



QUICK REFERENCE GUIDES

ADVOCACY GUIDANCE AND
PRACTICE POINTS FOR
CASA VOLUNTEERS IN GEORGIA

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ROLE OF THE GAL

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OVERVIEW

A Guardian ad Litem (GAL) shall advocate for a child's best interests. CASA volunteers are appointed as Guardians ad Litem and carry all the duties, rights, and responsibilities of that role as defined by Georgia law.

As GAL, a CASA volunteer's role never waivers from advocating for the best interests of the child. Even if an attorney GAL is also appointed, the CASA volunteer's role and expectations do not change.

If the child does not have a separate attorney GAL appointed in addition to their attorney, the CASA volunteer is the only individual serving the court as a disinterested advocate, and the role never shifts. The CASA is always and only a GAL.

GAL/CASA RESPONSIBILITIES

Unless a child's circumstances render the following duties and responsibilities unreasonable, a GAL/CASA has 17 roles and responsibilities:

- 1** Maintain regular in-person contact with the child and, in a manner appropriate to the their developmental level, meet with the child prior to all hearings;
- 2** In a manner appropriate to such child's developmental level, ascertain the child's needs and wishes;
- 3** Conduct an independent assessment to determine the facts and circumstances surrounding the case;
- 4** Consult with the child's attorney regarding the issues in the proceeding;
- 5** Communicate with health care, mental health care, and other professionals involved with the child's case;
- 6** Review case study and educational, medical, psychological, and other relevant reports relating to the child and the parents;
- 7** Review all court documents;
- 8** Attend all court hearings and other proceedings to advocate for the child's best interests;
- 9** Advocate for timely court hearings to obtain permanency for the child;
- 10** Protect the cultural needs of the child;
- 11** Contact the child before any proposed change in placement;
- 12** Contact the child after any such change in the child's placement;
- 13** Request a judicial citizen review panel or judicial review of the case;
- 14** Attend citizen panel review hearings concerning the child and if unable to attend the hearings, forward to the panel a letter setting forth the child's status during the period since the last citizen panel review and include an assessment of the case plan;

- 15** Provide written reports to the court and the parties on the child's best interests, including, but not limited to, recommendations regarding placement, updates on the child's adjustment to placement, DFCS's and respondent's compliance with prior court orders, the child's degree of participation during visitations, and any other recommendations based on the best interests of the child;
- 16** When appropriate, encourage settlement and the use of any alternative forms of dispute resolution and participate in such processes to the extent permitted; and
- 17** Monitor compliance with the case plan and all court orders by all parties.



PRACTICE POINTS

- Maintain contact with the parties and always have a draft of your court report in progress. You should always have a current understanding of both DFCS and the parents' progress on the case plan as well as the extent of compliance by all parties (not just the parents) with the most recent court orders.
- Attend court, speak up, and make oral recommendations. Do not simply refer to your report: review the highlights of it, taking into consideration what has happened in the current hearing, and explain why your recommendations should be adopted by the court.
- To the extent permitted, take part in all sidebars, in-chamber conversations, and pre-trial conferences.
- Ensure that the child knows how to contact their attorney.
- Be heard on continuances. Every continuance requires that the court make a best-interest determination; weigh in on whether the continuance is in the child's best interests or not and be able to explain why.

KEY PRACTICE NOTES

ADVOCACY IS DYNAMIC

Be ready to change your position and pivot the course of your advocacy if the evidence presented at a hearing requires it. Strong advocacy is responsive, not rigid.

PARENTS AND DFCS DELAYS

Parents often cannot take steps to complete their case plan until referrals are made by DFCS. Parents should not be held responsible for delays caused by DFCS in providing services or facilitating family time.

FAMILY TIME

A reunification without sufficient family time is unlikely to succeed. It is the job of the court — not DFCS — to set a schedule of visits and ensure compliance. The parties may agree to expand family time, but reducing or suspending it requires a court hearing.

GATHERING & SHARING INFORMATION

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OVERVIEW

Effective advocacy depends on access to timely, accurate, and complete information. As lay Guardians ad Litem, CASA volunteers possess broad legal authority to access records, communicate with professionals, and share information with the parties to a case. This ability to access information is foundational to CASA's ability to conduct an independent assessment and make informed, individualized best interest recommendations. Understanding the scope of the appointment order, how to exercise authority, and how to protect confidentiality are essential skills for every advocate.

AUTHORITY TO ACCESS RECORDS

CASA volunteers are appointed as Guardians ad Litem in addition to a child's attorney and have broad access to records as a result of that appointment.¹

With the exception of the identity of the person who reported the abuse and records from the Office of the Child Advocate and the Department of Juvenile Justice, Georgia law permits GALs (including CASA volunteers) access to all records and information relevant to a child's case to which they are appointed.²

Georgia law and DFCS policy authorize CASA volunteers to access to all records upon written request and presentation of an appointment order appointing CASA as GAL.³ CASA volunteers rely heavily on access to DFCS records to make an informed, independent assessment resulting in relevant, individualized recommendations.

CASA volunteers are permitted to communicate directly with health care, mental health care, education, court, and other professionals involved with a child's case and to review case study and educational, medical, psychological, and other relevant reports relating to the child and respondents (parents).⁴

¹ O.C.G.A. §§ 15-11-104, 15-11-105, and 15-11-106

² O.C.G.A. § 15-11-105(e)

³ O.C.G.A. § 49-5-41(c)(5); O.C.G.A. § 15-11-105(e); DFCS Child Welfare Policy 17.10, April 2026; DFCS Child Welfare Policy 2.5, September 2020

⁴ O.C.G.A. § 15-11-105(c)(5) and (6)

CASA volunteers shall receive notices, pleadings, and other documents required to be shared with parties and shall be notified of all hearings, staffings, investigations, depositions, mediations, tribunals, appeals, or significant changes in the child's circumstances, including pending placement moves, in the same manner as parties are notified.⁵

While providers are generally prohibited from disclosing protected health information without a client's written consent, a CASA's appointment order provides an exception to HIPAA's disclosure regulations.⁶ CASAs are permitted to access confidential health, mental health, and education records of both the child and respondents (parents) simply with their appointment order, which requires the release of such information.⁷

For release of information relating to a diagnosis, prognosis, or treatment of drug and alcohol use, federal and state law provide strengthened confidentiality protections and require either consent or a subpoena.⁸



PRACTICE POINTS

- Set early expectations with DFCS about access to the case file. At the initial introduction to the case manager, ask about the process for accessing records in Communicare and SHINES and establish a routine for file reviews. Approaching this step proactively and collaboratively reduces delays and builds the working relationship.
- Regularly access and review case information in SHINES and Communicare, including but not limited to CCFAs, other assessments, case plans, case manager contact logs, psychological evaluations, and diligent searches, as well as placement and provider information. Ask DFCS for any missing evaluations or information, such as an outdated case plan, an incomplete diligent search, or a referral without services rendered.
- Routinely review the court's file and CPRS to monitor progress on court orders.
- Talk to teachers, daycare workers, doctors, therapists, counselors, visitation center supervisors, and other professionals, in addition to the child's caregiver and parents, to gain a full picture of the case.
- When facing barriers to accessing records from a provider, school, or other professional unfamiliar with CASA's role, consider the following approach. Introduce yourself and your role, acknowledge the provider's responsibility to protect confidential information, and offer to share the appointment order. You might say, "*Are you familiar with CASA? Can I share about my role? I understand and respect your role in protecting this information; I want to make sure it's protected, too. I'd like to show you my appointment order that describes the permitted access to this information and how I'm prohibited from sharing it outside of court proceedings.*" This approach is collaborative rather than confrontational and often resolves the barrier quickly.
- Have the parent sign a release of information at the beginning of the case assignment to ensure access to substance use records, which carry heightened confidentiality protections and cannot be accessed by appointment order alone.

⁵ O.C.G.A. § 15-11-105(d)(1)

⁶ 45 C.F.R. § 164.512(e); DFCS Child Welfare Policy 2.5, September 2020

⁷ O.C.G.A. § 15-11-41(a)(3)(D)

⁸ 42 U.S.C. § 290dd-2(b); O.C.G.A. § 15-11-41(a)(2)

PROTECTING CONFIDENTIALITY & SHARING INFORMATION

Effective collaboration requires timely access to and sharing of information and minimizes unnecessary delays in implementing services, case planning, and transitions. It supports follow-up on assessment recommendations, reinforcement of case planning goals, and continuity of case history during staff changes. Collaboration with parties and their attorneys builds understanding of differing recommendations, increases the creativity and resources available to a child's case, and ensures the child, family, caregivers, and professionals have the information needed to meet the child's safety and well-being needs and facilitate successful permanency.

While CASA volunteers are granted broad access, they must keep all records and information regarding the case confidential unless disclosure is ordered by the court.⁹ Any CASA volunteer who discloses confidential information obtained during the course of their appointment in violation of law will be guilty of a misdemeanor.¹⁰

CASA volunteers must protect confidentiality; however, this obligation does not prevent CASA from sharing information with the parties of the case or with Family Treatment Court personnel. In fact, as part of monitoring the case plan and court orders and other ongoing advocacy efforts, CASA volunteers are expected to share information related to the child's safety, permanency, and well-being. A standing order can be entered by the court outlining this process.

Thus, at the earliest possible time and prior to every court hearing, CASA will share recommendations and their court report with DFCS and the parents' and children's attorneys to avoid delays in addressing the child's needs, support ongoing case planning and progress, and resolve any case-related conflicts.

If a non-party such as a foster parent, relative, law enforcement, or district attorney seeks to access CASA's file or requests that the CASA volunteer testify, the non-party must acquire a court order authorizing disclosure. A subpoena alone is insufficient.



PRACTICE POINTS

- When in doubt about whether sharing information is appropriate, consult with CASA staff before disclosing.
- Routinely share information you have gathered with the case manager, the child's attorney, and the parents' attorneys.
- Maintain awareness of who is and is not a party to the case. Remember that CASA cannot share information with foster parents or relatives unless or until they have been legally joined as a party after the court has granted intervention.
- If law enforcement, a district attorney, a youth's probation officer, or any other professional outside the juvenile court dependency case requests information from you, do not share it and direct them to CASA staff.
- Should you receive a subpoena related to your case, notify CASA staff immediately.
- Be especially careful about sharing information in informal settings, such as hallway conversations before hearings, where nonparties may be present.

⁹ O.C.G.A. § 15-11-105(f)

¹⁰ O.C.G.A. § 15-11-105(g)

BEST INTERESTS OF THE CHILD

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OVERVIEW

The court is required to make best interest findings at every stage of the dependency proceedings — from removal to post TPR reviews and including at change of placement hearings and before entering continuances. Whenever best interest determinations are required, the court shall consider and evaluate factors affecting the best interests of the child in the context of the child's age and developmental needs.

As the child's best interest advocate, the CASA volunteer must make a recommendation and be heard from every time the court makes a best interest finding — at every hearing. In determining a child's best interests, CASA is required to consider and evaluate the factors in the same manner as the judge. Unless the child has a GAL attorney appointed in addition to their other attorney, the CASA volunteer is the only individual the court recognizes as a disinterested advocate and that role never shifts.

What is in the best interest of the child is an expansive question deeply involving all the facts discovered by CASA during their assessment and all the evidence brought forward by the parties at each hearing. The factors can help objectify CASA's analysis and prevent opinions and biases from interfering with their advocacy.

BEST INTEREST FACTORS

- The child's physical safety and welfare, including food, shelter, health, and clothing;
- The love, affection, bonding, and emotional ties existing between the child and each parent or person available to care for the child;
- The love, affection, bonding, and emotional ties existing between the child and his siblings, half siblings, and stepsiblings and the residence of the other children;
- The child's need for permanence, including the child's need for stability and continuity of relationships with their parent, siblings, other relatives, and any other person who has provided significant care to the child;
- The child's sense of attachments, including their sense of security and familiarity and continuity of affection;
- The capacity and disposition of each parent or person available to care for the child to give him love, affection, and guidance and to continue their education and rearing;
- The home environment of each parent or person available to care for the child considering the promotion of the child's nurturance and safety rather than superficial or material factors;
- The stability of the family unit and the presence or absence of support systems within the community to benefit the child;

- The mental and physical health of all individuals involved;
- The home, school, and community record and history of the child, as well as any health or educational special needs;
- The child's community ties, including church, school, and friends;
- The child's background and ties, including familial, cultural, and religious;
- The least disruptive placement alternative for the child;
- The uniqueness of every family and child;
- The risks attendant to entering and being in substitute care;
- The child's wishes and longterm goals;
- The preferences of the persons available to care for the child;
- Any evidence of family violence, substance abuse, criminal history, or sexual, mental, or physical child abuse in any current, past, or considered home;
- Any recommendation by a court appointed custody evaluator or guardian ad litem; and
- Any other factors considered by the court to be relevant and proper to its determination.

ADDITIONAL FACTORS AT TPR

When a statutory ground for termination of parental rights has been met, the court considers whether termination is in the best interests of the child, including the factors listed above, and considering additional factors:

- Any benefit to the child of being integrated into a stable and permanent home and the likely effect of delaying the integration into a stable and permanent home environment;
- Detrimental impact of the lack of a stable and permanent home environment on the child's safety, wellbeing, or physical, mental, or emotional health;
- Child's future physical, mental, moral, or emotional wellbeing; and
- Any other factors by the court to be relevant and proper to its determination.



PRACTICE POINTS

- After conducting an assessment, use the best interest factors to formulate objective recommendations. The factors can help check opinions or biases and ensure impartiality.
- Use the language of the factors to support recommendations contained in the written court report. For example, a recommendation to increase family time might read, *"In order to support the child's need for permanence and strengthen the bonding and emotional ties between the child and his parents, visitation should be increased to twice a week."*
- Keep the list of best interest factors accessible when drafting the report and while in court, and be prepared to highlight the best interest perspective at every hearing. CASA recommendations should be stated on the record.

CULTURAL HUMILITY & FAMILY-CENTERED ADVOCACY

OVERVIEW

Culture is a set of beliefs, values, traditions, and practices shared by a group of people, and it profoundly shapes how families raise children, understand hardship, and engage with systems. Cultural humility is a lifelong process of self-reflection, critique, and discovery that involves examining our own beliefs, values, and assumptions and remaining genuinely open to learning from the people we serve. It is not a destination, but an ongoing practice of building honest, trustworthy relationships with people whose backgrounds and experiences differ from our own.

Effective advocacy requires us to critically self-reflect, reserve judgment, and bridge cultural divides so that we can develop and maintain mutual respect and collaborative working relationships. The families we encounter often face systemic challenges including racism, discrimination, and poverty, and as advocates, we must acknowledge the power imbalance inherent in a system intervening in the lives of families in crisis. When we approach families with empathy, curiosity, and a genuine regard for their strengths and experiences, we make space for equity, dignity, and trust. Treating families as experts in their own lives and experiences is foundational to this work.

BRIDGING CULTURAL DIFFERENCES

Cultural humility begins with self-awareness and extends into every interaction with children, families, and the professionals involved in a case. How we listen, speak, and carry ourselves communicates as much as the words we choose. Advocates must be intentional about building rapport across differences and ensuring that every family feels heard, respected, and understood.



PRACTICE POINTS

- Use reflective and active listening when interviewing children and families by nodding in encouragement, repeating back what you have heard using the speaker's own words, and affirming worth and value even when perspectives differ.
- Be attentive to subtleties in tone of voice, attitude, body language, and word choice, as these shape rapport and convey empathy or its absence.
- Reserve judgment by remaining open-minded while learning about a family's situation and background.

- Remain objective and make space when you find yourself wanting to offer opinions based on personal beliefs and values.
- Acknowledge differences and be sensitive to circumstances that are partly beyond a family's control or the result of systemic imbalance.
- Self-reflect and analyze implicit biases to ensure personal values do not interfere with advocating for the child's best interests.
- Create a safe and brave space with every child and youth that conveys a genuine willingness to listen and talk about anything significant in their life, including aspects of their identity, relationships, and sense of belonging.
- Respond with affirmation and support when a child or youth discloses something personal about their identity or experience, recognizing that the decision to share reflects trust.
- Understand that identity is complex and may evolve over time; avoid defining any young person by a single aspect of who they are.

THE LANGUAGE WE USE

The words we choose reflect how we think about families and shapes how we and others perceive and engage with the people we serve. Language that reduces a person to their circumstances, diagnosis, or involvement with the system creates distance and reinforces stigma. Language that centers the person and acknowledges their full humanity builds trust and reflects the values of culturally humble practice. This applies equally to conversations with families, communications with professionals, and the reports and recommendations we submit to the court.



PRACTICE POINTS

- Use person-first language that centers on the individual rather than their circumstances. The distinction signals that a person is more than their current situation. One way to do this is to describe the children we serve as “children experiencing foster care” rather than “foster kid.”
- Use strengths-based and non-stigmatizing language when describing families. Words that reflect a family's capacity and effort, rather than reducing them to their challenges, is precise and respectful, and allows room for advocacy to address those challenges. Refer to parents by their given names in your court reports.
- Avoid emotionally charged or dismissive characterizations. Instead of describing a parent as “crazy” or “unstable,” state what is known factually and clinically — the diagnosis, its effects on functioning, and the efforts being made to address it.
- Be consistent in how you speak about families in and out of their presence. The standard for respectful language does not change when a family leaves the room. How we talk about people in their absence reflects and shapes how we treat them in their presence.
- Use affirming and neutral language when engaging with children and youth about their relationships, identity, and experiences. Ask open questions that do not assume and leave space for the young person to share on their own terms.
- Be intentional about the language used by others in meetings, court, and case communications. Gently and professionally redirecting stigmatizing or disrespectful language is an act of advocacy.



The families involved in the child welfare system are not defined by their involvement with it, and our advocacy should reflect that.

FAMILY-CENTERED ADVOCACY

Family-centered advocacy means viewing every family through a lens of strength, recognizing their wisdom in their own experiences, and supporting their capacity to care for their children. It means resisting the pull toward judgment and instead investing in the family's success. The families involved in the child welfare system are not defined by their involvement with it, and our advocacy should reflect that.



PRACTICE POINTS

- Treat families as experts in their own lives and experiences, seeking to understand their perspective before drawing conclusions.
- Explore, research, and consult with experts to understand the child's culture, identity, and values and provide culturally informed recommendations.
- Examine and expand your personal knowledge and perspective by learning about the family's unique experiences.
- View the family from a resource lens, identify their strengths, and recognize their wisdom in their own experiences.
- Encourage and empower parents in meeting their case plan goals to promote timely reunification.
- Remember that a minimum sufficient level of care supports children being reunified whenever they can be kept safe or placed with relatives whenever possible to promote familial bonds.
- Request supports for both the child and the caregiver to help maintain kin placements.
- Recommend family time with extended family and relatives to promote cultural experiences, customs, and familial bonds, even when those relatives are not able to serve as a placement.
- Share family strengths in the court report; ensure all recommendations are supported by facts and best interest findings, challenging any unsupported assumptions.
- Advocate for equitable access to court and system processes, including language translation and ADA accommodations.
- Address cultural insensitivity displayed by others involved in the case directly and professionally. CASA staff can assist when these situations arise.

KEY PRACTICE NOTES

POWER AND POSTURE

The child welfare system holds significant power over the families it serves. Advocates who enter that space with humility, curiosity, and respect are more likely to build the trust needed to understand a family's true circumstances and advocate effectively.

