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Informational Letter

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Issuing Division/Office:	Division of Development and Prevention Services
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Subject:	Strengthening Service Plan Reviews: A Practice Paper
Suggested Distribution:	Directors of Services Voluntary Agency Social Work Staff
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Attachments:	Appendix A: Crosswalk of New York State Policy Regarding Service Plan Reviews
Attachment Available On – Line:	yes

Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
		18NYCRR430.12	SSL 409 - e		

I. Purpose

The Office of Children and Family Services (OCFS), in partnership with child welfare stakeholders across the state, is committed to improving outcomes for the children and families served by the child welfare system. Consistent with the federal Child and Family Services Review (CFSR), and New York's Program Improvement Plan (PIP), the implementation of a comprehensive set of strategies designed to improve the child welfare outcomes of safety, permanency and well-being is underway in New York State. One of these initiatives involves strengthening the Service Plan Review (SPR) process, a significant component of casework practice in New York. As codified in New York policy in the 1970s, the SPR currently combines federal and state requirements for case planning and case review into a single meeting.

The purpose of this Informational Letter is: to review the purposes of the SPR process; to inform the field about the ways in which New York State is different than other states in implementing this process; to identify several innovative SPR practices already underway in local districts and agencies in New York State; and to recommend strategies for revitalizing and renewing Service Plan Review meetings to:

- support more timely and effective permanency outcomes for children in foster care;
- better support local departments of social services' program improvement initiatives;
- strengthen the engagement and involvement of children, parents, and foster parents in case planning to resolve child welfare issues;
- provide a more independent review of casework practice and service plans as it relates to achieving successful outcomes for children;
- strengthen the role of the SPR as a quality assurance process; and
- promote use of information captured during SPR meetings to inform policy and to improve practice, child safety, permanency and well-being.

A brief overview of the legislative foundation for service plan reviews from a national and state perspective is provided in this paper, as are examples of best practices in case reviews in local districts and other states across the country. Finally, recommended strategies for strengthening the SPR process are outlined.

II. Background

With the development of the Child and Family Services Review Program Improvement Plan by OCFS and child welfare stakeholders across the State, New York State has committed to supporting operational applications of child-centered, family-focused practice. The CFSR PIP provides a blueprint for the support of casework practices and program models that are effective, evidence-based or that are promising approaches to practice.

As part of the CFSR PIP, a workgroup was formed with representation from OCFS, local districts, contract agency service providers, university-based child welfare trainers and national experts. The goal of the workgroup was to review current practice in New York State, national practices and perspectives about best practices for the case planning and service plan review processes, and to make recommendations for future directions in New York. The results of that work are the basis for this paper.

A. Federal Legislative Foundation for Service Plan Reviews

In the 1970s, more than 500,000 children were in the foster care system nationally. At that time a variety of demonstration projects helped to address legal, attitudinal, and practice barriers to permanency.¹ Two major strategies emerged out of these demonstration projects - focused casework (involving methods of documenting case plans and contracting with parents to provide necessary services) and the systematic reexamination and monitoring of foster care cases at timely intervals, later known as foster care review.

In June of 1980, Congress enacted milestone legislation, Public Law 96-272, the Adoption Assistance and Child Welfare Act of 1980 (the Act), in an effort to address the many problems confronting the nation's foster care children and systems. Besides providing substantial resources for foster care services, the Act included two substantive reforms:

- Ñ *Permanency planning.* A major focus of the law was on the concept of permanency planning, its practice, and its impact on children. The Act changed the nature of foster care by requiring states to use the least restrictive placement possible, to develop written case plans for each child in care, to have plans in place within 60 days of removal from the home and to demonstrate “reasonable efforts” both to prevent placement and to make it possible for the child to return home.
- Ñ *Review.* Included in the Act were provisions for the periodic review of every case for the purpose of improving the child's outcomes. The Act required that states provide for periodic review of the status of all children in the system to prevent them from lingering unnecessarily in foster care. The mandated reviews did not end when parental rights were terminated or when a child was placed in permanent or long-term foster care, but continued until such placement was finalized.

