

14. Reunification

When an ongoing safety plan includes a child's placement in substitute care, the caseworker must make ongoing reasonable efforts to reduce the length of time in placement. Remember that any legal parent may reunify with the child; do not only consider the parent from which the child was removed. Thoughtful and effective planning for the return of the child must begin at the time of placement and continue until the return of the child is achieved or the Child Welfare Case Plan goal is changed to the concurrent permanency plan. The level of effort to reunify should be constant and intense. Safety threats do not have to be totally eradicated to manage the child's safety. Parents do not necessarily have to demonstrate sustained change for children to return to the parents' home.

The decisions made at the time of placement and the actions taken throughout the life of the case greatly impact timely return of the child to the parents' home including:

- Where and with whom the child is placed.
- Visitation plans that maintain or increase parent/child bonds to the parents.
- Clear understanding and constant monitoring the safety threats in relation to the parental protective capacities.
- Developing conditions for return.
- Monitoring case progress.

Reunification is a decision and practice that is part of ongoing safety management. Reunification should occur:

- At the earliest time a child's legal parent can meet the safety needs of the child, regardless of whether that parent was the parent from whose home the child was removed. –OR–
- At the earliest time that safety threats can be sufficiently managed with an in-home safety plan because of the progress that has been made related to the Conditions for Return.

Reunification can only occur when Conditions for Return have been met and an in-home safety plan can be implemented. Progress made by the parents, and changes in the behaviors, conditions or circumstances that led to placement are important, but not defining, when making the decision to return a child. Returning children is not dependent upon parents changing their lives or full achievement of the expected outcomes of the Child Welfare Case Plan. Reunification is possible and ethical while safety threat remediation efforts continue.

Information and procedures related to Conditions for Return are found in Section 5 of this chapter.

A. Decision to Return the Child to the Home from Which He Was Removed

Procedure

- When making a decision about reunification, the caseworker must perform analysis very similar to those made by the CPS worker at the beginning of the safety intervention process related to the following concepts:
 1. Present Danger – immediate, significant and clearly observable severe harm or threat of severe harm occurring to a child in the present.
 2. Impending Danger – state of danger in which family conditions, behaviors, attitudes, motive, emotions and/or situations are out of control and while the danger may not be currently active it can be anticipated to have severe effects on a child at any time.
 3. Safety Threats – family behavior, conditions or circumstances that could result in harm to a child.
 4. Child Vulnerability – a child who is unable to protect him/herself or seek help from others who may be able to protect them. Vulnerability is based upon age, physical and emotional development, ability to communicate needs, mobility, size, and dependence.
 5. Protective Capacities – specific behavioral, emotional and cognitive characteristics directly related to being protective.
 6. Safety Analysis – considers how safety threats are occurring in family and evaluates what kind and level of effort is required to protect a child.
 7. Safety of the home environment – condition of the child’s living space, including where the child sleeps; physical status of the home such as sanitation hazards or dangerous living conditions; signs of excessive alcohol use, use of illicit drugs, accessible drugs and alcohol; inadequate food or lack of access to food and water; weapons; chemicals; traffic in and out of the home; climate of the neighborhood.
- When considering reunification, the caseworker must:
 1. Inform the child’s parents, the child, and the child’s substitute caregivers that a return home is being considered.
 2. Inform service providers who are currently working with the child, and other involved persons including the child’s CASA and attorneys in writing, of the plan to return the child or young adult with an in-home ongoing safety plan.
 3. Conduct a safety analysis, which must include an analysis of the safety threats that continue to exist and how they are occurring (frequency, intensity, influences, etc.).

