

Steve Sisolak
Governor



Richard Whitley, MS
Director

DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF CHILD AND FAMILY SERVICES
Helping people. It's who we are and what we do.



Cindy Pitlock, DNP
Administrator

MTL # 0204 – 6162022
06/16/2022

TO: Timothy Burch, Administrator – Clark County Department of Family Services
Karla Delgado, Interim Deputy Administrator – Community Services – DCFS
Betsey Crumrine, Social Services Manager V – DCFS – District Offices
Laurie Jackson, Social Services Manager V – DCFS -District Offices
Amber Howell, Director – Washoe County Human Services Agency

FROM: Maria Jonas, Social Services Chief II, Division of Child and Family Services

POLICY DISTRIBUTION

Enclosed find the following policy for distribution to all applicable staff within your organization:

0204 Permanency and Case Planning

This policy is/was effective: 06/09/2022

- This policy is new. Please review the policy in its entirety
- This policy replaces the following policy(s): MTL # _____ - _____ Policy Name: _____
- This policy has been revised. Please see below for the type of revision:
 - This is a significant policy revision. Please review this policy in its entirety.
 - This is a minor policy revision: (List page number & summary of change): The frequency that a case plan must be updated was changed from every 90 days to every 6 months. This change documented throughout the entire document.
 - A policy form has been revised: (List form, page number and summary of change):

NOTE:

- Please read the policy in its entirety and note any areas that are additionally required by your agency to be in compliance with the policy enclosed.
- This is an **ALL STAFF MEMO** and it is the responsibility of the person listed above to disseminate the policy enclosed to appropriate staff within his/her organization and to ensure compliance.
- The most current version of this policy is posted on the DCFS Website at the following address: <http://dcfs.nv.gov/Policies> Please check the table of contents on this page for the link to the chapter you are interested in.

CC:

| | |
|------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| Judy Tudor (Judy.tudor@clarkcountynv.gov) | DFSPandP@Clarkcountynv.gov |
| Jill Marano (Jill.marano@clarkcountynv.gov) | Maria Hickey (mhickey@dcfs.nv.gov) |
| Abigail Frierson (Abigail.frierson@clarkcountynv.gov); | Kim Martin (ksmartin@washoecounty.us) |

0204 Permanency and Case Planning

Policy Approval Clearance Record

| | |
|-------------------------------------------------------------|------------------------------------------------------------|
| <input checked="" type="checkbox"/> Statewide Policy | <input type="checkbox"/> New Policy |
| <input type="checkbox"/> Administrative Policy | <input checked="" type="checkbox"/> Modified Policy |
| <input type="checkbox"/> DCFS Rural Region Policy | <input type="checkbox"/> This policy supersedes: |
| Date Policy Effective: | 06/09/2022 |
| Attorney General Representative Review: | 07/29/2020 |
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| DMG Approved Revisions | 06/09/2022 |

STATEMENT OF PURPOSE

Policy Statement and Purpose: Case planning is a core component of permanency services that builds directly from the conclusions drawn about what must change through the Protective Capacity Family Assessment (PCFA) process and to establish the Permanency Plan for a child, in accordance with the Adoption and Safe Families Act (ASFA). ASFA mandates shortened timeframes for achieving permanency for children in foster care and concurrent planning aids in achieving timely permanency. The suggested timeframes according to ASFA are twelve (12) months for reunification, eighteen (18) months for guardianship, and twenty-four (24) months for adoption.

The Purpose, Objectives, and Decisions of Case Planning.

1. The purpose of case planning is to engage caregivers and other family members, as requested by the caregiver, in a process to operationalize the goals and intervention strategies that logically follow the conclusions of the Protective Capacity Family Assessment (PCFA).

The purpose of permanency planning is to ensure children have a stable, nurturing, and safe family environment in a timely manner that supports positive and lifelong relationships. Permanency planning is the process of taking systematic, prompt and decisive action to maintain a child in a permanent and stable living arrangement with his or her birth family, or if that is not possible, to secure for the child a permanent living arrangement through a Case Plan with a permanency goal. If a concurrent goal is identified, reasonable efforts would be made towards both goals. For example, a goal of reunification with a concurrent goal of adoption would include efforts to reunify, such as service provision in addition to efforts towards adoption, such as recruitment, gathering of adoption home studies, completion of home studies, etc.

2. The objectives of case planning are to:
 - a. Establish an appropriate initial Permanency goal for each child within forty-five (45) calendar days after the date on which the child is removed from the home, or the Agency’s decision to provide in-home services;
 - b. Establish new or concurrent Permanency goals in a timely manner for a child based on the established ASFA Guidelines/timeframes and best interests of a child;
 - c. Prioritize the behavior/cognitive/emotional outcomes that will drive the development of the Case Plan for up to a six (6) month service period;
 - d. Develop criteria based on Specific, Measurable, Achievable, Realistic and Time-Limited (SMART) goals that the caregiver and/or child agrees to achieve or make progress toward for up to the next six (6) months; and
 - e. Identify a specific approach to change (i.e. services, treatment providers, service arrangements) that include the caregiver and are used by the caseworker and other service providers to support the change process, and that are incorporated into an individualized change focused Case Plan.

