
**CHILD WELFARE SERVICES PROGRAM
INTAKE**

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CHAPTER 31-100 INTAKE

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CHAPTER 31-100 INTAKE

31-101 GENERAL 31-101

- .1 The county shall respond to all referrals for service which allege that a child is endangered by abuse, neglect, or exploitation.
 - .11 The county shall respond to referrals from county AFDC eligibility staff pursuant to Section 89-201.24 in accordance with the provisions of Section 31-530.
- .2 The social worker responding to a referral shall be skilled in emergency response.
- .3 The social worker shall respond to a referral by one of the following methods:
 - .31 Completing an Emergency Response Protocol, as described in Section 31-105.
 - .32 Conducting an in-person immediate investigation, as described in Section 31-115.
 - .33 Conducting an in-person investigation initiated within 10 calendar days from the date the referral was received, as described in Section 31-120.
- .4 The social worker shall conduct an in-person investigation of all referrals received from a law enforcement agency which allege abuse, neglect, or exploitation.
 - .41 No response is required to a cross-report from a law enforcement agency if the law enforcement agency has investigated and determined that there is no indication of abuse or neglect by a member of the child's household.
- .5 Within 30 calendar days of the initial removal of the child or the in-person investigation, or by the date of the dispositional hearing, whichever comes first, the social worker shall:
 - .51 Determine whether child welfare services are necessary and:
 - .511 If child welfare services are necessary, complete a case plan and begin implementation of the case plan in accordance with the time frames and schedules specified in Chapter 31-200.
 - .512 If child welfare services are unnecessary, close the referral/case, as appropriate.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 11254, 16208, 16501(f), 16501.1, 16504, and 16504(d), Welfare and Institutions Code.

31-105 EMERGENCY RESPONSE PROTOCOL**31-105**

- .1 The social worker shall immediately initiate and complete the Emergency Response Protocol process when it is necessary to determine whether an in-person investigation is required. The social worker shall record all available and appropriate information on the Emergency Response Protocol form, SOC 423 (10/92), or an approved substitute. The social worker is not required to initiate the Emergency Response Protocol when the social worker has already determined an in-person investigation is required (i.e., law enforcement referrals, obvious immediate danger referrals).

- .11 In order to be approved as a substitute for the Emergency Response Protocol form, the substitute shall at a minimum contain all of the following elements:
 - .111 The following identifying information:
 - (a) Information regarding the child alleged to be abused, neglected, or exploited, which shall include:
 - (1) Information specified in Section 31-105.111(f),
 - (2) Case name, and
 - (3) Case number.
 - (b) Information regarding the referral, which shall include:
 - (1) Time and date referral received, and
 - (2) Location of alleged incident.
 - (c) Information regarding the reporter, which shall include:
 - (1) Name,
 - (2) Relationship to child,
 - (3) Agency affiliation, if a mandated reporter,
 - (4) Address, and
 - (5) Phone number (home/work).

31-105 EMERGENCY RESPONSE PROTOCOL
(Continued)**31-105**

- (d) Information regarding each adult in the household, which shall include:
 - (1) Name,
 - (2) Relationship to child,
 - (3) Birthdate,
 - (4) Ethnicity,
 - (5) Primary language, if non-English speaking,
 - (6) Current location, and
 - (7) Phone number(s).
- (e) Information regarding the alleged perpetrator, which shall include:
 - (1) Elements specified in Sections 31-105.111(d)(1) through (7), and
 - (2) Access to the child.
- (f) Information regarding each minor child in the family, which shall include:
 - (1) Name,
 - (2) Birthdate,
 - (3) Sex,
 - (4) Ethnicity,
 - (5) Primary language, if non-English speaking,
 - (6) Current location,
 - (7) Name and address of school/daycare, if applicable, and

31-105	EMERGENCY RESPONSE PROTOCOL (Continued)	31-105
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- (8) Name, current location and phone number of each absent parent.

