

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY	
	Chapter 4: Assessment	Effective Date: July 1, 2015
	Section 0: Diligent Search	Version: 2

STATEMENTS OF PURPOSE

The Indiana Department of Child Services (DCS) will conduct a diligent search for known, absent and non-custodial parents, along with relatives and non-relative kin, who may provide a support to both the child and family. The diligent search will begin with the child and/or youth's first contact with DCS, will include a thorough search of all potential resources, and will continue throughout the child and/or youth's involvement with DCS.

DCS shall conduct a diligent search including efforts that utilize search technology (including social media) throughout the life of the case to locate the following:

1. Absent and non-custodial parents for the purposes of notifying them of a Detention and Initial Hearing and other Juvenile Court proceedings, including missing parents for the purpose of terminating parental rights or adoption, unless a parent:
 - a. Is deceased (certified by a Death Certificate);
 - b. Has signed a consent to the adoption of the child;
 - c. Has surrendered the child for adoption;
 - d. Has already had his or her rights terminated with respect to the child who is the subject of the Juvenile Court proceeding; or
 - e. Has an address that the Family Case Manager (FCM) has been to and confirmed that the parent lives there within the last month).
2. All individuals involved in a Child Abuse and/or Neglect (CA/N) intake report whose whereabouts are unknown for the purpose of conducting an assessment;
3. Relatives required by law to be notified within 30 days of a child's removal from his or her parent(s), guardian, or custodian(s);
4. Relatives or other individuals with an established and significant relationship with a child in DCS custody for the purpose of finding the best and earliest placement for a child that will result in permanency or support for the family, or for child care and other assistance to intact families;
5. Siblings of a child(ren) in DCS custody for the purpose of placing the siblings together or to facilitate regular visitation. See separate policy, [8.1 Selecting a Placement Option](#);
6. Individuals who may be possible informal supports and who are identified by the child(ren) or family of children and families receiving in-home services; and
7. Children absent from placement. This includes any child for whom DCS is legally responsible who is absent from the child's approved/authorized placement without the consent of the child's caregiver or DCS. This also includes a child who is placed in protective custody and the child is abducted or the child's whereabouts become unknown during a pending assessment.

Code Reference

1. [IC 31-34-3-4.5: Procedures for notices to adult relatives and siblings](#)
2. [IC 31-9-2-107 \(b\) "Relative"](#)
3. 42 USC 671 (a)(29) Notification of Parents of Siblings

PROCEDURE

The FCM will:

1. Ask the custodial parent where DCS can find the other parent(s) if a non-custodial parent(s) whereabouts are unknown;
2. During conversations with the parent, gather information on any relatives, friends, or non-relative kin who could be a resource for the child and/or youth or family, obtain addresses, telephone numbers, aliases, veteran status, present or previous employers, the last school the child attended, doctor's names, tribal affiliation (if applicable), and any other information that would be helpful in locating resources for the child;
3. Ask both the custodial or non-custodial parent for the location and contact information for any paternal and/or maternal grandparents, aunts, uncles, siblings of the child(ren) involved, parent of the child's sibling if the parent has legal custody of the sibling and any other relatives suggested by the child(ren) or parent (See Related Information for definition of sibling);
4. If the caregiver is not the custodial parent(s), talk with the current caregiver about the whereabouts of the child's parent(s) and other relatives and any other known caregivers;

Note: Results of efforts described in 1-4 above, must be documented in a contact within Management Gateway for Indiana's Kids (MaGIK). These efforts must also be captured or updated in the GenPro software (Genogram or Family Network Diagram).

5. Make an in-person visit to the parent's last known address if there is reason to believe that the parent may be there. See separate policy, [5.6 Locating Absent Parents](#) for specific information. Contact the landlord, ensuring that the identified individual's confidentiality is being maintained. See separate policy [2.6 Sharing Confidential Information](#). If there are multiple parents involved, make a good faith effort to make contact with all missing parents. See separate policy, [4.20 Good Faith Efforts](#);
6. If the parent(s) are deceased, continue to conduct a diligent search for living relatives of the child(ren) for notice purposes and to encourage participation in a Child and Family Team (CFT) Meeting;
7. Search the databases available to the FCM including the Indiana Support Enforcement Tracking System (ISETS) Web Tool, and MaGIK;
8. Search social media websites (e.g., Facebook, Twitter, LinkedIn, Instagram, YouTube, etc.) throughout the life of the case;
9. Document all search efforts and the results of each search effort in a contact in MaGIK within 24 hours of completion of each respective search;
10. Advise the Child and Family Team (CFT) regarding the identity, or lack thereof, of a noncustodial parent and relatives, efforts made to locate and contact the parent or identified relatives and the identity and location of other persons contacted as requested by the child or the child's parent(s); and

11. Continue to pursue these efforts, if necessary, throughout the life of the case. See separate policies, [5.4 Noncustodial Parents](#), and [5.6 Locating Absent Parents](#).