AUTHORITY

Federal: [42 USC 67\(a\)\(15\)\(f\)](#); [42 U.S.C. 671](#); [42 U.S.C. 475](#); [45 CFR 1356](#); [PL 110-351 Fostering Connections Act of 2008](#); [Adoption and Safe Families Act of 1997](#); [PL 111-148 Affordable Care Act of 2010](#); [PL 112-34 Child and Family Services Improvement and Innovation Act of 2011](#); [PL 113-83 Preventing Sex Trafficking and Strengthening Families Act of 2015](#); [PL 115-123 Family First Prevention Services Act of 2017](#)

NRS: [NRS 432B.393](#); [NRS 432B.553](#); [NRS 424.019](#); [NRS 424.0383](#); [NRS 209.42305](#); [NRS 432B.591](#)-[NRS 432B.595](#); [NRS 127.186](#)

NAC: [NAC 432B.110](#); [NAC 432B.160](#); [NAC 432B.180](#); [NAC 432B.190](#); [NAC 432B.200](#); [NAC 432B.210](#); [NAC 432B.220](#); [NAC 432B.230](#); [NAC 432B.240](#); [NAC 432B.400](#)

Other:

DEFINITIONS

Caregivers: Adults who have primary and/or daily responsibility for the supervision, care, and protection of a child in the family's home. This can include parents, stepparents, adoptive parents, relatives, companions of the child's parent, or any adult who is a member or associate of the family network, and is judged to have, and continues to have, responsibility for a child's supervision, care, and protection with respect to the child's place of residence or living situation. This definition does not include foster parents or relatives who are providing protection through a Safety Plan, such persons are considered safety service providers. Those alleged to have maltreated a child may be included as caregivers. For this purpose of this policy the terms caregiver and parent will be used interchangeably.

Case Plan: Child Welfare Agencies must develop a written plan within 45 days after the date of removal, or the Agency's decision to provide in-home services to the family, which will be updated at regular intervals. The document identifies goals related to what must change to restore caregivers to their protective responsibilities in the family. Goals are developed with caregivers and are directed at enhancing diminished Caregiver Protective Capacities. The Case Plan identifies change related services expected to contribute to goal achievement. The Case Plan includes identification of change related service providers and the level of effort required for Case Plan success. The Case Plan is initially completed after the PCFA and updated after each PCPA through completion of the case. The case plan must be updated every six (6) months, with more frequent updates occurring depending on case circumstances.

Case Plan Meeting: A meeting where the Permanency Worker facilitates conversations, discussions, and negotiations related to finalizing case plan goals, and encouraging a mutually acceptable approach to making changes, which gives content and form to the case plan. The Permanency Worker conducts a case plan meeting to confirm and finalize the case plan.

Case Planning: A collaborative, structured, process in which the Permanency Worker engages caregivers and other family members, if appropriate, to develop and finalize Case Plan goals and Case Plan treatment services that logically contribute to goal achievement. It is during the Case Planning Stage that the Permanency Worker, in collaboration with caregivers, attempts to agree upon what must change and what goals will achieve change.

Compelling Reasons: Refers to reasons, meeting specific criteria documented and submitted for review by the court, as to why a petition/motion to terminate parent rights will not be filed.

Concurrent Planning: An approach that addresses a child's need for a permanent family by developing an additional appropriate permanency goal while working simultaneously toward another goal. If a concurrent goal is adopted, reasonable efforts must be made toward both goals.

Entry into Foster Care: For the purposes of permanency planning, a child's removal from his or her normal place of residence and placement in a substitute care setting under the placement and care responsibility of the state or local agency. Children are considered to have entered foster care if the child has been in substitute care for 24 hours or more.

Full Disclosure: As related to permanency planning, full disclosure is a full and comprehensive information sharing process where the parent, foster parent, kin caregiver, resource parent, siblings and

any other invested stakeholder is provided information so that they can make informed decisions about their role in helping achieve that child's permanency goal. Full disclosure begins from the time a child enters the system and continues until legal permanence is achieved.

Outcome: Behavioral, cognitive and emotional protective capacities identified through the assessment process as diminished in the parent, which are the focus of change for case planning. Outcomes are selected by determining which diminished protective capacities drive impending danger threats.

Permanency: When a child is able to reunify with the person whom the child was removed from, or if reunification is not possible, the child achieves a permanent living arrangement through adoption, guardianship, or another planned permanent living arrangement.

Permanency Goal: The hierarchy of permanency goal options that ensures legal and emotional permanency for a child, which are in descending order of priority: 1) Maintain Child in the Home 2) Reunification, 3) Adoption, 4) Legal Guardianship 5) Another Planned Permanent Living Arrangement (APPLA).

Permanency Planning: The process of assessing and preparing a child for a permanent family, through reunification, guardianship, or adoption. A case plan must center on what is in the child's best interests, and therefore requires an ongoing assessment of the child and their needs.

Protective Capacity Family Assessment (PCFA): An interpersonal, interactive assessment that engages caregivers in a partnership to clarify what must change to enhance Caregiver Protective Capacities, and ultimately achieve safety, permanency, and child wellbeing. Fundamental to the PCFA are self-determination and mutual agreement about the best methods to proceed to restore caregivers to their protective responsibilities.

