
1	500	Kinship	
2			
3	500.1	Table Of Contents	
4			
5	501	Kinship Services Philosophy, Active Search, And Preferences For Placement	1
6	501.1	Philosophy.....	1
7	501.2	Definitions.....	2
8	501.3	Diligent Search For Kin And Written Notice.....	3
9	501.4	Preferences For Placement.....	8
10	501.5	Factors That May Delay Placement Or Hinder Permanency.....	11
11			
12	502	Kinship Services - Preliminary Placement	13
13	502.1	Preliminary Placement Overview.....	13
14	502.2	Selection Of Kinship Caregiver For Preliminary Placement	14
15	502.3	Background Screening Requirements For Preliminary Placement And Ongoing	
16		Care Regarding Non-Custodial Parent And Kinship Caregivers	15
17	502.3a	Requirements For Unsupervised Access To A Child In Care	18
18	502.4	Limited Home Inspection For Preliminary Placement	21
19	502.5	Assessment Of Safety For Preliminary Placement	21
20	502.6	Reference Check For Preliminary Placement	22
21	502.7	General Qualifying Requirements For Preliminary Placement	22
22	502.8	Preliminary Placement With A Friend	24
23	502.9	Preliminary Placement With A Kinship Caregiver Out Of State	28
24	502.10	Notice Of Preliminary Placement.....	29
25	502.11	Preliminary Placement Coding In SAFE.....	29
26	502.12	Preliminary Placement Financial And Medical Support	29
27	502.13	Preliminary Placement Visitation	32
28	502.14	Preliminary Placement - Child And Family Team	33
29			
30	503	Kinship Services - Evaluation And Support For Ongoing Care Of A Child	35
31	503.1	Evaluation Of Kinship Caregiver/Friend Capacity For Ongoing Care Of A	
32	Child	35
33	503.2	Child And Family Services Support Of The Kinship Caregiver/Friend While The	
34	Child Is In Child And Family Services Custody		43
35			
36	504	Kinship Background Screening Process	44
37	504.1	Kinship Background Screening Process – Authority And Uses	44
38	504.2	Kinship Background Screening Process – Expedited Request For Initial	
39		Background Screening For Preliminary Placement	45
40	504.3	Kinship Background Screening Process – Initiating Background Screening For	
41		Preliminary Placements And Ongoing Care	47
42	504.4	Conducting Background Screening – TAC/Alternate.....	49
43	504.5	Conducting Background Screening – Office Of Licensing	51
44	504.6	Analysis Of Background Screening Results	52

45	504.7	Documentation Of Results	53
46	504.8	Follow-Up Action For No Disposition, Outstanding Warrant, Or Review	54
47	504.9	Review Of History By The Region Kinship Background Screening Committee	
48		For Preliminary Placement	55
49	504.10	Steps If Background Screening Is Denied After A Child Has Been Placed With A	
50	Kinship Caregiver/Friend		57
51	504.11	Communication Of Background Screening Results And Dissemination Of	
52	Records		59
53			
54	505	(NO LONGER USED).....	63
55			
56	506	Temporary Guardianship With The Kinship Caregiver And Court-Ordered	
57	Kinship Support Services.....		64
58			
59	507	Periodic Review Of Kinship Placement	67
60	507.1	Removal Of A Child From The Home Of A Foster Care Licensed Or Unlicensed	
61	Relative Or Friend		67
62			
63	508	Statutory Timelines For Establishing Permanency	69
64			
65	509	Preparing Kin For Permanency Plan	70
66			
67	510	Temporary Guardianship With Child And Family Services And Licensed	
68	Kinship Foster Care.....		72
69			
70	511	Permanent Guardianship With The Relative.....	74
71			
72	512	Preparing Kin For Permanency Decision.....	75
73			
74			

501 Kinship Services Philosophy, Active Search, And Preferences For Placement

Major objectives:

- A. Child and Family Services will make active and continued efforts to locate potential kinship caregivers for placement of a child in agency custody and to build and sustain family connections for the child.
- B. In selecting a placement for a child in agency custody, preferential consideration will be given to a non-custodial parent, parent, a legal guardian, a relative, or friend of the parent or guardian, as established in law, subject to the child's best interests. The child's wishes for placement will also be taken into consideration, if the child is of sufficient maturity to articulate their wishes.

Applicable Law

Utah Code Ann. [§62A-4a-202.1](#). Entering home of a child – Taking a child into protective custody – Caseworker accompanied by peace officer – Preventive services – Shelter facility or emergency placement.

Utah Code Ann. [§62A-4a-209](#). Emergency placement.

Utah Code Ann. [§78A-6-306](#). Shelter hearing.

Utah Code Ann. [§78A-6-307](#). Shelter hearing – Placement – DCFS custody.

Utah Code Ann. [§78A-6-307.5](#). Post-shelter hearing placement of a child who is in division custody.

U.S. Code [Title 25, Chapter 21](#). Indian Child Welfare.

U.S. Code [Title 42, Chapter 1305](#). Fostering Connections to Success and Increasing Adoption Act of 2008.

501.1 Philosophy

All children need permanency through enduring relationships that provide stability, familiarity, and support for the culture of the child; support the child's sense of self based on existing attachments; provide for the child's safety and physical care; and connect the child to their past, present, and future through continuing family relationships. First priority is to maintain a child safely at home. However, if a child cannot safely remain at home, kinship care has the potential for providing these elements of permanency by virtue of the kin's knowledge of and relationship to the family and child.

All kinship work is done in the context of a Child and Family Team and includes family members. Kinship care includes elements of child protection, in-home services, family preservation, and foster care. When a child cannot safely remain home, kinship care is preferable to other out-of-home placements if the kinship caregiver can keep the child safe and appropriately meet the child's needs.

The caregiver's willingness and ability to care for and keep the child safe are fundamental. The kinship caregiver must have or acquire knowledge of the child, be able to meet the child's needs,

119 support reunification efforts, and be able to provide the child access to parents, siblings, and
120 other family members through visits or caring for the child and siblings as a group.

121
122 Ongoing assessment of the child's safety, permanence, and well-being is important to the
123 stability and value of kinship care. Ongoing assessment of safety is based on the components of
124 safety decision-making, which include threats of harm, vulnerabilities of the child, and protective
125 capacities of the kinship caregiver and their support system.

126
127 Providing for kinship care in the Child and Family Services spectrum of services requires active
128 efforts to identify and locate kin families with whom children may form or continue relationships
129 at home or in temporary or permanent placements. Support to kinship caregivers is essential to
130 the success of the child's placement with the family and to the family's ability to respond to the
131 needs of the child. As members of the Child and Family Team, kinship caregivers will receive
132 support from other family members and from informal and formal supports to provide for the
133 child.

135 **501.2 Definitions**

136
137 A. Friend means an adult [the child knows and is comfortable with] who has an established
138 relationship with the child or a family member of the child[;] and is not a natural parent
139 of the child. A friend does not meet the definition of a relative of the child as defined
140 in Utah Code Ann. [§78A-6-307](#), and may be an extended relative of the child that is not
141 included in the definition of relative [Child and Family Services will consider placement
142 with a friend if one is designated by the custodial parent or legal guardian of the child, or
143 the child has designated a friend for placement and is of sufficient maturity to articulate
144 their wishes regarding placement.] Child and Family Services shall consider the child's
145 preferences or level of comfort with the friend and is required to consider no more than
146 one friend designated by each parent of the child and one friend designated by the child,
147 if the child is of sufficient maturity to articulate their wishes in relation to a placement. A
148 friend must be licensed as a foster parent or be willing to become licensed as a foster
149 parent within 120 days of the shelter hearing.

150
151 B. Guardian is a person who has been appointed by a judge to take care of a minor child
152 personally and/or manage that person's affairs until the child reaches majority at 18 years
153 of age. The guardian (caregiver or responsible adult) has the authority to consent to the
154 child's marriage; enlistment in the armed forces; major medical, surgical, or psychiatric
155 treatment; and to legal custody, if legal custody is not vested in another person, agency,
156 or institution. [See: Utah Code Ann. [§78A-6-105](#).]

157
158 C. Kinship caregiver means a non-custodial parent, relative, or friend as defined in this
159 section, who is selected for placement and care of a child in Child and Family Services
160 custody.

161

- 162 D. Non-custodial parent is a natural parent as defined in Utah Code Ann. [§78A-6-307](#) who is
163 a biological or adoptive mother, an adoptive father, or a biological father who was
164 married to the child's biological mother at the time the child was conceived or born or
165 who has had paternity established, and who has not been granted legal custody of the
166 child.
167
- 168 E. Preliminary Placement means an out-of-home placement with a non-custodial parent or
169 relative, or a friend designated by the parent or child, if they are of sufficient maturity to
170 articulate their wishes, with whom the child is comfortable with and is willing to become
171 licensed as a foster parent as authorized in Utah Code Ann. [§78A-6-307](#) and [§62A-4a-](#)
172 [209](#).
173 1. A Preliminary Placement caregiver who is a relative or is an ICWA-preferred
174 placement may be married or cohabiting.
175 2. A Preliminary Placement caregiver who is a friend or extended relative must be
176 married or single and not cohabiting.
177
- 178 F. Relative is defined in Utah Code Ann. [§78A-6-307](#) as a relative who is the child's
179 "grandparent, great-grandparent, aunt, great-aunt, uncle, great-uncle, brother-in-law,
180 sister-in-law, stepparent, first cousin, stepsibling, sibling, or the first cousin of the
181 parent," or an adult who is an adoptive parent of the child's sibling. For an Indian child,
182 relative also includes an "extended family member" as defined by the Indian Child
183 Welfare Act (ICWA), [Title 25, Chapter 21](#), which is "by the law or custom of the Indian
184 child's tribe or, in the absence of such law or custom, will be a person who has reached
185 the age of eighteen and who is the Indian child's grandparent, aunt, or uncle, brother or
186 sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or
187 stepparent."
188

189 **501.3 Diligent Search For Kin And Written Notice**

190
191 When a child enters protective custody, federal and state laws require Child and Family Services
192 to actively search for relatives and provide notification and information regarding their rights and
193 responsibilities. Efforts to locate kin and to build and sustain connections for the child will
194 continue during the child's involvement with Child and Family Services. When a child cannot
195 safely remain at home, kinship will be the first option. If the Child and Family Team is not able
196 to place with kin, the caseworker will provide documentation in SAFE and to the court regarding
197 the kinship efforts made. Non-relative placements should be the exception and, as such, should
198 have exceptional justification and documentation.
199

200 Within 30 days of removal, the caseworker will initiate diligent searches to identify and locate
201 missing parents, grandparents, relatives, and/or potential kinship caregivers. The caseworker
202 will work with the Child and Family Team, designated kin locators, or region appointed persons
203 to provide kin with notice that a child with whom they have a relationship is in the custody of
204 Child and Family Services.
205

206 Caseworker Responsibilities

- 207 A. The caseworker will conduct a diligent and reasonable search to locate potential kinship
208 caregivers (including the child's non-custodial parent, grandparents, other adult relatives,
209 adults who are adoptive parents of the child's sibling, or friends willing to care for the
210 child, by taking as many of the following steps as necessary:
- 211 1. Interview the custodial parent or guardian to obtain the names, addresses, and
212 telephone numbers of all potential kinship caregivers (including adoptive parents
213 of the child's siblings) or friends who may be able to provide care for the child, or
214 who may be a resource to a kinship caregiver or friend that will have the child
215 placed with them. Utilize tools such as genograms, social network mapping, and
216 others, supporting the identification of possible kinship placements and
217 connections.
 - 218 a. If a custodial parent or guardian objects to Child and Family Services
219 contacting a potential kinship caregiver, the supervisor and the caseworker
220 may assess whether to still contact the potential kinship caregiver by
221 considering the following factors:
 - 222 (1) If the safety of the child or the custodial parent or guardian will be
223 jeopardized if the potential kinship caregiver is contacted.
 - 224 (2) If contacting the potential kinship caregiver is in the best interest
225 of the child.
 - 226 (3) If contacting the potential kinship caregiver will substantially limit
227 Child and Family Services' ability to work with the custodial
228 parent or guardian to the detriment of the child.
 - 229 b. Searches are required with or without parental consent, subject to
230 exceptions due to family violence or domestic violence. If the custodial
231 parent or guardian is uncooperative in providing the names of potential
232 kinship caregivers or friends who may have the child placed with them,
233 the caseworker may contact the Assistant Attorney General (AAG) to
234 request the court to order the custodial parent to provide the names of all
235 potential kinship caregivers within five working days.
 - 236 2. Interview the child for names, addresses, and telephone numbers of relatives or
237 friends with whom the child is comfortable. If the child is of sufficient maturity
238 to articulate their wishes regarding placement, Child and Family Services will
239 consider relatives or friends designated by the child. If the basis for removing the
240 child is sexual abuse of the child as described in Utah Code Ann. [§78A-6-105](#), the
241 child's wishes for placement shall take preference.
 - 242 3. Ask participants at a Child and Family Team Meeting to help identify other
243 potential kinship caregivers or friends who may be willing and able to care for the
244 child.
 - 245 a. Any relative or friend attending a Child and Family Team Meeting will be
246 provided with the Kinship Notification Letter and the Kinship Pamphlet.
 - 247 4. Interview and engage known maternal and paternal relatives or friends of the
248 child.

- 249 5. Conduct a search in SAFE on the parents to determine if the parent has had
250 previous cases with Child and Family Services where the child has been adopted.
251 If possible, obtain the contact information of the adoptive parent.
- 252 6. As early as possible, contact the Native American tribe's ICWA caseworker to
253 request names, telephone numbers, and addresses of possible kin for any eligible
254 Indian child, then follow-up with tribal placement preferences during case
255 development.
- 256 7. The caseworker will collaborate with the kin locator or region-appointed person
257 to complete diligent searches on relatives and friends as defined in Utah Code
258 Ann. [§78A-6-307](#). Notices will be sent to all known relatives within 30 days of
259 the removal. Continued searches will be made and notices provided throughout
260 the case until it is determined that the child is in a kinship placement that will be
261 permanent. If there is a disruption in a placement, the Child and Family Team
262 will look back at kinship options and resume search and engagement activities.
263
- 264 B. The caseworker will contact the identified potential kinship caregivers or friends by
265 telephone or in person, asking if they would like to be considered as a placement for the
266 child, disclosing only the information necessary to assess their interest and/or to help
267 identify additional kinship caregivers or friends who may have the ability to have the
268 child placed with them. The potential kinship caregiver or friend will be informed that
269 the information discussed is confidential and will only be used by Child and Family
270 Services to address the best interests of the child.
271
- 272 C. The caseworker/kin locator or region-appointed person will provide written notice,
273 including the [Kinship Pamphlet](#) to a non-custodial parent, all grandparents, and other
274 adult relatives (including an adult who is an adoptive parent of the child's sibling) known
275 to Child and Family Services or suggested by the legal parents within 30 days of removal,
276 except when family or domestic violence justifies not providing notice. The written
277 notice will:
 - 278 1. Specify that the child has been or is being removed from the custody of the parent
279 or parents of the child;
 - 280 2. Explain the rights, responsibilities, and options the relative has under federal,
281 state, or local law to participate in the care and placement of the child, including
282 any options that may be lost by failing to respond to the notice; and
 - 283 3. Describe the requirements to become a licensed resource family or to request
284 court-ordered guardianship and any additional services and supports that are
285 available for children placed in a kinship caregiver home.
286
- 287 The caseworker will continue to search for kinship caregivers and connections
288 throughout the case, engaging relatives and friends, and inviting them to be part of the
289 Child and Family Team.
290

291 Kinship searches are required when children are not placed with kin and are in custody
292 for over 12 months with no permanency options, or if there is any disruption or change in
293 placement unless a kinship search was done within the past 90 days.
294

295 At the shelter hearing and subsequent hearings, the caseworker will report progress of
296 kinship exploration to the Guardian ad Litem (GAL), AAG, and court.

- 297 1. Record all identified relatives or friends in SAFE located in the Person Screen
298 under the Relationships tab.
- 299 2. The ongoing caseworker will make phone or face-to-face contact and engage with
300 kin/friends who have expressed interest in being involved with the child.
- 301 3. Responses to the Notification to Kin Letters will be uploaded in SAFE in the
302 current case. The hardcopies will be filed in the green binder under the kinship
303 tab.
- 304 4. If the caseworker identifies a new relative or friend and needs contact
305 information, a new search for this kinship option will be completed by the kin
306 locator.
307

308 Kin Locator or Region-Appointed Person Responsibilities:

- 309 A. The kin locator or region-appointed person will collaborate with the caseworker to
310 initiate searches for relatives and friends in order to provide notice within 30 days of
311 removal for all known relatives. Other relatives may be identified later in the case and
312 will be given the Notice to Relative Letter and the Kinship Pamphlet, and their
313 information will be documented in SAFE.
314
- 315 B. Kinship searches will be referred to the kin locator by the caseworker. Searches include:
 - 316 1. Interviews of the parents, the child, and other family and friends.
 - 317 2. A genogram or other family finding tools used during an interview or Child and
318 Family Team Meeting.
 - 319 3. A check of the Utah Child Welfare database.
 - 320 4. Social media.
 - 321 5. Vital Records.
 - 322 6. Eshare.
 - 323 7. Office of Recovery Services (ORS).
 - 324 8. Search of public records using CLEAR search program with Thomson Reuters.
325 This search will be completed for all children who come into Child and Family
326 Services custody and will include maternal, paternal, and adoptive relatives.
 - 327 9. Returned Notice to Relative Letters.
328
- 329 C. Provide written notice (Notification to Relative Letter) to a non-custodial parent, all
330 grandparents, all adoptive parents of the child's siblings, and other adult relatives known
331 to Child and Family Services or suggested by the legal parents within 30 days of removal,
332 except when family or domestic violence justifies not providing notice. The written
333 notice will:

-
- 334 1. Specify that the child has been or is being removed from the custody of the parent
335 or parents of the child;
- 336 2. Explain the options the relative has under federal, state, or local law to participate
337 in the care and placement of the child, including any options that may be lost by
338 failing to respond to the notice; and
- 339 3. Describe the requirements to become a licensed resource family or to request
340 court-ordered guardianship and any additional services and supports that are
341 available for children placed in a kinship caregiver home.
342
- 343 D. Record all identified relatives or friends in SAFE located in the Relationships tab.
344
- 345 E. Log returned Notification to Relatives response letters in SAFE Person Screen.
346
- 347 F. Forward all returned Notification to Relatives letters to the caseworker for follow up.
348 File these forms in the client's green binder under the kinship section and/or upload them
349 into the child's case in SAFE.
350
- 351 G. If unable to identify or locate a non-custodial parent or family member:
- 352 1. The authorized Child and Family Services worker must complete the ORS
353 Kinship Locate Request form for each child (if kinship locate services are being
354 requested for more than one child). All kinship locate requests must contain the
355 following information:
- 356 a. The child's name;
- 357 b. The child's date of birth or Social Security Number;
- 358 c. The individual's name;
- 359 d. The individual's relationship to the child; and,
- 360 e. The individual's date of birth or social security number.
361 [See: Administrative Rules [R495-884-3](#) and [R495-884-4](#).]
- 362 2. The Child and Family Services worker must provide the person's relationship to
363 the child.
- 364 3. Once the form is complete, the Child and Family Services worker will email it to
365 orskinshiplocator@ors.gov.
- 366 4. Urgent requests: If there is an emergency situation that requires immediate
367 attention, the Child and Family Services worker will mark the email request as a
368 High Priority in the subject line. If an individual is not known to the ORS
369 information system, it is not possible to receive a quick response, even in a high
370 priority situation.
- 371 5. Information received from ORS regarding a child: If the request for kinship
372 locate is for the child, ORS may provide Child and Family Services with the
373 name, date of birth, Social Security Number, and any paternity information for the
374 child, if available.
- 375 6. Questions about the kinship locate process should be sent to the Child and Family
376 Services state kinship program administrator, who will contact the ORS Child
377 Support Policy and Training Unit, if necessary.