The Act required states to have a two-tiered case review system, periodic case status reviews and court reviews. Periodic case status reviews are required at least every six months while a child is in care and must be held by a court, or administrative body. New York State used the administrative review process, rather than a court process. According to the federal statute, administrative review means “a review open to the participation of the parents and child, conducted by a panel of appropriate persons at least one of whom is not responsible for the case management of or the delivery of services to either the child

¹ Jones, Martha (1986). Stopping Foster Care Drift: A Review of Legislations & Special Programs, Child Welfare LVII, Child Welfare League of American, 587.

or the parents who are the subject of the review.” Periodic, six-month reviews were designed to consider:

- the continuing need for and appropriateness of the placement;
- extent of compliance with the case plan;
- extent of progress which has been made toward alleviating or mitigating the causes necessitating placement in foster care; and
- a projected date by which the child may be returned home or placed for adoption or legal guardianship.

The federal Adoption and Safe Families Act of 1997 (P.L. 105-98) became law on November 19, 1997. While generating significant changes in the federal focus and child welfare casework practice, it also changed the review requirement including a change in timing (from 18 months to 12 months for the permanency hearing), and the addition of safety as an important factor to be reviewed. Additionally, it required that foster parents and adoptive parents be given notice and the right to be heard at the SPR and permanency hearing.

B. New York State Legislative Foundation for Service Plan Review

New York regulations (18NYCRR 430.12) describe the purpose of the service plan review to, “...review the changes in family functioning and progress towards achievement of goals established in the last service plan, to re-determine goals and to develop a new or revised service plan based on the continuing service needs of family members.” A state Policy Directive issued by the precursor of OCFS, the New York State Department of Social Services, (88 ADM-27) in 1988 provides additional details about the purpose of the SPR meeting: “Periodic service plan reviews are required for all children in foster care to facilitate permanent placements, whether it be return to parent, adoption, or independent living...to facilitate permanency planning for children by allowing the participants to review and discuss the child’s and the family’s previous service plan and to develop the new service plan.” This policy encourages social services districts to, “go beyond regulatory requirements; meeting the minimum diligence of efforts requirements may not be enough. A successful service plan review will advance permanency for the child in a significant way and will empower the participants.”

This directive (88 ADM-27) currently requires that review meetings, “must be held no earlier than the first day of the month preceding the month in which the child’s Comprehensive Assessment and Service Plan or the Reassessment and Service Plan is to be approved.” The case planner is identified as the facilitator of the service plan review meeting. Certain mandated participants must be invited to the SPR meeting including the case planner (who typically plans and facilitates the meeting), the child (if over the age of 10), birth parents, guardian, or relative if child is to be discharged to a relative, the foster parents, a Native American representative if appropriate, and an independent third party. The caseworker and the independent third party (third party reviewer) must be present for the meeting to be considered a SPR. Optional participants are also identified and include the case planners, supervisor, case manager and case-specific service providers. The case

planner may bring a written draft service plan to the meeting or is expected to come to the meeting prepared to develop the plan. It is clear from this policy that the major focus of the Service Plan Review meeting is case planning.

According to policy, the role of the third party reviewer can vary, depending upon the nature of the particular review. “In general, the third party reviewer facilitates permanency planning by: asking questions which will assist participants to examine various alternatives; being supportive of parents and child as well as caseworker; offering suggestions as to resources and services available; managing conflicts which may arise; and confronting those issues which are not being addressed adequately. Although the expectation for this role is that the individual will be objective, he or she should not be uninformed. “It is not the purpose of the third party reviewer to take over the caseworker’s or caseworker’s supervisor’s role.”

Following the SPR meeting, the local district must document the following in the Uniform Case Record (UCR):

- new or continuing goals and anticipated completion dates for such goals;
- tasks to be completed in the upcoming review period;
- visiting plan;
- a listing of the participants in the service plan review; and
- a review of the previous service plan.

New York’s current policy requires case planners to make contact with any child and birth parent that does not attend the SPR meeting no later than 30 days after the review. If face-to-face contact is not possible, the local district must send a letter letting the child and birth parent know the SPR was held and that a copy of the service plan will be made available.

C. Innovative Review Practices in Other States

New York is the only state that combines case planning and case review into a single SPR meeting. Other states have separate systems for each of these functions. National experts support the separation of the case planning and case review functions, including a more independent foster care review process in order to support more objective evaluation of the case planning and review processes. The CFSR PIP workgroup recommendation is that New York State endeavor to distinguish the unique activities of case planning and foster care review by clarifying policies and practices to incorporate a more independent foster care review process. Lessons can be learned from other states and national experts that will aid in this work.

