



GEORGIA DIVISION OF FAMILY AND CHILDREN SERVICES CHILD WELFARE POLICY MANUAL

Chapter:	(19) Case Management	Effective Date:	TBD
Policy Title:	Conditions for Return		
Policy Number:	19.30	Previous Policy #:	19.xx

CODES/REFERENCES

O.C.G.A. § 15-11-29 Protective Orders
O.C.G.A. §15-11-212 Disposition of Dependent Child
O.C.G.A. § 15-11-232 Permanency Plan Hearing; Findings
O.C.G.A. § 15-11-133.1 Temporary Alternatives to Foster Care
O.C.G.A. § 49-5-8 Powers and Duties of Department of Human Services
Child Abuse Prevention and Treatment Act (CAPTA)
Adoptions and Safe Families Act (ASFA)

REQUIREMENTS

The Division of Family and Children Services (DFCS) shall:

1. Establish Conditions for Return for a child in an out-of-home arrangements to:
 - a. Minimize trauma to the child by returning them home as soon as it is safe to do so.
 - b. Reduce the length of time the child stays out of their home.
 - c. Ensure parent/guardian/legal custodian(s) understand the safety threats that need to be controlled or mitigated before the child can be returned home with an in-home safety plan (See policy **19.12 Case Management: Safety Plan and Management**).

NOTE: Conditions for return should not be developed for any parent/guardian/legal custodian(s) with whom reunification will not be pursued due to aggravating circumstances of abuse or neglect, or whose child(ren) have a permanency goal other than reunification (See policy **9.3 Eligibility: Reasonable Efforts** the **Practice Guidance** section for aggravated circumstances as defined in State law).

2. In partnership with the parent/guardian/legal custodian(s) establish criteria for conditions for return based on the following (See **Forms and Tools** for Safety Analysis and Conditions for Return):
 - a. The parent/guardian/legal custodian(s) response to intervention and willingness to make the changes necessary for the child(ren) to return home.
 - b. A calm and consistent home environment in which to implement a safety plan;
 - c. Availability of formal and informal safety supports.
 - d. Whether the safety plan and in-home safety management services can sufficiently manage safety without the results of professional evaluations. (See **Forms and Tools** for Safety Planning Analysis).
 - e. The parent/guardian/legal custodian(s) having a physical location in which to implement the plan.

NOTE: A physical location is an identified location and we can expect to find the parents there and safety actions can be taken there. The parents/legal guardians have a domicile/residence in which to implement an in-home safety plan. (shelter, tent, house, motel, RV/camper, etc.).

3. Establish the conditions for return during the case transfer staffing. Include the following in the conditions for return:
 - a. The safety concerns and diminished caregiver protective capacities that created the need for the child(ren) to reside out of the home.
 - b. What is required for the child to safely return home? This includes the behavior, people, conditions, and/or circumstances that will control the safety threats and/or enhance caregiver protective capacity for the child to safely return home with an in-home safety plan.
NOTE: This must be a very specific statement on what is required for the safe return of the child (i.e. the type and degree of change or action needed).
 - c. How the changes will be implemented to achieve the safe and successful resolution of the safety concerns and the child(ren)'s return home.
 - d. The court must approve the child's return home if the out of home arrangement is subject to a court order.
 - e. The conditions for return may be modified if new safety threats are identified.
 - f. Document the conditions for return in the case transfer staffing in Georgia SHINES within 72 hours of occurrence.
EXCEPTION: Conditions for return may be established during the supervisory staffing. For cases where an out-of-home arrangement is anticipated to end prior to the case transfer staffing.
4. Attain supervisory approval of the conditions for return prior to discussing with the family.
5. Discuss and review conditions for return with the family during:
 - a. The family meeting held within seven to ten business days of a child entering a voluntary kin caregiver's home (see policy [22.1 Voluntary Kinship: Use of Voluntary Kinship in Child Protective Services](#)).
 - b. The family meeting or FTM held within seven to ten business days of the child entering a Temporary Alternatives to Foster Care (TAFC) (see policy [22.10 Investigations: Temporary Alternatives to Foster Care](#)).
 - c. The joint visit with the parent/guardian/legal custodian(s) during the case transfer to FPS or foster care (see policy [19.4 Case Management: Case Transfer](#)).
NOTE: The Social Services Supervisor must review and approve the conditions for return prior to the joint visit with the parent/guardian/legal custodian(s).
6. Update the conditions for return if new safety concerns are identified including if new child safety and wellbeing information is learned from the Family Functioning Assessment (FFA) and/or Comprehensive Child and Family Assessment (CCFA).
7. Assess progress towards conditions for return at least monthly during purposeful contacts, collateral contacts and supervisory staffings.
8. Review the conditions for return during case consultation and/or supervisory staffings (see policy [19.5 Case Management: Case Consultation](#)).
9. Return a child home when:
 - a. The conditions for return have been met.
 - b. The identified safety threats can be managed with an in-home safety plan.
 - c. The court has approved the return of the child, if the out of home arrangement is subject to a court order (i.e. TAFC, foster care, etc.)
 - d. The parent/guardian/legal custodian(s) have demonstrated they are willing and able to accept responsibility for the care of the child with an in-home safety plan.

