Department of Human Resources
Social Services Administration
311 W. Saratoga Street
Baltimore, MD 21201

DATE:	February 1, 2015
POLICY #:	SSA-CW# 15-18 (Replaces Policy SSA #12-33)
TO:	Directors, Local Departments of Social Services Assistant Directors, Services
FROM:	Deborah Ramelmeier, Acting Executive Director Social Services Administration
RE:	Parent/Child and Sibling Visitation
PROGRAMS AFFECTED:	Out-of-Home Placement Services
ORIGINATING OFFICE:	Out-of-Home Placement Services
ACTION REQUIRED OF:	All Local Departments
REQUIRED ACTION:	Implement Policy and Procedures
ACTION DUE:	February 15, 2015
CONTACT PERSON:	Jill Taylor, LCSW-C Program Manager Out of Home Placement 410-767-7695 jill.taylor@maryland.gov

Purpose

The purpose of this policy directive is to provide guidance to the local departments of social services (LDSS) on parent, child, and sibling visitation for all children in out-of-home placement. This policy provides guidance on implementing the requirements of COMAR 07.02.11.05, which mandates weekly parent/child visitation for reunification cases and sibling visitation.

Caseworkers shall use the visitation plan and visitation log as tools to establish and document visitation between a child in out-of-home placement and the child's parents and siblings. The visitation plan and visitation log can be found in MD CHESSIE and shall be used for every child in out-of-home placement.

Background

Maryland's "Place Matters" Initiative has greatly reduced the placement of children into foster care and increased the number of children exiting care. The primary purpose of visitation is to maintain parent/child and sibling attachment while reducing the child's sense of abandonment and preserving the sense of family for a child residing in out-of-home placement. The Adoption and Safe Families Act of 1997 established the primary goal of all child welfare agencies as creating permanency for children.

During visitation, the parents and the child can reconnect and reestablish their relationship, and the parents get an opportunity to practice and demonstrate new parenting skills which they developed since the child was removed from the home. Research shows that parent/child visits are a key strategy to maintain connections and work toward reunification. Frequent visitation between children in out-of-home placement and their parents are key in the timeliness of reunification. For children who are not able to be reunified with their parents, the visits give the child the opportunity for understanding and closure. Sibling visitation allows the child to maintain family connections that will last a lifetime. It is especially important for older youth to have connections with siblings and other family members after exiting the foster care system.

Action Required

Parent /Child Visitation:

When a child is removed from his/her parents and placed in out-of-home placement, both parents are entitled to weekly visitation with the child. For the purpose of this policy, parents shall include any person that has legal custody or guardianship of the child. **Weekly visits are mandated between the parents and the child provided the permanency plan is reunification.** However, weekly visitation can be extended beyond the plan of reunification if it is determined to be in the child's best interest. **Upon the child being placed in out-of-home placement, the caseworker shall meet with the parents within 3 business days and establish a visitation plan.** The visitation plan shall include: participants, frequency, length of time, and conditions for the visits. The visitation plan shall expand to include a progressive visitation outline including timeframes projecting out to unsupervised and trial home visits. The visitation

plan shall be included in the service agreement. The visitation plan shall be appropriate to the child's and parents' schedule and may include hours outside the regular local department hours. If this occurs, the caseworker and supervisor shall make a plan to accommodate the visitation. **The first parent/child visit shall occur within 5 business days from the time the child is removed.**

When the plan is reunification, both parents are entitled to visit with the child and both parents shall be offered reunification services. If both parents do not wish to visit at the same time, the caseworker shall offer both parents separate weekly visits. Parents shall be notified of all medical or mental health appointments for the child and encouraged to attend the appointments. Parents shall also be informed of school and extra-curricular activities and encouraged to attend. **The only time a parent shall not be entitled to visitation is if the court orders no visitation.** If a court order conflicts with this policy, the court order is controlling.

Progressive Visitation:
Visitation in a case when the permanency plan is reunification shall move progressively toward **UNSUPERVISED VISITATION** and then toward a trial home visit. If a parent who was not the maltreator of the child has a relationship with the child and wishes to visit, the visits do not need to be supervised after the initial visitation and clinical assessment.

The purpose of supervised visits is to ensure the child's physical and emotional safety during contact with the parents. Safety concerns which would mandate supervised visitation include but are not limited to: domestic violence, severe mental illness, history of physical or sexual abuse against the child or any child, or substance abuse which leads to violence or attending visits under the influence of illegal substances. If a parent has a history of violence against the child, sibling, or any child, the caseworker shall closely supervise the visitation. If the parent makes any type of threat against the child or any other party attending the visit the caseworker shall immediately end the visit. In situations when the parent is severely mentally ill or has a history of violence against the child or siblings, the caseworker shall follow the LDSS protocol to ensure safety of the child and staff during the visit.