In 1999, the National Association of Foster Care Reviewers, as part of a federal cooperative agreement, developed the nation’s first set of guidelines for case review programs, now commonly referred to as foster care review. These guidelines are based on the original legislative intent of case review – that case review systems should provide an opportunity for an independent appraisal of casework practice as well as feedback to

child welfare stakeholders on case and system performance to improve outcomes, and on best practices of review programs from across the country. These guidelines, entitled, “Safe Passage to Permanency”, focus on areas of case review programs including: purpose; authority and structure; operations; training; case review process; collecting case review data and providing feedback.

The guidelines stress that collecting review data and providing feedback on case specifics and systemic improvement are the key outcomes of conducting case reviews. Good review systems provide feedback to caseworkers and child welfare administrators on the efficacy of the case plan and on caseworker performance.

Foster care review captures both quantitative and qualitative information about individual children in foster care, information not readily available through any other existing mechanism. The foster care review provides for a periodic check on every child in care at least every six months, providing an opportunity to monitor safety, progress toward permanency, reasonable efforts toward permanency and decision-making process and timeframes required by ASFA. Once customized and used by decision-makers, this information becomes a valuable resource to improve practice and develop responsive policies and budgets. The results are better decisions, compliance with the intent and requirements of ASFA, and improved outcomes for children in foster care.

When states elect an alternative to having the court conduct periodic case reviews, they typically choose among a variety of administrative review mechanisms involving citizen review boards external to the child welfare agency, state hearing examiners, other special reviewers employed by the agency, or agency personnel. Some states alternate between administrative and court reviews throughout the life of a case; other states combine features of the various models. Some of the models include representatives from outside the system who may be professionals or volunteer citizen reviewers. The use of third-party reviewers—particularly citizens—in the review process is designed to provide an independent perspective on cases, to improve agency accountability, and to enhance community awareness of foster care issues.

III. Program Implications

Social services districts and voluntary authorized agencies are encouraged to identify ways in which they can strengthen the Service Plan Review process within the realities of statutory limitations, resources available to them, and within the constraints of State Law. In New York, for example, we are bound by State Law to the Administrative Review System. A new direction that supports a more independent foster care review process, as is done in other states, is encouraged at this time. OCFS will be reviewing existing policies and regulations with a goal of revising existing criteria to better support distinct activities for case planning and independent review.

Social services districts and voluntary agencies that elect to pilot or implement a two-step process of case review and service plan development will need to assess change readiness

and the potential training needs within their agency. Technical assistance in this regard is available from Regional Offices.

A. Service Plan Reviews in Local Districts in New York

The CFSR PIP workgroup conducted a survey of local social services districts in New York State to collect data about current SPR practice in the State. The results of the survey show that of the 37 districts that responded, 34 have a formal process and/or procedure in place to support the Service Plan Review process. Twenty-three districts have a written protocol and 21 districts have agency-supported training on their SPR process. In most districts the caseworker facilitates the SPR meeting (31). Typically, the third party reviewer is someone who works for the agency (30), but responsibility for serving as the reviewer is rotated among several individuals (22). There are innovative practices in New York in regard to SPRs already underway. Three examples are described below.

In 1999, **New York City Administration for Children's Services (ACS)** had an assessment of their service plan review process conducted by the National Association of Foster Care Reviewers (NAFCR), comparing SPR practices to the NAFCR's Guidelines for Foster Care Review. As a result of this assessment, ACS made significant changes in the way that SPRs are conducted for direct and congregate care cases. The Office of Third Party Case Review was created with the sole responsibility to review the cases of children in direct foster care (DFC) and direct congregate care (DCC) placements. As a result of actions taken by this office, the service plan review meeting now has two discrete functions spelled out in protocol: review and service planning. The third party reviewer ("the Reviewer") facilitates the first portion of the meeting – the review, and when completed, the Primary Case Planner facilitates service planning.

After the meeting, the third party reviewer summarizes his/her findings in writing on the Third-Party Case Review Report Form. Having thoroughly reviewed the case and answered these critical questions, the Reviewer then turns over facilitation of the meeting to the Primary Case Planner. Reviewers are not the case supervisor and do not facilitate the planning portion of the SPR meeting, direct the activities of the case or case participants, or assume responsibility for developing and documenting the next case plan.

