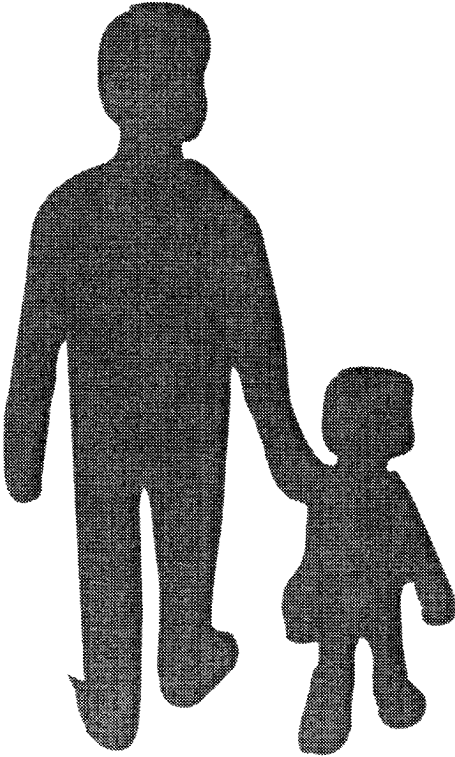
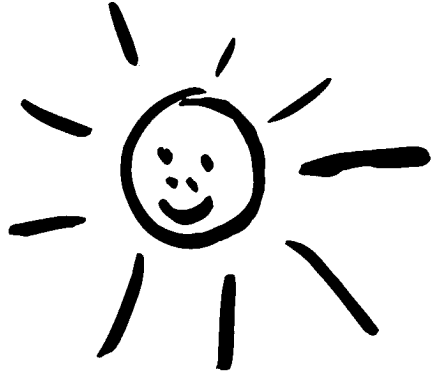


**A
Parent's
Handbook**



**Chester County
Children, Youth & Families**

**CHESTER COUNTY
DEPARTMENT OF
CHILDREN, YOUTH
AND FAMILIES**

**Government Services Center
601 Westtown Road, Suite 310
P.O. Box 2747
West Chester, PA 19380-0990
(610-344-5800)
(Toll Free 1-800-692-1100)**

Your Caseworker

Name: _____

Phone: _____

Caseworker's Supervisor

Name: _____

Phone: _____

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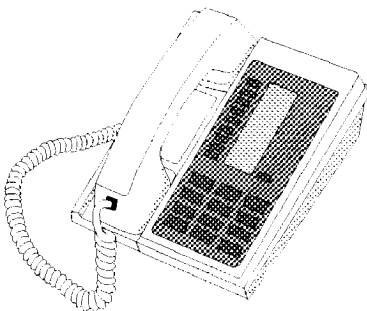
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About This Booklet

This booklet is for families who are involved with the Department of Children, Youth and Families (DCYF), a division of Chester County's Department of Human Services. We want to work with you as a partner to solve problems and to improve family life. To be a partner, it is important to have information. This booklet gives you information about your rights and your responsibilities as you work with DCYF. It lists your child's rights and responsibilities. It provides you with information regarding the responsibilities of DCYF and the responsibilities of our legal system.

Not everything in this booklet may apply to you. For example, you may not be involved with a Judge and the courts. Your children may not now, or ever, be in the care of others. But we ask that you read the entire booklet so that you learn about DCYF.



Any time you need information, have a question, or have a problem, please talk with someone who can provide you with information. You may call an attorney or other legal counsel for advice. At DCYF, your Caseworker and his or her Supervisor will answer your questions. Their numbers are listed on the inside cover of this booklet.

Why DCYF Is Involved With Your Family

DCYF is the agency designated by state law to look into allegations of child abuse and neglect. The agency also works with families that are having a difficult time providing a safe and nurturing environment for their children. DCYF receives referrals from friends, family, neighbors and others; the agency also receives referrals from parents themselves. DCYF assigns a Caseworker to look into the allegations and to decide if DCYF can help. By law, the agency will offer services to families when:

- parents are not able to care for children and no other responsible adult is available;
- children have been injured, abused, or sexually molested by their parents or caretakers;
- children are not adequately cared for or supervised;
- and in certain situations, when parents need help with their problems or their children's problems.

