

# FamiliesFirst Network of Lakeview



BAPTIST HEALTH CARE

# PARENT GUIDE TO SERVICES AND COURT PROCEEDINGS

This booklet belongs to: \_\_\_\_\_

Contact	Name	Phone Number	Address
Family Services Counselor (FSC)			
FSC Supervisor			
Service Center			
Attorney			
Attorney			
Guardian Ad Litem			

Case Number: \_\_\_\_\_

Presiding Judge: \_\_\_\_\_

Court House Address: \_\_\_\_\_

\_\_\_\_\_

## **How does FamiliesFirst Network become involved with a family?**

FamiliesFirst Network of Lakeview (FFN) is the lead agency contract provider for the State of Florida, Department of Children & Families (DCF) in District One (Escambia, Santa Rosa, Okaloosa, and Walton Counties). If a family is investigated by the Department for child abuse or neglect and the children are found to be in need of protection, a FFN counselor is assigned to work with the parents and children. It is the job of the FFN counselor to try and help the family solve problems which are causing an unsafe situation for the children. FFN counselors must meet specific educational requirements prior to being hired, and also receive training and accreditation from the Department of Children & Families.

## **Does the family have to work with the counselor?**

The answer to this question depends on the family's situation and what is needed to protect the children.

**Voluntary Services:** The protective investigator and the FFN counselor may decide that the children can be kept safe in the home if the parents voluntarily accept services. The parents will be asked to sign a voluntary services agreement which will allow the FFN counselor to come to the home and work with the family, and to refer the family for other services such as therapy, parenting classes, alcohol or drug treatment, or domestic violence counseling. Under the voluntary agreement, the family is asked to enter into a case plan which includes all of the things the family and counselor agree to do within a certain period of time. If the family decides they do not want to continue receiving services, the agreement is terminated unless the counselor goes to court and gets an order from the judge for services to be provided involuntarily. If the counselor does go to court, the parents will be notified of the date and time of the hearing.

**Involuntary (court-ordered) Services:** The protective investigator may decide that the children can remain safely in the home only if the court orders services to be provided. The investigator will then request such an order from the court at a hearing where the parents have a right to be present. Alternatively, the protective investigator may decide that the children cannot be protected in the home even with court-ordered services. If so, the investigator will remove the children and place them temporarily with a relative or a licensed foster parent. If the children are removed, a court hearing must be held within 24 hours of the removal. The parents will be told of the time and place of the hearing, and of their right to appear before the judge. The parents may also be entitled to appointed legal counsel. Further court hearings will be scheduled, and the parents will be told of the time and place of each hearing. It is very important for the parents to attend all court hearings. In involuntary situations, once the court orders services to be provided, the parents must work with the FFN counselor. If they do not, they could be found in contempt of court, or have the children removed, or, if the children are already removed, risk long-term or even permanent loss of custody of their children.

## **What court hearings will be held and what will happen at the hearings?**

**24-Hour Shelter Hearing:** At this hearing, the court decides if there is "probable cause" the children are dependent (in need of the continuing protection of the court). If the children have been removed from the home, the court also decides whether the children should continue to be removed, and if so, where they should be placed temporarily. This could be with an approved relative or non-relative, or with a licensed foster parent. The court may also appoint an attorney for the parents at the shelter hearing.

**Arraignment Hearing:** At this hearing, the parents are given the chance to admit, deny, or consent to the dependency petition. If a parent has received notice of the arraignment hearing, and does not appear, the parent shall be considered to have consented to dependency.

**Adjudicatory Hearing:** At this hearing, the evidence is presented to the court to show that the child has been abused, neglected, or abandoned by the parents. If the court finds that dependency has been proven, the court then adjudicates the child dependent and schedules a disposition hearing.

**Disposition Hearing:** At this hearing, if the children continue to be removed, the court determines where the children shall be placed on a longer term basis, and what the parents and counselor must do in order for the children to be returned or the case closed.

