
**ORANGE COUNTY SOCIAL SERVICES AGENCY
CFS OPERATIONS MANUAL**

Effective: August 8, 1994
Revised: November 10, 2010
Revised: March 10, 2011

Number: G-0312

WIC 366.26 Report

Purpose	To provide guidelines for Permanent Placement (PP) dependency cases and development of the Welfare and Institutions Code (WIC) Section (§) 366.26 Report.
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Approved	This policy was approved by Gary Taylor, Director of CFS, on March 10, 2011. <i>Signature on file.</i>
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Background	This policy is a revision of Children and Family Services (CFS) Policy and Procedure (P&P) Permanency Hearing Report (G-0312) and incorporates pertinent information from, and renders obsolete, PDU Dispatch Preliminary Assessment for Permanency Hearing (G-0319-D).
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Juvenile Court (Court) will order PP services for a dependent child who cannot safely remain or return home. The goal of PP services is to achieve legal permanency through a permanent plan of Adoption, Legal Guardianship (LG), or Long-Term Foster Care (LTFC).

Court will determine and implement a permanent plan for a child receiving PP services at a WIC § 366.26 hearing (also known as a Permanency Planning or Selection and Implementation hearing).

Note: Voluntary relinquishment of parental rights for adoption purposes precludes the need for a WIC § 366.26 hearing, provided the relinquishment is finalized prior to commencement of the WIC § 366.26 hearing and rights for all parents have been relinquished.

A WIC § 366.26 hearing is held within 120 days of the date of the:

- Dispositional hearing at which it is determined Family Reunification (FR) services will not be provided (see CFS P&P [Jurisdictional/ Dispositional Hearing Report \[G-0310\]](#))
- Status Review hearing at which FR services are terminated (see CFS P&P [Family Reunification Status Review Reports \[G-0317\]](#))
- Periodic Review hearing at which it is determined a previously ordered permanent plan is no longer appropriate (see CFS P&P [Periodic Review Report \[G-0311\]](#))

Exception: A Periodic Review hearing may be calendared in lieu of a WIC § 366.26 hearing provided: FR services have been terminated (or were not offered), the Court has determined by clear and convincing evidence that the child is not suitable for Adoption, there is no one willing to accept LG of the child, and a permanent plan of LTFC is ordered.

For PP dependency cases, pending a WIC § 366.26 hearing, the assigned Senior Social Worker (SSW) is responsible for:

- General case management and oversight
- Preparation/submission of the WIC § 366.26 Report and Case Plan Update
- Preparation of Interim reports/updates requested by Court

Legal Mandates [Welfare and Institutions Code § 294](#) details the requirements for noticing parties of the WIC § 366.26 hearing.

[Welfare and Institutions Code § 302](#) provides that, unless parental rights have been terminated, parents be notified of all dependency proceedings and provided a copy of each court report.

[Welfare and Institutions Code § 361.3](#) outlines the factors that must be assessed when considering of relative placement, and the need to document consideration of these factors for Court.

[Welfare and Institutions Code §§ 361.5\(g\), 366.21\(i\), 366.22\(c\) and 366.25\(b\)](#) detail the contents of the court report (assessment) submitted for the WIC § 366.26 hearing.

[Welfare and Institutions Code §§ 361.5\(f\), 366.21\(e\), 366.21\(g\)\(2\), 366.22\(a\), and 366.25\(a\)\(3\)](#) detail the timeframe for conduct of the WIC § 366.26 hearing.

[Welfare and Institutions Code § 366.26](#) and [California Rules of Court, Rule 5.725](#) detail the conduct of the WIC § 366.26 hearing and the applicable Court findings/orders.

[Welfare and Institutions Code §16501\(i\)](#) defines PP services.

[Welfare and Institutions Code § 16501.1](#) and [Division 31 Regulations Chapter 200](#) detail the development, content, and timeframe for completion of a case plan.

[Welfare and Institutions Code § 16508](#) details eligibility for PP services.

[Welfare and Institutions Code § 16501.1\(f\)\(4\)](#) requires that a child's SSW inform a child in out-of-home placement of his/her personal rights, at least once every six months.

[Division 31 Regulations Chapter 300](#) details the SSW's responsibilities for the provision of services.

[California Rules of the Court, Rule 5.651\(c\)](#) provides that at every hearing (including the WIC § 366.26 hearing), specific information regarding the child be addressed to ensure his/her educational, physical, mental health, and developmental needs are being met.

[California Rules of Court, Rule 5.725\(c\)](#) details the timeframe within which a WIC § 366.26 Report be provided to applicable parties.

[Adoptions Manual–Title 22, Division 2, Section 35127.1\(b\)](#) provides that a child accepted for adoption services complete a developmental assessment and/or psychological evaluation.

In re Joseph T. (2008) 163 Cal. App. 4th 787 held that relative placement preference, as detailed in WIC § 361.3(d), applies through the FR period.

In Re R.S. (2009) 179 Cal. App. 4th 1137 held that voluntary relinquishment of parental rights for Adoption precludes the need for a WIC § 336.26 hearing, provided the relinquishment is finalized prior to commencement of the hearing.

Definitions

Permanent Placement Services: Activities designed to provide a permanent family structure for children who because of abuse, neglect, or exploitation cannot safely remain at home and who are unlikely to ever return home.

Prospective Adoptive Parent: Any relative and/or current caregiver interested in Adoption of the child, or a Concurrent Planning (CP) Family with whom the child has been placed.

Note: The Court designation of prospective adoptive parent status will not be made unless: Parental rights have been terminated, the child has lived with the caregiver for at least six months, and the caregiver has expressed a commitment to adopt the child.

Concurrent Planning (CP) Family: An approved county licensed or Foster Family Agency (FFA) certified home with an approved adoption home study, accepting placement of a child with the intention of Adoption if reunification is not achieved.

POLICY

Case Management

Throughout the PP phase of dependency proceedings, the assigned SSW will:

- Monitor the child's physical and emotional well-being
- Assess the needs of the child
- Clarify for Case Plan Participants, any Court orders and the role/responsibilities of CFS
- Monitor case plan compliance and ensure services specified in the Case Plan are offered/provided

A. **Case Plan Review:**

At the initial contact immediately following any hearing at which PP services are ordered and a WIC § 366.26 hearing is calendared, the assigned SSW will:

1. Provide and review the Court-ordered Case Plan with each Case Plan Participant, including the child (if age 12 years or older).

Note: Case Plan review is an ongoing process completed throughout the PP phase of dependency proceedings, as service needs of the child change.

2. Request signature of each Case Plan Participant, including the child (if age 12 years or older), on the Case Plan.

Note: If signature(s) not obtained, indicate reason on the Case Plan signature page.

The assigned SSW will enter the date of case plan signature or refusal to sign on the ID tab of the In Effect Case Plan in CWS/CMS.

B. **Compliance Contacts:**

Required compliance contacts will be completed as specified in the Case Plan, in accordance with CFS P&P [Case Compliance Contacts and Documentation \(E-0105\)](#).

C. **Service Provision:**

In compliance with the Case Plan and any additional Court orders, service/transportation referrals will be offered/provided to Case Plan Participants, as often as is necessary.

When appropriate, service providers will be given information and relevant court reports, as necessary, regarding the sustained allegations and treatment needs of the client(s).

The assigned SSW will obtain monthly verbal or written (including by email) reports/updates from all service providers regarding:

- Client participation and progress towards treatment goals
- Service provider's professional opinion of:
 - The child's current safety and well-being
 - The current service needs of the client(s)
- Any Court requested information

If unable to obtain reports/updates from service providers, all attempts will be documented in CWS/CMS contact narratives. See [CWS/CMS Data Entry Standards—Service Providers—How to Search, Attach, and Record a Contact](#).

For guidelines regarding exchange of electronic information outside the SSA Network, including the encryption of emails, refer to [Attachment 1—Safeguarding Electronic Information](#).

For guidelines on the exchange or release of client information, including use of the *Authorization for Release of Information (F063-25-228)*, refer to CFS P&P [Confidentiality—CFS Client Records \(F-0105\)](#).

D. **Visitation:**

Visitation will be arranged between the child and those parties specified in the Case Plan. See CFS P&P [Visitation Guidelines \(D-0313\)](#) to identify parties appropriate to consider for visitation, when a child is receiving PP services.