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501.4 Preferences For Placement

- A. If parents share legal joint custody of a child but do not live together and Child and Family Services has determined that the child must be removed from one parent, protective custody is invoked. The child may be placed with the other parent according to the Preliminary Placement requirements for a non-custodial parent. Using the components of safety decision-making, determine with the other parent the supports necessary to keep the child safe. Report the legal joint custody status of the other parent to the court at the shelter hearing for the judge to make a decision about releasing the child to the other parent or ordering the child into Child and Family Services custody.
- B. The following order of preference shall be applied when determining the person with whom a child will be placed in an emergency placement, provided that the person is willing and has the ability to care for the child, and is subject to the child's best interest:
1. A noncustodial parent of the child in accordance with Utah Code Ann. [§78A-6-307](#).
 2. A relative.
 3. A friend designated by the custodial parent, guardian, or the child, if the child is of sufficient maturity to articulate the child's wishes in relation to a placement.
 4. Former foster placement, or other foster placement designated by Child and Family Services.
 5. A shelter facility.
- C. In determining whether a friend is a willing and appropriate temporary emergency placement for a child, Child and Family Services:
1. Is required to consider no more than one friend designated by each parent or legal guardian of the child and one friend designated by the child, if the child is of sufficient maturity to articulate the child's wishes in relation to a placement;
 2. May limit the number of designated friends to two, one of whom shall be a friend designated by the child, if the child is of sufficient maturity to articulate the child's wishes in relation to a placement; and
 3. Shall give preference to a friend designated by the child, if:
 - (a) the child is of sufficient maturity to articulate the child's wishes; and
 - (b) Child and Family Services' basis for removing the child under Utah Code Ann. [§78A-6-307](#) is sexual abuse of the child.
- D. An eligible Indian child must be placed within the foster/pre-adoptive placement preferences established by ICWA:
1. A non-custodial parent of the child.
 2. Member of the child's extended family, according to the tribe's customary definition of extended family ([25 U.S.C. §1903\(2\)](#)).
 3. Foster home licensed, approved, or specified by the Indian child's tribe.
 4. Indian foster home licensed or approved by an authorized non-Indian.

- 422 5. An institution for children approved by an Indian tribe or operated by an Indian
423 organization that has a program suitable to meet the child's needs.
- 424 6. If none of the above is possible, the child may be placed in a non-Indian foster
425 home or other appropriate out of home placement.
- 426
- 427 E. The selection of a placement will be consistent with the child's needs, first taking into
428 consideration preference of placement found above. The type of out-of-home placement
429 for the child, either the initial placement or change in placement, will be determined
430 within the context of the Child and Family Team. Placement decisions will be made
431 based upon best interests of the child, which will include the needs of the child and
432 reducing the trauma of out-of-home care. The following considerations will be taken into
433 account:
- 434 1. Approved background screening requirements specified in Administrative Rule
435 [R512-500](#).
- 436 2. Sufficient information to determine whether:
- 437 a. The relative or friend has any history of abusive or neglectful behavior
438 toward other children that may indicate or present a danger to this child;
- 439 b. The child is comfortable with the relative or friend;
- 440 c. The relative or friend recognizes the parent's history of abuse and is
441 committed to protect the child;
- 442 d. The relative or friend is strong enough to resist inappropriate requests by
443 the parent for access to the child, in accordance with court orders;
- 444 e. The relative or friend is committed to caring for the child as long as
445 necessary; and
- 446 f. The relative or friend can provide a secure and stable environment for the
447 child.
- 448 3. Assessment of safety will be based on safety decision-making principles, which
449 include:
- 450 a. Potential threats of harm;
- 451 b. Vulnerabilities of the child; and
- 452 c. Protective capacities of the potential kinship caregiver and their support
453 system.
- 454 4. The limited home inspection specified in Utah Code Ann. [§62A-4a-209](#) is
455 required for a non-custodial parent, relative, or friend. The limited home
456 inspection is conducted in the home of the prospective kinship caregiver to
457 determine if there are apparent safety risks in the home that present a potential
458 threat of harm to the child. The limited home inspection determines if the
459 following are met:
- 460 a. The home is free from observable health and fire hazards.
- 461 b. There are adequate sleeping arrangements to meet the specific needs of
462 each child.
- 463 c. Any firearms, ammunition, hazardous chemicals, and/or medications are
464 secured and not accessible to children.

-
- 465 5. References may be contacted to obtain input regarding placing the child with the
466 potential kinship caregiver or information about other available relatives or
467 friends who may care for the child.
- 468 6. Other considerations:
- 469 a. Is the relative committed to supporting reunification with the parents?
470 b. Does the relative live in reasonable proximity to the child's home?
471 c. Siblings placed together unless there is a safety concern or special
472 circumstances.
- 473 d. If the child's siblings were previously adopted, could the adoptive family
474 provide permanency for this child?
475 e. Educational needs, including proximity to the child's school and child's
476 need for maintaining connections to school.
477 f. Cultural factors, language, and religion specific to the child.
478 g. Existing relationship between the child and a caregiver.
479 h. Is the kin caregiver committed to maintaining a connection with siblings
480 and relatives, including both sides of the family?
481 i. Health and mental health needs, both for the child and the potential
482 kinship caregiver.
483 j. Potential for ongoing care or permanency with the caregiver to prevent
484 unnecessary changes in placement.
485
- 486 F. Paternal and maternal relatives are to be considered equally when assessing for the best
487 placement for the child.
488
- 489 G. For the purpose of a Preliminary Placement, siblings who have only one parent in
490 common may be placed together with the sibling's relative, if it is in the unrelated
491 sibling's best interests. The relative will meet the Preliminary Placement requirements
492 for a relative. Pursuit of a foster care license will be recommended to the caregiver if this
493 is the selected ongoing placement for the child.
494
- 495 H. When choosing from multiple placement options, the Child and Family Team will try to
496 reach a consensus as to which kinship placement would be the most appropriate for the
497 child using consideration listed above.
498
- 499 I. A potential kinship caregiver will not automatically be excluded from consideration for
500 Preliminary Placement of a child in Child and Family Services custody due to factors that
501 may prevent them from becoming licensed through the Office of Licensing, such as a
502 citizenship status that is undocumented.
503
- 504 J. Preferential consideration means the Child and Family Team will consider the
505 relative/friend for selection as a possible placement for the child, but does not guarantee
506 that more than one potential kinship caregiver/friend will have background screening,
507 limited home inspection, a Child-Specific Home Study, or that the child will be placed
508 with the kinship caregiver/friend. Documentation of consideration and selection of

509 potential kinship caregivers/friend by the Child and Family Team will be maintained in
510 SAFE in Child and Family Team notes.

511
512 K. Preferential consideration given to kinship caregivers in Utah Code Ann. [§78A-6-307](#)
513 expires 120 days from the date of the shelter hearing or, if no shelter hearing was held,
514 then from the date the child was ordered into the custody of Child and Family Services.
515 The Child and Family Team may consider potential kinship caregivers for placement
516 after the 120 days has lapsed if it is in the best interest of the child. [See: Administrative
517 Rule [R512-42](#), Adoption by a Relative.]

518
519 L. Preferential consideration may be given to a friend if the friend is willing to become a
520 licensed foster parent and is actively working towards licensure within 120 days of the
521 shelter hearing, or if no shelter hearing was held, within 120 days of the child being
522 ordered into the custody of Child and Family Services. [See: Practice Guidelines [Section](#)
523 [502.8](#).]

525 **501.5 Factors That May Delay Placement Or Hinder Permanency**

526
527 When selecting a kinship caregiver, consideration will be given to factors that may result in a
528 delay of placement or that may hinder progress towards the child's permanency goals. Factors of
529 concern will be communicated to the potential kinship caregiver/friend, which may lead them to
530 recommend a different kinship caregiver/friend to prevent a delay in placement or to better
531 support potential permanency options.

532
533 A. Previous Child Abuse or Neglect Finding or Criminal History: Placement will likely be
534 delayed if any adult in the home of the potential kinship caregiver/friend has had a
535 previous child abuse or neglect finding or criminal history because more extensive
536 identity verification and evaluation of threat of harm to a child is required. The kinship
537 caregiver/friend will also be required to obtain and provide legal documents further
538 explaining the criminal history. In addition, a Region Background Screening Committee
539 will likely be required to evaluate the history before a decision regarding approval or
540 denial can be made.

541
542 B. Out of Area/Out of State: If the potential kinship caregiver/friend lives out of the area,
543 reunification efforts could be impacted by distance. Also, if the kinship caregiver/friend
544 lives out of state, a significant amount of time may be required to complete the Interstate
545 Compact for the Placement of Children (ICPC) requirements, including an out of state
546 background screening and home study, which must be met prior to placement.

547
548 C. Inability to Qualify for Adoption or as a Foster Parent:
549 1. If child abuse findings or criminal history do not meet the standards for the Office
550 of Licensing, a kinship caregiver/friend would not be able to qualify for ongoing
551 care of the child as a licensed foster parent or for adoption assistance, if that
552 becomes the plan for the child.

553 2. If a kinship caregiver/friend is not able to provide documentation to show U.S.
554 citizenship or residential status, ongoing care as a licensed foster parent and
555 adoption assistance may not be an option; potential arrest or deportation may also
556 be a concern.

557
558 If a decision is made in any of these types of circumstances to recommend guardianship to the
559 kinship caregiver/friend, the court must be fully educated on the risks and limitations for
560 permanency.
561

502 Kinship Services - Preliminary Placement

Major objectives:

- A. Child and Family Services may place a child in custody into a Preliminary Placement with a kinship caregiver (non-custodial parent or relative), or a friend designated by a parent/guardian or child who is of sufficient maturity to articulate his or her wishes, who is willing to become a licensed foster parent within six months or sooner of the child being placed with them.
- B. A Preliminary Placement is used to keep a child in Child and Family Services custody safe while the Child and Family Team makes decisions regarding the child's ongoing care and determines what steps are necessary to promote the safety, well-being, stability, and permanency of the child.
- C. Criteria for approving a kinship caregiver/friend for Preliminary Placement include background screening, assessment of safety, limited home inspection, general qualifying criteria, and may include a reference check.
- D. The kinship caregiver/friend is responsible to meet the basic needs of the child while in their care. The caseworker will educate and assist the kinship caregiver/friend on possible financial and medical resources to support the child's needs.
- E. The kinship caregiver/friend will assist in carrying out plans for visitation for the child and will be engaged as a participant in the Child and Family Team.

Applicable Law

Utah Code Ann. [§62A-2-120](#). Criminal background checks – Direct access to children or vulnerable adults.

Utah Code Ann. [§62A-4a-202.1](#). Entering home of a child – Taking a child into protective custody – Caseworker accompanied by peace officer – Preventive services – Shelter facility or emergency placement.

Utah Code Ann. [§62A-4a-209](#). Emergency placement.

Utah Code Ann. [§62A-4a Part 7](#). Interstate Compact on the Placement of Children.

Utah Code Ann. [§78A-6-306](#). Shelter hearing.

Utah Code Ann. [§78A-6-307](#). Shelter hearing – Placement – DCFS custody.

Utah Code Ann. [§78A-6-307.5](#). Post-shelter hearing placement of a child who is in division custody.

U.S. Code [Title 25, Chapter 21](#). Indian Child Welfare.

502.1 Preliminary Placement Overview

A Preliminary Placement is an out-of-home placement with a non-custodial parent, relative, or a friend (including an extended relative) of the custodial parent or guardian or child. A Preliminary Placement is used to keep a child in Child and Family Services custody safe while

606 the Child and Family Team makes decisions regarding the child's ongoing care and determines
607 what steps are necessary to promote the safety, well-being, stability, and permanency of the
608 child. Preliminary Placement with a kinship caregiver or friend is preferred over crisis care and
609 may be considered for emergency foster care to avoid the use of another out-of-home placement
610 with a caregiver who is unfamiliar to the child. The Preliminary Placement may also remain as
611 the child's ongoing placement with the kinship caregiver becoming a licensed foster parent or
612 being granted guardianship by the court. The Preliminary Placement may also remain as the
613 child's ongoing placement with the friend becoming a licensed foster parent. Child and Family
614 Services may not recommend that friends be granted guardianship of the child.

615
616 A Preliminary Placement may be made while a child is in protective custody prior to a shelter
617 hearing or after a court has ordered a child into the custody of Child and Family Services. A
618 Preliminary Placement may continue while an evaluation is conducted and a plan is formed for
619 ongoing care of the child.

620
621 If it is determined that the Preliminary Placement will not be the ongoing placement for the
622 child, the Preliminary Placement may assist in transitioning the child to an ongoing caregiver.

623

624 **502.2 Selection Of Kinship Caregiver For Preliminary Placement**

625

626 Child and Family Services with the Child and Family Team is primarily responsible to select a
627 kinship caregiver/friend for Preliminary Placement, taking into account preferences for
628 placement, the best interest of the child, the kinship caregiver/friend's ability to meet qualifying
629 requirements, and factors that may delay placement, result in multiple moves, or hinder progress
630 towards the child's permanency goals.

631

632 Out-of-Home Practice Guidelines [Section 300](#) apply during a Preliminary Placement with the
633 following exceptions:

634

635 A. Traditional foster care placement screening or legal risk screening for foster/adoptive
636 placements are not required when Preliminary Placement with a kinship caregiver/friend
637 is being considered.

638

639 B. No crisis care or residential screening processes are required.

640

641 The kinship caregiver will be at least 18 years of age; age 21 years or older is preferred because
642 of age requirements to be licensed as a child-specific foster parent. A friend would be required
643 to be aged 21 due to the requirement for them to obtain a foster parent license. In the event a
644 non-custodial parent is younger than age 18 years, care must be given that the non-custodial
645 parent has a permanent residence and sufficient means to care for and ensure the safety of the
646 child, preferably with a responsible relative or other adult.

647

648 It may be necessary for the child to receive temporary care while background screening and a
649 limited home inspection are being completed, or while waiting for the non-custodial parent,

650 kinship caregiver, or friend to arrive to pick up the child. This care may be provided at sites
651 identified by the region such as a crisis care facility or home, family support center, or other
652 appropriate location.
653

654 **502.3 Background Screening Requirements For Preliminary Placement** 655 **And Ongoing Care Regarding Non-Custodial Parent And Kinship Caregivers** 656

657 A. PRELIMINARY PLACEMENT With Non-Custodial Parent: The following background
658 screenings are required for the non-custodial parent and all individuals living in the home
659 of the non-custodial parent.

660 1. If the child is being placed with a non-custodial parent, the following checks may
661 be completed for the non-custodial parent and any other individuals living in the
662 home before or within one day after a child is placed, excluding weekends and
663 holidays, if based upon a limited investigation Child and Family Services
664 determines that:

665 a. The non-custodial parent has regular, unsupervised visitation with the
666 child that is not prohibited by law or court order; and

667 b. Based on the caseworker's best judgment and analysis of available
668 information, there is no reason to believe that the child's health or safety
669 will be endangered by making the placement prior to the background
670 screening being completed.

671 2. Utah Criminal History Bureau of Criminal Identification (BCI): A non-
672 fingerprint-based Utah BCI criminal history check must be approved for the non-
673 custodial parent and all adults age 18 years and older living in the home.

674 3. Child and Adult Abuse and Neglect History Checks through SAFE: SAFE
675 background checks for child and adult abuse and neglect must be approved for the
676 non-custodial parent and all individuals living in the home.

677 4. Juvenile Criminal History: A name-based check through the Utah Criminal
678 Justice System (UCJIS) must be approved for the non-custodial parent and all
679 adults age 18 years and older living in the home.

680 a. A name-based check through the UCJIS must be approved for all
681 individuals age 12 to 17 years old living in the home of the non-custodial
682 parent.

683 5. The following background screenings are not required for the non-custodial
684 parent, but Child and Family Services may require any of these checks if Utah
685 criminal history or SAFE child abuse checks result in concerns about potential
686 threat of harm to the child.

687 a. Federal Bureau of Investigation (FBI) Fingerprint-Based Criminal
688 History Check.

689 b. Out of State Child Abuse Registry Check.
690

691 B. PRELIMINARY PLACEMENT With Kinship Caregiver Relative: The following
692 background screenings are required for the kinship caregiver relative and all individuals
693 living in the home of the kinship caregiver relative PRIOR to placement of a child.

- 694 1. Utah Criminal History Bureau of Criminal Identification (BCI): A non-
695 fingerprint-based Utah BCI criminal history check must be approved for the
696 kinship caregiver relative and all adults age 18 years and older living in the home.
697 2. Child and Adult Abuse and Neglect History Checks through SAFE: SAFE
698 background checks for child and adult abuse and neglect must be approved for the
699 kinship caregiver relative and all individuals living in the home.
700 3. Juvenile Criminal History: A name-based check through the Utah Criminal
701 Justice System (UCJIS) must be approved for the kinship caregiver relative and
702 all adults age 18 years and older living in the home.
703 a. Juvenile Criminal History: A name-based check through the UCJIS must
704 be approved for all individuals age 12 to 17 years old living in the home of
705 the kinship caregiver relative.
706
- 707 C. ONGOING CARE With Kinship Caregiver Relative: The following background
708 screenings are required for the kinship caregiver relative and all adults age 18 years and
709 older living in the home but may be completed AFTER placement of child has occurred.
710 1. Federal Bureau of Investigation (FBI) Fingerprint-Based Criminal History Check:
711 a. Live Scan fingerprint scanning must be completed or fingerprint cards
712 submitted within 10 business days after placement of the child.
713 2. Out of State Child Abuse Registry Check: An out of state child abuse registry
714 check is required for any state in which the relative or other adult age 18 years
715 and older living in the home has lived in the previous five years.
716
- 717 D. PRELIMINARY PLACEMENT With Kinship Caregiver Friend BEFORE SHELTER
718 HEARING: The following background screenings are required for the kinship caregiver
719 friend and all individuals living in the home PRIOR to placement of a child.
720 1. Utah Criminal History Bureau of Criminal Identification (BCI): A non-
721 fingerprint-based Utah BCI criminal history check must be approved for the
722 kinship caregiver friend and all adults age 18 years and older living in the home.
723 2. Child and Adult Abuse and Neglect History Checks through SAFE: SAFE
724 background checks for child and adult abuse and neglect must be approved for the
725 kinship caregiver friend and all individuals living in the home.
726 3. Juvenile Criminal History: A name-based check through the Utah Criminal
727 Justice System (UCJIS) must be approved for the kinship caregiver friend and all
728 adults age 18 years and older living in the home.
729 a. Juvenile Criminal History: A name-based check through the UCJIS must
730 be approved for all individuals age 12 to 17 years old living in the home of
731 the kinship caregiver friend.
732 (1) Federal Name-Based Check: A federal name-based criminal
733 history check through Interstate Identification Index (III) must be
734 approved for the kinship caregiver friend and all adults age 18
735 years and older living in the home.
736

- 737 E. ONGOING CARE With Kinship Caregiver Friend When Placement Occurred BEFORE
738 Shelter: The following background screenings are required for the kinship caregiver
739 friend and all adults living in the home but may be completed AFTER placement of child
740 has occurred.
- 741 1. Federal Bureau of Investigation (FBI) Fingerprint-Based Criminal History Check:
742 A fingerprint-based criminal history check for the kinship caregiver friend and all
743 adults age 18 years and older living in the home.
 - 744 a. Live scan fingerprinting must be completed or fingerprint cards submitted
745 within 15 calendar days of III check being completed.
 - 746 b. If the kinship caregiver friend or any adults age 18 years or older living in
747 the home fail to complete live scan fingerprinting within the designated
748 time frame, then the child shall immediately be removed from the home
749 [see: Practice Guidelines [Section 301.2](#)].
 - 750 2. Out of State Child Abuse Registry Check: An out of state child abuse registry
751 check is required for any state in which a kinship caregiver friend or other adult
752 age 18 years and older living in the home has lived in the previous five years.
753
- 754 F. PRELIMINARY PLACEMENT With Kinship Caregiver Friend AFTER SHELTER
755 HEARING: The following background screenings are required for the kinship caregiver
756 friend and all individuals living in the home PRIOR to placement of a child.
- 757 1. Federal Bureau of Investigation (FBI) Fingerprint Based Check: A fingerprint-
758 based criminal history check for the kinship caregiver friend and all adults age 18
759 years and older living in the home.
 - 760 2. Child and Adult Abuse and Neglect History Checks through SAFE: SAFE
761 background checks for child and adult abuse and neglect must be approved for the
762 kinship caregiver friend and all individuals living in the home.
 - 763 3. Juvenile Criminal History: A name-based check through the Utah Criminal
764 Justice System (UCJIS) must be approved for the kinship caregiver friend and all
765 adults age 18 years and older living in the home.
 - 766 a. Juvenile Criminal History: A name based check through the UCJIS must
767 be approved for all individuals age 12 to 17 years old living in the home of
768 the kinship caregiver friend.
769
- 770 G. ONGOING CARE With Kinship Caregiver Friend When Placement Occurred AFTER
771 Shelter: The following background screenings are required for the kinship caregiver
772 friend and all adults living in the home but may be completed AFTER placement of child
773 has occurred.
- 774 1. Out of State Child Abuse Registry Check: An out of state child abuse registry
775 check is required for any state in which a kinship caregiver friend or other adult
776 age 18 years and older living in the home has lived in the previous five years.
 - 777 2. Friend or Extended Family Member: In cases where a placement is made with a
778 friend or kinship caregiver that is already a licensed foster parent, no additional
779 background screening is required for Preliminary Placement or as part of the
780 evaluation of capacity for ongoing care of the child, unless there is valid reason to

781 believe that the information obtained through the licensing process may no longer
782 be complete. The background screening has already been completed as a part of
783 the licensure process.
784

785 H. Option to Require Additional Background Screening Prior to Placement: Child and
786 Family Services may require a fingerprint-based national criminal history check, out of
787 state child abuse registry check, or out of country criminal history check prior to placing
788 a child in a Preliminary Placement with a kinship caregiver/friend when there is reason to
789 believe that the additional background screening may be necessary to prevent threat of
790 harm for the child.