Protective Capacity Progress Assessment (PCPA): An ongoing comprehensive assessment process that utilizes specific criteria to evaluate progress toward case plan goals. The PCPA assesses two (2) major areas to evaluate caregiver progress toward enhancing protective capacities: 1) specific indicators of change, and 2) caregiver readiness to change. The PCPA consists of information collection that occurs during change focused contacts and/or any meaningful contact with caregivers, family members, treatment providers and safety providers, analysis and measurement of progress toward achievement of case plan goals, and changes in behaviors and conditions.

Reasonable Efforts: The agency must provide reasonable efforts to all identified permanency goal(s):

1. Prevent and eliminate the need to remove the child:
 - A) Maintain the family unit and prevent the unnecessary removal of a child from his/her home, as long as the child's safety is assured; and/or
2. Achieve Timely Permanency:
 - A) Effect the safe reunification of the child and family (if temporary out-of-home placement is necessary to ensure the immediate safety of the child); and/or
 - B) Make and finalize alternate permanency goals in a timely manner when reunification is not appropriate or possible; and/or
 - C) To exercise diligence and care in arranging appropriate, accessible, and available services that are designed to improve the ability of a family to provide a safe and stable home for each child in the family; and/or
 - D) Accessible and available services that are designed to improve the ability of a family to provide a safe and stable home for each child in the family.

Residential Family-Based Treatment Facility (RFTF): A licensed facility that provides substance use disorder treatment through a trauma informed approach with trauma-specific interventions to address patient and family trauma and facilitate healing. During the parent's substance use disorder treatment, the facility is supportive of children residing with their parent; as part of their treatment for a substance use disorder, the facility provides parenting skills training, parent education and individual and family counseling.

Sibling: A person who shares at least one parent with the child at issue.

SMART Goal: A process of developing criteria-based goals that are Specific, Measurable, Achievable, Realistic and Time-limited

Treatment Service Providers: Professionals within the community who provide remedial and rehabilitative intervention, which supports growth and change for the caregiver, and meets the unmet needs of children, e.g., mental health services, substance use disorder services, domestic violence and anger management services, individual and family counseling, child development and behavior management services, or employment and life management services. Treatment Service Providers are involved to encourage, support, and promote change related to enhancing diminished Caregiver Protective Capacities and meeting children's needs to achieve Case Plan goals.

Visitation: An interactive contact between a child and his or her parents, siblings or other important individuals and can include face-to-face, phone, email, other electronic communications, letters, pictures, etc. It is separate from counseling, therapy, assessments, case reviews, child and family team meetings or court hearings, and is used to strengthen the parent-child relationship and enhance parenting knowledge and skill.

STANDARDS/PROCEDURES

Permanency Planning

The caseworker is responsible for engaging in permanency planning to assess and prepare a child for permanent placement beginning at the point a child is removed from their home. Typically, the child's first goal is reunification with her/his family, however, concurrent planning should be considered from the beginning of the case. In certain circumstances reasonable efforts to reunify are not required pursuant to [NRS 432B.393](#). The assessment process is used to identify appropriate initial and ongoing permanency goal(s), which are reflected in the Case Plan.

1. Permanency Goals (in order of preference)
 - a. Maintain Child in the Home
 - b. Reunification- Return child to the person with whom the child was removed from, or another non-custodial parent/guardian.
 - c. Adoption
 - i. Relative adoption
 - ii. Non-Relative adoption
 - d. Legal Guardianship
 - i. Relative guardianship
 - ii. Non-Relative guardianship
 - e. Another Planned Permanent Living Arrangement (APPLA) (Child must be age sixteen (16) or older and compelling reasons are documented with the court that reunification, adoption nor legal guardianship is an option).
 - i. Caseworker must document, in a court report and UNITY Case Plan, compelling reasons why it is in the best interest of the youth to have APPLA as a permanency plan and why other permanency plans are not in the best interest of the child.
2. Case Planning Process (for more information about the PCFA/PCPA process, see Statewide Policy [0211 Protective Capacity Family Assessment](#) and [0212 Protective Capacity Progress Assessment](#))
 - a. Full Disclosure: The Child Welfare Agency must be transparent with all approved participants of the case (i.e., CASA/GAL; child; caregiver, guardian, or custodian; and their attorneys) who must be informed about case circumstances and case planning including concurrent planning. This process includes sharing of information, establishing expectations, clarifying roles, and addressing barriers, pursuant to [NRS 432B.390](#). **Note:** In order to share confidential information about the caregivers with relatives, service providers, extended family members, foster parents, and any other non-party participants, parental consent or a court order is necessary. It should be communicated that Nevada presumes it is in the child's best interest for TPR to occur at fourteen (14) months and the Child Welfare Agency will file a petition to terminate parental rights within shorter time frames than ASFA. For instance, if the child has resided outside of his or her home for fourteen (14) months of any twenty (20) consecutive months, the best interests of the child must be presumed to be served by the termination of

parental rights (for more information about ASFA/TPR timeframes, see statewide policy [0514 Termination of Parental Rights](#)).