Note: Court will permit continued parent/child visitation pending completion of the WIC § 366.26 hearing unless the Court finds visitation would be detrimental to the child.

E. **Maintaining Relationships with Important People:**

Any child in out-of-home care, 10 years of age and older, will:

- Have the opportunity to maintain relationships with important people who have attained a level of significance to the child (see CFS P&P [Important People in Dependent Children's Lives \[D-0410\]](#))
- As necessary, be asked to identify important people in an effort to identify a prospective adoptive placement or legal guardian

F. **Structured Decision Making (SDM) Tools:**

All applicable SDM tools will be completed pursuant to CFS P&P [Structured Decision Making \(D-0311\)](#), at a minimum, in conjunction with the WIC § 366.26 hearing and/or prior to creating a Case Plan Update.

G. **Health and Education Passport (HEP):**

Per CFS P&P [Health and Education Passport \(I-0403\)](#), while a child remains in out-of-home care, CFS will ensure the child's educational, medical, mental health, and dental needs are met. This involves provision of a HEP to the child's out-of-home caregiver, upon placement and every six months.

To facilitate the above, the assigned SSW will:

1. Refer the child for regular medical/dental examinations and preventative health services through the Child Health and Disability Prevention (CHDP) Program, as detailed in CFS P&P [Child Health and Disability Prevention Program \(I-0203\)](#).
2. During monthly contacts, obtain and document information regarding the child's educational, medical, mental health, and dental history.
3. Update *HEP Facesheet (F063-28-323)* and submit to HEP Clerk by the clerical deadline of the WIC § 366.26 Report.
4. Review recommendations for follow-up care made by the Public Health Nurse (PHN) and facilitate follow-up care in consultation with the Senior Social Services Supervisor (SSSS) and PHN.

H. **Informing Child of Personal Rights:**

A child placed in out-of-home care will be regularly informed of his/her personal rights in an age/developmentally appropriate manner that includes an explanation of the child's rights and addresses the child's questions/concerns regarding placement.

Advisement of a child's personal rights will be provided by the assigned SSW at least once every six months, utilizing the *Personal Rights (LIC 613B)* form.

**Permanency
Planning
Activities**

Pending completion of the WIC § 366.26 hearing, the assigned SSW will complete the following permanency planning activities (detailed in CFS P&P [Concurrent Planning \[D-0202\]](#)), as necessary and if not previously completed:

- A. Provide disclosure to parent(s) regarding concurrent planning options (including voluntary relinquishment of parental rights).
- B. Determine issues of parentage (as necessary).
- C. Provide current caregiver (including any prospective adoptive parent/legal guardian) with full disclosure of the rights, responsibilities, and financial comparisons associated with each permanent plan option (i.e., Adoption, LG, LTFC).

- D. Coordinate adoption activities with the Adoptions Legal and/or Applicant SSW (if any), and provide notification of the WIC § 366.26 hearing and any continuance(s).
- E. Schedule a Permanency Planning Team Decision Making (TDM) Meeting, per CFS P&P [Team Decision Making \(D-0308\)](#).

**Developmental/
Psychological
Evaluation
(Adoption)**

If recommending a permanent plan of Adoption, the assigned SSW and/or secondary Adoptions SSW (if any) will request the child complete the following as expeditiously as possible:

- Developmental assessment (child age four years and younger)
- Psychological evaluation (child age five years and older)

The results and recommendations of the developmental assessment/psychological evaluation will be:

- A. Forwarded to the assigned Adoptions SSW, for inclusion in the Child Presentation to be provided to a prospective adoptive parent (see CFS P&P [Adoption Matching Procedure \[C-0701\]](#)).
- B. Included in the WIC § 366.26 Report (if available).

**Compliance
with Court
Orders**

The assigned SSW will adhere to any orders issued by the Juvenile Court and ensure CFS staff associated with the case are informed of any court orders relevant to their involvement in the case.

When clarification or modification to an existing court order is deemed necessary, the assigned SSW will take the following steps in the order listed:

- Contact the Court Officer assigned to the courtroom in which the dependency proceedings are held
- Contact the Deputy County Counsel assigned to the case
- Appear in Court to discuss, if directed to do so by County Counsel
- Complete a *Request to Change Court Order (JV-180)* and forward to a SSSS in the Court Officers Unit for submission to Juvenile Court

Note: When circumstances arise that pose a potential **physical risk to the child's safety**, immediately consult County Counsel.

Absent Parent Search

The assigned SSW will make diligent efforts to locate any (alleged/presumed/biological) parent whose whereabouts are unknown. This will include, but is not limited to:

- Submission of an *Absent Parent Search Referral (F063-28-109)*, pursuant to the procedures and timeframe established in CFS P&P [Absent Parent Search \(G-0801\)](#)
- Inquiring from relatives/collateral contacts, as to whereabouts
- Sending a contact letter to the last known address
- Using available search resources (i.e., Prison Inmate Locator, California State Prison Index, and/or Federal Prison Index)

Note: In the event a Notice Review hearing is calendared, the Search Unit will forward a search declaration to the Court Officers Unit for submission to Court.

If the parent is located, the assigned SSW and/or Search Unit will:

- Forward the parent's contact information to County Counsel
- Provide a *Statement Regarding Parentage (JV-505)* to any alleged parent (see CFS P&P [Parentage \[G-0602\]](#))

Educational Rights of the Parent

In accordance with CFS P&P [Limiting Educational Rights \(I-0103\)](#), the assigned SSW will:

- Ensure a responsible adult is available and involved in making decisions for a child's education
- As necessary, request Court limit educational rights of the parent and/or appoint an educational representative

If LG or LTFC will be recommended as the permanent plan **and** the parent's educational rights were previously limited, the WIC § 366.26 Report will address, as applicable, the parent's continued inability or unwillingness to make educational decisions for the child. Additionally:

- If **LG** is established, educational rights will be transferred to the legal guardian unless Court determines the legal guardian cannot make educational decisions in the child's best interest
- If **LTFC** is ordered, the foster parent or relative/NREFM caregiver may be appointed as an educational representative

If Adoption will be recommended as the permanent plan, ensure an educational representative is appointed.

Note: If a permanent plan is ordered and an educational representative is requested, ensure any previously appointed educational representative's right to make educational decisions for the child is rescinded.

Adoptive Placement

A. **Identifying Adoptive Placement:**

If Adoption will be recommended at the WIC § 366.26 hearing and the child is not placed with a Concurrent Planning family, staff will adhere to CFS P&P [Adoption Matching Procedure \(C-0701\)](#) to identify a prospective adoptive placement.

Note: Adoptive placement preference is given to a child's current relative caregiver/foster parent, provided the child has substantial emotional ties to the caregiver and removal would be seriously detrimental to the child's emotional well-being.

B. **Removal from Prospective Adoptive Placement:**

If removal of a child from a prospective adoptive placement is necessary, the assigned SSW will:

1. Whenever possible, request a Placement Preservation/Change of Placement TDM meeting, per CFS P&P [Team Decision Making \(D-0308\)](#).
2. Consult Adoptions SSSS/Program Manager and County Counsel (as necessary) regarding proposed placement change and any necessary noticing requirements.

Note: In the event of a failed adoptive placement or if the permanent plan of Adoption no longer appears appropriate, complete an updated *Permanent Planning Assessment (F063-18-242)*, pursuant to CFS P&P [Permanent Planning Assessments \(PPAs\) \(G-0313\)](#).

Placement Changes

A. **Identifying Placement Options:**

Pursuant to best practice guidelines, the assigned SSW will attempt to identify relatives and/or NREFMs for placement, when a placement change is necessary.

Note: Prior to removal from placement (or as soon as possible after an emergency removal) a TDM meeting will be held, pursuant to CFS P&P [Team Decision Making \(D-0308\)](#).

Information required to complete a placement assessment will be forwarded to the Placement Coordination/Relative Assessment Program, per CFS P&Ps [Relative/NREFM Placement Assessments \(K-0105\)](#) and [Clearances—Relative Assessment \(K-0101\)](#).

B. Relative Placement Assessment Documentation:

Placement Coordination/Relative Assessment staff will document consideration of each factor specified in [Attachment 2—Relative Placement Assessment Documentation](#), **if**, during the current period of review, a relative is assessed for placement, and one of the following apply:

- The child is placed with the relative
- The relative is approved for placement
- The relative is disapproved for placement
- The relative declines placement following assessment

The relative placement assessment documentation will be included in the court report prepared for the WIC § 366.26 hearing (or hearing to address placement).