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4. Determine that the safety threats can be managed and child safety can be managed within the family home with an in home ongoing safety plan because:
 - a. There have been specific changes in the family circumstances and/or increased protective capacities.
 - b. There have been specific changes in the family circumstances and/or increased protective capacities.
 - c. Safety threats have been mitigated or eliminated.
 - d. Safety services and safety service providers are available and accessible at the level of effort required to assure safety in the home.
 - e. The parents are willing and able to continue participating in Child Welfare Case Plan services.
 - f. The in-home safety plan will provide the proper level of intrusiveness and level of effort to manage the safety threats.
5. Determine that an ongoing safety plan can be sustained while ongoing Child Welfare Case Plan services continue because:
 - a. The home environment is stable enough to sustain the use of an in-home safety plan.
 - b. Parents are willing to be involved and cooperate with the use an in-home safety plan and are agreeable to the expectations within the plan.
 - c. Safety service providers are committed to participating in the in-home safety plan.
 - d. Parents are willing for safety services to be provided in the home according to the ongoing in-home safety plan.
 - e. Parents are willing to be cooperative with the participants carrying out the ongoing in-home safety plan.
 - f. Parents are agreeable to the designated actions and time requirements in the plan.
6. Review reports from service providers, safety plan participants, and others involved in the case such as attorneys or the child's, CASA and confirm any disagreement with the plan to return the child or young adult home has been considered in the development of the in-home ongoing safety plan current.
7. Review the strengths and needs of the child including those identified by the CANS and any services being provided to the child to build upon the strengths or meet the needs. Consider how the parents will be able to meet the child's identified supervision needs.
8. Review any personal care services the child may be receiving when the child has identified medical needs that are addressed in the substitute caregiver's home through personal care services. Consider how the parents will be able to meet the child's identified medical needs.

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9. Review the criminal history records and Child Welfare protective service records of all persons currently residing in the home and confirm that records raise no safety concerns for the child.
 - a. Explain the use of the CF 1011f, “Consent For Criminal Records and Fingerprint Check,” and the DHS 2099, “Authorization for Use and Disclosure of Information,” to obtain authorization to obtain and review criminal history and Child Welfare protective service records.
 - b. Obtain signed consent and authorization forms prior to obtaining and reviewing records.



This is a good opportunity to use a Family Decision Meeting. A meeting at this time can serve as the opportunity to finalize the development of the ongoing safety plan and confirm the commitment of all safety plan participants.

10. Prepare the child for the return home.
 11. Prepare the substitute caregiver for the child's leaving the home and allow for transition from the substitute caregiver's home to the parent's home. Whenever possible, provide at least 10-day notice to allow the child and the substitute caregiver to transition, provide closure, and say goodbye.
 12. Consider whether there will be any future contact with the substitute caregiver and the child. Arrange and coordinate the type of contact when appropriate.
 13. Acknowledge and support that this change involves loss for both the substitute caregiver and the child (even though the child is returning to the parents' home).
- Once supervisory approval for a return home has been obtained, develop the in-home ongoing safety plan.

Develop the in-home ongoing safety plan

Prior to reunification, the caseworker must develop an in-home ongoing safety plan to manage safety threats as they are uniquely occurring in the family while continuing to work with the family to increase protective capacities toward achieving case goals.

The following questions may assist the caseworker in development of the safety plan:

- What are the safety threats that need to be managed to assure safety?

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- Is there any source within the family that can serve to manage the safety threats?
- How do I know if they are willing and able?
- What do I know about these resources? How do I find out?
- Is it clear that people participating in the safety plan understand and believe the safety threats and are aligned with Child Welfare?
- Do the resources/supports seem sufficient and available to address the safety threats for as long as needed?
- How will I know the safety plan will work?
- What is my role?
- Does everyone else know their role?
- How will I know if the safety plan isn't working?

Procedure

- The caseworker must ensure the in-home ongoing safety plan:
 1. Is a written agreement between the parent and Child Welfare.
 2. Specifies the safety threat(s).
 3. Establishes how safety threats will be managed, including the safety actions and safety services which will be used and will have immediate impact in controlling safety threats.
 4. Establishes the initial contact dates, frequency, duration, and purpose of each safety service provider contact, including caseworker contact, which must be within one day of the child's return home.
 5. Explains how the plan is the least intrusive means that can effectively manage safety threats. The in-home ongoing safety plan can be a combination of the child being in-home and substitute to assure the least intrusive intervention. Consider various arrangements that include the child being at home and with others:
 - a. For instance, weekends at grandma's house, weekdays with parents.
 6. Identifies and confirms the suitability, availability, and commitments of all participants.
 7. Does not use the parent who poses the safety threat to provide protection.
 8. Is approved by the supervisor within the seven days prior to the child's return and the supervisor must document the approval in FACIS.