In situations where supervised visitation is needed, the local department shall provide a safe and child/ family friendly environment for the visitation. Supervised visits should be at least 1 to 2 hours in duration. Many local departments have visitation centers or visitation rooms that allow interaction in a safe and supervised setting. Visits can be supervised by the caseworker, resource provider, or any other person the LDSS deems appropriate.

Once the caseworker has begun supervised visits, the caseworker shall assess the parents for appropriateness of interaction with the child. The caseworker or resource provider that supervises the visit shall act as a coach encouraging healthy interaction between child and parent. The caseworker shall always remember the child's safety is paramount. If visitation is appropriate and the parents are working toward the goals outlined in their service agreement, visitation may not require supervision.

Unsupervised visitation shall begin for a short period of time (a few hours) and gradually extend

to overnight visits. If the child resides with relatives and the relatives are in agreement the caseworker shall allow visitation to take place in the relative's home. A parent's lack of housing shall not affect their ability to have unsupervised day visits. The parents shall inform the caseworker of their schedule and their whereabouts during the unsupervised visit. The caseworker shall encourage the parents to involve the child in mutually-engaging activities which promote parent/child interaction.

Until Termination of Parental Rights is granted by the courts, parents are entitled to at least monthly visitation with their child when the permanency plan is not reunification. Visitation shall not be used as a form of punishment for the child. At no time shall a caseworker or resource provider cancel a visit or withhold a visit due to the child's behavior.

Lack of Attendance:
When a parent consistently does not attend scheduled visits and does not contact the caseworker to alert the caseworker of the cancellation, the caseworker may consider this as a lack of interest, motivation, and concern by the parent. Cancellations or "no shows" to visits can be extremely emotional for a child. The caseworker shall immediately inform the parent of the effect lack of visitation has on the child. Many times the parents do not understand the emotional repercussions that canceled visits have on the child. If at any time the caseworker and supervisor feel visitation is not in the child's best interest, the caseworker shall request an immediate court hearing to review the visitation concerns. A request shall be made to the court within 5 business day of the decision.

Inpatient or Incarcerated Parent:
If a parent of a child has entered an inpatient treatment facility, the parent is still entitled to visitation with the child. The caseworker shall first communicate with the treatment facility concerning the facility's policy on parent/child visitation. If the permanency plan is reunification and the parent is not allowed to leave the facility for their weekly visit, the LDSS shall arrange transportation for the child to the facility for the visit.

An incarcerated parent is also entitled to visitation with his or her child. If the crime was against the child or any child that would make it not in the child's best interest for visitation, the caseworker shall request the court to order no visitation for that parent. If both the child and parent desire visitation and the crime for which the parent is incarcerated is against that child, the caseworker shall seek a therapist's recommendation for the parent and the child prior to beginning visits. Prior to starting visits with the incarcerated parent, the caseworker shall communicate with the facility to inquire about visitation policies. The caseworker shall follow the policy of Maryland Department of Correction or the county institution in which the parent is incarcerated concerning visitation. If the facility has limitation on age, duration, and frequency of visits the caseworker shall adhere to the policy of the facility. An incarcerated parent shall have monthly visitation with his or her child when it is in the child's best interest and if it is geographically feasible.