The primary case planner is responsible for overseeing and facilitating all planning activities necessary for the safety and timely permanency of the child. During the planning portion of the meeting, the primary case planner builds on the discussion and information of the review, while engaging the active participation of the parents and other case participants. The primary case planner also identifies critical activities which must occur, by who, and when, in order for the child to be safely returned home, adopted, or placed in another, permanent home. This plan must be transferred to the UCR, which becomes the blueprint for all activities of the case.

The **Westchester County Department of Social Services** recently contracted with the Mental Health Association of Westchester County (MHA) to conduct case record reviews and facilitate Service Plan Review meetings for children in foster care. MHA has assumed responsibility for scheduling the conferences, inviting all participants, and monitoring the conferences as a neutral third party. MHA is also monitoring the district's compliance with local, state and federal child welfare requirements and guidelines. Presently, MHA is conducting the Service Plan Reviews of children in foster and therapeutic foster homes, with a goal of expanding the reviews to Persons In Need of Supervision (PINS), juvenile delinquents (JDs), and children placed in residential treatment. The program is staffed by a full-time program assistant, three full-time reviewers, a full-time coordinator and a part-time director.

The MHA Reviewers conduct a case review of every child in foster care within 90 days of foster care placement and every 6 months thereafter. Additional reviews may be scheduled in some severe cases or at the request of those persons in attendance as frequent as 30, 60 or 90 days after the regularly scheduled review.

The Reviewer prepares by reviewing the previous Uniform Case Record (UCR). The Service Plan Review (SPR) takes approximately 1.5 hours and a standardized form is used to guide the meeting. These meetings cover changes or modifications in the UCR, an assessment of the appropriateness of permanency planning, the appropriateness of placement, and the establishment of new or revised goals, objectives, tasks, and visitation plans. Questions asked include: reason for placement; potential resources including biological fathers; service plan for parents and children; education status; health and mental health care; parent and sibling visits; ASFA compliance; permanency plan and timeframe. MHA provides quarterly aggregate reports to local Department of Social Services (DSS) administration regarding trends and issues identified during the SPR meetings. After completion of the Service Plan Review, a copy of the completed SPR form is provided to the appropriate office manager and supervisor within five business days.

In **Genesee County**, the Service Plan Review process is a mechanism for periodic, informed decision-making and facilitates the planning of services to address family needs. It is an important element in the case planning and casework process to support achievement of permanency goals. Each SPR meeting has a third party reviewer whose role is to observe, evaluate, and advocate for permanency for the child. The third party reviewer is expected to observe the meeting, take note of who is present, his/her level of participation, and interaction. As evaluator, the third party reviewer formulates and asks questions regarding various aspects of permanency planning, including: necessity of placement, appropriateness of placement, diligence of effort, and the service plan.

The third party reviewer is an advocate for permanency by asking questions that identify potential barriers to permanency. The third party reviewer is typically a Grade B supervisor from a different unit than that of the case being reviewed.

Once the SPR is complete, the third party reviewer completes a one-page form summarizing who attended, permanency and ASFA-related issues and the third party reviewer's observations. This form is submitted to the Director of Social Services who gleanes from these reports policy and management issues that may need to be addressed, and the casework supervisor who uses these reports during supervision to address practice issues or to "red flag" cases of concern.

B. Future Direction

OCFS continues to examine ways in which policy changes, including the possibility of future regulatory change, might strengthen the current Service Plan Review process and lead to better outcomes and better support the engagement of families through the case planning process. OCFS will continue to involve stakeholders in these discussions and will continue formal communication on this subject. The purpose of this paper, however, is to encourage districts and agencies to examine their current SPR process and to consider changes in that process and their practice. The intention of clarifying the unique process and activities respective to both case planning and independent review is to provide more opportunity for full child and family engagement in the planning process. This also supports an objective assessment of the current permanency plan for the child, as well as identifies systemic barriers to achieving success.

Acknowledging the importance of planning and the necessity for ongoing interaction between and among the child in foster care, the parents or caretakers, the foster parents, the service providers, the court and the caseworker are critical to developing a plan designed by and with the participation of all involved persons. The analysis and identification of what needs to happen next based upon the success or failure of the existing plan takes place with the child, family and other involved parties. Case conferences and discussions between the caseworker and their supervisor are essential to support a continued focus on outcome achievement for the children and family.