Note: Documentation of the factors specified in [Attachment 2](#) is not required for NREFMs, unless ordered by Court.

Writing the WIC 366.26 Report

The assigned SSW will prepare the WIC § 366.26 Report. The report will incorporate pertinent, accurate, and objective information obtained over the course of dependency proceedings (consistent with information documented in CWS/CMS contact narratives). Objectivity and accuracy on behalf of the assigned SSW is paramount, as it ensures a factual representation for Court to make a determination regarding the permanent plan for the child, and lends credibility to the assigned SSW's recommendations.

A. Content of the WIC § 366.26 Report:

The WIC § 366.26 Report will be written in complete, concise sentences and will address the following:

- Search efforts to locate absent parents (if any)
- Evaluation of the child
- Review of the frequency/nature of contact between the child and birth/extended family since the time of placement in out-of-home care
- Analysis of the child's adoptability (refer to [Attachment 3—Analysis of Adoptability](#))

- Efforts to identify a prospective adoptive parent/legal guardian
- An assessment of any identified prospective adoptive parent/legal guardian (see Policy section “Assessment of Prospective Adoptive Parent/Legal Guardian”)
- Relationship between the child and any prospective adoptive parent/legal guardian
- Child’s statements (as age/developmentally appropriate) concerning any proposed Adoption/LG
- Recommendation regarding the child’s permanent plan

Refer to Procedure section, “Completing the WIC § 366.26 Report,” for specific content included in the report.

Note: All attempts to obtain required information, not available for inclusion in the WIC § 366.26 Report, will be documented in the report.

B. Protecting Confidentiality:

The WIC § 366.26 Report will not include any identifying or contact information regarding a:

- Prospective adoptive parent
- Other adult member of a prospective adoptive parent/legal guardian’s household (including any child age 14 years and older)
- Confidential placement
- Reporting Party on a Child Abuse Report

Note: A prospective legal guardian may be identified in the WIC § 366.26 Report; however, no identifying information will be included in the “Prospective Adoptive Parent/Legal Guardian” section of the report.

This may include, as necessary, redacting the name of a school, doctor, town, etc. If any information is omitted or modified to protect confidentiality, the following statement will be included, wherever relevant:

“Identifying information has been omitted or changed solely for the purpose of protecting the identity of (the Reporting Party on a Child Abuse Report, a confidential placement, a prospective adoptive parent/legal guardian, or a member of the prospective adoptive parent/legal guardian’s household).”

C. **Documenting Collateral Contacts:**

When documenting interviews/correspondence with collateral contacts/service providers in the WIC § 366.26 Report, include:

- The date on which interview/correspondence was completed
- The method by which interview/correspondence was conducted (e.g., in-person, phone, letter)
- A notation of language (other than English) or interpreter services utilized
- The full name, title, and agency affiliation (as applicable) of any professional
- Contact information (i.e., address and phone number) will be provided unless there is a compelling reason to keep the information confidential

Assessment of Prospective Adoptive Parent/Legal Guardian

An assessment of any identified prospective adoptive parent/legal guardian will be included in the WIC § 366.26 Report. The assessment will be completed pursuant to the guidelines and format detailed in [Attachment 4—Assessment of Prospective Adoptive Parent/Legal Guardian](#).

A. **Prospective Adoptive Parent:**

An Adoptions Applicant SSW will provide the assigned SSW a **preliminary** assessment of a prospective adoptive parent for inclusion in the WIC § 366.26 Report, using the *Preliminary Assessment of Prospective Adoptive Parent for WIC § 366.26 Hearing (F063-25-509)*.

Note: The preliminary assessment does not constitute an adoption home study, completed by the CFS Adoptions Program or a contracted private adoption agency through the Private Adoption Agency Reimbursement Program (PAARP).

See CFS P&P [Concurrent Planning \(D-0202\)](#) for guidelines regarding provision of the assessment of a prospective adoptive parent to the assigned SSW.

Note: If the preliminary assessment is not provided by the Adoptions Applicant SSW prior to the filing deadline, the assigned SSW must complete the preliminary assessment.

- B. **Prospective Legal Guardian:**
The assigned SSW will complete the **final** assessment of any prospective legal guardian for the WIC § 366.26 Report.

See Policy section “Assessment of Prospective Legal Guardian” in CFS P&P [Legal Guardianship—Dependents \(K-0402\)](#) for further information on preparing the guardianship assessment.

- C. **Notification of Disclosure of Assessment Information:**
The prospective adoptive parent/legal guardian and any other adult residing in the household, will be notified that information obtained for assessment purposes, including criminal and child abuse background clearances, will be included in the WIC § 366.26 Report.

See Policy section “Required Disclosures” in CFS P&P [Legal Guardianship—Dependents \(K-0402\)](#) for further guidelines regarding disclosure of the guardianship assessment process.

Refer to [Attachment 7—Parties Subject to Live Scan Clearances](#) of CFS P&P [Live Scan Fingerprinting \(B-0115\)](#) for guidelines regarding parties subject to Live Scan.

Note: Notify the prospective adoptive parent/legal guardian that information obtained regarding any child in the home (age 14 years and older), that impacts the safety of the home, will also be included in the WIC § 366.26 Report.

The date and method of notification to each party will be documented in the CWS/CMS contact notebook.

Recommendation Considerations

- A. **Order of Preference in Selection of Permanent Plan:**
The order of preference when recommending a permanent plan for a child will be, from most desirable to least desirable:

1. Adoption with identified prospective adoptive placement.

This may include, for an Indian child, a plan of **Tribal Customary Adoption**. See CFS P&P [Tribal Customary Adoption \(C-0705\)](#) for further information.

2. LG with a current relative caregiver.

3. Adoption as the permanent plan, with a continuance of the WIC § 366.26 hearing for 180 days to identify a prospective adoptive placement.

Note: At the continued hearing, a recommendation must be made for Adoption, LG, or LTFC. Do not request further continuance to identify an adoptive placement.

4. LG with a non-relative.

5. LTFC.

B. **Permanent Planning Assessment:**

The *Permanent Planning Assessment (PPA)* (F063-18-242) will form the basis for the permanent plan recommendation.

The PPA will indicate:

- The likelihood that the child will be adopted:
 - Adoption **Likely** (recommend Adoption unless a statutory exception applies)
 - Adoption **Probable**, child difficult to place (recommend 180 day continuance to identify adoptive placement)
 - **Not Likely** (recommend LG if prospective legal guardian identified or LTFC)
- Any applicable statutory exceptions to a permanent plan of Adoption indicating termination of parental rights would be detrimental or undesirable

Note: Consult assigned SSSS and the Adoptions SSSS who completed the recommendation section of PPA if in disagreement with results of the PPA.

A detailed analysis of the child's adoptability and applicable statutory exceptions (if any) will be addressed in the WIC § 366.26 Report, per [Attachment 3—Analysis of Adoptability](#).

Refer to CFS P&P [Permanent Planning Assessments \(PPAs\) \(G-0313\)](#) for completion of the PPA and a comprehensive listing of statutory exceptions to Adoption.

Refer to [Attachment 5—Permanent Plan Considerations](#) for additional factors to consider when recommending a permanent plan of Adoption, LG, or LTFC.

Case Plan Update

A. **Circumstances Necessitating A Case Plan Update:**

The assigned SSW will complete a Case Plan Update:

- In conjunction with the WIC § 366.26 hearing, unless the recommendation is to terminate dependency proceedings
 - If the Case Plan Update reflects changes to existing Case Plan objectives or services, the WIC § 366.26 Report will provide adequate justification for requested changes
- If current case plan objectives no longer meet the service/permanency needs of the child
 - If a Case Plan Update is required prior to the WIC § 366.26 hearing, consult SSSS and County Counsel regarding submission of a *Request to Change Court Order (JV-180)* or Ex Parte request

B. **Development of Case Plan Update:**

Whenever possible, the assigned SSW will involve the child (as age and developmentally appropriate) in development of a Case Plan Update.

