

	<b>INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY</b>	
	<b>Chapter 8:</b> Out-of-Home Services	<b>Effective Date:</b> July 1, 2019
	<b>Section 13:</b> Implementing the Visitation Plan	<b>Version:</b> 8

<b>STATEMENTS OF PURPOSE</b>
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The Indiana Department of Child Services (DCS) will ensure the implementation of the [Visitation Plan](#) for every child in out-of-home care.

DCS will seek a court order, if changes need to be made to the approved [Visitation Plan](#) for the following reasons:

1. Concerns for the child’s safety and well-being;
2. Visitation with a parent, guardian, or custodian who is incarcerated;
3. Change in frequency or supervision of interaction (e.g., supervised visits to unsupervised visits);
4. The parent, guardian, or custodian states in writing that he or she no longer wishes to visit;
5. The decision has been made to transition to the second permanency plan, if concurrent planning. See policy [5.15 Concurrent Planning](#); and
6. Visitation disputes by involved parties.

If DCS files a petition for Termination of Parental Rights (TPR), visits and services will cease unless otherwise ordered by the court. See policy [5.10 Family Services](#).

Code References

[IC: 31-34-15-4: Form; contents](#)

<b>PROCEDURE</b>
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The Family Case Manager (FCM) will:

1. Supervise visits or create a service provider referral, if the visits are supervised;
2. Develop a visitation schedule which is agreeable to all parties;

**Note:** Visits to the Indiana Department of Correction (DOC) and/or detention facilities shall be supervised by the FCM, foster parent, relative of the child, or another person approved by DCS. Visits shall occur during DOC and/or detention facility visiting hours and conform to DOC and/or detention facility’s rules.

3. Monitor and document the progress of the visits through:
  - a. Supervising visits, and/or
  - b. Written communication with the supervising staff/agency;
4. Monitor and facilitate positive interaction and communication, between the parent, guardian, or custodian and the resource parent according to policy [8.16 Resource Parent\(s\) Role](#);

5. Monitor and document any reactions the child is having to separation from his or her parent, guardian, or custodian; siblings; and other persons of significance. See policy [8.10 Minimum Contact](#);
6. Document all visits, including missed visits, in the Management Gateway for Indiana's Kids (MaGIK) [Visitation Log](#) and provide this information to the court;
7. Assess the effectiveness of the [Visitation Plan](#) in meeting the identified goal(s);
8. Reconvene the Child and Family Team (CFT) Meeting as needed to determine if any changes are required or to assist the family in overcoming any barriers to visitation such as:
  - a. Transportation issues,
  - b. Safety concerns,
  - c. The child's fear of visiting in a detention facility,

**Note:** Ensure the child is prepared for visitation in a detention facility including the security checkpoint.

- d. Intermittent visitation, and
  - e. Failure to visit. See policy [5.7 Child and Family Team Meetings](#);
9. Update the written [Visitation Plan](#) to reflect any significant changes (e.g., location changes, changes in level of interaction, court ordered changes, etc.);
  10. If a parent, guardian, or custodian or another adult with whom the child has a significant relationship disagrees with the [Visitation Plan](#) and those disagreements cannot be resolved, notify in writing the person disputing the [Visitation Plan](#) of legal rights and options which include the ability to:
    - a. Seek representation, and
    - b. File a petition requesting judicial review and modification of the [Visitation Plan](#).

**Note:** Disagreements should be documented during the resolution period. Visitation will continue in some form, unless ordered by the court to discontinue or an interim [Visitation Plan](#) is provided to all parties.

11. Notify all parties of any changes to the [Visitation Plan](#);
12. Facilitate the convening of the CFT Meeting, within 30 calendar days of removal or decision to begin concurrent planning, by identifying a second permanency plan. See policy, [5.15 Concurrent Planning](#); and
13. Cease services (including visitation) to the parent after TPR is filed unless otherwise ordered by the court. See policy [5.10 Family Services](#).

### **During Supervised Visitation For Families Experiencing Domestic Violence**

The FCM will ensure the alleged domestic violence offender does not:

1. Discuss with or question the child as to the location or activities of the non-offending parent. There should be no discussion about past domestic violence incidents or any of the circumstances of the removal;
2. Discuss with or question the child about their counseling or therapy; and
3. Use any form of physical discipline or intimidation. There is to be no rough physical contact.

## PRACTICE GUIDANCE

### **Visitation with Incarcerated Parents**

The FCM may contact the corresponding detention facility Case Manager to initiate a visit between an incarcerated parent and a child. The DCS FCM and DOC Case Manager shall confer with one another prior to initiating each visit to define expectations of the visit and exchange contact information. The FCM shall complete any required detention facility forms prior to the visit.

FCMs shall inform detention facility Case Managers of the requirements of court orders regarding participation by parents in the care, treatment, or rehabilitation of children. Any information shared as such must be kept confidential.

All correspondence and information provided by the detention facility and DCS shall designate both the name of the child and the parent to whom it pertains. DCS shall use the detention facility number of the parent when available.

If issues arise regarding the visitation, the FCM should contact the detention facility Case Manager promptly to resolve the issues.

If it is not possible to have the visit during the detention facility's regular visiting hours, DCS will discuss the possibility of arranging a "special visit".

Background checks currently performed by DCS are sufficient to satisfy detention facility background check requirements for those who will be transporting children to visits with incarcerated parents. DCS shall not be responsible for the act or cost of transporting children in foster care to visits other than those paid for by DCS in the normal course of reimbursement. See policy [16.1 Clothing, Personal Items, and Permitted Per Diem Expenses](#).

## FORMS AND TOOLS

1. [Visitation Plan](#) - Available in the case management system
2. [Visitation Log](#) - Available in the case management system
3. [8.C Tool: Supervision of Visits](#)

## RELATED INFORMATION

### **Transportation**

The FCM should engage the CFT to help resolve any transportation issues that make parent-child visits difficult. Sources of transportation may include the child's relatives, family friends, faith-based transportation services, etc. If alternative transportation cannot be acquired and the cost of paid transportation would cause the child's family undue hardship, DCS will pay for the most cost efficient means of local transportation. See policy [5.7 Child and Family Team Meetings](#).

### **Noncompliance**

The FCM will engage the CFT to discuss the situation (e.g., family's risks, strengths, and needs), if the parent, guardian, or custodian or the child does not comply with the [Visitation Plan](#).

**Note:** Regarding parent, guardian, or custodian “no-shows”, DCS is obligated to continue to offer visits to the parent, guardian, or custodian, until a court order is issued stopping visitation. If the parent, guardian, or custodian exhibits a pattern of repeated “no-shows”, the FCM may require the parent, guardian, or custodian to call to confirm shortly before each visit. This measure may avoid false hopes on the part of the child and wasted effort on the part of those providing transportation.

### **Language Barriers for Visitation**

In some cases, a child and his or her family may communicate in a language other than English or utilize an alternative form of communication (e.g., Spanish, Sign Language, etc.). In order for the person supervising the visit to understand the conversation and adequately assess the quality of the interaction between the child and the individual, an interpreter may be required. The visit must still occur, even if an interpreter is unavailable.