your child is removed from the home, an emergency custody hearing is held within two judicial days (days court is open for business). The purpose of the emergency custody hearing, also known as a “show cause” hearing, is for the judge to decide if your child can be released to you or another responsible person. At the hearing you will receive written information about your rights and court procedures.

Adjudicatory hearing.

When the District Attorney files a deprived petition, an adjudicatory hearing is held for the judge to decide if the information in the petition is true or false and if your child



is deprived. The district attorney’s job is to prove there is enough evidence to show your child is not safe in your home at this time. When your child is “adjudicated” deprived, the court must be a part of making decisions and planning for your child until the court case is closed.

Dispositional hearing.

This is a hearing that has a different purpose than the adjudicatory hearing. This hearing can be held on the same day as the adjudicatory hearing or at a later time. At the dispositional hearing, the judge may return your child to you under legal supervision of OKDHS or keep your child in the temporary custody of OKDHS or another agency or person. The court orders an Individualized Service Plan that you must follow before your child can be returned to you or before the case can be closed. If you do not follow the court-ordered plan, you may lose all rights to your child.

Judicial reviews.

At least every six months, while your child is placed in out-of-home care, your family’s situation and your progress toward changing the behaviors or conditions listed in your court-ordered Individualized Service Plan will be reviewed at each court hearing.

Permanency hearing.

This hearing is held at about six months after the adjudicatory hearing or about eight months after your child was removed from your home. A Family Team Meeting may be held three weeks before this hearing with you and everyone

else who is involved in your case to discuss the permanent plan for your child. This is a very important hearing. If you have not changed or corrected the behaviors or conditions listed on your Individual Service Plan by this time, the District Attorney may file a petition to terminate your parental rights.

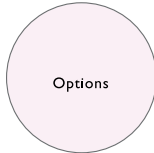
Remember, you can lose custody of your child or your parental rights to your child without your consent if you do not change the behaviors listed on the court-ordered Individualized Service Plan while your child is in placement. This may also happen if you do not stay in touch with your child and OKDHS to plan for your child's future.

A court hearing is the only way your rights as a parent can be taken away without your agreement. If your rights to your child are terminated, you are no longer the child's legal parent. You have a right to appeal the court's decision.

Your protections and responsibilities

You have protections that guide the work with your CW specialist. **You have the right to:**

- Write and review your court-ordered Individualized Service Plan and talk about what is in the best interest of your child. This helps you work on the behaviors that caused your child to be removed from home.
- Receive a written copy of the Individualized Service Plan and any updates. This tells you in writing what is expected of you before your child can be returned.
- Get information about your child and make decisions about your child while your child is in out-of-home care.



- Request visitation with your child. You, your CW specialist and maybe the person caring for your child, together will develop a Visitation Plan that describes when, where, how often, and other details about the visits, unless those decisions are court ordered. You will receive a copy of the Visitation Plan.
- Bring gifts, send mail and make phone calls to your child, unless is not in your child's best interest.
- Be kept informed of your child's placement, health, development, behavior and progress in school or day care.
- Be informed of surgery or serious medical care your child needs and consent to this treatment when needed.
- Be notified as soon as possible of any serious medical care or treatment given to your child.
- Be informed about OKDHS policies, specifically religious rights and discipline of children.
- Receive notice from the court or your attorney of any court action that affects your child, unless the court acts in an emergency.
- Consult with an attorney at any time and have an attorney represent you in court actions affecting your child or your parental rights.
- Be informed of what written reports the parents can expect to receive from OKDHS.

You have responsibilities. If you make an honest effort to carry them out, you and your child can benefit. The services that OKDHS provides can help you. If you do not carry out your responsibilities, the court may decide to take away custody of your child or your parental rights to your child.

You are responsible to:

- Help your CW specialist set up the plan for what you must do while your child is in care and what will be best for your child now and in the future.
- Work toward changing the behaviors that resulted in your child being unsafe and placed in care.
- Visit your child at a regular time and place as agreed upon by you and your CW specialist. If you cannot visit, notify your specialist before the scheduled visit.
- Talk about your child’s care and progress with your CW specialist.
- Tell your CW specialist of any concerns about the care of your child. Don’t talk about the problems in front of your child.
- Tell your CW specialist about major changes in your life, like changes of your address, phone number, job, income, marriage or other living arrangements, and changes affecting other members of your family.
- Keep appointments with your CW specialist. If you cannot keep an appointment or must cancel a visit, let your specialist know.
- Answer questions or provide information when requested, to your CW specialist.
- Pay child support. You must tell your CW specialist if your income changes.
- Fulfill any court-ordered requirements.