Prior to developing a Case Plan Update, the assigned SSW will:

- Complete SDM tool – Child Strengths and Needs Assessment
- During compliance contact(s), solicit input from the child and any other Case Plan Participant, regarding:
 - Case Plan Goals/Objectives/Client Responsibilities
 - Client strengths and service needs
 - Case management activities to be performed
 - Visitation (as applicable and appropriate)

Note: If recommending LG/LTFC as the permanent plan, when appropriate, consider placing responsibility on the parent to facilitate his/her own transportation to a visit and/or to secure an individual approved by SSA to monitor/supervise the visit (as needed).

During discussions with each Case Plan Participant regarding case plan development, the assigned SSW will request signature of the Case Plan Participant, including any child (if age 12 years or older) on the *Acknowledgement of Participation in Case Plan Development (F063-28-244)*.

If any required signature is not obtained, indicate reason on the *Acknowledgement of Participation in Case Plan Development (F063-28-244)* and in the Case Plan section of the court report submitted with the Case Plan Update.

Note: Use of the *Acknowledgement of Participation in Case Plan Development (F063-28-244)* does not replace the need to obtain signatures on the Court-approved Case Plan Update. See Policy section, “General Case Management.”

A completed *Acknowledgement of Participation in Case Plan Development (F063-28-244)* will accompany any proposed Case Plan Update submitted to Court.

For further information on development/content of a Case Plan Update, refer to CFS P&P [Case Plan Development/Elements \(D-0101\)](#). For instruction regarding generating a Case Plan Update in CWS/CMS, refer to [EZ Mapping for CMS Case Plan—Update](#).

C. Court Amended Case Plan:

If the proposed Case Plan Update is amended by Court, the Case Plan Update will be revised in CWS/CMS accordingly by the assigned SSW and/or SSSS.

Transitional Independent Living Program (TILP)

Pursuant to Division 31 Regulations § [31-236\(a\)](#), a TILP will be completed for any dependent child in out-of-home care, 15 ½ years of age and older. The TILP will be subsequently updated by the assigned SSW in conjunction with each Periodic Review hearing.

TILP goals will be regularly reviewed with the child and incorporated into the Case Plan pursuant to CFS P&P [Independent Living Program \(ILP\) Services \(D-0504\)](#).

Timeframe for Completion/ Submission of Court Report

The WIC § 366.26 Report and accompanying Case Plan Update will be:

- A. Submitted to the assigned SSW's Court Typist by the **clerical deadline**, no later than **24 calendar days** prior to the scheduled hearing date.

Note: Ensure all relevant SDM tools have been completed.

- B. Reviewed and signed by the assigned SSW and their SSSS (or designee) following approval.

Note: Pursuant to Division 31-230.12, signature approval on the Case Plan Update is not required prior to submission to Court, provided the court report to which the Case Plan Update is attached has been signed.

- C. Filed with Court by the **court filing deadline**, no later than **4:00 p.m., 10 calendar days** (excluding judicial holidays) prior to scheduled hearing date.

Note: The timeframe for pick up of court packets (for filing purposes) by the Court Courier varies by program.

Notice of Hearing

The notice process for a WIC § 366.26 hearing will be initiated at the time the hearing is calendared. The assigned SSW will, upon receipt of a *366.26 Hearing Memo (F063-25-504)*, complete a *Notice of Hearing Worksheet-WIC 366.26 Permanency Hearing Only (F063-28-05)*, and **immediately** forward to the assigned SSW's Court Typist.

Notice will be provided to all appropriate parties, as ordered by Court and/or at least **45 calendar days** prior to the scheduled WIC § 366.26 hearing.

Note: If recommending a permanent plan of Adoption, County Counsel will provide notice. The assigned SSW and Adoptions Legal Worker will assist by providing current contact information and search referrals (initiated by assigned SSW) when appropriate.

Refer to CFS P&P [Notices of Hearing \(G-0507\)](#) for information regarding parties entitled to notice, method of service, and content of the notice. Further information regarding notice is detailed in:

- CFS P&P [Absent Parent Search \(G-0801\)](#)
- CFS P&P [Indian Child Welfare Act \(G-0309\)](#)
- CFS P&P [Incarcerated and Institutionalized Parents \(G-0308\)](#)

Provision of Court Report to Involved Parties The assigned SSW's Court Typist will provide a copy of the WIC § 366.26 Report and Case Plan Update to applicable parties, as directed on the *Notice of Hearing Worksheet-WIC 366.26 Permanency Hearing Only (F063-28-05)*, no later than **10 calendar days** in advance of the scheduled hearing. See CFS P&P [Notices of Hearing \(G-0507\)](#) for further information.

Addendum Reports Following submission of the WIC § 366.26 Report to Court, an Addendum Report will be submitted by the assigned SSW when:

- New information pertinent to the case is obtained, which was not previously documented in the WIC § 366.26 Report
- The recommendation of the WIC § 366.26 Report changes
- The Case Plan Update previously submitted with the WIC § 366.26 Report is revised prior to the scheduled hearing (include revised Case Plan Update and any *Acknowledgement of Participation in Case Plan Development [F063-28-244]* not previously submitted to Court)
- The WIC § 366.26 hearing is continued:
 - A minimum of **seven calendar days and/or**
 - Court requests additional information be provided

Addendums may be submitted to the Court Typist for filing with Court **any time prior** to the scheduled hearing.

Other Court Reports When a non-statutory review hearing is calendared (e.g., Progress Review hearing), the assigned SSW will ensure completion and submission of the court report specific to that hearing (i.e., Interim Report).

Any Interim Report prepared by the assigned SSW will be:

- A. Submitted to the assigned SSW's Court Typist by the **clerical deadline**, no later than **four court business days** prior to the scheduled hearing date.
- B. Filed with Court by the **court filing deadline**, no later than **two court business days** prior to scheduled hearing date.

Advisement of Child's Rights At Court The assigned SSW will make every attempt to inform any child (capable of understanding the concept) who is the subject of dependency proceedings, of their right to:

- Be present and participate in any dependency hearing regarding his/her case
- Make a statement to Court, including an opinion about:
 - Placement (if placement decisions are being considered)
 - The permanent placement plan

Documentation of the above advisement and statements made by the child will be documented in the WIC § 366.26 Report.

For additional information regarding advisement of the child's rights at Court and facilitating transportation to hearings, refer to CFS P&P [Child's Rights at Court \(G-0303\)](#).

Availability for Court Dates

The assigned SSW and SSSS will be available to respond to Court for the WIC § 366.26 hearing or continuance of that hearing, as follows:

- A. The SSW will immediately return any telephone call received from the courtroom in which the hearing is being held.
- B. The SSW will make an in-person response to Court at the time specified by Court, when the SSW's presence is requested. The SSW will be available to respond to Court regardless of his/her flex day.
- C. Upon receipt of a personal appearance subpoena, the SSW will do one of the following:
 - Appear in Court on the date/time specified
 - Contact Victim Witness to be placed on call if subpoenaed by County Counsel
 - Make alternate arrangements (e.g., request to be placed on-call) with the person requesting their presence and inform County Counsel

For further information regarding subpoenas, refer to CFS P&P [Confidentiality—CFS Client Records \(F-0105\)](#).

- D. The assigned SSSS, or designee, will be available to respond to Court if the assigned SSW is unable to do so.

Note: The SSW will inform the assigned SSSS in advance, when unavailable for the scheduled hearing.

REFERENCES

Attachments and Data Entry Standards

Click on the links below to directly access attachments to this P&P and any referenced Data Entry Standards.

- [Attachment 1—Safeguarding Electronic Information](#)
- [Attachment 2—Relative Placement Assessment Documentation](#)
- [Attachment 3—Analysis of Adoptability](#)
- [Attachment 4—Assessment of Prospective Adoptive Parent/Legal Guardian](#)
- [Attachment 5—Permanent Plan Considerations](#)
- [Attachment 6—WIC § 366.26 Hearing Checklist](#)
- [CWS/CMS Data Entry Standards—Service Providers—How to Search, Attach, and Record a Contact](#)
- [CWS/CMS Data Entry Standards—Writing a Court Report Using CWS/CMS](#)
- [EZ Mapping for CMS Case Plan—Update](#)

Hyperlinks

Users accessing this document by computer may create a direct connection to the following references by clicking on them.

