



*Current Through  
June 2008*

# Case Planning for Families Involved With Child Welfare Agencies: Summary of State Laws

Since the passage of the Adoption Assistance and Child Welfare Act (P.L. 96-272) in 1980, Federal law requires the development of a written case plan for any child receiving foster care maintenance payments under title IV-E (42 U.S.C. 671(16)).<sup>1</sup> A review of the statutes and administrative codes across the States shows that States are using a variety of approaches to address the issue of case planning.

<sup>1</sup> American Samoa and the Northern Mariana Islands do not participate in the title IV-E program and do not have provisions for case planning in their statutes.

Electronic copies of this publication may be downloaded at

[www.childwelfare.gov/systemwide/laws\\_policies/statutes/caseplanning.cfm](http://www.childwelfare.gov/systemwide/laws_policies/statutes/caseplanning.cfm)

To find statute information for a particular State, go to

[www.childwelfare.gov/systemwide/laws\\_policies/state/index.cfm](http://www.childwelfare.gov/systemwide/laws_policies/state/index.cfm)

To find information on all the States and territories, order a copy of the full-length PDF by calling 800.394.3366 or 703.385.7565, or download it at

[www.childwelfare.gov/systemwide/laws\\_policies/statutes/caseplanningall.pdf](http://www.childwelfare.gov/systemwide/laws_policies/statutes/caseplanningall.pdf)



## When Case Plans Are Required

- Approximately 19 States, the District of Columbia, Guam, and Puerto Rico address the issue entirely within their statutes.<sup>2</sup>
- Twenty-one States and the U.S. Virgin Islands address the issue in part in statute, with supplementary information in regulation.<sup>3</sup>
- Ten States address the issue entirely in regulation.<sup>4</sup>

States require a case plan whenever the child welfare agency places a child in out-of-home care, including foster care, placement with a relative, group homes, and residential placement. Twenty-one States and the District of Columbia, Guam, and the U.S. Virgin Islands also require a case plan whenever the child and his or her family are receiving any kind of in-home services to prevent placement or when the child has been placed in the legal custody of the State agency.<sup>5</sup> Most States impose a specific timeframe for completion of a case plan, as follows:

- A specified number of days from the date the child was placed in out-of-home care<sup>6</sup>
- A specified number of days from the date the case was first opened for services<sup>7</sup>
- A specified number of days from the date the child was adjudicated by the court as abused or neglected<sup>8</sup>

<sup>2</sup> The word *approximately* is used to stress the fact that the States frequently amend their laws. As of April 2008, Arizona, California, Connecticut, Delaware, Florida, Georgia, Hawaii, Indiana, Maine, Michigan, Minnesota, Missouri, Montana, South Carolina, Utah, Virginia, Washington, West Virginia, and Wisconsin provided for case planning in State statute.

<sup>3</sup> Arkansas, Colorado, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oklahoma, Oregon, Tennessee, Texas, and Wyoming.

<sup>4</sup> Alabama, Alaska, Maryland, Massachusetts, Mississippi, North Carolina, Pennsylvania, Rhode Island, South Dakota, and Vermont.

<sup>5</sup> Alaska, Colorado, Connecticut, Delaware, Florida, Hawaii, Kansas, Massachusetts, Missouri, Montana, New Hampshire, New Jersey, New York, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Virginia, and West Virginia.

<sup>6</sup> Ten days (in Arizona), 30 days (in Alabama, Georgia, Idaho, Minnesota, New Jersey, New York, South Dakota, and Tennessee), 45 days (in Illinois, Nevada, North Carolina, Texas, and Utah), or 60 days (in California, Florida, Indiana, Iowa, Louisiana, Maryland, Nebraska, Oregon, Washington, and Wyoming).

<sup>7</sup> Fourteen days (in Missouri), 30 days (in Alaska, Massachusetts, Mississippi, Ohio, and West Virginia), or 60 days (in Colorado, Oregon, and Pennsylvania).

<sup>8</sup> Ten days (in South Carolina), 30 days (in Arkansas, Kansas, Kentucky, Oklahoma, and Rhode Island), or 60 days (in Virginia).

## Participants in the Process

The department or agency in each State that has the responsibility for providing child welfare services must formulate a case plan for each child placed in its care or custody. In 29 States, Guam, and Puerto Rico, the department must include the parent or guardian in the case planning process unless compelling circumstances prevent the parent's participation.<sup>9</sup> In 22 States, the child, if he or she is of an appropriate age, must be included in case planning efforts.<sup>10</sup> Approximately six States require that a representative of the child's Tribe be invited to participate when the child receiving services is an Indian child.<sup>11</sup>

Other persons who may be invited to participate include foster parents, guardians *ad litem*, court-appointed special advocates, and other members of the child's family, if they have significant ties to the child. In 13 States, participation is open to service providers, therapists, educators, and other professionals who have direct knowledge of the child and family's needs.<sup>12</sup> In seven of these States, the statutes or regulations specifically require that the State agency consider the use of some form of a family group decision-making approach when appropriate.<sup>13</sup>

## Contents of a Case Plan

Federal law under title IV-E (in 42 U.S.C. 675(1)) requires that the case plan describe specifics of a child's care while in placement, including, at a minimum, the following:

- A description of the type of home or institution in which the child is to be placed
- A plan for ensuring that the child receives safe and proper care and that appropriate services are provided to the parents, child, and foster parents:

<sup>9</sup> States must seek the participation of the parents in Alabama, Alaska, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Maine, Maryland, Minnesota, Montana, Nevada, New Jersey, New York, North Dakota, Ohio, Oklahoma, Oregon, Rhode Island, South Carolina, Texas, Utah, Virginia, and West Virginia. Compelling circumstances include the parent cannot be found, refuses to participate, or has had his or her parental rights terminated.

<sup>10</sup> In Alabama, Alaska, California (age 12 or older), Colorado, Idaho, Iowa, Kansas, Nebraska, Nevada, New Jersey, New York, North Carolina, Oklahoma, Oregon (age 12), Pennsylvania, Rhode Island, South Carolina, Texas, Utah, Vermont, Virginia, and West Virginia (age 12).

<sup>11</sup> Alaska, Kansas, Minnesota, New Mexico, Oklahoma, and Oregon.

<sup>12</sup> In Colorado, Hawaii, Kansas, Missouri, Nebraska, New Jersey, North Dakota, Oregon, Pennsylvania, South Carolina, Texas, Utah, and Wyoming.

<sup>13</sup> Hawaii ('*ohana* conference), Kansas (case planning conference), Missouri (family support team meeting), North Dakota (permanency planning child and family team), Oregon (family decision-making meeting), Utah (multidisciplinary team), and Wyoming (multidisciplinary team).

- To improve the conditions in the parents' home
- To facilitate the child's return to his or her own safe home or the alternative permanent placement of the child
- To address the child's needs while in foster care
- To the extent available, the child's health and education records
- Where appropriate, for a child age 16 years or older, a description of programs and services that will help the child prepare for independent living
- If the permanency goal for the child is adoption, documentation of the steps being taken to find an adoptive family

State requirements for case plans typically include goals and objectives that the parents must meet in order to achieve a safe home for the child and timeframes for achieving those goals. Approximately 30 States and the District of Columbia also require that the case plan state a permanency goal for the child.<sup>14</sup> In addition, 27 States and Puerto Rico require that, for a child who is in out-of-home care, the plan include a schedule of visitation between the child and his or her parent and between the child and any siblings that the placement has separated.<sup>15</sup>

This publication is a product of the State Statutes Series prepared by Child Welfare Information Gateway. While every attempt has been made to be as complete as possible, additional information on these topics may be in other sections of a State's code as well as agency regulations, case law, and informal practices and procedures.

<sup>14</sup> Alabama, Alaska, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maryland, Massachusetts, Nebraska, Nevada, New Jersey, New York, North Dakota, Ohio, Oklahoma, Oregon, Rhode Island, Tennessee, Texas, Utah, Washington, and Wisconsin.

<sup>15</sup> Arkansas, California, Colorado, Georgia, Idaho, Illinois, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New York, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Virginia, and Washington.

## Alabama

### When Case Plans Are Required

#### Ala. Admin. Code r. 660-5-28-.06

[Note: This issue is not addressed in the statutes reviewed. The information below is from the Alabama Administrative Code.]

- A written case plan must be developed for the child within 30 days from the time of placement.
- For children in foster care or related care less than 30 days, this case plan requirement is waived. A brief case plan statement will suffice.

### Who May Participate in the Case Planning Process

#### Ala. Admin. Code r. 660-5-28-.06

[Note: This issue is not addressed in the statutes reviewed. The information below is from the Alabama Administrative Code.]

- The parents or other relatives
- The child if of appropriate age

### Contents of a Case Plan

#### Ala. Admin. Code r. 660-5-28-.06

[Note: This issue is not addressed in the statutes reviewed. The information below is from the Alabama Administrative Code.]

#### The case plan must include the following:

- A description of the type of home or child care facility in which the child is to be, or has been, placed
- Justification of the appropriateness of the placement as to whether it is:
  - » In the least restrictive, familylike setting available, with relative placement to be given first consideration, after which foster family care, group home care, and institutional care are to be considered, in that order
  - » In close proximity to the parent's or family home
  - » Consistent with the best interests and special needs of the child
- An analysis of the circumstances that necessitate the child's placement, together with a statement of:
  - » What efforts were made and what services were provided to prevent the child's placement
  - » What conditions in the child's own home need improving before the child can be returned
  - » What services are to be provided to improve these conditions
- A statement of the plan for assuring that the child receives proper care while in placement that encompasses:
  - » Placement in a duly licensed facility or approved home, together with appropriate supervision
  - » Services to the providers to facilitate and support the child's adjustment in placement
  - » Services to the child to address his or her needs and a discussion of the appropriateness of the services provided
  - » A statement of the transitional independent living plan based upon an assessment of the needs of each child age 16 or older
- A statement of the child's permanent plan, developed in conjunction with the child's family and the child, as appropriate
- A description of the extent to which the parents or other relatives, and the child if of appropriate age, participated in the development of the permanent plan for the child
- A statement of the requirements of the court or the recommendations of the administrative review panel, in connection with the required 6 month case review, and how the department will meet those requirements and recommendations

**Contents of a Case Plan, continued****Ala. Admin. Code r. 660-5-28-.06**

- An estimated date by which a decision will be made to return the child to the parents or seek an alternative permanent placement
- A summary of what efforts will be or have been made and what services will be or have been provided to reunify the child with his or her family
- The health and education records of the child, to the extent available and accessible

---

**Alaska****When Case Plans Are Required****CPS Policy Manual §§ 2.9.1; 2.9.2**

*[Note: This issue is not addressed in the statutes reviewed. The information below is from the Alaska Child Protective Services (CPS) Policy Manual.]*

- A care and safety plan is required for each case when a safety appraisal has determined that harm factors exist, and the child is safe with services.
- A care and safety plan will be completed immediately when it is determined, based on the safety appraisal, that protective interventions are needed in order for the child to remain safely in the home.
- A case plan must be completed for the family in cases that are kept open for monitoring or services after the investigation has been completed, regardless of custody status.
- Once a decision is made to open the case for services, a case plan will be developed within 30 days.
- For a child placed in out-of-home custody, the plan is to be developed with the family, Indian custodian, and Tribe as soon as possible after assumption of custody, but no later than 60 days from the removal.

**Who May Participate in the Case Planning Process****CPS Policy Manual §§ 2.9.1; 2.9.2**

*[Note: This issue is not addressed in the statutes reviewed. The information below is from the Alaska CPS Policy Manual.]*

The plan is to be developed in face-to-face meetings with the parent/s, legal guardian/s or Indian custodian and, if age appropriate, the child. If the child is Native American, the child's Tribe will be invited to participate.

**Contents of a Case Plan****CPS Policy Manual §§ 2.9.1; 2.9.2**

*[Note: This issue is not addressed in the statutes reviewed. The information below is from the Alaska CPS Policy Manual.]*

*The care and safety plan must include:*

- The identified harm factors
- Actions to be taken to protect each child
- The person responsible for each component
- How the plan will be monitored and by whom
- A statement that the parent:
  - » Voluntarily agrees to place the child with an alternative caregiver, if applicable
  - » Agrees to follow the care and safety plan
  - » Understands that failure to follow the plan may result in filing a Child in Need of Aid (CINA) petition
  - » Understands that in the event of a CINA petition, each parent has the right to have an attorney appointed at no cost if the individual's income is at or below poverty level

**Contents of a Case Plan, continued****CPS Policy Manual §§ 2.9.1; 2.9.2**

The case plan for a child remaining in the home must include:

- A permanency goal that the child is to remain at home
- A statement that reflects the priority needs identified during the investigation
- Objectives that describe the behavior or situations that will exist to assure the child's safety at home
- A description of services and service providers that will be utilized to remedy the harm factors and reduce risk factors
- A list of activities and tasks that are needed to achieve the objective

The case plan for a child placed in out-of-home care must include:

- The overall permanency planning goal of the case
- Family strengths and protective capacities
- A plan of action that addresses the issues of child safety, permanency, child and family well-being, cultural continuity, and Indian Child Welfare Act (ICWA) compliance
- Identification of the concerns and needs based on the highest risk factors in the case
- Measurable and observable outcomes that describe the behavior or situations that will exist to assure the child's safety in his or her own home, or otherwise achieve the permanency planning goal
- A description of services that were provided to prevent removal and services to reunify the family
- For children whose permanency plan is adoption, the steps to be taken to find a permanent home, including child-specific recruitment efforts
- If a child has been placed out-of-home for at least 15 out of the last 22 months and a petition for termination of parental rights has not been filed, documentation of the compelling reason why

Activities and tasks needed to achieve the objective, including:

- » Identification of all parties involved in the plan
- » A listing of the tasks and responsibilities of each party
- » A schedule of workers regular visits
- The life skills necessary for self-sufficiency as an adult for a child who is age 14 or older, regardless of whether independent living is the permanent goal for the child
- The child's health and education records

---

**American Samoa****When Case Plans Are Required**

This issue is not addressed in the statutes reviewed.

**Who May Participate in the Case Planning Process**

This issue is not addressed in the statutes reviewed.

**Contents of a Case Plan**

This issue is not addressed in the statutes reviewed.

**Arizona****When Case Plans Are Required****Rev. Stat. § 8-806**

When a child has been accepted into a voluntary placement, the department must develop a case plan within 10 days.

**Who May Participate in the Case Planning Process****Rev. Stat. § 8-806**

The department must develop a case plan with the child's parent, guardian, or custodian.

**Contents of a Case Plan****Rev. Stat. § 8-806**

The case plan shall establish the services necessary to promote the safety of the child on the planned return of the child to the parent, guardian, custodian, or alternative placement.

---

**Arkansas****When Case Plans Are Required****Ann. Code § 9-27-402; 016 15 Code of Rules 011, Policy IV-A**

A case plan shall be developed in all dependency-neglect cases or any case involving an out-of-home placement, and:

- The case plan shall be developed and filed with the court no later than 30 days after the date the petition was filed or the juvenile was first placed out of home, whichever is sooner.
- If the department does not have sufficient information prior to the adjudication hearing to complete all of the case plan, the department shall complete those parts for which information is available.
- All parts of the case plan shall be completed and filed with the court 30 days after the adjudication hearing.

**Who May Participate in the Case Planning Process****Ann. Code § 9-27-402; 016 15 Code of Rules 011, Policy IV-A**

The Department of Human Services shall be responsible for developing case plans in all dependency-neglect cases, and in family in need of services or delinquency cases when custody is transferred to the Department of Human Services. The case plan shall be developed in consultation with:

- The juvenile's parent, guardian, or custodian
- The juvenile
- The juvenile's foster parents
- The Court Appointed Special Advocate
- The juvenile's attorney ad litem
- All parties' attorneys

## Contents of a Case Plan

### Ann. Code § 9-27-402; 016 15 Code of Rules 011, Policy IV-A

When the juvenile is receiving services in the home of the parent, guardian, or custodian, the case plan shall include at a minimum:

- A description of the problems being addressed
- A description of the services to be provided to the family and juvenile, specifically addressing the identified problems and timeframes for providing services
- A description of any reasonable accommodations made to parents in accordance with the Americans with Disabilities Act to assure to all the parents meaningful access to reunification and family preservation services
- The name of an individual who the petitioner, parent, guardian, or custodian knows is claiming to be or who is named as the father or possible father of the juvenile and whose paternity of the juvenile has not been judicially determined
- A description of how the juvenile's health and safety will be protected
- When the juvenile is receiving services in an out-of-home placement, the case plan must include at a minimum:
  - A description of the permanency goal
  - The specific reasons for the placement of the juvenile in care outside of the home, including a description of the problems or conditions in the home of the parent, guardian, or custodian that necessitated removal of the juvenile and the remediation of which will determine the return of the juvenile to the home
  - A description of the type of out-of-home placement selected for the juvenile, including a discussion of the appropriateness of the placement
  - A plan for addressing the needs of the juvenile while in the placement, with emphasis on the health and safety of the child, including a discussion of the services provided within the last 6 months
  - The specific actions to be taken by the parent, guardian, or custodian of the juvenile to eliminate or correct the identified problems or conditions and when the actions are to be taken
  - The visitation rights and obligations of the parent, guardian, or custodian, and the State agency during the period the juvenile is in the out-of-home placement
  - The social and other family services to be provided to the parent, guardian, or custodian of the juvenile, and foster parent, if any, while the juvenile is in placement and a timetable for the provision of those services, the purposes of which shall be to promote the availability to the juvenile of a continuous and stable living environment, promote family autonomy, strengthen family life where possible, and promote the reunification of the juvenile with the parent, guardian, or custodian
  - To the extent available and accessible, the health and education records of the juvenile
  - A description of the financial support obligation to the juvenile, including health insurance of the juvenile's parent, parents, or guardian
  - A description of the location of siblings, and if siblings have been separated, the efforts that will be made to enable the siblings to maintain regular contact while separated
  - When appropriate for a juvenile of age 16 or older, a description of the programs and services that will help the juvenile prepare for the transition from foster care to independent living
  - A written notice to the parent or parents that failure of the parent or parents to comply substantially with the case plan may result in the termination of parental rights and that a material failure to comply substantially may result in the filing of a petition for termination of parental rights sooner than the compliance periods set forth in the case plan itself

**California****When Case Plans Are Required****Welf. & Inst. Code § 16501.1**

A written case plan shall be completed within a maximum of 60 days of the initial removal of the child, or of the in-person response required under § 16501(f) if the child has not been removed from his or her home, or by the date of the dispositional hearing, whichever occurs first.