- 791 a. If out of country documentation is needed, the following can be accepted. Note
792 that the United States territories of Puerto Rico, American Samoa, United States
793 Virgin Islands, and Guam are considered outside of the United States. Contact
794 information for embassies of countries outside of the United States can be
795 obtained at <http://www.embassy.org/embassies/>.
- 796 (1) A criminal history report from each country lived in; or
 - 797 (2) A letter of honorable release from the United States Military or full-time
798 ecclesiastical service, from each country lived in; or
 - 799 (3) Other written verification of criminal history from each country lived in or
800 efforts to obtain such history.

801
802 Examples of circumstances in which additional background screening may be appropriate
803 include need for verification of identity for a non-fingerprint-based Utah BCI criminal
804 history report, indication of multi-state offense on the Utah BCI criminal history report,
805 recent move to Utah, suspicious behavior or circumstances, or concerns regarding out of
806 state criminal or abuse activity reported by a person known to the individual.
807

808 **502.3a Requirements For Unsupervised Access To A Child In Care**

- 809
810 A. Background screenings must be completed for anyone who has unsupervised access to a
811 child in care over five hours a week, including respite, child care, and babysitting. [See:
812 Practice Guidelines [Section 305.2](#) and [Section 502.3a](#).] Before care is provided,
813 information must be shared with the respite caregiver to ensure the child's needs are met.
814
- 815 B. Background check requirements for respite care in any licensed homes: DCFS will not
816 pay for the live scan fee. This check is completed by the Office of Licensing.
- 817 1. Complete FBI Finger Prints Cards (two hardcopy cards).
 - 818 2. Complete non-foster care Background Screening Application.
 - 819 3. Submit cards, Background Screening Application, and check for fee to local
820 licensor of licensed home.
 - 821 4. Respite, child care, and babysitting may be provided by:
 - 822 a. Licensed out-of-home caregivers.
 - 823 b. Licensed specific out-of-home caregivers (care can only be between
824 licensed kinship caregivers known to the children).

- 825 c. Temporary placement in a licensed facility (Christmas Box House, Family
826 Support Center).
- 827 d. Home of a licensed child care provider (must be licensed through the
828 Department of Health, Child Care Licensing Program).
829
- 830 C. Background check processes for unlicensed homes: This background check is completed
831 by the Office of Licensing via the Child and Family Services TAC.
- 832 1. Process when Child and Family Services is paying for applicants' live scans (up
833 two applicants per unlicensed home):
- 834 a. Complete FBI fingerprinting at Child and Family Services' location under
835 B1561 code (\$10 fee applies).
- 836 b. Send non-foster care Background Screening Application, ID, and Social
837 Security Card to region TAC.
- 838 c. Region TAC will submit Background Screening Application, ID, Social
839 Security Card, and respite checklist (form PR23) to State Office
840 background screening coordinator.
- 841 d. State Office background screening coordinator will send approved
842 Background Screening Applications back to region TAC.
- 843 e. Walk-through will be completed by Child and Family Services.
- 844 2. Process when Child and Family Services is not paying for applicants live scans:
- 845 a. Complete FBI Fingerprints Cards (two hardcopy cards).
- 846 b. Complete non-foster care Background Screening Application.
- 847 c. Region TAC will submit cards, Background Screening Application, ID,
848 Social Security Card, respite checklist (form PR23), and check for fee to
849 State Office background screening coordinator.
- 850 d. State Office background screening coordinator will send approved
851 Background Screening Applications back to region TAC.
- 852 e. Walk-through will be completed by Child and Family Services.
853
- 854 D. Visitation with child's non-licensed relative to maintain connections (includes overnight):
855 Background check completed by region TAC.
- 856 1. First obtain ~~court approved visitation~~ approval from the Child and Family Team.
- 857 2. Using KBS02 form, region TAC will complete the checks below:
- 858 a. Utah Criminal.
- 859 b. Child and Adult Abuse, and LIS check.
- 860 c. FBI fingerprints to be completed at a Child and Family Services location
861 under B1561 (\$10 fee still applies).
- 862 d. Walk-through will be completed by Child and Family Services.
863
- 864 E. Respite care for a licensed specific foster home, an unlicensed home, and visitation with a
865 relative can take place in the respite caregivers' home after meeting the background
866 screening and walk-through requirements above. For general licensed foster care homes,
867 respite must take place in the licensed home.
868

- 869 F. Normalcy applies specifically to extracurricular, enrichment, or social activities that are
870 age-appropriate for the child. This includes school, recreational, and peer activities that
871 enrich a child's whole development and gives them access to similar experiences as their
872 peers. Reasonable and prudent parenting standards apply when the caregiver is making
873 decisions regarding which activities a child can participate in. Normalcy is NOT an over-
874 arching philosophy to determine what is "normal" for a family. The requirements of
875 respite, child care, and babysitting apply to all children. Normalcy and visitation with
876 relatives does not include relatives of the non-related foster parent. [See: Practice
877 Guidelines [Section 300.7](#) and the [Background Screening For Unsupervised Access to](#)
878 [Children in Care](#) chart.]
879

880 **502.4 Limited Home Inspection For Preliminary Placement**

881
882 A. The caseworker, supervisor, or other employee designated by the region director will
883 conduct a limited home inspection (KBS16) in the home of the potential kinship
884 caregiver/friend prior to placement to determine if there are apparent conditions that may
885 present a threat of harm to the child, with one exception as indicated below.

886
887 If the child is being placed with a non-custodial parent, the limited home inspection may
888 be completed before or within one day after a child is placed, excluding weekends and
889 holidays, if based upon a limited investigation Child and Family Services determines
890 that:

- 891 1. The non-custodial parent has regular, unsupervised visitation with the child that is
892 not prohibited by law or court order; and
893 2. Based on the caseworker's best judgment and analysis of available information,
894 there is no reason to believe that the child's health or safety will be endangered by
895 making the placement prior to completion of the limited home inspection.

- 896
897 B. The limited home inspection determines if the following are met:
898 1. The home is free from observable safety, health and fire hazards. [See:
899 Environmental Neglect in Practice Guidelines [Section 204.5.](#)]
900 2. There are adequate sleeping arrangements to meet the specific needs of each
901 child; and
902 3. Any firearms, ammunition, hazardous chemicals, and/or medications are secured
903 and not accessible to children.

904
905 C. In situations where the non-custodial parent, kinship caregiver, or friend lives in Utah but
906 outside of the region where the child resides, the caseworker will send a Request for
907 Kinship Support Services (KBS09) to the region kinship supervisor in the region where
908 the prospective kin/friend placement resides as soon as possible to request a limited home
909 inspection. The receiving region will make contact with the non-custodial parent, kinship
910 caregiver, or friend to schedule and complete the limited home inspection according to
911 the urgency identified by the requesting region.

912
913 **502.5 Assessment Of Safety For Preliminary Placement**

914
915 The caseworker, supervisor, or other person designated by the region director will conduct an
916 assessment of safety for placement of a child with a potential kinship caregiver/friend, based on
917 safety decision-making, which includes:

- 918
919 A. Specific and Observable Threats of Harm:
920 1. Background screening results,
921 2. Other persons who have regular access to the home, and
922 3. Age-specific environmental conditions.
923

- 924 B. Vulnerabilities of the Child:
925 1. The child's comfort level with the kinship caregiver/friend, and
926 2. Age and developmental level of the child.
927
- 928 C. Protective Capacities of the Kinship Caregiver/Friend and Their Support System:
929 1. Ability of the kinship caregiver/friend to meet or address the safety, physical, and
930 emotional needs of the child, and
931 2. Access to resources.
932

933 **502.6 Reference Check For Preliminary Placement**

- 934
- 935 A. Child and Family Services may request the name and contact information for a reference
936 from the potential kinship caregiver/friend and may contact the individual to obtain input
937 about the potential kinship caregiver/friend's ability to safely care for the child. The
938 caseworker may ask for information such as:
- 939 1. How familiar the individual is with the kinship caregiver/friend.
 - 940 2. If the individual would recommend the placement of a child in the home of the
941 kinship caregiver/friend.
 - 942 3. What information the individual can provide regarding the kinship
943 caregiver/friend's capacity to care for a child.
 - 944 4. Whether the individual has knowledge of the kinship caregiver/friend's
945 interaction with the child.
 - 946 5. Whether the individual is aware of any other relatives or friends of the child to
947 consider as a possible preliminary or long-term placement.
 - 948 6. Any other information the individual can provide that will assist the caseworker in
949 assessing the appropriateness of the placement.
950
- 951 B. The caseworker will assess the individual's level of familiarity with the potential kinship
952 caregiver/friend before giving significant consideration to the information provided. If
953 negative feedback is received from the individual, the caseworker will consider further
954 assessment of the potential kinship caregiver/friend prior to making the Preliminary
955 Placement.
956

957 **502.7 General Qualifying Requirements For Preliminary Placement**

- 958
- 959 In addition to requirements specified above for a non-custodial parent, kinship caregiver,
960 relative, or friend, the following requirements must be met prior to approving Preliminary
961 Placement of a child with a kinship caregiver/friend:
962
- 963 A. If the Preliminary Placement is being considered prior to the shelter hearing, Child and
964 Family Services will ask the child's custodial parent or guardian to sign a Preliminary
965 Placement Agreement stating that they:
966 1. Agree not to remove the child from the home of the kinship caregiver/friend.

967 2. Agree not to have any contact with the child until after the shelter hearing, unless
968 authorized by Child and Family Services in writing.
969

970 The caseworker will document in activity logs if the parent or guardian refuses or is not
971 able to sign a parent/guardian Preliminary Placement Agreement. Child and Family
972 Services may place a child with a kinship caregiver/friend if a parent refuses or is unable
973 to sign a Preliminary Placement Agreement if it is in the child's best interest.
974

975 If the Preliminary Placement is being made after the shelter hearing and the court has
976 ordered the child into Child and Family Services custody, no custodial parent or guardian
977 agreement is required.
978

979 B. The kinship caregiver/friend:

- 980 1. Signs a Preliminary Placement Agreement stating that they:
- 981 2. Are able and willing to keep the child safe and provide daily care and nurturance.
- 982 3. Agree not to allow the custodial parent or guardian to have any contact with the
983 child unless authorized by the court or Child and Family Services in writing.
- 984 4. Agree to contact law enforcement and Child and Family Services if the custodial
985 parent or guardian attempts to make unauthorized contact with the child.
- 986 5. Are able and willing to take the child to medical, mental health, dental, and
987 educational appointments at the request of Child and Family Services.
- 988 6. Are willing to apply for medical benefits through the Department of Workforce
989 Services within 10 business days of the child's placement.
- 990 7. Agree to allow Child and Family Services and the child's GAL to have access to
991 the child.
- 992 8. Are willing to support the child's permanency plan, including assisting the
993 custodial parent or guardian in reunification efforts at the request of Child and
994 Family Services.
- 995 9. Are willing to follow all court orders.
- 996 10. Have been informed and understand that Child and Family Services may continue
997 to search for other possible placements for long-term care of the child, if needed.
- 998 11. Agree to submit a background screening application, copy of photo identification,
999 and fingerprints through Live Scan or hard copy cards for a fingerprint-based
1000 background check within 10 business days of placement of the child.
- 1001 12. Agree to inform Child and Family Services of any changes or circumstances that
1002 might affect the child's well-being such as a change in health, address, or
1003 caregiving arrangements.
1004

1005 C. The child is comfortable with the kinship caregiver/friend.

1006 D. A supervisor approves the placement.

1007 E. Child and Family Services may not place a child with an individual who is prohibited by
1008 court order from having access to that child.
1009
1010

1011
1012 **502.8 Preliminary Placement With A Friend**
1013
1014 A child may be placed in the home of a friend (including an extended relative) designated by the
1015 custodial parent or guardian of the child, if the friend is a licensed foster parent, or if the friend
1016 agrees to become a licensed foster parent within six months of the child being placed with them.
1017 All Out-of-Home Practice Guidelines in [Section 300](#) apply to the friend or extended relative of
1018 the child. [See: Administrative Rule [R512-500-4](#).]
1019
1020 In determining whether a friend is a willing and appropriate placement for a child, Child and
1021 Family Services is required to consider no more than one friend designated by each parent or
1022 legal guardian of the child and one friend designated by the child if the child is of sufficient
1023 maturity to articulate his or her wishes. Child and Family Services may limit the number of
1024 designated friends to two, one of whom shall be designated by the child if the child is of
1025 sufficient maturity to articulate his or her wishes. There are certain circumstances that allow us to
1026 give preference to a friend designated by a child (versus kinship) if the child is of sufficient
1027 maturity to articulate his or her wishes AND if the basis of removal is sexual abuse of a child.
1028 This may be in circumstances within cultural communities that include kin support for forced
1029 marriages or sexual relationships as described in the definition of sexual abuse found in Utah
1030 Code Ann. [§78A-6-105](#).
1031
1032 Child and Family Services staff will be aware that when a Preliminary Placement of a child is
1033 made with a friend designated by the parent or child, the friend is not eligible for the specified
1034 relative grant or other financial benefits through the Division of Workforce Services (DWS). At
1035 this time, with the exception of cases where the child has a trust account and/or a parent with the
1036 ability to pay child support, there are no financial supports available for friends until the friend
1037 becomes a licensed foster parent. Staff will give careful consideration to whether the friend has
1038 the financial capability to support the child's needs during the period before completion of foster
1039 care licensure. Friends chosen as caregivers for a child in custody may be eligible to receive a
1040 Medicaid card for the child through DWS while pursuing foster parent licensure.
1041
1042 When Child and Family Services makes a Preliminary Placement with an unlicensed friend, the
1043 friend caregiver is required to be actively engaged in the process of obtaining foster parent
1044 licensure within 60 days of the child being placed with them. If a friend caregiver receives a
1045 provisional license, the friend caregiver must continue the process and obtain foster parent
1046 licensure within six months of the child being placed with them or the child will be removed
1047 from the home of the friend caregiver. Foster parent licensure refers to being licensed as a foster
1048 parent or obtaining a child-specific license through the Utah Department of Human Services,
1049 Office of Licensing.
1050
1051 When the kinship worker or other designated staff begin to meet with the friend caregiver after
1052 the child is placed, information will be provided to the friend caregiver to assist them in caring
1053 for the needs of the child and planning for the child's permanency. The kinship worker will
1054 review with the friend caregiver the requirement that they obtain foster parent licensure, help

1055 them understand the steps to complete for foster parent licensure, as well as what resources are
1056 available to them once they become licensed.

- 1057
- 1058 A. The kinship or other designated staff will discuss with the friend caregiver the advantages
1059 and responsibilities of becoming a licensed foster care placement for the child. Resources
1060 and advantages include:
- 1061 1. Monthly foster care payment.
 - 1062 2. Medical needs maintained by Child and Family Services to cover Medicaid,
1063 dental, and mental health needs.
 - 1064 3. Access to and assistance from a Resource Family Consultant.
 - 1065 4. Further options for supports and resources, such as trackers, respite, and mental
1066 health services, other than those found through the local mental health authorities.
 - 1067 5. Educational and training opportunities to assist them in meeting the needs of the
1068 child.
 - 1069 6. Cluster support groups.
 - 1070 7. Respite care.
 - 1071 8. If the child's permanency goal changes to adoption, the AAG will facilitate a
1072 process for termination of parental rights and the child will be assessed for
1073 monthly adoption assistance.
 - 1074 9. Transition to Adult Living resources.
 - 1075 10. Health Care Nurse.
- 1076
- 1077 B. In an effort to support the permanency needs of the child and expedite the ability of the
1078 friend caregiver to obtain foster parent licensure, a caseworker and/or kinship worker will
1079 complete the following after the placement of the child with the friend caregiver:
- 1080 1. Within two months (or earlier) of initial placement of the child with the friend
1081 caregiver: The caseworker, kinship worker, or other designated Child and Family
1082 Services staff will conduct a child and family team meeting for the purpose of
1083 addressing the permanency needs of the child. The Child and Family Team
1084 Meeting will include the following individuals (when applicable): the friend with
1085 whom the children were placed, other potential kinship caregivers and relatives,
1086 the caseworker, the kinship worker, and any other Child and Family Services staff
1087 involved in the placement, including out of region staff if the placement is made
1088 in another region. Other informal and formal supports to the family may include
1089 supportive family, friends, health care nurse, therapist, school representative,
1090 daycare provider, etc.). Child and Family Services staff will do the following in
1091 the Child and Family Team Meeting:
 - 1092 a. Educate the friend caregiver regarding permanency timeframes and other
1093 information associated with the case.
 - 1094 b. Review the advantages of becoming licensed with the friend caregiver
1095 (listed in A1 above). Remind the friend caregiver that when the child was
1096 initially placed with them, they agreed to become a licensed foster care
1097 provider.