- CFS P&P [Absent Parent Search \(G-0801\)](#)
- CFS P&P [Adoption Matching Procedure \(C-0701\)](#)
- CFS P&P [Adoption Review Hearings \(C-0404\)](#)
- CFS P&P [Adoption Recruitment Guidelines \(C-0707\)](#)
- CFS P&P [Case Compliance Contacts and Documentation \(E-0105\)](#)
- CFS P&P [Case Plan Development/Elements \(D-0101\)](#)
- CFS P&P [Child Health and Disability Prevention Program \(I-0203\)](#)
- CFS P&P [Child's Rights at Court \(G-0303\)](#)
- CFS P&P [Clearances—Relative Assessment \(K-0101\)](#)
- CFS P&P [CLETS \(B-0116\)](#)
- CFS P&P [Confidentiality—CFS Client Records \(F-0105\)](#)
- CFS P&P [Concurrent Planning \(D-0202\)](#)
- CFS P&P [Courtesy Supervision \(K-0501\)](#)
- CFS P&P [Custody \(Exit\) Orders and Custody Transfers to Non-Custodial Parents \(G-0201\)](#)
- CFS P&P [DMV Clearances \(B-0107\)](#)
- CFS P&P [Family Reunification Status Review Reports \(G-0317\)](#)
- CFS P&P [Health and Education Passport \(I-0403\)](#)

- CFS P&P [Important People in Dependent Children’s Lives \(D-0410\)](#)
- CFS P&P [Tribal Customary Adoption \(C-0705\)](#)
- CFS P&P [Indian Child Welfare Act \(G-0309\)](#)
- CFS P&P [Incarcerated and Institutionalized Parents \(G-0308\)](#)
- CFS P&P [Independent Living Program \(ILP\) Services \(D-0504\)](#)
- CFS P&P [Interstate Compact on the Placement of Children \(ICPC\) \(K-0502\)](#)
- CFS P&P [Jurisdictional/Dispositional Hearing Report \(G-0310\)](#)
- CFS P&P [Legal Guardianship—Dependents \(K-0402\)](#)
- CFS P&P [Legal Guardianship—Non-Dependents \(K-0404\)](#)
- CFS P&P [Limiting Educational Rights \(I-0103\)](#)
- CFS P&P [Live Scan Fingerprinting \(B-0115\)](#)
- CFS P&P [Notices of Hearing \(G-0507\)](#)
- CFS P&P [Out-of-Home Placement \(K-0208\)](#)
- CFS P&P [Parentage \(G-0602\)](#)
- CFS P&P [Periodic Review Report \(G-0311\)](#)
- CFS P&P [Permanent Planning Assessments \(PPAs\) \(G-0313\)](#)
- CFS P&P [Psychotropic Medication: Dependent Child \(I-0306\)](#)
- CFS P&P [Relative/NREFM Placement Assessments \(K-0105\)](#)
- CFS P&P [School Placement and Transfer \(I-0102\)](#)
- CFS P&P [Sensitive/Highly Sensitive Referrals and Cases \(F-0107\)](#)
- CFS P&P [Structured Decision Making \(D-0311\)](#)
- CFS P&P [Team Decision Making \(D-0308\)](#)
- CFS P&P [Visitation Guidelines \(D-0313\)](#)
- PDU Dispatch [Court Report Recommendations—Autotext \(G-0321-D\)](#)
- SSA Administrative P&P [Use of E-mail, Personal Computers, and Other Computer Resources \(I 6\)](#)
- [Structured Decision Making Policies and Procedures Manual \(Via SDM Application\)](#)

Other Sources Other printed references include the following:

- Court Typing Work Process Guidelines

REQUIRED FORMS

Online Forms

Required forms listed below may be printed out and completed, or completed online, and may be accessed by clicking on the link provided.

Form Name	Form Number
366.26 Hearing Memo	F063-25-504
Acknowledgement of Participation in Case Plan Development	F063-28-244
Acknowledgement of Participation in Case Plan Development (Spanish)	F063-28-244SP
Letters of Guardianship	JV-330
Notice of Hearing Worksheet—WIC 366.26 Permanency Hearing Only	F063-28-05
Permanent Planning Assessment	F063-18-242
Preliminary Assessment of Prospective Adoptive Parent for WIC § 366.26 Hearing	F063-25-509
Statement Regarding Parentage	JV-505
Statement Regarding Parentage (Spanish)	JV-505 S
Request to Change Court Order	JV-180

Hard Copy Forms

Forms listed below must be completed in hard copy (including multi-copy NCR forms). **For reference purposes only**, links are provided to view these hard copy forms, where available.

Form Name	Form Number
Absent Parent Search Referral	F063-28-109
Authorization for Release of Information	F063-25-228
Application for Petition	F063-28-43
Personal Rights	LIC 613B
Visitation Attachment	JV-400

CWS/CMS Forms

The following required forms may **only** be obtained in CWS/CMS. **For reference purposes only**, links are provided to view these CWS/CMS forms, where available.

Form Name	Form Number
Early Childhood Zero Through Five	None
HEP Facesheet	F063-28-323

Brochures Brochures to distribute in conjunction with this procedure include:

Brochure Name	Brochure Number
None.	

PROCEDURE

Required Actions— The following procedure will be followed **when completing each heading of the WIC § 366.26 Report.** (Refer to [CWS/CMS Data Entry Standards—Writing a Court Report Using CWS/CMS](#) for instructions regarding generating a court report in CWS/CMS.)
Completing the WIC § 366.26 Report

Note: Autotext codes are indicated, when available, for completion of the WIC § 366.26 Report.

**Staff
Responsible**

Step

Required Action

Note: If Tribal Customary Adoption is recommended, refer to CFS P&P [Tribal Customary Adoption \(C-0705\)](#) for additional documentation requirements of the WIC 366.26 Report.

Assigned SSW

1. Heading: “366.26 WIC Report” will pre-populate.
2. Hearing Date: Enter date hearing will be held.
3. Hearing Time: Enter 08:30 a.m.
4. Dept./Room: Enter number of courtroom in which dependency proceedings are being held.
5. Hearing Type/Subtype: If it does not pre-populate, enter “366.26 Selection & Implementation.”
6. In The Matter Of: Verify the accuracy of pre-populating information for each child addressed in the report:
 - Name
 - Date of Birth
 - Age
 - Gender
 - Court Number (i.e., Dependency [DP] Number)

7. Summary Recommendation: Select appropriate autotext Summary Recommendation for child(ren) receiving PP services.

For available court report recommendations, refer to [Attachment 5—Permanent Plan Recommendation Desk Guide](#) contained in PDU Dispatch [Court Report Recommendations—Autotext \(G-0321-D\)](#).

Note: Refer to “Recommendation Considerations” in the Policy section above when assessing the appropriate recommendation.

8. Child(ren)’s Whereabouts: Indicate current placement (include date of placement):

If recommending Adoption, do not provide any identifying information (e.g., name, phone number, address, relationship to child) regarding a prospective adoptive parent.

If recommending LG or LTFC and child placed with:

- a. Prospective legal guardian, relative or NREFM, document full name, relationship to child, address, and phone number.
- b. Licensed/Certified foster home or Emergency Shelter Home, document foster parent’s first name and telephone number.
- c. Group home or other facility, document name of facility, address, and phone number.

Note: For confidential placements, indicate child is in a “Confidential Placement” and include the date Court ordered the placement to remain confidential (unless request is made at present hearing). Contact the Court Officer on the date of the hearing to provide verbal notice of the child’s whereabouts.

9. Insert heading entitled “Child’s Attendance At Court,” utilizing autotext code **CAC**, for each child addressed in the report. Edit the populating text as to advisement of a child’s right to attend the scheduled hearing.
10. Parents/Legal Guardians: Available information (name, date of birth, address, phone number, and relationship) will pre-populate regarding mother, alleged/presumed father(s) and legal guardian(s). Check for accuracy and ensure all “alleged/presumed” fathers are listed correctly.

For incarcerated parents, include address of correctional facility (jail/prison) and booking/California Department of Corrections (CDC) number.

Note: If Court ordered a parent/guardian’s contact information “confidential,” do not include it in the report.

11. Interpreter: When an interpreter is required, indicate the person(s) requiring an interpreter and the language for which interpretation is needed. If no interpreter is required, this section may be deleted.

Note: Contact the Court Officer SSSS prior to date of the hearing when an interpreter is required for a language other than Spanish, Vietnamese, or Korean.