Caseworker responsibilities prior to the child's return home

Procedure

After a proposed in-home ongoing safety plan is approved by the caseworker's supervisor, the caseworker must complete the following activities prior to the child's return home:

- Visit the child outside the presence of the parents, at least once during the five days prior to the return of the child and confirm the readiness and preparation of the child for the return home.
- Visit the parents in the parents' home at least once during the five days prior to the return by the child to verify:
 1. The current behaviors, conditions and circumstances of the home are safe for the return of the child.
 2. All persons living in the household.
 3. The parents are ready for the return of the child and have an awareness of the child's strengths and needs, including those identified by the CANS and/or Personal Care Assessment.



A parent's ability or inability to meet a child's non-safety-related needs should not keep a child from reunifying with that parent when active safety threats can be managed with an In-Home Safety Plan. However, in developing and managing an In-Home plan, the caseworker should assist the parent in developing an understanding of the child's non-safety-related needs and in developing the skill and ability to meet those needs. This can have an impact on the family's overall functioning. For example, if a child's supervision plan in substitute care includes the provision of a structured routine, the parent should be provided with this information and assisted in maintaining a structured routine in their home.

4. The parents are willing and able to participate in the ongoing safety plan.
5. The parents are willing and able to continue in Child Welfare Case Plan services.
6. The parents sign the in-home ongoing safety plan if it was not signed during a Family Decision Meeting.

Caseworker responsibilities at the time of reunification

Procedure

- The caseworker must:
 1. Visit the child in the parents' home the day following the return home of the child.
 2. Confirm the safety of the child.
 3. Review and confirm the sufficiency of the in-home ongoing safety plan, and document observations and conditions of the home in FACIS within seven days of the child's return home.
 4. Document observations and conditions of the home in FACIS within 7 days of the child's return home.

Document the in-home ongoing safety plan

Procedure

- Document the ongoing safety plan in FACIS on the Safety Plan tab and using the FACIS Safety Plan form.

When an in-home ongoing safety plan involves a parent voluntarily leaving the home

Procedure

If the in-home ongoing protective action includes a parent who is the alleged perpetrator and who is consenting to leave the family home, the CPS worker or caseworker must do the following:

- Notify the District Attorney responsible for the Multidisciplinary Team in the county where the child resides by:
 1. Providing this notice in writing.
 2. Providing this notice within three business days of the date the parent leaves the family home.

B. Decision to Return a Child to a Legal Parent Living in Oregon Other than the Parent from Whom the Child was Removed

Procedure

- When the court has given Child Welfare legal custody of a child and subsequently a legal parent other than the parent from whom the child was removed is identified, the caseworker must complete the following actions prior to returning the child to that legal parent:
 1. Review the criminal history records and Child Welfare protective service records of all persons currently residing in the home and confirm that records raise no safety concerns for the child.
 2. Confirm the legal parent has sufficient protective capacity to keep the child safe.
 3. Confirm the legal parent is willing and able to parent and care for the child.
 4. Prepare the child for return to the legal parent.
 5. Prepare the substitute caregiver for the child's transition to the legal parent.
 6. Document the facts and observations that support your recommendation to return the child to the legal parent.
 7. Prepare a report to the court. Refer to Chapter VIII, Working with the Courts and External Partners, for procedures regarding preparing this petition.
 8. Reunify the child with the legal parent and follow procedures for closing a case.

C. Decision to Return a Child to a Legal Parent in a State Other than Oregon

- Under Regulation #3 of the Interstate Compact on the Placement of Children (ICPC), reunification of a child with his or her parent in another state is subject to the requirements of the ICPC, unless the conditions explained below apply.
 1. Regulation #3 states: **“The Compact does not apply whenever a court transfers the child to a noncustodial parent with whom the court does not have evidence before it that such parent is unfit, does not seek such evidence, and does not retain jurisdiction of the child after the court transfers the child.”**
 2. Even when the petition seeking legal custody of the child does not name the parent living out of state, the court has the option to grant custody of the child directly to the parent living out of state. ICPC does not apply since the court grants custody to the out-of-state parent.
- In the majority of cases, the ICPC applies when Child Welfare seeks to reunify a child with a parent living out of state.
 1. When the parent or parents of a child who is in the legal custody of Child Welfare move to another state, follow the procedures for assessment of the parent’s fitness to provide care. (Refer to Chapter IV, ICPC Placements, for those procedure).
 - a. At a minimum, the assessment must include information confirming:
 - 1) The legal parent has sufficient protective capacity to keep the child safe.
 - 2) The legal parent is willing and able to parent and care for the child.
 2. When Child Welfare identifies and determines it appropriate to assess a legal parent living out of state, follow the procedures for assessment of the parent’s fitness to provide care. The procedures for approval to place with that parent are the same as the approval for an ICPC placement with any substitute caregiver or adoptive home (Refer to Chapter IV, ICPC Placements, for those procedures.)
 - a. At a minimum, the assessment must include information confirming:
 - 1) Confirm the legal parent has sufficient protective capacity to keep the child safe.
 - 2) Confirm the legal parent is willing and able to parent and care for the child.

