

	<b>INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY</b>	
	<b>Chapter 2: Assessment</b>	<b>Effective Date:</b> October 1, 2020
	<b>Section 26: Diligent Search</b>	<b>Version:</b> 4

## STATEMENTS OF PURPOSE

The Indiana Department of Child Services (DCS) will conduct a diligent search for known, absent, and non-custodial parents beginning upon the child's or youth's first contact with DCS. Upon indication that an assessment will be substantiated, DCS will expand the diligent search to include all adult relatives and any non-relative kin who may provide support to the child and/or family. The diligent search will include a thorough search of all potential resources and will continue throughout the child's or youth's involvement with DCS.

DCS shall conduct a diligent search, including efforts that utilize search technology throughout the life of the case to locate the following:

1. Absent and non-custodial parents, for the purposes of notifying them of a Detention and Initial Hearing, other Juvenile Court proceedings, Termination of Parental Rights (TPR), or adoption unless:
  - a. A parent is deceased (certified by a Death Certificate),
  - b. A parent has signed a [Consent to Adoption \(SF 12582\)](#) for the child,
  - c. A parent has surrendered the child for adoption,
  - d. TPR has been finalized with respect to the child who is the subject of the Juvenile Court proceeding, or
  - e. DCS has confirmed a parent's home address by visiting the home within the last month.
2. All individuals named on a [Preliminary Report of Alleged Child Abuse or Neglect \(SF114\) \(310\)](#) whose whereabouts are unknown, for the purpose of conducting an assessment;
3. Relatives required by law to be notified within 30 days of a child's removal from their parent, guardian, or custodian. See policy [4.28 Removals from Parents, Guardians, or Custodians](#) for additional information;
4. All adult relatives and other individuals who have an established and significant relationship with a child in DCS custody, for the purpose of finding the best and earliest placement for a child that may result in permanency, childcare, or other assistance to support the family. See policy [8.1 Selecting a Placement Option](#) for further guidance;
5. Siblings of a child in DCS custody, for the purpose of placing the siblings together or to facilitate regular visitation. See policy [8.12 Developing the Visitation Plan](#) for additional information;
6. Individuals who have been identified by the child and/or family as potential informal supports; and
7. Any child absent from placement, including any child for whom DCS is legally responsible, who is absent from the child's approved/authorized placement without the consent of the child's caregiver or DCS. This also includes a child who is placed in protective custody and the child is abducted or the child's whereabouts become

unknown during a pending assessment or pending case. See policy [2.24 Missing and Runaway Children](#) for additional information.

#### Code References

1. [IC 31-34-3-4.5: Procedures for notices to adult relatives and siblings](#)
2. [IC 31-9-2-107 \(b\) "Relative"](#)
3. [IC 31-34-18-2: Predispositional report; participation by parent, guardian, or custodian; out-of-home placement with blood or adoptive relative caretaker](#)
4. [42 USC 671 \(a\)\(29\) Notification of Parents of Siblings](#)

### **PROCEDURE**

The FCM will:

1. Ask the custodial parent where DCS may find the non-custodial parent if their whereabouts are unknown;
2. Gather information during conversations with the custodial and non-custodial parents, the child, any known relatives, other supports, and the current caregiver (if applicable). This information may be used to conduct a diligent search for the child's [siblings](#), all adult relatives, friends, or non-relative kin who may be a possible placement option for the child (if applicable), Child and Family Team (CFT) member, and/or informal support for the child and/or family;

**Note:** The information the FCM will obtain includes addresses; telephone numbers; aliases; veteran status; present or previous employers; the last school the child attended; doctors; educational information for the child including school name, child's grade, and teacher's name; tribal affiliation (if applicable); and any other information that would be helpful in locating relatives and resources for the child.

3. Visit the parent's last known address if there is reason to believe the parent may be at that location. See policies [5.6 Locating Absent Parents](#) and [4.20 Good Faith Efforts](#) for additional information;
4. Contact the landlord, if applicable, ensuring the identified individual's confidentiality is maintained. See policy [2.6 Sharing Confidential Information](#) for further guidance;
5. Consider completing a Permanency and Practice Support (PPS) Investigator referral in KidTraks for assistance in locating individuals the FCM is not otherwise able to contact. See [Related Information](#) for additional guidance;
6. Document all diligent search efforts and the results of each search effort in a contact in the case management system within 24 hours of completion of each respective search;

**Note:** These efforts must also be captured in the Family Network Diagram. See [5.B Tool: Family Network Diagram Instruction Guide](#) for additional guidance.