- e. The parent/guardian/legal custodian(s) have demonstrated that they are willing and able to continue working towards case plan outcomes.
 - f. Service providers and collateral contacts who are currently working with the child, parent/guardian/legal custodian(s), and other involved persons including the child's CASA and attorneys have been informed, in writing, of the plan to return the child with an in-home safety plan; and
 - g. All safety screenings have been conducted in accordance with policy **19.9 Case Management: Safety Screenings**.
10. In cases where the court finds the child to be dependent as a result of parental alcohol or other substance use, refer to policy **17.7 Legal: Dependency Resulting from Substance Abuse** and policy **19.26 Case Management Involving Caregiver Substance Abuse or Use** for specified legal requirements for reunification.
11. Adhere to confidentiality and HIPAA provisions outlined in policies 2.6 Information Management: Confidentiality/Safeguarding Information and 2.5 Information Management: Health Insurance Portability and Accountability Act. Obtain a signed Authorization for Release of Information (ROI) to facilitate sharing of information, when applicable.

PROCEDURES

The Social Services Case Manager (SSCM) will:

1. Determine if Conditions for Return are appropriate when a child cannot remain in their home due to safety threats.
 - a. Review the case history.
 - b. Review the current circumstances of the case.
 - c. Assess the caregivers' willingness to address safety threats.
 - d. Assess the ability and willingness of the caregivers to cooperate with an in-home safety plan (see policy **19.9 Case Management: Safety Plan and Management**).
 - e. Assess whether the living environment is safe, stable, and sustainable enough to allow management of an in-home safety plan.
2. Participate in a staffing with the SSS to discuss the appropriateness of the conditions for return. Include a discussion of the following:
 - a. Family's developmental stage(s).
 - b. Parent/guardian/legal custodian(s) ability and willingness to cooperate with an in-home safety plan.
 - c. The strategy to prevent problematic behavior patterns from recurring after reunification (i.e. relapse prevention plan); and
 - d. Whether the conditions for return clear and specific.
 - e. Feedback from providers serving the family at the time of the child's out-of-home arrangement or placement when establishing the conditions for return. Clarify any continued role the providers will play in helping the family meet the conditions for return.
3. Identify with the family the specific behavior, people, conditions, and/or circumstances that will remedy the safety concerns and/or diminished caregiver protective capacity that prevents the child from being able to safely return home.
 - a. Focus on what must be controlled and how it can be controlled.
 - b. Specify alternative people, behaviors, and circumstances that, if in place and active, will allow an in-home safety plan to work.
 - c. Incorporate relapse planning when substance use or mental health is a factor.