12. Indian Child Welfare Act Status (ICWA):

Note: Termination of parental rights for an Indian child requires expert testimony and involves alternative legal standards (beyond a reasonable doubt). See CFS P&P [Indian Child Welfare Act \(G-0309\)](#).

- a. Indicate whether or not ICWA applies (use autotext code **ICWA1** or **ICWA2**, as applicable). If ICWA does or may apply, identify person affiliated with the tribe and the name of the tribe (if known).
- b. Document information/statements regarding ICWA that were received from each person that led to this conclusion. Include any statements obtained from the ICWA Unit.

- c. Document efforts to notice the Bureau of Indian Affairs (BIA), tribe (if known), and the Secretary of the Interior (if tribal affiliation is known). This information will be obtained from the ICWA Unit.
- d. Detail prior Court rulings (include date) regarding ICWA for each child. Include rulings from any prior dependency, if applicable.

Note: Check appropriate Court Minute Order to confirm the referenced ICWA finding.

If no Court finding has been made regarding ICWA, utilize autotext code **ICWA3** to request an ICWA finding be made.

- e. Document efforts to obtain current ICWA information if parents and/or relatives are located subsequent to initial ICWA finding.

13. Search Results/History: Complete the following, as applicable:

- If whereabouts of a parent/guardian are unknown, utilize autotext code **SEARCH1** to **SEARCH3** (as applicable). Document all measures taken to locate the parent during the current period of review. Refer to the Policy section “Absent Parent Search” for further information.

Note: In the event a Notice Review hearing was previously calendared, refer Court to the search declaration(s) submitted for that hearing.

- If the whereabouts of parent(s)/guardian(s) are known, utilize autotext code **SEARCH4**

14. Legal History: Available information will pre-populate. Check all dates for accuracy and applicability to current dependency proceedings. Document the following for each child, as available:

- a. **Subdivisions of WIC § 300** included in Original sustained Petition and/or any sustained Supplemental/ Subsequent Petition(s). Use applicable autotext codes **(A)** to **(J)**.

Note: Supplemental Petitions (WIC § 387) include new allegations of abuse related to allegations sustained in the Original Petition. Subsequent Petitions (WIC § 342) include additional count(s) not reflected in the Original sustained Petition.

- b. Date of **Initial Removal** (date *Application for Petition [F063-28-43]* signed). Include subsequent removal date for any previously failed FM case.
 - c. Date of **Initial Detention Order** (date of first Detention hearing). Include date of subsequent Detention order for any previously failed FM case.
 - d. Date of **Initial Jurisdiction Finding** (date Original Petition sustained). Include date of jurisdictional finding for any Supplemental/Subsequent Petition.
 - e. Date of **Initial Disposition Order** (may differ from initial jurisdiction). Include date of dispositional finding for any Supplemental/Subsequent Petition.
 - f. Date(s) of all **prior statutory court hearings** (as applicable), which may include:
 - Initial/subsequent 364 FM Reviews
 - Initial 366.21(e) (SMR) Review
 - Initial 366.21(f) (TMR) Review
 - Initial 366.22 (EMR) Review
 - Initial 366.25 (24 Month) Review
 - g. Date **FR Services Terminated** or **Non-Reunification Ordered**.
 - h. **Initial and Current Permanent Plan** (specify type and date ordered). These will vary from one another if Court has ever changed the permanent plan.
15. Additional Legal History:

- a. Use autotext code **ALH1** to document **all sustained counts** of the Original Petition. Include sustained language; do not summarize/paraphrase. Duplicative counts need not be repeated.

Note: Review legal file to ensure any amended petition counts are accurately reflected.

Use autotext code **ALH2** to indicate custody is vested with SSA.

As applicable, indicate and provide the date:

- Court ordered non-reunification
- FR services terminated
- Initial/Current permanent plan (specify type) ordered
- De facto parent standing granted on behalf of the child (specify individual)

- b. Use autotext code **ALH3** to indicate a dependency case was transferred from another county.

- c. Use autotext code **ALH4** or **ALH5**, to document any sustained Supplemental/Subsequent Petition. All sustained petition counts will be documented similarly to the Original sustained Petition.

Note: For any previously failed FM case, indicate date child was initially returned to custody of the parent(s).

- d. Document legal history (including out-of-county/out-of-state) of the child and any sibling who has prior dependency cases. Include the following:

- Date on which child was declared a dependent
- Subdivisions of WIC § 300 under which child was declared
- **All sustained counts** of Original/Supplemental/ Subsequent Petition(s) (as applicable). Do not summarize/paraphrase; duplicative counts

- need not be repeated
 - General description of services offered/ provided (e.g., FR, FM, PP)
 - Date on which child was returned to parent or a permanent plan established
- e. Use autotext code **ALH6** to document other Court involvement, including Family Law, Criminal, or Probate. Include the case number and any specific information about the case.
16. Paternity/Legal Relationships: Use autotext code **DAD1** to **DAD7** (as applicable). Document factual information regarding paternity. Do not include opinions/assumptions.
- a. Detail prior Court rulings (include date) regarding paternity of each child (include alleged/presumed fathers).
- Include the names of all parents of record, regardless of whether the Court has designated alleged/presumed status or the parent has ever appeared at a hearing on behalf of the child.
- b. Provide a chronological summary of the dates of the mother's marriage(s) and divorce(s).
- c. If paternity is unresolved, indicate that Court has not yet made a determination of paternity, or that insufficient information is available to determine paternity. Include the following, as applicable:
- New statements obtained regarding paternity of each child. Note who made the statement, the date on which the statement was made, and what exactly was stated
 - Whether an alleged parent has been provided the *Statement Regarding Parentage (JV-505)*, unless already documented in a previous report or search declaration
 - Results of any paternity testing completed

17. Permanency Planning Assessment – Evaluation of Child(ren): Replace subheadings utilizing autotext code **CHILD1**. Address each element of populating text based upon case-specific circumstances.

Note: Do not address multiple children within each section. Utilize autotext code **CHILD1** for each child.

- a. Medical: Document all known medical information regarding the child, including but not limited to:

- Specific medical conditions (current/past) (**Note:** HIV/AIDS status of the child will be referred to as a *“life threatening illness”*)
- Identification of chronic medical problems or conditions requiring ongoing medical care
- Medications prescribed/administered
- Last physical/dental exam (include results)
- Other medical visits/procedures (include reason)
- History of immunizations

Include the name and contact information (phone/address) of the child’s health care providers.

- b. Developmental: Indicate whether the child is developing at an age-appropriate level. Include:

- Specific observations of behaviors
- Involvement in age-appropriate extracurricular activities
- Results of developmental screenings, including *Early Childhood Zero Through Five* form (if not previously documented in a court report)
- Eligibility for and/or receipt of Regional Center special developmental services (e.g., speech/physical therapy). If applicable, include:
 - Date treatment began and frequency
 - Specific treatment goals
 - Progress of treatment

Note: Refer to [Structured Decision Making \(SDM\) Policies and Procedures Manual](#) for descriptions of “Physical and Cognitive Developmental Milestones.”

c. Educational: As it relates to the child, to the extent that information is available, address:

- Educational rights, including:
 - Identification of who holds educational rights
 - The need to limit educational rights

Note: If recommending Adoption, request appointment of educational representative. See the Policy section, “Educational Rights of the Parent.”

- Background information (e.g., current school)
 - If a placement change occurred during the current period of review, include AB 490 District Liaison’s recommendation and rationale regarding the child’s continued enrollment in his/her school of origin (see CFS P&P [School Placement and Transfer \[I-0102\]](#))
- Achievements/school records (e.g., grades, credits towards graduation)
- Educational needs/services (e.g., Individualized Education Program [IEP])

Include the name and contact information of the child’s educational service providers.

d. Mental & Emotional Status: Describe the child’s:

- Reported/observed affect/behavior
- Behavior problems and/or mental health needs (if any)
- Participation in therapy, as applicable. Include:
 - Date treatment began and frequency
 - Specific treatment goals
 - Progress of treatment

If child receives psychotropic medication, provide name/dosage of medication and reason for prescription. Indicate date of current Court authorization. Refer to CFS P&P [Psychotropic Medication: Dependent Child \(I-0306\)](#).

Include the name and contact information of the child's mental health care providers, if applicable.