The case plan shall be updated, as the service needs of the child and family dictate. At a minimum, the case plan shall be updated in conjunction with each status review hearing conducted pursuant to § 366.21, and the hearing conducted pursuant to § 366.26, but no less frequently than once every 6 months. Each updated case plan shall include a description of the services that have been provided to the child under the plan and an evaluation of the appropriateness and effectiveness of those services.

**Who May Participate in the Case Planning Process****Welf. & Inst. Code § 16501.1**

Parents and legal guardians shall have an opportunity to review the case plan, sign it whenever possible, and then shall receive a copy of the plan. In any voluntary service or placement agreement, the parents or legal guardians shall be required to review and sign the case plan. Whenever possible, parents and legal guardians shall participate in the development of the case plan.

A child shall be given a meaningful opportunity to participate in the development of the case plan and state his or her preference for foster care placement. A child who is age 12 or older and in a permanent placement shall also be given the opportunity to review the case plan, sign the case plan, and receive a copy.

**Contents of a Case Plan****Welf. & Inst. Code § 16501.1**

The case plan shall include:

- An assessment of the circumstances that required child welfare services intervention
- Specific goals and the appropriateness of the planned services in meeting those goals
- The original allegations of abuse or neglect, or the conditions cited as the basis for declaring the child a dependent of the court, and the other precipitating incidents that led to child welfare services intervention
- A description of the schedule of the social worker contacts with the child and the family or other caregivers
- When out-of-home services are used, the frequency of contact between the natural parents or legal guardians and the child
- When out-of-home placement is made, the provisions made for the development and maintenance of sibling relationships
- If out-of-home placement is made in a foster family home, group home, or other child care institution that is either a substantial distance from the home of the child's parent or out of State, the reasons why that placement is in the best interest of the child
- If out-of-home services are used, or if parental rights have been terminated and the case plan is placement for adoption, a recommendation regarding the appropriateness of unsupervised visitation between the child and any of the child's siblings
- If out-of-home services are used and the goal is reunification, a description of the services to be provided to assist in reunification and the services to be provided concurrently to achieve legal permanency if efforts to reunify fail
- If out-of-home services are used, the child has been in care for at least 12 months, and the goal is not adoptive placement, documentation of the compelling reason or reasons why termination of parental rights is not in the child's best interest
- If the case plan has as its goal for the child a permanent plan of adoption or placement in another permanent home, documentation of the steps the agency is taking to find an adoptive family or other permanent living

**Contents of a Case Plan, continued****Welf. & Inst. Code § 16501.1**

- arrangement for the child; to place the child with an adoptive family, an appropriate and willing relative, a legal guardian, or in another planned permanent living arrangement; and to finalize the adoption or legal guardianship
- When appropriate, for a child who is age 16 or older, a written description of the programs and services that will help the child, consistent with the child's best interests, prepare for the transition from foster care to independent living
- When a child who is age 10 or older has been in out-of-home placement in a group home for 6 months or longer, an identification of individuals, other than the child's siblings, who are important to the child and actions necessary to maintain the child's relationship with those individuals, provided that those relationships are in the best interest of the child

---

**Colorado****When Case Plans Are Required****Rev. Stat. § 19-3-209; Code of Regs. 12 CCR 2509-4 (7.301.21)**

An individual case plan, developed with the input or participation of the family, is required to be in place for all abused and neglected children and the families of such children in each case that is opened for the provision of services beyond the investigation of the report of child abuse or neglect, regardless of whether the child or children involved are placed out of the home or under court supervision.

*[The following information is from the Code of Regulations.]*

The Family Service Plan document must be completed:

- Within 60 calendar days of opening an assessment in the automated case management system for children in their own homes, including Core Services program cases in which the children are not in out-of-home placement. There may be one Family Services Plan for the family in these cases.
- Within 60 calendar days of opening an assessment in the automated case management system for children in out-of-home placement, including those cases in which the children are receiving Core Services. There may be one Family Services Plan for the family; however, discrete sections in the treatment plan and in the placement information are required for each child in placement.
- For children age 16 and older in out-of-home placement, the plan for transition to independent living/emancipation shall be completed within 60 calendar days of the child's 16th birthday or of case opening.

**Who May Participate in the Case Planning Process****Rev. Stat. § 19-3-209; Code of Regs. 12 CCR 2509-4 (7.301.22)**

The family may participate in the development of the individual case plan.

*[The following information is from the Code of Regulations.]*

The county shall assure that the following parties participate in the development of the Family Services Plan:

- The caseworker
- The parents or legal guardians
- The child
- Immediate and extended family members as appropriate to the family and child's service needs
- Service providers, including kin caregivers and other out-of-home caregivers

All parties shall sign the plan and the caseworker's supervisor shall approve and sign the plan. The caseworker shall provide all parties with a copy of the signed plan. The reasons for any absence of signatures shall be documented on the plan. If the caseworker is unable to involve both parents, child, or provider, the efforts to do so and the reasons for the inability to do so shall be documented on the plan.

## Contents of a Case Plan

### Code of Regs. 12 CCR 2509-4 (7.301.23; 7.301.24)

[Note: This issue is not addressed in the statutes reviewed. The information below is from the Code of Regulations.]

The Family Services Plan shall document that services to be provided:

- Are directed at the areas of need identified in the assessment
- Are designed to assure that the child receives safe and proper care
- Are culturally and ethnically appropriate, including, but are not limited to, consideration of the child's family, community, neighborhood, faith or religious beliefs, school activities, friends, and primary language

Outcomes to be achieved as a result of the services provided will be described in terms of specific, measurable, agreed upon, realistic, time-limited objectives and action steps to be accomplished by the parents, child, service providers, and county staff.

For children in out-of-home placement, the Family Services Plan documents:

- That when the child is part of a sibling group and the sibling group is being placed out of the home, the county department locates an appropriate joint placement for all of the siblings, when possible and appropriate
- The problems to be resolved in order to facilitate reunification of the child and family, and to safely maintain the child in the home
- A description of the type of facility in which the child is placed and the reasons the placement is appropriate
- Whether the placement is in reasonable proximity to the home of the child's parents or relatives and the child's school
- That the placement is the least restrictive, safe, and most appropriate setting available consistent with the best interests and specific needs of the child
- Initial and ongoing efforts to place the child with kin
- If the child is moved to a more restrictive placement after the initial placement, how the more restrictive placement meets the child's needs
- Health and educational information, including the names and addresses of the child's current educational and health-care providers
- Specific plans for how the county will carry out any court orders concerning the child
- A description of the services and resources needed by the foster parents or kinship providers to meet the needs of the child
- A description of the services provided to reunite the family, including the plan for visitation, or to accomplish another permanency goal
- For youth age 16 and older, a description of services to assist the youth in preparation for self sufficiency and independent living, as early in placement as possible, but no later than 60 calendar days after the youth's 16th birthday
- That reasonable efforts have been made to maintain the child in the home, or prevent or eliminate the need for removal of the child from the home, or make it possible for the child to return to the home; or when applicable, documentation of the circumstances that exist in which reasonable efforts to prevent removal or reunite the child and the family are not required
- The specified permanency goal for the child, including one of the following:
  - » Remain home
  - » Return home
  - » Permanent placement with a relative through adoption
  - » Adoption by a nonrelative
  - » Legal guardianship/permanent custody with a nonrelative
  - » Other planned permanent living arrangement through emancipation
  - » Other planned permanent living arrangement through relative long term foster care
  - » Other planned permanent living arrangement through nonrelative long term foster care

**Connecticut****When Case Plans Are Required****Gen. Stat. § 17a-15**

The commissioner shall prepare and maintain a written plan for care, treatment, and permanent placement of every child and youth under the commissioner's supervision.

**Who May Participate in the Case Planning Process****Gen. Stat. § 17a-15**

The child and his or her parent or guardian may request a hearing to contest any provision in the plan.

**Contents of a Case Plan****Gen. Stat. § 17a-15**

The plan shall include, but not be limited to:

- A diagnosis of the problems of each child or youth
- The proposed plan of treatment services and temporary placement
- A goal for permanent placement of the child or youth that may include reunification with the parent, long-term foster care, independent living, transfer of guardianship, or adoption

The child's or youth's health and safety shall be the paramount concern in formulating the plan.

---

**Delaware****When Case Plans Are Required****Ann. Code Tit. 29, § 9003**

A written case plan must be prepared for each child under the supervision or custody of the Department of Services for Children, Youth, and Their Families.

**Who May Participate in the Case Planning Process****Ann. Code Tit. 29, § 9003**

The department must prepare and maintain the written case plan.

**Contents of a Case Plan****Ann. Code Tit. 29, § 9003; Tit. 31, § 3813**

The case plan shall include, but not be limited to:

- A description of the child's problems
- The care and treatment of the child
- Any other services to be provided to the child and the child's family
- Be designed to achieve any placement of the child outside of the child's home in the least restrictive setting available and in close proximity to the child's home, consistent with the best interests and special needs of the child

The permanent placement plan for a child must include, but is not limited to:

- A description of the type of home or institution in which the child is presently placed, including a discussion of the safety and appropriateness of the placement
- The identification of specific goals for the responsible placement or contract agency and for the child and/or the child's family that need to be accomplished in order to alleviate or mitigate the causes necessitating placement of the child
- The identification of specific services to be provided and of the requirements on the placement agency, parents, legal guardian, foster parents, contract agency, and/or child to achieve the desired outcome

**Contents of a Case Plan, continued****Ann. Code Tit. 29, § 9003; Tit. 31, § 3813**

- The projected date by which the child may be safely returned home or maintained in an alternate permanent home
- A permanent placement goal
- The date and signature by each necessary person accepting the plan or an explanation for the lack of a signature

---

**District of Columbia****When Case Plans Are Required****Ann. Code § 4-1301.09**

If there is a substantiated report, the agency responsible for the social investigation shall, as soon as possible, prepare a plan for each child and family for whom services are required on more than an emergency basis and shall take steps to ensure the protection of the child and the preservation, rehabilitation, and, when safe and appropriate, reunification of the family.

**Who May Participate in the Case Planning Process****Ann. Code § 4-1301.02**

The Child and Family Services Agency is responsible for preparing the case plan.

**Contents of a Case Plan****Ann. Code §§ 4-1301.02; 4-1301.09**

The case plan shall include at least the following:

- A description of the type of home or institution in which the child is to be placed, including a discussion of the safety and appropriateness of the placement and how the agency that is responsible for the child plans to carry out the voluntary placement agreement or judicial determination made with respect to the child
- A plan for assuring that the child receives safe and proper care and that services are available to the parents, child, and foster parents in order to improve conditions in the parents' home, facilitate return of the child to his or her own safe home or to the child's permanent placement, and address the child's needs while a committed child, including the appropriateness of services provided to the child
- To the extent available and accessible, the child's health and education records
- Where appropriate, for a child age 16 or older, a written description of the programs and services that will help the child prepare for the transition to independent living
- If the child's permanent plan is adoption or placement in another permanent home, documentation of the steps, including child specific recruitment efforts, taken to accomplish the following:
  - » Finding an adoptive family or other permanent living arrangement, such as with a legal custodian, a kinship caregiver, or in independent living
  - » Placing the child with an adoptive family, a kinship caregiver, a legal custodian, or in another planned permanent living arrangement
  - » Finalizing the adoption or legal custody or guardianship

Steps [to ensure the protection of the child and the preservation, rehabilitation, and, when safe and appropriate, reunification of the family] may include, but need not be limited to:

- Arranging for necessary protective, rehabilitative, and financial services to be provided to the child and the child's family in a manner that maintains the child in his or her home
- Referring the child and the child's family for placement in a family shelter or other appropriate facility
- Securing services aimed at reuniting with his or her family a child taken into custody, including, but not limited to, parenting classes and family counseling

**Contents of a Case Plan****Ann. Code §§ 4-1301.02; 4-1301.09 continued**

- Providing or making specific arrangements for the case management of each case when child protective services are required
- Referring the family to drug treatment services in the event of neglect or abuse that results from drug-related activity

---

**Florida****When Case Plans Are Required****Ann. Stat. § 39.6011**

The Department of Children and Family Services shall prepare a draft of the case plan for each child receiving services under this chapter. A parent of a child may not be threatened or coerced with the loss of custody or parental rights for failing to admit in the case plan of abusing, neglecting, or abandoning a child. Participating in the development of a case plan is not an admission to any allegation of abuse, abandonment, or neglect, and it is not a consent to a finding of dependency or termination of parental rights.

A case plan must be prepared, but need not be submitted to the court, for a child who will be in care no longer than 30 days unless that child is placed in out-of-home care a second time within a 12-month period.

In each case in which a child has been placed in out-of-home care, a case plan must be prepared within 60 days after the department removes the child from the home and shall be submitted to the court before the disposition hearing for the court to review and approve.

The case plan must be filed with the court and copies provided to all parties, including the child, if appropriate, not less than 3 business days before the disposition hearing.

**Who May Participate in the Case Planning Process****Ann. Stat. § 39.6011**

The case plan must be developed in a face-to-face conference with the parent of the child, any court-appointed guardian ad litem, and, if appropriate, the child and the temporary custodian of the child.

The parent may receive assistance from any person or social service agency in preparing the case plan. The social service agency, the department, and the court, when applicable, shall inform the parent of the right to receive such assistance, including the right to assistance of counsel.

If a parent is unwilling or unable to participate in developing a case plan, the department shall document that unwillingness or inability to participate. The unwillingness or inability of the parent to participate in developing a case plan does not preclude the filing of a petition for dependency or for termination of parental rights.

The parent, if available, must be provided a copy of the case plan and be advised that he or she may, at any time before the filing of a petition for termination of parental rights, enter into a case plan and that he or she may request judicial review of any provision of the case plan with which he or she disagrees at any court hearing set for the child.

## Contents of a Case Plan

### Ann. Stat. § 39.6011

The case plan must be written simply and clearly in English and, if English is not the principal language of the child's parent, to the extent possible in the parent's principal language. Each case plan must contain:

- A description of the identified problem being addressed, including the parent's behavior or acts resulting in risk to the child and the reason for the intervention by the department
- The permanency goal, as defined in § 39.01(51)
- If concurrent planning is being used, a description of the permanency goal of reunification with the parent or legal custodian in addition to a description of an alternate permanency goal
- The date the compliance period expires
- A written notice to the parent that failure of the parent to substantially comply with the case plan may result in the termination of parental rights, and that a material breach of the case plan may result in the filing of a petition for termination of parental rights sooner than the compliance period set forth in the case plan

The case plan must be signed by all parties, except that the signature of a child may be waived if the child is not of an age or capacity to participate in the case planning process. Signing the case plan constitutes an acknowledgement that the case plan has been developed by the parties and that they are in agreement as to the terms and conditions contained in the case plan. The refusal of a parent to sign the case plan does not prevent the court from accepting the case plan if the case plan is otherwise acceptable to the court.

The case plan must describe:

- The role of the foster parents or legal custodians when developing the services that are to be provided to the child, foster parents, or legal custodians
- The minimum number of face-to-face meetings to be held each month between the parents and the department's family services counselors to review the progress of the plan, to eliminate barriers to progress, and to resolve conflicts or disagreements
- The parent's responsibility for financial support of the child, including, but not limited to, health insurance and child support

When the permanency goal for a child is adoption, the case plan must include documentation of the steps the agency is taking to find an adoptive family or other permanent living arrangement for the child.

---

## Georgia

### When Case Plans Are Required

#### Ann. Code § 15-11-58

Within 30 days of the date a child who is placed in the custody of the Department of Human Resources is removed from the home and at each subsequent review of the disposition order, the Division of Family and Children Services of the Department of Human Resources must submit a written report to the court that shall either include a case plan for a reunification of the family or include a statement of the factual basis for determining that a plan for reunification is not appropriate.

### Who May Participate in the Case Planning Process

#### Ann. Code § 15-11-58

The contents of the report shall be determined at a meeting to be held by the Division of Family and Children Services of the Department of Human Resources in consultation with the judicial citizen review panel, if one is designated by the court for such purpose, and the parents and children, when available.

**Contents of a Case Plan****Ann. Code § 15-11-58**

The plan shall address each reason requiring removal and shall contain at least the following:

- The purpose for which the child was placed in foster care, including a statement of the reasons why the child cannot be adequately protected at home and the harm that may occur if the child remains in the home
- A description of the services offered and the services provided to prevent removal of the child from the home
- A discussion of how the plan is designed to achieve a placement in a safe setting that is the least restrictive, most familylike, and most appropriate setting available, and in close proximity to the home of the parents, consistent with the best interests and special needs of the child
- A description of the specific actions to be taken by the parents and the specific services to be provided by the Division of Family and Children Services or other appropriate agencies in order to bring about the identified changes that must be made in order for the child to be safely returned home
- Specific timeframes in which the goals of the plan are to be accomplished to fulfill the purpose of the reunification plan
- The name and contact information of the person within the Division of Family and Children Services or other agency who is directly responsible for ensuring that the plan is implemented
- Consideration of the advisability of a reasonable visitation schedule that allows the parents to maintain meaningful contact with their children through personal visits, telephone calls, and letters

---

**Guam****When Case Plans Are Required****Ann. Code Tit. 19, § 13301**

Upon completing its investigation of a report of suspected child abuse or neglect, Child Protective Services may seek to enter into a service plan, without filing a petition in court.