Child abuse and child neglect are serious matters. If an investigation shows that your child has been abused or neglected, DCYF has a legal responsibility to provide protection for your child. You may have to make changes to your life, and you will have to change the way you care for your child. You must be able to provide a home for your children that is free from harm - now and into the future.

Keeping Families Together

The agency's preference is to keep families together. If your children can live with you and be safe, they will stay with you. Most families who are involved with DCYF continue to live together under the same roof. While parents continue to parent, they are also receiving services from the agency. A Caseworker will meet with family members in the home to assist the family in working through problems. The frequency of home visits will be decided by the parents and the Caseworker.

If adults and children cannot live together safely, DCYF will provide a safe, temporary home for the children. This "out-of-home" placement may be with relatives. It may be with a foster family. Less often, it is in a group home or a residential center.

If your child is not living with you, the DCYF Caseworker will work with you to help you make changes. These changes will allow you to provide a safe home and bring your family together again. You may have to decide to put your child's needs for safety and nurturing above your own needs. You will have to eliminate destructive people, negative behaviors, and addictions from your life. This may be difficult, but your Caseworker will offer suggestions and services to help you.

Sources of Strength

It is important to think about the problems you are having that led to the agency's involvement with your family. Think about the help you and your family can use. Talk with your Caseworker about your ideas. It is also important to think about the strengths you and your family have. You may have sources of help that you have not thought about. Strength and support may come from your relatives, friends, neighbors, religious groups, and community centers.

You and Your DCYF Caseworker

The main person you will talk with at DCYF is the assigned Caseworker. DCYF Caseworkers are trained to assist families, and they understand that it may be upsetting for you to discuss personal



and family problems with a stranger. It is important to remember that Caseworkers know a lot about community resources that may be able to help you and your family. Caseworkers must abide by the

laws of confidentiality, and will not talk about your problems with other people.

You will work as a partner with your DCYF Caseworker to decide what services, if any, will be helpful for your family. DCYF can provide some services directly to you. The agency may also recommend that services be provided by another community agency.

Family Service Plan

If DCYF must work with your family in order to solve problems, you become a client and are "accepted for services." Early on, family members and the DCYF Caseworker will work together to write a plan. This plan is called the Family Service Plan (FSP). ***Your FSP is your key to change.*** You and your Caseworker will create goals. The goals will identify the changes you need to make and the services to be provided. It will provide you with the time frame you have to successfully complete a goal. When possible, big tasks will be divided into small steps.

The FSP is required by law. You must be given the opportunity to assist in developing the plan. If you agree with what is written in the FSP, you will be asked to sign it. If you do not agree, you do not have to sign it.

You will receive a copy of your Family Service Plan to keep. Talk often to your Caseworker about your progress on goals. Remember to inform your Caseworker about any changes in your life. When your life changes, such as moving to a different house or starting a new job, your FSP may need to change too.

Your FSP goals must be completed within a short time. If your child has been removed from your home and placed in agency care, you will be expected to make significant changes within 12 months. If the Judge or Court Master believes you are not making progress with the goals listed on the Family Service

Plan, he/she may decide to end your ability to make any decisions for your child, and terminate your parental rights. This would be the first step towards having your child adopted.

Appeals to the Department of Public Welfare (DPW)

The Pennsylvania Department of Public Welfare's Office of Hearings and Appeals oversees DCYF and will review some decisions made by the agency.

You may appeal or request that DPW review a decision in these situations.

1. **"Accepted for services."** You may appeal the DCYF decision to accept your family as a client in need of services.
2. **Family Service Plan** You may appeal the Family Service Plan within 15 calendar days of receiving it. You may appeal whether or not you signed the FSP.

