

DEPARTMENT OF SOCIAL SERVICES

CHILDREN'S DIVISION

P. O. BOX 88

JEFFERSON CITY, MISSOURI

October 11, 2016

M E M O R A N D U M

TO: CHILDREN'S DIVISION AND CONTRACTED STAFF

FROM: TIM DECKER, DIRECTOR

SUBJECT: OLDER YOUTH ADVISOR/ADVOCATE SUPPORT
IDENTIFICATION AND INVOLVEMENT IN CASE PLANNING
FOR OLDER YOUTH

DISCUSSION:

The purpose of this memorandum is to share federal and state legislative requirements concerning the use of Another Planned Permanent Living Arrangement (APPLA), case planning meetings, outline youth and advisor/advocate involvement in case planning, and introduce a tool that can be used to identify the advisor/advocate connections.

In September 2014, President Obama signed [H.R. 4980, the Preventing Sex Trafficking and Strengthening Families Act](#) which addresses the reasonable and prudent parenting standard and its applications to youth in foster care through supporting permanency connections and normalcy. In Missouri during the 2016 legislative session, [HB 1877](#) was passed which supports compliance with the federal legislation.

The federal legislation eliminated the use of APPLA as a permanency goal for youth under the age of 16. Specific documentation requirements are outlined regarding efforts made for family placement for youth over the age of 16 with APPLA as a permanency goal in Section 4, Chapter 23.4 Criteria for Continuation of APPLA as a Permanency Option.

Per federal and state laws, the case plan must be developed with the youth beginning at age 14. The youth must be consulted in any revision or addition to the plan. In Missouri, youth are to be invited to FST/Permanency Planning meetings beginning at age 13. With the passage of the law, Missouri will extend the legislative requirements to include youth at age 13 in case development.

According to [H.R. 4980](#), youth have the right to choose up to two people to be part of their Permanency Planning Team/Family Support Team, if the youth desires. This option will need to be explained to each youth age 13 and older and discussed on-going as a right of the youth. These individuals are not the youth's Children's Service Worker or out-of-home care provider. One of these individuals selected by the youth may be

designated to be the youth's advisor and as necessary, advocate, in applying the federal and state law with respect to the reasonable and prudent parent standard. The advocate is part of the youth's team and can advocate on behalf of that youth to assure the youth can participate in age and developmentally appropriate activities. Team members will need to consider the reasonable and prudent parent standard and its application to the situation.

"Reasonable and prudent parent standard" is a standard used when determining whether to allow a youth in out-of-home care with the Children's Division to participate in extracurricular, enrichment, cultural, and social activities. The standard is characterized by careful and sensible parental decisions that maintain the health, safety, and best interests of a youth while encouraging the emotional and developmental growth of the youth.

"Age or developmentally-appropriate" is defined as suitable activities for children of a certain age or maturity level based on the capacities typical for the age group and the individual child. The youth advocate must understand their role is to advocate for the reasonable and prudent parent standard in an age and developmentally appropriate manner.

In Missouri, we have referred to these advocates and advisors as permanent connections with the understanding that there are various roles permanent connections can play in a youth's life. Here is an example of how this would look at the Permanency Planning/Family Support Team meeting with the new legislation being applied:

The youth selects their coach as their advocate. The coach is aware that the youth is never allowed by the foster parent to participate in the team party. The role of the coach at the meeting is to advocate for the youth to participate in the team party.

Normalcy, and how this is part of a youth's daily life while in foster care, should be discussed at each Permanency Planning Team/Family Support Team meeting. Normalized experiences the youth has had and exploration of additional opportunities should also be discussed. The youth advocate/advisor should be consulted during development of the case plan and for any revision to the case plan. They should sign the case plan as members of the team.

Youth selected advocates and advisors should be invited to the meetings in the same manner as other team members. Prior to and during the meeting, advisors and advocates should understand their role as part of the case planning meeting in regards to the reasonable and prudent parent standard and normalcy. To assist with this, a [tip sheet](#) has been developed which can be provided to all team members.