BIAS AND ADVOCACY

Personal beliefs about culture, family structure, or identity must never drive advocacy. When you notice those beliefs surfacing, pause, self-reflect, and refocus on the child's best interests and the facts of the case.

CONSISTENCY

Cultural humility is not a set of rules applied to specific groups. It is a posture applied to every interaction, every family, and every child without exception. Trust is built over time through reliability, transparency, and follow-through. Doing what we say we will do, communicating honestly when circumstances change, and showing up consistently are practical ways cultural humility becomes visible in advocacy.

TRAUMA AND WELL-BEING

OVERVIEW

Children in foster care have almost universally experienced trauma. Removal from a parent and involvement with the child welfare system is itself a traumatic experience, layered on top of the circumstances that led to removal. Many children in care have experienced complex trauma, which is repeated exposure to multiple traumatic events that are interpersonal in nature and create wide-ranging, long-lasting impact on development, behavior, and relationships.

Trauma affects the brain and body even when a child has no conscious memory of the events. Left unaddressed, the effects of trauma can follow a child into adulthood, increasing the likelihood of physical and emotional health challenges throughout their lifetime. At the same time, positive childhood experiences and safe, stable, nurturing relationships are among the most powerful forces for healing and resilience. A CASA volunteer is uniquely positioned to bring attention and urgency to the individual trauma and well-being needs of each child in care and to provide a stabilizing connection.

Well-being is a broad term covering the full range of child and adolescent development, including physical and mental health, educational stability, family and sibling connections, normalcy, and the everyday experiences that prepare children for a healthy and successful transition to adulthood. In child welfare, well-being needs are often treated as less urgent than safety and permanency. CASA's role is to challenge that assumption and ensure every child's well-being receives the individualized attention it deserves.

UNDERSTANDING TRAUMA

Trauma occurs when exposure to an event threatens or harms a person's physical or emotional integrity, overwhelms their ability to respond, and creates significant difficulty in functioning. For children in foster care, trauma is rarely a single event. It is often woven into the fabric of their early experiences: abuse, neglect, household instability, loss of caregivers, and the disruptions caused by the system itself.

CASA volunteers should understand how trauma affects the brain to make sense of a child's actions and responses and to apply that same empathetic lens to parents, who have very likely experienced

their own traumas. Behaviors that appear defiant, aggressive, withdrawn, or erratic are often survival responses rooted in fear rather than willful disobedience. Additionally, some people-pleasing behaviors known as fawning (e.g. over apologizing, being accommodating, or seeming excessively compliant), are other unconscious trauma responses.

Understanding behaviors as needs and a means of communication does not excuse harmful behavior, but it changes how we respond to it and how we advocate for the right supports.



Behaviors that appear defiant, aggressive, withdrawn, or erratic are often survival responses rooted in fear rather than willful disobedience.

QUESTIONS TO CONSIDER

- When considering all relevant information from the child's history, has the child experienced a traumatic event or been exposed to prolonged or repeated traumatic events?
- Is the child developing appropriately? Does the child exhibit troubling behaviors, seem overly nervous or emotionally intense, appear emotionally numb, or have difficulty focusing?
- Does the child seem safe and regulated in their current placement? Does the caregiver help the child feel calm and secure?
- What helps the child feel calm or safe? Are those things accessible and consistently available?



PRACTICE POINTS

- Review the child's history with trauma in mind. Consider whether the child has experienced a single traumatic event, prolonged or repeated trauma, or both.
- For children 5 and over, confirm that a trauma assessment has been completed. Review the findings and recommendations, verify the recommendations are being followed, and identify any barriers to implementation.
- Verify that the child's therapist and other service providers are trauma-informed and that treatment approaches are responsive to the child's specific trauma history.
- Confirm that the child's placement and school environment are appropriate and do not include known triggers or reminders of traumatic experiences. Consider how a proposed change to either environment might affect the child.
- Assess whether the child is forming or maintaining at least one healthy, positive relationship with a trusted adult caregiver or supporter.
- Confirm that the caregiver understands trauma, its effects, and the behaviors that may result. Verify that the caregiver has the tools and support needed to respond effectively.
- Document trauma-related concerns and service gaps in your CASA report and advocate clearly for the supports the child needs.

TRAUMA-RESPONSIVE PRACTICE

Trauma-responsive practice means understanding what a child has experienced and adjusting how we engage with them accordingly. It is not a clinical intervention. It is a way of showing up that communicates safety, predictability, and genuine care. The following pillars reflect what children who have experienced trauma need most and offer concrete ways CASA volunteers can embody them in every interaction.

FELT SAFETY

Felt safety is an individual's deep, instinctive, and subjective perception of being physically, emotionally, and socially safe from harm and rejection. For children who have experienced trauma, felt safety cannot be assumed. It must be actively built through consistent, predictable, and attuned relationships.



PRACTICE POINTS

- Show up when you say you will. Reliability is one of the most powerful things an advocate can offer a child who has experienced repeated loss and broken trust.
- Be mindful of the physical environment during visits. Attend to sensory factors such as lighting, noise, and smell that may affect the child's sense of safety.
- Offer water or a healthy snack. Meeting basic physical needs communicates care and creates calm, grounded interaction.
- Use predictable transition rituals to help the child prepare for the beginning and end of visits, reducing anxiety around transitions.
- Prioritize consistency in your presence, your approach, and your follow-through.

CONNECTION

Trauma and toxic stress can disrupt a child's ability to form and maintain trusting relationships. Healing occurs through connection, through the gradual experience of safe, predictable, and responsive relationships that teach the brain healthy social engagement.



PRACTICE POINTS

- Make genuine eye contact and use warm, affirming body language that communicates interest and care.
- Use appropriate physical connection (such as a high five or a pat on the back) when welcome and appropriate to the child.
- Match the child's energy and engage playfully when the child is open to it, following their lead.
- Ask open questions that invite the child to share. *"What's been the best part of your week?"* is more connecting than a checklist of questions.
- Return to the same topics and interests across visits to demonstrate that you remember and care about what matters to the child.

SELF-REGULATION

Self-regulation is the ability to manage emotions and behaviors in response to external demands. It is a skill that develops gradually through healthy relationships and consistent co-regulation with attuned adults. Many children in foster care have had limited opportunities to develop this skill and need patient, supportive modeling. Common triggers for dysregulation include transitions, sensory overload, unpredictability, physical needs (hunger, thirst, fatigue), and perceived control.



PRACTICE POINTS

- Check in with the child about how they are feeling at the start of visits. Simple tools like asking how their “engine is running” can open meaningful conversations about emotional state.
- Model and practice simple regulating activities together, such as deep breathing, chair sit-ups, or wall pushes.
- Offer choices and compromises during interactions to give the child a sense of agency and control.
- Listen to the child’s preferences and ensure their perspective is accurately and fully represented to the court.
- Recognize that aggressive, withdrawn, or defiant behavior during visits may be a stress response. Respond with calm curiosity rather than correction.
- Be proactive in meeting environmental needs to prevent or reduce triggers: offer a snack and water, adjust lighting, and be consistent in routine.



Trauma-responsive practice is a way of showing up that communicates safety, predictability, and genuine care.



CASA volunteers should treat well-being needs with the same urgency as safety and permanency.

WELL-BEING

Addressing well-being creates the conditions in which healing from trauma becomes possible. Well-being encompasses physical and mental health, educational stability, family and sibling connections, and the everyday experiences of childhood that build identity, confidence, and resilience. CASA volunteers should treat well-being needs with the same urgency as safety and permanency.

MENTAL HEALTH AND PSYCHOTROPIC MEDICATIONS

Mental health needs are common among children in foster care and require careful, individualized attention. When psychotropic medications are involved, advocates must ensure informed consent, ongoing monitoring, and that medication is part of a broader treatment plan rather than a substitute for it.

QUESTIONS TO CONSIDER

- Does the child seem emotionally regulated and engaged, or are there signs of over-sedation, agitation, or significant behavioral changes?
- Has the child expressed any concerns about their medication or treatment?
- Is the caregiver actively supporting and monitoring the child's mental health treatment?



PRACTICE POINTS

- Confirm a mental health screening and assessment have been completed. Review findings and verify that recommended treatment is in place.
- Verify that mental health providers are trauma-informed and that treatment is responsive to the child's history and current needs.
- Confirm that the caregiver has current information about the child's mental health needs and treatment plan.
- If psychotropic medication has been prescribed, verify that informed consent was obtained and that the person who consented participated in the appointment at which the medication was prescribed.
- If a child's placement changes, ensure the new placement has both the current prescription and any remaining medication to ensure no lapse in treatment.
- Confirm the child understands why they are taking medication and has been informed of the potential benefits, risks, and side effects in an age-appropriate way.
- Review the child's mental health history, including initial diagnoses, previous medications, and prior treatment.
- For each psychotropic medication prescribed, confirm the diagnosis and symptoms being treated, that any required lab work has been completed, and that follow-up is scheduled.
- Monitor for adverse reactions including significant weight changes, excessive sleepiness, over-sedation, over-stimulation, slurred speech, or disorientation.
- Consider whether nutritional deficiencies may be contributing to mental health concerns and ensure this has been evaluated.

PHYSICAL HEALTH

Children in foster care often enter care with unmet medical needs and may have limited access to consistent healthcare. Ongoing monitoring and follow-through are essential.

QUESTIONS TO CONSIDER

- Does the child appear physically healthy and well cared for?
- Has the child mentioned any physical concerns, pain, or discomfort?
- Does the caregiver have what they need to manage the child's health needs?



PRACTICE POINTS

- Confirm the child received a comprehensive health screening upon entering foster care. Review the findings and verify that recommendations are being followed.
- Confirm that dental, hearing, and vision screenings have been completed and that any resulting recommendations have been followed.
- Verify that immunizations are current.
- Identify any additional medical needs, including nutritional concerns, and confirm they are being addressed.
- Verify that the caregiver has the child's current health information and is aware of any specific needs requiring specialized knowledge, training, or support.

FAMILY AND SIBLING CONNECTIONS

Maintaining connections to family and siblings is a well-being need not just a permanency consideration. Familial relationships offer children a sense of identity, belonging, and continuity that supports healing and resilience.

QUESTIONS TO CONSIDER

- Does the child talk about family members or express a desire for connection with specific people?
- Are there barriers to family contact that could be addressed?
- Does the child seem to have a sense of belonging and identity connected to their family and culture?



PRACTICE POINTS

- Confirm the child has been placed in the least restrictive setting appropriate to their needs and that kin placement has been considered.
- Verify that familial connections are being maintained even when a relative is not able to serve as a placement resource.
- Confirm the child is placed with siblings whenever possible. If not, verify that meaningful, regular contact with siblings is occurring.
- Confirm the child has regular, meaningful contact with both parents when appropriate and safe.
- Verify that paternal relatives have been identified and are being actively engaged.
- Ask the child who is important in their life and who they would call for help. Ensure those connections are supported and documented.
- Confirm that DFCS has conducted thorough and regular case file reviews to identify relatives and others with meaningful connections to the child and family.
- Consider whether it is appropriate for siblings to have different permanency plans, and what the plan would be to maintain meaningful connections.
- ▶ See the ***Kin Caregivers & Relative Connections*** guide for additional practice guidance.

NORMALCY

Normalcy means giving children in foster care access to the everyday experiences that are a normal part of growing up, such participating in activities, relationships, routines, and opportunities that promote personal growth, self-esteem, and independence. For children in care, these experiences are not guaranteed. They require active advocacy.

Normalcy is not just about activities. It is about the familiar, comfortable, and comforting rhythms of childhood such as a consistent bedtime routine, a favorite meal, a sport or hobby pursued over time, or a friendship maintained across a school year. These experiences build identity and resilience in ways that formal services often cannot.

The Reasonable and Prudent Parent Standard (RPPS) is the legal framework that supports normalcy for children in foster care. It is defined as the standard characterized by careful and sensible parental decisions that maintain the health, safety, and best interests of a child while at the same time encouraging the child's emotional and developmental growth. Caregivers and child caring institutions are expected to apply this standard in making decisions about a child's participation in activities, and advocates should hold them to it.

QUESTIONS TO CONSIDER

- What does a typical day look like for this child? Does it include familiar routines and comfortable, enjoyable experiences?
- Is the child able to do things their peers are doing? If not, what is getting in the way?
- Does the child have friendships and social connections outside of the foster care system?
- Is the caregiver or placement making decisions that encourage the child's growth and independence, or are they being overly restrictive?



PRACTICE POINTS

- ☐ Ask the child directly what activities they want to participate in, what their interests are, and what barriers exist to their participation.
- ☐ Advocate for normalcy activities to be included in the child's case plan.
- ☐ Verify that the child's caregiver or child caring institution is applying the Reasonable and Prudent Parent Standard, allowing the child to participate in age-appropriate activities without unnecessary restriction.
- ☐ Advocate for fees, prerequisites, or administrative barriers to activities to be waived or addressed so they do not prevent participation.
- ☐ Ensure the child has the material supports needed to participate, including appropriate clothing, equipment, transportation, and any required fees.
- ☐ Support the child's access to social and peer activities, extracurriculars, and community connections that promote positive relationships and a sense of belonging.
- ☐ Confirm that youth ages 14 and older have access to independent living and transitional living programs that support self-regulation and positive relational skills.

EDUCATIONAL STABILITY

Educational stability is a critical component of well-being. Key considerations from a trauma and well-being lens include the stability and safety of the school environment, the child's engagement and sense of belonging, and whether the school setting is responsive to the child's needs.



PRACTICE POINTS

- Confirm there is as much consistency as possible in the child's school placement and that school changes are made only when necessary and in the child's best interest.
- Verify that the child's school placement is appropriate and does not include known triggers or barriers related to their trauma history.
- Confirm the child is engaged in school and has at least one trusted adult connection in the school setting.
- ▶ See the ***Education Advocacy*** and ***Special Education Advocacy*** guides for additional practice guidance.

KEY PRACTICE NOTES

BEHAVIOR IS COMMUNICATION

Aggressive, withdrawn, or defiant behavior is often a trauma response rooted in fear or dysregulation rather than willful disobedience. Before reacting to behavior, ask what it might be communicating about the child's unmet needs.

RELATIONSHIPS ARE THE MOST IMPORTANT FACTOR

Research consistently shows that the single most important factor in promoting healthy brain development and resilience is a safe, stable, nurturing, and attuned adult relationship. CASA can offer that connection and can advocate for it to exist in every area of the child's life.

POSITIVE EXPERIENCES MATTER

Positive childhood experiences actively protect against the effects of adverse childhood experiences and build resilience over time. Every normalcy activity, every consistent visit, and every trusted relationship is a protective factor.

WELL-BEING IS URGENT

Safety and permanency cannot be achieved without well-being. A child who is not physically healthy, emotionally supported, and connected to caring adults cannot heal, develop, or thrive — regardless of where they are placed.

CASE PLANNING

QUICK-REFERENCE GUIDE | 06

OVERVIEW

The case plan provides a structured framework for addressing the safety, permanency, and well-being needs of the child and family. It outlines the steps necessary to achieve a safe and stable outcome, most often reunification or another permanent placement. The plan must be developed collaboratively with the family, service providers, and relevant stakeholders during a Family Team Meeting within 25 days of a child's entry into foster care. DFCS policy requires CASA to be notified when the case plan is being developed and given an opportunity to participate.

Effective case planning is collaborative and driven by a clear understanding of the family's strengths and needs. Plans should be specific, realistic, and measurable with clearly defined expectations, and services should directly address the conditions that led to removal. Placement decisions should support stability, connection, and permanency, and the plan should promote frequent family engagement and meaningful visitation. For older youth, planning should prioritize independence, transition readiness, and long-term support. When reunification is not possible, the plan must include actions to achieve an alternative permanent outcome. CASA's role is not to write the case plan but to advocate for its quality, monitor its implementation, and collaborate with DFCS and providers to ensure it effectively serves the child and family.

WHAT THE CASE PLAN MUST INCLUDE

Understanding what the law and DFCS policy require the case plan to contain helps CASA identify gaps, ask informed questions, and advocate effectively for a plan that is complete, individualized, and actionable. Written notice of the case planning meeting must be provided at least five days in advanced.

GENERAL REQUIREMENTS

- A description of the circumstances that led to the child's entry into foster care
- Identification of the specific behaviors, conditions, or skills the parent or caregiver must demonstrate to ensure the child's safety
- A description of the services offered and provided to prevent removal and support reunification
- Clear, time-limited goals, action steps, and expected outcomes
- Development with both custodial and non-custodial parents, and with any incarcerated parents, unless the court has determined that participation is not in the child's best interest
- Documentation of participation by the parent, guardian, legal custodian, and child (when appropriate), including signatures or an explanation if unavailable

- A discussion of services that were investigated and considered but are not available, not likely to become available within a reasonable time, or are not safe or appropriate for the child or family
- Identification of the DFCS staff member responsible for implementation

PLACEMENT

- Consideration of the least restrictive, most family-like placement
- Proximity to the child's home, school, and community
- Justification for placement decisions, including out-of-state or distant placements
- Efforts to place siblings together or maintain contact

PERMANENCY PLANNING

- Clear identification of the permanency goal and steps to achieve it
- For youth age 16 and older, documentation of compelling reasons if APPLA is selected and evidence of efforts to achieve permanency, including documentation that the placement is following the reasonable and prudent parent standard and that the youth has opportunities to participate in age-appropriate activities

YOUTH AGE 14 AND OLDER

- Participation in case planning, including the option to involve up to two supportive adults chosen by the youth (CASA has the opportunity to participate outside their request)
- Documentation of the youth's rights related to education, health, visitation, court participation, receiving a consumer credit report, and staying safe and avoiding exploitation, along with the youth's signed acknowledgment
- A transition plan addressing housing, education, employment, and support services, developed within 90 days before the youth's 18th birthday and as detailed as the youth desires

WELL-BEING

- A visitation plan for parents, siblings, and appropriate family members, or an explanation of why visits are not scheduled
- Provisions to ensure educational stability:
 - ▶ Consideration of the suitability of the child's current educational setting and the placement's proximity to the child's school at the time of placement
 - ▶ Coordination with the appropriate local education agencies to help the child remain enrolled in the school at the time of placement
 - ▶ If remaining in that school is not in the child's best interest, cooperation between DFCS and the local education agencies to ensure immediate and appropriate enrollment in a new school with prompt transfer of all educational records
- A plan for services provided to the child and the placement provider to address the child's needs while in foster care
- Relevant health and education information, including school records and grade-level performance, immunizations, known medical conditions, current medications, and names and addresses of health care and education providers



Effective case planning is collaborative and driven by a clear understanding of the family's strengths and needs.

CASA ROLE AND ADVOCACY

CASA's role in case planning is to advocate for a plan that is complete, child-focused, and effective and to monitor its implementation throughout the life of the case. Understanding what the case plan must include equips advocates to ask informed questions, identify gaps, and raise concerns constructively. When challenges arise, such as not receiving timely notice of a Family Team Meeting or limited opportunities to participate, CASA should approach those situations collaboratively and assume that omissions are unintentional. Proactive relationship-building with the case manager and a solution-focused communication style are the most effective tools for ensuring CASA's meaningful participation in the case planning process.



PRACTICE POINTS

Proactive Practice

- Ask early whether a Family Team Meeting has been scheduled.
- Support timely plan development and updates.
- Help facilitate communication and coordination when barriers arise.
- Promote a solution-focused approach that supports timely permanency.
- At case assignment, determine whether the Indian Child Welfare Act (ICWA) may apply. If the child is a member of or eligible for membership in a federally recognized tribe, DFCS is required to engage the tribe in case planning. Flag this early; make sure the court is aware of the family's tribe affiliates, and monitor for compliance.

