

## CONCURRENT PLANNING

Concurrent planning is an important tool in effecting permanency for children. It is the process of developing and implementing a plan to reach one permanency objective while simultaneously developing and implementing a plan to reach an alternative permanency objective.

Concurrent planning differs from traditional case planning, in which efforts to reach one permanency objective are determined unsuccessful before another is considered. This sequential approach often means starting over with services, acquisition of information, and other efforts.

Concurrent planning is a tool that weaves together attachment theory, respect for families, honesty, and openness into a comprehensive and culturally sensitive approach to permanency planning for children.

**Legal Basis:** Federal law (Adoption and Safe Families Act, or ASFA) and Nebraska statute allow use of concurrent planning. It can be done regardless of adjudication, including those of status offense and delinquency.

### **Assumptions that Serve as the Basis for Concurrent Planning:**

- Children need permanency - continuity and stability; at least one stable adult with whom to form the foundations of attachment;
- Children need to know what is happening to them and be involved in case planning in keeping with age appropriateness;
- Parents need to make decisions. In order to do so, they must have full knowledge of their rights, responsibilities, and options, and legal consequences if they are able to make the changes necessary for their child's return;;
- Planning must consider the child's development and attachments, measuring time through the eyes of the child;
- Most parents want to parent and can change with appropriate education and supports;
- Family crisis can be the opportunity for change and growth;
- Early assessment is critical to the development of appropriate plans;
- Services must be family and community-centered, as well as culturally sensitive;
- Frequent visitation between parent and child is one of the most critical factors affecting reunification;
- Time limits affect outcomes and can be motivators;
- The agency must be accountable for its actions;
- Foster parents can and must be team members and work with birth parents;
- Success is achievement of safety, permanency, and well-being for the child. A goal other than reunification is not a "failure". Early permanency is the goal!

### **Benefits of Concurrent Planning:**

- Meets the child's urgent need for stability and permanency in relationships with family, siblings, and community;
- Promotes early permanency decisions;
- Supports early location and involvement of relatives;
- Decreases the length of the child's stay in foster care;
- Decreases the number of moves and relationship disruptions;
- Establishes open lines of communication between foster family and birth parent;
- Engages the family in early case planning, review, and decision-making;
- Reduces the adversarial relationships between the birth family, foster family, and agency;
- Enhances cultural competence due to family involvement;

- Reduces the need for termination of parental rights by freeing the parent to voluntarily relinquish rights.

#### **When to Utilize Concurrent Planning:**

Concurrent planning *can occur* at any time in a case, including at the time a child enters care. The worker, in consultation with the supervisor, *must consider* its use as a possibility at each of the following points in a case:

- At initial assessment;
- During the family assessment; and
- Each time the case plan is reviewed;
- Whenever it is likely that the permanency objective stated in the case plan will not be obtained within a reasonable length of time. In general, if the permanency objective cannot be reached or is unlikely to be reached within 12 months of the child's entry into foster care, concurrent planning *should* occur.

(Note: There may be circumstances when concurrent planning is not appropriate, such as when reunification is likely to occur within 12 months or less.)

Concurrent planning is recommended when, despite adequate service provision:

- The parent is making minimal progress toward reunification;
- The parent has established a pattern of chronic abuse or neglect and exhibits little understanding of the need to change, or motivation or desire to change;
- The parent repeatedly expresses serious doubts about wanting to parent the child;
- The parent has a documented dangerous lifestyle such as a pattern of documented domestic violence of one year or longer, and the parent refuses to separate from the abusing person;
- Parental rights to another child have been terminated following a period of services delivery to the parents, and no significant change has occurred in the interim;
- The parent has killed or seriously harmed another child through abuse or neglect and no significant change has occurred in the interim; or
- The parent has repeatedly and with premeditation harmed this child.

#### **Efforts Common to Concurrent Plans:**

- Location of absent parents (see below);
- Location of relatives (see below);
- Amended petition to add alleged or legal fathers to the case. If termination of parental rights is necessary, weeks and perhaps months of delay can be avoided;
- Discussion of open adoption arrangements, so that birthparents, foster parents, and perhaps the child understand that relationships can continue if adoption occurs.

**Concurrent Planning Requirements:** (These practices apply to concurrent plans of reunification and adoption, as well as all other concurrent plans. They do not replace other requirements for case processes, such as case planning.)

- A. **The first element** concurrent planning is early assessment of the family, child, kinship network, and community or other supports, in order to identify family strengths, determine culturally appropriate services, develop a prognosis, and determine if the Indian Child Welfare Act applies. The assessment should include the family's current and historical functioning, parent-child attachments, and parent and child medical conditions. The prognosis should consider the likelihood of reunification within timeframes that are relevant to the child's need for continuing family relationships. ("Strengths in Families

Worksheet" and "Poor Prognosis Indicators", are suggested tools and are found in Appendix A.)

