

Child and Family Services Policy Manual: Substitute Care for Children Foster Care Review Committee

Purpose of FCRC Committee

The foster care review process is intended to review issues that are germane to the goals of permanency and to accessing appropriate services for parents and children.

The committee is responsible to review the status of each child in foster care in order to determine the safety of the child, the continuing necessity and appropriateness of the placement, the extent of compliance with the case plan, the extent of progress which has been made toward alleviating or mitigating the causes necessitating placement in foster care, and to project a likely date by which the child may be returned to and safely maintained in the child's home or placed for adoption or legal guardianship.

In evaluating the accessibility, availability and appropriateness of services to parents and children, the committee shall consider:

- the safety, history and specific needs of the child;
- whether an involved agency has selected services specifically relevant to the problems and needs of the child and family;
- whether appropriate services have been available to the child and family on a timely basis; and
- the results of the intervention.

If the department has placed a child in foster care in another state, the committee shall consider whether the placement is appropriate and in the best interests of the child. If the child will not be returned to the parent, the committee shall consider both in-state and out-of-state placement options.

Membership Required members

The district court judge appoints the members of the Foster Care Review Committee FCRC. The committee must consist of not less than three or more than seven members. The committee must include at least the following members:

- a representative of the Department, who may not be responsible for the placement of a child being reviewed or have any other direct conflict of interest;
- a person who is knowledgeable regarding the needs of

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foster children and who is not employed by the Department or the youth court;

- if the child whose care is under review is an Indian child, a person, preferably an Indian person, knowledgeable about Indian cultural and family matters (This person may be appointed only for the review of Indian children or may be a regular member of the committee.)

Other Members

Members may also include, but are not limited to:

- a representative of youth court;
- a representative of a local school district;
- a public health nurse;
- an at-large community member with knowledge of child protective services.

Examples of persons who may have knowledge of child protective services and/or the needs of foster children and may be appropriate committee members are child development specialists, former foster children, group home staff, former foster parents, mental health professionals, transitional managers, etc.

Who is Reviewed by FCRC

The FCRC reviews every child for whom the Department:

- has placement, care and supervision who has been removed from his/her custodial parent and placed with someone other than the child's non-custodial parent;
- is making a foster care payment pursuant to Mont. Code Ann. 52-2-611;
- had placement care or supervision through the young adult's 18th birthday and for whom the department is continuing to make IV-E foster care payments.

Frequency of Review

The case of each child must be reviewed at least every six months.

Notification of Review

The child protective services specialist supervisor assures that the appropriate people are provided written notice of the FCRC

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meeting 10 days prior to the scheduled review. In addition to notifying the committee members, written notification of the foster care review which includes notification that the foster care review is an opportunity to be heard is to be provided to the:

- child, if 12 years of age or older;
- child's tribe (or tribes);
- child's parents and their attorneys if parental rights have not been terminated;
- child's attorney; and
- child's guardian ad litem, for review of that child's case only.

The child protective services specialist must assure that the following are provided notice of the review and that they have a **right** to be heard:

- the child's foster parents if the child is in foster care;
- the child's pre-adoptive parents, if the child is in a pre-adoptive placement; and
- the child's relative care-givers or other kinship provider if the child is in a kinship placement.

The case record must document that notification was provide to the above named parties.

The following individuals may also attend FCRC meetings:

- the child protective services specialist and his/her supervisor'
- the mentor for youth 16 years of age or older; and
- other people, as appropriate.

What Information to Bring to FCRC

If copies of the DocGen 427-A, Foster Care Case Plan have not been provided to the committee members prior to the review, the child's child protective services specialist or the supervisor

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brings copies of a current DocGen 427-A, Foster Care Case Plan and attachments (including the child's transitional plan, report cards, etc., and if available, a copy of the 107-E Child's Assessment by Foster Care Provider) to the review.

FCRC Action After Review	The FCRC makes written findings (DocGen 427, <u>Foster Care Case Plan</u> , Part B Findings of the Foster Care Review Committee) which along with Part A and any attachments are submitted to the appropriate court.
CAPS	FCRC meetings must be promptly entered on the IARD screen in CAPS. Failure to enter these reviews results in an AFCARS error.
Case File	The DocGen 427, Foster Care Case Plan Parts A and B are maintained in the child's case record.
Response to FCRC Report	The child protective services specialist shall attempt to implement the recommendations made in the FCRC report. If the FCRC's written recommendations to the court are adverse to the Department's case plan, the appropriate regional administrator shall be notified to determine what additional action may be needed.
References	42 USC 671 42 USC 672 42 USC 675 Mont. Code Ann. § 41-3-115 Mont. Code Ann. § 52-2-611