Participating in Case Planning & Advocating for Quality Plans

- Participate in Family Team Meetings and case plan development when notified.
- Advocate for clear, measurable goals rather than vague or generic requirements.
- Share observations about the child's needs, strengths, and family dynamics.
- Advocate for a plan that is child-focused, realistic, and actionable.
- Ensure the plan addresses the root causes of removal, not just symptoms.
- Advocate for the plan to directly address the conditions that caused dependency.
- Verify that the plan for Family Time (visitation) is adequate for a reunification plan.
- Advocate for meaningful inclusion of non-custodial and incarcerated parents in the planning process unless the court has determined otherwise.
- Promote timely reassessment and updates when circumstances change.

Collaboration and Problem-Solving

- Work collaboratively with DFCS, providers, and caregivers to address challenges.
- Elevate issues through appropriate channels when needed.
- Communicate concerns professionally and assume positive intent.

Monitoring and Accountability

- Monitor implementation of the case plan and compliance with court orders.
- Identify delays, gaps, or barriers and raise concerns promptly.
- Track whether services are provided to the child, family, and placement provider and whether progress is being made after referrals are made.
- Note whether the plan documents services that were considered but not available or not appropriate and whether those gaps are being addressed over time.

Court Advocacy

- Document concerns and recommendations in CASA reports for each hearing after discussing them with DFCS first.
- Use oral advocacy to present concerns, progress, and proposed solutions to the court.
- Understand that the juvenile court formally reviews and adopts the case plan at disposition. CASA's report and oral advocacy at that hearing directly influence whether the court accepts the plan or requires DFCS to revise it. This is one of the most impactful moments for CASA advocacy in the case planning process.
- Review Hearings will focus almost entirely on the progress of the parties on the case plan. Make sure to hold all the parties, both DFCS and the parents, equally accountable.



Proactive relationship-building with the case manager and a solution-focused communication style are the most effective tools for ensuring CASA's meaningful participation in the case planning process.

KIN CAREGIVERS & RELATIVE CONNECTIONS

OVERVIEW

Maintaining familial connections is one of the most impactful things we can do for children in care. Family bonds offer a greater sense of belonging, preserve cultural identity and traditions, and serve as a powerful buffer against toxic stress (prolonged adversity that disrupts healthy development), complex trauma, and maltreatment.

Relative bonds are uniquely resilient. They persist unconditionally and have a remarkable capacity to support healing. Existing bonds are a source of stability, and kin are more likely to work through trauma-responsive behaviors and weather challenges that might otherwise disrupt a placement.

Federal law requires states to identify and notify adult relatives in writing within 30 days of a child entering care and to place siblings together whenever possible. Georgia law and policy give preference to kin placements at most stages of the proceedings.

Even when a relative or fictive kin cannot serve as a placement or permanency resource, they should still be engaged and encouraged to maintain a relationship with the child. As advocates, we must prioritize building a lifelong, supportive network around every child and recognize that relational permanency is paramount.



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FAMILY FINDING

Identifying and engaging family connections require persistence and creativity. Search efforts must be expansive, and the duty to search does not expire. Cast a wide net and think beyond biological relatives to include fictive kin.



PRACTICE POINTS

Interview the child: Framing questions in a storytelling manner can help children open up about their history and connections.

► Resource: CASA Activity Book

- *Who do you love? Who loves you? Who has been good to you? Who makes your favorite food?*
- *Where do you go for holidays? Who is there with you?*
- *Tell me more about (your aunt, mom, sister, etc.)*
- *Who is important in your life? Who do you spend most of your time with?*
- *Who do you think of that you may not see or connect to regularly? Is there anyone else important in your life that I didn't ask you about?*
- *What groups or activities do you belong to?*

Engage in Mobility Mapping: This is a technique for learning about places of significance in a child's life and the people connected to them.

► Resource: Mobility Mapping Video

- *Where were you born? What was the first place you remember living? Can you draw that for me?*
- *Who lived there with you? Where did you go next?*
- *Who is the first person you remember? What did you like about them?*

Gather information from multiple sources.

- Interview parents and identified relatives. Speak with any person likely to have information about other potential connections. Parents may be hesitant to share information about relatives if they do not wish for their child to be placed with them. Ask about all relatives and take note of who they may feel is inappropriate and why.
- Consider non-biological individuals regarded as family, such as family friends, church members, neighbors, coaches, or mentors and any adult who has demonstrated an ongoing commitment to the child.
- Mine the case file. Review all documents in the case file and database searches available through DFCS. Key sources include CLEAR results, Family Team Meeting notes, CCFA, and genograms.
- Search online through social media, Google, the putative father registry, and other online resources.
- Collaborate with DFCS. Share your search findings and advocate for relative caregiver assessments to be completed as early as possible for potential placements.
- Use your CASA report. Encourage the court's inquiry into identifying adult relatives and others who have demonstrated an ongoing commitment to the child.

Notify DFCS immediately of any identified relative or fictive kin.

- Refrain from sharing identifying information until after DFCS has made contact or provided notice to the relative.

PLACEMENT

Where a child is placed can significantly shape their permanency outcomes. Kin placement is associated with better outcomes both during a child's time in foster care and beyond. Children placed with relatives are more likely to maintain consistent contact with their parents and achieve permanency through reunification or guardianship, experience fewer placement moves and be placed with their siblings, remain in their home communities and schools with stronger educational outcomes, and exhibit fewer behavioral problems.



PRACTICE POINTS

- Visit prospective relative placement homes. Share your observations and impressions with the court and all parties.
- Advocate for timely placement approvals. Once a relative is identified, push for assessments to move quickly so that placement is not unnecessarily delayed.
- Monitor sibling placements. If siblings are not placed together, document the reasons and advocate for sibling contact and visitation. DFCS is required to make weekly face-to-face sibling visits happen except when siblings are placed or reside in another state or when visitation is against the safety or well-being of any of the siblings due to unresolved, physical, sexual, or emotional abuse among them when therapy and a safety plan are not effective or appropriate as documented by a therapist and approved by DFCS.
- Use outcome research in your reports. Kin placement data can strengthen your court report and recommendations when advocating for a relative placement.

ENGAGING AND SUPPORTING KIN

CASA volunteers are uniquely positioned to engage and empower kin in ways that can shape a child's entire trajectory. By building trust with relatives over time, volunteers can help them understand their role, access resources, and stay meaningfully connected to the child.

Assess both willingness and capacity. A relative may genuinely want to help but may need training, financial assistance, or community resources to safely and successfully care for the child or remain connected. Volunteers should help identify barriers and advocate for appropriate supports rather than assume lack of capacity means lack of commitment.



PRACTICE POINTS

Ask whether the relative:

- Has been informed about the process to become a placement
- Has concerns or barriers regarding placement or maintaining connection
- Is aware of and able to access programs and services available to them, including Temporary Assistance for Needy Families (TANF)¹, Supplemental Nutrition Assistance Program (SNAP/food stamps), Childcare Assistance Program (CAPS), Medicaid, respite care, and consultation with a Kinship Navigator.

¹ TANF eligibility and Enhanced Relative Rate (ERR) eligibility are based on the degree of relationship between the child and caregiver. Qualifying relationships include parents, grandparents (up to great-great-great), siblings, aunts/uncles (up to great-great), nieces/nephews, first cousins, first cousins once removed, legal guardians, adoptive family, and their spouses. *DFCS Policy 22.8.*

- Has access to financial support through Enhanced Relative Rate or is willing to become a foster parent to obtain the per diem

Encourage the relative to:

- Connect to formal and informal support systems, such as Grandparents Raising Grandchildren and Kinship Navigators
- Visit the child regularly

Assist by:

- Supporting early identification of service needs for both relatives and the children, such as therapy, counseling, Babies Can't Wait, or Intensive Family Intervention (IFI)
- Helping relatives understand the purpose and scope of the home evaluation process

- Is willing to offer support outside of serving as a placement, such as transportation, visit supervision, or respite care

- Consider other ways to maintain contact even if they cannot serve as a placement, including providing transportation, supervising family time, and offering extended visits for weekends, school breaks, or holidays as permitted by court order

- Advocating for meetings that include CASA, relatives, and DFCS to ensure everyone has a complete understanding of the case, next steps needed, and the timeline to obtain any financial assistance

KEY PRACTICE NOTES

CONFIDENTIALITY

The volunteer's role is not to share information with relatives but to learn what information they have and advocate for the appropriate party to fill any gaps. Be careful not to breach confidentiality with non-parties.

ACCURACY

Verify information with DFCS before acting on it. When discussing potential financial supports with kin, be transparent but note that programs vary, availability can change, eligibility can be complicated, and benefits are not guaranteed.

URGENCY

Identify and engage relatives early in the case. Contact anyone identified as soon as possible, even if they are believed to be uninterested or unable to take placement. Document all contacts, including details of conversations, and note both strengths and barriers.

DOCUMENTATION

Record all family finding efforts and contacts with kin in your case notes and court reports. Include who was contacted, when, what information was shared or gathered, any strengths or barriers identified, and follow-up plans.

TIMELINE

Once identified and notified, kin have six months to demonstrate interest and willingness to provide a permanent home. After that window, the court may excuse DFCS from considering them as a placement resource.

FOLLOW UP

Circumstances change. Relatives who initially decline placement or connection may reconsider — check in regularly.

BEST INTEREST OF THE CHILD

Use best interest factors to ground your analysis and support your recommendations throughout the case.

PLACEMENT STABILITY

OVERVIEW

Placement stability is one of the most important factors in helping children in foster care experience safety, healing, and belonging. Stable placements create the conditions for children to build secure relationships, develop trust, and experience the consistency they need to thrive. Whenever possible, a child's first placement should be the best placement and, ideally, the only placement.

Every placement move can be stressful and traumatic. For infants and young children in particular, repeated disruptions may interfere with attachment, brain development, and a child's overall sense of safety in the world. Whenever possible, children should remain connected to their siblings, families, and communities. Placement with kin can be a powerful source of stability and continuity, helping children preserve important relationships, maintain a sense of identity, and experience fewer disruptions. Greater placement stability is also associated with stronger educational outcomes, fewer behavioral concerns, and increased resilience.

Research shows that repeated moves can undermine permanency and make it harder for children to achieve lasting, positive outcomes. Thoughtful permanency planning helps children reunify or reach another safe, stable home as quickly as possible, reducing time in care and the likelihood of additional placement changes. CASA volunteers are in a unique position to notice instability early, elevate the child's experience, and advocate for thoughtful decisions that protect relationships and reduce harm. Staying informed about proposed moves and responding quickly when concerns arise are essential parts of that role.



CASA volunteers are in a unique position to notice instability early, elevate the child's experience, and advocate for thoughtful decisions that protect relationships and reduce harm.

WHAT THE LAW REQUIRES

Understanding the legal requirements around placement changes equips advocates to monitor compliance, respond quickly when moves are proposed, and use court processes effectively on behalf of the child.

NOTICE

- At least 5 days before any placement change, DFCS must notify the court, a child age 14 or older, the parent, guardian, or legal custodian, the person or agency with physical custody, the child's attorney, the GAL, and any other attorney of record of the change in the child's placement location.
- If the child's health or welfare may be endangered by delaying the move, the court and all attorneys of record must be notified within 24 hours after the placement change.

REQUEST FOR HEARING

- A child age 14 or older, the parent, guardian, or legal custodian, the person or agency with physical custody, the child's attorney, the GAL (CASA), and any other attorney of record may request a hearing on the child's case plan or permanency plan so the court can consider the placement change and any resulting revisions.
- The hearing must be held within 5 days of receiving notice of the placement change and before the change occurs, unless delay would endanger the child's health or welfare.

COURT FINDINGS

- At the hearing, the court reviews DFCS's case plan and permanency plan recommendations, including any proposed placement change, and makes findings of fact when deciding whether to accept or reject those recommendations. The court must specifically consider any objections filed and any relevant evidence, including evidence from the child, foster parent, relative, or caregiver.
- If the court rejects DFCS's recommendations, it must show that those recommendations were considered and explain why they were not followed.
- If the court finds that the child has lived in a stable home with the current caregivers for the past 12 months and that removal would harm the child's emotional well-being, the court may presume that remaining with the current caregivers is in the child's best interests. In that situation, the court must also find that a placement change would reflect DFCS's failure to make reasonable efforts to finalize the permanency plan then in effect. This presumption does not prevent the child from being returned to a parent, guardian, or legal custodian.
- The court may order DFCS to develop a new case plan and permanency plan recommendation, including a new placement recommendation within DFCS's available resources, or enter another order related to placement or custody outside the department, so long as the court finds it is in the child's best interests and consistent with the policy favoring stable placements. Placement or a change in legal custody outside DFCS relieves DFCS of further responsibility, except for court-ordered services to support ongoing reunification efforts when appropriate.



At least 5 days before any placement change, DFCS must provide notice of the change in the child's placement location.



CASA's role is to monitor stability, identify concerns early, and advocate for decisions that prioritize the child's connections, continuity, and long-term well-being.

ADVOCACY FOR PLACEMENT STABILITY

Placement decisions have lasting consequences for children's development, relationships, and permanency. Georgia law balances the priority of kinship placements against the child's need for placement stability, attachment, and connections. Relatives who have been notified, but do not come forward within 6 months of notice and take active steps to serve as a resource and placement for the child may be excused from consideration by the court and lose priority over other potential permanent placements. CASA's role is to monitor stability, identify concerns early, and advocate for decisions that prioritize the child's connections, continuity, and long-term well-being.

QUESTIONS TO CONSIDER

- Do the caregivers have the information they need about the child and know how to access practical supports such as respite, medical care, transportation, and other services that can help sustain the placement?
- Would a proposed placement move affect the child's school stability, relationships, routines, and sense of connection?
- Would the proposed placement be a good fit for the child's individual needs, temperament, and existing connections?
- What is the proximity of the proposed placement to parents, siblings, relatives, school, and community? Will it support visitation, reunification, and belonging?
- Is the proposed placement move a move away from permanency?



PRACTICE POINTS

- Encourage placement with relatives whenever possible and appropriate, recognizing the value of familiar relationships, lifelong connections, and a sense of urgency for familial priority.
- Help ensure the child's physical health, mental health, development, cognition, and other areas of functioning are fully assessed so placement decisions are informed by a clear understanding of the child's needs.
- Visit the child and caregiver regularly in the home to monitor adjustment, build trust, and identify supports or concerns early.
- If a caregiver expresses doubt or concerns about remaining a placement, request an FTM to discuss concerns and needs.

- Support front-line case managers and recognize that changes in staff can be disruptive for children and families. When transitions occur, proactively share relevant information and case context to help promote continuity.
- Look closely at lateral moves, and caution against moves away from permanency, such as from a relative placement to a non-relative placement or from a family foster home to congregate care.
- Remember that if a child has been with a caregiver for 12 months, unless the child is going to be moved to reunify, remaining in that placement is presumably in their best interests.
- Request a hearing if a proposed placement is not in the child's best interest and inform the court about how it would affect the child's school stability, relationships, routines, and connections.
- Advocate for a thoughtful transition period whenever possible to reduce trauma and minimize unnecessary disruption to relationships, school progress, and important milestones.
- Connect with the child before any proposed placement change and again soon after a move to understand the child's experience, concerns, and wishes.
- Advocate for timely reunification and permanency through regular reviews, strong participation in Family Team Meetings and Permanency Roundtables, and ongoing attention to what will best support stability.
- Submit recommendations about placement and the child's adjustment in your CASA report; support those recommendations with best-interest factors, and be prepared to speak clearly about them in court.

A NOTE ABOUT TEMPORARY ABSENCES:

A placement change does not include a temporary absence from the placement, such as visitation with a friend, sibling, relative, or other caretaker; a pre-placement visit to a potential foster or adoptive placement; hospitalization for medical care, an acute psychiatric episode, or diagnosis; respite care; day or overnight camp; temporary travel with the foster family or another DFCS-approved person or group; a trial home visit with the court's permission; or a runaway episode. If CASA has concerns about the child participating in any temporary absence, those concerns should be raised with DFCS and the child's attorney.

PERMANENCY OPTIONS

OVERVIEW

Georgia law defines permanent placement as the return of legal custody to a parent (reunification), placement with an adoptive parent following a final order (adoption), or placement with a permanent guardian (permanent guardianship). A child's permanency plan must identify one of these outcomes or, for youth age 16 and older when compelling reasons exist, Another Planned Permanent Living Arrangement (APPLA).

When advocating for permanency, a CASA volunteer should prioritize the most permanent, appropriate option based on the child's circumstances and the strength of the child-parent relationship. The permanency plan should be continually evaluated to ensure it remains suitable for a child and family. Preference should be given to relatives before non-relative placements when appropriate.

REUNIFICATION

Reunification is the return of a child in the temporary custody of DFCS to the legal and physical custody of the parent, guardian, or legal custodian from whom custody was removed. Return to a non-custodial parent is also considered reunification.

Reunification is the most preferred permanency outcome and is appropriate when services support the safe return of the child home. Reunification may be achieved even when a parent has not completed their entire case plan, provided there are no remaining safety threats in the home, proper support services are in place or other responsible adults live in the home, and the parent can provide a minimum sufficient level of care.

KEY CONSIDERATIONS

- Whether the parents can provide a minimum sufficient level of care
- What conditions should exist for return to the home prior to case plan completion
- Whether remaining safety threats have been adequately addressed
- Whether support services are in place to sustain reunification



Reunification is
the most preferred
permanency outcome.



PRACTICE POINTS

- Drive best interest advocacy by prioritizing the guiding principle that children grow and develop best with their family of origin when it is safe to do so.
- Advocate for frequent, meaningful, and consistent family time, as family engagement is a critical contributor to successful reunification.
- Suggest that a Peer Navigator be engaged to support the parent in their reunification case plan whenever possible.
- Recommend transitional home visits and time-limited aftercare services to maintain stability and prevent re-entry into care. Ensure the parents have support systems to sustain permanency preservation.

ADOPTION

Adoption is the legal process of assuming parental rights and responsibilities for a child. Through adoption, the child gains the same legal rights and benefits as if born into the family. Adoption following termination of parental rights (TPR) is appropriate when reunification is not possible and maintaining the parent-child relationship would be harmful to the child.

KEY CONSIDERATIONS

- Whether the child can be safely returned home
- Whether the parent-child relationship is irretrievably broken and no meaningful bond exists between the parent and child
- The child's sense of family and need for continued connections
- The child's ability to adjust to an adoptive placement
- Whether a youth 14 years old and older will consent to adoption as required



PRACTICE POINTS

- Evaluate the prospective adoptive caregiver's commitment to maintaining connections, ability to meet the child's needs, and understanding of the child's background and culture.
- Advocate for the timely filing of TPR petitions and expedited permanency.
- Ensure families are informed about and connected to adoption subsidies when available.
- Support development of voluntary post-adoption contact agreements and the ability to maintain familial connections whenever possible and appropriate.
- Strongly encourage the adoptive family to engage in family therapy and other services with the child to sustain permanency preservation.

PERMANENT GUARDIANSHIP

Permanent guardianship creates a stable, court-ordered relationship between a child and a caregiver, relative or non-relative. It may be established with or without termination of parental rights and remains in effect until the child turns 18, with limited circumstances under which it may be modified or vacated. Permanent guardianship is appropriate when both reunification and adoption have been ruled out as not in the best interest of the child.