- d. Build consensus with the caregivers regarding the conditions for return.
4. Explain to the parent/guardian/legal custodian(s) that the conditions for return may need to be adjusted based upon any new safety and wellbeing concerns identified.
5. Establish the conditions for return at the case transfer staffing with the receiving staff in Family Preservation Services (FPS) or Foster Care.
6. Discuss and explain with the parent/guardian/legal custodian(s) the following:
 - a. The reasons for establishing conditions for return
 - b. The benefits of conditions for return
7. Document the Conditions for return on the case transfer staffing form in Georgia SHINES. Conditions for return should also be documented on the case consultation form in Georgia SHINES. Continue documentation regarding conditions for return during monthly case staffings and monthly SSCM/ parent/guardian/legal custodian(s) visits.

NOTE: Conditions are based on the mitigation of safety threats and not the completion of a case plan (see [Practice Guidance](#)).
8. Implement any services and/or supports needed to support the conditions for safe return (see policy [19.17 Case Management: Service Provision](#)).
9. Monitor the progress towards meeting the conditions for return.
 - a. During in-home purposeful contacts with the family review any areas of conditions for return where they have made progress (see policy [8.2 Family Preservation Services: Purposeful Contacts for Families Receiving Family Preservation Services](#) and [10.18 Foster Care: Purposeful Contacts in Foster Care](#)).
 - b. Making relevant collateral contacts to assess progress (see policy [19.16 Case Management: Collateral Contacts](#)).
 - c. Staff with SSS to discuss:
 - i. Progress made and whether conditions have been met.
 - ii. Barriers, and intervention to address them.
 - iii. Newly identified safety threats and modification needed to the conditions for return.
 - d. Document progress, decisions, barriers, and interventions.
10. When the conditions of return have been met:
 - a. Obtain supervisory approval for the child's return to the home.
 - b. Obtain court approval prior to returning a child home if the child is in foster care or in a TAFC.
 - c. Convene a meeting with the parent/guardian/legal custodian(s) and their support team to review the progress made toward building the skills necessary to manage challenging situations. Make a good faith effort to involve all family members in a discussion that includes the following:
 - i. The transitional plan for meeting the child's medical, emotional, and behavioral needs;
 - ii. Specific action to ensure child safety (i.e. in-home safety plan/relapse prevention plan);
 - iii. Services needed by the child and/or family; and
 - iv. Formal or informal supports that will remain involved with the family post-reunification.
11. Develop an in-home safety plan for the return of the child to the home in accordance with policy [19.12 Case Management: Safety Plan and Management](#).

NOTE: If the safety components have already been incorporated into the case plan,

then a separate safety plan document is not needed. If a new threat arises, then a safety plan document should be implemented.

The Social Services Supervisor will:

1. During the supervisory staffing seek to answer questions such as:
 - a. What must be controlled and what types of safety actions/safety services are needed to do so?
 - b. Is an in-home safety intervention a viable option?
 - c. Have a family's circumstances been adjusted to the point where conditions are safe for a child to be returned to the home?
 - d. What formal and/or informal supports can remain involved with the family following the child's return home?
2. Review and approve the conditions for return prior to the joint visit with the parent/guardian/legal custodian(s).
3. During regular staffings, in accordance with policy **19.6 Case Management: Supervisory Staffing**, ensure the SSCM is monitoring the progress of the conditions for return and addressing any barriers to completion.
4. Prior to recommending reunification:
 - a. Thoroughly review the case record to ensure the established conditions for return have been met.
 - b. Verify court approval has been obtained for the child's return home if the child is in foster care or a T AFC.
 - c. Verify an in-home safety plan has been developed and approved or the safety strategies have been incorporated into the case plan.

PRACTICE GUIDANCE

Conditions for Return

Caregivers deserve to know exactly what is required in order to have their children returned home. Conditions for return are **specific** circumstances or behaviors that must exist within a child's home in order for the child to be safely returned home. Conditions for return statements must clearly identify what must occur or exist in the home for a child to be returned to a safe environment. Out-of-home arrangements should be thought of as a temporary safety response required until such time as circumstances within the home can be established to produce less intrusive means for protection. Aligned with reasonable efforts to preserve or reunify families, Conditions for Return entail returning a child to the parent/guardian/legal custodian(s) home as soon as possible when safety threats or impending danger can be managed¹.

