

---

## COORDINATION WITH FOSTER CARE

The provision of services to abused or neglected children and their household is a CPS function when the children are living in their own homes. Reasonable efforts must be made to prevent or eliminate the need for removal prior to the removal of a child from his/her own home, except in emergency removal situations. When children have been removed from their homes and placed in the care and supervision of the department, the provision of services to abused or neglected children and their families is a function of foster care staff. Transition of responsibility should be facilitated by a case conference to outline protective services activity, objectives, and recommended treatment. Relatives should be identified for placement or as potential placement options and these options should be discussed with the foster care worker. [See PSM 713-08, Special Investigative Situations, Coordination with Friend of the Court](#), for requirements on notification to Friend of the Court when there is a change in a child's placement.

### Removal of Child- Case Management Responsibility

CPS retains responsibility of the case if the child remains in his/her own home (including when a child is placed with the non-custodial parent) and the court requests continued department supervision or if the child is in out-of-home placement which is expected to last 7 days or less.

When removal of the child is necessary and the child is made a temporary ward, responsibility of the case is transferred to foster care staff. CPS must initiate transfer of case management responsibility as soon as a decision is made to place the child in out-of-home placement that is expected to last more than 7 days.

**Note:** Initial placement with a non-custodial parent, voluntary or court-ordered, is not considered an out-of-home placement per 1973 PA 116 (Child Care Organization Licensing Act) and it is therefore the responsibility of CPS to monitor and provide services.

### Responsibilities and Functions

The following describes the responsibilities and functions of CPS and foster care when the court orders out-of-home placement:

1. The local office must ensure there are adequate procedures for appropriate placement in emergency situations, with priority given to relative caregivers. It is also to ensure that a child and the relative or licensed foster home placement are suitably matched. The child must be placed in the most family-like setting available and in as close proximity to the child's parents' home as is consistent with the best interests and special needs of the child.

CPS must provide supportive services during this transition period to ensure that at no time will the children or parents be without a responsible worker. Efforts to resolve the issues leading to the out-of-home placement must continue. Where possible, reunification of the child with family should be pursued.

Within five working days of the initial out-of-home placement, the CPS worker must transfer the case to Foster Care.

2. When out-of-home placement has been ordered and is expected to last more than 7 days, foster care is to assume responsibility for the case upon transfer in MiSACWIS.

[See FOM 722-06I, Maintaining Connections Through Visitation and Contact](#) for information on how often parenting time should occur. CPS will implement visitation until service responsibility is transferred to foster care.

When a child is placed in out-of-home care and the duration of care is expected to be less than 7 calendar days, CPS will continue to carry responsibility. If care is expected to extend beyond 7 days, foster care must assume responsibility for the case once the CPS worker completes the transfer in MiSACWIS.

The CPS worker must transfer case responsibilities by completing the transfer in MiSACWIS, within five working days of placement. Prompt completion of the transfer is essential to allow foster care time to develop case plans which must be submitted to the court within 30 calendar days of a child's removal.

When the transfer is complete, CPS is no longer responsible for provision of services to the child and family. The CPS case must be closed in MiSACWIS once the case is successfully

transferred to the Foster Care worker.

CPS would still be required to testify at necessary hearings and submit amended petitions when required.

3. The Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351) requires that within 30 days of removal, the state must make diligent efforts to identify and provide notice to a child's relatives that a child is in foster care. See [PSM 715-2, Removal and Placement of Children, Placement with Relatives and Non-Custodial Parents section](#), for more information on identifying and notifying relatives. The CPS worker should notify the foster care worker of what has been completed. Copies of the relative search forms must be scanned and uploaded into MiSACWIS.
4. Supervision of a child placed in a relative's home for protective purposes is the responsibility of foster care. When a child is placed in a relative's home without a court order for out-of-home placement, the case must be supervised by CPS; see [PSM 713-01, CPS Investigation - General Instructions and Checklist, Temporary Voluntary Arrangements section](#).
5. See [PSM 716-3, Voluntary Foster Care](#), for information on voluntary foster care cases.
6. In situations in which the court orders one or more children removed from a home due to child abuse and/or neglect, but leaves a sibling(s) in the home with court jurisdiction, case management for all children is the responsibility of foster care. The DHS-3, Sibling Placement Evaluation, form must be completed in these situations. See [PSM 713-08, Special Investigative Situations, Child\(ren\) Currently in Out-Of-Home Placement/ Prior Termination of Parental Rights section](#), for more information on completing the DHS-3.
7. When a child in foster care is returned to his/her own home, follow-up or after-care supervision must be provided by foster care staff. Ongoing casework responsibility must not be returned to CPS from foster care if the child has been in foster care for more than 7 calendar days. If CPS has transferred case responsibility to foster care and the child is returned home prior to having been in placement for 7 days, case management responsibility must revert to CPS. If the child has been in foster care for 7 calendar days foster care would resume case responsibility.

**Note:** Case management responsibility should be transferred from CPS to foster care no later than five working days following placement of the child into foster care. **However, in certain circumstances, a child may be removed with the expectation that the child's time in foster care will be less than 7 days. CPS should retain case management responsibility in these situations for a maximum of 7 days.** If the child is not returned home by the 7th day, case management responsibility must be transferred to foster care. Such circumstances require that the local office establish procedures to ensure that the DHS-65, Initial Service Plan, is prepared and made available to the court within 30 calendar days of the child's removal.

8. In all cases in which CPS has filed a petition in the Family Division of Circuit Court to terminate parental rights at the first dispositional hearing, a case conference must be held between CPS and foster care within five working days of placement. Minimally, the CPS and foster care worker and their respective supervisors must attend this meeting. Other involved parties and staff should be included, as appropriate. See [PSM 715-3, Family Court: Petitions, Hearings and Court Orders, Termination Petitions - Case Conference section](#), for information on involving a child's attorney and attorney-guardian ad litem in case conferences.

**CHILDREN ARE IN  
OUT-OF-HOME  
CARE, BUT  
SIBLINGS REMAIN  
AT HOME OR ARE  
NEW TO THE HOME**

A DHS-3, Sibling Placement Evaluation, form must be completed on all cases in which a child remains in the home when sibling(s) has/have been removed or sibling(s) are/were permanent wards as a result of a child abuse/neglect (CA/N) court action. See [PSM 713-08, Special Investigative Situations, Child\(ren\) Currently in Out-Of-Home Placement/ Prior Termination of Parental Rights section](#), for more information on completing the DHS-3.

A foster care worker who becomes aware of the existence of a new child to a parent or parents who have other children in temporary care or who have had parental rights terminated in the past, either

voluntarily or involuntarily as a result of a CA/N, must make a complaint of suspected (or actual) neglect/abuse regarding the new child to CPS. This might occur when a new child is born or moves into the home or was previously undiscovered, perhaps even hidden by the family, at the time of the previous court action. The CPS complaint must be made immediately when foster care becomes aware of the existence of such a child. See [PSM 712-1, CPS Intake-Initial Receipt of Complaint](#), regarding the process for making a complaint.