**Judicial Review Hearings:** These hearings are held at least every 6 months for the purpose of reporting to the court on the welfare of the children and the progress of the parents under the case plan.

**Permanency Hearing:** This hearing is held before the end of the 12<sup>th</sup> month a child has been removed from the home, for the purpose of deciding whether the child should be reunified with the parents, or whether some other permanent arrangement, such as termination of parental rights and adoption, or long-term relative or non-relative custody, should be made for the child.

There may be other hearings, depending on the circumstances. The above descriptions are very brief, and parents should ask their attorney to go into more detail.

### **Are dependency proceedings confidential?**

All dependency hearings, except for termination of parental rights hearings, are open to the public unless the court orders the hearing closed. However, all dependency court records, and the case records held by FFN, are confidential and cannot be shown to or copied for anyone who is not entitled under the statute. Parents are entitled to see the court record, and are also entitled to see the FFN case record except for the name of the abuse reporter, unless some other provision of law prohibits access to a specific document.

### **What is a Guardian ad Litem?**

A guardian ad litem (GAL) is a specially trained volunteer who is appointed by the dependency court to represent the best interests of a dependent child. The guardian ad litem will visit the child regularly, assist in obtaining services for the child, and make reports to the court on the child's welfare. The guardian ad litem is also authorized to make recommendations to the court about where the child should live.

### **What is a case plan and why is it important?**

The case plan is a paper which puts into writing the things which must be done by the parents in order to have the children returned home or have the case closed. The things which must be done depend on the problems which caused danger to the children. For example, if one or both of the parents have a drug problem and because of the drug problem the parents fail to take care of the children or abuse them, the case plan would need to include drug treatment for the parents.

It is very important for the parents to be involved in making this plan and to give their opinion about what needs to be done and what types of services they think would be the most help to them. The counselor will meet with the parents to talk about what has happened in the family, and will ask the parents questions such as what they think are the family's strengths, who they can depend on for help (such as relatives), what they have tried to do in the past to get help, and what they think needs to be done now. Things the counselor must do are also put into the plan. If the children have been removed from the home, a visiting schedule is also included. Finally, the time period within which the things must be done is included.

The court must approve the case plan, and reviews the parents' progress at least every 6 months at Judicial Review Hearings. Under Florida law, children should not remain in foster care for more than 12 months without a permanent plan being made for them. Because of this law, it is very important for parents to start working on the case plan as soon as possible. The sooner the parents do the things under the plan, the sooner they may be able to get their children returned to them or get the case closed. If they fail to do the things required, so that the danger to the children still exists, they may lose custody of the children on a long-term or even a permanent basis.

### **What rights do parents have during dependency proceedings?**

According to Florida Statutes, Chapter 39 parents have the following rights:

- Right to refuse services.
- Right to be represented by an attorney
- Right to understand the reasons the child was removed
- Right to participate in planning toward the child's return home
- Right to know what everyone must do to accomplish the goal for the child
- Right to have contact or communication with their child unless a court order limits this
- Right to know if your child's placement changes
- Right to request a court review of the Plan before the first six (6) month court review.
- Right to request a court review when you receive a copy of the Case Plan that you did not help develop because your address or identity was unknown.
- Right to receive assistance by any person(s) or social services agency in preparing a plan
- Right to receive a copy of the plan.
- Right to visitation with the child and the plan for sibling visits, if separated.

- Right to be involved in determining the nature of the allegation and any identifying problem.
- Right to be notified of all proceedings or hearings involving the child as well as copies of other papers in the case record (except for the reporter's name), unless some other law prohibits release of a specific document.

The protective investigator must inform parents of the following at the start of a child protective investigation:

- The names of the investigators and their identifying credentials.
- The purpose of the investigation.
- The right to obtain their own attorney, or have counsel appointed if eligible, and the ways that the information they provide may be used.
- The possible outcomes and services as a result of the investigation.
- The parents' right to be involved in determining the nature of the allegations and the nature of any identified problem.