-
- 1098 c. Review the progress of the friend caregiver in obtaining the provisional
1099 license.
- 1100 d. If the friend caregiver does not have the provisional license, assess
1101 whether there are systemic issues that have prevented it or whether the
1102 friend caregiver has not actively engaged in the process of obtaining the
1103 provisional license. If the friend caregiver has not engaged in the process
1104 of obtaining a provisional license, assess whether the friend caregiver is
1105 able to care for the needs of the child and whether the child needs to be
1106 moved to a new placement.
- 1107 e. If the friend caregiver has received a provisional license, explain there are
1108 further steps to achieve foster parent licensure and that the provisional
1109 license will expire after six months.
- 1110 f. Review the steps for obtaining foster parent licensure.
- 1111 g. Review the progress of the friend caregiver in obtaining foster parent
1112 licensure.
- 1113 h. Assess whether the friend caregiver is actively engaged in the process of
1114 obtaining the foster parent license. Examples of being “actively engaged”
1115 include but are not limited to the following:
- 1116 (1) Licensing application has been completed and given to the
1117 caseworker or kinship worker.
- 1118 (2) Child and Family Services kinship staff has been contacted to
1119 schedule a home study.
- 1120 (3) Medical appointments are scheduled or complete.
- 1121 (4) FBI fingerprint background screening has been completed.
- 1122 (5) Friend caregiver has begun required foster parent training.
- 1123 i. If the friend caregiver is not actively engaged in the process of obtaining
1124 foster parent licensure, assess whether the child needs to be removed from
1125 the friend caregiver’s care and explore other placement options for the
1126 child.
- 1127 (1) Remind the friend caregiver that if foster parent licensure is not
1128 completed prior to the provisional license expiring, the child will
1129 be removed from their care.
- 1130 (2) Introduce the concept of adoption to the friend caregiver and
1131 provide education regarding the child’s need for permanency,
1132 including educating the friend caregiver regarding the resources
1133 available through Adoption Assistance and post adoption support if
1134 the friend caregiver becomes licensed.
- 1135 (3) If the friend caregiver has not yet become licensed, discuss any
1136 obstacles to obtaining licensure and help formulate a written action
1137 plan to overcome the barriers. The written plan will state Child
1138 and Family Services’ expectations of the friend caregiver, provide
1139 specific steps and designate who is responsible for each step, and
1140 outline specific dates to accomplish the steps prior to meeting in
1141 two more months.

-
- 1142 2. Within four months (or earlier) of initial placement of the child with the friend
1143 caregiver, if the friend caregiver has not yet received the foster parent license, the
1144 caseworker or kinship worker will conduct a Child and Family Team Meeting for
1145 the purpose of assessing the progress of the friend caregiver on the written plan
1146 that was completed in the prior team meeting. Participants in the Child and
1147 Family Team Meeting will include those outlined above in B1. Child and Family
1148 Services staff will do the following in the Child and Family Team Meeting:
- 1149 a. Educate the friend caregiver that there are only two months remaining in
1150 which they should have completed or be well into the process of obtaining
1151 a foster parent license for the child placed in their home.
 - 1152 b. Inform the friend caregiver that if foster parent licensure is not obtained
1153 and/or if the friend is not actively engaged in the process of becoming
1154 licensed within six months of the child being placed there, the child will
1155 be removed from their care.
 - 1156 c. Discuss any obstacles to obtaining licensure and modify the action plan to
1157 overcome the barriers. The written plan will:
1158 State Child and Family Services' expectations of the friend caregiver
 - 1159 (1) Provide specific steps and designate who is responsible for each
1160 step.
 - 1161 (2) Outline specific dates to accomplish the steps in the action plan.
 - 1162 (3) Schedule a further meeting to discuss any remaining barriers for
1163 obtaining the foster parent license prior to the end of the sixth
1164 month.
 - 1165 (4) State in writing that if a foster parent license is not obtained within
1166 six months of the child being placed there, then the child will be
1167 removed from their care.
 - 1168 (5) State in writing that if the foster parent license is not obtained by
1169 the end of the sixth month, the next meeting will be to discuss a
1170 transition for the child to another placement.
 - 1171 d. Discuss other placement options for the child, and if possible, identify
1172 who the child will be placed with if the friend caregiver is unable to obtain
1173 the foster parent license.
 - 1174 e. If the friend caregiver is not actively engaged in the process of licensure at
1175 the time of the four month meeting, plans to transition the child to live
1176 with another relative or foster home will be arranged and pursued
1177 immediately, in a manner that limits trauma to the child.
- 1178 3. Within six months of initial placement, if the friend caregiver has not received the
1179 foster parent license and the child remains in the home while retaining the status
1180 of being in foster care, the caseworker or kinship worker will:
- 1181 a. Assess whether the barriers to licensure or guardianship are the result of
1182 barriers in the system or the result of the kinship caregiver's lack of follow
1183 through on the written action plan.
 - 1184 b. If the barriers to licensure are the result of systemic issues, the kinship
1185 worker will staff the situation with a supervisor to determine if the barriers

- 1186 will likely be overcome and the child may remain in the home pending
1187 licensure. The staffing will include any steps that Child and Family
1188 Services must take in order to assist in completion of the licensure
1189 process. The staffing will be documented in the activity logs of each
1190 child's case.
- 1191 c. If the barriers are a result of the friend caregiver's lack of follow through,
1192 the kinship worker will conduct a child and family team for the purpose of
1193 planning to transition the child from the friend caregiver's home into the
1194 home of another relative or foster parent and addressing the child's
1195 permanency plan. Participants in the Child and Family Team Meeting will
1196 include those outlined above in B1, as well as the identified caregiver that
1197 will have the child placed with them.
- 1198 d. Unless the friend caregiver is close to completing licensure and has
1199 completed all the necessary steps to obtain the license, the child will be
1200 removed and placed in a home that is willing to provide permanency for
1201 the child.
- 1202 e. In unusual circumstances, the case may be staffed to determine if
1203 remaining in the unlicensed home that does not have guardianship is in the
1204 best interest of the child. This option will not be readily utilized. The
1205 staffing shall be done first with the Child and Family Team. Then it will
1206 be done with the State Office kinship administrator and the deputy director
1207 of Child and Family Services.

1209 **502.9 Preliminary Placement With A Kinship Caregiver Out Of State**

- 1210
- 1211 A. If the non-custodial parent lives outside of Utah, all requirements under the ICPC,
1212 including parent home study and background screening, must be completed as described
1213 in Practice Guidelines General Major Objectives [Section 703](#) prior to placement of the
1214 child out of state.
- 1215
- 1216 B. If a relative lives outside of Utah, all requirements under the ICPC, including relative
1217 home study and background screening, must be completed as described in Practice
1218 Guidelines General Major Objectives [Section 703](#) prior to placement of the child out of
1219 state.
- 1220
- 1221 C. If the friend who is designated for placement of the child lives outside of Utah, all
1222 requirements under the ICPC, including fingerprint-based background screening and
1223 being licensed as a foster parent in the receiving state, will be completed as described in
1224 Practice Guidelines General Major Objectives [Section 703](#) prior to placement of the child
1225 out of state.
- 1226
- 1227 D. If the child being placed is an Indian child and the kinship caregiver approved by the tribe
1228 lives outside of Utah, the tribe must have completed their own approval or licensure for
1229 the home prior to the child being placed out of state. Child and Family Services may

1230 only make foster care maintenance payments to the home if the home is licensed by the
1231 tribe or the receiving state, and may only make Title IV-E foster care maintenance
1232 payments if fingerprint-based background checks and out of state child abuse registry
1233 checks have been approved as part of the licensing process. If the tribe has custody of the
1234 child, then ICPC does not apply.
1235

1236 **502.10 Notice Of Preliminary Placement**

1237
1238 Notice must be provided to the court and all parties to a case when a child is placed in or moved
1239 from a Preliminary Placement. Written notice must be provided within three days after making
1240 or changing the placement, excluding weekends and holidays.
1241

1242 **502.11 Preliminary Placement Coding In SAFE**

- 1243
- 1244 A. When the court orders a child into Child and Family Services custody, an SCF case will
1245 be opened in SAFE.
 - 1246
 - 1247 B. The caseworker will open a Preliminary Placement with a non-custodial parent, kinship
1248 caregiver, or friend in SAFE using the BHR code.
1249

1250 **502.12 Preliminary Placement Financial And Medical Support**

1251
1252 The kinship caregiver/friend caregiver is responsible to meet the basic needs of the child while in
1253 their care, including meeting the health care requirements specified in Practice Guidelines
1254 [Section 303.5](#). The caseworker will educate the kinship caregiver about potential financial and
1255 medical resources that may be available to assist them while caring for the child and will assist
1256 them in submitting an application and supporting documents for financial and medical benefits to
1257 the Department of Workforce Services (DWS), if needed. Applications for assistance will be
1258 submitted to DWS within 10 business days after the child's placement.
1259

1260 Child and Family Services staff will be aware that when a Preliminary Placement of a child is
1261 made with a friend, the friend is not eligible for the specified relative grant or other financial
1262 benefits through the Division of Workforce Services (DWS). At this time, with the exception of
1263 cases where the child has a trust account and/or a parent with the ability to pay child support,
1264 there are no financial supports available for friends as caregivers for the child until the friend
1265 becomes a licensed foster parent. Staff will give careful consideration to whether the friend has
1266 the financial capability to support the child's needs during the period before completion of foster
1267 care licensure. Friends chosen as caregivers for a child in custody may be eligible to receive a
1268 Medicaid card for the child through DWS while pursuing foster parent licensure.
1269

- 1270 A. Financial Support:
 - 1271 1. Child Support – Office of Recovery Services (ORS):
 - 1272 a. If a child is placed with a non-custodial parent, that parent may contact
1273 ORS to have an existing child support case reviewed to determine if child

- 1274 support payments may be discontinued or reduced or the non-custodial
1275 parent may apply to establish a child support case.
- 1276 b. If a child is placed with a relative or friend caregiver, the caseworker will
1277 inform the relative or friend caregiver that when a child is ordered into
1278 Child and Family Services custody, the court also orders the parent from
1279 whom the child is removed to contact ORS to establish a child support
1280 case to reimburse the state for cost of care. Some relatives are hesitant to
1281 apply for public assistance and to sign the required Duty of Support form
1282 when applying for financial or medical benefits because of fear it will
1283 result in the person from whom the child was removed having an
1284 obligation for child support. The relative needs to understand that the
1285 court already ordered this financial obligation when the child was taken
1286 into custody, and the relative receiving a specified relative grant does not
1287 add to the financial obligation of the parent from which the child was
1288 removed.
- 1289 2. Public Assistance – DWS:
- 1290 a. A non-custodial parent may apply for financial assistance, food stamps, or
1291 child care through DWS. Income and assets of all members of the
1292 household will be considered for determining eligibility.
- 1293 b. A relative may apply for specified relative financial assistance and
1294 Medicaid to care for a related child through DWS. Eligibility for specified
1295 relative assistance and Medicaid is based on the income and assets of the
1296 child. Other DWS benefits for the relative will be based on the household
1297 income.
- 1298 c. A friend may apply for Medicaid through DWS. Financial and other
1299 benefits will be based on the household income.
- 1300 3. Child's Unearned Income – Social Security or Supplemental Security Income:
1301 When a child in Child and Family Services custody receives unearned income,
1302 such as Social Security or Supplemental Security Income (SSI), Child and Family
1303 Services will become the representative payee for the child's income as specified
1304 in Practice Guidelines [Section 303.16](#). If the child is placed with a non-custodial
1305 parent, unlicensed relative, or friend not eligible for a foster care payment
1306 (hereinafter "caregiver") in a Preliminary Placement, Child and Family Services
1307 will assess whether a Kinship Caregiver Maintenance Reimbursement will be
1308 issued to the caregiver from the child's trust account.
- 1309 a. The caregiver will complete the "Division of Child and Family Services
1310 Kinship Caregiver Maintenance Reimbursement Agreement" form at the
1311 time the child is placed with them. Each caregiver placement will require
1312 a newly-completed and signed form.
- 1313 b. Child and Family Services will issue the kinship caregiver maintenance
1314 reimbursement to the caregiver from the available funds in the child's trust
1315 account, minus the \$35 personal needs allowance, up to a maximum of the
1316 basic daily foster care rate. The rate paid to the caregiver will be based on

- 1317 the child's age and the number of days the child is in the caregiver's
1318 home. [See: [Section 303.16.](#)]
- 1319 c. The caseworker is required to access the Trust Account System monthly to
1320 request the kinship caregiver maintenance reimbursement, as well as
1321 personal needs funds through the SAFE web system. [See: [Section](#)
1322 [303.16.](#)]
- 1323 d. Payment will be issued the month after the child received care in the
1324 caregiver's home.
- 1325 e. This reimbursement is to be used for the maintenance and basic needs of
1326 the child (such as housing, utilities, food, supervision, and personal
1327 incidentals).
- 1328 f. The caregiver will not be required to provide Child and Family Services
1329 with receipts for these maintenance and basic needs expenses, once the
1330 maintenance reimbursement is established.
- 1331 g. The caregiver may submit a request for funds to the caseworker to help
1332 pay for specific additional needs of the child. Approval is subject to
1333 availability of funds and administrative approval. Receipts are required
1334 for approved expenses.
- 1335 h. Child and Family Services will continue to verify the child lives with the
1336 caregiver.
- 1337 i. The caregiver will notify the caseworker if the child no longer resides in
1338 the home.
- 1339 4. Foster Care Payment: After completion of the foster care licensing process, a
1340 friend or relative who is selected for ongoing placement of the child will receive a
1341 foster care payment appropriate for the child's level of need and the provider's
1342 level of training.
- 1343 5. Special Needs Payment: Special needs payments may be made for children who
1344 are in a Preliminary Placement with a kinship caregiver/friend, according to limits
1345 for children in out of home care, if other resources are not available to meet those
1346 needs.
- 1347
- 1348 B. Health Care Resources: A kinship caregiver that is not a licensed foster parent is
1349 responsible to seek resources to pay for health care for the child while in a Preliminary
1350 Placement.
- 1351 1. Medicaid and Children's Health Insurance Program (CHIP):
- 1352 a. Child and Family Services eligibility workers cannot issue Medicaid for a
1353 child who is in a Preliminary Placement with a non-custodial parent or
1354 relative who is not a licensed foster parent; however, the caseworker is
1355 still responsible to submit the DCFS Title IV-E and Medicaid Application
1356 within 30 days after the child is placed in Child and Family Services
1357 custody (see Practice Guidelines [Section 303.9](#)) so an initial Title IV-E
1358 eligibility determination can be completed. Eligibility workers can issue
1359 Medicaid for a child who is placed in a Preliminary Placement or ongoing

- 1360 placement with friend or extended relative who is licensed as a foster
1361 parent.
- 1362 b. A non-custodial parent, relative, or friend may apply for Medicaid or
1363 CHIP for the child through DWS. Income and assets of all persons in the
1364 household will be considered for determining eligibility for the child who
1365 is placed with a non-custodial parent. Income and assets of the child only
1366 will be considered for determining eligibility for a child who is placed
1367 with a relative or friend. Medicaid may be requested on the same
1368 application submitted for financial assistance.
- 1369 c. When submitting an application for Medicaid, a non-custodial parent,
1370 relative, or friend should request that the application for Medicaid be
1371 retroactive back to the date the child was placed in the home; which is
1372 allowable for up to 90 days.
- 1373 2. Private Medical Insurance: A non-custodial parent, relative, or friend may be able
1374 to provide for the child's health care needs by adding the child to their own
1375 private medical insurance, when allowed by their insurance plan.
- 1376 3. MI706: An eligibility worker may issue an MI706 to the end of the month
1377 following the month a child is ordered into Child and Family Services custody, if
1378 the child is not enrolled in Medicaid when removed from the home. After that
1379 time and only as a last resort, the caseworker may request an MI706 from the
1380 Fostering Healthy Children nurse for specific health care needs of the child and
1381 for medical, dental, or mental health examinations required by Child and Family
1382 Services that the non-custodial parent, relative, or friend cannot pay for through
1383 other available resources. The non-custodial parent or relative should have
1384 applied for Medicaid, including requesting retroactive coverage, before an MI706
1385 is requested or issued by a nurse.
- 1386

1387 **502.13 Preliminary Placement Visitation**

1388

1389 The kinship caregiver/friend will assist in carrying out plans for visitation for the child.

1390

1391 A. Child Visitation with Familial Connections:

- 1392 1. Pre-placement Visits with Potential Kinship Caregivers/Friends: If the child is not
1393 immediately placed in a Preliminary Placement, visitation between the potential
1394 kinship caregiver/friend and child will be part of a planned transition when it is
1395 determined that placement with the kinship caregiver/friend is in the best interest
1396 of the child. Visitation between the potential kinship caregiver/friend and the
1397 child may be limited and/or supervised until all requirements for Preliminary
1398 Placement are met.
- 1399 2. Visitation with Siblings, Parents, and Other Relatives: Visitation for the child
1400 with parents and siblings will be allowed in accordance with Practice Guidelines
1401 [Section 303.1](#) when a child is in a Preliminary Placement. Visitation between the
1402 child and extended relatives is allowable and may assist in helping the child
1403 maintain valuable connections with the child's family. The Child and Family

1404 Team will make a determination whether visitation between the child and the
1405 extended relative is in the best interest of the child before visitation occurs.
1406 Visitation between the child and extended relative will be individualized to meet
1407 the needs of the child.
1408

1409 B. Caseworker Visitation with a Child, Kinship Caregiver, and Parents During a Preliminary
1410 Placement:

- 1411 1. The caseworker will have an initial visit with the child by midnight of the second
1412 day after making the Preliminary Placement. If the kinship caregiver resides in
1413 another region, the caseworker may request the caseworker who conducted the
1414 limited home inspection to make this visit for them.
1415 2. For the first four weeks of a Preliminary Placement, the caseworker will visit with
1416 the child at least once per week in the home of the kinship caregiver/friend.
1417 3. The caseworker will follow Practice Guidelines [Section 302.2](#) regarding
1418 purposeful visiting with a child, out-of-home caregiver, and parents when a child
1419 is placed in a Preliminary Placement.
1420

1421 **502.14 Preliminary Placement - Child And Family Team**
1422

1423 A. Role of the Child and Family Team:

- 1424 1. All kinship work is done in the context of a Child and Family Team. The team is
1425 identified to bring together critical supports for the family. This may include the
1426 biological parents, kinship caregivers, friends, children 12 years of age or older,
1427 stepparents, other significant persons to family, the tribe/ICWA caseworker,
1428 health care nurse, therapist, and school representative. The caseworker will
1429 engage the kinship caregiver/friend to participate in the Child and Family Team.
1430 2. If the child has Native American heritage and is eligible as a registered tribal
1431 member, Child and Family Services will establish contact with the tribe/ICWA
1432 caseworker as early as possible to ensure the tribe is invited to participate in Child
1433 and Family Team Meetings.
1434 3. The caseworker will prepare for the unique circumstances of each family prior to
1435 a Child and Family Team Meeting. For example, if there are domestic violence
1436 issues, the caseworker will consider separate Child and Family Team Meetings
1437 for safety and confidentiality issues, and will prepare in advance to deal with
1438 barriers, attitudes, relationship issues, safety issues, and legal concerns.
1439 4. If background screening for a potential kinship caregiver/friend has been denied,
1440 the caseworker will discuss with the potential kinship caregiver/friend prior to the
1441 Child and Family Team Meeting, other ways they may support the child and their
1442 recommendations for another kinship caregiver/friend for Preliminary Placement.
1443 The caseworker will not discuss any specific criminal history or child abuse
1444 findings with the potential kinship caregiver/friend or the Child and Family Team
1445 but may provide information about how a kinship caregiver/friend may obtain a
1446 copy of their own criminal history or child abuse and neglect findings.
1447

- 1448 B. Primary Purposes of Initial Child and Family Team Meeting:
1449 1. As soon as possible, the caseworker will conduct an initial Child and Family
1450 Team Meeting. The initial Child and Family Team Meeting will include the
1451 following:
1452 a. Sharing how Child and Family Teams work to support the goals of the
1453 family.
1454 b. Explaining requirements for a Preliminary Placement.
1455 c. Gathering information to identify and notify possible kinship/friend
1456 placements and supports.
1457 d. Explaining the court process/status.
1458 e. Explaining roles/responsibilities and how to work with Child and Family
1459 Services.
1460 f. Explaining requirements of caring for the child, such as expectations for
1461 medical, dental, and mental health care examinations.
1462 g. Explaining the process for evaluation of ongoing capacity of the kinship
1463 caregiver/friend to care for the child and/or identifying the most
1464 appropriate relatives or friends to be considered for ongoing placement for
1465 the child.
1466 h. Exploring and developing strategies for other members of the Child and
1467 Family Team to support the kinship caregiver/friend in caring for the child
1468 and meeting agency requirements.
1469 2. The Child and Family Team will decide the best ongoing placement for the child
1470 and identify ways members of the team can support the placement, taking into
1471 consideration the best interests of the child, preferences for placement, and factors
1472 that may delay placement or hinder permanency for the child.
1473 3. The Child and Family Team will make every effort to prevent a kinship
1474 placement disruption by providing support to the family and working to overcome
1475 any barriers. In the event that a disruption is imminent, the Child and Family
1476 Team will look back at kinship options and resume search and engagement
1477 activities.
1478 4. For Preliminary Placements made with a friend, the Child and Family Team
1479 Meeting process outlined in Practice Guidelines [Section 502.8](#) must be followed.
1480

1481 **503 Kinship Services - Evaluation And Support For Ongoing Care Of**
1482 **A Child**

1483 Major objectives:

- 1484 A. Child and Family Services will evaluate with a kinship caregiver/friend their capacity for
1485 ongoing care of the child.
1486
1487 B. The region in which a kinship caregiver/friend resides will provide support in accessing
1488 local resources and in responding to urgent concerns.
1489
1490 C. The region with jurisdiction of a child is responsible for supporting limited financial
1491 needs of the child that cannot be met by the kinship caregiver/friend.
1492

1493
1494 **Applicable Law**

1495 Utah Code Ann. [§62A-2-120](#). Criminal background checks – Direct access to children or
1496 vulnerable adults.

1497 Utah Code Ann. [§62A-4a-202.1](#). Entering home of a child – Taking a child into protective
1498 custody – Caseworker accompanied by peace officer – Preventive services – Shelter facility or
1499 emergency placement.

