

	GEORGIA DIVISION OF FAMILY AND CHILDREN SERVICES CHILD WELFARE POLICY MANUAL			
	Chapter:	(10) Foster Care	Effective Date:	August 2014
	Policy Title:	Placement of a Child via Voluntary Placement Agreement (VPA)		
	Policy Number:	10.2	Previous Policy #:	1003.7

CODES/ REFERENCES

N/A

REQUIREMENTS

The Division of Family and Children Services (DFCS) shall only enter into a Voluntary Placement Agreement (VPA) after services to prevent placement and all other placement options have been explored and it is determined to be in the best interest of the child.

The Voluntary Placement Agreement to Place a Child in Foster Care must be signed by both legal parents and the County Director/Designee.

The signed [Voluntary Placement Agreement to Place a Child in Foster Care](#) shall be in effect for a maximum of 90 days with the possibility of one extension for up to an additional 90 days. After 180 days, the VPA is no longer valid.

DFCS shall ensure that within the first 180 days of placement in foster care, there is a judicial determination made by a court to the effect that the continued voluntary placement is in the best interest of the child.

DFCS maintains the same rights and duties as if DFCS had a court order for temporary custody. Parental rights and duties are also the same, except the parent has the right to have the child returned within five (5) working days of submitting a written request, such as the [Termination of Voluntary Agreement to Place Child in Foster Care](#). The same individuals who signed the [Voluntary Placement Agreement to Place Child in Foster Care](#) must sign the [Termination of Voluntary Agreement to Place Child in Foster Care](#).

DFCS shall not accept a VPA if maltreatment is alleged or family circumstances clearly indicate that the child is in present or impending danger of abuse or neglect and court involvement is necessary. Having a record of the findings and conclusions of the court may be advantageous in protecting the child from present and future harm. Thus, a deprivation complaint must be filed when the child is in present or impending danger of abuse or neglect.

PROCEDURES

When parents are considering a voluntary placement of their child into foster care, the Social Services Case Manager (SSCM) will:

1. Determine if the circumstances indicate abuse and/or neglect of the child and whether or not immediate court intervention is necessary;

2. Discuss the following with the parents and child (when age and developmentally appropriate):
 - a. The reason(s) the parents want to voluntarily place the child into foster care;
 - b. The parents protective capacities, including what they have done to try to mitigate the need for voluntary placement;
 - c. The needs of the child, including any special needs;
 - d. The effects foster care can have on a child, even if temporary;
 - e. Other placement options for the child, including relatives and family friends;
 - f. Services the agency can offer to possibly prevent the voluntary placement;
 - g. Timeframes of the voluntary placement agreement and the need for court intervention if the child cannot be safely returned home within those timeframes;
 - h. Roles and responsibilities of the parents and DFCS under the VPA;
 - i. Medical coverage options and child support obligations;
 - j. The need to have a meeting to discuss all the options with the family and their support team.
3. Schedule and conduct a meeting with the family, relatives and any other committed individuals to discuss options for the child and family;
4. If during the meeting it is determined in the child's best interest to be voluntarily placed into foster care, obtain signatures of both legal parents and the County Director/Designee on the [Voluntary Placement Agreement to Place Child in Foster Care](#);
5. At the meeting, develop an initial case plan with the family on the goals, steps and services needed to safely reunify the child and family; See [Case Planning](#)
6. Involve the family in the initial placement of the child; See [Placement of a Child](#)
7. Complete the application for Medicaid and IV-E for the child (See [Applying for Medical Services at Initial Entry](#), [Applying for Initial Funding and IV-E](#) and [Voluntary Placement Agreement to Place Child in Foster Care](#));
8. Create the Custody Detail and Placement Information pages in the GA Statewide Automated Child Welfare System (Georgia SHINES) ensuring legal and placement information are captured; the creation of the pages will permit the reimbursement of placement. Complete all other information in Georgia SHINES as required, including Person Detail, Legal Status, etc.;
9. Document the effective date of the VPA on the Legal Status Detail stage of SHINES; i.e., the date that both DFCS and the parents signed the agreement;
10. Ensure services are implemented to assist the family in their efforts to resume care for the child;
11. Ensure frequent, ongoing visitation between the parents and child to support a timely reunification;
12. Maintain purposeful visits with the parents, child and placement resource to ensure timely service provision and progress towards reunification (See [Purposeful Contact Requirements](#));
13. Monitor the time limits on the VPA;
14. Assist the parents in submitting a written request for return of the child, when appropriate.

If the child is unable to return home within the first 90 days, the SSCM will:

1. Assess the caregiver's protective capacities and the barriers to the child returning home;
2. Determine the time needed to resolve any barriers;
3. Sign another Voluntary Placement Agreement to Place Child in Foster Care for up to another 90 days;
4. Continue to monitor service provision and conduct [purposeful visits](#).

If at any time maltreatment is alleged, safety threats are identified or the child cannot safely return home within 180 days, the SSCM will:

1. Staff the case with the Social Services Supervisor (SSS) and the Special Assistant Attorney General (SAAG) to determine the need to petition the court for custody;
2. Petition the court for custody of the child as soon as safety threats are identified and/or prior to expiration of the second VPA;
NOTE: The petition must be filed in time for a hearing to be held, a judicial determination to be made and the order obtained and signed within 180 days of the date the original agreement was signed.
3. Obtain and review the court order issued as a result of the temporary custody hearing;
4. Document on the Legal Action page that a judicial determination to the effect that continuation in foster care is in the best interest of the child is made;
5. Ensure that a permanency hearing is held within 12 months of the child's removal.

When the parents/caregivers submit a written request to have the child returned, the SSCM will:

1. Immediately assess the parents'/caregivers' protective capacities to meet the needs of the child on an ongoing basis;
2. Assess the child's feelings and any concerns regarding returning home;
3. If no safety threats exist and the child can safely return home, assist the parents/caregivers in completing the [Termination of Voluntary Placement Agreement to Place Child in Foster Care](#);
4. Coordinate the child's return to the parents/caregivers;
5. Notify Rev Max of the child's return to the parents/caregivers.

PRACTICE GUIDANCE

DFCS may recognize that a family may be experiencing a short-term crisis with an anticipated end date. The signing of the VPA by the legal caregivers avoids court action being taken and allows foster care services to be provided for a time-limited period. DFCS is under no obligation to accept a VPA.

A [Voluntary Placement Agreement to Place Child in Foster Care](#) is executed by the parents signing the form and the County DFCS signing the form. The same form is signed by the parents when placing a child for whom adoptive planning is being considered.

A determination of reasonable efforts to finalize the permanency plan (See [Reasonable Efforts](#)) is required within 12 months of the VPA signature date (and every 12 months thereafter), to maintain IV-E payments.

FORMS AND TOOLS

Voluntary Placement Agreement to Place Child in Foster Care
Termination of Voluntary Agreement to Place Child in Foster Care

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