**Who May Participate in the Case Planning Process****Ann. Code Tit. 19, § 13301**

Child Protective Services shall enter into a service plan with such members of the child's family and such other authorized agencies as Child Protective Services deems to be necessary to the success of the service plan, including, but not limited to, the member or members of the child's family who have legal custody of the child.

**Contents of a Case Plan****Ann. Code Tit. 19, § 13304**

A service plan is a specific written plan prepared by Child Protective Services. The service plan should set forth:

- The steps that will be necessary to facilitate the return of the child to a safe family home, if the proposed placement of the child is in foster care or in alternate placement outside of the child's home
- The steps that will be necessary for the child to remain in a safe family home with the assistance of a service plan, if the proposed placement of the child is in a family home under Child Protective Services' supervision
- The steps that will be necessary to make the family home a safe family home and to terminate intervention of Child Protective Services into the family and eliminate, if possible, the necessity for the filing of a petition with the court
- The specific services or treatment that the parties will be provided, the specific actions the parties must take, or specific responsibilities that the parties must assume
- The timeframes during which such services will be provided, such actions must be completed, and such responsibilities must be assumed
- The specific consequences that may be reasonably anticipated to result from the parties' success or failure in complying with, performing, and completing, if possible, the terms and condition of the service plan, including, but not limited to, the consequence that, unless the family is willing and able to provide the child with a safe family home within the reasonable period of time specified in the service plan, their respective parental and custodial duties and rights shall be subject to termination
- Such other terms and conditions as Child Protective Services deems to be necessary to the success of the service plan

---

**Hawaii****When Case Plans Are Required****Rev. Stat. § 587-26**

- A service plan is a specific written plan prepared by an authorized agency and child's family.
- After each term and condition of the service plan has been thoroughly explained to and is understood by each member of the child's family whom the appropriate authorized agency deems to be necessary to the success of the service plan, the service plan shall be agreed to and signed by each family member.
- A copy of the service plan shall be provided to each family member who signed the service plan.

**Who May Participate in the Case Planning Process****Rev. Stat. § 587-26**

- An authorized agency
- Members of the child's family who have legal custody, guardianship, or permanent custody of the child at the time that the service plan is being formulated or revised

## Contents of a Case Plan

### Rev. Stat. § 587-26

The service plan should set forth:

- The steps that will be necessary to facilitate the return of the child to a safe family home, if the proposed placement of the child is in foster care
- The steps that will be necessary for the child to remain in a safe family home with the assistance of a service plan, if the proposed placement of the child is in a family home under family supervision
- The steps that will be necessary to make the family home a safe family home and to terminate the appropriate authorized agency's intervention into the family and eliminate, if possible, the necessity for the filing of a petition with the court
- The consideration given to the use of 'ohana conferences for family decision making
- The specific, measurable, behavioral changes that must be achieved by the parties
- The specific services or treatment that the parties will be provided, the specific actions the parties must take, or specific responsibilities that the parties must assume
- The timeframes during which the services will be provided, actions completed, and responsibilities assumed
- The specific consequences that may be reasonably anticipated to result from the parties' success or failure in making the family home a safe family home, including, but not limited to, the consequence that, unless the family is willing and able to provide the child with a safe family home within the reasonable period of time specified in the service plan, their respective parental rights shall be subject to termination
- Such other terms and conditions as the appropriate authorized agency deems to be necessary to the success of the service plan
- Steps that are structured and presented in a manner that reflects careful consideration and balancing the priority, intensity, and quantity of the services that are needed with the family's ability to benefit from those services

---

## Idaho

### When Case Plans Are Required

#### Ann. Code § 16-1621; Admin. Code 16.06.01.422

- The department shall prepare a written case plan in every case in which the child is determined to be within the jurisdiction of the court, including cases in which the parent is incarcerated.
- The case plan shall be filed with the court no later than 60 days from the date the child was removed from the home or 30 days after the adjudicatory hearing, whichever occurs first.
- Within 5 days of filing the plan, the court shall hold a planning hearing to determine whether to adopt, reject, or modify the case plan proposed by the department.

*[The information below is from the Idaho Administrative Code.]*

- Each child receiving alternate care under the supervision of the State shall have a standardized written alternate care plan.
- The purpose of the plan shall be to facilitate the safe return of the child to his or her own home as expeditiously as possible or to make other permanent arrangements for the child if such return is not feasible.
- The alternate care plan shall be included as part of the family service plan.
- The alternate care plan shall be developed within 30 days after a decision has been made to place a child in alternate care.

### Who May Participate in the Case Planning Process

#### Ann. Code § 16-1621; Admin. Code 16.06.01.422

- Copies of the case plan shall be delivered to the parents and other legal guardians, the guardian ad litem, and attorney for the child.
- Notice of the case plan hearing shall be provided to the parents, legal guardians, guardians ad litem, and foster parents.
- Although foster parents are provided notice of this hearing, they are not parties to the child protective action.

*[The information below is from the Idaho Administrative Code.]*

The parent(s) or legal guardian(s) and the child, to the extent possible, shall be involved in planning, selecting, and arranging the alternate care placement and any subsequent changes in placement.

### Contents of a Case Plan

#### Ann. Code § 16-1621; Admin. Code 16.06.01.422

- The case plan shall set forth reasonable efforts that will be made to make it possible for the child to return to his or her home and shall concurrently include a plan setting forth reasonable efforts to place the child for adoption, with a legal guardian, or in another approved permanent placement.
- Whenever possible, the child's connections to the community, including individuals with a significant relationship to the child, religious organizations, and community activities, will be maintained through the transition.
- The plan shall state with specificity the role of the department toward each parent.

*[The information below is from the Idaho Administrative Code.]*

The plan shall include documentation that the parent(s) or legal guardian(s) have been provided written notification of:

- Visitation arrangements made with the alternate care provider, including any changes in their visitation schedule
- Any change of placement immediately, and at the latest within 7 days, when the child is relocated to another alternate care or institutional setting
- Their right to discuss any changes and to seek recourse if they disagree with any changes in visitation or other alternate care arrangements

All parties involved in the alternate care plan, including the alternate care provider, parent(s) or legal guardian(s), and the child if of appropriate developmental age:

- Will be required to sign a statement indicating that they have read and understood the alternate care plan
- Will receive a copy of the alternate care plan

---

## Illinois

### When Case Plans Are Required

#### Comp. Stat. Ch. 705 § 405/2-10.1; Admin. Code Tit. 89, § 315.80

Whenever a minor is placed in shelter care with the Department of Children and Family Services or a licensed child welfare agency, the department or agency, as appropriate, shall prepare and file with the court, within 45 days of placement, a case plan that complies with the Federal Adoption Assistance and Child Welfare Act of 1980 and is consistent with the health, safety, and best interests of the minor.

*[The information below is from the Illinois Administrative Code.]*

The permanency planning process begins when the first contact is made with the child and family. The permanency planning process continues until the health and safety of the child are assured and department-funded services terminated.

## Who May Participate in the Case Planning Process

### Admin. Code Tit. 89, § 315.130

*[This issue is not addressed in the statutes reviewed. The information below is taken from the Illinois Administrative Code.]*

Based on the information gathered during the assessment process described in § 315.100 and through negotiation during the caseworker's contacts, visits, and at the initial family meeting, the caseworker and family shall develop a plan of intervention that is based on the family's strengths and needs and that addresses how the children's needs for health and safety will be met.

## Contents of a Case Plan

### Admin. Code Tit. 89, § 315.130

*[This issue is not addressed in the statutes reviewed. The information below is taken from the Illinois Administrative Code.]*

Service plans shall contain the following information:

- The names of the children for whom the department is providing services
- The health and safety factors that have resulted in placement of the children away from the family home and the problems that are causing continued placement
- The outcomes that would be considered a resolution to these problems and the strengths the family possesses to achieve those outcomes
- The reasons the child has been put in his or her current placement, the resources that will be necessary to maintain the placement, and, where a residential placement has been deemed necessary, a description of how and when a plan for moving the child to the least restrictive, most homelike placement can be developed
- The services to be provided to the parents, for each child while in care, and the foster parents if necessary when the child is in foster care that may best resolve the problems
- The health care to be provided to the child and the mental health care to be provided to address the child's serious mental health needs as well as a description of the child's physical, developmental, educational, or mental disability and any noneducational specialized services the child is receiving or should receive for each disability
- To the extent available and accessible, the health records of the child
- A description of the educational program/services the child is receiving or needs to receive
- To the extent available and accessible, the education records of the child
- Who will provide the services, how often they will be provided, and an explanation of why these services will meet the needs of the child
- If the child is placed more than 150 miles from the home of the parents or in a different State, the reasons why the placement is in the best interests of the child
- If the child is placed in a different State, a requirement that the child be visited not less frequently than every 12 months by a caseworker of the department or of the State in which the child has been placed, and that the caseworker submit a report on the visit to the department
- If siblings are placed apart from one another, the reasons why they are placed apart and what efforts are being made to find a joint placement for the sibling group
- The permanency goal for each child and the reason for selecting the goal
- In the case of a child for whom the permanency plan is adoption or other permanent living arrangement, documentation of the steps the department is taking to find an adoptive family or other permanent living arrangement
- In the case of a child for whom the permanency plan is independence or for a child age 16 or older, as appropriate, a written description of the programs and services that will help such a child prepare for the transition from foster care to independent living

**Contents of a Case Plan, continued****Admin. Code Tit. 89, § 315.130**

- The responsibilities of the family and the child in fulfilling the service plan
- The responsibilities of the department and service providers to assist the family in fulfilling the service plan
- When children and families are separated, the parent-child and/or sibling visitation plan developed with the family, including the time, frequency, and length of visits, and who shall be present at the visits
- The timeframes for achieving the permanency goal, the objectives identified to resolve problems, and the consequences to the child and family if the timeframes are not met
- A statement that the parents or children may disagree with the service plan and that they may have their disagreement recorded
- An explanation of how parents or children may request an appeal and fair hearing

---

**Indiana****When Case Plans Are Required****Ann. Code §§ 31-34-15-1; 31-34-15-2**

- In accordance with Federal law, a case plan is required for each child in need of services who is under the supervision of the Department of Child Services as a result of an out-of-home placement or the issuance of a dispositional decree.
- The department shall complete a child's case plan not later than 60 days after the date of the child's first placement or the date of a dispositional decree, whichever comes first.

**Who May Participate in the Case Planning Process****Ann. Code § 31-34-15-2**

The Department of Child Services, after negotiating with the child's parent, guardian, or custodian, shall complete the child's case plan.

**Contents of a Case Plan****Ann. Code § 31-34-15-4**

The case plan must include a description and discussion of the following:

- A permanent plan for the child and an estimated date for achieving the goal of the plan
- The appropriate placement for the child based on the child's special needs and best interests
- The least restrictive familylike setting that is close to the home of the child's parent, custodian, or guardian if out-of-home placement is recommended
- Family services recommended for the child, parent, guardian, or custodian
- Efforts already made to provide family services to the child, parent, guardian, or custodian
- Efforts that will be made to provide family services that are ordered by the court

If an out-of-home placement is appropriate, the county office or department shall consider whether the child should be placed with the child's suitable and willing blood or adoptive relative caregiver, including a grandparent, aunt, uncle, or adult sibling, before considering other out-of-home placements for the child.

**Iowa****When Case Plans Are Required****Ann. Stat. § 232.2; Admin. Code 441-202.15(234)**

A case permanency plan is required when the child has entered care due to a voluntary placement agreement or a judicial determination. The plan is designed to achieve placement in the most appropriate, least restrictive, and most familylike setting available and in close proximity to the parent's home, consistent with the best interests and special needs of the child, and that considers the placement's proximity to the school in which the child is enrolled at the time of placement.

*[The following is from the Iowa Administrative Code.]*

The department worker shall ensure that a case permanency plan is developed for each child who is placed in foster care if the department has agreed to provide foster care through a voluntary placement agreement, if a court has transferred custody or guardianship to the department for the purpose of foster care, or if a court has placed the child in foster care and ordered the department to supervise the placement.

In all cases, the case permanency plan shall be completed within 60 days of the date the child entered foster care.

**Who May Participate in the Case Planning Process****Ann. Stat. § 232.2; Admin. Code 441-202.15(234)**

The plan shall be developed by the Department of Human Services or the agency involved and the child's parent, guardian, or custodian.

*[The following is from the Iowa Administrative Code.]*

The department worker shall develop the case permanency plan with the child's parents, unless the child's parents are unwilling to participate in the plan's development, and with the child, unless the child is unable or unwilling to participate.

**Contents of a Case Plan****Ann. Stat. § 232.2**

The plan shall specifically include all of the following:

- Plans for carrying out the voluntary placement agreement or judicial determination that placed the child in care
- The type and appropriateness of the placement
- The care and services that will be provided to the child, biological parents, and foster parents
- How the care and services will meet the needs of the child while in care and will facilitate the child's return home or other permanent placement
- The most recent information available regarding the child's health and education records, including the date the records were supplied to the agency or individual who is the child's foster care provider
- When the child is age 16 or older, a written transition plan of services, based upon an assessment of the child's needs, that would assist the child in preparing for the transition from foster care to adulthood
- The actions expected of the parent, guardian, or custodian in order for the department or agency to recommend that the court terminate a dispositional order for the child's out-of-home placement and for the department or agency to end its involvement with the child and the child's family
- If reasonable efforts to place a child for adoption or with a guardian are made concurrently with reasonable efforts to reunify, an identification of the concurrent goals and timelines
- If the child is placed out-of-State, a provision that a designee of the department visit the child at least once every 6 months
- If it has been determined that the child cannot return to the child's home, documentation of the steps taken to make and finalize an adoption or other permanent placement
- The provisions involving sibling visitation or interaction required under § 232.108

**Contents of a Case Plan, continued****Ann. Stat. § 232.2**

If it is known that the child has behaved in a manner that threatened the safety of another person, has committed a violent act causing bodily injury to another person, or has been a victim or perpetrator of sexual abuse, that information shall be addressed in the plan and shall be provided to the child's parent, guardian, foster parent, or other person with custody of the child.

---

**Kansas****When Case Plans Are Required****Ann. Stat. § 38-2263; Pol. & Proc. Man. § 3200**

Whenever a child is subject to the jurisdiction of the court pursuant to the code, an initial permanency plan shall be developed for the child and submitted to the court within 30 days of the initial order of the court.

*[The information below is taken from the Children and Family Services Policy and Procedure Manual.]*

- A family case planning conference is completed for the family when:
  - » There is an open family services case and the child is not in the custody of the Department of Social and Rehabilitation Services (SRS).
  - » There is an open family preservation case, and no child in the family is in SRS custody.
  - » A youth who is age 18 or older and is no longer in SRS custody requests Self-Sufficiency/Independent Living services from SRS.
- All children in SRS custody, regardless of placement setting, require their own case plans.

A case plan is required for all cases open for services. The plan contains specific services to be provided to meet the needs of the family and identifies specific steps to be taken by the family, the social worker, and any service providers involved.

**Who May Participate in the Case Planning Process****Ann. Stat. § 38-2263; Pol. & Proc. Man. § 3207**

If the child is in the custody of the secretary or receiving services, the secretary shall prepare the plan. Otherwise, the plan shall be prepared by the person who has custody or, if directed by the court, by a court services officer.

*[The following is from the Policy and Procedure Manual.]*

Participants in the case planning process are selected based upon their involvement in the life of the child. Efforts shall be made to involve both parents when possible.

The following persons must be invited to participate in all case planning conferences:

- Parents or legal guardians
- The child, if age 7 or older, providing the child has the ability to understand the process
- The case management provider or social worker
- The SRS staff assigned to the case
- The guardian ad litem
- The resource family, including relative and nonrelated kin providers, for a child in out-of-home placement
- The Court Appointed Special Advocate (CASA), if applicable
- The Tribal representative for children when the Indian Child Welfare Act (ICWA) applies

Other persons who should be invited may include:

- Residential or institutional setting treatment staff, if applicable
- The proposed custodian, if permanent custodianship is the permanency plan
- The therapist

**Who May Participate in the Case Planning Process, continued****Ann. Stat. § 38-2263; Pol. & Proc. Man. § 3207**

- Teachers
- The education advocate assigned to the child, if applicable
- The youth's positive adult connection
- Any other individuals important to the family or the child who can contribute to the case planning process
- The case management provider of a parent with a disability, if applicable
- The corrections counselor for an incarcerated parent or parole officer for a paroled parent
- The independent living coordinator for all youth in out-of-home placement starting at age 16, to begin preparation for self-sufficiency services if needed

**Contents of a Case Plan****Ann. Stat. § 38-22-63; Pol. & Proc. Man. §§ 3230; 3231**

The permanency plan:

- Describes the permanency goal that, if achieved, will most likely give the child a permanent and safe living arrangement
- Describes the child's level of physical health, mental and emotional health, and educational functioning
- Provides an assessment of the needs of the child and family
- Describes the services to be provided the child, the child's parents, and the child's foster parents, if appropriate
- Includes a description of the tasks and responsibilities designed to achieve the plan and to whom assigned
- Includes measurable objectives and time schedules for achieving the plan

In addition to the requirements above, if the child is in an out-of-home placement, the permanency plan shall include:

- A plan for reintegration of the child's parent or parents, or if reintegration is determined not to be a viable alternative, a statement for the basis of that conclusion and a plan for another permanent living arrangement
- A description of the available placement alternatives
- A justification for the placement selected, including a description of the safety and appropriateness of the placement
- A description of the programs and services that will help the child prepare to live independently as an adult

*[The following information is from the Policy and Procedure Manual.]*

A case plan shall:

- Contain timelines for reintegration or other permanency goal, child protection objectives, and measurable tasks needed to be accomplished
- Include the visitation/interaction plan
- Document the persons invited to the case planning conference
- Document service delivery
- Document reasonable efforts made to make it possible for a child to safely return home
- Document whether the court has found reasonable efforts not to be a viable alternative
- Document steps taken to finalize the permanent custodianship
- Ensure that properly credentialed staff sign case plans

Each case plan shall contain a permanency goal for the child. Each child in SRS custody and in an out-of-home placement shall have a concurrent permanency goal. The permanency goal shall be established at the first case planning conference.