Ask your attorney or your Caseworker for more information about this process.

Services

The services your Caseworker will talk to you about will depend on what your family needs, what you ask for, or what a Judge might order. Sometimes services are provided by DCYF. Sometimes DCYF will refer you to services provided by another agency or program.

You may request and/or be asked to go to the following in order to assess your needs or to strengthen your family:

- psychological assessments (to assess parent and child relationships)
- parenting classes
- counseling and therapy
- self-help or support groups
- job training
- drug and alcohol rehabilitation
- counseling in homemaking and home budgeting

You must participate in the services identified in the FSP. You must also show that you have benefitted from services by making changes in your behavior.

Please talk with your Caseworker if you have problems with any service or program such as:

- scheduling problems
- transportation to a program's location
- meeting the requirements of a program
- problems talking to staff in a program or agency

About Your Child in an Out-Of-Home Placement

While your child is in placement, the Caseworker will coordinate services so that the child is well cared for. It is important for you to give the Caseworker as much information as possible about your child (i.e. allergies, medical concerns, medications, likes and dislikes). Your child will be enrolled in an educational program and will also have regular medical and dental appointments. You are encouraged to attend these appointments with your child.

Visiting Your Child Who is Living Away From Home

If your children are not living with you, **visit them regularly**. It is very important to them. Regular visits will help you and your children keep family ties. Letters and phone calls are encouraged, but they also need to see you in person.

The law states that you may visit with your child at least every 2 weeks. The time and location of visits will be discussed with your Caseworker and written in the Family Service Plan. Visits with your children let your Caseworker and the Hearing Master know that:

- your children are important to you;
- you want to be a responsible parent for your children;
- you want to take care of your children yourself.

If you are in court, a Hearing Master may ask you if you have visited regularly. Be able to say - YES! If you do not visit, a Hearing Master may think that you are not interested in your children.

Remember, your children should benefit from your visit.

- Be positive with them during visits.
- Use your best parenting skills.
- If you have complaints, talk about them to your Caseworker, not a child.
- Follow all agency and court rules at visits.
- If you have problems with transportation, inform your Caseworker.
- If you have problems with the visitation, inform your Caseworker.

The Courts and Your Representation

Not all families are active with the court, but if your family is involved with the court, it is helpful to have an attorney to represent you. Keep all legal papers you receive and discuss them with your attorney.

You may choose to hire the attorney of your choice. If you cannot afford an attorney, you may qualify for a court-appointed attorney. Ask your Caseworker for the "Request for Court-Appointed Counsel" form and fill this out completely. The court will determine if you qualify for free legal representation, based on your income and expenses.

If you do not have a private attorney and do not qualify for a Court-appointed attorney, you may want to contact the Lawyer Referral Service at (610) 429-1500. They will put you in touch with a lawyer who does work in the area of family law, and you may then determine whether to hire him or her.

You may, of course, decide to proceed without an attorney. If that is the case, you will be given an opportunity to express your opinion at the hearing and to ask questions of the witnesses.

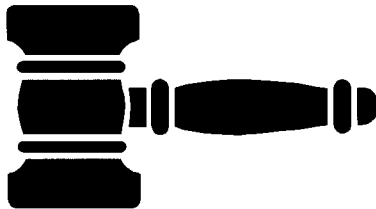
Finally, provide your Chester County Department of Children, Youth and Families Caseworker the name, address and telephone number of your attorney. Give your attorney your Caseworker's number too.

A Judge's Decision

In Chester County, most cases are heard by a Hearing Master, who makes recommendations to the Judge based on the testimony or the agreements reached at the hearing. The Judge will review the recommendations and issue an order.

The use of the Master System allows for more timely access to the Court and the opportunity to act quickly if necessary. However, you may request that your case be heard by a Judge.

Hearing Masters review cases of families with a child in an out-of-home placement at least every six months. If you are scheduled to go to court, it is important that you go. Don't miss a hearing. If you don't show up, the Master may make a decision without being able to hear what you have to say. The Master may also think that you are not interested in your child's well-being. Call your attorney or Caseworker as soon as you can before the hearing if you cannot possibly attend.