1500 Utah Code Ann. [§62A-4a-209](#). Emergency placement.

1501 Utah Code Ann. [§62A-4a Part 7](#). Interstate Compact on the Placement of Children.

1502 Utah Code Ann. [§78A-6-306](#). Shelter hearing.

1503 Utah Code Ann. [§78A-6-307](#). Shelter hearing – Placement – DCFS custody.

1504 Utah Code Ann. [§78A-6-307.5](#). Post-shelter hearing placement of a child who is in division
1505 custody.

1506 Utah Code Ann. [§78A-6-308](#). Criminal background checks necessary prior to out-of-home
1507 placement.

1508 U.S. Code [Title 25, Chapter 21](#). Indian Child Welfare.
1509

1510 **503.1 Evaluation Of Kinship Caregiver/Friend Capacity For Ongoing**
1511 **Care Of A Child**

1512
1513 Child and Family Services will evaluate with the kinship caregiver/friend their capacity for
1514 ongoing care of the child, including consideration of long-term stability of placement, long-term
1515 view and permanency planning. The caseworker will initiate this evaluation process within 30
1516 days of the child being placed in a Preliminary Placement with a relative. The process will be
1517 initiated immediately when a child is placed in a Preliminary Placement with a friend. The
1518 process is initiated by submitting a Request for Kinship Support Services to the region kinship
1519 supervisor. If the caregiver resides outside of the region, the region kinship supervisor will send
1520 the request to the kinship supervisor in the region where the kinship caregiver resides to
1521 complete the evaluation. This evaluation consists of the following:

- 1522
1523 A. Background screening: Background screening results from background screening for
1524 Preliminary Placement and from the Office of Licensing review must be approved for

1525 ongoing care of a child in custody. If background screening is not approved, the
1526 caseworker and Child and Family Team will carefully consider how the child's needs for
1527 enduring safety and permanency will be met (long-term view) and what the permanency
1528 goals, both primary and concurrent, for the child are before recommending that the court
1529 grant guardianship to a kinship caregiver.

1530
1531 B. The Initial Kinship/Specific Family Application form to be filled out by the kinship
1532 caregiver/friend includes:

- 1533 1. Identifying information regarding the kinship caregiver/friend and the spouse, if
1534 applicable).
- 1535 2. Others living in the household: children of the kinship caregiver/friend or others
1536 residing in the home.
- 1537 3. References: At least two references and no more than four; only one may be a
1538 relative.
- 1539 4. Previous home studies.
- 1540 5. If the kinship caregiver is currently licensed as a daycare provider.
- 1541 6. Questionnaire #1 for kinship caregiver and the spouse (if applicable): History
1542 regarding the kinship caregiver's family, relationships, and medical information.
- 1543 7. Emergency Plan Form.
- 1544 8. Kinship/Specific Income Statement Form.

1545
1546 C. Reference checks: Child and Family Services will contact at least two references by
1547 email or regular mail using the approved Reference Request as part of the Child-Specific
1548 Home Study. Child and Family Services will receive at least two positive reference
1549 letters in order to approve the home study.

1550
1551 D. Questionnaire 2: This will be given to the kinship caregiver/friend and the spouse (if
1552 applicable) at the time of the home study visit and will be completed by the kinship
1553 caregiver/friend.

1554
1555 E. Child-Specific Home Study: Through Child and Family Team Meetings, interviews, and
1556 other conversations with the kinship caregiver/friend and others living in the home, the
1557 kinship home study worker will evaluate the kinship caregiver/friend's ability to provide
1558 current and ongoing care for the child.

- 1559 1. The Child-Specific Home Study will be comprehensive, objective, and will
1560 address the kinship caregiver/friend's long-term ability to care for the child. It
1561 may be used as a home study for a foster care license, as a report to the court for
1562 recommendations for guardianship, and as an adoption home study if the child's
1563 permanency goal changes to adoption.
- 1564 2. The Child-Specific Home Study will include an assessment of the home
1565 environment to evaluate if it meets the Office of Licensing health and safety
1566 requirements. The Office of Licensing may issue a waiver (variance) of any rule
1567 in regards to a kinship/specific home that does not impact the health or safety of

- 1568 the specific child or sibling group. This requires prior written approval by the
1569 director of the Office of Licensing. [*See*: Administrative Rule [R501-12-15](#).]
- 1570 3. The kinship home study caseworker will document the evaluation on the Child-
1571 Specific Home Study form, which when completed will be a typed, professional
1572 document of approximately 6-12 pages. The document may be presented to the
1573 court, if requested. The Child-Specific Home Study is a protected record.
1574
- 1575 F. Licensing and Adoption Home Study (called a pre-placement evaluation per Utah Code
1576 Ann. §78B-6-128): The caseworker will ensure that the following requirements are
1577 included in a home study. The home study may be done by Office of Licensing, Child
1578 and Family Services or a DHS home study contract):
- 1579 1. The home study must be completed or updated within 12 months of an adoptive
1580 placement.
- 1581 2. Information gathered in the home study should include the following:
- 1582 a. Criminal background clearances for all adults in the home.
1583 b. Child abuse registry clearances for all adults in the home.
1584 c. Stable marital relationship and/or commitment and stability in existing
1585 family relationships and/or the ability to sustain long-term relationships
1586 that would provide a foundation for an adoptive child.
1587 d. Relationship with the specific child intended to be placed in the home.
1588 e. Commitment to the child as a permanent member of the family.
1589 f. Parenting skills and emotional openness and flexibility to meet the unique
1590 needs of the child.
1591 g. Capacity, proper motivation, and realistic expectations of the specific
1592 child who has experienced trauma and other effects of abuse and neglect
1593 and may have other special needs.
1594 h. How children living in the home will be affected by the placement of the
1595 child.
1596 i. How the kinship caregiver will preserve the child's family connections
1597 and culture.
1598 j. How supervision for the child will be arranged in accordance with the
1599 child's age and developmental ability at times when the kinship caregiver
1600 is not able to be in the home.
1601 k. Who would take over care of the child if for some reason the current
1602 caregiver is no longer able to be the primary caregiver.
1603 l. Kinship caregiver/friend's current physical and mental health, including
1604 health conditions, history, medications, and treatment of any family
1605 member in the home and how these might affect ability to care for the
1606 child. Both the primary caregiver and the spouse/partner (if applicable)
1607 will fill out their portion of the approved Office of Licensing Medical
1608 form and provide this form to their doctor to be completed and faxed back
1609 to the home study worker.
1610 m. The kinship caregiver/friend's financial capacity, including occupational
1611 information and length of time on the job, how the kinship

- 1612 caregiver/friend's employment affects their ability to care for the child in
1613 either positive and/or negative ways, earnings, and ability to meet their
1614 own financial needs and needs of the child without being dependent on
1615 foster care payments
- 1616 n. Home and neighborhood description, including the length of time the
1617 kinship caregiver/friend has lived in the current home, sleeping
1618 arrangements for the child and other ways the home might accommodate
1619 the child's needs, benefits or risks for children including people who may
1620 have regular access to the child, and a list of schools in the area.
- 1621 o. Social support system for both the parent and child.
- 1622 p. Knowledge of resources to help raise a child.
- 1623 q. Factors that may be barriers and contribute to disruption including:
- 1624 (1) History of emotional or psychological problems or substance
1625 abuse.
- 1626 (2) Marital or relationship difficulties and incompatibilities that
1627 seriously compromise the ability to meet the needs of the child.
- 1628 (3) Serious problems in child rearing.
- 1629 (4) Unrealistic expectations of self and child.
- 1630 (5) Disruptive and/or crisis filled lifestyle.
- 1631 (6) Criminal activity.
- 1632 3. For information on how and when to release the home study, refer to Practice
1633 Guidelines [Section 305.6](#).
- 1634
- 1635 G. Educating the kinship caregiver/friend: Concurrently as the Child-Specific Home Study
1636 is conducted, the kinship home study caseworker will educate the kinship
1637 caregiver/friend about expectations of caring for a child who is under the jurisdiction of
1638 the court, including:
- 1639 1. Carrying out the orders of the court.
- 1640 2. Working toward the child's permanency goal.
- 1641 3. Meeting the needs of the child while in their care.
- 1642 4. Being involved in the Child and Family Team process.
- 1643 5. Complying with Child and Family Services requirements, such as visits with
1644 caseworkers, the child's visits with parents and siblings, maintaining the home-to-
1645 home book, role of the GAL, health care visits, and education.
- 1646
- 1647 H. Information about the child will be given to the kinship caregiver/friend: The caseworker
1648 and other team members will discuss with the kinship caregiver/friend information the
1649 caseworker knows about the child and is relevant to the child's care, including medical,
1650 dental, education, mental health, and any behavioral issues or special needs the child may
1651 have. Best practice is allowing the kinship caregiver/friend an opportunity to review the
1652 child's file before making any long-term decisions to care for the child. If the kinship
1653 caregiver/friend is a licensed foster parent, refer to Practice Guidelines [Section 301.4](#) for
1654 details about the information that may be shared with the kinship caregiver/friend.

- 1655 1. The file may have limited information. However, it is important to share any
1656 relevant information that may help the relatives decide if they have the skills and
1657 supports to raise the child. When a child has an existing file, the caseworker will
1658 inform the relatives that the information in the file is often subjective opinions of
1659 the caseworker or therapist written at one time in the child's life. In addition,
1660 circumstances that occur in a given time in the child's development can change
1661 the way a child behaves and adjusts to life situations. For instance, the child may
1662 have received many different mental health diagnoses. The mental health
1663 diagnoses in a child's file are affected by each therapist's interpretation, the
1664 child's developmental stage, factors in the child's environment, and different life
1665 circumstances.
- 1666 2. The following guidelines will be used when the potential kinship caregiver/friend
1667 views the child's file.
- 1668 a. Appropriate information about the child will be shared; however, neither
1669 the biological parents' nor prior foster parents' medical, psychiatric,
1670 psychological, or other personal information will be disclosed to the
1671 relative.
- 1672 b. Child and Family Services must use prudent judgment in helping a kinship
1673 caregiver/friend have information about the child that may be important
1674 for the permanency and stability of the child's placement. Parents'
1675 confidential information that may be important to caring for a child could
1676 be shared in general non-identifying ways. For example, if a parent's
1677 psychological diagnosis indicates schizophrenia, this specific information
1678 about the parent cannot be disclosed to the relatives. However,
1679 information regarding schizophrenia in general can be discussed.
- 1680 c. Child and Family Services file review guidelines:
- 1681 (1) The confidentiality agreement (SAFE form DCFS02) must be
1682 signed. Special care will be given to addressing the sensitive
1683 nature of confidential information about a child's family member.
- 1684 (2) The caseworker will orient the kinship caregiver/friend to the
1685 structure of the files and where information is located.
- 1686 (3) The caseworker will instruct the kinship caregiver/friend to
1687 consider specific types of information when available, such as
1688 medical conditions, developmental delays, disabilities, mental
1689 health diagnoses, placements and transfers, educational needs, and
1690 other considerations for the child.
- 1691 (4) If a child has an existing file, the kinship caregiver/friend will want
1692 to look for specific information in the file that will be important in
1693 caring for the child. (*Red italic script* identifies information the
1694 caseworker will copy for the kinship caregiver/friend review.)
- 1695 (a) Medical Information: *Immunizations, all allergies*
1696 *including food allergies*, disabilities and treatments, current
1697 medications and implications of discontinuing medications,
1698 history of illnesses, conditions from abuse or neglect,

- 1699 serious accidents, surgeries, past doctors, and hospital of
1700 birth.
- 1701 (b) Dental Information: Dental records, *past dentists*,
1702 orthodontic work, and *orthodontist*.
- 1703 (c) Educational Information: *Schools and grades, evaluations,*
1704 *special education plans such as Individual Education Plans*
1705 *(IEPs) or Student Education and Occupational Plans*
1706 *(SEOPs), learning disability including specific disability,*
1707 *and test results.*
- 1708 (d) Mental Health Information: *Current and prior therapists*
1709 and history of treatment, current and past medications,
1710 current and past diagnoses, including what the diagnoses
1711 means in raising a child. The kinship caregiver/friend will
1712 be encouraged to talk directly with the child's mental
1713 health therapist when possible about how behaviors are
1714 connected with the diagnoses and how behaviors are best
1715 dealt with.
- 1716 (e) Family History: *Health Data Report from SAFE*, culture,
1717 family situation, moves or stability factors, abuse and
1718 neglect history, domestic violence, reason for the child's
1719 removal from their biological family, *genogram including*
1720 *the siblings (with their birth dates), and timelines.* Family
1721 members' talents, hobbies, and interests. *Family photos*
1722 *and letters, if available.*
- 1723 d. After the kinship caregiver/friend has looked through the file, the
1724 caseworker will:
- 1725 (1) Talk with the kinship caregiver/friend about what they
1726 found in the file. Give them health and mental health
1727 diagnoses summary sheets, and answer questions they may
1728 have.
- 1729 (2) Share helpful websites such as:
- 1730 (a) American Academy of Child & Adolescent
1731 Psychiatry: www.aacap.org.
- 1732 (b) American Psychological Association:
1733 www.apa.org.
- 1734 (c) American Academy of Pediatrics: www.aap.org.
- 1735 (d) Substance Abuse and Mental Health Services
1736 Administration: www.samhsa.gov.
- 1737 (3) Give the kinship caregiver/friend time to process what they
1738 have learned. Encourage them to set another appointment
1739 to talk and ask other questions.
- 1740 (4) Help the kinship caregiver/friend know the importance of
1741 keeping the child's information and history.

- 1742 (5) Encourage the kinship caregiver/friend to review the
1743 child's file at intervals, especially after the child has been
1744 with the family for a couple of months.
- 1745 3. After disclosure, the caseworker will confirm with the kinship
1746 caregiver/friend their ability and willingness to become the placement
1747 option for the child.
1748
- 1749 I. Assessing Current Supports: Concurrently as the Child-Specific Home Study is
1750 conducted, the kinship home study caseworker will help the kinship caregiver/friend
1751 assess current resources that may be available to assist them in providing a stable
1752 placement for the child, which may include:
- 1753 1. Assistance for a specified relative from DWS for financial assistance (for those
1754 that fit the definition of a relative).
- 1755 2. Health care resources, such as Medicaid, CHIP, or the family's health insurance.
- 1756 3. Caregiver support groups such as the Utah Foster Care support groups and
1757 Grandfamilies.
- 1758 4. Informal supports such as community, schools, church, friends, and extended
1759 family.
1760
- 1761 J. Ongoing Care of the Child: If the kinship caregiver/friend who is a licensed foster parent
1762 was the Preliminary Placement, the caseworker will assess with the kinship
1763 caregiver/friend and the Child and Family Team the kinship caregiver/friend's desire and
1764 ability to provide ongoing care for the child.
1765
- 1766 K. Licensing or Temporary Guardianship: If the kinship caregiver is an unlicensed relative,
1767 concurrently as the Child-Specific Home Study is conducted, the kinship home study
1768 caseworker will provide information to the kinship caregiver to assist them in assessing
1769 and comparing the possible resource supports and responsibilities associated with the
1770 options of becoming a licensed foster parent or requesting temporary guardianship for
1771 ongoing care of the child. If the kinship caregiver is a non-custodial parent, the
1772 discussion will be limited to consideration for requesting temporary guardianship. If the
1773 caregiver is an unlicensed friend identified by the parent, they are required to become
1774 licensed within six months or sooner of the child being placed with them, and Child and
1775 Family Services may not recommend the option of taking temporary guardianship of the
1776 child.
- 1777 1. Discuss with the kinship caregiver/friend the advantages and responsibilities of
1778 becoming a licensed foster care placement for the child.
- 1779 a. Resources and advantages include:
- 1780 (1) Monthly foster care payment.
- 1781 (2) Medicaid maintained by Child and Family Services to cover
1782 medical, dental, and mental health needs.
- 1783 (3) Child and Family Services Resource Family Consultant help.
- 1784 (4) Educational opportunities for meeting the needs of the child.
- 1785 (5) Cluster support groups.

- 1786 (6) Family's own informal support network, such as community,
1787 schools, church, and extended family.
1788 (7) Respite care
1789 (8) If the child's permanency goal changes to adoption, the AAG will
1790 facilitate a process for termination of parental rights and the child
1791 will be assessed for monthly adoption assistance.
1792 b. Requirements to become a licensed foster parent include:
1793 (1) If married, both kinship caregivers/friends will complete the
1794 required training provided for kinship caregivers/friends through
1795 the current contractor for training, recruitment, and retention
1796 services.
1797 (2) All licensing requirements must be met including submission of an
1798 application, financial and medical documentation, obtaining
1799 written references, questionnaires, and safety home inspection.
1800 2. Discussing with the kinship caregiver the advantages and responsibilities of
1801 becoming a kinship caregiver and the process to request temporary guardianship
1802 of the child from the court. (Unlicensed friends identified by the parents as
1803 caregivers for the child will not be recommended by Child and Family Services
1804 for temporary guardianship and will be given instructions on becoming licensed
1805 foster parents.) Resources may include:
1806 a. Financial assistance for a specified relative (or from public assistance for a
1807 non-custodial parent) from DWS or child support from ORS.
1808 b. Medicaid or CHIP for the child or a private health insurance plan of the
1809 kinship caregiver to cover the child's medical, dental, and mental health
1810 needs.
1811 c. Support groups through the private provider, Grandfamilies, and/or other
1812 sources.
1813 d. Family's own informal support network, such as community, schools,
1814 church, friends, and extended family.
1815
1816 L. Initiating the Process to Apply to Become a Licensed Foster Parent: In order for the
1817 kinship caregiver/friend to apply to become a licensed child-specific foster parent, the
1818 caseworker or region kinship consultant will follow Practice Guidelines [Section 503.1](#)
1819 meeting current Utah Office of Licensing requirements. The region kinship supervisor or
1820 designated person will send a Request for Licensing a Child Specific Foster Home with
1821 the home study documentation to the Office of Licensing. The Office of Licensing will
1822 issue a provisional license when all of the necessary documentation is received from the
1823 kinship/specific caregiver and will work with the family to complete the licensing
1824 process. The caseworker will encourage the family to complete licensing requirements,
1825 including training, before the provisional license expires five months from the date of the
1826 provisional license being issued.
1827

1828 **503.2 Child And Family Services Support Of The Kinship**
1829 **Caregiver/Friend While The Child Is In Child And Family Services Custody**
1830

- 1831 A. The region in which the kinship caregiver/friend resides will support the kinship
1832 caregiver/friend in responding to urgent concerns or accessing local resources (such as
1833 Medicaid and Specified Relative Grant through DWS, establishing a local Child and
1834 Family Team or Utah Foster Care clusters).
1835
- 1836 B. If the kinship caregiver/friend lives in a different region than the region with jurisdiction
1837 over the child, the caseworker/kinship worker will send a Request for Kinship Support
1838 Services to the kinship supervisor in the sending region. The kinship supervisor will send
1839 the request to the region kinship supervisor in the region where the prospective caregiver
1840 resides to complete the evaluation.
1841
- 1842 C. The region that has jurisdiction for the child is responsible for supporting limited
1843 financial needs of the child that cannot be met by the kinship caregiver/friend (such as
1844 mileage, special needs payments, or MI706).
1845

1846 **504 Kinship Background Screening Process**

1847 Major objectives:

- 1849 A. Child and Family Services is authorized to conduct background screening for the purpose
1850 of assessing safety and threat of harm to a child when considering Preliminary Placement
1851 with a kinship caregiver for a child in agency custody.
- 1852 B. Child and Family Services will coordinate with the Office of Licensing to complete the
1853 background screening process for a kinship caregiver after Preliminary Placement has
1854 been made.
- 1855 C. A region Terminal Agency Coordinator (TAC) or alternate will complete background
1856 screening and will do an initial analysis of results.
- 1857 D. A region background screening committee will be established in each region to review
1858 background screening for Preliminary Placement.
- 1859 E. Background screening results will be safeguarded and disseminated only to those
1860 authorized to receive the information, in accordance with the Bureau of Criminal
1861 Identification (BCI) policies.