## Kentucky

### When Case Plans Are Required

#### Rev. Stat. § 620.230

- For each child placed in the custody of the cabinet by an order of commitment, the cabinet shall file a case permanency plan for the child with the court and send a copy to the Administrative Office of the Courts Citizen Foster Care Review Board Program as soon as the plan is prepared, but no later than 30 days after the effective date of the order.
- If a child remains in the temporary custody of the cabinet for longer than 45 days and if a request is submitted by the Administrative Office of the Courts Citizen Foster Care Review Board Program, the cabinet shall provide a copy of the case permanency plan for the child.

### Who May Participate in the Case Planning Process

#### Rev. Stat. § 620.230; Admin. Regs. Tit. 922, § 1:430

The cabinet must file a case permanency plan for each child placed in the custody of the cabinet.

*[The following is from the Administrative Regulations.]*

As part of the case planning process, the cabinet will work with the family and other involved parties to identify conditions within a family that may cause the threat of harm to a child and that need to be changed and the services necessary to bring about familial changes in order to facilitate a child's safety and well being in the home environment.

### Contents of a Case Plan

#### Rev. Stat. § 620.230

The case permanency plan shall include, but need not be limited to:

- A concise statement of the reasons why the child is in the custody of the cabinet
- The actions that have been taken with regard to the child
- The proposed actions that may be taken with regard to the child during the next 6 months and during the entire duration of the time the child is in the custody of the cabinet
- Contemplated placements for the child
- If the child is placed outside of the home, reasons why the child cannot be protected adequately in the home, the harms the child may suffer if left in the home, factors that may indicate when the child can be returned to the home, and efforts the cabinet or others are making to return the child to the home
- If the child is placed outside of the home, the steps that the cabinet will take to minimize the harm to the child as a result, both at the time of removal and on a long-term basis
- A description of the type of home or child care facility in which the child is to be placed or has been placed, and why the placement is appropriate for the child
- If the placement is outside of the child's county of residence, documentation that no closer placement is appropriate or available, and why the placement was chosen
- A description of the services to be provided for the child and his or her family to facilitate the return of the child to his or her own home or to another permanent placement
- A list of objectives and specific tasks, together with specific timeframes for each task, that the parents have agreed to assume, including a schedule of regular visits with the child
- A projected schedule of time intervals by which each of the services, objectives, and tasks outlined in the plan should be accomplished and a schedule of time intervals that have already been accomplished or are in the process of accomplishment
- If the child is to remain at home, reasons why he or she cannot be placed in foster care or why such care is not needed

## Louisiana

### When Case Plans Are Required

#### Children's Code Art. 673; Admin. Code Tit. 67, § 3701

A case plan shall be developed within 60 days after a child enters the custody of a child care agency.

*[The following is from the Administrative Code.]*

Effective April, 1991, a case permanency plan shall be filed with the court when a child enters into custody of the Department of Social Services or into foster care, pursuant to or pending a child in need of care proceeding. The case permanency plan shall be filed no later than 60 days after the child comes into care.

### Who May Participate in the Case Planning Process

#### Children's Code Art. 673; 676

- The custodian shall develop a case plan detailing the custodian's efforts toward achieving a permanent placement for the child. The health and safety of the child shall be the paramount concern in the development of the case plan.
- Any party may file a written response to the case plan as submitted.

### Contents of a Case Plan

#### Children's Code Art. 675

The case plan shall include at least the following:

- A description of the type of home or institution in which the child is placed, including a discussion of the child's health and safety, the appropriateness of the placement, and the reasons why the placement, if a substantial distance from the home of the parents or in a different State, is in the best interests of the child
- A plan for assuring that the child receives safe and proper care and that services are provided to the parents, child, and foster parents in order to improve the conditions in the parents' home, facilitate the safe return home of the child or other permanent placement, or both, and address the needs of the child while in foster care, including a plan for visitation and a discussion of the appropriateness of the services that have been provided to the child under the plan
- When appropriate for a child age 16 or older, a written description of the programs and services that will help the child prepare for the transition from foster care to independent living
- Efforts the agency is making to safely return the child home or to finalize the child's placement in an alternative safe and permanent home in accordance with the child's permanent plan
- For children whose permanent plan is adoption or placement in another permanent home, documentation of the child-specific recruitment efforts to place the child such as the use of State, regional, and national adoption exchanges, including electronic exchange systems, to facilitate orderly and timely in-State or interstate placements
- Assessment of the child's relationships with his or her parents, grandparents, and siblings, including a plan for assuring that continuing contact with any relative by blood, adoption, or affinity with whom the child has an established and significant relationship is preserved while the child is in foster care
- Documentation of the compelling reasons for determining that filing a petition for termination of parental rights would not be in the best interest of the child, when appropriate

---

## Maine

### When Case Plans Are Required

#### Rev. Stat. Tit. 22, § 4041

When a child is considered to have entered foster care, a plan for reunification and rehabilitation of the family must be developed.

**Who May Participate in the Case Planning Process****Rev. Stat. Tit. 22, § 4041**

- The department shall develop a rehabilitation and reunification plan as provided in this subparagraph.
- In developing the rehabilitation and reunification plan, the department shall make good faith efforts to seek the participation of the parent.

**Contents of a Case Plan****Rev. Stat. Tit. 22, § 4041**

Information that must be included in developing the plan includes the problems that present a risk of harm to the child, the services needed to address those problems, provisions to ensure the safety of the child while the parent engages in services, a means to measure the extent to which progress has been made, and visitation that protects the child's physical and emotional well-being.

The rehabilitation and reunification plan must include the following:

- The reasons for the removal of the child from the home
- The changes that are necessary to eliminate jeopardy to the child while in the care of a parent
- Rehabilitation services that will be provided and must be completed satisfactorily prior to the child's returning home
- Services that must be provided or made available to assist the parent in rehabilitating and reunifying with the child, as appropriate to the child and family, including, but not limited to, reasonable transportation for the parent for visits and services, child care, housing assistance, assistance with transportation to and from required services and other services that support reunification
- A schedule of and conditions for visits between the child and the parent designed to provide the parent and child time together in settings that provide as positive a parent-child interaction as can practicably be achieved while ensuring the emotional and physical well-being of the child when visits are not detrimental to the child's best interests
- Any use of kinship support, including, but not limited to, placement, supervision of visitation, in-home support, or respite care
- A reasonable time schedule for proposed reunification, reasonably calculated to meet the child's needs
- A statement of the financial responsibilities of the parent and the department during the reunification process

---

**Maryland****When Case Plans Are Required****Code of Md. Reg. § 07.02.11.13**

*[This issue is not addressed in the statutes reviewed. The information below is taken from the Code of Maryland Regulations.]*

Within 2 months after placement, a written case plan shall be developed for each child in out-of-home placement.

**Who May Participate in the Case Planning Process****Code of Md. Reg. § 07.02.11.13**

*[This issue is not addressed in the statutes reviewed. The information below is taken from the Code of Maryland Regulations.]*

The local department, together with the child's parent or legal guardian, shall develop the written case plan.

## Contents of a Case Plan

### Code of Md. Reg. § 07.02.11.13

*[This issue is not addressed in the statutes reviewed. The information below is taken from the Code of Maryland Regulations.]*

The case plan shall include concurrent permanency plans and shall:

- Describe the circumstances that make placement necessary
- State with whom the child was living before placement and his or her relationship to the child
- Describe the efforts that have been made to prevent placement, or why such efforts were not possible
- Consider the following factors in determining the permanency plan that is in the best interest of the child:
  - » The child's attachment and emotional ties to the child's parents, guardians, and siblings
  - » The child's emotional attachment to the child's current caregiver and the caregiver's family
  - » The length of time the child has resided with the current caregiver
  - » The potential emotional, developmental, and educational harm to the child if moved from the current placement
  - » The potential harm to the child by remaining in State custody for an excessive period of time
- Identify and develop a primary and secondary permanency plan, as appropriate, to be implemented concurrently
- Prioritize permanency plan options, in order of preference:
  - » Return to the parents or guardian
  - » Placement with a relative to whom adoption, guardianship, or care and custody is granted
  - » Adoption, in descending order of priority, by the current foster parent with whom the child has resided continually for 12 months or longer and has established a positive relationship and family ties, or by an otherwise approved adoptive family
  - » Permanent care in a court-approved foster home
  - » Independent living
  - » Long-term care
- Project the year and month when the permanency plan is expected to be achieved
- If the permanency plan is reunification, describe the service objectives that shall be achieved by the parents, guardian, or child before reunification
- Identify the services to be provided to the parents, legal guardian, and the child in order to achieve the permanency goal
- Describe how the local department plans to carry out any voluntary placement agreement
- Describe the type of home or institution in which the child has been, or is to be, placed, and discuss the appropriateness of the placement with documentation describing how the placement is the least restrictive setting available, and in close proximity to the parents' or legal guardian's home, consistent with the best interest and special needs of the child
- Discuss how the local department plans to carry out specific court orders, if any, pertaining to the child
- Include a plan for ensuring that the child receives appropriate care
- Include a plan for working to ensure that services are provided to the child and parents to improve the conditions in the parents' or legal guardian's home and to facilitate reunification or other permanency plan
- Include a plan for working to ensure that services are provided to the child and foster parents to address the needs of the child while in foster care
- Discuss the appropriateness of the services that have been provided
- For a child age 16 or older, identify the programs and services that will help the child prepare for the transition from foster care to independent living
- To the extent available and accessible, include the health and education records of the child, including:

**Contents of a Case Plan, continued****Code of Md. Reg. § 07.02.11.13**

- » The names and addresses of the child's health and educational providers
- » The child's grade-level performance
- » The child's school record
- » Assurances that the child's placement in foster care takes into account proximity to the school in which the child is enrolled at the time of placement
- » A record of the child's immunizations
- » The child's known medical problems and medications
- » Any other relevant health and education information

**Massachusetts****When Case Plans Are Required****Code of Mass. Reg. Tit. 110, §§ 6.02; 6.06**

*[Note: This issue is not addressed in the statutes reviewed. The information below is taken from the Code of Massachusetts Regulations.]*

- Every family receiving services from the Department of Social Services shall have a service plan.
- A service plan shall be completed within the following time periods:
  - » For all cases except single service cases, within 10 working days after an assessment is completed, but in no event later than 55 working days after the opening of the case
  - » For single service cases, within 10 working days after an assessment is completed, but in no event later than 30 working days after the opening of the case
  - » For a placement made on an emergency basis to ensure the immediate safety of a child, where there is no service plan, a service plan shall be completed within 30 working days after the placement
- Except in an emergency, every family shall have a service plan prior to placing a child in substitute care.
- For purposes of developing a service plan, the opening of the case occurs upon one of the following:
  - » The decision to support a [chapter 119, section] 51A report [of abuse or neglect] after an investigation
  - » The receipt of an application for voluntary services
  - » A court order giving custody to the department

**Who May Participate in the Case Planning Process****Code of Mass. Reg. Tit. 110, § 6.07**

*[Note: This issue is not addressed in the statutes reviewed. The information below is taken from the Code of Massachusetts Regulations.]*

- A service plan shall be, to the maximum extent possible, jointly developed by the department and those clients receiving services from the department. If the parties are in agreement about the service plan, it shall be signed by all parties and a copy shall be provided to the client.
- If the parties are not in agreement about the service plan, the department shall prepare the service plan and a copy shall be provided to the client. The department also shall inform the client that the client may seek a review of the service plan by using the department's grievance procedure.

## Contents of a Case Plan

### Code of Mass. Reg. Tit. 110, §§ 6.01; 6.04

*[Note: This issue is not addressed in the statutes reviewed. The information below is taken from the Code of Massachusetts Regulations.]*

A service plan is a written document that describes in detail the tasks to be undertaken and the services to be provided to either:

- Strengthen a family unit
- Provide an alternative permanent home for a child who has been removed from his or her home
- Enable a mature minor to live independently

The service plan shall provide a basis for assessing the progress of family members in meeting the goal of the service plan.

A service plan for a family with a child in substitute care shall contain the elements listed above and each of the following additional elements about the child:

- The type of placement (foster care, group care, etc.)
- The history of any previous placements
- The reason for the child's current placement
- Efforts made by the department and the family to prevent the need for placement
- The visiting schedule between the family and the child, or, if no visits are to be scheduled, an explanation why
- The identification of the permanent plan for the child. The permanent plan may be either:
  - » Return home
  - » Adoption
  - » Guardianship
  - » Supportive living
  - » Living independently
- The projected date by which the child may return home or be placed in another permanent living situation
- A description of the child's specific health, dental, and educational needs while in placement

---

## Michigan

### When Case Plans Are Required

#### Comp. Laws § 712A.18f

Before the court enters an order of disposition, the agency shall prepare a case service plan that shall be available to the court and all the parties to the proceeding.

### Who May Participate in the Case Planning Process

#### Comp. Laws § 712A.13a

- The case service plan shall be developed by an agency and shall include services to be provided by and responsibilities and obligations of the agency, and activities, responsibilities, and obligations of the parent.
- The case service plan may be referred to using different names than case service plan including, but not limited to, a parent/agency agreement, a parent/agency treatment plan, or a service agreement.

**Contents of a Case Plan****Comp. Laws § 712A.18f**

The case service plan shall provide for placing the child in the most familylike setting available and in as close proximity to the child's parents' home as is consistent with the child's best interests and special needs. The case service plan shall include, but is not limited to, the following:

- The type of home or institution in which the child is to be placed and the reasons for the selected placement
- Efforts to be made by the child's parent to enable the child to return to his or her home
- Efforts to be made by the agency to return the child to his or her home
- The schedule of services to be provided to the parent, the child, and if the child is to be placed in foster care, the foster parent, to facilitate the child's return to his or her home or to facilitate the child's permanent placement
- Unless parenting time, even if supervised, would be harmful to the child as determined by the court, a schedule for regular and frequent parenting time between the child and his or her parent, which shall not be less than once every 7 days

---

**Minnesota****When Case Plans Are Required****Ann. Stat. § 260C.212**

An out-of-home placement plan shall be prepared within 30 days after any child is placed in a residential facility by court order or by the voluntary release of the child by the parent or parents.

**Who May Participate in the Case Planning Process****Ann. Stat. § 260C.212**

An out-of-home placement plan means a written document that is prepared by the responsible social services agency jointly with the parent or parents or guardian of the child and in consultation with the child's guardian ad litem, the child's Tribe, if the child is an Indian child, the child's foster parent, or representative of the residential facility, and, where appropriate, the child.

**Contents of a Case Plan****Ann. Stat. § 260C.212**

The plan shall set forth:

- A description of the residential facility, including how the out-of-home placement plan is designed to achieve a safe placement for the child in the least restrictive, most familylike setting available that is in close proximity to the home of the parent or parents or guardian of the child when the case plan goal is reunification, and how the placement is consistent with the best interests and special needs of the child
- The specific reasons for the placement of the child in a residential facility, and when reunification is the plan, a description of the problems or conditions in the home of the parent or parents that necessitated removal of the child from home and the changes the parent or parents must make in order for the child to safely return home
- A description of the services offered and provided to prevent removal of the child from the home and to reunify the family including:
  - » The specific actions to be taken by the parent or parents of the child to eliminate or correct the problems or conditions that required placement and the time period during which the actions are to be taken
  - » The reasonable efforts, or in the case of an Indian child, active efforts to be made to achieve a safe and stable home for the child including social and other supportive services to be provided or offered to the parent or parents or guardian of the child, the child, and the residential facility during the period the child is in the residential facility

## Contents of a Case Plan, continued

### Ann. Stat. § 260C.212

- A description of any services or resources that were requested by the child or the child's parent, guardian, foster parent, or custodian since the date of the child's placement in the residential facility, and whether those services or resources were provided and, if not, the basis for the denial of the services or resources
- The visitation plan for the parent or parents or guardian, other relatives, and siblings of the child if the siblings are not placed together in the residential facility, and whether visitation is consistent with the best interest of the child
- The steps to finalize the adoption or legal guardianship of the child if the court has issued an order terminating the rights of both parents of the child or of the only known, living parent of the child, including child-specific recruitment efforts such as relative search and the use of State, regional, and national adoption exchanges to facilitate orderly and timely placements in and outside of the State
- The health and educational records of the child
- An independent living plan for a child age 16 or older who is in placement as a result of a permanency disposition

## Mississippi

### When Case Plans Are Required

#### Code of Miss. Rules, 11-111-001, vol. IV

*[Note: This issue is not addressed in the statutes reviewed. The information below is taken from the Division of Family and Children's Services Manual.]*

- An Individual Service Plan should be done on the family member or members involved with the agency intervention.
- The Service Plan will be developed, signed, and approved within 30 calendar days from the date of assignment. In cases where children are placed in the department's custody, each child is required to have his or her own service plan.

### Who May Participate in the Case Planning Process

#### Code of Miss. Rules, 11-111-001, vol. IV

*[Note: This issue is not addressed in the statutes reviewed. The information below is taken from the Division of Family and Children's Services Manual.]*

Through evaluation of information gathered during the investigation, the assessment of risk, safety plan, and the ongoing assessment, the social worker and family together identify problems in need of resolution and develop a service plan. Families should be full partners in developing their service plan.