At court, the Master reviews your progress on the goals in your FSP. You must show that you are actively working to accomplish these goals.

The Master decides how much time you have to work on your FSP goals. The Master also decides how much time can pass before a permanent plan is made for your child. A permanent plan may mean that your child returns home to your care. This happens when you complete your Family Service Plan (FSP) goals. Or, if you do not complete your FSP goals, a permanent plan may mean that your child will be adopted by another family.

A Permanent Home for the Child in Out-Of-Home Care

By law, your child has a right to a safe and permanent home. If possible, your child's permanent home should be with you. But your child cannot wait forever. Children who are in out-of-home care are meant to be there only temporarily - while parents make changes. If your child is in placement for 15 out of 22 months and your efforts to make changes fail, DCYF must file a court petition requesting termination of your parental rights. The court will make the permanent, legal decision to end all of your rights and duties as a parent. A Judge's *Termination of Parental Rights (TPR)* allows your child to be adopted. If a child has been staying with relatives, this termination may allow for an adoption by the relative or another planned arrangement.

Rights and Responsibilities

The list of rights and responsibilities begins with those of your child. Next is a list of parent's rights and parent's responsibilities. Some items on the parent list are both a right and a responsibility. Lastly, we list the responsibilities of DCYF and the responsibilities of the Judges in our courts.

Your Child's Rights and Responsibilities

Every child has the right to:

- safety and protection from danger;
- adequate food, shelter and clothing;
- age-appropriate supervision;
- medical and dental care;
- services to meet any special needs;
- information about the reasons why the child is getting help from DCYF, and help explaining the situation to others;
- receive an education;
- exercise religious beliefs;
- talk with their DCYF Caseworker;
- receive respectful and courteous treatment;
- receive help coping with any separation from family;
- visit with family (unless denied by the court);
- agree to adoption (at age 12 or older);
- guidance before the age of 18 on how to plan for life as an independent adult;
- be represented in court by an attorney.

Responsibilities are also part of a child's life. This is true whether the child is living with relatives, or in an out-of-home placement. A child will be expected to follow the routines of any placement setting and to cooperate with therapeutic treatment. If school-age, your child will attend school.

Your Rights

You do not lose your rights simply because your family becomes involved with the Department of Children, Youth and Families.

1. Every parent "accepted for services" has the right to information and explanations about:
 - the reasons why your family is involved with DCYF;
 - actions taken by DCYF;
 - your Family Service Plan (FSP);
 - any treatment or rehabilitation plan;
 - any court actions, court orders, or other legal documents.
 - a Childline Report (you may request a copy from your Caseworker; some information will be removed.)

2. Every parent "accepted for services" has the right to services:
 - that meet the standards set by federal, state, and local regulations;

- that are written in the Family Service Plan (FSP).
(*Note:* A parent does have the right to **refuse** services, but you are responsible for the result. If you refuse help, you may not be able to meet your child's needs. If your child is in an out-of-home placement, you may not be able to reunify your family.)
3. Every parent has the right to talk to DCYF staff by:
- calling your Caseworker and his/her Supervisor (if Caseworker is not available),
 - calling the casework Supervisor if you are having problems with your Caseworker,
 - calling the after-hours emergency phone number for DCYF (610-344-5100).
4. Every parent has the right to choose to have an attorney:
- for legal advice and representation in court;
 - to review and inspect records and documents.
(*Note:* You do not automatically have an attorney. You must hire an attorney. If you meet income guidelines, you may be assigned a court appointed attorney.)
5. Every parent has the right to be treated with respect, which includes:
- no discrimination based on disability, age, race, sex, religion, ethnic origin, economic status, or sexual orientation.
 - privacy and confidentiality (within limits set by laws and court orders). (*Note:* There are exceptions. DCYF must tell the proper authorities about any child abuse, criminal activity, or about any person's threat to harm themselves or others.)