Other permanency options

When returning your child to your care is not a good choice, other possibilities for permanency that may be considered include:

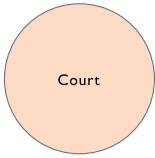
Legal Guardianship.

This is a decision that may be made by you and your CW specialist, or may be made by the court. A relative or kinship home may be the best, safe, permanent place for your child. This person must be willing and able to protect your child, to take over the care of your child and to become the legal guardian for your child. Guardianship may follow a child's temporary placement with relatives or kin. Either deprived court or civil court can grant guardianship. A private attorney may be needed for the relative or kin.

Adoption.

If the court finds that your child cannot return home safely, the court may decide that adoption is best for your child. A child who is adopted goes to live with a new family permanently. The child will become a legal member of that family and may take the name of the family. Your child can only be adopted by a new family after the court terminates your legal rights as a parent and gives the new parents full responsibility and parental rights for the child. This can only happen after you have an opportunity to present your case to the court or if you do not appear for the court hearing after you received notification.

You can voluntarily give up your parental rights by signing a legal document called a *relinquishment*. Because signing a relinquishment is a very serious matter, you should think



about this carefully and discuss your decision with your CW specialist and an attorney. After you sign a relinquishment, the court can enter an order stating that you are no longer your child's legal parent. At that time, you will no longer be responsible for your child's future. When your child is free for adoption, a permanent adoptive home for your child will be the goal.

Resolving complaints or problems

Anytime you have a complaint or a problem, talk to your CW specialist. If you and your CW specialist cannot resolve the problem, ask to speak to your specialist's supervisor or county director. After you have talked over your concerns with your CW specialist, the supervisor or the county director, you may ask in writing for a case review of:

- Not having received a copy of your Individualized Service Plan within 60 days of the child's removal from the home.
- The right to visitation with the child when the child has been removed.
- The right to participate in creating the Individualized Service Plan.
- Services you and the CW specialist agreed on in the Individualized Service Plan.
- An administrative review of a court-involved case, if the judge or Post-Adjudication Review Board (PARB) has not reviewed your case.

If the disagreement you are having with OKDHS is about your child's return home or OKDHS' refusal to let you visit, you may want to go to court to resolve the issue. The judge will make a decision based on your legal rights and what is best for your child. Both you and OKDHS must follow the judge's order.

Words used often by CW specialists

CW specialists may use words that only make sense to those who work in CW. Here is a list of a few of words to help you better understand terms used by your CW specialist.

Custody means a court has decided to give legal responsibility for a child to another person or agency, like OKDHS.

Placement means the place where the child is living.

Placement provider means the person caring for your child when he or she is not living in your home, like relatives, kin, Bridge Resource Parents, therapeutic foster parents, group home specialists, shelter specialists, or hospital staff.

Initial Meeting means a meeting the CW specialist may set for the parent to meet the people caring for the child so the parent can share information about the child to help the child adjust to being away from home.

Kinship means a relative, stepparent or other adult who has a relationship with your or your child. When children cannot stay in their own home our goal is to place them in a kinship home when possible.

Permanency means keeping children connected to family and others in their town or neighborhood who are important to them and making sure they have a forever home. There are laws in place to make sure children do not have to grow up in temporary homes, like in foster care. The CW specialist must make sure children get home as soon as it is safe to do so, and if they can't go home to make sure they have the chance to have another permanent home.

Termination of Parental Rights means a decision made by the court that forever ends the rights of the parent to care for and make decisions for the parent's child.

Comprehensive Home Based Services means services provided to some families in their home when the child is able to remain in the home safely. This service can also be provided before children return home to help prepare the family and children for the return, or at the time the child is returned to the home to help the family keep the child safe at home.

Directory and addresses

Important Numbers

CW Specialist _____

Address _____

Phone number _____

CW Supervisor _____

Address _____

Phone number _____

County Director _____

Address _____

Phone number _____

Other Important Numbers

Regional Office _____

Address _____

Phone number _____

Child Welfare Division _____

Address _____

Phone number _____

Attorney _____

Address _____

Phone number _____

Placement Provider _____

Address _____

Phone number _____

Service Providers

Name _____

Address _____

Phone number _____

Name _____

Address _____

Phone number _____

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OKDHS Pub. No.99-27 Revised 6/2012

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