### Contents of a Case Plan

#### Code of Miss. Rules, 11-111-001, vol. IV

*[Note: This issue is not addressed in the statutes reviewed. The information below is taken from the Division of Family and Children's Services Manual.]*

Service Planning is a goal-oriented service focused on behavior outcomes. The service plan should, at a minimum, describe the problems that the family is facing, identify risks to the child, describe strengths of the family and child, and present the services and actions needed to achieve desired outcomes. Components of the plan include:

- Direct and Support Services: this includes a list of what the services are
- Reasons for Services: these are statements about parental behaviors or actions that placed the child at risk and necessitated Child Protective Services (CPS) intervention
- Tasks: these are simple, clear statements that identify specifically what the parent, the child, the social worker, and/or other service providers will do toward resolving the problems; identify the person responsible for each task; and set a specific timeframe that is realistic for completing each task
- Outcomes: this includes statements or questions that serve as ways to measure when the task has been reached, i.e., that the problems creating risk for the child have been sufficiently overcome

**Missouri****When Case Plans Are Required****Ann. Stat. § 210.112**

Contracts [for services] shall require that a case management plan consistent with all relevant Federal guidelines be developed for each child at the earliest time after the initial investigation, but in no event longer than 14 days after the initial investigation or referral for services by the division. The case management plan shall be presented to the court and be the foundation of service delivery to the child and family.

**Who May Participate in the Case Planning Process****Ann. Stat. § 210.110**

A family support team meeting [will be] convened by the division or children's services provider on behalf of the family and/or child for the purpose of determining service and treatment needs, determining the need for placement, developing a plan for reunification or other permanency options, determining the appropriate placement of the child, evaluating case progress, and establishing and revising the case plan.

**Contents of a Case Plan****Ann. Stat. § 210.112**

The case management plan shall, at a minimum, include:

- An outcome target based on the child and family situation achieving permanency or independent living, where appropriate
- Services authorized and necessary to facilitate the outcome target
- Timeframes in which services will be delivered
- Necessary evaluations and reporting

In addition to any visits and assessments required under case management, services to be provided by a public or private children's services provider under the specific case management plan may include family-centered services, foster and adoptive parent recruitment and retention, residential care, in-home services, foster care services, adoption services, relative care case services, planned permanent living services, and family reunification services. In all cases, an appropriate level of services shall be provided to the child and family after permanency is achieved to assure a continued successful outcome.

---

**Montana****When Case Plans Are Required****Ann. Code § 41-3-443**

The court may order a treatment plan if:

- The parent or parents admit the allegations of an abuse and neglect petition.
- The parent or parents stipulate to the allegations of abuse or neglect pursuant to § 41-3-434.
- The court has made an adjudication under § 41-3-437 that the child is a youth in need of care.

**Who May Participate in the Case Planning Process****Ann. Code § 41-3-102**

A treatment plan is a written agreement between the department and the parent or guardian or a court order that includes action that must be taken to resolve the condition or conduct of the parent or guardian that resulted in the need for protective services for the child. The treatment plan may involve court services, the department, and other parties, if necessary, for protective services.

## Contents of a Case Plan

### Ann. Code § 41-3-443

- Every treatment plan must contain the following information:
  - » The identification of the problems or conditions that resulted in the abuse or neglect of a child
  - » The treatment goals and objectives for each condition or requirement established in the plan
  - » The projected time necessary to complete each of the treatment objectives
  - » The specific treatment objectives that clearly identify the separate roles and responsibilities of all parties addressed in the treatment plan
  - » The signature of the parent or parents or guardian, unless the plan is ordered by the court
- If the child has been removed from the home, the treatment plan must include, but is not limited to, the conditions or requirements that must be established for the safe return of the child to the family.
- A treatment plan may include, but is not limited to, any of the following requirements:
  - » That either the child or the child's parent or guardian obtain medical or psychiatric diagnosis and treatment
  - » That either the child or the child's parent or guardian obtain psychological treatment or counseling
  - » That either the child or the child's parent or guardian obtain and follow through with alcohol or substance abuse evaluation and counseling, if necessary
  - » That either the child or the child's parent or guardian be restricted from associating with or contacting any individual who may be the subject of a department investigation
  - » That the child be placed in temporary medical or out-of-home care
  - » That the parent, guardian, or other person having physical or legal custody furnish services that the court may designate
- A treatment plan may not be altered, amended, continued, or terminated without the approval of the parent or parents or guardian pursuant to a stipulation and order or order of the court.

---

## Nebraska

### When Case Plans Are Required

#### Rev. Stat. § 43-1312; Admin. Code Tit. 390, §§ 5-004.02, 02A

Following the investigation conducted pursuant to § 43-1311 and immediately following the initial placement of the child, a safe and appropriate plan shall be established for the child.

*[The following is from the Nebraska Administrative Code.]*

A written case plan will be developed following the assessment of the family or child's needs. Case plan evaluation and revision will then occur at least every 6 months. A written court report incorporating the elements of the case plan will be submitted to the court at least 3 days before, or as dictated by local court protocol, the initial dispositional hearing or any subsequent review hearing.

When a child is placed in the custody of the department, Federal regulations require that a case plan be developed within 60 days of the date of placement. When there is insufficient time to develop a case plan within this time frame for the child welfare cases, the safety plan will serve as the case plan.

### Who May Participate in the Case Planning Process

#### Rev. Stat. § 43-1312; Admin. Code Tit. 390, § 5-004.02B

The person or court in charge of the child shall cause to be established a safe and appropriate plan for the child.

*[The following is from the Nebraska Administrative Code.]*

Case planning is the responsibility of the worker with the active involvement of the child and family and the members of the team supporting services to the family.

### Contents of a Case Plan

#### Rev. Stat. § 43-1312; Admin. Code Tit. 390, §§ 5-004.02A; .02B

The plan shall contain at least the following:

- The purpose for which the child has been placed in foster care
- The estimated length of time necessary to achieve the purposes of the foster care placement
- A description of the services which are to be provided in order to accomplish the purposes of the foster care placement
- The person or persons who are directly responsible for the implementation of such plan
- A complete record of the previous placements of the foster child
- The name of the school the child shall attend, as provided in § 43-1311

*[The following is from the Nebraska Administrative Code.]*

The department will include in the plan for a ward who is age 16 or older a written proposal describing programs and services designed to assist the ward in acquiring independent living skills. A ward whose goal is independent living or is determined to be at a greater risk of failure will receive a proportionately greater emphasis on these services. The specific case plan will be based on an assessment of the ward's readiness for independent living.

The case-planning process will:

- Focus on the problems identified in the assessment of the family and youth
- Identify a permanency objective
- Establish and prioritize goals
- Identify the action steps needed to reunite the family or to prevent out-of-home placement
- Use the family's resources
- Build upon the family's and child's strengths
- Develop or maintain family responsibility
- Identify who is responsible for tasks
- Establish timeframes for achieving case goals, projected discharge, and case closure
- Establish an evaluation process to assess whether outcomes are being achieved

---

## Nevada

### When Case Plans Are Required

#### Rev. Stat. § 432B.540; Admin. Code § 432B.400

If the agency that provides child welfare services believes that it is necessary to remove the child from the physical custody of his or her parents, it must submit [to the court] a plan designed to achieve a placement of the child in a safe setting as near to the residence of his or her parent as is consistent with the best interests and special needs of the child.

*[The information below is from the Nevada Administrative Code.]*

The agency that provides child welfare services shall develop a written case plan for a child within 45 days after the date on which the child is removed from his or her home.

## Who May Participate in the Case Planning Process

### Admin. Code § 432B.400

*[Note: This issue is not addressed in the statutes reviewed. The information below is from the Nevada Administrative Code.]*

The case plan must:

- If possible, be developed jointly with a parent or guardian of the child who is receiving foster care
- Be developed with input from the child if the agency that provides child welfare services determines it is appropriate, based on the age and stage of development of the child
- Be developed with input from the foster parent caring for the child

### Contents of a Case Plan

#### Rev. Stat. § 432B.540; Admin. Code § 432B.400

The plan must include, without limitation:

- A description of the type, safety, and appropriateness of the home or institution in which the child could be placed, a plan for ensuring that the child would receive safe and proper care, and a description of his or her needs
- A description of the services to be provided to the child and to a parent to facilitate the return of the child to the custody of his or her parent or to ensure his or her permanent placement
- The appropriateness of the services to be provided under the plan
- A description of how the order of the court will be carried out

*[The information below is from the Nevada Administrative Code.]*

The case plan must include:

- The long-term goals of the plan, including reunification of the child and his or her family, or permanent placement of the child with a relative, for adoption, into a legal guardianship, or into another permanent independent living arrangement
- A projected time by which these goals should be achieved
- A description of the current strengths of the family and the needs that must be satisfied to achieve these goals
- The services offered or provided to prevent removal of the child from his or her home and to reunify the family of the child
- The type of home or institution in which the child is placed
- A description of the safety and appropriateness of the placement to ensure that the child receives proper care
- A description of how the agency will ensure that services are provided to the child and the foster parents that address the needs of the child while in foster care, including the appropriateness of services that have been provided pursuant to the case plan
- A description, as applicable, of the programs and services that will assist a child in foster care who is age 16 or older prepare for the transition from foster care to independent living
- If the goal of the case plan is adoption or placement in another permanent home, a description of the steps that will be taken to finalize the adoption or placement
- A description of the manner in which a placement will be made and the reasons that such a placement will be in the best interest of the child, with particular consideration given to a placement that is safe and in the least restrictive familial environment available
- If the goal of the case plan is reunification of the child and his or her family, a description of how particular consideration will be given to a placement that is in close proximity to the home of the parent of the child
- If the child will be placed in a family foster home or institution for child care that is located a substantial distance from or in a different State than where the family of the child resides, the reasons that such a placement will be in the best interest of the child

**Contents of a Case Plan, continued****Rev. Stat. § 432B.540; Admin. Code § 432B.400**

- If a child is placed in a family foster home or institution for child care that is located in a different State than where the parents of the child reside, a description of the frequency with which a caseworker from an agency that provides child welfare services and that is located in the State where the child is placed or the State where the parents reside will visit the foster home or institution and will submit a report to the agency that provides child welfare services in the State where the parents reside
- A description of the efforts that will be made to place children who are siblings together
- A plan for family visitation, including, without limitation, visiting siblings if the siblings are not residing together
- A statement indicating that the proximity of the school in which the child was enrolled at the time that he or she was placed in foster care was considered as a factor in the selection of the placement for foster care
- The health and education records of the child to the extent those records are available, including:
  - » The names and addresses of the providers of health care and education of the child
  - » The grade level at which the child performs
  - » Documentation of the child's immunizations, any known medical or psychological problems, and any prescribed medications
  - » Any other health or educational information concerning the child as the agency that provides child welfare services determines is necessary

**New Hampshire****When Case Plans Are Required****Rev. Stat. § 170-G:4**

A comprehensive service plan will be developed for each child and youth who is or would be served by the department in accordance with Title IV-E of the Social Security Act.

**Who May Participate in the Case Planning Process****Rev. Stat. § 170-G:4; N.H. Admin. Rules, He-C 6446.16**

The Department of Health and Human Services shall develop the case plan.

*[The following is from the New Hampshire Code of Administrative Rules.]*

- Foster parents shall have the opportunity to participate in the development of the case plan for children in care.
- Foster parents shall implement their portion of the case plan for the child in care and work cooperatively with department staff, the parents of the child in care, and service providers when implementing the case plan for the child.

**Contents of a Case Plan****N.H. Admin. Rules, He-C 6352.03**

*[Note: This issue is not addressed in the statutes reviewed. The information below is taken from the New Hampshire Code of Administrative Rules.]*

A case plan is the Division for Children, Youth and Families (DCYF) written document, pursuant to [statutes] § 170-G:4 III, that describes the service plan for the child and family, and addresses outcomes, tasks, responsible parties, and timeframes for correcting problems that led to abuse, neglect, delinquency, or other dysfunctional child and family situations.

## **New Jersey**

### **When Case Plans Are Required**

#### **Ann. Stat. § 30:4C-55; Admin. Code § 10: 133D-2.4**

A placement plan must be prepared for each child placed outside of his or her home.

*[The following is from the New Jersey Administrative Code.]*

A case plan shall be developed for each family for whom services will be provided. The division representative shall prepare the case plan:

- Within 30 calendar days of a child entering out-of-home placement by court order
- Within 15 business days of a child entering out-of-home placement by the informed consent of the parents

### **Who May Participate in the Case Planning Process**

#### **Ann. Stat. § 30:4C-55; Admin. Code § 10: 133D-2.5**

The division shall prepare the plan in consultation with the child's parents or legal guardian and, when appropriate, the child.

*[The following is from the New Jersey Administrative Code.]*

The division representative shall develop the case plan with the child's parent, unless he or she is unwilling to participate, any person appointed by the court for this purpose, and the child, if the division representative determines that the child is willing and able to participate in the development of the case plan. Other interested parties or service providers may be invited to participate.

In addition to the above, when the child lives in an out-of-home placement, the division representative shall develop the case plan in consultation with the child's out-of-home placement provider.

### **Contents of a Case Plan**

#### **Ann. Stat. § 30:4C-55; Admin. Code § 10: 133D-2.7**

The placement plan shall include:

- A statement of the goal for the permanent placement or return home of the child and anticipated date that the goal will be achieved
- The intermediate objectives relating to the attainment of the goal
- A statement of the duties and responsibilities of the division, the parents or legal guardian, and the temporary caregiver, including the services to be provided by the division to the child and to the temporary caregiver
- A statement of the services to be provided to the parent or legal guardian or an exception to the requirement to provide reasonable efforts toward family reunification in accordance with § C.30:4C-11.3
- A permanency plan for the child and the division's reasonable efforts to achieve that plan, if the division has established an exception to the requirement to provide reasonable efforts toward family reunification, or the child has been in placement for 12 months

The permanency plan shall include whether and, if applicable, when:

- The child shall be returned to the parent or guardian, if the child can be returned home without endangering the child's health or safety.
- The division has determined that family reunification is not possible, and the division shall file a petition for the termination of parental rights for the purpose of adoption.
- The division has determined that termination of parental rights is not appropriate in accordance with § C.30:4C-15.3, and the child shall be placed in an alternative permanent placement.

**Contents of a Case Plan, continued****Ann. Stat. § 30:4C-55; Admin. Code § 10: 133D-2.7**

*[The following is from the New Jersey Administrative Code.]*

The written case plan for a family with the child living at home shall include:

- The reasons for the division's involvement with the family
- The case goal for each family member receiving services
- The schedule for contacts between the division and family members
- The services offered to and used by the family, and if any service is court ordered
- The behavioral and other changes expected from each person
- The services or activities that are intended to facilitate the changes and who will accomplish or provide them
- Progress toward achieving the case goal for each person receiving services

The written case plan for a child in an out-of-home placement shall include:

- Whether a court ordered the placement or the parent signed a voluntary agreement
- The efforts made to prevent placement, the reasons for making or for continuing the placement, all efforts made to reunify the family, and the impact of those efforts
- The case goal for the child, the progress towards its achievement, and any obstacles to reaching it
- An assessment of the safety and appropriateness of the current placement
- The efforts made to find a missing parent or relative
- The schedule for contacts between the division and family members
- The plan for visits between the child and parents, siblings, and other relatives
- The views of the child, family, and out-of-home placement provider concerning the placement and the case plan
- The needs of the child, the parent, and the child's out-of-home placement provider in meeting the case goal
- The behavioral and other changes expected from each person
- The services or actions intended to meet the identified needs and projected timeframes for completing the activities
- Any court-ordered stipulations
- A description of the type of out-of-home placement
- How the placement is safe, the least restrictive, and most familylike available, and near the parent's home, consistent with the best interest and special needs of the child
- The child's health and education records
- Programs and services to help the child transition from out-of-home placement to self-sufficiency skills, for a child age 15 or older

---

**New Mexico****When Case Plans Are Required****Ann. Stat. § 32A-3B-15**

Prior to the dispositional hearing, a written family services plan must be prepared for submission to the court.

**Who May Participate in the Case Planning Process****Ann. Stat. § 32A-3B-15; Admin. Code § 8.10.8.20**

The department shall prepare the family services plan. A copy of the plan shall be provided by the department to all parties at least 5 days before the dispositional hearing.

When the child is an Indian child, contact shall be made with the child's Indian Tribe for the purpose of consultation and exchange of information, and the plan shall indicate the person contacted in the child's Indian Tribe and the results of that contact.

## Contents of a Case Plan

### Ann. Stat. § 32A-3B-15

The plan for family services shall contain the following information:

- A statement of the problem
- The needs of the child and the family
- A description of the specific progress needed to be made by both the parent and the child, the reasons why the plan is likely to be useful, the availability of any proposed services, and the department's overall plan for ensuring that the services will be delivered
- If removal from the home or continued residence outside of the home is recommended for the child:
  - » A statement of the likely harm the child will suffer as a result of removal from the home, including emotional harm resulting from separation from the child's parents
  - » A description of any previous efforts to work with the parent and the child in the home and a description of any in-home treatment programs that have been considered and rejected
  - » A description of the steps that will be taken to minimize any harm to the child that may result if separation from the child's parent occurs or continues
  - » For a child age 16 or older, a description of the specific skills the child requires for successful transition into independent living as an adult, what programs are necessary to develop the skills, the reasons why the programs are likely to be useful, the availability of any proposed programs, and the department's overall plan for ensuring that the child will be adequately prepared for adulthood

---

## New York

### When Case Plans Are Required

#### Soc. Serv. Laws § 409-e

Upon completion of any assessment of a family's needs and circumstances, and not later than 30 days after a child is removed from his or her home or is placed in foster care, the local social services district shall establish or update and maintain a family service plan based on an assessment of the family's needs and circumstances.

### Who May Participate in the Case Planning Process

#### Soc. Serv. Laws § 409-e; N.Y. Reg. Tit. 18, § 428.3

The family service 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 age 10 or older, and, when appropriate, with the child's siblings. Such consultation shall be done in person, unless such a meeting is impracticable or would be harmful to the child.