KEY CONSIDERATIONS

- Permanent guardianship allows the child to maintain ongoing relationships and connections with their family, including contact and visitation.
- The child must be placed with the caregiver for at least six months prior to DFCS recommendation in order to access subsidies.
- Guardianship subsidies may be available to support the relative or non-relative caregiver.
- The court must make a non-reunification determination.
- If a parent's circumstances change so much so that it results in a change in circumstances for the child, future reunification remains possible.



PRACTICE POINTS

- Clearly articulate in the court report and oral advocacy why TPR and adoption are not in the child's best interest. For example, address relevant factors like the strength of the parent-child relationship and bond, the child's need for Medicaid, or a parent's SSI benefits that would be lost through TPR.
- Assess whether the proposed guardian is best positioned to provide a safe, permanent home in the child's best interests.
- Ensure the caregiver has been fully informed of the legal rights and responsibilities of guardianship and that their decision to serve is free from coercion or influence.
- Advocate for the caregiver's access to financial and supportive resources like guardianship subsidies when available.
- Encourage the permanent guardian to maintain connections with the biological family and former foster placements whenever possible, and ensure the permanent guardianship order includes a reasonable visitation schedule or plan for meaningful contact between the child and their parent.

ANOTHER PLANNED PERMANENT LIVING ARRANGEMENT

APPLA occurs when DFCS retains custody while placing a youth in a stable living arrangement expected to continue into adulthood. APPLA is permissible only for youth age 16 and older and is appropriate only when all other permanency options have been ruled out and compelling reasons exist why achieving permanency through another option is not in the child's best interests. APPLA should never be a default outcome and should always be accompanied by ongoing efforts to identify a permanent option.

KEY CONSIDERATIONS

- The youth must be in a safe, stable placement with a committed adult.
- The youth must be meaningfully engaged in the decision and understand their options.
- The youth may have significant needs requiring continued state-funded support.
- Compelling reasons must be documented explaining why reunification, adoption, and permanent guardianship are not in the youth's best interests.



PRACTICE POINTS

- Advocate for a youth's well-being needs (such as ongoing opportunities to participate in activities) to engage in as much normalcy as possible.
- Promote lasting connections with caring adults to support relational permanency.
- Ensure access to services and resources needed for a successful transition to adulthood.
- Engage the youth in decision-making and revisit legal permanency options regularly.

KEY PRACTICE NOTES

UNDERSTAND A CHILD'S REACTION TO FAMILY TIME

Keep in mind that a child's negative behaviors before or after a visit with their parent does not necessarily mean visiting should be suspended or maintaining a bond should be discontinued. In fact, the behaviors often signal that the child is bonded with their parent and is having difficulty processing the situation. Predictable transition rituals and a positive approach from their temporary caregiver can help a child prepare for family time.

PERMANENCY IS NOT GUARANTEED BY LEGAL STATUS

While legally permanent, adoptions can still disrupt or dissolve, leaving a child without their forever family. Before finalizing an adoptive placement, ensure the prospective caregiver is fully informed about the child's needs, history, and what to expect.

RELATIONAL PERMANENCY IS CRITICAL

Challenge situations in which a youth risks aging out of care without achieving legal permanency, but recognize that relational permanency offers the most reliable sense of belonging and connection into adulthood.

"BETTER OFF" IS NOT THE LEGAL QUESTION

When deciding whether to sever the natural parent-child relationship, the court does not consider whether a child would be better off with a foster family. CASA advocacy should focus on the child's best interests and the legal standards for TPR and not on comparisons between the birth family and the prospective adoptive family.

TEMPORARY CUSTODY IS NOT PERMANENCY

Georgia law permits courts to grant temporary legal custody to a relative or third party until the child turns 18, but temporary custody is not considered a permanent placement under federal or state law. It provides no financial assistance to the custodian and lacks the legal safeguards of permanent guardianship. When temporary custody is proposed, CASA should advocate for permanent guardianship instead.

EDUCATION ADVOCACY

OVERVIEW

A student's foster care experience should not impact their educational success. Young people in foster care face compounded risks like educational disruption due to placement changes, missed instructional time from court appearances and evaluations, and unmet academic and behavioral support needs. Effective education advocacy requires individualized attention to each student's needs, proactive information gathering, and standing in the gap to ensure schools, families, and service providers coordinate to meet those needs.

- ▶ See the ***Special Education Advocacy*** guide for information about advocacy for students who may have disabilities and a need for special education services.

GENERAL EDUCATION ADVOCACY

Students in foster care need consistent monitoring, appropriate school placement, and coordinated academic supports to maintain progress and attendance. Advocates should understand the student's learning style, academic standing, and any unmet support needs while also removing barriers to school stability.



Effective education advocacy requires individualized attention to each student's needs.



PRACTICE POINTS

- Consult with the student regarding any issues in school performance, relationships, or other education needs or requests.
- Assess whether the student is in the most appropriate school setting, and consider whether an alternative setting such as charter school, magnet program, virtual program, state school, or specialized program might better serve their needs.
- Review any previous assessments to understand the student's learning styles, strengths, areas of need, and gaps in information. Verify that assessment information is being utilized in the student's educational plan.
- Ensure the student has satisfactory grades and grade-level academic skills. Verify that tutoring and homework assistance are in place and effective; identify any missing supports.

- Check the Infinite Campus Parent Portal routinely and contact the student's teachers and counselors regularly to monitor educational progress and attendance.
- Verify the student's attendance and account for absences due to foster care-related obligations (court appearances, evaluations, family time) or other barriers.
- Advocate for participation in sports and extracurricular and supplemental activities, and ensure the student has necessary supplies, motivation, transportation, and support to participate. These experiences build resilience and foster meaningful connections.



Advocates should understand the student's learning style, academic standing, and any unmet support needs while also removing barriers to school stability.

BEHAVIORAL AND MENTAL HEALTH SUPPORTS

Students in foster care may experience behavioral challenges related to trauma, loss, and transitions. Schools should use prevention-focused approaches and provide coordinated behavioral and mental health supports rather than relying on punitive discipline.



PRACTICE POINTS

- Understand whether the school implements Positive Behavioral Interventions and Supports (PBIS), a prevention-focused approach that teaches behavior expectations and strategies rather than emphasizing punishment.
- Determine whether the student exhibits behavioral issues in school and whether these have resulted in suspensions or loss of instructional time. Advocate for root-cause analysis and support rather than additional discipline.
- When a student receives in-school or out-of-school suspension, contact the school and relevant providers to secure behavioral and mental health supports and ensure continued academic instruction.
- Before a student in kindergarten through 3rd grade is suspended or expelled for more than five consecutive or cumulative days, confirm the school first provided a multi-tiered system of support. If the student has an IEP or 504 plan, the school must also convene a meeting to review that plan.
- Review the Student Handbook and incident report documentation to verify that the school implemented its progressive discipline plan and that the student understands the violation and consequences.
- Ensure the student is represented by an attorney in any disciplinary tribunal required when expulsion or suspension of more than 10 days is recommended. The CASA volunteer can assist DFCS and the attorney in preparing an impassioned plea.

SCHOOL TRANSITIONS AND RECORDS

School changes can disrupt a student's academic progress and social connections. When transitions are necessary, advocates must ensure seamless enrollment, accurate record transfer, and continued academic progress.



PRACTICE POINTS

- Advocate for the student to remain in their school of origin whenever it is in the best interests of the student to do so and identify any logistical barriers to enrollment or continued attendance.
- When a student changes schools, request a written transfer of school records at the time of enrollment to prevent delays in enrollment or duplicate assessments.
- Confirm that the Local Education Agency (LEA) enrolls the student immediately, as required for students in DFCS or DJJ custody. Enrollment must occur within three school days after the new school receives a completed registration form.
- Confirm that class credits and transcripts transfer to avoid the student repeating classes due to administrative confusion or lost documentation.
- Contact the student's new school to request access to their educational file, including academic history, transcripts, and past test data.
- Request access to the school's electronic Parent Portal to enable real-time communication about the student's progress and needs.



When school transitions are necessary, advocates must ensure seamless enrollment, accurate record transfer, and continued academic progress.

ADVANCED LEARNING OPPORTUNITIES

Some students in foster care are gifted learners whose advanced abilities may be overlooked due to academic disruption, behavioral challenges, or other barriers. Advocates should identify these students and ensure they receive appropriate advanced or gifted services.



PRACTICE POINTS

- Consider whether the student exhibits exemplary performance that should result in enrollment in advanced or gifted classes.
- Request a copy of the school district's gifted education referral policies, as eligibility determinations and procedures vary by district.
- Request in writing that the student be evaluated for gifted services, monitor progress during the evaluation period, and advocate for appropriate placement and services.
- Ensure that gifted services are continued when the student transfers to a new educational setting.

AGE-SPECIFIC ADVOCACY

Different developmental stages require different educational supports. Advocates should tailor their advocacy to each student's age and developmental readiness.



PRACTICE POINTS

- For preschool-aged students, recommend enrollment in a Quality Rated early childhood education program that supports school readiness.
- For high school students, ensure they are aware of postsecondary options and have assistance completing applications for college/vocational programs, financial aid, and entrance exam preparation.
- For high school students missing graduation credits, investigate online credit recovery programs or other supports to ensure timely diploma completion or discuss all available completion pathways, including GED/high school equivalency programs, alternative schools, and adult education.
- For students pursuing a GED or alternative diploma pathway, ensure they receive counseling on postsecondary options, career training programs, apprenticeships, military service, and college admission opportunities available to GED graduates.

SPECIAL EDUCATION ADVOCACY

OVERVIEW

Students in foster care are disproportionately likely to be eligible for special education supports and services. Federal law requires that students with disabilities receive individualized educational plans. These take the form of either an Individualized Education Program (IEP) under IDEA or a Section 504 Plan under the Rehabilitation Act of 1973. Both must include a Free and Appropriate Public Education (FAPE) in the least restrictive environment (LRE).

Frequent school setting changes and variations in parental involvement compound these students' vulnerability to gaps in services and lost documentation. CASA's role is essential to facilitate parent/caregiver/surrogate involvement at each stage of the IEP or 504 Plan process, monitor educational progress, provide individualized attention to safeguard educational rights, and ensure the student has the opportunity to obtain a meaningful education.

► See also the ***Education Advocacy*** guide for general educational advocacy information.

CHILD FIND AND EVALUATION FOR SPECIAL EDUCATION ELIGIBILITY

The Child Find mandate requires schools to actively seek out and evaluate students who may have disabilities and need special education services. Any student, regardless of whether concerns have been formally raised, may be referred for evaluation under IDEA or Section 504 for special education services.



CASA's role is essential to facilitate parent/caregiver/surrogate involvement at each stage of the IEP or 504 Plan process and ensure the student has the opportunity to obtain a meaningful education.



PRACTICE POINTS

- Understand that the Child Find mandate (34 C.F.R. § 300.111) applies to every school district. Schools must actively identify, locate, and refer students with suspected disabilities for evaluation.
- Know that parents/caregivers, surrogates, and school staff can initiate an evaluation request. Request in writing that the student be evaluated in all areas of suspected disability.
- For IDEA eligibility, the student must have a disability in one of 13 eligibility categories that adversely affects their educational performance. Refer to the Georgia Department of Education's list of eligibility categories — Autism (ASD), Deaf-blindness, Deafness, Emotional Disturbance (ED), Hearing Impairment, Intellectual Disability, Multiple Disabilities, Orthopedic Impairment, Other Health Impairment (OHI), Specific Learning Disability, Speech or Language Impairment, Traumatic Brain Injury, and Visual Impairment.
- For Section 504 eligibility, a student is considered to have a disability if they have a physical or mental impairment that substantially limits one or more major life activities, such as learning or behavior.
- Once an evaluation is requested, ensure it is completed promptly and in all areas of suspected disability. Review evaluation results and participate in the eligibility determination meeting.



The Child Find mandate requires schools to actively seek out and evaluate students who may have disabilities and need special education services. Any student, regardless of whether concerns have been formally raised, may be referred for evaluation under IDEA or Section 504 for special education services.

UNDERSTANDING IEPs AND 504 PLANS

An Individualized Education Program (IEP) under IDEA and a Section 504 Plan under the Rehabilitation Act of 1973 are legal documents that outline how schools will support students with disabilities.

An IEP specifies the student's disability, eligibility for special education services, current levels of performance, annual goals, supports and accommodations, and placement. A 504 Plan outlines how the school will remove barriers to learning and provide equal access to the general education experience.

All students who are eligible for an IEP are eligible for a 504 Plan, but not all students with a 504 plan are eligible for an IEP. Both require regular review, current information, and demonstrated educational progress consistent with the student's abilities.



PRACTICE POINTS

- Ensure that an educational surrogate has been requested or appointed to advocate for the student if a parent/caregiver is unavailable. A CASA volunteer may serve in this role but needs an additional appointment order.
- Obtain and review the student's complete educational records, including current IEP or 504 Plan, previous evaluations, and documentation of services and progress. This is of critical importance.
- Verify that the IEP or 504 Plan is reviewed and updated at least annually, or more frequently if the student is struggling or if circumstances change.
- Request an IEP or 504 Plan meeting if services outlined in the plan are not resulting in educational progress consistent with the student's abilities. Ask to re-examine the plan, identify missing services, and determine how to provide better supports.
- Remember that parent/caregiver/surrogate can request IEP or 504 Plan meetings as often as needed to address emerging concerns.
- At every IEP or 504 Plan meeting, seek and clarify information specific to the student's needs and ensure corresponding supports (such as tutoring or accommodations) are written into the plan. Ask questions about the effectiveness and implementation of individualized supports from the student, teacher, and caregiver perspectives.
- Bring the student to meetings for their input, or at minimum, ensure the student's perspective is represented.
- Verify that the student is educated in the least restrictive environment (LRE). This means students are educated with nondisabled peers to the maximum extent appropriate and removed from regular classes only when supplemental aids and services cannot achieve satisfactory education in the regular setting.
- Confirm that the student is re-evaluated at least every three years. If the parent/caregiver/surrogate disagrees with the school's evaluation, request an Independent Education Evaluation (IEE) at no cost to the family.
- Share relevant educational information with the court, including progress updates, identification of unmet educational needs, and recommendations for supports and services.

SCHOOL TRANSITIONS AND IEP/504 PLAN CONTINUITY

When students change schools, their IEPs or 504 Plans must move with them. Advocates must ensure that records transfer promptly, plans are reviewed in the new setting, and services continue without interruption.



PRACTICE POINTS

- When a student is placed at a new school, ensure that the previous IEP or 504 Plan and all associated records arrive at the new school without delay.
- Request a meeting at the new school to examine and review the IEP or 504 Plan in light of the new placement and any changed circumstances.
- Remember that if a service is not documented in the IEP or 504 Plan, there is no legal basis to enforce that the student receives it at the new school. Verify all services are in writing before the student transitions.

BEHAVIORAL SUPPORTS FOR STUDENTS WITH DISABILITIES

Students with disabilities whose disability impacts behavior cannot be denied support services or academic instruction because of behavioral concerns. A Functional Behavioral Assessment (FBA) and Behavior Intervention Plan (BIP) should address the root causes of problematic behavior and support the student's ability to access their education.



PRACTICE POINTS

- Understand that students eligible for IDEA or a 504 Plan who have behavior-related needs are legally protected from losing access to academic instruction, FAPE, or educational progress due to their disability.
- Request that an FBA be conducted to examine problematic behaviors and understand their underlying causes. The FBA should inform the development of BIP.
- Ensure that the BIP addresses the most problematic or frequent behaviors and is tailored to the individual student's needs.
- If a student experiences in-school or out-of-school suspension, restraint, or loss of academic instruction, recognize this as a sign that the behavior support plan is ineffective. Call an IEP or 504 Plan meeting immediately to re-examine and revise the support plan.
- Verify that behavior-related disciplinary action does not result in loss of services or FAPE. Ensure ongoing academic instruction and support services continue.

ADVOCATING FOR CHILDREN ZERO TO FIVE

OVERVIEW

The first five years of life are a critical period for brain development, attachment, and early learning. Young children are especially at risk for child abuse and neglect because of their developmental vulnerability and dependency on adults for safety and care. Because infants and toddlers rely on consistent, responsive adults to build trust, regulate emotions, and develop foundational skills, advocacy during this stage must be intentional, developmentally informed, and family centered to promote successful reunification efforts and opportunities to form strong attachments and bonds.

CAREGIVER SUPPORTS

Caregivers play a central role in helping infants and young children feel safe, regulated, and connected. Strong, stable relationships with nurturing caregivers support healthy brain development, self-regulation, social-emotional growth, language acquisition, and resilience.

Caregivers are better positioned to support placement stability and healthy development when they receive timely information about the child's history, needs, routines, and services, along with ongoing support to respond to developmental and behavioral concerns.



PRACTICE POINTS

- Confirm the caregiver received key placement information, including medical needs, routines, developmental concerns, visitation expectations, and service providers.
- Monitor for early signs of placement stress and raise concerns promptly to help prevent disruption.
- Review developmental milestones with caregivers and discuss when to seek further evaluation or medical attention.

NEWBORNS AND INFANT CONSIDERATIONS

Newborns and infants require close attention to health, safety, attachment, and prenatal history. For infants and toddlers in out-of-home care, placement stability and meaningful connection with parents and other trusted adults can reduce trauma and improve long-term outcomes. Infants and small children can see their parents at visits of shorter duration, but they must occur more frequently to build and maintain a bond. If prenatal substance exposure has occurred, a Plan of Safe Care should guide coordinated services and supports for both the child and family to promote infant well-being, including safe sleep and responsive caregiving.



PRACTICE POINTS

- Advocate for frequent, developmentally appropriate family time with parents and trusted adults to support child well-being, strengthen attachment, and promote timely reunification.
- Encourage hands-on activities and engagement during family time to promote learning and support bonding.
- Determine whether the infant was prenatally exposed to drugs or alcohol and confirm that a Plan of Safe Care is in place when required.
- Advocate for development and follow-up of a Plan of Safe Care when one is needed but not in place.
- Reinforce safe sleep practices by checking that the infant sleeps alone, on their back, in a crib or bassinet free of loose items.

EARLY CHILDHOOD LEARNING

Early learning experiences help young children build language, curiosity, social skills, and readiness for school. Children in foster care benefit from structured, high-quality early childhood settings and everyday opportunities for reading, play, and exploration that support development across domains.



PRACTICE POINTS

- Confirm the child is enrolled in a Quality Rated early childhood program, such as Head Start, when available.
- Encourage caregivers to establish daily pre-reading routines through shared reading, songs, and age-appropriate activities with pictures, letters, and numbers.
- Promote daily play that supports self-expression, movement, problem-solving, and positive interaction.



Because developmental delays, sensory needs, and medical issues may emerge or become more visible over time, advocacy should include continuous monitoring, follow-up, and coordination across providers and systems.

HEALTH AND DEVELOPMENT SCREENINGS

Comprehensive and ongoing health and developmental screening is essential for identifying concerns early and connecting young children to timely services. Because developmental delays, sensory needs, and medical issues may emerge or become more visible over time, advocacy should include continuous monitoring, follow-up, and coordination across providers and systems.