Include results of any psychological evaluation completed for adoption-related purposes (if not previously documented in a court report).

Note: Identify any special needs of the child and services the child is receiving or may benefit from. If the child is a **minor parent**, discuss his/her needs with regards to his/her role as a parent.

18. Permanency Planning Assessment – Out-of-Home Placement: Utilize autotext code **OHP** and address each subheading of the populating text based upon case-specific circumstances.

Note: For siblings, discuss each child separately if placed with different caregivers.

- a. Placement History: For each child addressed in the report, indicate:

- Date of original placement
- Date of current placement
- Total number of placements
- Whether child was ever returned home (**Note:** Trial Visit is not considered a return home.)

Indicate whether any placement change occurred during current period of review. As applicable:

- Indicate reason for placement change
- Include Placement Preservation/Change of Placement TDM meeting summary (**Note:** Redact any identifying information regarding a prospective adoptive parent.)

b. Current Placement: Document the following:

- Placement type
- Child's adjustment to placement (include statements from child and caregiver)
- As applicable, continued appropriateness of placement selection as it relates to the child's placement needs and/or special medical needs (unless documented elsewhere in court report)

Provide the following additional information, as applicable to the placement type:

- Group Home: Unless already documented in the Case Plan, indicate the reason the group home meets the child's specialized treatment needs. For any child under the age of six years, indicate the nature of, and anticipated duration of the treatment. For further information, refer to CFS P&P [Out-of-Home Placement \(K-0208\)](#)
- Out-of-County or Interstate Compact on the Placement of Children (ICPC): Include rationale for placement and description of responsibilities of sending/receiving agencies. Unless already documented in the Case Plan, specify how the service needs of the child (e.g., visitation, social worker contact requirements) will be met
 - For further information on out-of-county placements, see CFS P&Ps [Out-of-Home Placement \(K-0208\)](#) and [Courtesy Supervision \(K-0501\)](#)
 - For further information on ICPC placements, see CFS P&P [Interstate Compact on the Placement of Children \(ICPC\) \(K-0502\)](#)
- ICWA applies: Provide documentation of a placement plan that meets ICWA placement preferences **or** provide reasons that good cause exists to deviate from those preferences. For further information, refer to CFS P&P [Indian Child Welfare Act \(G-0309\)](#)

c. Sibling Placement: Utilize autotext code **OH4** if child is not a member of a sibling set. If the child is a member of a sibling set, discuss the following:

- Nature of sibling relationships (include impact on placement and permanency planning)
- Use autotext codes **OH1** to **OH3** to address appropriateness and status of sibling placement including, as applicable:
 - Efforts/barriers to facilitate sibling placement
 - Reason sibling placement is not in child's best interests

Note: If recommending Adoption, discuss whether termination of parental rights would create substantial interference with sibling relationships (unless documented elsewhere in court report).

d. Consideration of Relative Placement: Indicate whether or not the child is placed with a relative.

Note: Redact any identifying information regarding a prospective adoptive parent.

Utilize the following autotext, as applicable:

- **NORELATIVES**—Child is not placed with a relative and there are no relatives to consider for placement
- **RELATIVE1**—If a relative is identified and considered for placement during the current period of review. Indicate:
 - Child for whom placement is being considered
 - Relative's name, relationship, contact information
 - Status of assessment and placement

- **RELATIVE2**—If a relative assessment is completed during the current period of review, document consideration of those factors specified in [Attachment 2—Relative Placement Assessment Documentation](#)

If multiple relatives are considered for placement, repeat use of **RELATIVE1** and **RELATIVE2**, as applicable. Address approved relatives first.

Note: Information relevant to this section will be forwarded to the assigned SSW, by Placement Coordination/Relative Assessment staff, for inclusion in the WIC § 366.26 Report.

- e. Independent Living Plan (ILP) Services: Utilize autotext codes **ILP1** to **ILP5** to indicate the following to the extent the information is available:
- Whether the child is eligible for ILP services (16 years of age or older)
 - Development of a Transitional Independent Living Plan (TILP)
 - Child’s participation (or factors precluding participation) in ILP services

For information regarding eligibility and provision of ILP services, refer to CFS P&P [Independent Living Program \(ILP\) Services \(D-0504\)](#).

19. Permanency Planning Assessment—History of Contacts Between Child and Family: Describe child’s contact/visitation, since the time of initial placement in out-of-home care, with:

- Parents
- Siblings
- Grandparents (and other relatives)

Note: Address all contact/visitation, including visitation during the current period of review, in this section.

Utilize autotext code **VST**. Detail the following as it relates to the parties specified above:

- Frequency and duration of visitation
- Nature (unmonitored, supervised, monitored) and setting of visitation
 - Specify reasons for supervised/monitored visits
- Any modifications to visitation arrangements
- Level of compliance with visitation plan, including:
 - Patterns of tardiness/no-shows/ cancellations/ extended periods of time between visits
 - Reason a visit was cancelled/terminated
 - All efforts to facilitate and/or reschedule visitation, as necessary
- Specific observations of activities, including positive and negative interactions
- Child's affect prior to, during, and following visitation, including reaction to no-shows
- Specific statements from the child regarding visits
- Contact between visits (e.g., phone calls, letters)

Address the additional following factors regarding contact/visitation between the child and parents:

- Degree of parental role displayed by parents (e.g., setting limits, attentive/responsive to child's needs)
- Parents' engagement of and focus on the child
- Information/Observations suggesting the child has/does not have a significant, positive, emotional attachment to the parents
- Parental involvement in child-related medical/ educational/other appointments
- Any Court orders prohibiting visitation

Do not over-generalize statements. Provide specific factual information and/or observations.

Note: The section will provide the basis for Court to determine whether termination of parental rights is detrimental due to the child maintaining regular visitation and contact with the parents (who act in a parental role) and continuing to benefit from the relationship to such a degree as to outweigh the benefits of a permanent adoptive home.

20. Permanency Planning Assessment – Analysis of the Likelihood of Adoption and Proposed Permanent Plan: Complete this section pursuant to the guidelines detailed in [Attachment 3—Analysis of Adoptability](#).

Provide a detailed and complete analysis of the results of the most recent PPA, as it relates to:

- a. Child’s adoptability (**Likely, Probable, Not Likely**).
- b. Any applicable statutory exceptions to a permanent plan of Adoption.

21. Prospective Adoptive Parents/Legal Guardians: Complete this section, as applicable:

- a. **If a prospective adoptive parent/legal guardian has been identified:**
 - Replace subheadings utilizing autotext code **PAPLG**
 - Address each subheading pursuant to the format detailed in [Attachment 4—Assessment of Prospective Adoptive Parent/Legal Guardian](#)

Note: For Adoption cases, the Adoptions Applicant SSW will forward the *Preliminary Assessment of Prospective Adoptive Parent for WIC § 366.26 Hearing (F063-25-509)* to the assigned SSW, for incorporation into this section of the report.

- b. **If a prospective adoptive parent/legal guardian has not been identified:**
 - Delete subheadings
 - Indicate: “No prospective adoptive parent/legal guardian has been identified for the following child(ren): (Provide Full Name of Child[ren])
 - Document all efforts to locate a prospective adoptive parent and/or prospective legal guardian. This may include, but is not limited to:

- Inquiring as to important people (adults) who have attained a level of significance to the child. (Document efforts to identify, locate, assess, establish and maintain the child's relationships with his/her important people. See CFS P&P [Important People in Dependent Children's Lives \[D-0410\]](#))
- Inquiries to parents and/or relatives
- Child participation in adoption recruitment activities/events (see CFS P&P [Adoption Recruitment Guidelines \[C-0707\]](#))

- Indicate current caregiver's level of interest in providing permanency for the child (e.g., Adoption, LG, or LTFC). Explain reason(s) for preference
- Discuss any child characteristics/attributes which impact child placement with a prospective adoptive parent/legal guardian (unless documented elsewhere in court report)

Note: Include any information indicating removal from caregiver would be seriously detrimental to the emotional well being of the child due to the child's substantial psychological ties to the caregiver.

22. Long Term Foster Care: Delete this section.

23. Visitation: Include the following statement, verbatim:

“For information regarding visitation during the current period of review, the Court is respectfully referred to the History of Contacts Between Child and Family section of this report.”