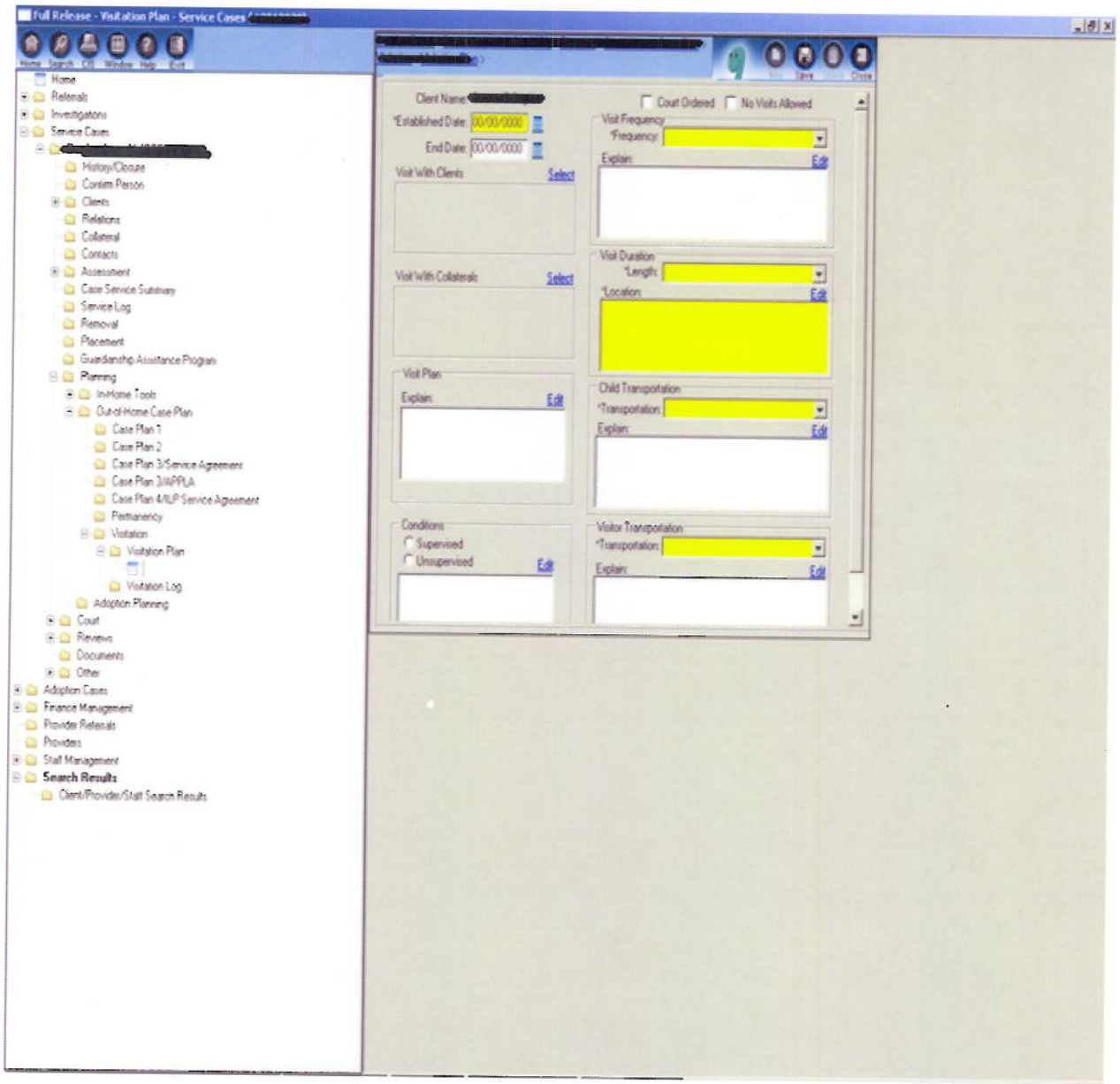
Sibling Visitation:
The local departments of social services shall provide a child residing in out-of-home placement at least once monthly sibling visits. The definition of sibling is a child that shares at least one parent with another child through blood relation or adoption. Even if parental rights have been terminated or the parents are deceased the children are still considered to be siblings and must be offered visitation. The visitation shall occur if the siblings are placed in separate out-of-home placements or if one sibling resides with a parent or relative. When a sibling group cannot be placed together, the caseworker shall make every effort to keep the siblings in close proximity to each other's placements and allow daily contact by phone or email. The LDSS is responsible for setting-up sibling visits. Siblings can visit in conjunction with parent visits. If possible, the resource providers may supervise or arrange the sibling visitation. However, it is ultimately the caseworker's responsibility to ensure that sibling visitation is occurring. In the establishment of the visitation plan, the siblings, caseworker, and resource providers shall negotiate and agree upon the terms of the visitation plan. When possible, sibling visitation shall be a natural interaction between the siblings and shall occur in the community or at the resource family home, rather than at the local department office.