PRACTICE POINTS

- Encourage use of a consistent primary healthcare provider to support continuity of care.
- Confirm the child receives a comprehensive health assessment¹ after entering foster care and stays current on well-child care and immunizations.
- Verify that dental, hearing, and vision screenings are completed and follow-up care is arranged.
- Advocate for parents to be invited to and participate in their child's health appointments to support awareness, improve communication, and help strengthen the parent-child bond.
- Ensure children ages zero to three are referred to Babies Can't Wait² and connected to early intervention services when concerns are identified.
- Reassess developmental and medical needs throughout the case and document key findings and recommendations.

¹ Children 1st is a Georgia Department of Public Health (DPH) program that promotes healthy development of young children and assures they arrive at school healthy and ready for success. It collaborates with local hospitals, pediatricians and other health care providers, schools, and community-based organizations to ensure the healthy development of newborns and young children, completes developmental screenings, and refers families to other public health programs like Babies Can't Wait (BCW).

² BCW is Georgia's statewide interagency service delivery system for infants and toddlers with developmental delays or disabilities and their families. It ensures families have access to the services that are needed to enhance their child's development.

SUPPORTS FOR PARENTS AND TIMELY PERMANENCY

Young children tend to remain in care longer and are less likely to reunify with their parents, making timely permanency planning critical. When reunification is the goal, parents need coordinated supports including mental health and substance use treatment, parenting skills training, and frequent, meaningful family time to rebuild capacity and strengthen bonds with their children. Concurrent planning ensures that if reunification becomes infeasible, the child achieves permanent placement without prolonged uncertainty or additional attachment disruption.



PRACTICE POINTS

- Advocate for in-home supports to reunify at the earliest possible stage and recommend wrap-around services and aftercare to sustain reunification.
- Advocate for the implementation of evidence-based child parent therapy modalities.
- Promote frequent, meaningful family time and visitation in a home-like setting to help maintain bonds; observe visits on occasion to assess progress.
- Ensure parents' mental health, substance use, and cognitive disabilities are addressed and supported throughout treatment.
- Encourage skills-based parenting training that includes modeling, interaction with the child, and responsive feedback to build caregiving capacity.
- Advocate for frequent review hearings and concurrent planning so that if reunification is not feasible, the child achieves permanency as quickly as possible and avoids attachment disruption.
- Determine whether the child's mother qualifies for Women's Treatment and Recovery Services through DBHDD and ensure parents' other needs are met through appropriate service delivery.
- Advocate for substance use treatment options that facilitate and support parental progress and development.
- Participate in relevant meetings, ongoing follow-up, and monitoring of services.



Young children tend to remain in care longer and are less likely to reunify with their parents, making timely permanency planning critical.

OLDER YOUTH IN FOSTER CARE

OVERVIEW

Older youth in foster care face a unique and urgent challenge: they must prepare for adulthood on a fixed timeline, often without the stable relationships, consistent guidance, and everyday experiences that most young people rely on. Many have spent years in care, moving between placements during the years when identity, confidence, and life skills are typically built. The transition out of foster care is one of the highest-risk periods in a young person's life: research consistently links aging out of care to elevated rates of homelessness, unemployment, and poverty.

Georgia's Independent Living Program (ILP) exists to address this gap, providing eligible youth ages 14 through 21 with services and opportunities across education, employment, health, life skills, and adult connections. CASA's role with older youth is to ensure they are enrolled in and benefiting from available services, that transition planning is timely and driven by the youth's own goals, and that no young person exits care without the documents, skills, and support network they need to succeed.

THE INDEPENDENT LIVING PROGRAM

Georgia's ILP provides eligible youth with services and opportunities to prepare for a successful transition to adulthood. Understanding what the ILP offers and who is eligible helps CASA ensure youth are connected to services and do not fall through the cracks.

ELIGIBILITY

- ILP is available to youth ages 14 through 21 who have been in DFCS custody for at least six months. The six months do not need to be consecutive, but they must include at least one day on or after the youth's 14th birthday.
- Youth ages 18 through 21 who consent to remain in foster care may continue receiving ILP services through the Extended Youth Support Services (EYSS) program. This is known as Extended Care Youth Services under the law.
- Youth who exit foster care at 18 may request to return to the EYSS program within six months of exiting, provided they meet eligibility criteria and are under age 21.
- Youth ages 18 through 21 who are not participating in EYSS may still be eligible for certain ILP services, including financial and educational supports.

WHAT ILP PROVIDES

ILP services are designed to support youth in reaching the following outcomes:

- **Educational attainment:** Support toward earning a high school diploma or GED and access to opportunities for post-secondary education and training
- **Employment:** Development of job-readiness skills and opportunities for financial self-sufficiency through employment and community service
- **Health care:** Assistance ensuring youth can meet their own physical and mental health needs, including access to health insurance
- **Adult connections:** Support in building and maintaining permanent social connections with responsible, caring adults
- **Life skills:** Training in budgeting, household management, meal preparation, and other practical skills for independent living
- **Financial supports:** Access to Individual Development Accounts (IDA), Education and Training Vouchers (ETV) for post-secondary education, and other financial assistance
- **Avoidance of high-risk behaviors:** Empowerment to make healthy, responsible decisions as members of their communities

WRITTEN TRANSITIONAL LIVING PLAN (WTLP)

- Every youth age 14 and older must have a Written Transitional Living Plan (WTLP) that is updated at least twice per year and developed with the youth's active participation.
- The WTLP should reflect the youth's goals, strengths, and specific plans for housing, education, employment, health, and support systems.
- The WTLP must be incorporated into the court's order. CASA should verify that the court's dispositional order reflects approval of the WTLP and raise concerns if it does not.
- A Transition Meeting must be held within the 90 days before the youth's 18th birthday to develop a detailed transition plan.

DOCUMENTS AND RECORDS AT EXIT

Every youth exiting foster care at age 18 or older must receive the following documents before leaving care:

- Birth certificate
- Social Security card
- State-issued photo ID or driver's license
- Medical and immunization records
- Consumer credit report
- Contact information for adult supporters and a list of resources for ongoing assistance



Understanding what the Independent Living Program offers and who is eligible helps CASA ensure youth are connected to services and do not fall through the cracks.

ADVOCACY BY AGE AND STAGE

YOUTH AGES 14 TO 16

These years are the foundation for everything that follows. Youth at this stage should be enrolled in ILP, so they may begin to understand their rights and options and build the skills and connections that will support them as they move toward independence.



PRACTICE POINTS

- Confirm the youth is enrolled in ILP services and connected with EmpowerMENT if interested.
- Verify that a Casey Life Skills Assessment (CLSA) has been completed and that results are being used to inform goals in the WTLP.
- Confirm the WTLP is in place, is updated at least twice per year, and includes the youth's voice and priorities.
- Ensure the youth is actively involved in both case planning and transition planning and that adult supporters are invited to participate.
- Begin conversations with the youth about their interests, goals, and what kind of future they want to build.

YOUTH AGES 16 TO 18

These are the highest-stakes years. Youth at this stage need concrete preparation for life after foster care, including post-secondary planning, life skills development, and financial readiness.



PRACTICE POINTS

Address all of the above points for youth ages 14 to 16, and in addition:

- Encourage high school diploma completion over a GED whenever possible, and ensure the youth has the support needed to stay on track.
- Explore post-secondary education and training options with the youth. Assess college readiness and connect the youth to college workshops, campus visits, financial aid assistance, and entrance exam preparation.
- Verify that life skills development is underway, including budgeting, household management, meal preparation, and resumé building.
- Confirm the youth is receiving assistance obtaining a driver's license or state-issued photo ID.
- Confirm the youth has received a copy of their consumer credit report and is receiving help interpreting and resolving any inaccuracies.
- Ensure the youth has opened both an Individual Development Account (IDA) to begin saving and take advantage of the cash match opportunity and a checking account.
- Advocate at every hearing for timely, concrete progress on transition planning and raise concerns if the WTLP is not being updated or implemented.
- Verify that a Transition Meeting is scheduled and completed within 90 days before the youth's 18th birthday and that the resulting transition plan is incorporated into the court's order.

YOUTH AGES 18 AND OLDER

When a youth turns 18, all orders connected to their dependency case expire, including the CASA Appointment Order. Those who have not achieved legal permanency may voluntarily re-enter or remain in foster care through age 21 through Extended Care Youth Services, sometimes referred to as Extended Youth Support Services (EYSS).

CASA can help the youth understand their options and access to available services and benefits and, if the youth opts into care and wishes, continue advocating for them through age 21.

- ▶ See the ***Extended Care Youth Services for Youth 18–21*** guide for more information on eligibility, transition planning, and CASA's role.

The youth may opt to remain in foster care without a CASA volunteer continuing as their advocate. Now a young adult, the youth is presumed to be able to advocate for their own best interests. The youth may wish to maintain contact with their CASA not through the volunteer's official capacity. The volunteer may stay connected, but they will no longer function as a Court Appointed Special Advocate and will no longer have the responsibilities and privileges granted to them through their court appointment order.

Whether a youth exits at 18 or remains in care through age 21, they need the same foundation — life skills, record documentation, financial tools, healthcare coverage, and a connection to adult support.



PRACTICE POINTS

- Confirm whether remaining in or returning to foster care through EYSS is appropriate and in the youth's best interests, and ensure the youth understands this option and how to access it.
- Verify the youth has an IDA and understands whether they are maximizing the cash match opportunity.
- Confirm the youth has applied for or received an Education and Training Voucher (ETV) if eligible and understands what it covers.
- Assess whether the youth has the life skills needed for independent living, and identify any gaps that still need to be addressed.
- Confirm the youth has health insurance and understands how to maintain coverage after exiting care.
- Verify that all required documents were provided at or before exit: birth certificate, Social Security card, state ID or driver's license, medical and immunization records, consumer credit report, and contact information for adult supporters and resources.
- If the youth is transitioning to an independent living arrangement, confirm the arrangement is safe, stable, and that the youth has a support network in place.
- Determine whether ILP services are still needed and whether any transition to adult protective services or other adult services has been addressed.
- Stay connected. Youth who have aged out of care are at heightened risk of homelessness, unemployment, and isolation. A CASA volunteer's continued presence and support can make a meaningful difference even after the case closes.

IDENTITY, BELONGING, AND WELL-BEING

Older youth in foster care are navigating the same developmental course as any adolescent — forming their identity, building relationships, and figuring out who they are and where they belong. For youth who have experienced instability, trauma, and loss, this path is harder and the stakes are higher. Advocates play an important role in affirming each youth's sense of self and ensuring they have the connections, safety, and support they need.

Research has shown that youth who identify as LGBTQ are overrepresented in the foster care system and face compounded risks, including higher rates of homelessness, mental health challenges, and experiences of discrimination and rejection. These youth need the same advocacy as any young person in care, delivered with the same commitment to their dignity, safety, and best interests. Advocating for a youth's well-being includes ensuring that their sexual orientation, gender identity, and expression are respected and appropriately considered.



PRACTICE POINTS

- Build a genuine relationship with the youth. Show consistent interest in their life, goals, fears, and what matters to them. For youth who have experienced repeated loss and instability, a trustworthy adult presence is by itself a meaningful intervention.
- Ask the youth who are the important people in their life and actively support those connections as found family. Relationships with peers, mentors, and caring adults outside the system create protective and lasting bonds.
- Identify any services and opportunities for social support that respect and affirm the youth's identity, including sexual orientation, gender identity, cultural background, and personal values.
- Promote access to supportive services and affirming environments by identifying what helps the child feel supported and if they have any concerns about how they are treated in their placement or at school.
- Ensure the youth's mental and physical health providers are affirming, competent, and offer appropriate guidance and access to information about available treatment and support options.
- Advocate for the youth's ability to express their identity, including choices about clothing, hairstyle, and personal space, and call attention to any discriminatory or disrespectful treatment by providers or individuals involved in the case. Advocate for placements that are affirming and respectful of the youth's identity.
- Consider whether the youth exhibits self-directed negative emotions or distress related to their identity and advocate for appropriate mental health supports.
- Help the youth develop their own voice. Support their ability to advocate for themselves, ask questions in meetings, and express their preferences and concerns to the court.
- Ensure the youth is connected to trusted adults who can provide ongoing support as they transition out of care and into adulthood.

ADVOCATING FOR DUALY ADJUDICATED YOUTH

CASA volunteers can provide vital support for youth involved in both the child welfare and juvenile justice systems. Effective advocacy for crossover youth requires bridging both systems so the youth's needs are met with coordinated, compassionate services.



PRACTICE POINTS

- Help others recognize that delinquent behavior may stem from trauma, instability, unmet mental health needs, educational challenges, relationship issues, or family circumstances.
- Emphasize the youth's strengths and progress, not only problems, violations, or setbacks.
- Review the delinquency court order for probation conditions, sentence requirements, and rehabilitative services.
- Promote coordination across systems, and identify any court orders that create conflicting expectations or requirements.
- Protect confidentiality by avoiding disclosure of dependency case information to probation officers, law enforcement, or other professionals outside the child welfare case unless sharing is authorized and appropriate.
- Raise concerns about placements that may increase delinquency risk or disrupt the youth's progress.



Effective advocacy for crossover youth requires bridging both systems so the youth's needs are met with coordinated, compassionate services.

KEY PRACTICE NOTES

TRUST IS THE FOUNDATION

Older youth in foster care have often learned not to trust adults who say they will show up. Consistency, follow-through, and genuine curiosity about the youth's life are the foundation of effective advocacy at this stage.

THE YOUTH DRIVES THE PLAN

Transition planning should be driven by the youth's own goals and desires, not by what others think is realistic or appropriate. The WTLP should reflect what the youth actually wants in as much detail as they choose.

THE CLOCK MATTERS

Youth age out of care on a fixed timeline regardless of whether they are ready. Advocates must treat every hearing as an opportunity to assess progress, raise concerns, and push for timely action on transition planning.

EXTENDED FOSTER CARE IS AN OPTION, NOT A FAILURE

Remaining in care past age 18 through EYSS is a right and can significantly improve long-term outcomes. Ensure every youth understands this option before they exit care.

EXTENDED CARE YOUTH SERVICES FOR YOUTH 18-21



QUICK-REFERENCE GUIDE | 14

OVERVIEW

When a youth turns 18, all orders connected to their dependency case expire, and the youth is legally free to leave foster care. However, a youth who has not achieved legal permanency through reunification, adoption, or guardianship has the option to voluntarily re-enter or remain in foster care through age 21 by signing a Voluntary Placement Agreement for Extended Foster Care (VPA-EFC). This is known as Extended Care Youth Services (ECYS), sometimes referred to as Extended Youth Support Services (EYSS).

Extended foster care provides continued access to housing, healthcare, education supports, and a connection to DFCS during a period when many young adults are not yet ready to be fully independent. CASA's role is to help the youth understand their options, support whatever decision the youth makes, and, if the youth desires, continue advocating for them through age 21. The CASA volunteer is a trusted adult in the youth's life and is well positioned to help the youth reach their goals, build skills, and begin the journey towards self-advocacy.

ELIGIBILITY FOR EXTENDED FOSTER CARE

To enter or return to extended foster care, a youth must meet the following requirements:

- 1** The youth must have been in foster care for at least 6 months prior to turning 18 and remained in care until their 18th birthday without achieving legal permanency through reunification, adoption, or guardianship. The 6 months do not need to be consecutive.
 - ▶ **Exception:** A youth adopted from foster care at or after age 16 who experiences a dissolution of that adoption at or after age 18 is also eligible for extended foster care.
- 2** The youth must be between 18 and 21 years of age and sign a VPA-EFC with DFCS.
- 3** The youth must meet at least one of the following objective eligibility criteria:
 - ▶ Completing secondary education or a program leading to an equivalent credential
 - ▶ Enrolled in postsecondary or vocational education
 - ▶ Participating in a program or activity designed to promote or remove barriers to employment
 - ▶ Employed at least 120 hours per month
 - ▶ Employed at least 80 hours per month, if also engaged in one of the activities above or unable to work more due to a medical condition
 - ▶ Incapable of any of the above due to a medical condition

A youth should execute the VPA-EFC within 5 business days of their 18th birthday or may request to return to extended foster care if they previously opted out or were discharged. A youth may re-enter foster care up to two times. A youth within 12 months of turning 21 may not sign a VPA-EFC.

A youth may terminate their VPA-EFC and exit extended foster care at any time. Every 12 months, a DFCS case manager must redetermine the youth's eligibility. If DFCS determines a youth is no longer eligible, DFCS may terminate the agreement and must provide written or electronic notice to both the youth and the court. If the youth disagrees with the eligibility determination, encourage and facilitate the youth's communication with their attorney.



While remaining in foster care is ultimately the youth's decision, the CASA volunteer plays an important role in making sure the youth has the information they need to make it.

HELPING A YOUTH DECIDE: EXTENDED FOSTER CARE OR EXIT

Between ages 17 and 18, every youth in care faces a major decision — remain in foster care through Extended Care Youth Services or exit at 18. While this is ultimately the youth's decision, the CASA volunteer plays an important role in making sure the youth has the information they need to make it.

The CASA volunteer should approach this conversation as a facilitator, not necessarily pushing toward a particular outcome. The goal is to ensure the youth understands what extended foster care offers, what exiting entails, and how either path connects to their personal goals.



PRACTICE POINTS

- Begin this conversation well before the youth turns 18 and revisit it more than once.
- Ask open-ended questions that invite the youth to think through their own goals. *Have you thought about what you want to do when you turn 18? Have you considered staying in foster care until age 21? What are your goals, and what concerns do you have either way?*
- Highlight the practical benefits of extended foster care, including continued housing support, healthcare, and access to services, without pressuring the youth toward a particular choice. Help the youth understand that they will have more flexibility in care now than they did prior to turning 18.
- Ensure the youth understands that the decision is theirs and that CASA will support either direction the youth chooses.

IF A YOUTH DOES NOT ENTER OR REMAIN IN EXTENDED FOSTER CARE

A youth who declines extended foster care, exits before age 21, or is discharged is not without options.



PRACTICE POINTS

- Remind the youth they may request to return to extended foster care up to two times unless they are within 12 months of turning 21.
- If the youth was in care on their 18th birthday, confirm their health insurance coverage through Amerigroup Georgia Families 360 and that they understand how to maintain it.
- Ensure the youth understands they may still request limited post foster care assistance from DFCS, including:
 - ▶ Transitional Living Supportive Services — supportive services to help develop daily living skills and support the transition to self-sufficiency
 - ▶ Emergency Financial Assistance — emergency financial support for up to 90 days to prevent homelessness, provide life coaching, and stabilize living conditions
 - ▶ Post-Secondary Education Financial Support — funds to support completion of postsecondary education

- ▶ For all other exit considerations — IDA, ETV, identification documents, and adult supporters — see the *Youth Ages 18 and Older* section of the **Older Youth in Foster Care** guide.



A youth may request to return to extended foster care up to two times, unless they are within 12 months of turning 21.

CASA'S CONTINUED APPOINTMENT

If a youth enters or remains in ECYS, a CASA volunteer's continued involvement is the youth's choice, independent of whether their attorney remains on the case. If the youth wants CASA to continue serving and the court is amenable, a new CASA Appointment Order must be executed.

Most of CASA's role stays the same — continuing to access records, maintaining ongoing communication with providers, visiting the youth, and making recommendations. The core restrictions also remain — CASA still cannot transport the youth, be alone with the youth, or provide legal or therapeutic advice.

If the youth wishes to remain connected with their CASA volunteer without their continued appointment as an advocate, the volunteer may do so but will no longer have the responsibilities and privileges outlined in their court order.