*[The following is from New York Codes, Rules, and Regulations.]*

Each family assessment and service plan must document the involvement of the parent or guardian and, when appropriate, children age 10 or older, including children in foster care and their siblings or half-siblings and children placed by a court in the direct custody of a relative or other suitable person, in the development of the plan or must document efforts to involve them in the development of the plan. Such efforts must include, but are not limited to:

- Encouraging the parents or guardian and the children to participate in the development and review of the plan and attempting to obtain the parents' or guardian's signatures documenting their review of the plan
- When the parents or guardian and/or children are not able to participate and arrangements cannot be made to allow participation, conveying the contents of the service plan and any recommendations to them, and attempting to obtain the parents' or guardian's comments and signatures documenting their review of the plan

## Contents of a Case Plan

### Soc. Serv. Laws § 409-e; N.Y. Reg. Tit. 18, § 428.6

The plan shall include at least the following:

- Timeframes for periodic reassessment of the care and maintenance needs of each child and the manner in which such reassessments are to be accomplished
- Short-term, intermediate, and long-term goals for the child and family and actions planned to meet the needs of the child and family and each goal
- Identification of necessary and appropriate services and assistance to the child and members of the child's family
- Any alternative plans for services where specific services are not available, and any viable options for services considered during the planning process
- Where placement in foster care is determined necessary, specification of the reasons for such determination, the kind and level of placement, any available placement alternatives, an estimate of the anticipated duration of placement, and plan for termination of services under appropriate circumstances

*[The following is from New York Codes, Rules, and Regulations.]*

Each family service plan must include, but is not limited to, the following:

- A program choice or choices for each child receiving services
- A goal and plan for child permanency
- A description of legal activities and their impact on the case
- A thorough and comprehensive assessment or reassessment and analysis of the family members' strengths, needs and problems
- Immediate actions or controlling interventions that must be taken or have been provided
- The family's view of its needs and concerns
- A plan of services and assistance made in consultation with the family and each child over age 10, whenever possible, that utilizes the family's strengths and addresses the family members' needs and concern
- The status of the service plan including service availability and a description of the manner of service provision
- The family's progress toward plan achievement
- Essential data relating to the identification and history of the child and family members and a summary that documents the involvement of the parent(s) or guardian, child(ren) and any others in the development of the service plan
- Safety assessments in all cases
- Risk assessments in child protective services cases
- Assessments of family functioning

For children placed in foster care, the plan also must include:

- A description of the reasonable efforts made to prevent or eliminate the need for placement or the justification for the determination that reasonable efforts were not necessary
- Identification of all available placement alternatives and the specific reasons why they were rejected
- Efforts made to locate any absent parents
- Documentation that continuity in the child's environment has been maintained or the reasons why this is not practicable or in the best interests of the child
- Information about whether the child will be placed with the child's siblings and, if not, the reasons why and the arrangements made for contact with the siblings
- An estimate of the anticipated duration of the placement and the circumstances and conditions that must be met to safely discharge the child from placement
- A visiting plan for the child with his or her parent(s), guardian, siblings, and other significant family members

**Contents of a Case Plan, continued****Soc. Serv. Laws § 409-e; N.Y. Reg. Tit. 18, § 428.6**

- A description of the reasons identified for not filing a petition to terminate parental rights for any child in foster care for at least 15 of the most recent 22 months
- Where concurrent planning is determined through assessment to be warranted in the case, a description of the alternate plan to achieve permanency for the child if the child cannot be safely returned home

**North Carolina****When Case Plans Are Required****N.C. Admin. Code, Tit. 10A, § 70G.0203**

*[Note: This issue is not addressed in the statutes reviewed. The information below is taken from the North Carolina Administrative Code.]*

- The agency shall develop a written case plan upon completion of the intake study and prior to placement.
- In cases of emergency placements, the assessment and case plan must be initiated within 1 week and completed within 6 weeks of placement.

**Who May Participate in the Case Planning Process****N.C. Admin. Code, Tit. 10A, § 70G.0203**

*[Note: This issue is not addressed in the statutes reviewed. The information below is taken from the North Carolina Administrative Code.]*

The plan must be developed in cooperation with the child and his or her family or legal custodian when possible and appropriate.

**Contents of a Case Plan****N.C. Admin. Code, Tit. 10A, § 70G.0203**

*[Note: This issue is not addressed in the statutes reviewed. The information below is taken from the North Carolina Administrative Code.]*

- The case plan must include:
  - » Goals stated in specific, realistic, and measurable terms
  - » Plans that are action oriented, including specific responsibilities of staff, family members, and the child, if appropriate
- When the agency has a written contract with another human services agency to provide home finding services only, and the contract specifies that the contracting agency meet the provisions of this rule, then the child-placing agency is not required to comply with the provisions of this rule. A copy of the contract must be submitted to the department.
- The case plan must be based upon an assessment of the needs of the child and his or her family.
- The case plan must be reviewed at least every 3 months to determine the child's and family's progress or lack of progress towards meeting the goals and objectives and to determine changes that need to be made in the plan.

**North Dakota****When Case Plans Are Required****Cent. Code § 27-20-02**

A permanency hearing will be conducted with respect to a child who is in foster care to determine the permanency plan for the child.

**Who May Participate in the Case Planning Process****N.D. Admin. Code § 75-03-14-06**

*[Note: This issue is not addressed in the statutes reviewed. The information below is taken from the North Dakota Administrative Code.]*

- Every county social service board must have a county permanency planning child and family team.
- The supervising agency must invite the child's parents, the foster parents, and the guardian ad litem to participate in the permanency planning meeting for the foster child unless good cause exists to exclude any person from the planning meeting.
- The foster parents shall participate in the permanency planning child and family team for the child. The foster parents shall cooperate in carrying out the objectives and goals of the permanency plan for the foster child in their care.

**Contents of a Case Plan****Cent. Code § 27-20-02**

The plan must include:

- Whether and, if applicable, when the child will be returned to the parent
- Whether and, if applicable, when the child will be placed for adoption, and the State will file a petition for termination of parental rights
- Whether and, if applicable, when a fit and willing relative or other appropriate individual will be appointed as a legal guardian
- In cases where there is a compelling reason that it would not be in the child's best interests to return home, to have parental rights terminated, to be placed for adoption, to be placed with a fit and willing relative, or to be placed with a legal guardian, whether and, if applicable, when the child will be placed in another planned permanent living arrangement
- In the case of a child who has been placed in foster care outside of the State where the home of the parents is located, or if the parents maintain separate homes, outside of the State where the home of the parent who was the child's primary caregiver is located, whether out-of-State placements have been considered, and if the child is currently in an out-of-State placement, whether the placement continues to be appropriate and in the child's best interests
- In the case of a child who has attained age 16, the services needed to assist the child to make the transition from foster care to independent living

---

**Northern Mariana Islands****When Case Plans Are Required**

This issue is not addressed in the statutes reviewed.

**Who May Participate in the Case Planning Process**

This issue is not addressed in the statutes reviewed.

**Contents of a Case Plan**

This issue is not addressed in the statutes reviewed.

## Ohio

### When Case Plans Are Required

#### Rev. Code § 2151.412

- Each public children services agency and private child-placing agency shall prepare and maintain a case plan for any child to whom the agency is providing services and to whom any of the following applies:
  - » The agency filed a complaint alleging that the child is an abused, neglected, or dependent child.
  - » The agency has temporary or permanent custody of the child.
  - » The child is living at home subject to an order for protective supervision.
  - » The child is in a planned permanent living arrangement.
- The case plan must be filed with the court prior to the child's adjudicatory hearing, but no later than 30 days after the earlier of the dates on which the complaint in the case was filed or the child was first placed into shelter care.
- All parts of the case plan shall be completed by the earlier of 30 days after the adjudicatory hearing or the date of the dispositional hearing for the child.

### Who May Participate in the Case Planning Process

#### Rev. Code § 2151.412

Any agency that is required to prepare a case plan shall attempt to obtain an agreement among all parties, including, but not limited to, the parents, guardian, or custodian of the child, and the guardian ad litem of the child regarding the content of the case plan.

### Contents of a Case Plan

#### Ohio Admin. Code § 5101:2-39-11

*[Note: The specific contents of a case plan are not addressed in statute. The information below is taken from the Ohio Administrative Code.]*

For a child who is in his or her own home or an out-of-home care placement, the case plan shall include the following elements:

- Parties involved in the case plan and their individual responsibilities
- Statement of goals and objectives to be achieved and conditions in the home that must be improved to ensure that the child will be safe and will receive proper care
- Anticipated timeframes for attainment of goals and objectives
- Identification of services requested by, or that have been or will be offered or provided to, the child or his or her parent, guardian, or custodian to achieve the goals identified in the plan
- Discussion of the appropriateness of supportive services that will be or have been offered and provided to prevent removal of the child from his parent, guardian, or custodian
- Specification of case management, casework services, and/or, if appropriate, therapeutic counseling

For each child placed in out-of-home care, the case plan shall include, but not be limited to, the following elements:

- Identification of the type of out-of-home care placement
- An explanation of the appropriateness and safety of the placement
- A statement of the reasonable efforts that will be or have been made to make it possible for the child to return to his or her home or a statement that reasonable efforts are not required
- An explanation of the steps to be taken to assure that services are provided to the child and his or her parent, guardian, or custodian to:
  - » Facilitate the return of the child to his or her parent, guardian, or custodian
  - » Locate a safe, planned permanent living arrangement for the child
- An explanation of the steps to be taken to assure that services are provided to the child and substitute caregiver to address the needs of the child while the child is placed in the out-of-home care placement

**Contents of a Case Plan, continued****Ohio Admin. Code § 5101:2-39-11**

- A schedule for regular and frequent visitation, including an explanation of the reason for any restrictions on location of visits or the need for supervision of visits between the child and his or her parent, guardian, or custodian
- When the case plan goal is adoption or another planned permanent living arrangement, a discussion of the steps being taken to:
  - » Place a child with an adult relative who has expressed an interest in adopting the child and meets all relevant State child protection standards, a guardian, or an adoptive family
  - » Find an adoptive family for the child through child-specific recruitment efforts
  - » Identify a planned permanent living arrangement for the child
  - » Finalize the adoption or guardianship
- Discussion of why parental rights shall not be terminated pursuant to the requirements contained in rule 5101:2-42-95 of the Administrative Code
- For a child age 16 or older, when appropriate, the programs and services that will assist the child to prepare for transition to independent living

**Oklahoma****When Case Plans Are Required****Ann. Stat. Tit. 10, § 7003-5.3**

An individual treatment and service plan shall be filed with the court within 30 days after a child has been adjudicated to be deprived.

**Who May Participate in the Case Planning Process****Ann. Stat. Tit. 10, § 7003-5.3; Okla. Admin. Code § 340:75-6-31**

The treatment and service plan shall be based upon a comprehensive assessment and evaluation of the child and family. The plan shall be developed with the participation or input of the parent, legal guardian, or custodian of the child, the attorney and the guardian ad litem of the child, if any, and, if appropriate, the child.

*[The following is from the Oklahoma Administrative Code.]*

Child welfare workers are required to be diligent in the development and implementation of a permanency plan. Sources that assist the child welfare worker and supervisor in determining the best permanency plan for the child include:

- Statements by the parents that indicate the parents' perceptions of the child, parenting the child, and the abuse and neglect issues that required corrections
- Statements by the child regarding the parents' and the child's desire to reunite that are obtained from the child welfare worker's monthly visitation with the child, placement provider, and service providers
- Coordination with Tribal officials, for a child who falls under the Indian Child Welfare Act, to explore the Tribe's interest and ability in providing for the child's permanent placement

**Contents of a Case Plan****Ann. Stat. Tit. 10, § 7003-5.3**

The individual treatment and service plan shall include, but not be limited to:

- A history of the child and family, including identification of the problems leading to the deprived child adjudication
- A statement of the methods to be used to correct those conditions or to achieve permanent placement of the child
- Identification of the specific services to be provided to the child including educational, vocational, medical, drug or alcohol abuse treatment, counseling, or other treatment services

**Contents of a Case Plan, continued****Ann. Stat. Tit. 10, § 7003-5.3**

- Identification of the services to be provided to the parent, legal guardian, custodian, stepparent, other adult living in the home, or other family members to remediate the conditions that led to the adjudication, including services needed to assist the family to provide safe and proper care of the child or to prevent further harm to the child
- A schedule of the frequency of services or treatment and the means by which delivery of the services or treatment will be assured
- The name of the social worker assigned to the case
- If the child is placed outside of the home:
  - » The services to be provided during and after any such placement
  - » The reasons for such placement and a statement as to the unavailability or inappropriateness of local placement, or other good cause, for any placement that is not in as close proximity as possible to the home of the child
  - » The services to be provided to the child to ensure safe and proper care while in placement and the projected date of discharge
  - » The services necessary to assist the child to reintegrate with the child's family or other community-based placement
  - » A description of conduct that is expected of the parent or parents, legal guardian, custodian, stepparent, or other adult living in the home that would alleviate the conditions that resulted in the removal of the child before the child can be returned to a safe home
  - » If the child is age 16 or older, the services necessary to make the transition from foster care or other community placement to independent living
  - » A description of the type of safe and proper placement in which the child is to be placed
  - » A description of the initial support obligation to the child, as determined by the court
  - » A description of any visitation rights and obligations of the parent or parents, legal guardian, or custodian while the child is in care
  - » A discussion of the safety and appropriateness of the child's placement, which placement is intended to be in the least restrictive and most familylike setting available, consistent with the best interests and special needs of the child and in as close proximity as possible to the child's home
- Performance criteria that will measure the progress of the child and family toward completion of the treatment and service plan, including timeframes for achieving objectives and addressing the identified problems
- A projected date for the completion of the treatment and service plan
- The name and business address of the attorney representing the child
- The permanency goal for the child and the reason for selection of that goal
- In the case of a child whose permanency plan is adoption or placement in other permanent placement, documentation of the steps the Department of Human Services is taking to:
  - » Find an adoptive family or other permanent living arrangement for the child
  - » Place the child with an adoptive family, a fit and willing kinship relative, a legal guardian, kinship guardian, or in another planned permanent living arrangement
  - » Finalize the adoption or guardianship, kinship guardianship, or other permanent placement
  - » Documentation of child-specific recruitment efforts such as the use of State, regional, and national adoption exchanges, including electronic exchange systems

## Oregon

### When Case Plans Are Required

#### Ann. Stat. § 417.368; Or. Admin. Rules §§ 413-040-0010; 413-040-0031

- The Department of Human Services shall consider the use of a family decision-making meeting in each case in which a child is placed in substitute care for more than 30 days.
- When the department determines that the use of a family decision-making meeting is appropriate, the meeting shall be held, whenever possible, before the child has been in substitute care for 60 days.
- If the department elects not to conduct a family decision-making meeting, the reasons for that decision shall be clearly documented in the written service plan of the child developed by the department.

*[The following is from the Administrative Rules.]*

The caseworker must develop the case plan within 60 days of a child's removal from home or within 60 days of the completion of the Child Protective Services (CPS) assessment, in cases where the child remains in the home of a parent or legal guardian.

### Who May Participate in the Case Planning Process

#### Ann. Stat. § 417.371; Or. Admin. Rules § 413-040-0031

If the Department of Human Services determines that the use of a family decision-making meeting is appropriate, the department shall conduct and document reasonable inquiries to promptly locate and notify the parents, grandparents, and any other family member who has had significant, direct contact with the child in the year prior to the substitute care placement.

All family members notified by the department may attend the meeting unless the department determines that the safety of any attendee will be compromised by the attendance of any family member.

"Family member" includes any person related to the child by blood, marriage or adoption, including, but not limited to, parents, grandparents, stepparents, aunts, uncles, sisters, brothers, cousins, or great-grandparents. "Family member" also includes a child age 12 or older, or a child younger than age 12 when appropriate.

*[The following is from the Administrative Rules.]*

When a decision has been made by the department and the family to use a family decision-making meeting, the department will make and document reasonable inquiries to promptly locate and notify the parents, grandparents, an Indian child's Tribe, and any other family member who has had significant, direct contact with the child in the year prior to the substitute care placement. Other participants in the meeting may include other professionals, foster parents, neighbors, and friends of the family, as appropriate.

Other participants will be jointly identified by the parents, legal guardians, Indian custodian of the child, and the department.

### Contents of a Case Plan

#### Ann. Stat. § 417.375; Or. Admin. Rules § 413-040-0010

If the Department of Human Services conducts a family decision-making meeting, the meeting shall result in the development of a written family plan that may include a primary permanent plan, concurrent permanent plan, placement recommendations, and service recommendations. The family plan or service agreement also shall include:

- The expectations of the parents of the child and other family members
- Services the department will provide
- Timelines for implementation of the plan
- The benefits of compliance with the plan
- The consequences of noncompliance with the plan
- A schedule of subsequent meetings, if appropriate

The department shall incorporate the family plan developed at the family decision-making meeting into the department's service plan for the child to the extent that the family plan protects the child, builds on family strengths, and is focused on achieving permanency for the child within a reasonable time.

If the family plan is not incorporated in the department's service plan for the child, the department shall document the reasons in the service plan.