Discussions within the workgroup, as well as the results of the survey, indicate that great strides and efforts are made by staff to engage families in planning prior to the actual development of the new service plan. OCFS now encourages districts and agencies to implement a distinct case review process that will provide them with the independent feedback needed to identify strengths and needs in their service system. OCFS also encourages the implementation of practices that strengthen service plan reviews as a means to better engage families in the case planning process, to achieve more timely permanency outcomes for children, and to support a continuing focus on child safety and well-being.

Districts and agencies may want to consider implementing changes in accordance with the following guidelines:

1. Delineation of a Distinct Foster Care Review Process

This process provides for the review and monitoring of the progress toward achievement of permanency goals and the safety and well-being of any child in foster care or other out-of-home care setting.

- It is recommended that this review be separate and distinct from the development of the service plan or the review of the newly developed service plan.
- Strengthening the role and independence of the third party reviewer including:
 - The role and function of the third party reviewer is established outside of the traditional organizational or supervisory lines of the agency, bureau or unit that provides direct foster care services to children, including case planning or case management services to the family.
 - The third party reviewer may in some cases be an employee of the agency, a trained volunteer from the community, or a person from a separate agency with whom the executive officer of the foster care agency enters into a contract or agreement to perform the function of Independent Reviewer.
 - The third party reviewer should be accessible to the parent or child identified in the case, and must attend Service Plan Review meetings in addition to completing the Foster Care Review as discussed above.
 - The case manager or case planner, if designated, provides access to all information to the third party reviewer essential for the completion of the Foster Care Review.
- Development of a Foster Care Review report, completed by the third party reviewer, that reflects:
 - an evaluation of safety, well-being, and permanency progress of the individual child;
 - recommendations of the third party reviewer for changes to the Service Plan, if appropriate; and
 - identification of any individual staff or agency practices that have demonstrated a successful impact on outcome achievement, or identification of areas for improvement that would assist the agency in effecting better permanency outcomes.
 - The Foster Care Review report should be completed and forwarded to all relevant parties including the child, the parent, and foster parents immediately after the completion of the review, but in no case later than five days prior to the Service Plan Review.

2. Service Plan Review Meetings

Service Plan Reviews should be held for the purpose of the review of the newly developed plan. Participants must include the case planner and the third party reviewer. The third party reviewer should facilitate the Service Plan Review meeting as a neutral party. It is recommended that the following individuals also participate:

case planner's supervisor, case manager, associated caseworkers, CPS monitor, foster parents, service providers, school personnel, child care staff, children over the age of 10 and those under the age of 10 who, when asked to participate, wish to do so, parents and caretakers, other family members, friends of the family, and advocates for the child or family members.

□ **Role of Agency**

- The agency sets expectations that the case planner make every effort to identify everyone who can make a contribution to the SPR. Additionally, the agency supports the case planner in issuing letters of invitation to the SPR. Letters are sent to foster parents, service providers, and participants identified by the child and family, such as other family members, friends, legal counsel, mentors, advocates or others that they may wish to participate in the planning. This is especially true for adolescents over the age of 14 and for whom a goal of return home may be unlikely. Other caseworkers and the case manager assigned to this case need to notify the case planner of any participants and their respective addresses.
- The agency makes a sincere effort to involve all the stakeholders in the SPR by having the case planner identify a date, time, and location for the SPR that is consistent for the child, parent, foster parents, and other family members, arranging for transportation or child care, re-scheduling in case of emergencies, or separate meetings for individual parents or children, if safety is an issue.

□ **Role of Case Planner**

- It is the responsibility of the case planner to continually engage the family in the identification of their individual and family needs and strengths. These discussions are part of an entire assessment, planning, and monitoring process that occurs throughout all worker and family interaction and ongoing contact between the case planner, foster parents, and service providers. The formal SPR meeting is not to be the first plan and progress review discussion between the case planner and the family. These discussions must be held with the family in preparation for the SPR. The SPR is a meeting where the family and the worker present their assessment of progress and future needs for discussion with other stakeholders in the case. These discussions are the foundation for the development of the formal service plan completed by the case planner and approved by the case manager. The plan should be shared with the child and family prior to the SPR meeting so that both the family and caseworker are presenting a mutually agreed to service plan to all other participants.