PRACTICE POINTS

- Ask the youth directly whether they want CASA to remain involved if they enter or remain in extended foster care.
- If the youth wants the appointment to continue, work with CASA staff to obtain a new Appointment Order.
- Walk the youth through what will stay the same and what will be different under the new appointment, so they can make an informed choice.

TRANSITION PLANNING

DFCS must develop a personalized transition plan with the youth within 30 days of signing the VPA-EFC and a final transition plan within 90 days before the youth exits Extended Foster Care. Both should be as detailed as the youth elects and should address housing, health insurance, education, local mentors and continuing support services, workforce and employment supports, and the option to execute a healthcare power of attorney or proxy.¹



PRACTICE POINTS

- Participate in the development of the transition plan with the DFCS case manager, youth, and other supportive adults.
- Ensure the transition plan addresses common areas of focus, including education, employment, housing, adult and peer relationships, spiritual and cultural connections, healthy lifestyle choices, and transportation.
- Maintain ongoing awareness of the transition plan and the youth's progress toward its goals, not just at the time it's created.
- Advocate for the youth's access to relevant opportunities and services, such as tutoring, college workshops and tours, GED support, financial aid applications, money management and budgeting support, banking, career preparation, and housing searches.

¹ See DFCS Policy 13.04 Transition From Foster Care for the full Practice Guidance for Transition Planning.

DFCS REPORTING AND COURT REVIEW

Understanding what DFCS must report and when the court must review the case helps CASA verify the process is on track and identify any gaps. The court review process looks different in ECYS.

DFCS'S INITIAL WRITTEN REPORT

No later than 120 days after the VPA-EFC is signed, DFCS must file a written report with the court containing:

- The youth's name, date of birth, race, gender, and current address
- Facts supporting the youth's eligibility for ECYS and an explanation of why ECYS is in the youth's best interests
- A copy of the signed VPA-EFC
- A plan for the youth's transition to independent living or another planned permanent adult living arrangement, appropriate to the youth's age and independence
- Any information the youth wants the court to consider
- Any other information DFCS wants the court to consider

DFCS'S ONGOING REPORTS

At least 5 days before any hearing, DFCS must submit a report recommending a plan for transition to independent living or another permanent arrangement, including the youth's name, address, telephone number, the date the youth entered ECYS, and current placement and services.

COURT REVIEW TIMELINE

- Within 30 days of the initial written report being filed, the court must hold a review hearing to determine whether ECYS is in the youth's best interests and must approve or reject DFCS's transition plan.
- No later than 12 months after the youth is considered to have entered foster care (60 days after signing the VPA-EFC), the court must hold a hearing and make findings of fact regarding whether the services and supports provided are developmentally appropriate, DFCS has made reasonable efforts to finalize the youth's transition plan, and the youth is making progress toward independence. The court must issue an order adopting or rejecting any updated transition plan.
- So long as the youth remains eligible for and in ECYS, the court must hold periodic review hearings with written findings of fact no later than every 12 months thereafter.

The court should appoint an attorney for the youth at all stages with the youth's consent. Typically, the child's same attorney remains on the case. However, the youth must be informed of their right to legal representation before any hearing and given the opportunity to obtain an attorney of their choice, request a court-appointed attorney, or waive the right to an attorney.

ADVOCACY THROUGHOUT EXTENDED FOSTER CARE

CASA REPORTS

In addition to the standard report content described on the ***At Every Hearing*** guide, reports for youth in extended foster care should address continued ECYS eligibility, transition plan progress, ILP participation and life skills development, and identified adult supporters such as mentors, family members, or fictive kin.



PRACTICE POINTS

- Request a copy of the youth's VPA-EFC and review it to understand the youth's contractual requirements with DFCS.
- Maintain ongoing awareness of the youth's continued eligibility under DFCS's objective criteria.
- Approach advocacy by encouraging the youth's independence, identifying their strengths and areas for growth, and helping them connect to needed resources. Assist the youth with gaining the confidence to begin self-advocating.
- Communicate regularly with the youth, whether through a standing visitation schedule or simply checking in, so the youth knows CASA remains readily available.



Whether CASA remains involved during extended foster care is entirely the youth's choice.

KEY PRACTICE NOTES

CASA'S ROLE IS OPTIONAL

Whether CASA remains involved during extended foster care is entirely the youth's choice even if their attorney remains on the case. Always ask directly rather than assuming the youth wants CASA to continue advocating.

EXTENDED FOSTER CARE IS NOT ALL-OR-NOTHING

A youth can exit and return up to two times before age 21 (as long as they are not within 12 months of turning 21). If a youth exits and later wants to return, help them understand this is still an option.

THE 60-DAY RULE MATTERS FOR TIMELINES

Because a youth in ECYS is considered to have entered foster care 60 days after signing the VPA-EFC, this date, not the signing date itself, is what determines when the 12-month review hearing must occur. Track this date carefully.

AT EVERY HEARING

OVERVIEW

Many requirements, findings, and advocacy practices apply consistently across multiple types of dependency hearings. This Quick Reference Guide consolidates what CASA needs to know and do at nearly every hearing.

This Guide should be reviewed alongside the specific hearing guide for the hearing for which you are preparing, as the hearing-specific guides focus on what is unique to that hearing; this guide covers what remains constant.

GLOSSARY OF KEY LEGAL TERMS

Aggravated Circumstances: Specific, serious circumstances (such as abandonment, torture, chronic abuse, or sexual abuse) that, if found by the court, may eliminate the requirement for DFCS to make reasonable efforts toward reunification. See the ***Non-Reunification Hearing*** guide for detail.

Concurrent Plan: A backup permanency plan pursued alongside the primary plan (usually reunification), so that if the primary plan fails, a permanent placement option has already been identified and pursued. Whenever there is a concurrent plan, DFCS must show reasonable efforts towards both plans at every hearing.

Contrary to the Welfare: A required finding whenever a child is placed outside the home, stating that remaining in the home would be contrary to the child's welfare. This finding must be made at the hearing where removal or continued out-of-home placement is first ordered, including when the court authorizes or continues a voluntary placement agreement between DFCS and the parent.

Dependency: The legal status of a child found to be abused, neglected, or without a parent, guardian, or custodian able to provide proper care. A finding of dependency is required by clear and convincing evidence before the court can order foster care placement or services.

Diligent Search: The ongoing legal obligation of DFCS to search for and identify relatives and other individuals connected to the child who may serve as placement, support, or permanency resources. The duty to search does not expire and must be filed before every review hearing.

Disposition: The court's determination of what should happen for a child following a finding of dependency, including placement, services, and case plan. Every review and permanency hearing is, in a legal sense, a dispositional hearing since the court continues to determine the child's placement, services, and progress toward permanency.

Fictive kin: A person known to the family (not related by blood, marriage, or adoption) prior to the child entering care who has a substantial, positive relationship with the child and who is willing and able to provide them a suitable home.

Material Change in Circumstances: A significant change in a parent's, child's, or family's situation since the last court order, sufficient to justify revisiting a prior finding or order.

Non-Reunification: A court finding that reunification services should no longer be provided to a parent. Non-reunification is not itself a permanency plan; the court must adopt another permanency plan (adoption, permanent guardianship, or APPLA) when non-reunification is granted. It does not mean the child has to stop visiting the parent.

Reasonable and Prudent Parent Standard (RPPS): The standard governing a caregiver's ability to make decisions that maintain a child's health and safety while encouraging normal childhood activities and experiences. See the ***Trauma and Well-Being*** guide for more detail.

Reasonable Efforts: The efforts DFCS is required to make, except in specific circumstances, to prevent removal of a child from home and to reunify the family or otherwise finalize a court-ordered permanency plan. The court must evaluate whether these efforts have been made at every stage of the case.

Reinstatement of Parental Rights: A legal process allowing a child whose parent's rights were terminated, and who has not been adopted, to petition for the restoration of those rights if circumstances have changed.

Stipulation: An agreement between parties to certain facts, allowing the court to proceed without requiring proof of those facts through testimony or evidence.

Substantial Progress: The standard used to evaluate whether a parent has made meaningful, measurable movement toward completing their case plan goals. DFCS must usually have made reasonable efforts before the parent can make substantial progress.



This Guide should be reviewed alongside the specific hearing guide for the hearing for which you are preparing.

EVIDENCE CONSIDERATIONS

Probable Cause: A reasonable basis to believe a fact is true. This is the standard used at the Preliminary Protective Hearing.

Clear and Convincing Evidence: A higher standard than preponderance, requiring that the evidence make a fact highly probable. It is closer to beyond a reasonable doubt. This is the standard used at every hearing except the Preliminary Protective Hearing.

Relevant, Reliable, and Necessary: At every hearing except adjudication and TPR, the court may consider hearsay to the extent it is relevant, reliable, and necessary when determining what is in the child's best interest. The CASA report should be admitted in all hearings in which hearsay is admissible.

THE CHILD'S RIGHT TO ATTEND COURT

A child has the right to attend their own court hearing in person or virtually. This right belongs to the child alone, and it may only be waived by the child's attorney after they have consulted with the child in an age-appropriate manner. Neither DFCS, the court, nor any other party may prevent a child from attending if the child wishes to do so. CASA should ensure every child understands this right and has the practical means to exercise it.



A CASA volunteer should ensure every child understands they have the right to attend their own court hearing in person or virtually.

TIMEFRAMES & CONTINUANCES

The longer a child remains in care, the less likely they are to exit through reunification. A CASA volunteer should make recommendations for frequent hearings above statutory minimums and take a stand on continuances. Every continuance requires the court to make a best interest finding. CASA should weigh in on whether the continuance is in the child's best interests and be prepared to explain why even when continuances seem routine, unopposed, or are requested by another party. A pattern of continuances can itself become a barrier to timely permanency and is worth addressing directly with the court if it becomes a concern. Continuances must be granted only for the amount of time necessary to resolve the issue causing the continuance.



A CASA volunteer should make recommendations for frequent hearings above statutory minimums and take a stand on continuances.

COURT FINDINGS

AT EVERY HEARING

The court must consider the following at every hearing:

- The continuing necessity for, and the safety and appropriateness of, the child's current placement (i.e., what specific safety threats prevent the child from going home today)
- Whether the placement continues to be in the child's best interest
- Whether there are reasonable alternatives to continued removal and foster care placement



Refer to each hearing-specific guide for findings unique to that hearing.

AT EVERY HEARING AT OR AFTER DISPOSITION

Once a child has been adjudicated dependent and a disposition has been entered, the court must additionally determine at each subsequent hearing:

- Whether the child continues to be dependent
 - Whether the current case plan remains appropriate and whether any changes are needed
 - The extent of compliance with the case plan by all participants, including DFCS and the parents
 - Whether DFCS has made reasonable efforts to finalize the permanency plan
 - Whether the parent has made substantial progress toward completing the case plan
 - Whether visitation is or continues to be appropriate
 - Whether progress is being made on the permanency plan
 - Whether all services ordered by the court are being provided to the child, the parents, and the placement
 - Whether, for a child age 14 or older, independent living services are being provided
- ▶ Refer to each hearing-specific guide for findings unique to that hearing.

CASA PREPARATION FOR EVERY HEARING

QUESTIONS TO CONSIDER

- What is preventing this child from being safely returned home today? Could the child be returned with protective conditions if specific safety concerns were addressed?
- Is the parent making progress on the case plan, or are there barriers outside their control that DFCS has not addressed?
- Is DFCS making the referrals and providing the services required by the court order, and are those services actually making a difference?
- Is the family time (visitation) schedule sufficient to support the permanency plan and maintain the parent-child bond?
- Is the permanency goal still realistic given the current circumstances?
- Does the child want to attend court?
- Does the caregiver know about the hearing and plan to attend?
- Is there evidence you want presented, and if so, which attorney is best positioned to present it?



PRACTICE POINTS

- Review current court orders, the case plan, and any previous reports before every hearing.
- Connect with DFCS, the child, caregivers, parents, attorneys, and providers, and proactively share recommendations before the hearing.
- Confirm the caregiver has been notified of the hearing and plans to attend.
- Submit a court report using best interest factor language to support recommendations, focusing on the findings the court will be required to make at that hearing.
- Identify any evidence you want presented and connect with the attorney whose position is most aligned.
- If proposed orders are circulated for review before or after the hearing, request to be included if you are not automatically. Reviewing proposed orders in advance allows CASA to confirm that all required findings are addressed and that the order reflects what was actually discussed and agreed upon.



Recommendations should use the language of the best interest factors to support and frame each point.

CASA REPORTS

CASA's written report is one of the most important tools for ensuring the court has the information it needs to make its required findings. Reports should generally be filed no less than 48 hours in advance of the hearing and shared with the parties, consistent with local practice and any standing orders.

A strong report typically includes recommendations on a wide variety of topics, including:

- Placement, including the child's adjustment and the placement's continued appropriateness
 - Family time, including frequency and the child's degree of participation
 - Compliance with the case plan and court orders by both DFCS and the parents, including any barriers and recommended services and parental progress and strengths
 - The permanency plan and progress toward it
 - The well-being needs of the child (physical and mental health, education, normalcy)
 - Opportunities for familial connections and cultural traditions
 - Any other matters relevant to the child's best interests
- Recommendations should use the language of the best interest factors to support and frame each point. See the ***Best Interests of the Child*** guide for the full list of factors.

For each report, the information the CASA volunteer should highlight varies according to the specific purpose of the hearing and findings the court must make. The individual hearing guides offer direction for the report to remain relevant and helpful.

A NOTE ON HEARSAY

At hearings in which strict evidentiary rules apply, such as Adjudication and Termination of Parental Rights, a written CASA report may not be admissible over objection because it may contain hearsay. The CASA volunteer should be prepared to make oral recommendations and testify even when a written report has been submitted and should not rely on the report alone to convey recommendations to the court.



CASA's written report is one of the most important tools for ensuring the court has the information it needs to make its required findings. Individual hearing guides offer direction for CASA reports to remain relevant and helpful.

AT EVERY HEARING



PRACTICE POINTS

- Sit near the attorney whose position is closest to yours so they can help facilitate any questions you want asked of a witness.
- If foster parents or caregivers are present, ensure they are acknowledged and have the opportunity to address the court.
- Make oral recommendations. Review the highlights of your report; respond to evidence presented during the hearing; advocate clearly for your position, and be prepared to change your recommendation if the evidence requires it.
- Present information accurately and without bias. Acknowledge both positive developments and areas of concerns to ensure the court receives a balanced, impartial view of the case.
- If called to testify, bring only your CASA report to the stand. Answer only the question asked, be clear and concise, and do not be afraid to say you do not know if you do not know the answer.
- Advocate for the next hearing to be scheduled in a timeframe that supports timely permanency (usually no more than 90 days). See the specific hearing guide for the recommended timeframe.

KEY PRACTICE NOTES

BE READY TO CHANGE YOUR POSITION

Strong advocacy is responsive, not rigid. If the evidence presented at a hearing changes the picture, be ready to adjust your recommendation accordingly and explain why.

FREQUENT AND TIMELY HEARINGS ARE ESSENTIAL

In order for a child to be returned home or otherwise achieve permanency within a reasonable timeframe, there must be frequent, timely, and meaningful hearings.

ENSURE A LEVEL PLAYING FIELD

DFCS's reasonable efforts and the parents' substantial progress should be evaluated against the same standard. Hold both parties to equal scrutiny.

SYSTEM DELAYS ARE NOT PARENT FAILURES

Parents often cannot take steps to complete their case plan until DFCS makes the necessary referrals. A parent should not be held responsible for delays caused by DFCS in providing services or facilitating family time. Make this distinction clearly when reporting to the court.

FAMILY TIME IS THE COURT'S RESPONSIBILITY

A plan for reunification without sufficient family time simply will not succeed. It is the court's responsibility, not DFCS's, to set a visitation schedule and ensure compliance. The parties may agree to expand family time, but reducing or suspending it requires a court order.

BE MINDFUL OF PLACEMENT MOVES

While a court cannot direct placement, it must make a finding that a placement is in the child's best interests.

PRELIMINARY PROTECTIVE HEARING

TIMEFRAME

The PPH must be held within 72 hours of removal. The timeframe may be waived by the parties. Any continuance, if necessary, should not unduly delay this short timeframe; in most cases, a continuance should be no more than a day or two. The parties can stipulate to facts allowing the court to conclude probable cause, but the hearing itself cannot be waived.

PURPOSE

To determine whether there is probable cause to believe a child is dependent and whether protective custody of the child is necessary to prevent abuse or neglect pending the adjudication hearing. These are separate questions and must be answered in sequence.

- ▶ Refer to the **At Every Hearing** guide for findings, practices, and considerations that apply across all hearings.

COURT FINDINGS

In addition to the findings on the **At Every Hearing** guide, the court must determine:

- Whether there is probable cause to believe that the child has been abused or neglected
- Whether protective custody is necessary to prevent abuse or neglect pending the adjudication hearing
- Whether DFCS made reasonable efforts to prevent or eliminate the need for protective custody
- Whether DFCS made reasonable efforts to ensure the child can safely return home, or whether reasonable efforts can be made to prevent or eliminate the need for family separation



The Preliminary Protective Hearing determines whether there is probable cause to believe a child is dependent and whether protective custody of the child is necessary.

POSSIBLE OUTCOMES

PROBABLE CAUSE NOT PROVEN

If DFCS does not prove probable cause to believe the child has been abused or neglected, the court must dismiss the case and return custody of the child to the parent.

PROBABLE CAUSE PROVEN – BUT PROTECTIVE CUSTODY NOT NECESSARY

If DFCS proves probable cause for dependency but not that protective custody is necessary, the court must return custody to the parent pending the adjudication hearing. The court may order a temporary alternative to foster care if necessary to prevent abuse or neglect before adjudication, including:

- Authorizing or continuing a voluntary agreement between the parent and DFCS, including placement with a relative or fictive kin from acts that may render a home an improper place for a child, cooperating in good faith with DFCS, and ensuring the child attends school
- Entering a protective order requiring the parent to take or refrain from specific actions, such as restricting an individual's access to the child, complying with a visitation agreement, abstaining from offensive conduct, giving proper attention to the care of their home and refraining
- Ordering DFCS to investigate and report whether removal is necessary
- Ordering DFCS to provide services designed to allow the child to remain safely at home

PROBABLE CAUSE PROVEN – AND PROTECTIVE CUSTODY NECESSARY

If DFCS proves both probable cause for dependency and that protective custody is necessary, the court may place the child in temporary DFCS custody pending adjudication. DFCS shall prioritize placement with a relative or fictive kin, provided the individual meets DFCS requirements and the placement is in the child's best interests.

Any out-of-home placement finding, including authorizing or continuing an agreement between DFCS and the parent, must include a finding that *continuation in the home would be contrary to the welfare of the child*.

When a relative or fictive kin placement is authorized through an agreement between DFCS and the parent, the court must order a preliminary assessment of that placement, including, at minimum:

- A walk-through of the residence to identify safety hazards
- An in-state criminal record check of the individual and all other adults in the residence
- A search of the Georgia Sex Offender Registry for the individual and all other adults in the residence
- A search of publicly available data from the Department of Community Supervision and Department of Corrections for the individual and all other adults in the residence

WHEN PROBABLE CAUSE IS FOUND

If probable cause is found, the case moves forward to an Adjudication Hearing. In the time between hearings, several activities are typically in motion: DFCS continues its diligent search for relatives, prepares the dependency petition, arranges family time as ordered, makes service referrals, and conducts a safety check of the placement. Understanding what should be happening during this period helps the CASA volunteer know what to look for and ask about as the case moves forward.