7. Advise the CFT regarding the identity, or lack thereof, of a noncustodial parent and all adult relatives, efforts made to locate and contact the parent and identified relatives, and the identity and location of other persons contacted as requested by the child or the child's parent;
8. Continue to pursue diligent efforts to locate absent parents, noncustodial parents, all adult relatives, and siblings, as necessary, throughout the life of the case, and discuss progress made during safety staffing and [clinical supervision](#). See policies [4.41 Safety](#)

[Staffing](#), [5.4 Noncustodial Parents](#), and [5.6 Locating Absent Parents](#) for additional information; and

9. Include diligent search efforts in each progress report to the court. Ensure an ADI is completed on individuals named on the Petition, if applicable.

In the event of a removal, the FCM will:

1. Identify all adult relatives, and conduct a diligent search, including a search for those individuals required by [IC 31-34-3-4.5](#) to be notified of the removal. See [Practice Guidance](#) for more information;
2. Record in the case management system:
  - a. The name, relationship to the child, and contact information of each person for whom this information is available, and document each successful contact, and
  - b. The name, relationship to the child, and diligent efforts made to locate and contact each adult relative and sibling who has not been located for purposes of the written notice of removal (per [IC 31-34-3-4.5](#)).
3. Contact the located individuals as soon as possible to consider them for participation in CFT Meetings, placement for the child, and as informal supports for the child and/or family;
4. Ensure each individual receives a written notice of the removal using [Notice to Relatives \(SF 55211\)](#) within 30 days of the removal;

**Note:** When it is known or suspected that a relative has caused family or domestic violence, DCS may not notify that relative of the child's removal. The decision not to provide notice to any of the required relatives must be made jointly with the FCM Supervisor and documented in the case management system.

5. Follow all confidentiality requirements when communicating with relatives. See [Practice Guidance](#) for more information; and
6. Include diligent search efforts, including all adult relatives and those named on the petition, in each progress report to the court.

The FCM Supervisor will:

1. Ensure the FCM has conducted a diligent search for all adult relatives, including those individuals required by [IC 31-34-3-4.5](#) to be notified of the removal. See [Practice Guidance](#) for more information;
2. Review the continued progress of the FCM to pursue diligent efforts to locate absent parents, noncustodial parents, all adult relatives, siblings, and those named on the petition throughout the life of the case, and discuss progress made during safety staffing and [clinical supervision](#). See policies [4.41 Safety Staffing](#), [5.4 Noncustodial Parents](#), and [5.6 Locating Absent Parents](#) for additional information; and
3. Ensure all diligent search efforts are completed on all adult relatives and those individuals named on the petition when necessary, and documented in the case management system and included in progress reports to the court.

## **PRACTICE GUIDANCE**

### **Required Notifications to Relatives**

DCS is required to notify relatives (as outlined below) about a child's removal. DCS should send a separate [Notice to Relatives \(SF 55211\)](#) to each person.

**Example:** DCS sends a notice to the grandmother and a separate notice to the grandfather who live in the same home as DCS is unable to guarantee the grandmother will show the notice to the grandfather.

As required by [IC 31-34-3-4.5](#), the FCM must notify the following individuals within 30 days of a child's removal from their parent, guardian, or custodian:

1. Maternal and paternal grandparents;
2. Adult aunts and uncles;
3. A parent of a child's sibling if the parent has legal custody of the sibling;
4. All of the child's siblings who are at least 18 years of age; and
5. Any other adult relatives suggested by either parent or the child.

**Note:** When it is known or suspected that a relative has caused family or domestic violence, DCS may not notify that relative of the child's removal. The decision not to provide notice to any of the required relatives must be made jointly with the FCM Supervisor and documented in the case management system.

### **Respecting Family and Community Culture**

Throughout the relative search process, it is important to honor the family's culture and background and to integrate their cultural practices into plans for the child's care. In many cultures, family and community members have a range of supportive roles in caring for children. The family's cultural traditions may greatly enhance plans for child rearing, parenting, and supporting children. To build rapport with relatives, DCS must learn about the family's culture and engage them in developing workable plans that are consistent with the family's culture and unique traditions.