Key items to address during a full disclosure discussion include:

- i. Rights of the caregiver, guardian, or custodian;
 - ii. Responsibilities of the:
 - 1) Child Welfare Agency,
 - 2) Caregiver, guardian, or custodian,
 - 3) Resource parent, and/or
 - 4) Relative placement.
- b. During consultation, the caseworker and Permanency Supervisor must review PCFA documentation to discuss what needs to be accomplished during the Case Plan Meeting. The consultation may produce an agenda, facilitative objectives, discussion points, proposed SMART goals, and covers logistics such as where the Case Plan Meeting occurs, who attends, and how to proceed. Additionally, the supervisor consultation results in the caseworker being prepared and able to review and finalize the draft goals with the caregiver during the Case Plan Meeting. One (1) permanency goal will likely be for reunification through services with measurable outcomes and timeframes unless criteria are met to proceed with a different permanency goal. However, if appropriate a concurrent goal (i.e.: adoption, appointment of a legal guardian, or APPLA, if the child is age sixteen (16) or older) can be selected for each child's Case Plan.
- c. The caseworker shall schedule the Case Plan Meeting with the caregiver and any other involved individuals (e.g., family members, caregiver support person, safety service providers, foster parents, attorneys, etc.), as determined by the caregiver and caseworker. When caregivers are unable or unwilling to meet with the Agency, the caseworker must document in UNITY their efforts to engage caregivers in the case planning process.
- d. During the Case Plan Meeting the caseworker and caregiver will identify SMART Case Plan goals for the caregiver and youth age of fourteen (14) and older (see statewide policy [0801 Youth Independent Living Program Ages 14 Through 17](#)) and services in correlation with the identified goals. The caseworker will review with the caregiver what their diminished protective capacities are and together the caseworker and caregiver will identify in the caregiver's own words what their behaviors, thoughts and feelings would look like if enhanced. During the Case Plan Meeting the caregiver and caseworker will finalize the case plan goals and objectives and focus on the expected services occurring during the case plan time frame or the next PCPA event, whichever comes first.
- i. Other areas to address during Case Plan Meeting:
 - 1) Inform and explain the process of concurrent planning to all case parties and address the following:
 - a. Explain the impact of an out of home placement and the child's need to obtain permanency as quickly as possible,
 - b. Parental rights and responsibilities and outcomes that may occur as a result of parental engagement (or lack thereof) in respect to the Case Plan. Parental engagement is more than visitation with children. The worker must be clear the family understands the efforts made towards reunification must demonstrate behavioral change through the PCFA/PCPA process.
- e. SMART case plan goals must provide a clear direction for change and should focus on increasing the diminished protective capacities that most influence impending danger threats. SMART goals should reflect goals and objectives that are:
- i. Specific: The family should know exactly what must change and be completely clear about what they will do differently.
 - 1) Goals selected for the Case Plan should always be based on what has been identified as being diminished related to cognitive, emotional, and/or behavioral caregiver protective capacities, and coincides with the reason the case was opened.

- 2) Goals should target and reflect caregiver performance around individual thinking, feelings and/or behaviors and how they influence their ability to assure child protection.
 - 3) All goals linked to a child, documented in the well-being section of the Case Plan, must target changes in specific behaviors, conditions, attitudes, feelings and/or thinking by the caregiver and/or child that will ultimately lead to achievement of the linked child outcome (e.g., physical, emotional, cognitive, behavioral, or social needs of children). Additional goals identified for APPLA, and Adoption will be documented in the well-being section of the Case Plan.
 - ii. Measurable. Case Plan participants know exactly how progress occurs or if/when the goal has been achieved.
 - 1) Goals should be behaviorally based and reflect what must occur for the caregiver to have sufficient protective capacity to ensure child safety and focus on what behaviors will change to achieve one or more child outcomes in a clearly written and understandable language.
 - 2) Goals should be strength based specifically defining how caregivers need to behave differently and what must change or exist related to caregiver thinking, feeling and behaviors or a child's unmet needs.
 - iii. Achievable. The caregiver should be able to accomplish the goals in a designated time period given the resources that are accessible and available to support change.
 - 1) Realistically, not all goals can be worked on at the same time. Therefore, goals should be prioritized when they have the greatest likelihood of being achieved, ensuring that the work required to make progress towards or achieving goals is not overwhelming to the caregiver.
 - 2) Goals should be tailored to specific protective capacities to address child needs so that it is reasonable and realistic that progress toward goal achievement can occur within a six (6) month period.
 - 3) Goals will more likely be achievable when the goal statements include a caregiver's own perceptions and language.
 - iv. Realistic. The caregiver(s) and family participate in the development of appropriate goals.
 - 1) Goals should be individualized based on the unique dynamics of the family and associated with the reason for involvement (e.g., substance use), how impending danger is manifesting, and which caregiver protective capacities are diminished.
 - 2) Goals should reflect a consensus with the caregiver, when possible, to increase caregiver involvement, as compared to goals that may be formulated without adequate engagement and understanding from the caregiver.
 - v. Time-limited. Time frames for goal accomplishment should be determined based on an understanding of the family's risks, strengths, ability, and motivation to change and the availability and level of services needed to achieve goals or make progress.
 - 1) The prioritized goals need to be linked to a time period, no longer than six (6) months, when it is expected that progress will be made and/or goals will be achieved.
 - 2) Goals should be able to be achieved in six (6) month or less or that measurable progress in that time period is realistic.
3. Additional Required Steps
 - a. Diligent Search - Diligent search is an on-going process conducted throughout the life of the case to identify, locate and contact custodial and non-custodial parents, putative fathers, maternal/paternal relatives, other adult relatives within the fifth degree of consanguinity, parent of a sibling child (if such parent has legal custody of the sibling), fictive kin, or anyone else the family identifies, and/or other identified resources who are able to commit to permanency or to providing emotional support for the child until permanency is achieved. Within thirty (30) days of the child's removal, a diligent search process must be conducted (see statewide policy [1001 Diligent Search](#)).