Address the following, as applicable to the recommended permanent plan:

- a. For Adoption, discuss reasons why continued visitation with other dependent siblings (not placed with the child) is/is not appropriate. Detail visitation plan (if any) to maintain ties with siblings.

Note: Do not develop a visitation plan for parents unless requesting a continuance of the hearing to locate a prospective adoptive parent.

- b. For LG/LTFC, discuss reasons why continued visitation with parents/other dependent siblings (not placed with child) is/is not appropriate. Detail visitation plan (if any) to maintain ties with parents/siblings.

Note: If dependent siblings are not placed together, diligent efforts will be made to facilitate visitation, unless the court determines that sibling interaction would be contrary to the safety or well-being of either child.

See CFS P&P [Visitation Guidelines \(D-0313\)](#) for information regarding visitation requirements.

24. **Contacts:** Provide dates of all completed/attempted contacts. Note whether staff other than the assigned SSW completed the contact.

Note: Ensure frequency and nature of contacts is in compliance with Court-ordered Case Plan, per CFS P&P [Case Compliance Contacts and Documentation \(E-0105\)](#).

Document contacts for each Case Plan Participant (e.g., child) and caregiver as follows, utilizing autotext code **CNT**:

- a. **Face-to-Face:** All in-person contacts/home visits. Indicate any unannounced visits.
- b. **Telephone:** All relevant telephone calls/messages. If telephone contacts too numerous to list, approximate the number per month.

- c. Letter/Email: Any written correspondence sent/received.

Note: Pursuant to best practice, document any completed/attempted contact with a birth parent, pursuant to the guidelines above.

- 25.** Assessment/Evaluation: Provide professional opinion regarding the appropriateness of the recommended permanent plan. Summarize and evaluate case-specific circumstances and factual information providing the basis for conclusions. Do not present new facts or information.

- a. Summarize the reason(s) the child was brought into protective custody (include date):

Example:

“The Court has for its consideration the safety and welfare of the child(ren), (Name)(s), who (was/were) brought into protective custody on (date) due to....”

- b. Provide a concise synopsis of the following:
- Child’s current well-being and adjustment to placement
 - Relationship between child and caregiver
 - Child’s involvement/contact with birth parents and extended family
 - Address appropriateness of continued contact/visitation
 - Include assessment of the nature of the parent/child relationship
 - Child’s likelihood of adoptability
 - Child’s desires regarding permanent plan
 - Applicable statutory exceptions to Adoption
 - Efforts/Progress towards identifying a suitable prospective adoptive parent/legal guardian
- c. Discuss recommendation regarding:
- Appropriateness of permanent plan as it relates to the child’s permanency needs

- Projected timeframe towards achieving legal permanence for the child
- Continued appropriateness of the Case Plan including reason(s) modification may be appropriate (e.g., new service needs identified)

26. Case Plan: Provided a Case Plan Update will be submitted, utilize autotext code **CP**:

- Indicate whether each Case Plan Participant, including the child (as age and developmentally appropriate), participated in development of the Case Plan Update
- Provide date of client engagement in case planning. (**Note:** This date will coincide with the signature date [if any] on *Acknowledgement of Participation in Case Plan Development [F063-28-244]*)
- Refer the Court to the attached Case Plan Update

27. Recommendation: Select appropriate autotext Long Recommendation and verify consistency with Summary Recommendation.

For available court report recommendations, refer to [Attachment 5—Permanent Plan Recommendation Desk Guide](#) contained in PDU Dispatch [Court Report Recommendations—Autotext \(G-0321-D\)](#).

Required Actions— The following procedure will be followed **when filing a WIC § 366.26 Report** and associated Case Plan Update for a Permanent Placement (PP) case.

<u>Staff Responsible</u>	<u>Step</u>	<u>Required Action</u>
Assigned SSW	1.	<p>Submit the following to the court typist/Information Processing Technician (IPT) by the clerical deadline:</p> <ul style="list-style-type: none"> a. Completed WIC § 366.26 Report. b. Legal file associated with case.

Note: Sensitive and Highly Sensitive cases require extraordinary processing and handling. See CFS P&P [Sensitive/Highly Sensitive Referrals and Cases \(F-0107\)](#).

- c. *Notice of Hearing Worksheet-WIC 366.26 Permanency Hearing Only (F063-28-05) (if recommending Adoption).*

Note: If recommending LG or LTFC, submit *Notice of Hearing Worksheet-WIC 366.26 Permanency Hearing Only (F063-28-05)* upon receipt of *366.26 Hearing Memo (F063-25-504)*.

Ensure all relevant Structured Decision Making (SDM) tools have been completed.

In addition, submit the following, as applicable:

- Case Plan Update
 - Include *Acknowledgement of Participation in Case Plan Development (F063-28-244)* **signed** by Case Plan Participants, including the child (age 12 years and older). (**Note:** If any required signature is not obtained, ensure reason is documented on the form and in Case Plan section of WIC § 366.26 Report)
- Transitional Independent Living Plan (TILP)
- Proposed Exit orders
 - For preparation/processing of proposed **Exit orders**, refer to CFS P&P [Custody \(Exit\) Orders and Custody Transfers to Non-Custodial Parents \(G-0201\)](#)
- *Letters of Guardianship (JV 330) and Visitation Attachment (JV 400)*. (**Note:** See CFS P&P [Legal Guardianship-Dependents \(K-0402\)](#) for preparation/submission)

For further responsibilities of the assigned SSW, to be completed in conjunction with the WIC § 366.26 hearing, refer to [Attachment 6—WIC § 366.26 Hearing Checklist](#).

- IPT** **2.** Edit and format WIC § 366.26 Report and Case Plan Update and provide to SSSS for review. As applicable:

- Attach completed *Acknowledgement of Participation in Case Plan Development (F063-28-244)* to Case Plan Update
- Attach TILP to WIC § 366.26 Report, pursuant to CFS P&P [Independent Living Program \(ILP\) Services \(D-0504\)](#)

SSSS 3. Review WIC § 366.26 Report and Case Plan Update for required modifications (if any).

Note: Ensure the WIC § 366.26 Report follows all guidelines regarding content and documentation, as set forth in this policy.

Assigned SSW 4. Complete requested modifications (as necessary) and return to SSSS for review.

SSSS 5. Upon further review/approval:

- Sign WIC § 366.26 Report.
- Sign *Acknowledgement of Participation in Case Plan Development (F063-28-244)*.
- Approve SDM and Case Plan (in CWS/CMS).

Return to assigned SSW for signature.

Assigned SSW 6. Following review and approval of WIC § 366.26 Report and any associated Case Plan Update, by SSSS, sign:

- WIC § 366.26 Report.
- Acknowledgement of Participation in Case Plan Development (F063-28-244)* if not already signed.

Note: If the assigned SSW preparing the WIC § 366.26 Report/Case Plan Update is unable to sign, the assigned SSSS may sign on the SSW's behalf.

7. File copy of *Acknowledgement of Participation in Case Plan Development (F063-28-244)* in Case Plan Acco.

Note: Original *Acknowledgement of Participation in Case Plan Development (F063-28-244)* will remain attached to Case Plan Update for submission to Court.

**Assigned
SSW or SSSS**

8. Return signed WIC § 366.26 Report and Case Plan Update to IPT.

IPT

9. Complete further modifications (as necessary) and prepare packet consisting of original and copies of the following, as applicable:

- WIC § 366.26 Report
- Case Plan Update with attached *Acknowledgement of Participation in Case Plan Development (F063-28-244)*

File and distribute pursuant to *Court Typing Work Process Guidelines*.

10. Provide a copy of WIC § 366.26 Report and Case Plan Update to applicable parties, as directed on the *Notice of Hearing Worksheet-WIC 366.26 Permanency Hearing Only (F063-28-05)*. See CFS P&P [Notices of Hearing \(G-0507\)](#).

11. Provide packet to Court Courier.

Court Courier

12. Deliver packet to Court Officers Unit.

**Court Office
Staff**

13. File the following documents with Court Clerks Office, no later than **4:00p.m., 10 calendar days** (excluding judicial holidays) prior to the scheduled hearing date:

- **Original** signed WIC § 366.26 Report
- **Original** Case Plan Update with attached *Acknowledgement of Participation in Case Plan Development (F063-28-244)*

Distribute remaining copies to all attorneys of record and any CASA appointed on behalf of the child.