- ▶ See the **Adjudication Hearing** guide for what happens next.



Preparation at this stage means gathering as much initial information as possible, quickly, so CASA can make a meaningful recommendation considering the child's best interests.

PREPARING FOR THE HEARING

Preparation at this stage means gathering as much initial information as possible, quickly, so CASA can make a meaningful recommendation considering the child's best interests, even without a full assessment or written report, if appointed in time.



PRACTICE POINTS

- Introduce yourself to the parents and any other individuals associated with the case who are in attendance.
- Advocate for appropriate family time to begin immediately.
- Be ready to make a recommendation considering the child's best interests, even without a written report.



After this hearing, the CASA volunteer's focus shifts to building a full assessment of the case. See the ***Adjudication Hearing*** guide for the preparation steps that begin now.

KEY PRACTICE NOTES

ASSESSING THE BASIS FOR REMOVAL

Consider whether DFCS made timely, meaningful efforts to prevent removal and whether the home could be safe right now with appropriate services in place. If a temporary alternative to foster care could meet the child's safety needs, this is the moment to advocate for it.

FAMILY TIME BEGINS NOW

It is the court's responsibility to set family time, and DFCS may not reduce or suspend visits without a court order modifying them. Visits may be increased by agreement of the parties. Advocating for visitation to begin immediately and ensuring any services ordered at this hearing are actually followed set the tone for the rest of the case.

ADJUDICATION HEARING

TIMEFRAME

The adjudication hearing is held within 10 days of the petition's filing if the child has been removed or within 60 days of filing if the child remains in the parent's custody. If adjudication is not completed within 60 days from the date the child was taken into protective custody, the petition alleging dependency may be dismissed without prejudice (meaning the petitioner retains the right to refile it again). The parties may waive the timeframe.

PURPOSE

To determine whether there is clear and convincing evidence that the child is presently dependent based on the allegations in the petition. The petitioner bears the burden of proving the allegations by clear and convincing evidence.

- ▶ Refer to the **At Every Hearing** guide for findings, practices, and considerations that apply across all hearings.

POSSIBLE OUTCOMES

If the court does not find the child dependent, the petition must be dismissed and the child returned to the parent with no further Court or CASA involvement.

If the court finds the child dependent, the court must also find whether the dependency is the result of parental substance use and must hold a disposition hearing, either immediately following adjudication or at a later date no more than 30 days out.

If disposition is held the same day as adjudication, the court must schedule the dates for the initial review hearing and the permanency hearing at that time.



The adjudication hearing determines whether there is clear and convincing evidence that the child is presently dependent based on the allegations in the petition.

PREPARING FOR THE HEARING

Preparing for adjudication means developing a clear, fact-based understanding of what happened and what the petition alleges so that the CASA volunteer can affirm or respectfully challenge it based on their independent assessment.

QUESTIONS TO CONSIDER

- Have the allegations in the petition been proven or stipulated? Do they align with what the CASA volunteer has learned from the child and the parties?
- Is continued protective custody necessary and in the child's best interests, or could the child safely remain in or return to the parent's home while the case plan is worked?
- Have reasonable efforts been made to prevent the need for placement or to safely reunify the family? What specific services has DFCS been ordered to provide?
- What specific findings of fact support the dependency ruling? These findings will form the basis for the services required by the case plan.
- Preparing for disposition, is the child's current placement stable and meeting their needs? Are there relatives to pursue? What services does the child need? Are there system barriers that can be addressed early? Is there missing documentation, or are there other gaps?



PRACTICE POINTS

- Identify and talk to all appropriate parties, including the child's attorney, parents, and DFCS.
- Notify the child's placement and the parties' attorneys of CASA's appointment, and share both contact information and the appointment order.
- Meet with the child and the placement and explain the role of the CASA volunteer, assessing the situation in their placement.
- Identify behavioral problems, special needs, school issues, counseling services, evaluations, and relative resources.
- Consider whether the initial visitation schedule with parents and siblings is appropriate or whether changes should be requested at this hearing.
- Ask the parents and child about any potential relatives or fictive kin connections to explore.
- Review the case file, any previous orders, and the petition.
- Identify other potential sources of information, such as individuals with firsthand knowledge or relevant records and documents.
- Consider what immediate services or evaluations may be needed (medical, educational, psychological).
- Consult with the child's attorney to discuss the case, initial assessment, and strategy.
- Because hearsay is not admissible over objection, a written CASA report will not likely be submitted unless the Disposition Hearing is happening at the same time. Prepare oral recommendations and be ready to explain the rationale for them.



Until dependency and the need for removal have been proven by clear and convincing evidence, there is a legal presumption that the child's best interests are served by remaining with the parent.

AT THE HEARING



PRACTICE POINTS

- Be prepared to be addressed by the court and asked questions, including giving testimony regarding the basis for your recommendations.
- Ensure the court has sufficient information about the child, family, and available services to determine the child's best interests.
- Address any unresolved concerns from the PPH.
- Advocate for the dates and times for the Initial Judicial Review and Permanency Plan hearings be set.

KEY PRACTICE NOTES

THE PRESUMPTION FAVORS THE PARENT

Until dependency and the need for removal have been proven by clear and convincing evidence, there is a legal presumption that the child's best interests are served by remaining with the parent. A CASA volunteer's recommendations should reflect this presumption unless the evidence clearly supports otherwise.

SHARE FACTS INSTEAD OF ARGUING THE LAW

The court or attorneys may ask CASA whether the facts and circumstances rise to the level of dependency. In responding, CASA is not arguing a legal conclusion but sharing facts and observations that support a best interest recommendation. Stay grounded in what was observed and learned, not in legal characterization.

DISPOSITION HEARING

TIMEFRAME

The disposition hearing is held at adjudication or no later than 30 days after its conclusion. The timeframe may be waived by the parties. If a social study (Comprehensive Child and Family Assessment (CCFA)) is ordered, it must be filed at least 48 hours in advance of the hearing along with the case plan. The diligent search must be filed within 30 days of removal.

PURPOSE

To determine the needs of a child adjudicated dependent and the most appropriate disposition, considering any evidence the court finds relevant, reliable, and necessary.

- ▶ Refer to the **At Every Hearing** guide for findings, practices, and considerations that apply across all hearings.



The court must address why the disposition and case plan ordered serve the child's best interests and safety.

COURT FINDINGS

In addition to the findings on the **At Every Hearing** guide, the court must address why the disposition and case plan ordered serve the child's best interests and safety, including:

- The interaction and relationship of the child with their parents, siblings, and others who significantly affect the child's best interests;
- The child's adjustment to placement, school, and community;
- The mental and physical health of all involved;
- The child's wishes regarding placement and the parent's wishes regarding custody;
- Whether there is a relative DFCS has qualified to receive and care for the child; and
- The ability of the parent, guardian, or legal custodian to care for the child at home without resulting harm to the child.

The court must also address:

- The availability of services recommended in the case plan;
- What alternative dispositions or services were considered and why they were not appropriate;
- The appropriateness of the placement made or to be made; and
- Whether reasonable efforts were made to prevent or eliminate the need for removal and to reunify the family, unless reunification efforts are not required.

POSSIBLE OUTCOMES

The court may:

- Permit the child to remain with the parent, subject to conditions and limitations the court prescribes, including supervision for the child's protection;
- Grant or transfer temporary custody to an individual, including a parent, found qualified to care for the child with priority given to a relative or fictive kin, a public or private agency authorized to provide care, or, with appropriate ICPC supervision, an individual in another state;
- Transfer jurisdiction over the child in accordance with ICPC;
- Order the child and parent to participate in a court-approved educational or counseling program, including parenting classes, designed to address conditions of dependency or harm and support proper parental care;
- Order DFCS to implement, and the parent to cooperate with, a court-approved plan; or
- Order temporary child support from individuals legally obligated to support the child.



Preparing for disposition means understanding what this child and family actually need.

PREPARING FOR THE HEARING

Preparing for disposition means understanding what this child and family actually need, so the CASA volunteer can recommend a case plan that addresses the root causes of removal rather than offering generic services.

QUESTIONS TO CONSIDER

- Will the case plan's services and goals address the issues that led to the child entering foster care?
- Is the placement meeting the child's needs?
- Are there relatives who should be considered for placement or support?
- Is the proposed visitation and family time sufficient for the parent and child to maintain their bond?
- Is the permanency plan realistic given the circumstances?



PRACTICE POINTS

- Talk to all parties and others involved in the case, including the child, DFCS, caregivers, parents, teachers, therapists and other providers, and the attorneys.
- Review the CCFA, diligent search results, and any other relevant evaluations.
- Identify the needs of the child and family to offer informed input as the case plan is drafted.
- Submit a court report that recommends services needed for the child and parents, identifies and recommends assessments or evaluations as needed, addresses whether the frequency and duration of family time will support timely reunification, and uses relevant best interest factors to support any recommendations.

KEY PRACTICE NOTES

SUBSTANCE USE CAN IMPACT CUSTODY TRANSFER

If dependency resulted from parental substance use, the court has discretion not to transfer custody back to the parent unless the parent completes treatment and random screenings remain negative for at least 12 consecutive months or the parent successfully completes Family Treatment Court programming.

CONCURRENT PLANS REQUIRE ACTIVE RECRUITMENT

When the case plan requires a concurrent plan, the court reviews DFCS's reasonable efforts to recruit, identify, and place the child with a relative, foster parent, or other individual who has demonstrated an ongoing commitment to the child and agreed to provide a permanent home if reunification is unsuccessful. The CASA volunteer should be prepared to speak to whether this recruitment is genuinely happening.

DISPOSITION ORDERS ARE NOT INDEFINITE

Disposition orders continue until their purpose is accomplished. When a child turns 18, all orders connected to the dependency proceeding expire, and the child is discharged from further obligation or control.

REVIEW HEARING

TIMEFRAME

The initial review hearing is held within 75 days of removal. A second review is held approximately 4 months after the initial review. Subsequent reviews are held as necessary at the discretion of the court. CASA should advocate for reviews no more than 90 days apart to prevent unnecessary delays in permanency.

PURPOSE

To move the case toward permanency by evaluating the actions of DFCS and the parents, ensuring the placement is appropriate, and confirming that all court-ordered services are in place and having their intended effect.

- ▶ Refer to the **At Every Hearing** guide for findings, practices, and considerations that apply across all hearings.

COURT FINDINGS

The findings required at this hearing are largely covered by the **At Every Hearing** guide. In addition, at this hearing the court shall:

- Approve the completion of the relative search
- Schedule the next review hearing

If after the 75-day review the court finds a lack of substantial progress toward the case plan, it must order DFCS to develop a non-reunification or concurrent case plan within 14 days. The court then has 45 days to amend or adopt the plan. If the lack of progress is because DFCS has not made necessary referrals or provided ordered services, this must be brought to the court's attention.



If a parent's lack of progress is because DFCS has not made necessary referrals or provided ordered services, this must be brought to the court's attention.

CITIZEN REVIEW PANELS

Some cases are reviewed periodically by a Judicial Citizen Review Panel rather than directly by the court. A panel may only hear periodic reviews — it may not hear the initial review or permanency hearings.

After a panel review, the panel must submit its report and recommendations to the court and to the parents within 5 days. The panel may recommend changes to the permanency plan, including TPR. If recommending TPR, the panel must notify DFCS and the child's attorney. DFCS must provide the foster or pre-adoptive placement with any portions of the report addressing the permanency plan and services recommended for the child.

Any party may request a court hearing on the panel report within 5 days of receiving it. If no request is made, the court must enter an order incorporating the recommendations. If a request for a hearing is made, the court must hear evidence and enter such portions of the panel recommendation as it finds essential. If the panel finds a lack of substantial progress by a parent, the court must convene a hearing within 30 days to consider whether non-reunification is appropriate.



PRACTICE POINTS

- Attend panel reviews and submit a written report in advance. If the CASA volunteer cannot attend, a report should still be submitted so CASA's recommendations are on the record.
- Review panel recommendations carefully, and request a court hearing within 5 days if in disagreement with any of the recommendations.

NOTICE OF PLACEMENT MOVES

Placement changes may arise at or between review hearings. DFCS must provide at least 5 days written notice of a proposed move to the court, the child if age 14 or older, the parents, the current placement, the child's attorney, the GAL/CASA, and all attorneys of record. In an emergency, notice must be provided within 24 hours of the change. Any of these parties may request a hearing on the proposed change within 5 days of receiving notice.

- ▶ See the **Placement Stability** guide for full detail on the notice process, hearing requirements, and CASA's advocacy role.



PRACTICE POINTS

- Contact the child before and after any placement change, whether planned or an emergency.
- If a proposed change is not in the child's best interests, request a hearing immediately. The five-day window closes quickly.

PREPARING FOR THE HEARING

Preparing for a review hearing means arriving with current information from every source and a clear analysis of what is and is not working in the case.

QUESTIONS TO CONSIDER

- Is the visitation schedule sufficient to support the permanency plan and maintain the parent-child bond?
- Is the permanency goal still realistic given the current circumstances?
- Have timely referrals been made? Are the services and supports needed for reunification in place?
- Does the child want to attend court? Does the caregiver know about the hearing and plan to attend?
- Is there evidence CASA wants presented, and which attorney is best positioned to present it?



PRACTICE POINTS

- Review current court orders and the case plan. Identify barriers, unmet needs, and what appears to be inhibiting progress. Share the parent's strengths and progress.
- Connect with DFCS, the child, caregivers, parents, attorneys, and providers before the hearing. Keep parties updated about important changes, and share recommendations proactively.
- Confirm the caregiver has been notified of the hearing and plans to attend.
- Check with the child about whether they want to attend court and help arrange transportation or a virtual link.
- Submit a court report that addresses the parties' progress on the case plan, identifies and recommends any additional assessments or services needed, confirms that family time supports the permanency plan, and uses relevant best interest factors to support all recommendations.



Preparing for a review hearing means arriving with current information from every source and a clear analysis of what is and is not working in the case.

NON-REUNIFICATION HEARING

TIMEFRAME

The hearing must be held within 30 days of DFCS's non-reunification report or case plan being filed.

PURPOSE

To determine, by clear and convincing evidence, whether a reunification plan continues to be appropriate considering the child's health and safety and need for permanence.

- ▶ Refer to the **At Every Hearing** guide for findings, practices, and considerations that apply across all hearings.

COURT FINDINGS

At the non-reunification hearing,

- DFCS shall notify the court whether and when it intends to proceed with TPR.
- The court shall hold a permanency plan hearing to consider in- and out-of-state permanent placement options and incorporate a permanency plan for the child. See the **Permanency Plan** Hearing guide.

In addition to the findings on the **At Every Hearing** guide, the court must determine whether there is a presumption that reunification is detrimental. This presumption applies if the court finds, by clear and convincing evidence, that:

- The parent has unjustifiably failed to comply with a previously ordered reunification case plan;
- The child has been removed from home on at least two previous occasions, and reunification services were provided on those occasions;
- A ground for TPR exists (even if no TPR petition has been filed)*; or
- Circumstances exist making it unnecessary to provide reasonable efforts to reunify.

Even if this presumption applies, it may be overcome by sufficient evidence that reunification remains in the child's best interests.

**The ground for TPR must have been proven by clear and convincing evidence before it can create a presumption that reunification is detrimental. This includes situations in which a court found a ground proven at a TPR hearing but determined termination was not in the child's best interests at that time.*

A non-reunification finding is required before the court can grant permanent guardianship without parental consent.



The court must determine whether there is a presumption that reunification is detrimental. Even if this presumption applies, it may be overcome by sufficient evidence that reunification remains in the child's best interests.

PREPARING FOR THE HEARING

Preparing for this hearing means honestly weighing whether continued reunification efforts are likely to succeed, and if not, what permanency path best serves this child.

QUESTIONS TO CONSIDER

- Should reunification services continue to be offered to this family, considering the case's progress and duration?
- Is reunification still appropriate considering the child's health, safety, and need for permanence?
- If non-reunification is granted, will visitation and contact with the parents still be appropriate?
- If non-reunification is granted, what would be the most appropriate permanency plan for this child and family — adoption, permanent guardianship, or APPLA?
- If non-reunification is granted, what support will the child need to understand and adjust to this finding?



PRACTICE POINTS

- Prepare a written report focused on whether reunification continues to be appropriate for this family, supported by relevant best interest factors.
- Request the next hearing occurs no more than 90 days later.

KEY PRACTICE NOTES

NON-REUNIFICATION IS NOT APPROPRIATE IF DFCS HAS NOT MADE REASONABLE EFFORTS

Except in cases of statutory aggravated circumstances, parents should not be subjected to non-reunification unless DFCS has first fully complied with the case plan and provided all court-ordered services, including appropriate family time.

THE LEGAL QUESTION IS DETRIMENT, NOT JUST DELAY

The question for non-reunification is whether continuing to provide reunification services would be detrimental to the child. It must be clear exactly what that detriment would be and why. A general lack of progress is not, by itself, the same as demonstrating detriment.

A BENEFICIAL RELATIONSHIP CAN STILL BE PRESERVED

Even if a parent cannot complete a reunification case plan and the court orders another permanency plan, a meaningful and beneficial parent-child relationship should be preserved when possible, often through permanent guardianship or a voluntary post adoption contact agreement.

CASA CAN RAISE THE ISSUE

Nothing in the code prohibits a party from making a motion for non-reunification or a CASA volunteer from making a recommendation for it. If the evidence supports it and reunification services no longer serve the child's best interests, CASA is not constrained to wait for DFCS to raise the issue.

NON-REUNIFICATION IS NOT A PERMANENCY PLAN

If the court grants non-reunification, it must adopt another permanency plan (permanent guardianship, adoption, or APPLA). Consider which option would be best for this child and family before the hearing.

PERMANENCY PLAN HEARING

TIMEFRAME

The permanency hearing must be held no later than 9 months after a child under age 7 entered foster care or no later than 12 months after a child age 7 or older entered foster care. If a sibling group entered care and any one of them was under age 7 at removal, the permanency hearing for the entire group must be held no later than 9 months after removal. A permanency hearing must also be held within 30 days of a non-reunification plan being approved by the court.

After the initial permanency hearing, subsequent hearings are held every 6 months or more frequently if the court deems necessary.

PURPOSE

To determine the future permanent legal status of each child in DFCS custody. The court must consult with the child, in an age-appropriate manner, regarding the proposed permanency plan.

- ▶ Refer to the **At Every Hearing** guide for findings, practices, and considerations that apply across all hearings.



The court must consult with the child, in an age-appropriate manner, regarding the proposed permanency plan.

DFCS'S PERMANENCY PLAN REPORT

At least 5 days before the hearing, DFCS must submit a written report detailing the steps it will take to achieve permanency. Understanding what this report must contain helps CASA verify it is complete and identify any gaps.

The report must include, at minimum:

- The child's name, date of and reason for removal, and current placement information;
 - Information on potential relative placements;
 - The permanency plan goal;
 - If a placement change has occurred or is contemplated: whether it would change the child's school enrollment, why a placement maintaining current enrollment could not be found, and why the new school would be in the child's best interests;
 - A detailed plan of services to be provided by DFCS, including why any services that were considered were not used; and
 - For all children age 14 and older, a detailed Written Transitional Living Plan (WTLP) including specific ILP services.
- ▶ See the **Older Youth in Foster Care** guide for what the WTLP must contain and CASA's role in monitoring it.