Note: If additional relatives are identified later, those relatives must be contacted within thirty (30) days of their identification to determine their interest in becoming a permanency option and/or their ability to provide emotional support to the child.

- b. Indian Child Welfare Act (ICWA) - Throughout the life of a case, a determination must be made if ICWA applies. If the Agency and Tribe determine ICWA applies, then active efforts towards any permanency plan must be made. Active efforts must continue throughout the duration of a child protection case until reunification, guardianship, relinquishment or TPR has been made regarding the child. For more information about ICWA requirements, see statewide policy [0504 Indian Child Welfare Act](#) and follow internal Child Welfare Agency policy for guidance.
- c. Define and identify services necessary to obtain desired outcome(s).

Concurrent Planning

The Agency must routinely assess whether it is appropriate to have a concurrent permanency goal and use concurrent planning if there is an appropriate additional goal to address permanency for the child. Concurrent planning may shorten the time to achieve permanency because progress is made toward all concurrent permanency goals simultaneously.

1. Using Concurrent Planning

- a. As part of the case planning process, assessments are used to identify factors likely to affect the child's length of stay in foster care, assess family strengths, checking for family dynamics, or circumstances that make family reunification unlikely. Such an approach strives to balance a child's need for permanency with the recognition that caregivers have the capacity for change.
 - i. The decision to utilize concurrent planning should be considered at the onset of each case. Timeframes at which the Agency should consider whether concurrent planning is appropriate for an individual case are: NIA, PCFA, and each subsequent PCPA. The Agency caseworker or supervisor should document their rationale and decision about concurrent planning in UNITY case notes.
 - ii. If the Agency determines they will work towards a concurrent plan, they must verbally inform the parents and other parties of this decision as part of the Case Plan Meeting or PCPA process and documented by the caseworker or supervisor in UNITY case notes.
- b. Depending on what the Agency determines above, efforts for concurrent planning may begin at the time of removal and may include the following efforts: the diligent search process (i.e. looking for relatives, gathering information from family), establishing paternity, completion and regular updates to the child(ren)'s Social Summary, an assessment of foster caregiver ability and or desire to be a long term permanency option, and assessing/assisting the placement with the licensing process. **Note**, this list is not exhaustive and other efforts may be appropriate.
- c. Effective implementation requires comprehensive and early assessment and should be evaluated at the time of placement or if reunification fails or is delayed. Concurrent planning requires the identification of an additional appropriate permanency goal and the implementation of reasonable efforts towards that goal.

2. Factors to Consider

If the Child Welfare Agency determines the risk posed to the child's safety by her/his family remains high and the progress towards reunification is minimal, a concurrent goal for permanency must be considered and evaluated.

When assessing whether to utilize concurrent planning, the Agency may consider the following factors to assist with the decision:

- a. History of substance misuse and refusal to seek treatment or failure to respond to treatment.
- b. Demonstrated lack of interest in reuniting with the child (as seen during PCFA/PCPA).
- c. Serious unexplained injury.

- d. Prior child abuse or neglect including repeated failed attempts to correct the conditions.
- e. Identified mental health concern(s) and a demonstrated pattern of noncompliance with medication or treatment intervention.
- f. The caregiver has a developmental disability or emotional impairment, which upon assessment, indicates that the caregiver may be unable to provide for, protect, or nurture the child even with reasonable accommodation; and the caregiver does not have relatives or social supports able or willing to assist in parenting.
- g. Demonstrated history of domestic violence.

3. Concurrent Planning and the Court

- a. Prior to seeking court approval and pursuant to [NRS 432B.393.2](#), the Agency may make reasonable efforts towards a concurrent goal while making reasonable efforts towards reunification. Once the Agency determines a concurrent goal is appropriate, they must identify that concurrent goal in the case plan, notify the parents and all parties, begin making reasonable efforts towards that goal, and document such efforts.
- b. There are times when seeking Court approval of a concurrent goal as a permanency plan is necessary. The Agency must do so in a request to the Court at a properly noticed permanency hearing, including the time for disposition, (**Note:**, a permanency hearing may occur at any time it is noticed as such, not just at twelve (12) month intervals). Instances where this may be necessary include:
 - I. If the Agency determines a court order is required to effectuate one (1) or more of the permanency goal(s), the Agency could seek a permanency hearing in order for the Court to review and adopt such concurrent goal(s) as a permanency plan.
 - II. At any point, the Agency determines that none of the concurrent goals would include reunification, Court approval to change the permanency plan from reunification is necessary. The Agency must continue reasonable efforts towards reunification so long as it is court ordered.
- c. Once a concurrent goal is adopted as a permanency goal by the Court at a properly noticed permanency hearing, the Agency must make reasonable efforts towards all ordered permanency goals.