- The case planner documents the recommendations and changes made to the service plan at the SPR meeting. The final service plan that emerges from the SPR will specify changes in the plan that reflects the input of the participants and addresses the issues identified in the Foster Care Review report as appropriate. It must also identify specific strengths of the individuals and family that will support the successful completion of the service plan and achievement of permanency.
 - A copy of the final approved case plan is forwarded to all relevant parties that may have access to the service plan. It is the responsibility of the case planner to obtain all necessary signatures and releases, if appropriate.
- Each participant's responsibilities for the SPR and the follow through are made clear:
- The child, family, and foster parents are responsible for the identification of specific needs they have and services that they feel would support their success and to report back to the case planner any specific problems or barriers to completing their respective tasks and responsibilities.
 - All service providers are responsible for completing assigned tasks and responsibilities, and supporting the achievement of the permanency goal and the safety and well-being of the child.
 - All service providers are responsible for providing the case planner with timely verbal and written information that identifies the child and family's success or failure to complete specific tasks, and the activities that may jeopardize outcome achievement.

With the implementation of the new Case Management functionality in CONNECTIONS Build 18, a distinct component has been developed to support the Service Plan Review Process. The new functionality will assist workers in tracking and scheduling SPR meetings, identifying and inviting participants, tracking outcomes, and providing distinct areas for comments by the third party reviewer, the family, and the worker. All staff are urged to use this process not only for children in foster care, but for all children and families that are served.

OCFS continues to encourage districts and agencies to learn from their colleagues across the state about innovations and improvements in child welfare practice. To aid in this effort, technical assistance is available from OCFS's Regional Offices.

s/s Larry G. Brown

Issued By:

Name: Larry G. Brown

Title: Deputy Commissioner

Division/Office: Development and Prevention Services

Appendix A

Crosswalk of New York State Regulations on Service Plan Reviews

PURPOSE OF THE SPR:

- SSL 409-e: The family service plan developed in regard to a child in foster care pursuant to section 409-e of the SSL must include the permanency plan provided to the court in accordance with the Family Court Act and the Social Services Law.
- 18 NYCRR 430.12: The purpose of the reassessment and Service Plan Review is to review the changes in family functioning and progress towards achievement of goals established in the last service plan, to re-determine goals and to develop a new or revised service plan based on the continuing service needs of family members. [18 NYCRR 428.8]
- 88 ADM-27: Periodic Service Plan Reviews are required for all children in foster care to facilitate permanent placements, whether it be return to parent, adoption, or independent living...to facilitate permanency planning for children by allowing the participants to review and discuss the child's and the family's previous service plan and to develop the new service plan. . . a successful Service Plan Review will advance permanency for the child in a significant way and will empower the participants.
- CWA 91-1: A Service Plan Review is a case conference, whose purpose is to facilitate the planning for a child in foster care by allowing the conference participants to objectively review and discuss the child's and the family's previous service plan and to develop a subsequent plan consistent with the child's permanency planning goal. The Service Plan Review can also serve to empower the parents and children by ensuring that they actively participate in permanency planning and decision-making.

TIMELINE:

- 88 ADM-27: The Service Plan Review must be conducted prior to the due date of the Comprehensive Assessment and Service Plan and any subsequent Reassessment and Service Plan reviews for children in foster care.
- Case conference must be held no earlier than the first day of the month preceding the month in which the child's Comprehensive

Assessment and Service Plan or the Reassessment and Service Plan is to be approved.

PARTICIPANTS/INVITEES:

SSL 409-e: The [initial] plan shall be prepared in consultation with the child's parent or guardian, unless such person is unavailable or unwilling to participate, or such participation would be harmful to the child, and with the child if the child is in foster care and is 10 years of age or older.

18 NYCRR 430.12: A panel of at least two people must participate in the development and review of each comprehensive assessment and service plan or comprehensive risk assessment and service plan. . . "This panel must include the case planner and an administrator or other person not responsible for the case management or delivery of services to that case. The review panel must convene a case conference with the review panel members and the parent(s) and child present . . .to review and develop a service plan for the case. The plan...must be approved by the case manager..."

Mandatory invitees include:

- the child if he/she is 10 years of age or older;
- the parent(s), guardian(s), or, in the case of a child whose permanency goal is discharge to a relative, the relative to whom the child will be discharged;
- in the case of an Indian child, the child's tribe if known; and
- the child's current foster parent, caretaker relative, or pre-adoptive parent presently providing care for the child.

