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|  | INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY | |
| | Chapter 8: Out-of-Home Services Section 12: Developing the Visitation Plan | |
| | Effective Date: July 1, 2023 | Version: 12 |

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POLICY OVERVIEW

If a child requires out-of-home placement, maintaining essential connections through frequent and meaningful contact with significant individuals in the child’s life is vital. Regular visits and contact with the parent, guardian, or custodian; siblings; and other significant individuals in the child’s life assists in minimizing trauma the child experiences while out of the home. Maintaining these relationships through visits and contact also helps the child feel connected to family members; prevent feelings of abandonment; and promote reunification.

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PROCEDURE

The Indiana Department of Child Services (DCS) will ensure a Visitation Plan is developed for every child in out-of-home care (unless an order for no visitation has been issued by the court). Visitation will occur regularly while the child remains in out-of-home care.

The FCM will:

1. Supervise the initial face-to-face visit with the parent, guardian, or custodian within 48 hours of removal;

Note: If a parent has been previously convicted of aggravated battery (IC 35-42-2-1.5), strangulation (IC 35-42-2-9), or neglect of a dependent under IC 35-46-1-4(b)(2) or IC 35-46-1-4(b)(3) against the child, in-person visitation must be withheld until a dispositional decree is entered or the CHINS petition is dismissed. DCS must notify the court that in-person visitation will be withheld unless a court order requires in-person visitation. Telephonic or video conference visitation may be provided.

2. Supervise the initial face-to-face contact with siblings within five (5) day of removal:

Note: Face-to-face contact between the child and siblings within five (5) days of removal may not be possible or appropriate for a child:

- a. Who is in one (1) of the following:
 - i. Residential treatment,
 - ii. Hospital, or
 - iii. Juvenile Detention Center.

- b. Who has entered out-of-home placement due to a serious safety risk posed to that child by a sibling, and a court has not yet ruled on the appropriateness of the sibling visitation; or
 - c. When a court has ordered that the siblings shall not have contact with each other.
3. Document requests for visitation from the following in the case management system within three (3) business days of receipt of the request:
 - a. Child,
 - b. Child's adoptive parent,
 - c. Resource parent,
 - d. Guardian ad Litem (GAL)/Court Appointed Special Advocate (CASA), or
 - e. Agency responsible for the care, treatment, or supervision of the child may request sibling visitation.
 4. If a request for sibling visitation has been received DCS will consider the best interest of the child and the child's sibling if the sibling is also in foster care when determining visitation between siblings. Provide notice of DCS findings on request for sibling visitation to the individual or agency who made the visitation request no later than seven (7) business days after receipt of the request;
 5. Ask each individual who will be participating in visitation if a reasonable accommodation is needed due to a disability and make a plan to provide the reasonable accommodation;
 6. Develop a Visitation Plan within five (5) calendar days of removal, with input from the Child and Family Team (CFT). See policies 5.07 Child and Family Team Meetings and 5.08 Developing the Case Plan/Prevention Plan for additional procedural information;

Note: The Visitation Plan may be developed during a Case Plan conference if there is not a CFT.

7. Ensure the Visitation Plan includes the following components:
 - a. A goal of reestablishing, maintaining, and/or strengthening the bond that exists between the child and the child's family, which aligns with the child's permanency goal in the Case Plan/Prevention Plan,
 - b. Parameters of contact (i.e., who, what, and how often),
 - c. Face-to-face visits between the child and parent, guardian, or custodian at least once per week and at least twice per week if the child is an infant (age 0-1 year) or toddler (age 1-2 years), unless the court has ordered otherwise,

Note: Include provisions for visits and/or alternate forms of contact between the child and the noncustodial parent and incarcerated parent, if appropriate. See Practice Guidance for additional information.

- d. Face-to-face visits between the child and the child's siblings at least once per week,
- e. Face-to-face visits between the child and other individuals with whom the child has a positive, significant relationship, as long as it is deemed appropriate, does not negatively affect the child, and does not interfere with or disrupt the regular visitation of the parent, guardian, or custodian,
- f. The degree of supervision necessary for each person who will visit the child and identification of who may provide supervision. See 8.C Tool – Supervision of Visits for additional information,
- g. Visit logistics (e.g., location, time and length of visits, transportation, and any reasonable accommodations for any participant who has a disability),

- h. Appropriate activities during visitation (e.g., developmental activities and parenting activities) and any special considerations and/or accommodations regarding visitation, and
- i. Alternate forms of contact (e.g., phone or virtual [using virtual technology], cards, letters, photographs, or recordings) to supplement the face-to-face visits.