Also per federal and state law, Children's Division has the right to reject an individual selected by the youth to be a member of the case planning team at any time if there is good cause to believe the advocate or advisor would not act in the youth's best interests. If this situation should arise, the youth should be consulted and given the opportunity to fully understand the reason for rejection and the opportunity to select another individual prior to the case planning meeting. Documentation of selection and rejections should occur in the case narrative. Youth advocates and advisors should be documented as case members in FACES, on the CS-1 and Adolescent FST Guide (CD94). In two

years, a report will be submitted to our federal partners regarding the implementation of this requirement. It is vital that the discussions and documentation of this requirement occur to support the youth and be in compliance with the law.

Sometimes it is difficult for youth in care to identify who might be a support for them. To assist with this process and to make sure youth are fully educated on the role of the advocate or advisor, information should be explained and shared with the youth regarding the selection of this individual.

FosterClub's Permanency Pact is a tool that was introduced statewide in a train-the-trainer format and is replacing the CD-129 for youth with a goal of Another Planned Permanent Living Arrangement or youth whose parental rights have been terminated. The tool should also be used to identify advocates for youth age 13 and older. FosterClub's Permanency Pact tool can also be used to facilitate the on-going discussion regarding permanency planning. Developed with the youth, the Pact provides the structure that is needed to help both youth and adults establish a positive, kin-like relationship. As part of permanency planning, it is important to continue the conversation of permanent connections with older youth regardless of case goal. It is important both the youth and the permanent connection identified understands their involvement with the youth.

When developing a Permanency Pact with a youth, the Pact has a section which suggests staff obtain releases of information from youth to discuss the Permanency Pact with potential permanent connections identified by the youth. Staff are not being asked to obtain releases of information to talk with these identified potential permanent connections. It is understood that the youth is identifying the permanent connection or staff are asking the youth for permission to contact someone on their behalf. It is understood that the conversation with the potential permanent contact would not be discussing personal things which would not be warranted to complete the permanency pact. Rather, it is a conversation with youth and once they have identified permanent people, to reach out to them and explain their role as a Permanency Planning/Family Support Team member.

NECESSARY ACTION

1. Review this memorandum with all Children's Division staff.
2. Review revised Child Welfare Manual chapters as indicated below.
3. All questions should be cleared through normal supervisory channels and directed to:

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CHILD WELFARE MANUAL REVISIONS

[Section 1, Chapter 2.4](#) Rights of Children

[Section 4 Chapter 7.2](#) Family Support Team Meeting

[Section 4, Chapter 7.2.2](#) Team Meetings

[Section 4, Chapter 7.2.3](#) Meeting Agenda

[Section 4 Chapter 9.6](#) Operation of the Family Support Team (FST)/Permanency Planning Review Team (PPRT) Meeting

[Section 4 Chapter 23](#) Index

[Section 4 Chapter 23.1](#) Definition and Purpose

[Section 4 Chapter 23.3](#) Criteria for Selection of APPLA as a Permanency Option

[Section 4, Chapter 23.4](#) Criteria for Continuation of APPLA as a Permanency Option - New

[Section 4 Chapter 23.5](#) Responsibilities in Development of the Planned Permanency Agreement – Renamed Permanency Pact and Renumbered

Section 4 Chapter 23.5 Disruption of a Planned Permanency Agreement - Deleted

Section 4 Chapter 23 Attachment A Planned Permanency Agreement - Deleted

[Section 5 Chapter 1.1.13](#) Older Youth Program Services Section

FORMS AND INSTRUCTIONS

[Permanency Pact](#)

[CD-129 – Obsolete](#)

[CD-129 Instructions – Obsolete](#)

[Memorandum CD10-59, Planned Permanency Agreement, CD-129, Instructions – Obsolete](#)

[Memorandum CD09-68, Introduction of the Planned Permanency Agreement, CD-129 - Obsolete](#)

REFERENCE DOCUMENTS AND RESOURCES

[Tip Sheet](#)

RELATED STATUTE

[H.R. 4980, the Preventing Sex Trafficking and Strengthening Families Act](#)

[HB 1877](#)