*[The following is from the Administrative Rules.]*

The service plan must include all of the following information:

- Family composition, including identifying information for each child and each parent or legal guardian
- Safety threats identified in the CPS assessment and the ongoing safety plan
- The findings of the protective capacity assessment
- Expected outcomes and actions that each parent or legal guardian will take to achieve them
- Treatment services (if applicable) to the child that include:
  - » The identified needs and services provided to any child placed in substitute care and the reasons the substitute care placement is the least restrictive placement to meet the child's identified needs
  - » Routine and specialized medical and mental health services
  - » Education services, including the school or educational placement of the child and any special educational needs
  - » Services to transition the child to independent living in all cases when the child is age 16 or older, and, if provided, to the child who is age 14 or 15
- Services the department will provide, including appropriate and timely referrals to services and service providers suitable to address identified safety threats or strengthen parental protective capacity
- The date that the progress of the parents or legal guardians in achieving expected outcomes will be reviewed

When the child is in substitute care, the case plan also must include current placement information including:

- The location of the child and the substitute caregiver, except when doing so would jeopardize the safety of the child or the substitute caregiver
- Documentation that shows that the child is receiving safe and appropriate care in the least restrictive environment able to provide safety and well-being for the child
- The visitation and contact plan
- The permanency plan, the conditions for return, and the concurrent permanent plan

As applicable, the caseworker also must include in the case plan:

- The goals and activities required for an Indian child under the Indian Child Welfare Act or for a refugee child under the Refugee Act
- Recommendations of expert evaluations requested by the department whenever the recommendations may impact parental protective capacities or treatment services for the child
- Sibling placement, sibling connections, and the department's efforts to keep siblings together
- Orders of the court

## Pennsylvania

### When Case Plans Are Required

#### Pa. Admin. Code Tit. 55, § 3130.61

*[Note: This issue is not addressed in the statutes reviewed. The information below is taken from the Pennsylvania Administrative Code.]*

Within 60 days of accepting a family for service, a written family service plan shall be developed for each family receiving services through the county agency.

### Who May Participate in the Case Planning Process

#### Pa. Admin. Code Tit. 55, § 3130.61

*[Note: This issue is not addressed in the statutes reviewed. The information below is taken from the Pennsylvania Administrative Code.]*

- The county agency shall prepare the family service plan.
- The county agency shall provide family members, including the child, his or her representatives, and service providers, the opportunity to participate in the development and amendment of the service plan if the opportunity does not jeopardize the child's safety. The method by which these opportunities are provided shall be recorded in the plan.

### Contents of a Case Plan

#### Pa. Admin. Code Tit. 55, §§ 3130.61; 3130.67

*[Note: This issue is not addressed in the statutes reviewed. The information below is taken from the Pennsylvania Administrative Code.]*

The service plan shall be a discrete part of the family case record and shall include:

- Identifying information pertaining to both the child and other family members
- A description of the specific circumstances under which the case was accepted
- The service objectives for the family, identifying changes needed to protect children in the family in need of protection from abuse, neglect, and exploitation and to prevent their placement
- The services to be provided to achieve the objectives of the plan
- The actions to be taken by the parents, children, the county agency, or other agencies, and the dates when these actions will be completed
- The results of family service plan reviews and placement reviews

If the child must be placed out of the home, the service plan also shall include:

- A description of the circumstances that make placement necessary
- To the extent available and accessible, health and educational information on the child that includes:
  - » The names and addresses of the child's health and educational providers
  - » The child's school record and grade level performance
  - » Assurances that the child's placement in foster care takes into account proximity to the school in which the child is enrolled at the time of placement
  - » A record of the child's immunizations and medications
  - » The child's known medical problems, including the identification of known physical, mental, or emotional disabilities
  - » Other relevant health and educational information concerning the child determined to be appropriate by the county agency
- An identification of the type of home or facility in which the child will be placed and the appropriateness of the placement, including how the placement setting is the least restrictive, most familylike setting available for the child, consistent with the best interest and special needs of the child

**Contents of a Case Plan, continued****Pa. Admin. Code Tit. 55, §§ 3130.61; 3130.67**

- A description of the service objectives that shall be achieved by the parents or child prior to reunification
- For every child age 16 or older, the appropriateness of providing programs and services to help the child prepare for transition from foster care to independent living
- An identification of services to be provided to the family, the child, and, if applicable, the foster family to achieve the goal for the child in placement and to ensure that the child receives proper care
- An identification of the steps the county agency shall take to ensure that the service plan is implemented, including a schedule for a review of the status of each child
- The schedule for visits between the child and parents, including frequency, location, and participants
- A description of the services actually provided to the child and the parents to implement the plan and achieve the goal established for the child in placement
- The results of placement reviews

---

**Puerto Rico****When Case Plans Are Required****Ann. Laws Tit. 8, § 444j; 447s**

- A permanency plan must be drafted for each minor placed in a physical facility outside of his or her parental home according to his or her specific needs and situation, subject to review by the review board.
- The plan must be established immediately after the removal of the child from his or her home.

**Who May Participate in the Case Planning Process****Ann. Laws Tit. 8, § 444i**

- The Department of the Family is responsible for drafting the plan.
- The father, mother, or person responsible for the welfare of the minor must be allowed to attend the meetings and to participate when the case is reviewed.

**Contents of a Case Plan****Ann. Laws Tit. 8, §§ 444; 447s**

“Permanency plan” means the design and implementation of activities with the minor and his or her family geared to achieve the stability, safety, and best interests of the minor, taking into account the resources available.

“Service plan” means the systematic organization of the goals, objectives, and activities, expressed within a timeframe, which results from a process of information gathering and evaluation based on the strong points of the family to overcome their needs and that gives direction to the social care of the minor and his or her family.

Personnel of the Department of the Family shall make use of resources for the support of individuals, families, and the community, as well as internal and external resources of the department and other public and nongovernmental agencies, to improve the living conditions of families that may endanger the life and safety of a minor. The following elements may be included in the plan:

- Services offered or provided by the department
- Support services offered to facilitate the willingness of the family to receive the services to which they were referred
- Visitation plan set up for the father and/or mother and the minor
- Timeframes for compliance with the service plan

## Rhode Island

### When Case Plans Are Required

#### Code of Rules 03-007-001, Policy 700.0025

*[Note: This issue is not addressed in the statutes reviewed. The information below is taken from the Department of Children, Youth, and Families Policy and Procedure Manual.]*

A written service plan for the care and treatment is required for each child under the supervision of the Department of Children, Youth, and Families. The service plan must be submitted within 30 days when there is a finding of dependency, neglect, or abuse on a petition filed by the department.

The service plan must:

- Be developed no later than 60 days from the date of the removal of the child from home or 60 days from assignment for the child in the home
- Be developed and submitted to the family court within 30 days of a finding of dependency, neglect, or abuse on a petition filed by the department

### Who May Participate in the Case Planning Process

#### Code of Rules 03-007-001, Policy 700.0025

*[Note: This issue is not addressed in the statutes reviewed. The information below is taken from the Department of Children, Youth, and Families Policy and Procedure Manual.]*

The service plan must be developed jointly with the parents or guardians and the child, if age appropriate.

### Contents of a Case Plan

#### Code of Rules 03-007-001, Policy 700.0025

*[Note: This issue is not addressed in the statutes reviewed. The information below is taken from the Department of Children, Youth, and Families Policy and Procedure Manual.]*

The Department of Children, Youth, and Families utilizes a family-centered practice approach in developing, with the family, a service plan. The service plan outlines the department's intervention and array of services deemed appropriate to build on the strengths and address the individual needs of each family. During initial and ongoing family assessments, areas of risk and safety, as well as the strengths and needs of the family, are jointly identified. Building upon this process, the goal of service planning is to develop an individualized, culturally sensitive family plan that meets the safety, permanency, and well-being requirements of the Adoption and Safe Families Act (ASFA) (PL 150-89). The child's health, safety, and well-being are the paramount concerns in making reasonable efforts towards reunification with parents or guardians.

The service plan must:

- Contain a permanency goal for the child
- Describe the services offered and provided to prevent removal of the child from the home, including the individual services provided to each parent, child, and foster parent to reunify the family
- Be designed to achieve a safe placement for the child in the least restrictive and most familylike setting available, address the proximity of the child's placement to the home of the parents when the permanency goal is reunification, and address how the placement is consistent with the best interests and special needs of the child
- Contain a visitation plan that is consistent with the specified permanency goal
- Document the steps to finalize a placement when the permanency goal is or becomes adoption or another permanent placement option
- Include to the extent available and accessible updated health and education records of the child
- Be signed by all appropriate parties including the age-appropriate child
- Include for youth age 16 or older a written description of the programs and services that will help the youth prepare for the transition from foster care to independent living

## South Carolina

### When Case Plans Are Required

#### Ann. Laws §§ 63-7-1670; 63-7-1680

- Upon a finding that the child shall remain in the home and that protective services shall continue, a treatment plan must be prepared that is designed to alleviate any danger to the child and to aid the parents so that the child will not be endangered in the future.
- If the court orders that a child be removed from the custody of the parent or guardian, the court must approve a placement plan.
- A plan must be presented to the court for its approval at the removal hearing or within 10 days after the removal hearing. If the plan is presented subsequent to the removal hearing, the court shall hold a hearing on the plan if requested by a party.

### Who May Participate in the Case Planning Process

#### Ann. Laws §§ 63-7-1670; 63-7-1680

- The plan must be prepared by the department.
- To the extent possible, the plan must be prepared with the participation of the parents or guardian of the child, the child, and any other agency or individual that will be required to provide services in order to implement the plan.

### Contents of a Case Plan

#### Ann. Laws §§ 63-7-1670; 63-7-1680

The treatment plan shall detail any changes in parental behavior or home conditions that must be made and any services that will be provided to the family to ensure, to the greatest extent possible, that the child will not be endangered.

The placement plan shall include, but is not limited to:

- The specific reasons for removal of the child from the custody of the parent or guardian and the changes that must be made before the child may be returned
- The specific actions to be taken by the parents or guardian of the child to accomplish the changes needed
- Other conditions in the home that warrant State intervention, but would not alone have been sufficient to warrant removal, and the changes that must be made in order to terminate intervention
- The social and other services to be provided or made available to the parents, guardian, or other relevant adult to assist the parents or guardian in accomplishing the objectives, including a specific finding as to the minimum number and frequency of contacts a caseworker with the department must have with the child while in foster care
- The financial responsibilities and obligations, if any, of the parents or guardian for the support of the child during the placement
- The visitation rights and obligations of the parents, guardian, siblings, or other relatives of the child during the placement
- The nature and location of the placement of the child unless it is determined that disclosure of the location of the placement to the parents, guardian, or any other person would be contrary to the best interest of the child
- The social and other supportive services to be provided to the child and the foster parents, including counseling or other services to assist the child in dealing with the effects of separation from the child's home and family
- If the parents or guardian were not involved in the development of the plan, the nature of the agency's efforts to secure parental participation
- Notice to the parents or guardians that failure to substantially accomplish the objectives stated in the plan within the timeframes provided may result in termination of parental rights
- A clear statement of the conditions necessary to bring about return of the child and the reasonable efforts that will be made by the department to reunite the child with the child's family

## South Dakota

### When Case Plans Are Required

#### Admin. Code §§ 67:42:09:17; 67:42:01:01

[Note: This issue is not addressed in the statutes reviewed. The information below is taken from the South Dakota Administrative Code.]

- A case service plan is to be developed within 30 days after the child's placement in foster care.
- A "case service plan" is a written plan that explains the client's social, psychological, medical, or economic problems, contains solutions to the problems, and describes the necessary steps and schedule to resolve the problems.

### Who May Participate in the Case Planning Process

#### Admin. Code §§ 67:42:09:17; 67:42:01:01

[Note: This issue is not addressed in the statutes reviewed. The information below is taken from the South Dakota Administrative Code.]

The agency shall develop the service plan. The case service plan is written in cooperation with a client.

### Contents of a Case Plan

#### Admin. Code § 67:42:09:17

[Note: This issue is not addressed in the statutes reviewed. The information below is taken from the South Dakota Administrative Code.]

The plan shall include:

- A statement of where the child is being placed and assurances that this placement is the least restrictive setting available for the child
- A statement of the problems that necessitated the foster care placement
- A description of the services that are to be provided to the child and the child's family to facilitate a permanent plan for the child
- Projected dates for attaining the established goals
- Continuing casework services to the natural parents and to the child to prepare them for the child's eventual return or to prepare them for other permanent plans being made for the child
- Continuing casework services to the child and the child's foster parents as indicated in the child's case service plan
- A plan for the child's social worker to visit the child or the child's foster parents at least once a month
- Continuing contacts between natural parents and their children unless parental rights have been terminated or either the court that has jurisdiction over the child or the child placement agency that has been assigned care, custody, and control of the child has determined that the contacts would be detrimental to the child's welfare
- Regular educational instruction for children of school age
- Termination of services to a child that may occur only after a permanent plan has been established and services are no longer required to assure the permanence of that plan

---

## Tennessee

### When Case Plans Are Required

#### Ann. Code § 37-2-403

Within 30 days of the date of foster care placement, an agency shall prepare a plan of care or permanency plan for each child in its foster care.

**Who May Participate in the Case Planning Process****Ann. Code § 37-2-403; 29-5 Admin. Reg. 27**

- The agency shall prepare the plan.
- The plan shall be presented to the parent or guardian and approved by the court.

*[The following is the Tennessee Administrative Register.]*

Kinship foster parents shall be involved in the development of the permanency plan.

**Contents of a Case Plan****Ann. Code § 37-2-403; 27-5 Admin. Reg. 17**

- The plan shall include a goal for each child of:
  - » Return of the child to his or her parent
  - » Permanent placement of the child with a fit and willing relative or relatives of the child
  - » Adoption, giving appropriate consideration to § 36-1-115(g), when applicable
  - » Permanent guardianship
  - » A planned permanent living arrangement
- The permanency plan for any child in foster care shall include a statement of responsibilities between the parents, the agency, and the caseworker of such agency. Such statements shall include the responsibilities of each party in specific terms and shall be reasonably related to the achievement of the goal.
- In cases involving child abuse or child neglect, with such child being placed in foster care, the statement of responsibilities shall stipulate that the abusing or neglecting parent shall receive appropriate rehabilitative assistance through mental health consultation if so ordered by the court.
- The plan for a child who remains in foster care for 1 year may be modified to a long-term agreement between a foster parent and the agency charged with the caring and custody of the child. Such agreements with foster parents shall include:
  - » Appropriate arrangements for the child
  - » Procedures for the termination of the agreement by either party when in the best interests of the child
- The statement of responsibilities on a permanency plan that is ordered by the court shall empower the State agency to select any specific residential or treatment placement or programs for the child according to the determination made by the agency, its employees, agents, or contractors.

*[The following is the Tennessee Administrative Register.]*

The plan of care for a child in foster care is a written document that includes the following:

- A description of the type of home or institution in which a child is to be placed, including a discussion of the appropriateness of the placement. The plan should describe efforts to place the child in the least restrictive, familylike setting available and in close proximity to the parents' home, consistent with the best interest and special needs of the child.
- The plan should provide assurance that the child receives proper care and that services are provided to the child and foster parents or providers in order to improve the conditions in the parents' home, facilitate return of the child to his or her own home or the permanent placement of the child, and address the needs of the child while in foster care, including a discussion of the appropriateness of the services that have been provided to the child and parents under the plan.
- To the extent available and accessible, the plan must include health and education information regarding the child.
- Where appropriate, for a child age 16 or over, the plan also must include a written description of the programs and services that will help such child prepare for the transition from foster care to independent living.
- The plan must address the visitation between the child and his or her parents, child support, and possible consequences for failure to comply with the plan.

**Texas****When Case Plans Are Required****Fam. Code § 263.101**

A service plan must be filed no later than the 45th day after the date the court renders a temporary order appointing the department as temporary managing conservator of a child.

**Who May Participate in the Case Planning Process****Fam. Code § 263.102; Admin. Code Tit. 20, § 700.1331**

The service plan shall be prepared by the department or other agency in conference with the child's parents.

*[The following is from the Texas Administrative Code.]*

Child Protective Services must ask the following individuals to participate in developing the child's service plan:

- The child's worker in the conservatorship unit
- The worker supervising the placement, if different from the worker in the conservatorship unit
- The child, unless he or she is too young to participate
- The child's parents, unless they:
  - » Cannot be found
  - » Have had their parental rights terminated
  - » Have executed an affidavit of relinquishment and indicated that they do not want to participate in the child's case
- The substitute caregiver (e.g., the foster parent, the residential group home director, or a relative)
- The attorney or guardian ad litem, or both
- When appropriate, other professionals and volunteers who are providing services to the child or the child's family
- The adoptive parents, sometimes referred to as the preadoptive parents, if a child has been placed in an adoptive home and consummation of the adoption has not occurred

**Contents of a Case Plan****Fam. Code § 263.102**

The service plan must:

- Be written in a language that the parents understand, or made otherwise available
- State appropriate deadlines
- State whether the goal of the plan is:
  - » Return of the child to the child's parents
  - » Termination of parental rights and placement of the child for adoption
  - » Because of the child's special needs or exceptional circumstances, continuation of the child's care out of the child's home
- State the steps that are necessary to:
  - » Return the child to the child's home if the placement is in foster care
  - » Enable the child to remain in the child's home with the assistance of a service plan if the placement is in the home under the department's or other agency's supervision
  - » Otherwise provide a permanent safe placement for the child
- State the actions and responsibilities that are necessary for the child's parents to take to achieve the plan goal during the period of the service plan and the assistance to be provided to the parents by the department or other authorized agency toward meeting that goal
- State any specific skills or knowledge that the child's parents must acquire or learn, as well as any behavioral changes the parents must exhibit, to achieve the plan goal
- State the actions and responsibilities that are necessary for the child's parents to take to ensure that the child attends school and maintains or improves the child's academic compliance

**Contents of a Case Plan, continued****Fam. Code § 263.102**

- State the name of the person with the department or other agency whom the child's parents may contact for information relating to the child if other than the person preparing the plan
- Prescribe any other term or condition that the department or other agency determines to be necessary to the service plan's success
- Include a statement to the parent that failure to provide a safe environment for the child may result in termination of parental rights

---

**Utah****When Case Plans Are Required****Ann. Code § 62A-4a-205**

No more than 45 days after a child enters the temporary custody of the division, a child and family plan shall be finalized for the child.

