

**BUTLER COUNTY CHILDREN SERVICES**

POLICY NO.: 1.14	SUBJECT: <b>REASONABLE EFFORTS AND REMOVAL FROM HOME</b>
OAC: 5101: 2-39-05	EFFECTIVE DATE: 8-24-04
PCSAO: 2.10 (Reasonable Efforts and Removal from home)	REVISION DATE: 5-30-06, 3-27-07, 10/07
	REVIEW DATE: 8-23-05, 5-30-06, 3-27-07, 10/07

**PURPOSE:**

To provide a safe, permanent home for the child by preventing removal, facilitating reunification, preventing or eliminating multiple placements and reentries into care, and/or achieving an alternative permanent home.

**POLICY:**

Reasonable efforts must be made throughout the agency’s involvement with the family. Removal from home is a traumatic life-altering experience for both the child and the family.

Reasonable efforts are defined as including:

- An assessment of risk and safety to the child if the child remains in the home, and the risk of trauma if the child is removed from home;
- A determination of child and family strengths and needs to reduce the level of risk and increase the child’s safety;
- The identification and utilization of needed and available services;
- Exploring supportive resource alternatives based on the family’s suggestions.

1. Only after the worker assigned has pursued alternate safety planning options should the worker seek to remove the child from the home. However, there are exceptions when it is not necessary to pursue reasonable efforts. The situations where it is not necessary to pursue reasonable efforts are detailed in section 5. of procedures in this policy.

2. Prior to any removal, the worker must request a removal staffing. Staffing participants should include the child's worker, the worker's supervisor, the administrator or his/her designee. The outcome of the staffing and the participants must be documented in the case dictation.

Procedure:

1. In an emergency the agency will have made reasonable efforts when the worker assesses the risk elements that directly apply to the child's immediate safety through face-to-face contact with available family members. A determination as to the best option for the child is made based on collected information. Information gathered and reviewed to make this determination should include:
  - a. Child's vulnerability and parent's ability to protect;
  - b. Assessed strengths, needs, and concerns of all family members regarding the child's safety and stability;
  - c. The agency and family jointly determine what services are needed and immediately available to increase the child's safety and stability;
  - d. Alternative caregiver resources identified by the family and;
  - e. Location of, or presumed location of, the absentee parent(s) when whereabouts are unknown.
2. The following steps should be taken to prevent removal and reentry into care:
  - a. Prior to removing a child from his home, the worker should hold a Case Staffing. When an emergency situation exists a Case Staffing should be held the next day.
  - b. In emergency situations, if there is not a current safety plan the worker should develop the safety plan including relatives or other available caregivers(s) who will willingly shelter the child in an emergency situation.
  - c. When a safety plan is implemented, which does not involve moving the child to an alternative setting, staff should monitor the safety plan to ensure that the action steps are controlling the identified safety threats.
  - d. Respite should be accessed to prevent removal or reentry into care;
  - e. Continuously assess family, kin, and community resources;
  - f. Crisis services (i.e. mental health assessment, home-based intensive services).
  - g. Removal of the offender from the home either by Temporary Protection Order(TPO) or voluntarily with a safety plan in place for the family.
3. In an attempt to prevent removal of the child(ren) by court order, the worker may provide the option to parents/guardians to sign a Voluntary Agreement for Care (VAC), where they agree

that removal from the home is in the best interest of the child. (Voluntary Agreement for Care 9.2)

4. The worker should initiate an emergency removal from the home when an assessment determines that one or more of the following exists:
  - a. The child is not safe and is in present danger;
  - b. The primary caregiver and adults in the household cannot be located nor can a less intrusive safety plan be implemented;
  - c. The primary caregiver has been hospitalized or incarcerated, and an alternate caregiver resource is unavailable, making the provision of services to prevent the placement impossible;
  - d. There are no appropriate alternatives, including those expressed by the family, which will ensure the child's safety and which are immediately accessible;
  - e. There are no services immediately accessible which, if in place, would reduce the level of risk to the child to, make the child safe, and keep the family intact.
5. The worker may petition the court to suspend the requirement to provide reasonable efforts when any of the following circumstances exist:
  - a. The caregiver has plead guilty or been convicted of offenses against the child, a sibling or any other child in the household; these offenses include homicide, felonious assaults, endangering or cruelly abusing a child, sex offenses, or conspiracy or attempt of homicide or sex offenses;
  - b. Food or medical treatment has been repeatedly withheld (there is a religious exception);
  - c. The caregiver repeatedly rejects or refuses to continue drug or alcohol treatment in line with any court order or journalized case plan for children at risk of harm due to a caregiver's addiction;
  - d. Abandonment – the definition being that the parent failed to visit or maintain contact with the child for a period of 90 days or longer;
  - e. There was a prior involuntary termination of parental rights of a sibling.
6. The agency must make Reasonable Efforts unless the court determines that there is an Exception to Reasonable Efforts. At any hearing on the continued placement of the child from the home, the agency shall provide the court with documentation and request that the court make a determination that reasonable efforts have been made and continue to be made to make it possible for the child to safely return home through the provision of supportive services. The agency must also make "Reasonable Efforts" to place and finalize the permanent placement of a child in accordance with an approved permanency plan.
7. When the decision is made to remove the child(ren) from the home and it is not a VAC or law enforcement removal, the worker should proceed with completing the paperwork for filing a

complaint in Juvenile Court. When law enforcement remove the child(ren), the worker should staff the case to determine if the agency will file a complaint in Juvenile Court.

## REMOVAL

To prepare the family for the removal of the child from the home when possible the following should be addressed:

1. Information about the removal process and reasons for removal.
2. How the family can maintain contact.
3. Discussion of separation and loss with the family and siblings that remain in the home.
4. Discussion of needed services for the family and the case planning process.
5. Discussion of special medical or therapeutic needs of the child.

To prepare the child for his removal from the home and minimize the negative effects on the child the following should be addressed:

1. Age appropriate discussion with the child that he/she must be removed from the home and the reasons why.
2. Discussion of where he/she will be going, if there are other children in the home, pets, names of the foster family etc. as well as where he/she will be attending school.
3. How the child will maintain contact with his family.
4. Discussion about the child's preferred foods, activities, daily routines, education.
5. If age appropriate, needed medical or therapeutic needs.
6. Any personal items the child would like to take with them.

See 4.2 Child Placement policy and procedures regarding child placement.

*Michael A. B. J.*