D. Decision to Reunify with a Parent in a Foreign Country

Procedure

When a child in the legal custody of Child Welfare has a legal parent living in a foreign country and Child Welfare wants to assess that parent's ability to provide safety and care for the child, the caseworker requests the assistance of that country's Consular Office to assess the parent's ability to provide safety and care for the child. Contact the CAF Diversity and International Affairs Manager for additional assistance or consultation regarding reunification with a parent in a foreign country or international travel procedures.

- Determine whether the child is a U.S. citizen or a foreign national prior to sharing information with the Consular Office.
 1. If the child is a foreign national, international treaties and statutory authority already exist to share information with a Consular Office.
 2. If the child is a U.S. citizen or dual citizen, obtain the parent's signed authorization to share their child's information with the Consular staff through a signed DHS 2099 (Authorization for Use and Disclosure of Information) or obtain permission through an order of the court.
- Send a template copy of the Home Study for Parents Living Outside of the United States in both English and in the language of the other country to the closest foreign consulate office to the parent's address, requesting the consulate's assistance in forwarding the request to the appropriate entity in that country to conduct a parental home study.
 1. Include with a cover letter a copy of documentation explaining the child's history in the U.S. and any special needs. Remember to include the following information:
 - a. Parent's physical residence.
 - b. Parent's phone number, if any.
 - c. Reason for the home study request.
 - d. Reason why the child is not in the parent's custody.
 - e. What the department has or is requiring of the parent to ameliorate issues of involvement with the department.
 - f. Any specific concerns regarding parental behavior or safety issues.
 - g. Where to send the completed home study and who to contact if questions arise.

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2. Provide instructions for completing the “Home Study for Parents Living Outside of the United States.” For example:
 - a. Complete each section with the information requested.
 - b. All persons living in the home, 18 years or older, need their history checked for any criminal or child abuse involvement.
 3. All translations must be done through DHS approved contracted services. Complete a CF 0010 A to request translation and refer to the Child Welfare AR 06 002 dated 6/30/06 located at http://www.dhs.state.or.us/policy/childwelfare/ar/2006/cw_ar_06_002.pdf.
- The branch office needs to notify the consulate as a diplomatic courtesy when the completed home study is received. For the Mexican consulate in Portland, email Laura Nargaez at <Inarvaez@sre.gob.mx>.
 - Carefully review all documentation received from the foreign country, staff with your supervisor regarding the content of the home study and any documents received. Since the skill of foreign social workers vary from one to another, it is important that all questions that refer to safety threats and their resolution are carefully evaluated. Criminal and child abuse background history must be included in the home study.
 - If more information is necessary to make a determination to return the child to the parent in the foreign country request this information through the consulate.
 - Once the decision has been made to return the child to the parent in the foreign country, the caseworker must complete the following steps:
 1. Request final approval from the Diversity and International Affairs Unit in Salem. The request must contain a copy of the Home Study for Parents Living Outside the United States.
 2. Contact the Consular Office of the foreign country where the parent is living and advise them of the intent to reunite the child with the parent.
 3. Continue to work with the Consular Office to ensure that all of the necessary steps and documents required by the foreign country to physically and legally return the child to the parent are completed.
 4. Follow the procedures below to ensure all the required documents and to obtain international travel authorization.