**Who May Participate in the Case Planning Process****Ann. Code § 62A-4a-205**

- The division shall use an interdisciplinary team approach in developing each child and family plan. The interdisciplinary team shall include, but is not limited to, representatives from the following fields:
  - » Mental health
  - » Education
  - » Law enforcement, if appropriate
- The division shall involve all of the following in the development of the child and family plan:
  - » Both of the child's natural parents, unless the whereabouts of a parent are unknown
  - » The child
  - » The child's foster parents
  - » The child's stepparent, if appropriate

**Contents of a Case Plan****Ann. Code § 62A-4a-205**

Each child and family plan shall:

- Specifically provide for the safety of the child, in accordance with Federal law
- Clearly define what actions or precautions will, or may be, necessary to provide for the health, safety, protection, and welfare of the child.

The plan shall set forth, with specificity, at least the following:

- The reason the child entered into the custody of the division
- Documentation of the reasonable efforts made to prevent placement of the child in the custody of the division, or the emergency situation that existed and that prevented the reasonable efforts from being made
- The primary permanency goal for the child and the reason for selection of that goal
- The concurrent permanency goal for the child and the reason for the selection of that goal
- If the plan is for the child to return to the child's family:
  - » Specifically what the parents must do in order to enable the child to be returned home
  - » Specifically how those requirements may be accomplished
  - » How those requirements will be measured
- The specific services needed to reduce the problems that necessitated placing the child in the division's custody
- The name of the person who will provide for and be responsible for case management
- A parent-time schedule between the natural parent and the child, unless such parent-time is detrimental to the child
- The health and mental health care to be provided to address any known or diagnosed mental health needs of the child
- If residential treatment rather than a foster home is the proposed placement, a requirement for a specialized assessment of the child's health needs, including an assessment of mental illness and behavior and conduct disorders
- Social summaries that include case history information pertinent to case planning

The case plan shall specifically address problems that keep a child in placement and keep a child from achieving permanence in his or her life. It shall be designed to minimize disruption to the normal activities of the child's family, including employment and school.

**Vermont****When Case Plans Are Required****Code of Vt. Rules 13-163-002, 1060.5**

*[Note: This issue is not addressed in the statutes reviewed. The information below is taken from the Social Services Policy Manual.]*

When a child has been placed in department custody, a case plan shall be established for the child.

**Who May Participate in the Case Planning Process****Code of Vt. Rules 13-163-002, 1060.5**

*[Note: This issue is not addressed in the statutes reviewed. The information below is taken from the Social Services Policy Manual.]*

- The service worker assigned major responsibility for the child shall establish a plan for the child.
- Full recognition shall, however, be given to the capacity and willingness of the child's own family and/or of the older child to participate in overall planning. They shall be involved in the development of the case plan whenever feasible.

## Contents of a Case Plan

### Code of Vt. Rules 13-163-002, 1060.5 & 4031

[Note: This issue is not addressed in the statutes reviewed. The information below is taken from the Social Services Policy Manual.]

- The case plan describes immediate and long-range objectives and the selection of methods and/or specific activities designed to achieve the objectives of the plan.
- The service worker, in developing the specific plan, shall consider fully the individual's or family's capacity and readiness to participate in selection of objectives and methods of delivery.
- The case plan is a written document developed by a Social and Rehabilitation Services (SRS) social worker as part of the SRS case record that identifies the families' needs and sets forth goals to preserve, rehabilitate, and/or reunify families and notes progress with regard to the goals.

---

## Virgin Islands

### When Case Plans Are Required

#### Ann. Code Tit. 5, § 2536; Code of Rules 05-201-000, § 2506-31

A plan for rehabilitative or ameliorative treatment shall be prepared within 90 days of receipt of the initial report of alleged child abuse or neglect.

[The following is from the Code of Virgin Island Rules.]

When necessary in the best interest of the child, the agency will suggest a plan for the child's care and recommend that the court place the child in the custody of the Department of Social Welfare.

### Who May Participate in the Case Planning Process

#### Ann. Code Tit. 5, § 2536

The Department of Social Welfare shall prepare the plan.

### Contents of a Case Plan

#### Ann. Code Tit. 5, § 2536; Code of Rules 05-201-000, § 2506-31

The plan shall include services offered and accepted or refused and the present status of the case.

[The following is from the Code of Virgin Islands Rules.]

The plan may include placement of the child in his or her own home under close agency supervision, placement in a foster home, or placement in any children's institutions that may exist.

---

## Virginia

### When Case Plans Are Required

#### Ann. Code § 16.1-281

- In any case in which (i) a local board of social services places a child through an agreement with the parents or guardians where legal custody remains with the parents or guardian, or (ii) legal custody of a child is given to a local board of social services, a child welfare agency, or the local department of social services, a foster care plan shall be prepared for such child.
- The individual family service plan developed by the family assessment and planning team pursuant to § 2.2-5208 may be accepted by the court as the foster care plan if it meets the requirements of this section.
- The plan must be filed with the juvenile and domestic relations district court within 60 days following the transfer of custody or the board's or public agency's placement of the child unless the court, for good cause shown, allows an extension of time, that shall not exceed an additional 60 days.

### Who May Participate in the Case Planning Process

#### Ann. Code § 16.1-281

- The local Department of Social Services or child welfare agency shall prepare the foster care plan.
- The representatives of the department or agency shall involve the child's parent(s) in the development of the plan, except when parental rights have been terminated or the local department or child welfare agency has made diligent efforts to locate the parent(s) and such parent(s) cannot be located, and any other person or persons standing in loco parentis at the time the board or child welfare agency obtained custody or the board placed the child.
- The representatives of the department or agency shall involve the child in the development of the plan, if such involvement is consistent with the best interests of the child.
- If either the parent or child is not involved in the development of the plan, the reasons must be documented.

### Contents of a Case Plan

#### Ann. Code § 16.1-281

The foster care plan shall describe in writing:

- The programs, care, services, and other support that will be offered to the child and his or her parents and other prior custodians
- The participation and conduct that will be sought from the child's parents and other prior custodians
- The visitation and other contacts that will be permitted between the child and his or her parents and other prior custodians, and between the child and his or her siblings
- The nature of the placement or placements that will be provided for the child
- For children age 14 and older, the child's needs and goals in the areas of counseling, education, housing, employment, and money management skills development, along with specific independent living services that will be provided to the child to help him or her reach these goals
- When appropriate for a child age 16 or older, the programs and services that will help the child prepare for the transition from foster care to independent living
- If consistent with the child's health and safety, the reasonable efforts that will lead to the return of the child to his or her parents or other prior custodians within the shortest practicable time

The child's health and safety shall be the paramount concern of the court and the agency throughout the placement, case planning, service provision, and review process.

---

## Washington

### When Case Plans Are Required

#### Rev. Code §§ 13.34.120; 13.34.136

- To aid the court in its decision on disposition, a social study shall be made by the person or agency filing the petition. The study shall include all social files and also may include facts relating to the child's cultural heritage, and shall be made available to the court.
- Whenever a child is ordered removed from the home, a permanency plan shall be developed no later than 60 days from the time the supervising agency assumes responsibility for providing services, including placing the child, or at the time of a hearing under § 13.34.130, whichever occurs first. The permanency planning process continues until a permanency planning goal is achieved or dependency is dismissed. The planning process shall include reasonable efforts to return the child to the parent's home.

### Who May Participate in the Case Planning Process

#### Rev. Code § 13.34.120

- A parent may submit a counselor's or health-care provider's evaluation of the parent, which shall either be included in the social study or considered in conjunction with the social study.
- At least 10 working days before the disposition hearing, the department shall mail to the parent and his or her attorney a copy of the agency's social study and proposed service plan.
- In addition, the department shall provide an opportunity for parents to review and comment on the plan at the local office closest to the parents' residence.
- If the parents disagree with the agency's plan or any part thereof, the parents shall submit to the court at least 24 hours before the hearing, an alternative plan to correct the problems that led to the finding of dependency.

### Contents of a Case Plan

#### Rev. Code §§ 13.34.136; 13.34.145

- The permanency plan of care shall identify one of the following outcomes as a primary goal and may identify additional outcomes as alternative goals:
  - » Return of the child to the home of the child's parent, guardian, or legal custodian
  - » Adoption
  - » Guardianship
  - » Permanent legal custody
  - » Long-term relative or foster care, until the child is age 18, with a written agreement between the parties and the care provider
  - » Successful completion of a responsible living skills program
  - » Independent living, if appropriate and if the child is age 16 or older
- Unless the court has ordered that a termination petition be filed, a specific plan shall be developed to include where the child will be placed, what steps will be taken to return the child home, what steps the agency will take to promote existing appropriate sibling relationships and/or facilitate placement together or contact in accordance with the best interests of each child, and what actions the agency will take to maintain parent-child ties. All aspects of the plan shall include the goal of achieving permanence for the child.
- The agency plan shall specify what services the parents will be offered to enable them to resume custody, what requirements the parents must meet to resume custody, and a time limit for each service plan and parental requirement.
- A schedule of visitation between the child and the parent, when visitation is in the best interest of the child, will be developed for each plan. The agency shall encourage the maximum parent and child and sibling contact possible, when it is in the best interest of the child, including regular visitation and participation by the parents in the care of the child while the child is in placement.
- A child shall be placed as close to the child's home as possible, preferably in the child's own neighborhood, unless the court finds that placement at a greater distance is necessary to promote the child's or parents' well-being.
- The plan shall state whether both in-State and, when appropriate, out-of-State placement options have been considered by the department.
- Unless it is not in the best interests of the child, whenever practical, the plan should ensure the child remains enrolled in the school the child was attending at the time the child entered foster care.
- If the permanency plan identifies independent living as a goal, the permanency plan also shall specifically identify the services that will be provided to assist the child to make a successful transition from foster care to independent living.

## West Virginia

### When Case Plans Are Required

#### Ann. Code § 49-6D-3

- The department shall develop a family case plan for every family wherein a person has been referred to the department after being allowed an improvement period under the provisions of § 49-6-12.
- The department also may prepare a family case plan for any person who voluntarily seeks child abuse and neglect services from the department, or who is referred to the department by another public agency or private organization.
- In cases where the family has been referred to the department by a court under the provisions of this chapter, and further action before the court is pending, the family case plan shall be furnished to the court within 30 days after the entry of the order referring the case to the department.

### Who May Participate in the Case Planning Process

#### Ann. Code § 49-6D-3

- The department shall encourage participation in the development of the family case plan by the parent, guardian, or custodian, and, if the child is age 12 or older and the child's participation is otherwise appropriate, by the child.
- It shall be the duty of counsel for the participants to participate in the development of the family case plan.

### Contents of a Case Plan

#### Ann. Code § 49-6D-3

The family case plan is to clearly set forth an organized, realistic method of identifying family problems and the logical steps to be used in resolving or lessening those problems. Every family case plan prepared by the department shall contain the following:

- A listing of specific, measurable, and realistic goals to be achieved
- An arrangement of goals into an order of priority
- A listing of the problems that will be addressed by each goal
- A specific description of how the assigned caseworker or caseworkers and the abusing parent, guardian, or custodian will achieve each goal
- A description of the departmental and community resources to be used in implementing the proposed actions and services
- A list of the services, including time-limited reunification services, as defined in § 49-1-3, that will be provided
- Time targets for the achievement of goals or portions of goals
- An assignment of tasks to the abusing or neglecting parent, guardian, or custodian, to the caseworker or caseworkers, and to other participants in the planning process
- A designation of when and how often tasks will be performed
- The safety of the placement of the child and plans for returning the child safely home

---

## Wisconsin

### When Case Plans Are Required

#### Ann. Stat. § 48.38

A permanency plan must be prepared for each child living in a foster home, treatment foster home, group home, residential care center for children and youth, juvenile detention facility, shelter care facility, or in the home of a relative other than a parent.

### Who May Participate in the Case Planning Process

#### Ann. Stat. § 48.38

- The agency that placed the child or arranged the placement or the agency assigned primary responsibility for providing services to the child shall prepare a written permanency plan.
- The agency shall file the permanency plan with the court within 60 days after the date on which the child was first removed from his or her home.

### Contents of a Case Plan

#### Ann. Stat. § 48.38

The permanency plan shall include the following:

- The name, address, and telephone number of the child's parent, guardian, and legal custodian
- The dates on which the child was removed from his or her home and was placed in out-of-home care
- A description of the services offered and any services provided in an effort to prevent the removal of the child from his or her home, and to achieve the goal of the permanency plan
- The basis for the decision to hold the child in custody or to place the child outside of his or her home
- A statement as to the availability of a safe and appropriate placement with a fit and willing relative of the child and, if a decision is made not to place the child with an available relative, why placement with the relative is not safe or appropriate
- A statement as to the availability of a safe and appropriate placement with a foster parent, adoptive parent, or proposed adoptive parent of a sibling of the child and, if a decision is made not to make that placement, a statement as to why the placement is not safe or appropriate
- The location and type of facility in which the child is currently held or placed or will be placed
- If the child is living more than 60 miles from his or her home, documentation that placement within 60 miles of the child's home is either unavailable or inappropriate, or that placement more than 60 miles away is in the child's best interests
- Information about the child's education, including any special education programs
- If as a result of the placement, the child has been or will be transferred from the school in which the child is enrolled, documentation that a placement that would maintain the child in that school is either unavailable or inappropriate or that the child's transfer to another school would be in the child's best interests
- Medical information relating to the child, including:
  - » The names and addresses of the child's physician, dentist, and any other health-care provider
  - » The child's immunization record, medications, and any known allergies
  - » Any known condition for which the child is receiving medical care or treatment
- A plan for ensuring the safety and appropriateness of the placement and a description of the services provided to meet the needs of the child and family, including a discussion of services that have been considered and are not available or likely to become available within a reasonable time or, if available, why such services are not safe or appropriate
- A description of the services that will be provided to the child, the child's family, foster parent, treatment foster parent, the operator of the facility where the child is living, or the relative with whom the child is living, including services planned to accomplish all of the following:
  - » Ensure proper care and treatment of the child and promote safety and stability in the placement
  - » Meet the child's physical, emotional, social, educational, and vocational needs
  - » Improve the conditions of the parents' home to facilitate the safe return of the child to his or her home, or, if appropriate, obtain an alternative permanent placement for the child
- The goal of the permanency plan or, if the agency is making concurrent reasonable efforts, the goals of the permanency plan

**Contents of a Case Plan, continued****Ann. Stat. § 48.38**

- If the goal of the permanency plan is to place the child for adoption, with a guardian, with a fit and willing relative, or in some other alternative permanent placement, the efforts made to achieve that goal
- The conditions, if any, upon which the child will be returned safely to his or her home, including any changes required in the parents' conduct, the child's conduct, or the nature of the home
- If the child is age 15 or older, a description of the programs and services that are or will be provided to assist the child in preparing for the transition to independent living

If a goal of the permanency plan is any goal other than return of the child to his or her home, the permanency plan shall include the rationale for deciding on that goal.

---

**Wyoming****When Case Plans Are Required****Ann. Stat. § 14-3-427; Code of Rules 049-240-002, § 7**

- The Department of Family Services shall develop a case plan for a child when there is a recommendation to place the child outside of the home.
- No later than 5 business days prior to the dispositional hearing, the multidisciplinary team shall file with the court the multidisciplinary team report that shall include the team's recommendations and the department case plan.

*[The following is from the Wyoming Code of Rules.]*

A written case plan shall be completed within 60 days of out-of-home placement or 30 days of the conclusion of the investigation or assessment, whichever occurs first, on all cases that remain open for services. A concurrent plan also may be developed.

**Who May Participate in the Case Planning Process****Ann. Stat. § 14-3-427**

After a petition is filed alleging a child is neglected, the court shall order the Department of Family Services to make a predisposition study and report. While preparing the study, the department shall consult with the child's school and school district to determine the child's educational needs.

Within 10 days after a petition is filed alleging a child is neglected, the court shall appoint a multidisciplinary team. The multidisciplinary team shall include the following:

- A representative of the school district who has direct knowledge of the child and, if the child receives special education, is a member of the child's individualized education plan team
- The child's psychiatrist, psychologist, or mental health professional
- The district attorney or his or her designee
- The child's attorney or guardian ad litem, if one is appointed by the court
- The volunteer lay advocate, if one is appointed by the court
- The foster parent

In addition to the persons above, the court may appoint one or more of the following persons to the multidisciplinary team:

- The child
- A relative
- If the predispositional study indicates a parent or child has special needs, an appropriate representative of the Department of Health's Substance Abuse, Mental Health, or Developmental Disabilities Division who has knowledge of the services available in the State's system of care that are pertinent to those identified needs
- Other professionals or persons who have particular knowledge relating to the child or his or her family, or expertise in children's services and the child or parent's specific disability or special needs, including linguistic and cultural needs

**Contents of a Case Plan****Ann. Stat. § 14-3-427; Code of Rules 049-240-002, § 7**

The study and report of the Department of Family Services shall cover:

- The performance of the child in school, including whether the child received special education service and how his or her goals and objectives might be impacted by the court's disposition
- The presence of child abuse and neglect or domestic violence histories, past acts of violence, learning disabilities, cognitive disabilities, or physical impairments, and the necessary services to accommodate the disabilities and impairments
- The presence of any mental health or substance abuse risk factors, including current participation in counseling, therapy, or treatment
- Other matters relevant to treatment of the child, including any pertinent family information, or proper disposition of the case, including any information required by § 21-13-315(d)

The multidisciplinary team shall review the child's personal and family history, school records, mental health records, the records maintained by the Department of Family Services, and any other pertinent information, for the purpose of making case planning recommendations. To the extent appropriate, the team shall involve the child in the development of the recommendations.

*[The following is from the Wyoming Code of Rules.]*

The case plan shall be based on:

- The safety assessment and plan
- Risk assessment
- The service needs of the child and family

The Department of Family Services shall provide services consistent with the case plan.