1862 **Applicable Law**

1863 Utah Code Ann. [§62A-2-120](#). Criminal background checks – Direct access to children or
1864 vulnerable adults.

1865 Utah Code Ann. [§62A-4a-202.1](#). Entering home of a child – Taking a child into protective
1866 custody – Caseworker accompanied by peace officer – Preventive services – Shelter facility or
1867 emergency placement.

1868 Utah Code Ann. [§62A-4a-209](#). Emergency placement.

1869 Utah Code Ann. [§62A-4a Part 7](#). Interstate Compact on the Placement of Children.

1870 Utah Code Ann. [§78A-6-306](#). Shelter hearing.

1871 Utah Code Ann. [§78A-6-307](#). Shelter hearing – Placement – DCFS custody.

1872 Utah Code Ann. [§78A-6-307.5](#). Post-shelter hearing placement of a child who is in division
1873 custody.

1874 Utah Code Ann. [§78A-6-308](#). Criminal background checks necessary prior to out-of-home
1875 placement.

1876 U.S. Code [Title 25, Chapter 21](#). Indian Child Welfare.

1877 **504.1 Kinship Background Screening Process – Authority And Uses**

1878 A. Authority:

- 1879 1. The BCI within the Department of Public Safety maintains criminal records in
1880 Utah. Child and Family Services accesses both Utah and national fingerprint-

- 1889 based criminal records through BCI in accordance with federal and state laws and
1890 BCI policies.
1891 2. Utah Code Ann. [§62A-4a-202.4](#), [§62A-4a-209](#), [§78A-6-307](#), and [§78A-6-308](#)
1892 authorize Child and Family Services to complete background screening for
1893 potential kinship caregiver/friends of children in custody.
1894 3. The Office of Licensing will complete the background screening process for
1895 kinship caregiver/friends after Child and Family Services has conducted the non-
1896 fingerprint-based check for Preliminary Placement.
1897

1898 B. Uses of Background Screening Results in Kinship Care:

- 1899 1. Background screening conducted by the TAC/alternate or reviewed by the Region
1900 Background Screening Committee is used to help assess safety and threat of harm
1901 to a child for the purpose of approving or denying a Preliminary Placement.
1902 2. Background screening conducted by Office of Licensing is used to help confirm
1903 the appropriateness of a Preliminary Placement and as part of the Child-Specific
1904 Home Study and safety assessment for evaluation of a kinship caregiver/friend's
1905 capacity for ongoing care of the child. Office of Licensing background screening
1906 results may also be used for the purpose of a foster care license, subsequent
1907 adoption (if within 18 months of when the background screening was originally
1908 approved and there is no reason to believe the background screening is
1909 incomplete), or for a recommendation to the court for temporary guardianship.
1910

1911 **504.2 Kinship Background Screening Process – Expedited Request For**
1912 **Initial Background Screening For Preliminary Placement**

1913
1914 A caseworker may request to expedite the initial background screening for Preliminary
1915 Placement verbally. Steps to expedite background screening include:

- 1916
1917 A. The caseworker will obtain and write down the following information for the kinship
1918 caregiver/friend and for all adults age 18 years and older residing in the home on the
1919 Expedited Background Screening for Preliminary Placement form (SAFE KBS00):
1920 1. Name, including correct spelling of first, middle, last, maiden, alias, and previous
1921 married names.
1922 2. Social Security number, if a number has been issued.
1923 3. Date of birth.
1924 4. Relationship to the child.
1925
1926 B. The caseworker will view the photo identification of the kinship caregiver and other
1927 adults age 18 years and older in the home to ensure the photo is of the same individual,
1928 and spelling of name, date of birth, and if listed, Social Security number are correct. The
1929 caseworker will also verify that the ID is not expired. Driver privilege cards and school
1930 IDs are not acceptable identification. The caseworker will document on the form that this
1931 has been completed.
1932

- 1933 C. The caseworker will have the kinship caregiver/friend and each adult review and sign the
1934 form to verify that the information is correct and that Child and Family Services is
1935 authorized to conduct background screening for the purpose of Preliminary Placement.
1936
- 1937 D. The caseworker will request initial background screening for Preliminary Placement
1938 through an authorized TAC or designated alternate.
1939 1. For on-call background screenings for Preliminary Placements, contact Intake
1940 2. If a request is made after hours to Intake, background screening documentation
1941 will be sent the next business day by the caseworker who requested the
1942 background screening to the TAC/alternate in the region where the kinship
1943 caregiver/friend resides. The TAC/alternate in the sending region may retain a
1944 copy of the documentation in a locked file for audit purposes.
1945 3. The Intake worker who completed the background screening will document in a
1946 dissemination log that the background screening was completed.
1947
- 1948 E. The caseworker will provide the identifying information to the TAC/alternate by phone,
1949 email through state email, fax, or in person.
1950 1. The caseworker will give the TAC/alternate the name of the child being
1951 considered for placement and, if known, the child's date of birth, SAFE case
1952 number if a case is open, and if an out of region request, the caseworker's region
1953 and kinship caregiver/friend's region of residence.
1954 2. The caseworker will give the TAC/alternate the information provided by the
1955 kinship caregiver/friend for all adults in the home, including the correct spelling
1956 for all names, and will verify to the TAC/alternate that each of the adults in the
1957 home signed the Expedited Background Screening for Preliminary Placement
1958 form.
1959 3. As follow-up to a verbal, emailed, or faxed request, the caseworker will send the
1960 TAC the original Expedited Background Screening for Preliminary Placement
1961 form signed by the kinship caregiver/friend and adults in the home and by the
1962 caseworker.
1963
- 1964 F. The caseworker will notify the kinship caregiver/friend that this expedited background
1965 screening is preliminary and that the kinship caregiver/friend and other adults age 18
1966 years and older in the home must also complete additional background screening
1967 requirements to complete the process (see Practice Guidelines [Section 504.3](#)).
1968
- 1969 G. The TAC/alternate may notify the caseworker verbally if the background screening was
1970 approved, needs further review, is denied, or could not be completed based upon the
1971 verbal information presented. Specific details may be provided according to
1972 dissemination policies in practice guideline [Section 504.11](#).
1973
- 1974 H. If the result of the background screening is a mandatory denial then the TAC/alternate
1975 will send a denial letter to the applicant.
1976

1977 **504.3 Kinship Background Screening Process – Initiating Background**
1978 **Screening For Preliminary Placements And Ongoing Care**
1979

1980 The following steps are required before the kinship caregiver background screening is complete.
1981 If expedited background screening was used, these steps are required as follow-up to the
1982 expedited process. If expedited background screening was not used, these steps will initiate
1983 ongoing background screening.
1984

1985 A. Caseworker Responsibilities:

- 1986 1. The caseworker is responsible to ensure that required background screening is
1987 completed for all adults in the home. Another caseworker, such as a supervisor,
1988 region kinship consultant, or senior assistant caseworker, may assist with the tasks
1989 described below.
1990 2. The caseworker will notify the kinship caregiver of background screening
1991 requirements and processes.
1992 3. The caseworker will print the Kinship Background Screening Application (SAFE
1993 KBS01) from SAFE and will write on Page Two of the application the
1994 caseworker name and child's name, date of birth, and SAFE case number.
1995 4. The caseworker will make copies of the application for the kinship caregiver and
1996 all persons age 18 and older living in the home and will provide them written
1997 instructions for completing the background screening process, including how to
1998 access Live Scan or to submit hard copy fingerprint cards.
1999 5. The caseworker will follow up to ensure the application and fingerprints were
2000 submitted.
2001

2002 B. Kinship Caregiver Responsibilities:

- 2003 1. The kinship caregiver and each adult age 18 years or older residing in the home
2004 must obtain the Kinship Background Screening Application (SAFE KBS01) from
2005 the caseworker, complete the application following instructions on the form,
2006 submit copies of photo identification and Social Security cards, and bring it to the
2007 Child and Family Services office.
2008 2. The kinship caregiver and any other adults age 18 years and older living in the
2009 home must submit fingerprints for an FBI national criminal records check.
2010 a. Fingerprints may be submitted using Live Scan at Child and Family
2011 Services offices, following the procedures described below. The kinship
2012 caregiver or adults in the home are responsible to pay the fee for scanning
2013 the prints.
2014 b. Fingerprints may be submitted using hard copy fingerprint cards,
2015 following the procedures described below. The kinship caregiver or adults
2016 in the home are responsible to pay the fee for having the prints rolled by a
2017 law enforcement agency or BCI and to pay the transmitting fee for
2018 scanning the fingerprint cards.
2019 c. Live Scan or submission of fingerprint cards must be completed no later
2020 than 10 business days after the child's placement in the home.

- 2021
2022 C. Live Scan Process:
2023 1. Live Scan Operators. Live Scan operators are designated by the region and must
2024 receive training on scanning fingerprints and submitting Live Scan data from
2025 qualified persons, such as BCI trainers or other qualified Live Scan operators.
2026 The region will notify the Background Screening Coordinator at the State Office
2027 when making a change in Live Scan operators. Live Scan operators are
2028 responsible to verify applicant identity and to electronically scan and submit
2029 fingerprints of background screening applicants to the BCI.
2030 2. Live Scan Appointment. Persons required to have a fingerprint-based background
2031 screening will schedule an appointment for Live Scan by phone in advance. The
2032 Kinship Background Screening Application (SAFE KBS01) must be completed
2033 prior to the appointment.
2034 3. What Individuals Must Bring for Live Scan. Persons required to have a
2035 fingerprint-based background screening will bring the following with them to
2036 their Live Scan appointment:
2037 a. Original Kinship Background Screening Application (SAFE KBS01)
2038 completed and signed.
2039 b. Photo Identification. This must be a current photo identification issued by
2040 a state or federal government such as a driver license or identification card
2041 issued by Department of Motor Vehicles or issued by the United States
2042 government such as a passport. School identification and driver privilege
2043 cards are not acceptable. If no United States identification is available,
2044 current photo identification issued by the government of another country
2045 may be used. If photo identification has expired, Live Scan cannot be
2046 completed.
2047 c. Social Security card, if available at time of appointment.
2048 d. Fee to scan the prints. Each person is required to pay a fee to have
2049 fingerprints scanned. Payments must be by cashier's check or money
2050 order payable to Department of Human Services. Some offices also
2051 accept cash.
2052 4. Live Scan Process. The Live Scan operator will complete the following steps for
2053 the Live Scan process:
2054 a. Prepare the Live Scan Authorization Form.
2055 b. Hand out a copy of the FBI Privacy Rights to the Live Scan applicant.
2056 c. Receive payment.
2057 d. Verify and make an enlarged, clear copy of photo identification and Social
2058 Security card. (If expiration date or corrections are listed on back, copy
2059 both sides of identification.)
2060 e. Document Live Scan billing code, Live Scan operator's initials, and date
2061 of Live Scan submission on the second page of the Kinship Background
2062 Screening Application.

- 2063 f. Send the original Kinship Background Screening Application and a clear
2064 copy of both sides of photo identification and Social Security card to the
2065 regional TAC.
2066 g. Scan and email a copy of the Live Scan Authorization Form to the
2067 Background Screening Coordinator.
2068

2069 D. Hard Copy Fingerprint Card Process:

- 2070 1. Obtain Copy of Fingerprint Cards: If any persons who need a fingerprint-based
2071 check do not have access to a Child and Family Services Live Scan location, they
2072 can submit two hard copy 10-print fingerprint cards. Each person is responsible
2073 to go to a law enforcement agency or other agency approved by the BCI to have
2074 their fingerprints rolled on a 10-print fingerprint card. Each person is responsible
2075 to pay the cost charged by the agency to have the fingerprint rolled. Photo
2076 identification will be required.
2077 2. Submission of the Fingerprint Cards and Payment for Submission:
2078 a. The kinship caregiver or adult in the home will submit to the caseworker
2079 the Kinship Background Screening Application (SAFE KBS01), copy of
2080 photo identification, Social Security card, two sets of fingerprint cards,
2081 Live Scan Authorization Form, and payment for fee to scan and transmit
2082 the fingerprint cards.
2083 b. The caseworker will give the application, fingerprint cards, copies of
2084 photo identification and Social Security card, Live Scan Authorization
2085 Form, and payments to the region TAC.
2086 c. The region TAC will submit all of the above paperwork, except the
2087 payment, to the State Office background screening coordinator.
2088

2089 **504.4 Conducting Background Screening – TAC/Alternate**

2090
2091 The region director will designate the region's TAC and any alternates. Each TAC/alternate
2092 must receive approval and training to conduct background screening through the Background
2093 Screening Coordinator at the Child and Family Services State Office and through BCI, and must
2094 have an approved fingerprint-based national criminal history check submitted through BCI to the
2095 FBI.

2096
2097 The TAC/alternate will conduct background screening for each kinship caregiver and adult age
2098 18 years and older in the home (referred to below as "applicant") to identify if an adult or child
2099 abuse or neglect finding or criminal history record exists for each applicant.
2100

- 2101 A. Verify Identity: The TAC/alternate will make a "good faith" effort to determine that the
2102 identification and information submitted for each applicant is valid and does not appear
2103 to be forged or altered, based upon review of the applicant information on any
2104 background screening application submitted and photo identification. If background
2105 screening for a Preliminary Placement is being conducted based upon an expedited verbal
2106 request, the effort to verify identity will be completed based upon information available

- 2107 in data systems and upon post-screening review of the application and photo
2108 identification after submission by the caseworker or Live Scan operator.
2109
- 2110 B. Child Abuse and Criminal Record Checks: The TAC/alternate will research the systems
2111 listed below, in accordance with laws and policies authorizing Child and Family Services
2112 to access these records, to determine if an applicant has child or adult abuse or neglect
2113 findings or a criminal history.
- 2114 1. Preliminary Placement Background Screening - Utah Criminal Justice
2115 Information System (UCJIS):
- 2116 a. UCJIS is searched to determine if the applicant has criminal convictions or
2117 patterns of arrests or convictions that indicate a likely threat to safety of a
2118 child. Analysis will be based upon statutory criteria specified in Utah
2119 Code Ann. [§62A-2-120](#).
- 2120 b. Utah Criminal History reports are run with a purpose code X if the
2121 background screening is occurring BEFORE the shelter hearing and the
2122 child is in the custody of Child and Family Services. The SAFE case
2123 number will be entered into the audit field. If no SAFE case number has
2124 been established, enter 111 (number one repeated three times) and the
2125 child's name in the audit field. Purpose code C is used if the background
2126 screening is occurring AFTER the shelter hearing or if child is not yet in
2127 the custody of Child and Family Services.
- 2128 2. Preliminary Placement Background Screening – SAFE Management Information
2129 System and Licensing Information System: The SAFE Management Information
2130 System and Licensing Information System is searched for the following:
- 2131 a. To determine if the applicant has findings of a severe type of child abuse
2132 or neglect as defined in Utah Code Ann. [§62A-4a-1002](#) accessible in the
2133 LIS portion of SAFE, or if other child welfare or domestic violence case
2134 history or patterns of behavior may pose a likely threat to the safety of a
2135 child.
- 2136 b. To determine if the applicant has findings of adult abuse.
- 2137 3. Preliminary Placement Background Screening-Juvenile Criminal History:
- 2138 a. To determine if the applicant has juvenile criminal convictions or patterns
2139 of arrests or convictions that indicate a likely threat to safety of a child.
2140 Analysis will be based upon statutory criteria specified in Utah Code Ann.
2141 [§62A-2-120](#).
- 2142 4. Preliminary Placement Background Screening-Federal Name Based Check
2143 through Interstate Identification Index (III):
- 2144 a. This check only applies for an expedited background screening on a
2145 kinship caregiver friend if the background screening is occurring
2146 BEFORE the shelter hearing as per emergency statute [§62A-4a-209](#).
- 2147 b. To determine if the applicant has criminal convictions or patterns of
2148 arrests or convictions that indicate a likely threat to safety of a child.
2149 Analysis will be based upon statutory criteria specified in Utah Code Ann.
2150 [§62A-2-120](#).