### **Building Trust with Relatives**

When family members do not respond immediately to DCS inquiries, this does not necessarily mean they do not care about the child. When DCS takes the time to build trust with relatives, it may go a long way to help them seriously consider the role they want to play in the child's life. DCS may help relatives see they do not have to limit their roles to providing a place to stay, but have a variety of ways they may be involved in the child's life.

Suggested strategies to build trust with relatives include:

1. Persevering – Continue to engage the family during each contact and during CFT Meetings to partner in the identification of family and important individuals in the lives of the child and family members; and
2. Providing Opportunities for Family Participation in CFT Meetings – It is important to let family members decide as much as possible about how they may help the child. Once the child's situation is clear, it is important to give relatives an opportunity to step forward. Family members often take the initiative to let others know about the child's situation. They often show their support in unanticipated ways – including traveling long distances at their own expense to participate in planning meetings.

### **Parental Resistance**

Often when engaging a parent, they may refuse to identify the absent parent, relatives, or other adults who care about the child. The following are some suggested strategies that may be of assistance in overcoming parental resistance. They include:

1. Informing the parent about the benefits of the child having a relationship with the absent parent and permanent connections with relatives and other caring adults, and the potentially harmful effects on the child who does not have these supports;

2. Being persistent and recognizing that sometimes the parent (and others) are not ready to provide information when first asked. The parent's resistance may lessen as they see other family members are concerned for the child and participate in family preservation services, reunification services, and/or CFT Meetings;
3. Asking the child to identify important individuals in the child's life with whom they would like to have contact. See [4.A Tool – Interviewing Children](#) for some helpful techniques for interviewing the child;
4. Seeking individuals who may be resources to provide support to the child and parent; and
5. Partnering with the courts and attorneys to obtain court orders requiring that parents identify relatives to whom written notice of removal is required by law. If necessary request parent be put under oath and instructed to provide testimony regarding identifying relatives and their contact information.

### **Confidentiality**

All DCS staff members are required to follow confidentiality requirements when communicating with relatives and other supportive individuals. When providing the [Notice to Relatives \(SF 55211\)](#) as required by law, DCS staff members are only permitted to share the information outlined below. If these relatives contact the FCM to request additional information about the case, the FCM should work with the child's parent to engage the relative in the CFT Meeting process and development of the [Visitation Plan](#), as appropriate. See policy [2.6 Sharing Confidential Information](#) for further guidance.

Each relative should be informed of the following when provided notice of the removal:

1. The child has been removed from their parent, guardian, or custodian by DCS;
2. Options the relative may have in order to become a relative placement for the child and that failure to respond to the notice may result in the loss of this option;
3. The option for the relative to become a licensed resource parent and receive financial assistance;
4. The option for the relative to adopt or obtain guardianship of the child in the event the child is unable to safely return home. The relative may also be able to enter into an agreement with DCS to receive financial assistance; and
5. Additional services available to the child while in foster care.

### **Accessing DCS Investigators**

DCS Investigators are employees of DCS who are responsible for assisting FCMs in locating absent parents, relatives, and/or other identified persons of interest to the case and/or assessment. FCMs may make a referral for this assistance in situations where all procedural steps have been completed and their efforts have been unsuccessful. Additional information regarding how to make a referral, when to make a referral, and other helpful information may be found on the [Permanency and Practice Support-Investigator](#) website.

<b>FORMS AND TOOLS</b>
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1. [Consent to Adoption \(SF 12582\)](#)
2. [Preliminary Report of Alleged Child Abuse or Neglect \(SF 114\) \(310\)](#)
3. [Notice to Relatives \(SF 55211\)](#) – Available in the case management system
4. [4.A Tool – Interviewing Children](#)
5. [5.B Tool: Family Network Diagram Instruction Guide](#)
6. [Safety Staffing \(SF 56567\)](#)

7. [Visitation Plan](#) – Available in the case management system

<b>RELATED INFORMATION</b>
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**Sibling**

A sibling is defined as:

1. A brother or sister including biological, half, step, and adopted; and
2. Any other individual who would be considered a sibling if parental rights had not been terminated.

**Clinical Supervision**

Clinical Supervision is a process in which an individual with specific knowledge, expertise, or skill provides support while overseeing and facilitating the learning of another individual.

**Example:** The focus of clinical supervision for an FCM is on practice that directly impacts outcomes for families.