Safety Planning

The purpose of a safety plan is to keep children safe. Safety planning may involve in-home options, out-of-home options, or a combination of both. By their nature, safety plans are intrusive which is necessary in order to keep children safe. The intrusiveness necessary to keep children safe increases as safety plans move from in-home to out-of-home options (e.g. safety resources, foster homes, etc.). Effort should be made to reduce the intrusiveness when it is appropriate and justifiable to do so (i.e. move from an out-of-home to an in-home safety intervention). Safety plans are not promissory notes, they should be specific steps to take in

¹ Action 4 Protection (n.d.). Practice model: Safety plan analysis. Retrieved from <https://action4cp.org/our-services/practice-model/>

order to keep the child safe. A safety plan ends when the agency's involvement ends with the family. If the safety components have already been incorporated into the case plan, then a separate safety plan document is not needed.

Safety planning vs. Case Planning-

A **safety plan** is a written agreement that the CM develops with the family that clearly describes the safety services that will be used to manage threats to a child's safety. Safety services assist families to engage in actions or activities that may eliminate or mitigate threats to the child's safety. These activities must be planned realistically so that they are feasible and sustainable for the family over time. The safety plan will clearly outline what these actions and activities are, who is responsible for undertaking them, and under what conditions they will take place. **It is designed to control threats to the child's safety using the least intrusive means possible.**

A safety plan must:

1. Control or manage the present danger situation or the impending danger safety threat using the actions and services described within the safety plan.
2. Have an immediate effect.
3. Include persons involved in the safety plan who are immediately accessible and available in accordance with the provisions of the plan

In all cases, the safety services outlined in the safety plan must have an immediate effect and be immediately available and accessible. They may be formal or informal. The services can be provided by professionals, such as child care providers, parent aides, or service providers, or by non-professionals such as neighbors or relatives/kin. The important thing is that everyone who is part of the safety plan understands his or her role and is able and willing to carry out their responsibilities.

A safety plan differs from a case plan in that a safety plan is designed to control safety threats and have an immediate effect, while a case plan seeks to create change over time to reduce risk and increase the family's capacity to protect the child.

Case plans are designed to preserve families and prevent future risk of child abuse and neglect. The purpose of the case plan is to create fundamental change in functioning and behavior that is associated with the reason that the child is unsafe. They include interventions and tasks that are goal-oriented and directly linked to the identified safety threats and risks. Case plans address changes that impact safety by building on strengths and reducing safety threat and risks. Case plans are expected to have long term effects achieved over time by enhancing functioning and increasing caregiver self-sufficiency.

Making the Decision to Return a Child Home

When a child is removed from their home due to a safety threat and diminished caregiver protective factors the specific safety threat must be controlled and the diminished protective factors addressed prior to the return of the child with or without an in-home safety plan. The decision to return a child to the family from whom they were removed is approached as a safety decision. It requires careful consideration of the safety concerns that were present and the diminished caregiver protective factors that existed at the time of removal. In addition, it

requires consideration of additional safety and risk related concerns that may have been discovered after removal. Returning a child home must be based on a sound determination that a child is being returned to a safe home environment to parent/guardian/legal custodian(s) who possess the capacity to protect the child.

Use of a trial of home visit, as well as aftercare services, may be helpful in preserving permanency once the child has been returned home. Consideration should be given to whether the conditions that lead to removal will return once the agency is no longer involved, and what safety interventions can be implemented to repair the diminished caregiver protective factors.