Reasonable Efforts to Reunify Not Required

- 1. The Agency may request a finding by the Court that reasonable efforts toward reunification are not required on a case by case basis in consultation with the Agency's Attorney in accordance with [NRS 432B.393\(3\)](#) which includes but is not limited to:
 - a. Felony charge of murder or voluntary manslaughter
 - b. The abuse or neglect of a child, which resulted in substantial bodily harm, or was so extreme or repetitious that returning the child home would result in an unacceptable risk to the child
 - c. Abandoned the child for sixty (60) days or more, if the caregiver cannot be identified
 - d. The caregiver has made no effort for contact or communication with the child for six (6) months
 - e. Parental rights to sibling have been terminated by the Court, other than voluntary relinquishment
 - f. The child or sibling was previously removed from the home, due to abuse or neglect, was returned and subsequently removed as a result of additional abuse or neglect.
 - g. The child is less than one (1) year of age, and the father (whom is not married to the mother), has failed to visit the child, establish paternity, or provide financial support within sixty (60) days of learning of the birth of the child.
 - i. Or the father fails to seek custody within sixty (60) calendar days after learning the child was placed in foster care
 - h. The child was delivered to a provider of emergency services pursuant to [NRS 432B.630](#).
 - i. The child or sibling was a victim of sexual abuse, sex trafficking, or the caregiver fails to protect the child from sexual abuse, or the caregiver is required to register as a sex offender
- 2. This does not apply to ICWA cases.

3. If the Agency is relieved of providing reasonable efforts toward reunification pursuant to [NRS 432B.393\(3\)](#), a permanency hearing must be held within thirty (30) days.
4. If, at a permanency hearing, the Court approves a permanency plan that does not include reunification, the Agency may be relieved of providing reasonable efforts toward reunification if the Court determines that continuation of reasonable efforts is inconsistent with the permanency goal.

Case Plan

1. Overview

- a. Within forty-five (45) days of removal or the Agency's decision to provide in-home services to the family, an individualized Case Plan must be developed.
- b. The plan should be reviewed with the caregiver/guardian, child (if appropriate) and other parties not less than forty-five (45) days or longer than ninety (90) days after the initial Case Plan is developed and every six (6) month thereafter, (refer to policy [0212 PCPA](#)) The plan may be modified sooner when a significant event has occurred or there is a significant change to services that require modification of the plan.
- c. The caseworker will provide a copy of the plan to the caregivers and any involved participants and place the original in the case file. A copy, along with any adjunct documents, must also be attached to the semiannual and annual court reports.

2. Permanency Goal(s)

- a. A statement addressing the long-term permanency goal(s) for each child, including reunification of the child and their family, permanent placement of the child with a relative, placement of the child for adoption, placement of the child into a legal guardianship or APPLA.
- b. A projected time, by which the permanency goal(s) should be achieved.
- c. If the goal or concurrent 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, including any steps that will be taken to recruit adoptive parents through the use of electronic or other types of state, regional and national adoption exchanges, or by other means;
- d. If the goal or concurrent goal of the case plan is guardianship and the receipt of funds is through the Kinship Guardianship Assistance Program (KinGAP) document:
 - i. The steps that the Agency has taken to determine that it is not appropriate for the child to be returned home or adopted;
 - ii. The reasons for any separation of siblings during placement;
 - iii. The reasons why a permanent placement with a fit and willing relative through a kinship guardianship assistance arrangement is in the child's best interests;
 - iv. The ways in which the child meets the eligibility requirements for a kinship guardianship assistance payment;
 - v. The efforts the Agency has made to discuss adoption by the child's relative foster parent as a more permanent alternative to legal guardianship and, in the case of a relative foster parent who has chosen not to pursue adoption, documentation of the reasons therefor; and
 - vi. The efforts made by the Agency to discuss with the child's parent or parents the kinship guardianship assistance arrangement, or the reasons why the efforts were not made.
- e. A permanency goal of APPLA may only be established if a youth is age sixteen (16) or older and requires the following:
 - i. Documented efforts to place youth permanently with a caregiver, relative, or in a guardianship or adoptive placement;
 - ii. The youth's desired permanency outcome;
 - iii. The reasons why APPLA is the best permanency goal for the youth and the compelling reasons why it is not in the best interests of the youth to be placed permanently with a caregiver, relative, or in a guardianship or adoptive placement;