88 ADM-27: ADDS: Beyond what is required in regulation, good casework practice dictates that all persons who are actively involved with the child should be invited to participate.

ADDS: You may invite children younger than 10 if the participation of the child would be of value. This decision should be weighed against the ability of the other participants to freely discuss the child's service plan in the presence of the child. In certain limited circumstances, it may be desirable to limit a child's attendance to a portion of the review.

NOTIFICATION:

18 NYCRR 430.12: Written notice to each participant at least two weeks prior to the case conference inviting them to attend, giving the date, time, and location of the conference, and informing them that they may be accompanied by a person(s) of their choice.

88 ADM-27: ADDS: The case planner; or the person with this designated responsibility [should notify the parties.] Parents should be informed that they may be accompanied by a person(s) of their choice

FOLLOW-UP:

SSL 409-e: Relevant portions of the assessment of the child and family circumstances, including but not limited ..., and a complete copy of the family service plan established pursuant to subdivisions one and two, respectively, of this section, shall be given to the child's parent or guardian, and the child's law guardian, if any, within ten days of preparation of any such plan...

18 NYCRR 430.12: Where possible, face-to-face contact by the case planner with the invited participants (foster/adoptive and caretaker relatives) who were unable to attend the case conference no later than 30 days after the date the case conference was held...those invited participants who were unable to attend the case conference must be given a summary of the service plan for the child, which at minimum must include the following:

- new or continued goals or outcomes and anticipated completion dates when goals have been established;
- tasks which describe the activities to be completed within the upcoming review period, and the family members and/or the service provider who are to perform each activity;
- an updated visiting plan for children in foster care;
- documentation stating the involvement of the parent, child, and any others in development of the service plan. . . and a listing of the participants in the service plan review; and
- a review of the previous service plan, which describes the progress in meeting or completing previously stated goals or outcomes and tasks or activities, the participation of family members in the process, and the service provision problems, if any, during the period under review.

Upon presentation of the service plan documents [above] the contents will be discussed. In the event that such face-to-face contact is not possible, a letter stating that a case conference was held will be sent to the invited participant(s). The letter must inform the invited participant(s) that a copy of the documents [listed above] will be made available to them upon request. A written statement of the conclusions and recommendations from the review or a copy of the service plan shall be made available to all participants, subject to 357 of this title [confidentiality rules].

- 94 ADM-8: Initial Risk Assessment and Service Plan, or Plan Amendment which was prepared because a child was entering or reentering foster care, Within 10 days of preparation of an Initial Assessment and Service Plan, relevant portions of the assessment and a complete copy of the child and family service plan and visiting plan must be given to the child's parent or guardian, counsel for such parent or guardian, and the child's law guardian, if any. Subsequent service plans and visiting plans are to be provided in accordance with the provisions of 18 NYCRR 430.12 (c) (2).

In-person delivery of the documents by the tenth day following preparation of the required UCR form, or the mailing of such documents by the tenth day will constitute an acceptable standard for meeting the statutory time frame requirements.

DOCUMENTATION:

- 18 NYCRR 430.12: The efforts made to involve [mandated invitees] in the case conference and the efforts made [to notify them] must be documented.
- 88 ADM-27: ADDS: The case planner may come to the review with a written service plan, in draft, or be prepared to develop the plan during the review. . .the case planner should make every effort to involve all the participants, especially the parent, in the development of the service plan during case conference.
- CWA 91-1: The case planner must document in the next UCR due that [notification] requirements were met, or provide an explanation as to why the requirements could not be met.

INITIAL VERSUS 6-MONTH NOTIFICATION:

- 94 ADM-8: Section 409-e (1) (d) of the SSL as amended by Chapter 725 of the laws of 1992, sets forth certain items which must be included in the assessment performed when children enter foster care. Please note that most of these items do not represent new requirements...please be aware that this

assessment information must be shared with the parent or guardian of the child entering foster care, the counsel for the parent or guardian, and the child's law guardian.

- 94 ADM-8: Chapter 725 of the laws of 1992 also amended Section 409-e (2) of the SSL relating to the service plan. These amendments contained no new documentation requirements. The amended language reinforced the existing regulations and good practice requirements that the service plan identify... "necessary and appropriate services and assistance to the child and members of the child's family. The services so identified shall, before being included in the family service plan, be assessed to determine the projected effectiveness of such plan..."