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Travel documents

Procedure

- Verify with the Consular Office and with the United States Department of Homeland Security, Customs and Border Protection <<http://www.cbp.gov/xp/cgov/travel/>> which travel documents are required for the trip, both to enter the foreign country and to reenter the USA.
- Verify with the travel agency or on http://travel.state.gov/travel/cis_pa_tw/cis/cis_1765.html if any immunization or medical interventions are required or recommended and documentation needed to verify any requirements have been met.
- Passport photos. Once it appears that travel to another country is likely to occur, schedule a time to have the child's passport photo taken.
- Apply for a passport for the child and the person traveling with the child.
- Ensure each individual has a U.S. passport if they are a U.S citizen or have dual citizenship in the U.S. and another country.
- The child is required to have a passport from the country in which he or she is a citizen. To receive this document, send the child's passport photos to the Consular's office. The Consular's office will produce and send the caseworker the travel document that will serve as the child's temporary passport and grant him or her entry into Mexico.

Travel authorization

Procedure

- Verify with the United States' Department of State there are no travel restrictions to the country which the child will be returning (this information could change daily). If there are travel restrictions in place for the country in question, consult with the central office Diversity and International Affairs Unit.
- Fax a copy of the signed Out-of-State Authorization form, (CF 1293), the Child's Consent to Travel form CF 0002, and CF 0002a to DHS - CAF, Diversity and International Affairs Unit, Fax #: (503) 373-7032. Before faxing the required documentation, email the Diversity and International Affairs Manager with notification that the fax is being sent. If more than one employee will accompany the child(ren), written documentation to support the additional person must be submitted at this time. (Similar criteria as that used by ICPC will be considered; i.e., safety and health risks).

- Allow at least 14 days to obtain the necessary authorizations.
- The packet of information is reviewed and forwarded to the CAF Field Administrator for final authorization. When authorization is granted, CAF Field Operations will supply the caseworker with a travel authorization number and carbon copy the Diversity and International Affairs Unit. These steps can take up to 14 working days.

Court orders necessary for child to travel to another country

Procedure

- After receiving authorization to travel, and at least three weeks prior to traveling, obtain a Court Order granting permission for the child to travel to a foreign country. This is separate from the Court Order authorizing the placement with the parent. The caseworker seeks assistance from an assistant attorney general with the Oregon Department of Justice in obtaining this court order.
- The court order must be translated into the language of the country where the child is traveling. Both copies of the Order (English and foreign language) must be presented to the court along with an official certificate of translation (in both English and the foreign language). See ORS 1.150(2) (pleading may be submitted in English and accompanied by a translation into a foreign language that is certified by the translator to be a true and accurate translation). The caseworker must always use DHS approved translators to translate the Court Orders. Complete a CF 0010 A to request translation and refer to the Child Welfare AR 06 002 dated 6/30/06 located at http://www.dhs.state.or.us/policy/childwelfare/ar/2006/cw_ar_06_002.pdf.
- Always attach the translated copy of the court order to the English copy of the court order.
- Copies of this Order should be sent by the caseworker to all parties to the case.
- When a department employee is traveling out of the country, they should request international phone calling capability. This can be done by completing the DHS 1496 to add international calling to their current WCD (wireless communication device); or through contacting the DHS Telecom, Statewide Coordinator at (503) 945-6787 and requesting an international calling card.

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Inform the Consular Office of travel plans

Procedure

- Once travel plans are authorized and finalized by the District Manager and CAF Diversity and International Affairs Manager, inform the Consular Office of the following:
 1. All flight information.
 2. Expected time of arrival.
 3. Emergency contacts in the U.S. and at the destination. Frequently, consular officials can provide additional support to assure a smooth exit out of the U.S. as well as a welcoming entrance into the foreign country.
- Request that the Consular Office arrange for a government official to be present, if possible, at the time the child is united with the parent to ensure that the child is united with the parent.
- Always verify the identity (e.g., through an official identity badge) of the parent before the child is released.

Prior to departure

Procedure

- Prior to leaving for the foreign country, the caseworker should confirm that he or she has all required documents including:
 1. Copies of the court order that establishes jurisdiction or wardship.
 2. The Court Order granting permission for the child to travel to a foreign country and court approval for return to parent.
 3. Travel documents from the consular's office.
 4. Birth certificate for the child.
 5. Child's passport.
 6. DHS I.D.
 7. Caseworker's personal passport.
 8. Any other necessary documents identified by the Consular Office.
 9. Medical records (if required) for both the child and caseworker; i.e., immunization records.