- B. The second element** of concurrent planning is full and candid disclosure to the parent. Prior to completion of the family assessment, the worker must discuss the following with the parent:
- Reason for removal of the child, and what must change for reunification to occur;
  - Negative impact for child of being in substitute care;
  - Rights of the parent, including legal rights;
  - Responsibilities and expectations: what is expected of the parent and when, and what the parent can expect of others (e.g. the worker) and when;
  - Options and choices available: the parent can choose to actively work toward reunification, do nothing and let the court decide, or relinquish. Relinquishment can be a viable, positive choice;
  - Accountability: behavior will determine the outcome. The agency is obligated to identify needs and provide reasonable efforts. However, the family ultimately makes the decision to utilize services and change or not;
  - Timeframes: statute requires that a permanency hearing be held when a child has been in out of home care for 12 months, and every twelve months thereafter, to determine whether the child will be returned to the parent, placed for adoption, be placed for guardianship, or be placed into another permanency living arrangement, and when that objective will be met. In addition, statute requires filing of a petition for termination of parental rights when a child has been in out-of-home care for 15 of the most recent 22 months, unless the court finds the presence of a compelling reason not to require a filing.
- C. A third element** is early identification of and contact with family members, particularly absent parents or alleged fathers. This action must be initiated early in the case, within 60 days of removal. Such identification serves a number of purposes:
- Location of potential placement resources;
  - Gathering social and medical background information, which is important whether the child returns home or is adopted;
  - Establishment of paternity;
  - Development or enforcement of child support;
  - Identification of the need to follow ICWA requirements, when applicable.

Taking this action early in a case:

- Helps avoid the conflict that arises when relatives come forward after foster parent/child attachments have developed;
- Prevents delays in adoption due to inability to locate a father;
- Enhances the possibility of involving relatives in family group conferences;
- Enhances cultural relevancy of planning and services.

Attempts to locate relatives should be approached with the diligence and urgency that would occur if the worker were looking for his or her own family.

The **Federal Parent Locator Service** can be an excellent tool in location of an absent parent (a person who has or may have parental rights to a child). 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 location absent parents, even 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. A referral must be made on the appropriate form, entitled "Child Support Enforcement Location Only Referral From Protection and Safety." The form can be copied and completed, or accessed by using the template of the same name, which is available online. When completed, the form is sent to "Location Only" in Central Office of Child Support Enforcement in Lincoln for processing. The interoffice address is West Campus, Building 14, 2<sup>nd</sup> floor. Information that may 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.

- D. **A fourth element** is development of the case plan with the family, including timeframes that are reasonable and encourage frequent reassessing of progress. The original plan must be followed by frequent formal and informal reviews of the plan and progress.
- E. **A fifth element** is establishment of consistent and meaningful visits between parent and child, and child and siblings, as immediately as possible after removal. These visits preserve attachments, help the parent remain involved as a parent, and decrease the child's feelings of abandonment.
- F. **A sixth element** is full disclosure to others involved in the case (e.g., GAL, foster parents, other providers, county attorney, parent's attorney) about the concurrent plan and why it is appropriate and necessary for the child.
- G. **A seventh element** is placement in a foster home that is committed and prepared to see the child to permanency. The foster family must be willing to keep the child, working toward reunification and also to adopt should reunification not occur.

The role of the foster parents in concurrent planning differs from that of most traditional foster parents. They assume the role of safeguarding attachments to the birth family while encouraging bonding between themselves and the child and a sense of belonging in the foster family. They must help the child reconcile having two sets of parents, at least temporarily. Their foremost job is nurturing the child, but they also have the secondary job of letting the parent know they can take good care of the child without being an adversary. They must take an inclusive rather than exclusive approach, diffusing loyalty struggles for the child. They must work with the birth parent in a teaching, supportive role, often as mentors. They usually will facilitate visits with the birth parent and siblings, helping the birth parent understand the child's anxiety, and encouraging the child to see a positive relationship between birth parent and foster parent.

In order to assist foster parents to accomplish all of the above, the worker must include the foster parent as a full-status team member, not just a "provider of foster care."

- H. **An eighth element** is consistent and complete documentation of services, reasonable efforts, and progress or lack thereof. This information can be critical to demonstrating that reunification should occur, or that the original plan should be deleted and the alternate plan adopted. It also might be the key to helping a parent make a decision to relinquish, or the evidence needed to terminate parental rights.
- I. **A ninth element** is provision of timely, appropriate services to meet the needs identified with the family. Written referrals should be made, even when the family refuses the service, as evidence of follow-through to the family and as evidence of efforts if

termination of parental rights is necessary. Reports of progress or lack thereof should be shared with the parent and the team .

- J. **A tenth element** is use of timeframes. The parent must know that timeframes are one measure of accountability and that they are not easily changed. It is important to have full team support so that "benefit of the doubt" extensions are not acceptable.

*(NOTE: Portions of the material on Concurrent Planning are adopted from:*

- *Three Concurrent Planning Programs, by Mary Ford, MSW, published by North American Council on Adoptable Children with support from the W.K. Kellogg Foundation*
- *Materials from the National Resource Center for Permanency Planning, Hunter College School of Social Work)*

**Additional Case Planning Resources:**

- Strengths in Families Worksheet
- Poor Prognosis Indicators
- Ten Common Mistakes Which Delay Permanency
- Memo Re: Use of Child Support Enforcement and Federal Parent Locator Service
- Child Support Enforcement Location Only Referral From HHS Protection and Safety Form.