### **What responsibilities do parents have during dependency proceedings?**

Florida law requires parents to keep the court informed of their current address at all times. The parents should also tell the FFN counselor when they have a change of address or a different telephone number. If one of the parents is absent, the available parent has a responsibility to give the FFN counselor information to help the counselor locate the absent parent. The parents are also required to give the FFN counselor the names of relatives who might be able to take care of the children if they have been removed from the home. Finally, the parents are required, if able, to contribute to the support of the children if they are removed from the home, and must give the FFN counselor information about their financial situation. It is up to the court to decide what, if anything, the parents should pay.

### **What types of services does FFN provide to families?**

FFN counselors work directly with parents and children who are involved with the dependency court, and they also refer the family for services provided by others, such as therapy, parenting classes, mental health and substance abuse treatment, domestic violence counseling, and medical and dental care for the children. The FFN counselor will visit with the parents and children at least once a month, usually in the home. FFN is also responsible for supervising licensed shelter and foster homes, as well as relative and approved non-relative homes where dependent children are placed if they are removed from the parents. The FFN counselor must make regular written reports to the court about the children and the progress of the parents under the case plan.

### **If a parent has a complaint about FFN, what can the parent do?**

The parent should always first tell his or her attorney about the problem. If the client also wants to complain to FFN, he or she can call the FFN counselor's supervisor (phone number is on first

page of this handout). If the problem cannot be solved by talking with the counselor's supervisor, the parent can call the Team Manager for the service center. Phone numbers of the Team Managers are:

Escambia County (Pensacola): (850-595-6202)  
Santa Rosa County (Milton and Navarre): (850-626-3050)  
Ft. Walton Beach: (850-833-3771)  
Crestview/DeFuniak Springs: (850) 689-7700

If the problem still cannot be solved, the parent can call the FFN Director for Case Management (850-595-6202). The parent can also call the Client Relations Specialist at the FFN Administrative Office (phone: (850) 453-7745) for further investigation of the complaint. FFN also conducts Client Satisfaction surveys in which a parent can participate. The staff in each unit can provide a survey form.

### **Are there any other general FFN policies that parents should know?**

The main tasks that are expected of parents are put into the court orders. However, parents should know the following about how they are expected to act when they come to a FFN service center, or when they visit with their children:

- No smoking is allowed inside a service center or in any other public building where a visit might be held.
- If a parent comes to a service center, or shows up for a visit with his or her children, and the parent has been drinking or is under the influence of drugs, the parent will be asked to leave the service center and/or the visit will be terminated. The court will also be advised of the parent's conduct and it is possible that the court will order that no more visits shall occur.
- Weapons of any type are absolutely prohibited inside a service center or in the presence of the children during visits. If a parent is observed or suspected to have a weapon, law enforcement will be called immediately and the court will be notified.

# PARENT'S PERSONAL CALENDAR

Keep Track of Important Case and Court Dates

<u>JANUARY</u>	<u>FEBRUARY</u>	<u>MARCH</u>
<u>APRIL</u>	<u>MAY</u>	<u>JUNE</u>
<u>JULY</u>	<u>AUGUST</u>	<u>SEPTEMBER</u>
<u>OCTOBER</u>	<u>NOVEMBER</u>	<u>DECEMBER</u>

**EXTRA CALENDAR**

<b><u>JANUARY</u></b>	<b><u>FEBRUARY</u></b>	<b><u>MARCH</u></b>
<b><u>APRIL</u></b>	<b><u>MAY</u></b>	<b><u>JUNE</u></b>
<b><u>JULY</u></b>	<b><u>AUGUST</u></b>	<b><u>SEPTEMBER</u></b>
<b><u>OCTOBER</u></b>	<b><u>NOVEMBER</u></b>	<b><u>DECEMBER</u></b>