- 2151 5. Preliminary Placement Background Screening-Fingerprint-Based:
2152 a. This check applies for a preliminary placement with a kinship caregiver
2153 friend when placing with a friend AFTER shelter hearing as per shelter
2154 hearing statute [§78A-6-307](#).
2155 b. Fingerprint-based FBI national criminal history records are checked to
2156 determine if the applicant has criminal convictions or patterns of
2157 convictions that indicate a likely threat to safety of a child. Analysis will
2158 be based upon statutory criteria specified in Utah Code Ann. [§62A-2-120](#).
2159 6. Completing Ongoing Background Screening – Fingerprint-Based Check:
2160 a. If fingerprinting has not already occurred, fingerprint-based FBI national
2161 criminal history records are checked to determine if the applicant has
2162 criminal convictions or patterns of convictions that indicate a likely threat
2163 to the safety of a child. Analysis will be based upon statutory criteria
2164 specified in Utah Code Ann. [§62A-2-120](#).
2165 b. Live Scan results of multi-state and FBI national criminal history records
2166 are accessed through BCI/Applicant Background Checks (ABC)
2167 Webpage, which may include obtaining hard copy reports.
2168 (1) If the Live Scan results are “approved,” no history exists.
2169 (2) If the Live Scan results indicate “research,” the TAC/alternate
2170 must wait for either a result of “approved, pending, or needs
2171 agency review” to determine if a criminal history exists.
2172 (3) If Live Scan results indicate “pending or needs agency review,” a
2173 criminal history may exist and a hard copy report must be obtained
2174 by printing the report from the BCI/ABC Webpage to determine if
2175 background screening is approved or denied.
2176 c. If fingerprints were submitted on 10-print fingerprint cards, results will be
2177 accessed through the BCI/ABC Webpage.
2178 7. Completing Ongoing Background Screening – Interstate Child Abuse Registry
2179 Checks:
2180 a. Out of State Child Abuse Registry checks will be conducted for each state
2181 in which an applicant resided in the previous five years to determine if the
2182 applicant has findings of a severe type of child abuse or neglect that are
2183 consistent with those defined in Utah Code Ann. [§62A-4a-1002](#) or if other
2184 child welfare case history or patterns of behavior may pose a threat of
2185 harm to a child.
2186 b. The TAC/alternate will complete and submit the paperwork and any
2187 payments required for the specific state, and if necessary work with the
2188 applicant to obtain state-specific paperwork from them.
2189

2190 **504.5 Conducting Background Screening – Office Of Licensing**

- 2191
2192 A. As the authority to conduct background screening for prospective foster and adoptive
2193 homes, the Office of Licensing will conduct background screening for kinship caregiver

- 2194 and other adults age 18 years and older in the home after Child and Family Services has
2195 completed background screening for Preliminary Placement.
2196
- 2197 B. The regional TAC will compile the background screening application, reports,
2198 documentation submitted by the applicant for review, verify or attach copies of photo
2199 identification and Social Security cards for each kinship caregiver and other adults age 18
2200 and older in the home, and will submit these to the Child and Family Services
2201 background screening coordinator.
2202
- 2203 C. The Child and Family Services Background Screening Coordinator will check the
2204 paperwork submitted, log information received, and submit it to the Office of Licensing
2205 background screening coordinator.
2206
- 2207 D. The Office of Licensing background screening coordinator will return the approved or
2208 denied background screening application to the Child and Family Services Background
2209 Screening Coordinator, and the coordinator will return the approved or denied
2210 background screening application to the regional TAC.
2211
- 2212 E. The regional TAC will disseminate information from the Office of Licensing Screening
2213 according to Practice Guidelines [Section 504.11](#).
2214
- 2215 F. If the kinship caregiver does not have a Social Security Number or an ID that would be
2216 accepted by the Office of Licensing, a variance of [Rule 501-14-3](#) through Office of
2217 Licensing may be requested by submitting the Kinship Background Screening
2218 Application (KBS01) with supporting documentation to the region TAC. The region
2219 TAC will submit the paperwork to the State Office Background Screening Coordinator,
2220 who will coordinate with the Office of Licensing to determine if the information
2221 submitted is sufficient enough to verify identity. The Office of Licensing will determine
2222 if the variance will be accepted.
2223

2224 **504.6 Analysis Of Background Screening Results**

2225
2226 The TAC/alternate will complete an initial analysis of the background screening results to
2227 determine:
2228

- 2229 A. No Criminal History or Child/Adult Abuse or Neglect Findings: If the TAC/alternate
2230 finds NO history from any of the management information systems or hard copy reports,
2231 the TAC/alternate will approve the background screening.
2232
- 2233 B. Criminal History or Abuse or Neglect Findings That Require Mandatory Denial:
- 2234 1. If the TAC/alternate identifies criminal records that require mandatory denial
2235 based upon Utah Code Ann. [§62A-2-120](#), the TAC/alternate may deny
2236 background screening or may staff the report with the Region Background
2237 Screening Committee Chairperson, Background Screening Coordinator, or

- 2238 Kinship Program Administrator to verify accuracy of the decision before denying
2239 the background screening.
2240 2. A child will not be placed in a Preliminary Placement if criminal history requires
2241 mandatory denial. If there is any question about mandatory denial for a
2242 Preliminary Placement, the TAC/alternate will refer the background screening to
2243 the Region Background Screening Committee Chairperson, Background
2244 Screening Coordinator, or Kinship Program Administrator for review and for a
2245 decision to approve or deny background screening for Preliminary Placement.
2246 3. If the result of the background screening is a mandatory denial, the TAC/alternate
2247 will send a denial letter to the applicant.
2248

2249 C. Criminal History or Abuse or Neglect Findings That May Be Approved Without Review:

- 2250 1. If the TAC/alternate identifies child abuse or criminal records that do not require
2251 mandatory denial or that do not fall within the crime or abuse categories or time
2252 periods that are subject to review, based upon Utah Code Ann. [§62A-2-120](#), or
2253 severe types of child abuse or neglect records based upon Utah Code Ann. [§62A-
2254 4a-1002](#), the TAC/alternate may approve the background screening or may staff
2255 the results with a member of the Region Background Screening Committee,
2256 Background Screening Coordinator, or Kinship Program Administrator before
2257 approving the background screening.
2258 2. If there is any question about being able to approve the background screening
2259 without review, the TAC/alternate will refer the background screening to the
2260 Region Background Screening Committee for review and for a decision to
2261 approve or deny background screening for Preliminary Placement.
2262

2263 D. Criminal History or Abuse or Neglect Findings Requiring Further Review Before
2264 Approval or Denial of Background Screening Can Be Determined: If the TAC/alternate
2265 identifies child or adult abuse or criminal records that do not require mandatory denial
2266 but fall within the crime or abuse categories or time periods that are subject to review
2267 based upon Utah Code Ann. [§62A-2-120](#), or severe types of child abuse or neglect
2268 records based upon Utah Code Ann. [§62A-4a-1002](#), the TAC/alternate will refer the
2269 background screening to the Region Background Screening Committee for review and
2270 for a decision to approve or deny the background screening for Preliminary Placement.
2271

2272 **504.7 Documentation Of Results**

2273
2274 A. Documentation of Results on Expedited Kinship Background Screening Form:

- 2275 1. The TAC/alternate will document on the Expedited Kinship Background
2276 Screening form either “yes” or “no” for existence of child abuse or neglect
2277 findings or a criminal history, regardless of whether or not the history affects
2278 approval of the placement. Each entry will be initialed and dated by the
2279 TAC/alternate.
2280 2. In addition, the TAC/alternate will document on the Expedited Kinship
2281 Background Screening form the results of the initial analysis, indicating approved

2282 for no history, approved for records not subject to review, mandatory denial, or
2283 records requiring review. This entry will be initialed and dated by the
2284 TAC/alternate. No specific details of findings or history will be written on the
2285 application. Records will be retained for five years.
2286

2287 B. Region Background Screening Committee: A decision by the Region Background
2288 Screening Committee to approve or deny a background screening application will be
2289 documented by the TAC on the Expedited Kinship Background Screening form with
2290 notes of the committee discussion attached to the original application. No specific details
2291 of findings or history will be written on the Kinship Background Screening form or
2292 committee report. Records will be retained for five years.
2293

2294 C. Supporting Documentation:

2295 1. Supporting documentation will be attached to the original Kinship Background
2296 Screening Application (KBS01) and submitted to the Office of Licensing for their
2297 background screening. Supporting documentation will include Livescan reports
2298 and may include out of state child abuse registry checks, original/certified court
2299 dockets, police reports, etc. The TAC will store a copy of the application and
2300 reports in a locked file. Records will be retained for five years.

2301 2. If fingerprints were submitted through Live Scan, the TAC/alternate will print
2302 Live Scan results with the applicant's identifying information from the BCI/ABC
2303 webpage results:

2304 a. Approved.

2305 b. Pending/Needs Agency Review. Pending/Needs Agency Review indicates
2306 this person may have a criminal history. The hard copy report from Live
2307 Scan when Pending/Needs Agency Review is reported will be printed by
2308 the TAC/alternate from the ABC webpage. The original hard copy report
2309 must be included as supporting documentation for the background
2310 screening, even if the report indicates there is no criminal history.

2311 3. Ten-print fingerprint card results scanned in through the Livescan machine will be
2312 accessible through the BCI/ABC Webpage. Repeat process 2 from above. The
2313 original hard copy report from the 10-print fingerprint check must be included as
2314 supporting documentation, even if the report indicates there is no criminal history.
2315

2316 **504.8 Follow-Up Action For No Disposition, Outstanding Warrant, Or** 2317 **Review**

2318
2319 A. If the criminal history record reports no disposition, an outstanding warrant, or if the
2320 background screening report is subject to review by the Region Background Screening
2321 Committee, Child and Family Services will give the individual an opportunity to provide
2322 additional documentation before making a decision to deny the background screening.
2323

2324 B. A fingerprint-based check will have been completed to verify that the record being
2325 considered belongs to the applicant.

- 2326
2327 C. The TAC/alternate will send a notice to inform the applicant that:
2328 1. The applicant's criminal history or findings of abuse or neglect require further
2329 review.
2330 2. The applicant is encouraged to submit a written statement about the applicant's
2331 age and circumstances under which the offense or incident occurred and to
2332 document rehabilitation, counseling, or psychiatric treatment received, additional
2333 academic or vocational schooling completed since the offense, or other
2334 information that the applicant believes is important for the review.
2335 3. The applicant will obtain court documentation to show final disposition of any
2336 reports for which disposition was not available and documentation that
2337 outstanding warrants have been resolved.
2338 4. All additional information requested from the applicant must be received by Child
2339 and Family Services within 30 calendar days of the written notice.
2340 5. The review being conducted by the regional committee is for the purpose of
2341 Preliminary Placement, and another background screening review may be
2342 required by the Office of Licensing as part of evaluation of their ongoing capacity
2343 to care for the child required by state law.
2344 6. When requested by a caseworker, the regional committee may review the
2345 background screening results for babysitting, visitation, or daycare purposes.
2346

2347 **504.9 Review Of History By The Region Kinship Background Screening** 2348 **Committee For Preliminary Placement** 2349

- 2350 A. When an applicant has a history or findings of abuse or neglect or criminal convictions
2351 that require review before a decision can be made for Preliminary Placement, the Region
2352 Background Screening Committee will conduct the review. The caseworker and/or
2353 supervisor may attend the committee meeting to provide pertinent information from their
2354 assessment of safety but may not be voting members of the background screening
2355 committee to approve or deny the background screening.
2356
2357 B. The region will designate specific members to form a Region Background Screening
2358 Committee, consisting of designated professional staff and alternates who have been
2359 trained in specific rules, statutes, Practice Guidelines, and committee protocol. Eight
2360 members are recommended. Members of the committee may include the region director,
2361 associate region director, program or child welfare administrators, caseworkers,
2362 supervisors, resource family consultants, or clinical consultants.
2363
2364 C. Each member of the Region Background Screening Committee will receive training on
2365 the role of committee members, scope of responsibility for Region Background Screening
2366 Committees, and background screening criteria.
2367
2368 D. At least three members must meet in order to approve or deny an applicant's background
2369 screening, with at least one member being an administrator above a supervisor level. A

- 2370 decision may be based on a simple majority of the voting members. The committee may
2371 meet by telephone, if necessary.
2372
- 2373 E. When the applicant lives in a different region than the region with jurisdiction over the
2374 child, the Region Background Screening Committee where the applicant resides will
2375 conduct the review. It is recommended that the caseworker attend the Region
2376 Background Screening Review by telephone. A member(s) of the Region Background
2377 Screening Committee from the region with jurisdiction over the child may also meet by
2378 telephone, if necessary.
2379
- 2380 F. In the event the Region Background Screening Committee has a conflict of interest in
2381 reviewing an applicant's history, the background screening review may be referred to
2382 another region's Background Screening Review Committee.
2383
- 2384 G. The TAC/alternate will provide available information to the Region Background
2385 Screening Committee including summaries of background screening reports and any
2386 information provided by the applicant. Information will not be sent electronically.
2387 Criminal history reports (rap sheets) will not be distributed to committee members. The
2388 TAC/alternate will maintain a dissemination record to track the names of the persons
2389 receiving the information (including the caseworker/supervisor if they participate in the
2390 screening) and will ensure that all copies of criminal history summaries have been
2391 returned to the TAC at the conclusion of the review.
2392
- 2393 H. The Region Background Screening Committee will act on a background screening
2394 application as soon as possible, but no later than 10 business days of receipt of applicant
2395 information requested for the review, or within 10 days following the time frame allowed
2396 for the applicant to submit their explanatory information.
2397
- 2398 I. The Region Background Screening Committee may request additional information from
2399 the applicant and may defer action on an application until the applicant submits this
2400 information.
2401
- 2402 J. The Region Background Screening Committee will not deny a background screening
2403 application without the region giving the applicant an opportunity to provide information
2404 regarding the history or findings that are being considered.
2405
- 2406 K. The Region Background Screening Committee may approve a report without additional
2407 information from the applicant if the report of history or findings contains sufficient
2408 information to make a decision about likely threat of harm to a child.
2409
- 2410 L. The Region Background Screening Committee may deny a background screening
2411 application in the event that an applicant fails to provide requested information within the
2412 required time frame.
2413

- 2414 M. The Region Background Screening Committee will carefully consider the applicant's
2415 criminal history and/or child or adult abuse or neglect findings along with any
2416 information submitted by the applicant to determine if approval of the background
2417 screening will create a likely threat of harm to a child.
2418
- 2419 N. The review will consider factors such as:
2420 1. The date of the offense or incident;
2421 2. The nature and seriousness of the offense or incident;
2422 3. The circumstances under which the offense or incident occurred;
2423 4. The age of the perpetrator when the offense or incident occurred;
2424 5. Whether the offense or incident directly relates to abuse of a child or vulnerable
2425 adult, including:
2426 a. Actual or threatened non-accidental physical or mental harm;
2427 b. Sexual abuse;
2428 c. Sexual exploitation;
2429 d. Negligent treatment;
2430 6. Any evidence provided by the person of rehabilitation, counseling, or psychiatric
2431 treatment received, or additional academic or vocational schooling completed by
2432 the person, and
2433 7. Any other pertinent information.
2434
- 2435 O. Approval or denial will be determined according to standards established in Utah Code
2436 Ann. [§62A-2-120](#) and Utah Code Ann. [§62A-4a-1002](#). If the committee denies the
2437 background screening, the region TAC or Region Background Screening Committee
2438 Chairperson will send the applicant a Kinship Background Screening Committee denial
2439 letter.
2440
- 2441 P. If the applicant's background has been denied by the Region Background Screening
2442 Committee, a Region Background Screening Committee denial letter will be sent to the
2443 applicant either by the Region Background Screening Committee Chairperson, the region
2444 TAC/alternate, or region-designated person. This notice will not include specific reasons
2445 for the denial.
2446

2447 **504.10 Steps If Background Screening Is Denied After A Child Has Been** 2448 **Placed With A Kinship Caregiver/Friend** 2449

- 2450 A. If a child was placed with a kinship caregiver/friend in an approved Preliminary
2451 Placement, and subsequent background screening of an adult in the home is not
2452 approved, Child and Family Services will:
2453 1. Reassess safety based on safety decision-making (see Practice Guidelines [Section](#)
2454 [507.1](#)).
2455 2. Consult with the AAG and GAL assigned to the case.

-
- 2456 3. Child and Family Services cannot approve ongoing placement of a child in Child
2457 and Family Services custody with a kinship caregiver/friend that does not meet
2458 background screening requirements.
- 2459 4. Evaluate placement options and time frames in terms of immediate threat of harm,
2460 placement stability, and long-term view with the Child and Family Team. The
2461 team will decide if it is in the child's best interest to transition to another
2462 placement or to recommend to the court that guardianship be granted to the
2463 kinship caregiver. If the child is placed with a friend that has been identified by
2464 the parent and the background screening is not approved, the child must be moved
2465 to a new placement as soon as possible, as the friend will not qualify to become a
2466 licensed foster parent. Child and Family Services will not recommend that
2467 temporary guardianship be granted to a friend.
- 2468 5. If guardianship is going to be recommended to the court, educate the court on the
2469 ramifications of granting guardianship without an approved background screening
2470 (e.g., the family will not qualify for adoption assistance if they later decide to
2471 adopt).
- 2472
- 2473 B. Prior to the Child and Family Team Meeting and before requesting a court hearing, the
2474 caseworker will meet with the kinship caregiver to discuss ramifications of taking
2475 guardianship when background screening was not approved (e.g., will not qualify for
2476 adoption assistance if they later choose to adopt) so the decision can be made with full
2477 knowledge of the options.
- 2478
- 2479 C. The Child and Family Team will make every effort to prevent a kinship placement
2480 disruption by providing support to the family and working to overcome any barriers. In
2481 the event that a disruption is imminent, and the child is in a relative placement, the Child
2482 and Family Team will follow Practice Guidelines Section 507.1, Removal of a Child
2483 from the Home of a Foster Care Licensed or Unlicensed Relative Caregiver, and look
2484 back at kinship options and resume search and engagement activities.
- 2485
- 2486 D. If a decision is made to move the child to another placement, the caseworker will work
2487 with the kinship caregiver/friend to transition the child to another appropriate placement
2488 in a time frame consistent with the urgency identified through the safety assessment.
- 2489
- 2490 The caseworker will move the child to another placement and provide written notice of
2491 the change of placement to the court and all parties to the proceedings within three days
2492 of the removal, excluding weekends and holidays.
- 2493
- 2494 E. If the Child and Family Team decides not to recommend that the kinship relative
2495 caregiver be granted guardianship, the caseworker may inform the kinship caregiver of
2496 their option to obtain their own legal counsel to seek temporary guardianship of the child
2497 from the court on their own.
- 2498

2499 **504.11 Communication Of Background Screening Results And**
2500 **Dissemination Of Records**

- 2501
- 2502 A. Background Screening Results to Child and Family Services Staff:
- 2503 1. Expedited Request:
- 2504 a. If the caseworker verbally requested expedited background screening for a
- 2505 Preliminary Placement and communication of the results is urgent, the
- 2506 TAC/alternate may notify the caseworker verbally if the background
- 2507 screening is approved, needs further review, is denied, or could not be
- 2508 completed based upon the verbal information provided.
- 2509 b. The TAC/alternate will not provide specific details to a caseworker about
- 2510 a background screening history that was initiated by a verbal request until
- 2511 the TAC/alternate has received the Kinship Background Screening
- 2512 Application providing written authorization for the screening and photo
- 2513 identification. However, if dissemination of details is urgent to the
- 2514 Preliminary Placement decision, the results may be shared but will be
- 2515 considered tentative.
- 2516 2. UCJIS Report for Utah Criminal History, Juvenile Criminal History, III History,
- 2517 and FBI Reports:
- 2518 a. The TAC/alternate may only communicate details contained in a Utah
- 2519 criminal history, juvenile criminal history, III history, or FBI report
- 2520 obtained through UCJIS or the BCI/ABC Webpage to Child and Family
- 2521 Services staff who are authorized to receive the information (such as
- 2522 caseworker, supervisor, kinship consultant, or background screening
- 2523 committee members who have been trained, tested, and fingerprinted, and
- 2524 who have approved access rights through BCI).
- 2525 b. Any details shared will only be provided in a summary of the original
- 2526 report.
- 2527 c. All details can be shared verbally.
- 2528 d. A dissemination log can be maintained and a dissemination form can be
- 2529 completed to document the name of each person who received the
- 2530 information, if dissemination was verbal or written, date, case number, and
- 2531 signature of caseworker receiving the information. However, this is not
- 2532 mandatory.
- 2533 e. Any information reported prior to the TAC/alternate receiving the
- 2534 background screening application, photo identification, and fingerprint-
- 2535 based report will be considered tentative because positive identification of
- 2536 the applicant and record has not occurred through the fingerprinting
- 2537 process.
- 2538 f. The Utah BCI, juvenile criminal history, III history and FBI reports (rap
- 2539 sheets) may not be provided to staff and will not be transmitted
- 2540 electronically by fax or email and will not be stored in a case file. The
- 2541 TAC/alternate will ensure that any results printed from the UCJIS
- 2542 database or received from an FBI report will be locked in a secure file

- 2543 cabinet or will be shredded after being reviewed. Records will be retained
2544 for five years.
- 2545 3. SAFE Report of Child or Adult Abuse or Neglect: The TAC/alternate may
2546 provide the details of background screening reports obtained in SAFE to the Child
2547 and Family Services caseworker or background screening review committee.
2548
- 2549 B. Background Screening Results to the Court, Attorney General, and GAL:
- 2550 1. The TAC/alternate may provide a written summary of a Utah criminal history, III
2551 history, or FBI report obtained through UCJIS or BCI for the purpose of
2552 placement of children to the court, Attorney General's Office, or GAL.
- 2553 2. Any information reported prior to TAC/alternate receiving the background
2554 screening application, photo identification, and fingerprint-based report will be
2555 considered tentative because positive identification of the applicant and record has
2556 not occurred through the fingerprinting process.
- 2557 3. To disseminate Utah criminal history records to the court, Attorney General's
2558 Office, or GAL, the report will be run again in UCJIS using the purpose code X
2559 and stating the name and title of the judge, AAG, or GAL in the audit field. This
2560 serves as a dissemination log for audit purposes.
- 2561 4. The TAC/alternate or caseworker may provide the details of background
2562 screening reports obtained in SAFE to the court, Attorney General's Office, or
2563 GAL.
2564
- 2565 C. Reporting and Records Dissemination for Region Background Screening Committee:
- 2566 1. Information in Preparation for Committee Review:
- 2567 a. The TAC is responsible to notify the caseworker or designated regional
2568 kinship supervisor that a background screening application requires review
2569 by the Region Background Screening Committee when relevant findings
2570 or history of child abuse or criminal records are found. A summary of the
2571 background screening reports may be provided according to dissemination
2572 procedures for staff.
- 2573 b. The TAC will send the applicant notice of the review and give the
2574 applicant the opportunity to provide additional information required to
2575 complete the review. The notice will also include information about how
2576 the applicant may obtain their own criminal history or SAFE report of
2577 child and adult abuse or neglect findings and steps to take if they believe
2578 there are errors on the background screening report used by Child and
2579 Family Services.
- 2580 c. The TAC will compile and submit required documentation to the Region
2581 Background Screening Committee for their review following
2582 dissemination procedures for staff specified above.
- 2583 2. Information Dissemination Following Committee Review:
- 2584 a. The Region Background Screening Committee is responsible to notify the
2585 TAC and caseworker or regional kinship supervisor of the committee's
2586 decision to approve or deny background screening for Preliminary