Note: Ensure that any alternate form of contact does not interfere with case plan goals or have a negative impact on the child.

8. Discuss case specifics and plans to address any concerns regarding the Visitation Plan (e.g., safety concerns and consideration for the need to conduct background checks) with the FCM Supervisor. See Practice Guidance for additional information;
9. Engage the CFT in problem-solving regarding any barriers to visitation (e.g., incarceration, domestic violence (DV), refusals, and transportation). See policy 8.13 Implementing the Visitation Plan for additional procedural information;

Note: Any reasons for delay or lack of contact must be documented in the case management system.

10. Review and ensure all parties fully understand the Visitation Plan and how it will be implemented, monitored, and adjusted throughout the life of the case. See policy 8.13 Implementing the Visitation Plan for additional procedural information;
11. Submit any pre-existing court ordered Visitation Plans along with the proposed Visitation Plan to the court for approval; and
12. Ensure the approved Visitation Plan is documented in the Child and Family Team (CFT) Meeting Notes form, included in the Case Plan/Prevention Plan, submitted to the court, and updated as needed.

Note: The Visitation Plan must be documented utilizing the Visitation Plan segment of the case management system if there is no CFT.

The FCM Supervisor will:

1. Provide guidance to the FCM to ensure all duties are completed timely and appropriately;
2. Discuss case specifics and any concerns regarding the Visitation Plan with the FCM (e.g., safety concerns and consideration for the need to conduct background checks). See Practice Guidance for additional information;
3. Ensure the Visitation Plan is documented in CFT Meeting notes (or Visitation Plan in the case management system, if there is no CFT), included in the Case Plan/Prevention Plan, submitted to the court, and updated as needed; and
4. Ensure any deviations from best practice are documented in the case management system.

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RELEVANT INFORMATION

Definitions

N/A

Forms and Tools

- [8.C Tool – Supervision of Visits](#)

- Case Plan/Prevention Plan (SF 2956) – Available in the case management system
- [Child and Family Team \(CFT\) Meeting Notes \(SF 54601\)](#)
- Visitation Plan – Available in the case management system

Related Policies

- [5.07 Child and Family Team Meetings](#)
- [5.08 Developing the Case Plan](#)
- [5.15 Concurrent Planning](#)
- [8.13 Implementing the Visitation Plan](#)
- [13.13 Childcare Providers and Extracurricular Activities](#)

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LEGAL REFERENCES

- [IC 31-10-2-3: Right of persons with a disability](#)
- [IC 31-17-2-8.1: "Disability"; custody](#)
- [IC 31-28-5-3: Persons who may request sibling visitation; department establishment of sibling visitation](#)
- [IC 31-34-12-9: Rebuttable presumption to prohibit in person contact with child](#)
- [IC 31-34-15-4: Form; content](#)
- [42 USC 12102: Definition of disability](#)

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PRACTICE GUIDANCE- DCS POLICY 8.12

Practice Guidance is designed to assist DCS staff with thoughtful and practical direction on how to effectively integrate tools and social work practice into daily case management in an effort to achieve positive family and child outcomes. Practice Guidance is separate from Policy.

Background Checks for the Purpose of Visitation

DCS may request individuals who participate in visitation with the child to complete background checks. See policy 13.13 Childcare Providers and Extracurricular Activities for additional guidance.

Any results returned are to be used in the overall determination to evaluate the safety of the child. There is no CPS and/or criminal waiver process involving the DCS Central Office Background Check Unit (COBCU) regarding background checks for the purpose of visitation.

Visitation with Incarcerated Parent, Guardian, or Custodian

Children benefit from maintaining contact with their parent, guardian, or custodian, especially when reunification is the goal. The Indiana Department of Corrections (DOC) may permit children to visit with their incarcerated parent, guardian, or custodian unless a sex offense was a basis for the commitment. The FCM should contact DOC to determine whether the incarcerated parent may or may not have visitation with children.

The FCM should also contact the county jail and/or federal prison facility, when applicable, to determine whether the incarcerated parent, guardian, or custodian may or may not have visitation or other contact with the child.

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