Additional information for traveling to Mexico

Procedure

- When placing a child with a parent in Mexico, the caseworker should have all legal documents available in English and Spanish, notarized, and “Apostilled”.
 1. An Apostille is special form that, as in the case of a notarized document, serves as official acknowledgment that the notarization was performed by a notary commissioned in Oregon in good standing. There is a fee for each document requiring an Apostille. To obtain an Apostille for documents that require authentication, contact the:

Oregon Secretary of State, Corporation Division-Notary Authentication office
255 Capitol St. NE, Suite 151
Salem OR 97310-1327
Phone: (503) 986-2593
 2. Contact the office by phone prior to sending any documents to ensure that the office can Apostille the documents the caseworker believes require authentication. The process is simple and will take less than thirty minutes if the caseworker hand delivers the documents needing an Apostille.
- If the documents needing an Apostille are mailed, the caseworker should include:
 1. The caseworker’s name, phone number, and any other contact information.
 2. A cover letter stating the documents are going to Mexico.
 3. Each notarized document which needs to be authenticated.
 4. A business check or money order made payable to the State of Oregon.
 5. A return self-addressed stamped envelope so that the documents can be returned to the caseworker.
 6. It normally takes two to three working days to process a request by mail.
- For more information, the caseworker can view the following website:

<http://www.filinginoregon.com/notary/authentication.htm>

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Documents provided to the caseworker by the foreign country

Procedure

- Upon releasing the child to the birth parent or designated legal officials, the caseworker may be given documents by the foreign country's officials that support the arrival and the action to return the child to the parent.
 1. Examples of these "documents" might include:
 - a. An official stamp by the customs, foreign relations, or DIF official.
 - OR–
 - b. A document that the consular's office in the US has pre-requested from the other country. If the caseworker receives documents, he or she should provide them to the court as part of a request to dismiss juvenile court jurisdiction of the child.

Transitioning a child to the parent in a foreign country

Procedure

Transitioning a child thoughtfully is critical to returning to his or her parent. The parent may come to the United States to help transition the child. However, it is not always feasible or possible for the parent to come to the United States for the child.

- The caseworker transporting the child to the parent should assist in the transition. Transitions may be needed for a child who is returned to a parent in a foreign country, since he or she may not have had recent contact and familiarity with the parent. These should be brief, but allow for the parent to reunite with the child.

Disclosure of information

- Share information about the child and any of the child's identified special needs.
- When a child returns to a parent in a foreign country, the child's important documents should be translated to the parent's language if the parent does not speak English. This includes documents such as the child's:
 1. Birth certificate.
 2. Medical records.
 3. Educational records.

Court Dismissal of Jurisdiction

- If the child is returned to a parent, the caseworker must request dismissal of juvenile court jurisdiction following the return to the parent.

The caseworker can write a letter to the court requesting that jurisdiction be dismissed or can request the assistance of the child's attorney, District Attorney's office, or the Department of Justice.

If the caseworker has questions about return to a parent in a foreign country

- The caseworker should consult with the supervisor.

Role of the Supervisor

- The supervisor should call the CAF International Case Consultant in Central Office if he or she has questions or wants more information about the procedures for return of a child to a parent living in a foreign country.
- Review the home study submitted by the other country and, together with the caseworker and the international placement point person in the local Child Welfare office, ensure it is complete and all questions are answered regarding any special needs of the child.
- Together with the caseworker and the international placement point person in the local Child Welfare office, determine if the parent in the other country is an appropriate placement for the child.
- Authorize and approve the necessary travel plans and paperwork for the caseworker and the child.
- Assist the caseworker, as needed, in working with officials in the other country, including the consular's office in the other country.
- Review and sign the CF 1293 form, Out-of-State Travel Authorization.

Role of the District Manager

- Review and sign the CF 1293 form, Out-of-State Travel Authorization, after it is signed by the caseworker's supervisor.

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Forms

- CF 1293
- DHS 2099
- CF 0010 A
http://dhsresources.hr.state.or.us/WORD_DOCS/CE0010a.doc

Legal References

- I-B.3.1 Developing and Managing the Case Plan
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b31.pdf
- I-B.3.4.2 Interstate Compact on the Placement of Children
http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b342.pdf