- iv. A description of how the youth's placement provider is following the reasonable and prudent parent standard to afford the youth ongoing opportunities to engage in age and/or developmentally appropriate activities.
 - f. In some cases, at the annual permanency hearing, the Agency may determine there are compelling reasons that would not be in the child's best interest to file for Termination of Parental Rights (TPR). Identification of a compelling reason in all cases must be staffed and reviewed by the supervisor, manager/coordinator or legal counsel at least thirty (30) days prior to each Permanency Hearing to ensure that the reason is valid and Case Plan specific. Any compelling reason must be detailed in the Case Plan and report to the Court for consideration.
 - g. If parental rights have been terminated and the case circumstances have changed substantially a case plan review could include consideration of the appropriateness of restoring parental rights, for prior or current case. Each jurisdiction should seek direction of their Agency's attorney ([NRS 128.170](#) – [NRS 128.190](#). See [FPO 0204B Restoration of Parental Rights Practice Guidelines](#))
3. Services to prevent removal and reunify the family
- a. A description of the current strengths of the family and the conditions, problems, concerns or needs constituting a threat of harm to the child(ren) that must be resolved for the family to achieve its permanency goal(s).
 - i. Identifies barriers to the provision of a safe environment for the child, clarifies responsibilities of the involved persons to address those barriers, and the step-by-step proposed actions of all persons to reach the permanency goal within a specified time.
 - ii. Case plans must be realistically related to the familial situation, safeguard the child, and help the parents to gain the confidence and capacity to care appropriately for their child, and be sufficiently flexible to allow changes in the situation and the use of the services based on a continuing reevaluation of how the child is being affected.
 - b. A description of services offered or provided to prevent removal of the child from his home and to reunify the family of the child;
 - i. Includes a statement of the objectives and activities of the case, and the time to meet each objective and activity.
4. Placement
- a. A description of the type of home or institution in which the child is placed;
 - b. A description of the child's placement within a safe setting that is the least restrictive (most family like) and most appropriate setting available and in close proximity to the caregivers' home, consistent with the best interest and special needs of the child;
 - i. If the child will be placed in a family foster home or institution that is located a substantial distance from or in a different state than where the family of the child resides, a description of the reasons that such a placement will be in the best interest of the child;
 - ii. If a child is placed in a foster home or institution located out of state, a description of the frequency of visitation of the child in their placement by a caseworker of that state and the frequency of the Nevada caseworker to visit the child in their placement and submission of a visitation report(s) regarding the progress of the child and the appropriateness of the out of state placement. A copy of such report is to be provided as part of the court report, if available;
 - c. A description of the manner in which the Agency will ensure that services are provided to the child and the foster parents which address the needs of the child while in foster care, including, without limitation, the appropriateness of services that have been provided pursuant to the Case Plan;
 - d. A description of the efforts will be made to place children who are siblings together. Siblings removed from their home should be placed in the same foster care, kinship guardianship, or adoptive placement, unless there is documentation to show that such a joint placement would be contrary to the safety or well-being of any of the siblings;

5. Visitation

- a. A plan for visitation between caregivers and children and siblings is required. Of note, lack of engagement by a caregiver on their case plan shall not negatively impact visitation when visitation can occur safely and is in the child's best interest. See statewide policy [0213 Visitation](#) for additional information.

6. Children's needs and services

- a. Identification of the child's educational decision maker
- b. A description of the educational stability plan that takes into account the proximity of the school the child is enrolled just prior to the time of placement and ensures the child remain enrolled in such school upon placement.
 - i. If a child's placement changes, a description of the coordinated efforts with the local educational agency to have the child remain in the enrolled school, unless determined not in the child's best interest.
 - ii. If remaining in such school is not in the best interest of the child, the reasons why it is not in the child's best interest (See attachment *FPO 0204A-Educational Stability Guidelines* for determining educational best interests).
- c. If the child has attained the age for compulsory school attendance (ages 7-17), the steps the Agency has taken to verify and document the child is enrolled or in the process of enrollment as a full-time elementary or secondary student in a school, an authorized independent study program, or is being home schooled consistent with State law.
 - i. If a child is not attending school, reasons why a child is not attending school including a child has completed secondary school or is incapable of attending school full time due to the medical condition of the child. If the child is incapable of attending school, this must be supported by regularly updated information in the Case Plan of the child;
- d. The education records of the child, including the most recent information available. Educational information to include name and address of educational facility, the child's grade level performance, the child's school records and any other education information concerning the child determined to be appropriate. Note, this information may be an attachment.
- e. The health records of the child, including the most recent information available regarding known medical and psychological conditions. Health information will include the names and addresses of the child's health providers, a record of the child's immunizations, the child's medications, and any other relevant health information. Note, this information may be an attachment.

7. Children 14 and older

- a. A description of the programs and services to assist a child in foster care who is fourteen (14) years of age or older prepare for the transition from foster care to independent living (see statewide policy [0801 Youth Independent Living Program Ages 14 through 17](#) for additional information);
 - i. A description of how the youth was included in the plan development.
 - ii. A signed acknowledgment by the child that the child has been provided with a copy of the Foster Care Bill of Rights and that the rights contained in the document have been explained to the child in an age-appropriate way.
- b. For children who are within ninety (90) days of becoming eighteen (18) years of age, caseworkers will provide assistance and support in developing a transition plan that is personalized at the direction of the child, includes specific options on housing, health insurance, education, local opportunities for mentors and continuing support services, and work force supports and employment services, and is as detailed as the child may elect (see statewide policy 0802 Youth Independent Living Program 17 and Up for additional information);
- c. Document the steps the Agency is taking to ensure the child has regular opportunities to engage in age or developmentally appropriate activities and the foster family follows the "reasonable and prudent parenting standard" for the foster child.

Modification of the Permanency Goal

1. The decision to change the permanency goal, including adding a concurrent permanency goal or changing a plan from reunification to another permanency plan, should be discussed and documented

in UNITY as soon as it is determined to be in the child's best interests and/or necessary based on the individual circumstances of the child and family.

2. If little or no parent progress is made within six (6) months following the date of removal, and the Child Welfare Agency determines reunification is not in the child's best interests, pursuant to the PCPA/SMART case plan goal process and the particular facts of the case, a proposed change to the permanency goal of reunification should be considered and recommended to the court at a permanency hearing. For example, when parents avoid Agency's attempts to contact them or they show a complete lack of engagement.

Note: Should a permanency goal need to be changed or modified, a request and/or motion can be submitted to the Court at any time requesting a permanency review hearing as opposed to waiting for twelve (12) months. All parties must be noticed of the permanency hearing in accordance with statewide policy [0206 Court Notification](#).