In the event of a removal, the FCM will:

1. Identify and locate those individuals required by [IC 31-34-3-4.5](#) to be notified of the removal. See Practice Guidance;
2. Record in the MaGIK:
 - a. The name, address, contact information, and relation to the child, of each person contacted or available to be contacted, and
 - b. The name, relation to the child, and efforts made to locate and contact each relative who has not been located for purposes of the written notice of removal.
3. Contact the located individuals as soon as possible to consider them for participation in Child and Family Team (CFT) Meetings, placement for the child, and as informal supports for the child and family;
4. Provide each individual with written notice of the removal using the form [SF 55211 Notice to Relatives](#) within 30 days of the removal;

Note: When it is known or suspected that a relative has caused family or domestic violence, DCS may not notify that relative of the child's removal. The decision not to provide notice to any of the required relatives must be made jointly with the Supervisor and documented in MaGIK.

5. Follow all confidentiality requirements when communicating with relatives. See Practice Guidance for more information.

PRACTICE GUIDANCE

Notification Required by [IC 31-34-3-4.5](#)

Indiana state law requires the FCM to notify the following individuals within 30 days of a child's removal from his or her parents, guardian, or custodian:

1. Maternal and paternal grandparents;
2. Adult aunts and uncles;
3. A parent of a child's sibling if the parent has legal custody of the sibling;
4. Any other adult relatives suggested by either parent or the child; and
5. All of the child's siblings who are at least 18 years of age.

Note: When it is known or suspected that a relative has caused family or domestic violence, DCS may not notify that relative of the child's removal. The decision not to provide notice to any of the required relatives must be made jointly with the Supervisor and documented in MaGIK.

Coping with Parental Resistance

Often when engaging parents, they will refuse to identify absent parents, relatives or other adults who care about their children. The following are some suggested strategies that may be of assistance in overcoming parental resistance. They include:

1. Informing parents about the benefits to children of having a relationship with the other parent and permanent connections with relatives and other caring adults and the harmful effects for children who do not have these supports;
2. Being persistent and recognizing that sometimes parents (and others) are not ready to provide information when first asked. Their resistance may lessen as they see that other family members are concerned, participate in family preservation or reunification services, Child and Family Team (CFT) Meetings, or reconsider their child's well-being;
3. Asking children and youth themselves about who is important to them and who they want to contact. See [4.A Tool – Interviewing Children](#) for some helpful techniques for interviewing children;
4. Seeking individuals who may be resources for all kinds of support to children and parents – not just limited to placement options; and
5. Partnering with the courts and attorneys to obtain court orders requiring that parents identify relatives to whom written notice of removal is required by law.

Confidentiality

The law requires DCS to notify certain relatives about a child's removal and the best way DCS can do that is to send a notification to each person. For example, DCS cannot guarantee that a grandmother will show the notice to the grandfather just because they live at the same address.

All DCS staff members are required to follow confidentiality requirements when communicating with relatives and other supportive individuals. When providing the [SF 55211 Notice to Relatives](#) as required by law, DCS staff members are only permitted to share the information outlined below. If these relatives contact the FCM to request additional information about the case, the FCM should work with the child's parent(s) to engage the relative in the CFT Meeting process and Visitation Plan, as appropriate. See [2.6 Sharing Confidential Information](#).

Relatives should be told the following information when provided notice of the removal:

1. Notice that the child has been removed from his or her parent(s), guardian, or custodian by DCS;
2. Options the relative may have to become a relative placement for the child and failure to respond to the notice may result in the loss of this option;
3. The option for the relative to become a licensed resource parent and receive financial assistance;
4. The option for the relative to adopt or obtain guardianship of the child in the event that the child is unable to safely return home. The relative may also be able to enter into an agreement with DCS to receive financial assistance; and
5. Additional services available to the child while in foster care.

FORMS

1. [SF 55211 Notice to Relatives](#) – Available in MaGIK
2. [4.A Tool – Tips for Child Interviews](#)

RELATED INFORMATION

Sibling

1. A brother or sister by blood, half blood, or adoption; and
2. Any other individual who would be considered a sibling if parental rights had not been terminated.

Assessing Family Members' Interest by Building Trust with Relatives

When family members do not respond immediately to DCS inquiries this does not necessarily mean that they don't care about the child(ren). When DCS takes the time to build trust with relatives, it can go a long way to help them seriously consider the role they want to play in the child's life. DCS can help relatives see that they don't have to limit their roles to providing a place to stay, but have a variety of ways they can be involved in the child's life.

Suggested strategies to build trust with relatives include:

1. **Persevere** – Continue to engage the family during each contact and during Child and Family Team (CFT) Meetings to partner in the identification of family and important individuals in the lives of the child(ren) and family; and
2. **Provide Several Opportunities for Family Participation in CFT Meetings** – It is important to let family members decide as much as possible about how they can help the child. Once the child's situation is clear, it is important to give relatives an opportunity to step forward. Family members often take the initiative to let others know about the child's situation. They often show their support in unanticipated ways – including traveling long distances at their own expense to participate in planning meetings.

Respecting Family and Community Culture

Throughout the relative search process, it is important to honor families' culture and background and to integrate their cultural practices into plans for the child's care. In many cultures, family and community members have a range of supportive roles in caring for children. Families' cultural traditions can greatly enhance plans for child rearing, parenting and supporting children. To build rapport with relatives and engage them in developing workable plans, DCS must be familiar with the family's culture and build on their unique traditions.

Archived Legislation 6/30/19