- .112 A description of the alleged incident, including consideration of the following risk factors:
 - (a) Precipitating incident including the following:
 - (1) Severity and frequency;
 - (2) Location and description of injury on child's body; and
 - (3) History of child abuse, neglect, or exploitation.
 - (b) Child characteristics including the following:
 - (1) Age, vulnerability, special circumstances; and
 - (2) Behavior, interaction with caretakers, siblings, and peers.
 - (c) Caretaker characteristics including the following:
 - (1) Ability to care for child;
 - (2) Interaction with children, other caretakers;
 - (3) Parenting skill/knowledge; and
 - (4) Substance abuse, criminal behavior, and mental health.
 - (d) Family factors including the following:
 - (1) Relationships, support systems;
 - (2) History of abuse, neglect, or exploitation;
 - (3) Presence of parent substitute;

31-105	EMERGENCY RESPONSE PROTOCOL	31-105
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(Continued)

- (4) Environmental conditions; and
 - (5) Family strengths.
- .113 Information regarding a records review.
- .114 Information regarding the collateral contacts, including the following:
- (a) Date of contact,
 - (b) Name and phone number of each person contacted,
 - (c) Agency affiliation or person's relationship to the child, and
 - (d) Summary of information obtained.
- .115 Decision criteria. The decision whether or not an in-person investigation is necessary shall include, but not be limited to, consideration of the following factors:
- (a) The ability to locate the child alleged to be abused and/or the family.
 - (b) The existence of an open case and the problem described in the allegation is being adequately addressed.
 - (c) The allegation meets one or more of the definitions of child abuse, exploitation or neglect contained in Sections 31-002(c)(7), 31-002(e)(9), or 31-002(n)(1).
 - (d) The alleged perpetrator is a caretaker of the child or the caretaker was negligent in allowing, or unable or unwilling to prevent, the alleged perpetrator access to the child.
 - (e) The allegation includes specific acts and/or behavioral indicators which are suggestive of abuse, neglect, or exploitation.

31-105	EMERGENCY RESPONSE PROTOCOL (Continued)	31-105
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- (f) There is additional information from collateral contacts or records review which invalidates the reported allegation.
- (g) There are previously investigated unsubstantiated or unfounded reports from the same reporter with no new allegations or risk factors.
- .116 The decision whether an in-person investigation is required, including the following outcome options.
 - (a) Evaluate out, with no referral to another community agency;
 - (b) Evaluate out, with a referral to an appropriate community agency; or
 - (c) Accept for in-person investigation.
- .117 When the decision is to evaluate out, either with or without a referral to another community agency, the following information:
 - (a) Rationale for the decision; and
 - (b) Supervisor approval.
- .2 The social worker shall complete the Emergency Response Protocol process by determining if an in-person investigation is required.
 - .21 The Emergency Response Protocol form, or approved substitute, is complete when the social worker has recorded enough information as specified in Section 31-105.1 to document the decision as to whether or not to make an in-person investigation and shall include:
 - .211 The specific decision outcome,
 - .212 The rationale for evaluating out the referral, and
 - .213 The supervisor approval.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 16208 and 16504, Welfare and Institutions Code.

31-110 IN-PERSON INVESTIGATIONS 31-110

- .1 If the social worker determines from the emergency response protocol that an in-person investigation is not necessary, the social worker shall document the determination.
- .2 If the social worker determines that an in-person investigation is not necessary, but that the services of another community agency are appropriate, the social worker shall refer the reporter to that agency.
 - .21 When a referral alleges non-familial child abuse, the social worker shall report the referral to the appropriate law enforcement agency as specified in Section 31-501.1.
- .3 If the social worker determines that an in-person investigation is necessary, the social worker shall make the in-person investigation immediately or within 10 calendar days, as appropriate.
- .4 The social worker shall conduct an in-person investigation for all law enforcement referrals either immediately or within 10 calendar days after receipt of a referral, as appropriate.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 16208, 16501(f), and 16504, Welfare and Institutions Code.