3. The Agency must make and provide reasonable efforts for any permanency goal(s) and must update the permanency goal in the UNITY Case Plan within five (5) business days from the date of the decision to change the goal(s). Utilize the dropdown menu in UNITY to select concurrent goal.

Caseworker Responsibilities

1. Consult with supervisor to review proposed case plan goal(s), including determining appropriateness of concurrent planning.
2. Prepare a Case Plan no later than forty-five (45) calendar days following removal or decision to provide ongoing services. Update the case plan when the decision to adjust permanency goal(s) or add a concurrent goal within five (5) business days of the decision.
3. Conduct a caregiver driven Case Plan Meeting unless there is a documented reason the Case Plan Meeting cannot be completed, despite the efforts of the Agency to engage the family.
 - a. For example, the Attorney will not allow us to speak with the caregivers or the caregivers repeatedly refuse to engage or cannot be located by the Agency.
 - b. When the family does not want to include all parties in the Case Plan Meeting, the Agency must determine a way to disseminate appropriate information to parties.
4. Document the Case Plan and Case Plan Meeting and all efforts into UNITY.
5. Submit for supervisory approval of the Case Plan in UNITY in accordance with [NAC 432B.190](#).
6. Best practice includes obtaining the caregiver's signature on the Case Plan, provide a copy of the Case Plan to the caregiver, and place a copy of the approved Case Plan in the case record.
7. File the signed Case Plan with the court for the semiannual and annual hearings.
8. Make referrals for services to work toward the outcomes for the permanency goal and the concurrent goal within ten (10) business days of identifying a need for services.

Supervisor Responsibilities

1. Staff the case with the assigned caseworker weekly or as needed and make recommendations. Document all staffing with the caseworker in "SUPERVISION" UNITY case note type within five (5) business days of any case staffing.
2. Ensure the caseworker is following the PCFA/PCPA process and entering applicable information in the Protective Capacity Family Assessment and Protective Capacity Progress Assessment. See [Statewide Policy 0211 Protective Capacity Family Assessment](#) or [0212 Protective Capacity Progress Assessment](#) for more information.
 - a. The supervisor should help identify if a concurrent goal is needed during the PCFA and document rational in UNITY in "SUPERVISION" case note type.
 - b. The supervisor must discuss and document the discussion and decision made with staff regarding concurrent planning at least every six (6) months as part of the PCPA process and document in "SUPERVISION" case note type.

3. Assist the caseworker with case planning procedures;
4. Ensure all court and ASFA timeframes are being met;
5. Ensure all parties to the case are informed of the new case plan and permanency goal(s).
6. Review the draft case plan and apply electronic signature by approving the Case Plan in UNITY once completed in accordance with [NAC 432B.190](#).

Timeline: Policy development will adhere to any statewide policies when developing internal policy timelines.

| Requirement | Starting Date | Deadline | Responsible Party | Actions to be Taken |
|----------------------------|-----------------------------------------------------------------------|-------------------------|-------------------|------------------------------|
| Written Case Plan | Date of removal or decision to provide in-home services to the family | Within 45 calendar days | Caseworker | Complete a written Case Plan |
| Update to Case Plan | Date of previous case plan | Within six (6) months | Caseworker | Update the written Case Plan |

Documentation:

Case File Documentation (paper)

| File Location | Data Required |
|------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> • Location in primary file | <ul style="list-style-type: none"> • Initial/revised written Case Plan with signatures of all required parties. |

UNITY Documentation (electronic)

| Applicable UNITY Screen | Data Required |
|---------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> • Case Note Directory | <ul style="list-style-type: none"> • Document all contact efforts in UNITY under case note type "PARENT CONTACT," "CHILD CONTACT," or "SUPERVISORY CONTACT" within 5 business days |
| <ul style="list-style-type: none"> • Case Plan Maintenance | <ul style="list-style-type: none"> • Case Plan Meeting, Permanency Goals, Objectives, Well-Being, Assessment Summary, Reasonable Efforts, Approval |

JURISDICTIONAL ACTION

Development of Internal Policies: Child Welfare Agency will adhere to statewide policy when developing internal policies.

STATE RESPONSIBILITIES

Compliance with this policy will be monitored via state Agency's quality assurance process.

POLICY CROSS REFERENCE

Policies:

- [0207 Health Services](#)
- [0209 Psychiatric Care & Treatment Policy](#)
- [0211 Protective Capacity Family Assessment Policy](#)
- [0212 Protective Capacity Progress Assessment Policy](#)
- [0213 Visitation Policy](#)
- [0508 Nevada Initial Assessment - NIA](#)
- [0510 Nevada Safety Assessment](#)
- [0511 Risk Assessment](#)

[0514 Termination of Parental Rights \(TPR\)](#)
[0801 Youth Independent Living Plan for Ages 14 through 17](#)
[1001 Diligent Search](#)
[1011 Reasonable and Prudent Parent Standard/Normalcy](#)

History and Updates: This policy was effective 08/13/2007, with revisions approved on 11/10/2010; 10/21/2011; 2/13/2012; 9/18/2015; 7/18/2016; 07/31/2020; and 6/09/2022.

ATTACHMENTS

FPO 0204A - Educational Stability Guidelines
FPO 0204B - Restoration of Parental Rights
FPO 0207A - Rx Medication Explanation