To make the decision to reunify a family, DFCS needs to determine whether the safety concern—which was so great that the child needed to be removed from the family—has been resolved, or can be managed with support in the home, in a way that allows the child to be safe. DFCS must consider multiple factors when deciding to reunify a child with their family including, but not limited to:

- a. The quality and quantity of visits during out-of-home placement.
- b. The protective factors of the parent/guardian/legal custodian(s) (in other words, positive behaviors by parent/guardian/legal custodian(s) that may help keep the child safe).
- c. The vulnerability of the child (which considers the age of the child, whether the child is verbal, etc.).
- d. The formal and informal support network of the parent/guardian/legal custodian(s); and
- e. Any safety threats that remain a concern.

The factors that inhibit parent/guardian/legal custodian(s) abilities to care for their child safely should not be a mystery to the family; that is, they should have been discussed many times by the time a child is being considered for reunification. Those factors should be clearly articulated in the family plan and case plan.

Expected outcomes for parent/guardian/legal custodian(s) may be modified during the life of a case as the SSCM gains a better understanding of the family. However, if outcomes change, the SSCM needs to clearly communicate these changes to the parent/guardian/legal custodian(s) and ensure they understand that those changes are directly related to child safety.

Conditions for Continued Placement

During each judicial review and permanency plan hearing, the SSCM has a responsibility to understand and testify to whether evidence exists to support the child's continued foster care placement is necessary. Conditions for continued placement should be discussed at each hearing, with specific focus on the safety issue(s) that warrants the child's continued placement out of the home. DFCS, the court, and the family should be clear on the reasons that out-of-home placement remains necessary and what needs to happen to move toward reunification.

Examples of Conditions for Return

Example 1:

Impending Danger Threat

No adult in the home will perform caregiving duties and responsibilities. Ms. Jones leaves her six-year-old daughter (Brittany) alone to go party. The child is often alone for several hours to more than a day at a time.

Why an In-Home Safety Plan Would Not Work at the Time of Removal

Ms. Jones disagreed that there was a problem and minimized the extent to which she had failed to provide adequate supervision for her child. She stated that Brittany is very self-sufficient for a six-year-old and did not believe she was leaving her in danger. She was unwilling to provide alternative or help identify arrangements for Brittany's supervision.

Conditions for Return

1. Ms. Jones must acknowledge that her actions jeopardized her child's safety. The acknowledgement demonstrates her acceptance of the responsibility for supervising and protecting her child.
2. Ms. Jones must work jointly with DFCS and others involved with the safety intervention (e.g. formal and informal providers) to ensure that Brittany is supervised by a willing/capable caregiver at all times.
3. Ms. Jones (or a willing/capable caregiver) must be in the home providing care and supervising Brittany when she is not in school.
4. Ms. Jones must have a plan for supervision by a willing/capable caregiver when she is away from the home.
5. Ms. Jones must be willing to allow formal or informal supports to observe that she is either providing supervision or planning for Brittany's care.

Example 2:

Impending Danger Threat

One or both caregivers are violent. Mrs. Smith lashes out at her eight-year-old son (Steve), hitting him uncontrollably with her fists and with objects.

Why an In-Home Safety Plan Would Not Work at the Time of Removal

Mrs. Smith's behavior was impulsive and easily provoked. She disclosed having anger and behavior management problems but took no action to address them. There was no confidence that Mrs. Smith would work in partnership with DFCS and other identified providers with an in-home safety plan.

Conditions for Return

1. Mrs. Smith must recognize that her behavior is harmful to Steve.
2. Mr. Smith (Steve's father) or another responsible person must be in the home at all times that Steve is home to prevent and protect him from being physically harmed by Mrs. Smith.
3. Mrs. Smith's behavior must be safe and predictable enough to allow the safety service providers to be in the home.
4. A plan must be in place for Steve to be away from the home and Mrs. Smith at all times when a protective person is not in the home.
5. Mrs. Smith's words and actions must demonstrate a desire to learn how to safely parent Steve.
6. Mrs. Smith must have the ability to express herself to Steve in a non-aggressive and non-violent manner.

FORMS AND TOOLS

Conditions for Return
Safety Analysis and Conditions for Return

DRAFT