6. If your child is in an out-of-home placement, you have the right to:
- visit at least every two weeks (unless denied by the court);
 - send mail and receive phone calls (unless denied by the court);
 - go with your child to a medical or dental appointment (unless denied by the court).
 - be told of any change in the child's placement.
 - your child's return home when all of the conditions required by the court and your Family Service Plan (FSP) have been met.
- (*Note:* A return home must be in the best interest of the child. This decision is made by a Master at a hearing.)
7. If a child is in an out-of-home placement, you have the right to be consulted and make decisions about the following:
- your child's religion
 - your child's student Individual Educational Plan (I.E.P.). Your signature is needed to begin important school tasks for your child.
 - hospitalizations and/or medical and surgical treatment
 - out-of-state travel
 - your child's involvement in contact sports, such as football
 - releasing photos or information about your child for publication or media purposes
 - any waiver of liability (usually part of the forms for sports, trips or camp applications),

- your child's marriage or enlistment in the military.

(Note: For some of these situations, a Hearing Master will consent if you are not available or if your refusal is not in the child's best interests.)

Your Responsibilities

As a parent, you are responsible to:

- help pay for your child's care when your child is in an "out-of-home" placement.
 - **If you receive public assistance (TANF), you will not receive money for your child or children while they are in out-of-home placements.** When a child is under the direct care of DCYF, the PA Department of Public Welfare (DPW) pays DCYF and not the parents.
 - **If you have a job,** the court will decide the amount you pay.
- be present in court for all hearings and follow all court orders.
- meet the goals of the Family Service Plan (FSP) within the time allowed.
- identify supports for the family.
- stay in contact with your child(ren) and participate in planning for them.
- treat others with courtesy and respect.
- call if you need to cancel an appointment.
- obey all court and agency rules about weapons and threatening behavior.
- provide accurate information to your Caseworker.
(*Note: Your Caseworker needs to know about changes in your life, including changes in your address or telephone number, your job, your marital status, your health status, or your household, such as someone moving into or out of your home.*)

Children, Youth and Families Responsibilities

For parents, the agency is responsible to:

- assess your family's needs.
- plan for appropriate services that help you and your child(ren).
- tell you about advocacy services.
- arrange for your regular visits with your child.
- involve you in developing the Family Service Plan (FSP) and in making any changes to the Plan.
- obey all court orders and report any progress to the court.
- protect your family's confidentiality (within limits set by laws and court orders).
- report any suspected child abuse to authorities.
- keep, release, and destroy records as required by law.
- testify in court about your family (if your family's case is court-active).

For children, the agency is responsible to:

- protect children from abuse and neglect.
- provide for a child's safety, health, and nurturing.
- plan for a permanent home.
- include children over the age of 13 in developing the Family Service Plan (FSP).

When placement of a child is needed, DCYF must:

- place children in the most home-like setting possible.
- review the placement regularly.
- supervise, visit, and support temporary caregivers.
- help with a child's return to the family or, if age appropriate, a move to independent living.

The Court's Responsibilities

Not all DCYF families have cases that are active with the court. For those families that do, the Hearing Master will review all actions taken by the agency and parents.

At court, the Hearing Master will decide whether:

- the parent(s) will participate in a psychological evaluation.
- the child participates in a developmental evaluation and/or a psychological evaluation.
- the parent has made progress in accomplishing the goals in the Family Service Plan (FSP).
- DCYF made reasonable efforts to prevent a child's placement.
- DCYF made reasonable efforts to reunify a family.
- DCYF made a temporary out-of-home placement for a child that was appropriate.
- the child should remain in out-of-home care.
- the time has come to decide on a permanent plan for the child.
- the child should be returned to the parents.
- the child should be placed for adoption.
- the youth, age 16 or older, will have the opportunity to participate in an independent living program.

The decisions are based upon information provided by all court participants, including the DCYF Caseworker, service providers, advocates, and parents.