31-115 IN-PERSON IMMEDIATE INVESTIGATION 31-115

- .1 The social worker shall conduct an in-person immediate investigation when:
 - .11 The emergency response protocol indicates the existence of a situation in which imminent danger to a child, such as physical pain, injury, disability, severe emotional harm or death, is likely.
 - .12 The law enforcement agency making the referral states that the child is at immediate risk of abuse, neglect or exploitation.
 - .13 The social worker determines that the child referred by a law enforcement agency is at immediate risk of abuse, neglect, or exploitation.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 16208, 16501(f), and 16504, Welfare and Institutions Code.

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31-120

Regulations

31-120 IN-PERSON INVESTIGATION WITHIN 10 CALENDAR DAYS

31-120

- .1 The social worker shall conduct an in-person investigation of the allegation of abuse, neglect, or exploitation within 10 calendar days after receipt of a referral when:
 - .11 The emergency response protocol indicates that an in-person investigation is appropriate and the social worker has determined that an in-person immediate investigation is not appropriate.
 - .12 The law enforcement agency making the referral does not state that the child is at immediate risk of abuse, neglect, or exploitation and the social worker determines that an in-person immediate investigation is not appropriate.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 16208, 16501(f), and 16504, Welfare and Institutions Code.

31-125 INVESTIGATION REQUIREMENTS

31-125

- .1 The social worker initially investigating a referral shall determine the potential for or the existence of any conditions(s) which places the child, or any other child in the family or household, at risk and in need of services and which would cause the child to be a person described by Welfare and Institutions Code Sections 300(a) through (j).
 - .11 The social worker shall not determine the child to be at risk and in need of services, or to be a person described by Welfare and Institutions Code Section 300(a) through (j) based solely on the existence of any of the following conditions described in Welfare and Institutions Code Sections 300(a) through (c):
 - .111 "...reasonable and age-appropriate spanking to the buttocks where there is no evidence of serious physical injury,"
 - .112 "...lack of an emergency shelter for the family," or
 - .113 "...the willful failure of the parent or guardian to provide adequate mental health treatment...based on a sincerely held religious belief."

CHILD WELFARE SERVICES PROGRAM**Regulations****INTAKE****31-125 (Cont.)**

31-125 INVESTIGATION REQUIREMENTS
(Continued)**31-125**

- .12 The social worker shall not determine the child to be in need of child welfare services based solely on the existence of the conditions specified in Welfare and Institutions Code Sections 16509, 16509.1 and 16509.2.

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- .121 Welfare and Institutions Code Section 16509 states:

Cultural and religious child-rearing practices and beliefs which differ from general community standards shall not in themselves create a need for child welfare services unless the practices present a specific danger to the physical or emotional safety of the child.

- .122 Welfare and Institutions Code Section 16509.1 states:

No child who in good faith is under treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination by a duly accredited practitioner thereof shall, for that reason alone, be considered to have been neglected within the purview of this chapter.

- .123 Welfare and Institutions Code Section 16509.2 states:

The physical or mental incapacity, or both, in itself, of a parent or a child, shall not result in a presumption of need for child welfare services.

HANDBOOK ENDS HERE

- .2 The social worker investigating the referral shall have in-person contact with all of the children alleged to be abused, neglected or exploited, and at least one adult who has information regarding the allegations.
- .21 If as a result of the investigation the social worker determines that the referral is unfounded pursuant to Penal Code Section 11165.12, the social worker shall document the determination in the case record.