- 2587 Placement. Dissemination guidelines must be followed for release of
2588 specific details of an applicant's criminal history.
- 2589 b. The Region Background Screening Committee will return the original and
2590 all copies of the application, report summaries, and supporting
2591 documentation to the TAC to be stored in a locked file or destroyed. The
2592 TAC will retain documentation of the committee decision with the
2593 application and supporting documentation for five years.
- 2594 c. If the Region Background Screening Committee denies the application,
2595 the TAC or Region Background Screening Committee Chairperson will
2596 send a written notice of denial to the applicant. Specific reasons for denial
2597 will not be provided.
- 2598
- 2599 D. Background Screening Application and Supporting Information for Office of Licensing:
- 2600 1. After background screening for Preliminary Placement has been completed and
2601 fingerprint results received, the TAC/alternate will send the Kinship Background
2602 Screening Application, out of state clearances (if applicable), [~~and~~] supporting
2603 documentation (if application), and Live Scan results to the Child and Family
2604 Services Background Screening Coordinator for submission to the Office of
2605 Licensing. The TAC will retain a copy of the information in a locked file until
2606 the stamped Kinship Background Screening Application is returned from the
2607 Background Screening Coordinator, who will record transfer of the information in
2608 the dissemination log.
- 2609 2. The TAC will let the caseworker or regional kinship supervisor know if the Office
2610 of Licensing has approved or denied the background screening application. The
2611 TAC/alternate will retain the original Kinship Background Screening Application.
2612 A copy of the application will be sent to the kinship home study caseworker to be
2613 retained with the Child-Specific Home Study.
- 2614 3. If the kinship caregiver applies for a foster care license, a copy of the approved
2615 background screening application will be submitted to the local licenser for the
2616 Office of Licensing with the Child-Specific Home Study.
- 2617 4. Summaries of background screening reports may be communicated to the kinship
2618 home study caseworker for consideration of safety as part of the home study
2619 process following dissemination procedures. Specific background screening
2620 details will not be included in the kinship home study report.
- 2621 5. Background screening reports and supporting documentation will not be
2622 submitted to local licenser.
- 2623
- 2624 E. Reporting of Background Screening Status and Results to the Applicant:
- 2625 1. The caseworker is responsible to keep the applicant informed regarding the status
2626 of background screening; specifically, if background screening is approved,
2627 denied, or requires further review. However, the caseworker is prohibited from
2628 reporting details of findings or history to the applicant, in accordance with BCI
2629 policies.

- 2630 2. The caseworker may give the applicant information about how to obtain their own
2631 criminal history or SAFE report of child or adult abuse or neglect findings.
2632 3. The TAC/alternate will notify the applicant of the opportunity to provide further
2633 information if background screening for Preliminary Placement is going to be
2634 reviewed by the Region Background Screening Committee and will send a written
2635 notice if denied.
2636

2637 **505** (NO LONGER USED)
2638

2639 **506 Temporary Guardianship With The Kinship Caregiver And**
2640 **Court-Ordered Kinship Support Services**

2641 Major objectives:

2642 The Child and Family Services caseworker may recommend to the court that the child be placed
2643 in the temporary guardianship of a kinship caregiver and that Child and Family Services provide
2644 a comprehensive array of kinship support services to the child, the kinship caregiver, and the
2645 parent. Friends identified by the parents as caregivers for the child and with whom the child was
2646 placed in a Preliminary Placement but are not licensed foster parents at time the child is placed
2647 are not eligible for temporary guardianship unless court ordered and Child and Family Services
2648 will recommend that friends become licensed foster parents.
2649

2650
2651
2652 **Applicable Law**

2653 Utah Code Ann. [§62A-4a-105](#). Division responsibilities.
2654

2655 Practice Guidelines

- 2656 A. Temporary guardianship to the kinship caregiver and court-ordered kinship support
2657 services may be recommended to the court when the initial permanency goal is
2658 reunification and the kinship caregiver has agreed to:
- 2659 1. Work with the parent and Child and Family Services to reunify the child with the
2660 parent.
 - 2661 2. Cooperate with Child and Family Services, the GAL, the AAG, and other support
2662 agencies.
 - 2663 3. Follow all court orders.
 - 2664 4. Commit to the long-term permanency plan, which may include adoption or
2665 permanent guardianship of the child by the kinship caregiver.
 - 2666 5. Resist and report inappropriate and unauthorized requests by the parent for access
2667 to the child.
 - 2668 6. Commit to protect and care for the child as long as necessary.
 - 2669 7. Provide a secure and stable environment for the child.
- 2670
- 2671 B. The kinship caregiver needs to have the ability, commitment, and resources to access and
2672 use the services needed to address the child's developmental, mental health, educational,
2673 or medical needs.
2674
- 2675 C. The Child and Family Services caseworker needs to provide the kinship caregiver with
2676 the following supports and services to meet the child's needs, assist the child's parents,
2677 and meet the relative's needs as caregivers:
- 2678 1. Provide kinship support services for a minimum of six months unless otherwise
2679 ordered by the court.
 - 2680 2. Contact the kinship caregiver within five working days of placement and visit the
2681 kinship caregiver's home within 10 working days of placement to:
 - 2682 a. Observe the conditions and circumstances of the kinship caregiver's home.

- 2727 will be incorporated into the service plan and monitored by the caseworker. The
2728 Child and Family Services caseworker will report to the court, the GAL, and the
2729 AAG the status of the assessments.
- 2730 2. Conduct a minimum of one visit per month with the child (this may occur at the
2731 same time as the visit with the kinship caregiver). The Child and Family Services
2732 caseworker will visit with the child outside the presence of the kinship caregiver
2733 to help assure that the child has a safe and healthy relationship with the caregiver.
- 2734 3. Contact an individual other than the kinship caregiver who knows the child and
2735 who can provide feedback on the child's well-being.
- 2736 4. Facilitate contact and visits between the child and the parent unless safety
2737 concerns exist.
- 2738 5. Share information about the parent's activities and progress toward reunification
2739 or other permanency options.
- 2740 6. Prepare the child to return to the parent's care or another permanent arrangement
2741 including adoption or permanent guardianship by the kinship caregiver.
- 2742 7. Assist in maintaining relationships with siblings through visits and shared
2743 activities whenever possible.
- 2744 8. Provide an opportunity for input into the service plan, when age appropriate, and
2745 identify the roles and responsibilities of the child in the service plan.
- 2746 9. Advocate for the child in negotiating with other service systems and brokering
2747 access to resources for the child.
- 2748
- 2749 E. The Child and Family Services caseworker needs to provide the following services to
2750 parents that will support and enhance their functioning as parents:
- 2751 1. Involve parents in service planning and thoroughly inform them of their roles and
2752 responsibilities in the plan (if circumstances warrant, separate plans may be
2753 developed for each parent).
- 2754 2. Invite parents to participate in ongoing Child and Family Team Meetings to assess
2755 progress in meeting the service plan and the permanency planning goals.
- 2756 3. Assist parents in addressing the problems that led to their child's placement in
2757 kinship care and deliver or provide access to the services needed to remedy those
2758 problems to achieve reunification.
- 2759 4. Include as part of the service plan a visitation schedule to maintain contact with
2760 the child that meets the needs of the child, parent, and kinship caregiver in
2761 consultation with the GAL.
- 2762 5. Deliver or provide access to services and resources to prepare the parents for
2763 reunification or other permanency options for the child.
- 2764

2765 **507 Periodic Review Of Kinship Placement**

2766 Major objectives:

2767 Child and Family Services will periodically re-evaluate the appropriateness of the kinship/friend
2768 placement in consultation with the Child and Family Team.
2769

2770
2771 **Applicable Law**

2772 Utah Code Ann. [§62A-4a-105](#). Division responsibilities.
2773

2774 Practice Guidelines

2775 A. The Child and Family Services caseworker needs to assess the kinship/friend placement
2776 and the reunification efforts within six months of the placement, unless otherwise ordered
2777 by the court. The assessment needs to address the following:

- 2778 1. Has the parent made reasonable efforts to comply with the offered reunification
2779 services and the service plan?
- 2780 2. Is the continuation of the placement in the child's best interests by supporting the
2781 safety, permanency, and well-being of the child?
- 2782 3. Can the child and the kinship caregiver/friend maintain a stable relationship and
2783 function effectively with reduced or increased services from Child and Family
2784 Services?
- 2785 4. Does the child have an ongoing need for financial assistance beyond basic
2786 maintenance?
- 2787 5. Does the child and kinship caregiver/friend require the ongoing services of a
2788 caseworker?
- 2789 6. Can the child's needs be met through the kinship caregiver/friend's use of
2790 community resources and has the kinship caregiver/friend agreed to access or
2791 continue to maintain those services?

2792
2793 B. The Child and Family Services caseworker needs to report the findings of the placement
2794 assessment and make a recommendation to the court as to whether:

- 2795 1. The placement with the kinship caregiver/friend continues to be in the best
2796 interest of the child.
- 2797 2. The child should be returned home.
- 2798 3. The child should be placed in the custody of Child and Family Services.
2799

2800 **507.1 Removal Of A Child From The Home Of A Foster Care Licensed**
2801 **Or Unlicensed Relative Or Friend**
2802

2803 A. When considering the removal of a child from a foster care licensed or unlicensed
2804 relative or friend when that relative or friend is no longer able to care for the child due to
2805 health or ongoing ability, consultation with the Assistant Attorney General assigned to
2806 the case is required.
2807

- 2808 B. Child and Family Services may not remove a child from a relative (as legally defined in
2809 Utah Code Ann. [§78A-6-307](#) and the Indian Child Welfare Act 25 U.S.C. §1901-63),
2810 who is a licensed or unlicensed caregiver on the basis of the relative's age or health,
2811 unless the following criteria are met:
- 2812 1. There is a preponderance of the evidence that the licensed or unlicensed relative
2813 or friend is incapable of caring for the child and the child will be placed
2814 with another relative. [See: Utah Code Ann. [§62A-4a-206.](#)]
 - 2815 Or,
 - 2816 2. There is clear and convincing evidence that the relative or friend is incapable of
2817 caring for the child and the child will be placed with another foster parent who is
2818 NOT a relative.
- 2819
- 2820 C. If a relative or friend who is a licensed foster parent requests that the child be moved to
2821 another placement, they will give a ten-day notice to the caseworker and complete the
2822 form PR100 Request for Agency Action to Remove a Foster Child, which can be found
2823 in the Home-to-Home Packet. If Child and Family Services, in consultation with the
2824 AAG, decides that removal of the child from the relative or friend is in the child's best
2825 interest, Child and Family Services will provide a ten-day notice, except for in the case
2826 where safety is an immediate concern. [See: Practice Guidelines [Section 305.3.](#)]
- 2827
- 2828 D. If Child and Family Services is considering the removal of a child in DCFS custody from
2829 an unlicensed relative or friend, the following must have taken place:
- 2830 1. When possible, the removal or change in placement has been discussed in the
2831 Child and Family Team Meeting and is part of the ongoing plan,
 - 2832 2. The kinship caregiver(s) has been given notice of the removal prior to the
2833 removal,
 - 2834 3. Another kinship placement will be made, or
 - 2835 4. If no kinship options are available, efforts to notify and engage kin have been
2836 documented and provided to the placement committee,
 - 2837 5. If the unlicensed relative or friend disagrees with this decision, they may address
2838 the court.
- 2839
- 2840 E. If a relative or friend has temporary guardianship of the child while Child and Family
2841 Services is providing services to the family, a removal cannot take place without a
2842 warrant or court order.
- 2843

2844 **508** **Statutory Timelines For Establishing Permanency**
2845
2846 (See: Practice Guidelines [Section 301.2.](#))
2847

2848 **509 Preparing Kin For Permanency Plan**

2849 Major objectives:

2850 Child and Family Services will adequately prepare the child's kin for a permanency plan.
2851

2852 **Applicable Law**

2853 Utah Code Ann. [§62A-4a-105](#). Division responsibilities.
2854
2855

2856 Practice Guidelines

2857 A. In order to recommend the most appropriate permanency plan for the child, the Child and
2858 Family Services caseworker needs to ensure the following issues are addressed:

2859 1. If reunification with the parent is recommended:

- 2860 a. Conditions, circumstances, or risks that resulted in removal of the child
2861 have been sufficiently reduced.
- 2862 b. Reunification with the parent is in the best interest of the child.
- 2863 c. Substantial efforts to comply with the service plan have been made by the
2864 parent.
- 2865 d. A transition plan for the child's safe return home includes follow-up
2866 supervision, services to the child, and services to the parent.

2867 2. If permanent guardianship with the kinship caregiver/licensed friend is
2868 recommended:

- 2869 a. Reasonable efforts to reunify the child and parent were not successful or
2870 were not ordered by the court.
- 2871 b. Permanent guardianship is in the best interest of the child and is preferable
2872 to other permanency options.
- 2873 c. The kinship caregiver/licensed friend is informed of the child's special
2874 needs and the circumstances of the child's removal.
- 2875 d. The child and the kinship caregiver/licensed friend can maintain a stable,
2876 safe, and nurturing relationship.
- 2877 e. The child's needs can be met through the kinship caregiver/licensed
2878 friend's use of community resources.
- 2879 f. The kinship caregiver/licensed friend has been informed that they may
2880 contact the Child and Family Services family resource consultant at any
2881 time in the future if services or supports are needed for themselves or the
2882 child.
- 2883 g. The parent has been informed of the child support obligation they will be
2884 required to provide if the kinship caregiver continues to receive a TANF
2885 Specified Relative payment.

2886 3. If termination of parental rights and adoption are recommended:

- 2887 a. Facts and circumstances support termination.
- 2888 b. Reasonable efforts to reunify the child and the parent were unsuccessful or
2889 were not ordered by the court.
- 2890 c. ICWA requirements have been met for an Indian child.

- 2891 d. Attitudes and wishes of the child regarding adoption and termination of
2892 parental rights have been considered.
2893

2894 **510 Temporary Guardianship With Child And Family Services And**
2895 **Licensed Kinship Foster Care**

2896 Major objectives:

2897 The Child and Family Services caseworker may recommend to the court that temporary
2898 guardianship of the child be ordered to Child and Family Services, the child be placed in the
2899 home of a kinship caregiver/friend, the identified kinship caregiver/friend becomes a licensed
2900 foster care provider, and Child and Family Services provides out-of-home care services.
2901

2902
2903 **Applicable Law**

2904 Utah Code Ann. [§62A-4a-105](#). Division responsibilities.
2905

2906 Practice Guidelines

- 2907 A. The Child and Family Services caseworker will adhere to out-of-home procedures and
2908 Practice Guidelines when a child is placed in kinship foster care. The Child and Family
2909 Services caseworker needs to provide the kinship caregiver/friend with the following
2910 supports and services to meet the child's needs, assist the child's parents, and meet the
2911 kinship caregiver/friend's needs:
- 2912 1. Assist in obtaining needed supports and services, which may include day care,
2913 respite care, transportation, and counseling.
 - 2914 2. Access to a family resource consultant to provide support, respond to questions
2915 and solve problems, offer referrals to training and workshops, conduct face-to-
2916 face quarterly field visits, and provide resource consultation.
 - 2917 3. Conduct additional visits to the home of the kinship caregiver/friend if the kinship
2918 caregiver/friend needs assistance and instruction to deal with the child's special
2919 needs, or if Child and Family Services has reason to believe that the parent may
2920 harass or interfere with the kinship caregiver/friend and help is needed to cope
2921 with the interference.
 - 2922 4. Assist in establishing a specific visitation plan between the child and the parent
2923 and develop rules that will govern the visits. If problems arise with visitation, the
2924 kinship caregiver/friend can request Child and Family Services to be actively
2925 involved in establishing visitation guidelines and schedules.
2926
- 2927 B. In order to assist the kinship caregiver/friend to become a licensed foster home, the Child
2928 and Family Services caseworker needs to:
- 2929 1. Provide follow-up assistance and advocacy until the kinship caregiver/friend
2930 receives foster parent licensure.
 - 2931 2. Forward to the Office of Licensing a copy of the completed Kinship Home Study
2932 and the results of the criminal background check on the kinship caregiver/friend
2933 and all members of the household over the age of 18 years.
 - 2934 3. Offer services and supports, as appropriate, to assist the kinship caregiver/friend
2935 in adapting the home to meet licensing standards and the needs of the child.
2936

- 2937 C. Placement recorded in SAFE: When a child is receiving court-ordered In-Home Services
2938 (PSS) and has been placed in the home of a non-custodial parent or kinship
2939 caregiver/friend, the kinship placement needs to be recorded in SAFE. The role of Kin
2940 Caregiver will be recorded as KR. The role of Kin Child will be recorded as KC.
2941 Placement with a non-custodial parent will be coded as NCP. Placement with a kinship
2942 caregiver/friend will be coded as BHR.
2943

2944 **511 Permanent Guardianship With The Relative**

2945 Major objectives:

2946 When, at the shelter hearing or subsequent hearing, the court orders permanent guardianship of
2947 the child to the relative and the child is no longer under the jurisdiction of the court, the Child and
2948 Family Services caseworker needs to contact the relative to explain available services.
2949

2950
2951
2952 **Applicable Law**

2953 Utah Code Ann. [§62A-4a-105](#). Division responsibilities.

2954
2955 Practice Guidelines

2956 The Child and Family Services caseworker needs to do the following:

- 2957
- 2958 A. Contact the relative within five working days of the permanency order to:
 - 2959 1. Outline all possible financial and medical resources available for the child and
2960 family, discuss the financial impact to selecting certain financial supports, and
2961 provide technical assistance in securing the documentation necessary for
2962 completing financial applications.
 - 2963 2. Provide information on available community resources including educational,
2964 recreational, and medical services that could assist the child and the relative
2965 family.
 - 2966
 - 2967 B. Assist the family with voluntary in-home services if requested by the kinship caregiver.
2968
 - 2969 C. Inform the relative that they may contact the Child and Family Services family resource
2970 consultant at any time in the future if services or supports are needed for themselves or
2971 the child.
2972

2973 **512 Preparing Kin For Permanency Decision**

2974 Major objectives:

2975 The Child and Family Services caseworker will make reasonable efforts to adequately prepare
2976 kin/friend for permanency hearings and decisions.
2977

2978
2979 **Applicable Law**

2980 Utah Code Ann. [§62A-4a-105](#). Division responsibilities.
2981

2982 Practice Guidelines

2983 A. At the permanency hearing, the Child and Family Services caseworker may recommend
2984 the following permanency options:

- 2985 1. Reunification with parents.
- 2986 2. Adoption by the kinship caregiver/friend.
- 2987 3. Permanent guardianship with the kinship caregiver/licensed friend.
- 2988 4. Non-relative adoption.
- 2989 5. Individualized Permanency.

2990
2991 B. If Permanent Guardianship is being recommended by Child and Family Services, the
2992 caseworker will follow Practice Guidelines [Section 308.2](#).
2993