Defining Child Abuse and Child Neglect

Pennsylvania's laws govern child welfare. These laws provide the legal definitions used by DCYF and by the courts. If you have questions, please talk to your attorney or your Caseworker.

Defining "child abuse"...

The Child Protective Services Law (CPSL) defines child abuse as any of the following:

- (i) Any recent act or failure to act by a perpetrator that causes non-accidental serious physical injury to a child under 18 years of age;
- (ii) An act or failure to act by a perpetrator which causes non-accidental serious mental injury to or sexual abuse or sexual exploitation of a child under 18 years of age;
- (iii) Any recent act, failure to act or series of such acts or failures to act by a perpetrator which creates an imminent risk of serious physical injury to or sexual abuse or sexual exploitation of a child under 18 years of age.
- (iv) Serious physical neglect by a perpetrator constituting prolonged or repeated lack of supervision or the failure to provide the essentials of life, including adequate medical care, which endangers a child's life or development or impairs the child's functioning.

The CPSL allows for differences in parenting based on religious beliefs. If you feel that your parenting decisions are based on your religion, talk with your attorney.

Defining "child neglect"...

The Commonwealth of Pennsylvania provides written regulations for all General Protective Services, which are used by all child welfare agencies across the state. The regulations provide the following definition for child neglect:

Acts or omissions by a parent or the primary person responsible for the care of a child which result in a failure to provide the essentials of life and which create a potential for harm to the child's safety, functioning or development.

For purposes of the definition of neglect, the following terms have the following definitions:

- (i) Essentials of life - food, shelter, clothing, health care, personal care, education as required by law, proper supervision and protection from physical, sexual or emotional injury.
- (ii) Primary person who is responsible for the care of a child - a person who provides or arranges ongoing care and supervision for a child in lieu of parental care and supervision.
- (iii) Potential for harm - likely, if permitted to continue, to have a detrimental effect on the child's health, development, or functioning. Injury to the child is not imminent as defined by the CPSL.

No child shall be deemed to be physically or mentally abused or considered neglected based on injuries that result solely from environmental factors that are beyond the control of the parent or person responsible for the child's welfare, such as inadequate housing, furnishings, income, clothing, and medical care.

Definitions

Accept for Services - the individual/family becomes a client of DCYF.

Age-appropriate - refers to the child's expectable mental and physical capacities.

Child Abuse Report - the written report of a child's alleged abuse. DCYF can decide that child abuse is *indicated* (i.e., likely that it occurred), or DCYF can decide that a report is *unfounded* (i.e., abuse can not be proven). If at least one incident was proven to a court's satisfaction, the case is *founded*.

ChildLine/Abuse Registry - statewide list of all cases of child abuse that are under investigation, or have been determined to be indicated or founded reports.

Court Order - a legally-binding document stating a Judge's instructions or directions. (All court orders must be followed by all parties.)

Dependent - a legal term that refers to a child who "is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for his physical, mental, or emotional health, or morals." There are also other guidelines for defining a child as "dependent." Ask your Caseworker or attorney for more information.

Family Service Plan (FSP) - a plan for the DCYF client that identifies problems and how to solve them. It states the amount of time allowed for successful completion and the service programs to be put in place for the family.

Foster Care - a child's temporary home and care provided by a trained caretaker.

Kinship Placement - a child's temporary home with a relative or friend of the family.

Out-of-home Placement - a temporary home for a child who, for safety reasons, must live away from parent(s).

Permanency - The law requires that every child have a permanent home. When a child has lived away from home for a number of months, DCYF must establish a permanent home. The child may return to the birth family, or a Hearing Master may decide that the child live with relatives or with adoptive parents.

Rights - "Having the right to..." means that society has given a person permission - through the legal system - to act or secure an action in the way that she or he desires.

Termination of parental rights (TPR) - a legally-binding court decision made by a Judge in court. TPR ends all parental rights of birth parents.