31-125	INVESTIGATION REQUIREMENTS (Continued)	31-125
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- .22 If as a result of the investigation the social worker does not find the referral to be unfounded, the social worker shall:
 - .221 Conduct an in-person investigation with:
 - (a) All children present at the time of the initial in-person investigation.
 - (b) All parents who have access to the child(ren) alleged to be at risk of abuse, neglect or exploitation.
 - (1) A noncustodial parent shall be considered to have access if he/she has regular or frequent in-person contact with the child(ren).
 - .222 Make necessary collateral contacts with persons having knowledge of the condition of the children.
- .23 If as a result of the investigation the social worker has determined the referral is not unfounded, and has completed the requirements in Section 31-125.22 and documented the results in the case record, the decision whether to conduct an in-person investigation with any additional children who were not present at the initial in-person investigation shall be at the discretion of the county.
- .3 If as a result of the investigation it is determined that neither child welfare services nor a referral to any other community agency is necessary, the social worker shall document this determination.
- .4 If as a result of the investigation it is determined that child welfare services are unnecessary, but that the services of another community agency are appropriate, the social worker shall refer the child and/or family to such agency and shall document the determination and referral(s).
- .5 If as a result of the investigation the social worker determines services are necessary, the social worker shall:
 - .51 Perform the requirements specified in Chapter 31-200.
 - .511 If a dependency petition is to be filed and it is determined that the child is or may be an Indian child, the social worker shall follow the procedures in Section 31-515.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 300, 16504, 16509, and 16509.1, Welfare and Institutions Code; Section 11165.12, Penal Code; and 25 USCA Section 1901 et seq.

CHILD WELFARE SERVICES PROGRAM**Regulations****INTAKE****31-135 (Cont.)**

31-130 LAW ENFORCEMENT ASSISTANCE 31-130

- .1 The social worker shall request law enforcement assistance under either of the following circumstances:
 - .11 The physical safety of family members or county staff is endangered.
 - .12 A child must be placed in temporary custody and the social worker is not deputized as a peace officer or authorized by Welfare and Institutions Code Section 306(b) to take temporary custody.
 - .121 The social worker may take a child into temporary custody without the assistance of law enforcement whenever authorized to do so under Welfare and Institutions Code Section 306.
- .2 Law enforcement assistance shall be used as an aid to emergency response services and not as a substitute for any of the following:
 - .21 Completion of the emergency response protocol as specified in Section 31-105.
 - .22 Performance of the in-person investigation specified in Section 31-110.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 306, 10553, and 10554, Welfare and Institutions Code.

31-135 AUTHORITY FOR REMOVAL OF CHILD 31-135

- .1 When the social worker determines that the child cannot be safely maintained in his/her own home, the social worker shall ensure that authority to remove the child exists prior to removal.
 - .11 If removal is voluntary, such authority shall be a written consent of the parent/guardian.
 - .12 If removal is involuntary, such authority shall be temporary custody as specified in Welfare and Institutions Code Sections 305 and 306, or a court order.
 - .121 If a determination has been made in accordance with Welfare and Institutions Code Section 308 that the minor or his/her foster family would be endangered or his/her custody would be disturbed by the disclosure to the parent(s)/guardian(s) of the minor's exact whereabouts, the social worker shall notify immediately the parent(s)/guardian(s) either in person or by telephone of his/her right to apply for judicial review of that determination within 24 hours.

31-135 **AUTHORITY FOR REMOVAL OF CHILD** **31-135**
(Continued)

- (a) If the social worker fails to notify the parent(s)/guardian(s) as specified in Section 31-135.121, the social worker shall document in the case record the reason(s) for failure to do so.

- .2 The social worker shall document in the case record any preplacement preventive efforts made or services provided.
 - .21 If first contact with the family occurs during an emergency situation in which the child cannot safely remain in the home, even with reasonable services being provided, the social worker shall document those circumstances in the case record.
 - .22 If the child has been removed due to the absence of the parent(s), for one of the reasons stated in Welfare and Institutions Code Section 361(b)(5), the social worker shall document those circumstances in the case record.

- .3 If the child is in out-of-home placement following a voluntary removal, and the social worker determines that continued out-of-home placement is necessary for the child's protection, the county shall implement a voluntary placement agreement as specified in Section 31-430.31.