COURT FINDINGS

In addition to the findings on the **At Every Hearing** guide, the court must determine:

- The date by which it is likely the child will be returned home, placed for adoption, placed with a permanent guardian, or placed in another alternative permanent placement;
- If the child is placed out of state, whether that placement continues to be appropriate and in the child's best interests; and
- If the child is age 14 or older, the services needed to assist the child's transition from foster care to independent living and whether the permanency plan was developed in consultation with the child and, at the child's option, with up to two members of the permanency planning team selected by the child who are not a foster parent or caseworker for the child.

If APPLA is the permanency plan, the court must additionally determine all of the following:

- What the child's desired permanency outcome is, after asking the child directly;
- Whether DFCS has documented intensive, ongoing, and unsuccessful efforts to return the child home or to a placement with a fit and willing relative, legal guardian, or adoptive parent, including efforts using search technology and social media to find biological family members; and
- Whether DFCS has documented the steps taken to ensure the child's foster family or childcaring institution is following the Reasonable and Prudent Parent Standard and that the child has regular, ongoing opportunities to engage in age- or developmentally-appropriate activities, including consultation with the child about those opportunities.

If the child is placed in a Qualified Residential Treatment Program (QRTP), see the Juvenile Code for specific requirements.



Preparing for a permanency hearing means stepping back from considering individual case plan tasks to assess whether the overall trajectory of the case is still the right one for this child.

PREPARING FOR THE HEARING

Preparing for a permanency hearing means stepping back from considering individual case plan tasks to assess whether the overall trajectory of the case is still the right one for this child.

QUESTIONS TO CONSIDER

- Is the proposed permanency plan still realistic and achievable for this child and sibling group?
- If reunification is the goal, can the child be safely returned now or what risks remain?
- If there is a concurrent or adoption plan, has a prospective adoptive resource been identified? Is the proposed caregiver committed and capable of meeting the child's needs?
- If there is a concurrent plan, is DFCS making reasonable efforts to finalize both aspects of the plan?
- If the goal is permanent guardianship, what is preventing the petition from being filed?
- If the goal is APPLA, is there a current and comprehensive WTL? (WTLs are especially critical in APPLA cases.)



PRACTICE POINTS

- Make sure all information is current — the case plan, provider progress reports, school records, and medical and mental health updates.
- Review compliance with the case plan, the WTL, and any court orders.
- Continually assess whether the permanency plan remains appropriate, realistic, and in the best interests of the child as circumstances change. Do not assume a plan approved at an earlier hearing remains the right plan.
- Meet with the child to discuss their permanency plan and any relationships or connections with relatives, siblings, close family friends, or caregivers that need to be considered or preserved.
- Monitor whether each component of a concurrent plan is receiving meaningful attention. If one plan has stalled or is receiving little to no effort, discuss the barriers with DFCS or at court to ensure all viable permanency options remain available for the child.
- In an age-appropriate manner, ensure the child, especially if age 5 or older, understands their right to be heard in court and is prepared to attend in-person or virtually.
- Consult with the child's attorney and share your recommendations.
- Submit a court report that includes a recommendation for permanency and addresses every finding the court is required to make.

AT THE HEARING



PRACTICE POINTS

- Confirm the child is present (or has been consulted in an age-appropriate manner via video conferencing during the hearing), and ensure the court addresses the child directly about their permanency plan and wishes.

- If the child is not present, ask the court whether a child can participate via video conferencing so that the requisite findings can be made.
- For youth age 14 and older, ensure the WTLF is specifically discussed, including whether it is detailed and action-oriented rather than vague or boilerplate.
- Ask the court to state an estimated permanency date on the record, even if it may be adjusted at future hearings.
- If foster parents or caregivers are present, ensure they are acknowledged and given the opportunity to address the court.
- Advocate for a review hearing to be scheduled no more than 90 days later.

KEY PRACTICE NOTES

COURT FINDINGS ARE CRUCIAL

The Permanency Hearing requires the court to make numerous and specific findings to ensure permanency is not unreasonably delayed. In practice, many courts do not make all the required findings, which can itself cause delays. CASA's advocacy is critical to help ensure every required finding is addressed.

THE CHILD SHOULD BE IN COURT

The court is required to consult with the child about their permanency plan, and for children age 5 and older who can express their wishes in an age-appropriate way, this generally means the child should be present. If the child is not in court, the required consultation cannot happen, and the court cannot make this finding. For very young children or those whose conditions affect their ability to communicate, the child's attorney should convey the child's wishes based on observed behavior with parents and family, and for very young children, it can generally be presumed they would want to be with their parents.

PUSH FOR SPECIFICS IN WTLPS

It is common for the WTLF for youth 14 and older to be vague, incomplete, or missing entirely. Advocacy for a detailed, action-oriented WTLF is essential to ensure older youth have the skills they need when they leave care.

- ▶ See the ***Older Youth in Foster Care*** guide for a complete description of WTLF contents.

PUT A DATE ON PERMANENCY

The law requires DFCS to provide, and the court to incorporate into its order, an estimated date by which the child will achieve permanency. This requirement is frequently overlooked, but having the conversation about an estimated date, even if it is later adjusted, creates accountability and keeps the case moving.

TERMINATION OF PARENTAL RIGHTS HEARING

TIMEFRAME

The TPR hearing must be held within 90 days of the TPR petition being filed. The order of disposition must be issued no later than 30 days following the hearing.

PURPOSE

To determine, by clear and convincing evidence, whether one or more grounds for TPR exist and, if so, whether TPR is in the child's best interests. These are separate questions: proof of a ground does not necessarily mean TPR is in the child's best interests.

- ▶ Refer to the **At Every Hearing** guide for findings, practices, and considerations that apply across all hearings.

WHEN DFCS MUST FILE A TPR PETITION

DFCS must file a petition for Termination of Parental Rights when:

- The child has been in DFCS custody for 15 of the most recent 22 months;
- The court has found the parent subjected the child to aggravated circumstances; or
- The court has determined the parent was convicted of murder or voluntary manslaughter of the child's sibling or other parent; aiding, abetting, attempting, conspiring, or soliciting such an offense; or committing felony assault resulting in serious injury to the child or the child's sibling. (This requires a conviction, not merely a charge or arrest.)

EXCEPTIONS TO THE FILING REQUIREMENT

- The child is in a relative placement intended to be permanent within a timeframe consistent with the child's developmental needs;
- The case plan documents a compelling reason that TPR is not in the child's best interests, such as:
 - ▶ the parents are successfully participating in services;
 - ▶ another permanency plan is better suited for the child; examples include:
 - a child age 14+ who objects to TPR after the court personally questions them in chambers to determine whether their objection is a voluntary and knowing choice;
 - a child age 16+ who specifically requests APPLA as their permanent plan;
 - a significant parent-child bond where the parent cannot care for the child due to disability and the caregiver commits to raising the child to 18 and facilitating visitation; or
 - ▶ a child in residential treatment whose needs could not be met in a less restrictive placement;

- The child lives with a relative unable or unwilling to adopt but willing and capable of providing a stable, permanent home, and removal would be detrimental to the child's emotional well-being;
- A court or judicial citizen review panel previously determined DFCS did not make reasonable efforts on a reunification case plan;
- The child is an unaccompanied refugee, or international legal obligations or foreign policy considerations preclude TPR; or
- DFCS has not provided services deemed necessary for the child's safe return home, consistent with the case plan's timeframes.

DFCS's determination that TPR is not in the child's best interests must be based on present circumstances and does not preclude a different recommendation later if circumstances change.

At least 30 days before the child has been in foster care 15 months, the court must review DFCS's determination that filing TPR would not be in the child's best interests. This review may occur alongside other matters. At this hearing, the court may appoint an attorney GAL who, after independent determination, may file a TPR petition on the child's behalf.

COURT FINDINGS

1. WHETHER A STATUTORY GROUND FOR TPR HAS BEEN PROVEN

The court must find any one of the following by clear and convincing evidence:

- The parent has given written consent to termination or voluntarily surrendered parental rights;
- The parent has subjected the child to aggravated circumstances;
- The parent has wantonly and willfully failed for 12 months or longer to comply with a decree to support the child;
- The child has been abandoned by the parent; or
- The child is dependent due to lack of proper parental care or control, reasonable efforts to remedy the circumstances have been unsuccessful or were not required, the cause of dependency is likely to continue, and either returning the child to the parent or continuing the parent-child relationship is likely to cause serious physical, mental, moral, or emotional harm to the child or threaten the child's safety or well-being.

In determining lack of proper parental care or control, the court considers factors including:

- A medically verified deficiency of the parent's physical, mental, or emotional health rendering them unable to adequately provide for the child;
- Excessive use of or chronic, unrehabilitated substance use rendering the parent incapable of providing for the child's physical, mental, emotional, or moral condition and needs;
- A felony conviction and imprisonment for an offence which has a demonstrably negative effect on the quality of the parent-child relationship;
- Egregious conduct or evidence of past egregious conduct of a physical, emotionally, or sexually cruel or abusive nature;
- Physical, mental, or emotional neglect or evidence of past neglect; and
- Serious bodily injury or death of a sibling under circumstances which constitute substantial evidence that the injury or death resulted from parental neglect or abuse.

For a child not in the parent's custody, the court also considers whether the parent, without justifiable cause, has failed significantly for the six months prior to the termination hearing to:

- Develop and maintain a meaningful parental bond;
- Comply with a court-ordered reunification plan; and
- Provide for care and support for the child as required by law or decree.

A parent's reliance on prayer or other religious nonmedical healing practices, in the exercise of sincere religious belief, shall not by itself be the basis for finding a parent unwilling or unable to provide adequate safety and care.

2. IF A GROUND IS PROVEN, WHETHER TPR IS IN THE CHILD'S BEST INTERESTS

The court considers the following factors:

- The child's sense of attachment, including security, familiarity, and continuity of affection;
- The child's wishes and long-term goals;
- The child's need for permanence, including stability and continuity of relationships;
- The child's future physical, mental, moral, or emotional well-being;
- Any benefit to the child of being integrated into a stable, permanent home and the likely effect of delaying that integration;
- The detrimental impact of the lack of a stable, permanent home on the child's safety, well-being, or physical, mental, or emotional health; and
- Any other factors the court considers relevant and proper.

PLACEMENT AFTER TPR

When the court terminates parental rights or accepts a surrender, it must place the child in a placement found to be in the child's best interests, considering:

- The child's need for a placement offering the greatest degree of legal permanence and security;
- The least disruptive placement for the child;
- The child's sense of attachment and need for continuity of relationships;
- The value of biological and familial connections; and
- Any other factors the court deems relevant.

Any adoptive placement must agree to abide by any terms and conditions imposed by the court.

Note: At the dispositional phase, the court must hear from any potential adoptive placement with whom the child lived for 12 consecutive months, as long as that period did not end more than 90 days before the TPR petition was filed. This testimony should address the bond between the child and the placement; the child's health, safety, and well-being; and anything else relevant to disposition.

PREPARING FOR THE HEARING

Preparing for a TPR hearing means having a clear, evidence-based view on two distinct questions: whether a legal ground for termination exists, and whether termination truly serves this child's best interests.

QUESTIONS TO CONSIDER

- Has a ground for TPR been proven by clear and convincing evidence? Which one(s)?
- If a ground is proven, is TPR in the child's best interests considering the factors above?
- Is the parent-child relationship irretrievably broken, or is there a meaningful bond and healthy visitation? If the relationship is not broken, would permanent guardianship better serve the child?
- If the child is age 14 or older, does the child want to be adopted?
- What does the child's current placement look like, and what is the bond between the child and that caregiver?



PRACTICE POINTS

- Review files and previous reports, and be prepared to make a recommendation on whether TPR is in the child's best interests, as well as any post-dispositional considerations, such as the attachment and bonding between the child and current caregiver.
- Prepare and submit a court report consistent with local practice.
- Be prepared to testify and to be cross-examined on the factual basis for any recommendations.

AT THE HEARING



PRACTICE POINTS

- Be present in court to testify. CASA is often a critical witness possessing a longstanding relationship with the child and family and continuity over the life of the case. The court may direct CASA to appear if absent.
- If foster parents or caregivers are present, ensure they are acknowledged and given the opportunity to address the court.
- If the placement after TPR is being addressed, be prepared to share your observations on the bond between the child and the prospective placement and the placement's appropriateness.

KEY PRACTICE NOTES

THE WRITTEN REPORT MAY NOT BE ADMISSIBLE

A written CASA report may not be entered into evidence over a party's objection at a TPR hearing. Oral testimony is essential.

A MEANINGFUL BOND CHANGES THE CALCULUS

If the parent-child relationship is not irretrievably broken, meaning the attachment and bond are strong and visitation is healthy, termination may not be appropriate, and permanent guardianship should be explored instead. At minimum, encourage caregivers to agree to a voluntary post-adoption contact agreement (open adoption) to preserve connections.

A CHILD'S OBJECTION MATTERS

When a child age 14 or older does not want to be adopted, termination may not be appropriate.

"BETTER OFF" IS NOT THE LEGAL QUESTION

Whether a child would be better off with a foster parent or other caregiver is irrelevant to whether a ground exists to terminate parental rights. Stay focused on the statutory grounds.

PROVING A GROUND IS NOT THE END OF THE ANALYSIS

A ground for TPR being proven does not mean TPR is automatically in the child's best interests. These are independent questions, and a sound recommendation requires a thorough understanding of both prongs of the test.

POST-TPR REVIEW HEARING

TIMEFRAME

A Post-TPR hearing must be held if an adoption petition has not been filed within 6 months of the TPR order. Hearings continue at least every 6 months thereafter for as long as the child remains unadopted.

PURPOSE

To review the child's circumstances and determine what efforts have been made to ensure the child is adopted.

- ▶ Refer to the **At Every Hearing** guide for findings, practices, and considerations that apply across all hearings.

COURT FINDINGS

In addition to the findings on the **At Every Hearing** guide, the court must:

- Make written findings of fact regarding whether reasonable efforts have been made to move the child to permanency;
- Evaluate whether the permanency plan for the child remains appropriate; and
- Enter an order furthering adoption or, if appropriate, another permanency option, including but not limited to ordering a different placement.



If the child has lived with a caregiver for at least 12 months and that individual expresses a desire and willingness to adopt, the court must consider their testimony and evidence.

If the child has lived with a foster parent, relative, or other caregiver for at least 12 months (ending fewer than 90 days before the petition was filed) and that individual expresses a desire and willingness to adopt, the court must consider their testimony and evidence. The evidence may include the level of attachment and bonding between the child and caregiver and the child's health, safety, and well-being.

PREPARING FOR THE HEARING

Preparing for this hearing means focusing on what specifically stands between the child and a finalized adoption and what support they will need through that transition.

QUESTIONS TO CONSIDER

- Which relationships and attachments are most important to this child right now?
- Will the child be able to be adopted with their siblings?
- Is the proposed caregiver prepared for the child's emotional, behavioral, physical, and cultural needs?
- What supports will the child need during the transition to permanency?
- Does the child understand their proposed permanency plan?
- Are reasonable efforts genuinely being made to finalize permanency, or has the case stalled?
- Is the permanency plan still appropriate for the child?
- Has enough time passed, and have circumstances changed enough, that it may be appropriate for the child to petition for reinstatement of parental rights? See the ***Reinstatement of Parental Rights Hearing*** guide for more information.



PRACTICE POINTS

- Continue to visit the child and monitor the case until adoption is finalized or permanency is achieved.
- When a potential adoptive resource has been identified, assess their ability and willingness to provide long-term commitment to a child who has experienced trauma.
- Identify and assist in resolving any barriers to a timely adoption, including whether adoption subsidies are needed and whether any required adoption conversion studies (home studies) have been completed.
- Ensure the child has had a life history completed.
- If a sibling waiver has been granted and siblings will achieve permanency separately, confirm there is a plan to maintain their connection long-term.
- If a voluntary post-adoption contact agreement (open adoption) is appropriate, discuss the opportunity with the parties and caregivers as applicable.
- Submit a report focused on what is needed to finalize permanency, outlining any barriers, with recommendations supported by best interest factors.

AT THE HEARING



PRACTICE POINTS

- If the caregiver wishes to adopt and meets the 12-month threshold, ensure their testimony regarding bonding, attachment, and the child's well-being is presented.

REINSTATEMENT OF PARENTAL RIGHTS

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TIMEFRAME

Reinstatement is available to a child who has not been adopted within three years following the TPR hearing and adoption is no longer the permanent plan. A child may petition before three years if DFCS or the child-placing agency agrees the child is not likely to be adopted.

PURPOSE

To determine, by clear and convincing evidence, whether the parent has rectified the circumstances that led to termination, and whether reinstatement would now serve the child's best interests.

- ▶ Refer to the **At Every Hearing** guide for findings, practices, and considerations that apply across all hearings.

THE PROCESS

If it appears that the child's best interests may be promoted by reinstating parental rights, the court shall order a hearing. Notice must be provided to DFCS, the attorney of record, the GAL/CASA, foster parents, and the former parent(s) whose rights were terminated. Foster parents and former parents are not parties to the hearing. The hearing can proceed in their absence, but they still have the opportunity to be heard.

A child aged 14 or older must generally sign the petition. The petition must be dismissed if the former parent cannot be located or objects to reinstatement.

An order reinstating parental rights reflects the court's recognition that the parent's situation has changed since termination and that reunification is now appropriate.

COURT FINDINGS

The court must determine whether the child is no longer likely to be adopted and whether reinstatement of parental rights is in the child's best interests, considering:

- Whether the parent whose rights were terminated is now fit and has remedied the deficits that led to termination;
 - Whether reinstating parental rights would present a risk to the child's health, welfare, or safety; and
 - The age and maturity of the child and their ability to express a preference;
 - Other material changes in circumstances that warrant granting the petition.
- ▶ See the **Best Interests of the Child** guide for additional best interest factors that may apply.

POSSIBLE OUTCOMES

If the court grants reinstatement, a review hearing must be scheduled within six months. During this period, the court may order the child to immediately be placed in the parent's custody or may order DFCS to provide transition services to the family if a transition period is necessary.

PREPARING FOR THE HEARING

Preparing for this hearing means honestly assessing whether the parent's circumstances have changed enough that reunification is realistic now.

QUESTIONS TO CONSIDER

- Were adoption and permanent guardianship fully explored before reinstatement was considered?
- Does a safe, appropriate relationship currently exist between the child and the parent?
- How has the parent changed since TPR? What is the evidence of that change?
- What supports would the family need if parental rights are restored?



PRACTICE POINTS

- Contact the child to discuss their wishes and share their position with the child's attorney to file the reinstatement petition.
- Contact all appropriate parties, including DFCS, the foster parent, and the former parent to ascertain their position on reinstatement.
- Identify any changes in the parent's and child's circumstances since termination, including housing, stability, sobriety, and mental health.
- Identify any barriers to reinstatement, safety concerns, or transition needs.
- Prepare a report and be ready to testify or give oral recommendations in court, supported by relevant best interest factors.
- If reinstatement is granted, make recommendations specific to transition support and services.

KEY PRACTICE NOTES

SET REALISTIC EXPECTATIONS

If the parent's circumstances have not changed enough to support reinstatement, help the child understand this honestly and compassionately rather than building hope around an unlikely outcome. The CASA volunteer's role includes helping the child process this reality with support.