

PROGRAM MEMO

Program Memo: Title 390, Protection and Safety # 1 - 2005

To: Holders of Title 390

From: Todd Reckling, Administrator
Office of Protection and Safety

Signed by: _____, Director
Department of Health and Human Services

Date

RE: Diligent Efforts to Locate and Assess Non-custodial Parent and Relatives

Effective Date: April 26, 2005

Duration: Until revised regulation is issued.

Contact: If you have questions about this program memo, please contact Becky Henderson, at (402) 471-9333.

The Department recognizes that involvement of non-custodial parents and other relatives can be vital to assuring safety, permanency, and well-being for children. Therefore, it is expected that diligent efforts be made to locate, contact, and involve non-custodial parents and other relatives. These efforts must be started as soon as the Department becomes aware that a child is in danger of being removed from home or has been removed, and continue until all relevant parties have been explored.

Definitions: For these purposes:

- Non-custodial parent: For these purposes, "non-custodial parent" includes not only legal parents but also alleged fathers.
- Relative: the family is to be consulted about persons they would consider to be relatives. In some situations, the family might include persons who are not related by blood or marriage. At a minimum, efforts must be made regarding maternal and paternal grandparents, adult siblings, aunts and uncles, and cousins. When the child is Native American, the tribe's definition of "relative" must be followed.
- "Diligent efforts" include, at a minimum, asking the parent or guardian and the child, when appropriate, for information; following up on "leads" provided by collateral contacts or family members; and, if a parent's whereabouts are unknown, making a referral to the Federal Parent Locator Service (FPLS). (*See below) When the child falls under the Indian Child Welfare Act, diligent efforts must include providing notification to the tribe.

When the absent parent or relative is located, the worker must explore the following:

- Is this person a potential placement resource, or does this person know of another appropriate potential placement resource that will enhance continuity for the child? Making these determinations is important for several reasons:
 - Research shows that relative placements generally are more stable than those with non-relative foster parents.

- Making a determination regarding placement with relatives early in the case process can avoid the question of moving a child after he or she has formed attachments to a foster family.
- Early identification and involvement of fathers provides the basis for relinquishment or termination of parental rights if adoption should become the permanency objective.
- If not a placement resource, is this person someone who can provide a long term or short term supportive relationship for the child and family?
- Does this person have information that is relevant to providing safety, permanency, and well-being for the child and to working with the custodial parent or guardian when reunification is the goal?
- Does this person have information such as social and family health history that will be needed if reunification is not possible and adoption or guardianship become the permanency objective?
- Is there a current child support order, or should one be established?

Documentation: Efforts made and the results of these efforts must be documented in the N-FOCUS narrative subject area called "Relative Placement." This narrative is found on the CFS Program Person Information window.

Supervisor Responsibility: The Protection and Safety Supervisor must assure that the worker understands the importance of diligent efforts and is carrying out the requirements of this memo. As the supervisor reviews cases, he or she must discuss diligent efforts with the worker and assure that relevant information is entered on N-FOCUS.

[* The Federal Parent Locator Service (FPLS) is a national repository of information gained through and maintained in connection with Child Support Enforcement. The Adoption and Safe Families Act specified that information from this source could be used for purposes of locating absent parents, when a referral to Child Support Enforcement is not being made. The request can be made when there is little information available regarding the parent's whereabouts. The referral must be made on the form entitled "Child Support Enforcement Location Only Referral From Protection and Safety," which can be accessed as a template by going into Microsoft Word, clicking on "New," then clicking on the "N-FOCUS" tab, and scrolling to the form. When completed, the form is sent to "Location Only" in Central Office of Child Support Enforcement. Information that can be made available to the worker via this referral includes the person's Social Security Number, the person's address or location, employer's name, employer's address, or employment wages, benefits, or other income.]