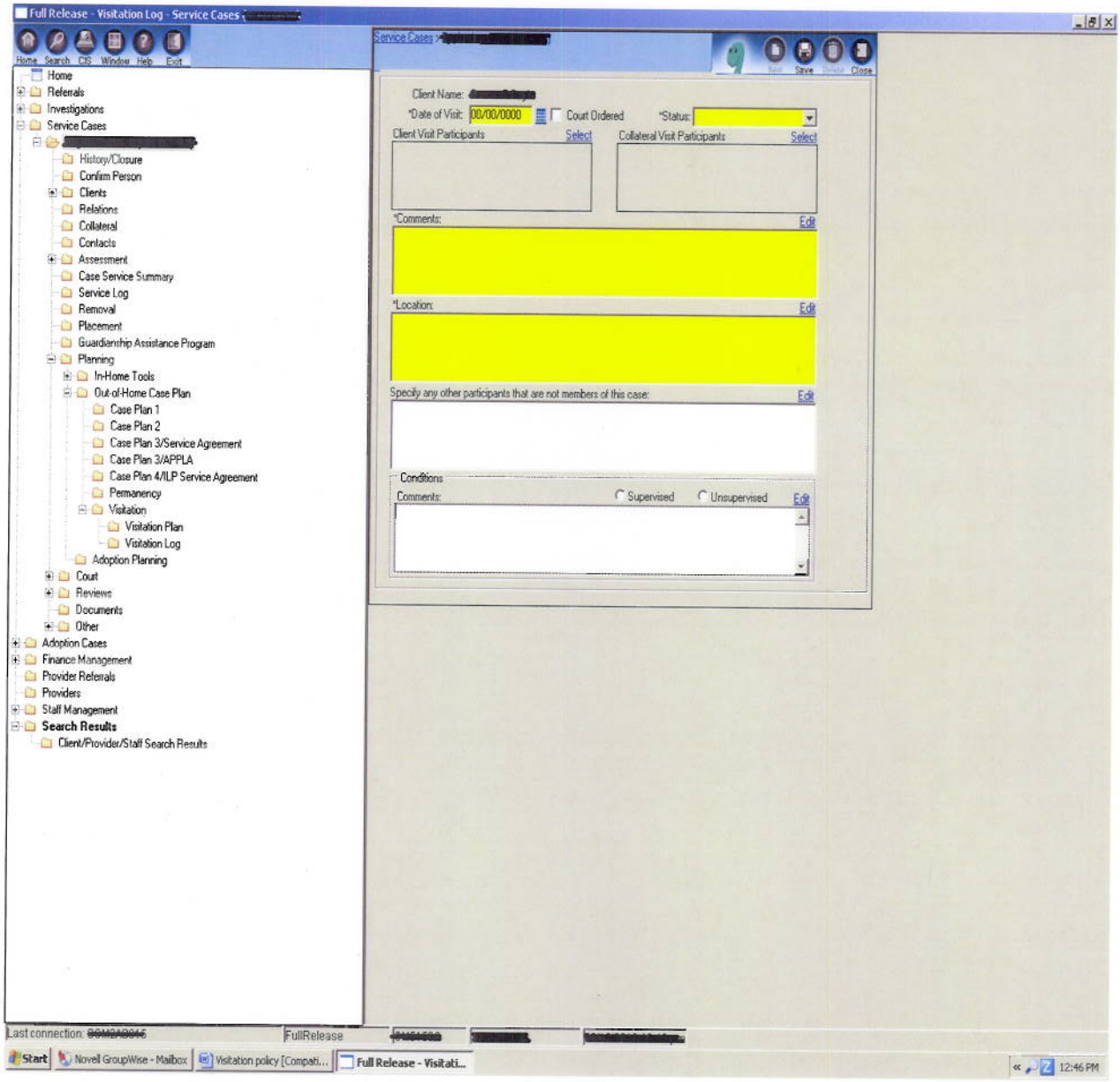
For transitioning youth (14 -21 yrs old), supervised visitation may not be necessary. If the siblings demonstrate age-appropriate behavior, the siblings shall be permitted to visit without the local department staff or resource provider present. Sibling visitation may expand to the siblings spending the day together doing age-appropriate activities to promote strengthening and maintaining their relationship. Transitioning youth must provide the resource provider with the information of whom they will be visiting and where the visit will take place, and time frames. Some youth may be able to provide their own transportation, however the caseworker or resource provider is still responsible for ensuring transportation.

At no time shall a caseworker or resource provider withhold visitation as a means of punishment.

Sibling Placement:
At the time of initial placement, the caseworker shall make every effort to place siblings together. If one of the siblings is treatment level, the caseworker shall advocate to the licensing agency to place the non treatment level child in the same home. When siblings are placed apart, the resource providers shall be informed of the child's sibling and made aware of the visitation plan to maintain sibling contact. When siblings are placed apart, the caseworker shall clearly document in the case record the reason the siblings were placed apart. The caseworker shall clearly inform the resource provider that the sibling shall have regular contact (daily, if desired) by phone or email. The caseworker shall continuously search for a placement that can accommodate a sibling group.

Visitation Plan:
A visitation plan shall be established within **3 business days** of the out-of-home placement. It shall be included in the service agreement. The visitation plan documents the participants, frequency, length of time, and conditions for the visits. The visitation plan shall be documented in the visitation folder under visitation plan.



Visitation Log:

A visitation log documents all visits offered and completed. The visitation log should include all parent/child and sibling visits. The visitation log shall also be expanded to include visitation with any and all significant persons in the child's life. In order for the names of the person visiting to populate to the visitation screen, the caseworker shall add parents as clients in the case and, if the sibling is not a client in the case, add the sibling as collateral. Any person approved to participate in the visit shall be added to the collateral list. Both parents shall be clients in the case and the visitation plan will populate to the service agreement.