- .4 If the child is in temporary custody following an involuntary removal, and the social worker determines that continued detention is necessary for the child's protection, the social worker shall take the following action:
 - .41 File a petition for detention of and jurisdiction over the child within 48 hours of the child's removal from his/her home, excluding nonjudicial days.

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- .411 Juvenile court procedures regarding detention of minors and filing petitions are described in Welfare and Institutions Code Sections 311(a), 319, and 332.

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NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 305, 306, and 308 (as amended by Assembly Bill 4122, Chapter 320, Statutes of 1990), Welfare and Institutions Code.

**CHILD WELFARE SERVICES PROGRAM
ASSESSMENT AND CASE PLAN**

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CHAPTER 31-200 ASSESSMENT AND CASE PLAN**31-201 ASSESSMENT AND CASE PLANNING PROCESS****31-201**

- .1 When it has been determined that child welfare services are to be provided the social worker shall:
- .11 Complete an assessment.
 - .111 An assessment is completed for each child for whom child welfare services are to be provided, and includes gathering and evaluating information relevant to the case situation and appraising case services needs.
 - .12 Determine the case plan goal.
 - .121 When determining the case plan goal, the social worker shall consider the following order of priority for services:
 - (a) Family maintenance services - In order to maintain the child in his/her own home, when the protective needs of the child can be met.
 - (b) Family reunification services - If the family potentially can be successfully reunified within the time limits specified in Welfare and Institutions Code Sections 16507 and 16507.3. If the child is placed out of home and is receiving family reunification services, the case plan shall have two tracks:
 - (1) The family reunification track, which consists of services described in Welfare and Institutions Code Section 16501(h).
 - (2) The concurrent services track, which identifies the child's permanency alternative and the services necessary to achieve legal permanence should family reunification fail.
 - (c) Permanent placement services - Only when there are no feasible means of maintaining or reuniting the child with his/her parent(s)/guardian(s).
 - (1) When the child has been detained and one or more of the following circumstances exist, the social worker may recommend permanent placement services.
 - (A) The whereabouts of the parent(s)/guardian(s) is unknown.
 - (B) The parent(s)/guardian(s) is suffering from a mental disability that renders him/her incapable of utilizing family reunification services.

31-201 ASSESSMENT AND CASE PLANNING PROCESS
(Continued)**31-201**

- (2) When the child is detained, and one or more of the following circumstances exist, the social worker must recommend permanent placement services, unless the court finds, by clear and convincing evidence, that reunification is in the best interests of the child.
- (A) The child or sibling of the child had been previously adjudicated a dependent as a result of physical or sexual abuse; had been removed from the custody of the parent(s)/guardian(s); had been returned to the custody of the parent(s)/guardian(s); and has again been removed due to additional physical or sexual abuse.
 - (B) The parent(s)/guardian(s) of the child has caused the death of another child through abuse or neglect.
 - (C) The child is under the age of five and has come under court jurisdiction due to severe physical abuse as specified in Welfare and Institutions Code Section 300(e).
 - (D) The child has come under court jurisdiction due to severe sexual abuse (Welfare and Institutions Code Section 361.5(b)(6)) or severe physical abuse (Welfare and Institutions Code Section 361.5(b)(6)) inflicted upon the child, a sibling or half-sibling.
 - (E) The parent(s)/guardian(s) is incarcerated or institutionalized and the social worker has determined, based on the criteria specified in Welfare and Institutions Code Section 361.5(e)(1) that permanent placement services are appropriate.
 - (F) The parent or guardian of the minor has advised the court that he or she is not interested in receiving family maintenance or reunification services pursuant to Welfare and Institutions Code Section 361.5(b)(13).
- (3) When recommending a permanent placement services, the social worker shall adhere to the following order of priority for permanent placement:
- (A) Adoption - Before the social worker recommends to the court that family reunification services be terminated, a case review conducted jointly by foster care and adoption staff to determine potential for adoption shall have been completed.

