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To: Regional Managers
Directors, Local Offices, Department of Child Services

From: James W. Payne, Director
Angela Green, Deputy Director of Practice Support
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Department of Child Services

Subject: Legislative Change – Providing Notice to Relatives
DCS-09-09

The Indiana Department of Child Services (DCS) continues to improve partnerships with the children and families we serve. In fulfilling the value that “We believe that the most desirable place for children to grow up is with their own families, when these families are able to provide safe, nurturing, and stable homes,” recent changes in state and federal legislation will enhance our achievement of this value.

This administrative letter outlines recent legislative changes reflecting the importance of notifying certain relatives of children who are removed from their parents by DCS. DCS remains committed to locating and engaging absent parents and key family members in the child’s case as soon as possible. These individuals should be contacted as soon as possible to be considered for participation in Child and Family Team (CFT) Meetings, placement for the child, and informal supports for the child and family.

Below is a summary of the law that is effective July 1, 2009. Within 30 days of removal, the Family Case Manager (FCM) is responsible for notifying all of the following individuals:

1. Maternal and paternal grandparents;
2. Adult aunts and uncles;
3. Any other adult relatives suggested by either parent or the child; and
4. All of the child’s siblings who are at least 18 years of age.



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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 to not provide notice to any of the required relatives must be made jointly with the Supervisor and documented in ICWIS.

Written notice must be sent to each individual using the following form: Notice to Relatives (NOT060901LTR). It is recommended that the FCM attempt to contact these individuals by phone as soon as they are identified in the hopes of minimizing or avoiding the use of emergency foster care placements. Relatives should be told the following information:

1. Notice that the child has been removed from his or her parent(s), guardian, or custodian by DCS;
2. Options the relative may have to become a relative placement for the child;
3. The requirements for the relative to become a licensed resource parent; and
4. Additional services available to the child while in foster care.

Since relative placements should always be given preference over non-relative foster care placements; it is essential that the FCM attempt to notify the required relatives as soon as possible to reduce potential placement moves for the child.

The FCM is expected to complete a diligent search for each of these individuals if their whereabouts are unknown. The best way to locate relatives is to ask the parent(s) and/or the child(ren) if they know how to contact each individual. A relative who has been located may also be able to assist in locating other relatives who need to be notified. If this does not work, the FCM should follow the steps used for locating absent parents which are outlined in [Chapter 5 – Section 6: Locating Absent Parents](#) of the DCS Policy Manual.

DCS staff members continue to be required to follow confidentiality requirements when communicating with relatives. DCS staff are only permitted to share the information outlined above when notifying relatives of a child’s removal. If relatives contact the FCM to request additional information about the case, the FCM should work with the child’s parent(s) to engage the relative in the Child and Family Team (CFT) process and Visitation Plan, as appropriate. Please see [Chapter 2 – Section 6: Sharing of Confidential Information](#) in the DCS Policy Manual for more information about confidentiality limitations.

Revisions will be made to the DCS Policy Manual to reflect these recent legislative changes. If you have any questions regarding these changes, please direct them to the DCS Policy Mailbox at DCSPolicy@dcs.in.gov



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Sincerely,

James W. Payne, Director
Department of Child Services



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