

1. Overview

A. Description of family support services

DHS provides family support services (FSS) to eligible families who request help for their particular circumstances. These services are not available to an eligible family or former foster child when a child is unsafe due to abuse or neglect.

FSS cases are handled differently than a case in which a parent's or caregiver's behavior, condition or circumstance results in a safety threat to a child. In FSS cases the caseworker determines service needs, provides assistance, and works with the family and the child to access services that address the service goals developed with the family and documented in the FSS Case Plan. The casework activities of protective capacity assessment, developing and monitoring the ongoing safety plan, and determining expected outcomes apply to child welfare cases where a child has been determined to be unsafe, but not in FSS cases where a family has requested services or the court has ordered services through the department for a pre-adjudicated delinquent.

In some FSS cases a child is placed in substitute care through either a Voluntary Placement Agreement or Voluntary Custody Agreement, or when a pre-adjudicated delinquent is ordered to receive placement services by the court.

DHS provides six types of family support services. This chapter describes the procedures that apply to FSS cases and includes procedures unique to each type of service provided.

B. Types of family support services and eligibility requirements

- Voluntary Placement Agreement:** A Voluntary Placement Agreement is limited to specific situations, is defined in statute, and is used when a parent or legal guardian requests substitute care placement for a child and the “sole reason for placement is the need to obtain services for the child’s emotional, behavioral or mental disorder, or developmental or physical disability.” (ORS 418.312) In this type of FSS case the family retains the legal custody of the child.
 A child welfare program manager must approve entering into a Voluntary Placement Agreement.



The Family Support Services Case Plan has different components than the Child Welfare Case Plan, which is developed to address child safety in the family home. Policy I-B.2.3.1, Family Support Services, and this chapter of the procedure manual, detail the requirements for FSS case plans. Whenever an FSS case involves substitute care, the requirements detailed in policy I-B.1, Monitoring Child Safety, regarding monitoring child safety in substitute care, procedures for placement selection in Chapter IV, and monitoring child safety in Chapter III apply to monitoring a child's placement and safety in substitute care.

- **Voluntary Custody Agreement:** A Voluntary Custody Agreement is limited to specific situations when a parent or legal guardian requests DHS to take legal custody of the child.

All of the following must apply:

1. The parent or legal guardian requests DHS to take legal custody of the child.
2. The parent or legal guardian is immediately and temporarily unable to fulfill his or her parental responsibilities.
3. The inability will be alleviated with short-term placement when one of the following conditions exists:
 - a. The child cannot remain at home due to a temporary crisis in the family, and cannot safely stay with a member of the extended family or another responsible adult who is well known to the child;
 - b. The parent or legal guardian is temporarily or will be temporarily unable to fulfill parental responsibilities due to a diagnosed medical or mental health condition; or
 - c. The child needs to be placed outside the home due to problems in the family that could compromise the safety of a family member, and a placement of limited duration in conjunction with intensive services is likely to reunite the family and reduce safety concerns for the family member.
4. A child welfare program manager must approve entering into a Voluntary Custody Agreement.

A Voluntary Custody Agreement is not appropriate when a parent or legal guardian was the perpetrator of a founded disposition of child abuse or neglect within the past 12 months or when the parent or legal guardian is unwilling to be a permanent resource for the child.

- **Independent Living Program (ILP) services to a former foster child:** A former foster child is defined as a person under 21 years of age, who was in substitute care in Oregon (including substitute care provided by a federally recognized tribe) after the age of 14, and remained in substitute care for an accumulative 180 days or longer. (Note: Most individuals receiving ILP services do so based on a case that is already open due to abuse or neglect.) When a former foster child requests ILP services, the caseworker will determine which of the ILP services the individual is eligible to receive. Eligibility factors vary by type of service. Chapter IV, Youth Transitions, describes in more detail the procedures for accessing ILP services. Refer to Appendix 6.1 for a matrix of ILP services. The former foster child (if over age 18) or the former foster child's family must agree to these services.

- **Post-legal adoption and post-assisted guardianship assistance to a family:** DHS provides services when a family whose adoption or assisted (subsidized) guardianship occurred in Oregon through DHS, and the family requests services to support or maintain the adoption or guardianship. A family may request services while the child remains in the family home or request the child be placed temporarily in substitute care to address identified needs.
- **In-home family support services:** Family support services are available to a family who requests in-home family support services, if all of the following eligibility conditions are met:
 1. Other community resources have been used and determined to be ineffective;
 2. Members of the extended family and other responsible adults who are well known to the child have been explored or used and determined to be unsafe, unavailable, unwilling or ineffective as support for the family;
 3. The parent or caregiver is temporarily or will be temporarily unable to fulfill parental responsibilities due to a diagnosed medical or mental health condition;
 4. The parent's or caregiver's inability to fulfill parental responsibilities is temporary, immediate, and will be alleviated with short-term services, or short-term services will transition the family to community services;
 5. The child remains in the home; and
 6. The child welfare program manager approves the request for services.
 7. If child welfare funds for in-home family support services no longer are available, services may be discontinued, even if the affected individuals still meet other eligibility criteria.
- **Services to pre-adjudicated delinquents when ordered by the court:** DHS must provide family support services when the court has ordered the department to provide services to a pre-adjudicated delinquent.
- Unless eligible based on a court order to provide services to pre-adjudicated delinquents, the parent, legal guardian or former foster child must fully and continually cooperate with the department in the following processes to remain eligible to receive family support services:
 1. Determination of service needs;
 2. Preparation of the Family Support Services Case Plan; and
 3. Monitoring of the Family Support Services Case Plan.