31-201 ASSESSMENT AND CASE PLANNING PROCESS 31-201
(Continued)

1. If the case review is to address a potential relative adoption, it shall address whether a kinship adoption is in the child's best interest.
 2. When a case is referred for adoption planning, it shall remain under county supervision for purposes of providing child welfare services until dismissal of the dependency and issuance of a final decree of adoption.
- (B) Guardianship - If kinship adoption or adoption is not possible, the case shall be reviewed for guardianship. Preference shall be given to guardianships by relatives.

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1. Welfare and Institutions Code Section 361.3 specifies that all relative caregivers must be assessed by a specific set of criteria that includes safety of the home, character of the relative, and ability to provide permanency for the child, among other elements. This assessment provides the foundation for determining whether or not guardianship with the relative is appropriate and in the child's best interest.
2. To provide assistance in meeting the assessment criteria in Welfare and Institutions Code Section 361.3, CDSS issued guidelines to counties on March 1, 1999 pursuant to Welfare and Institutions Code Section 16501.1(i). Those guidelines were distributed to the counties via All County Information Notice I-18-99.

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(Continued)

- (C) Long term foster care - Only if adoption or guardianship is not possible, a recommendation for long-term foster care placement shall be made. Exercise of this option requires continued efforts to obtain adoption, guardianship or preparation for independence for the child.

- .13 Develop the case plan which shall identify the following factors and document the plan as specified in Section 31-205:
 - .131 Objectives to be achieved.
 - .132 Specific services to be provided.
 - .133 Case management activities to be performed.
 - (a) Parent(s)/guardian(s) shall be requested to participate in the development of the case plan.
 - (b) Parents shall be advised that, at any time during the child's dependency, they may request adoption counseling and services.

| NOTE: Authority Cited: Sections 10553, 10554, and 11369, Welfare and Institutions Code. Reference: Sections 358.1(e) and 361 (as added by Assembly Bill 1544, Chapter 793, Statutes of 1997), 361.5, 366.23, 16501, 16501.1 (as added by Assembly Bill 1544, Chapter 793, Statutes of 1997), 16501.1(f), 16506, 16507, and 16508, Welfare and Institutions Code; Sections 8714.5 and 8714.7 (as added by Assembly Bill 1544, Chapter 793, Statutes of 1997), Family Code.

31-205 ASSESSMENT DOCUMENTATION**31-205**

.1 The social worker shall document the following assessment information:

- (a) The relevant social, cultural, and physical factors relating to the following:
 - (1) The child.
 - (2) The child's parent(s)/guardian(s) or person(s) serving in that role.
 - (3) Other significant persons, including children and siblings, who are known to reside in the home.
- (b) The apparent problems, and possible causes of those problems, which require intervention and the family strengths which could aid in problem resolution.
- (c) Whether the child may safely remain at home if preplacement preventive services are provided, and, if so, the specific services to be provided.
- (d) If the child is a parent, any special needs of the child with regard to his/her role as a parent.
- (e) If the child has been removed based on one of the findings pursuant to Welfare and Institutions Code Section 361.5(b), the circumstances relating to the finding and whether failure to order family reunification services would likely be detrimental to the child.
- (f) Any known social services previously offered and/or delivered to the child or family and the result of those services.
- (g) If family reunification services are recommended, relatives or others who could provide or assist with legal permanency - adoption, guardianship, or preparation for independence - should family reunification fail.
- (h) The need, if known, for any health/medical care.
- (i) The condition(s) which are met that allow a child under the age of six to be placed in a group home in accordance with Section 31-405.1(b).
- (j) The condition(s) which is met that allows a child to be placed in a community treatment facility in accordance with Section 31-406.

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- .2 The county shall be permitted to combine the assessment with the case plan as one document provided that:
 - .21 The assessment and the case plan are each readily identifiable as such; and
 - .22 The combined document contains all of the necessary components of both the assessment and the case plan.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 361, 361.5, 4094, 4094.5, 4094.6, 4094.7, 5585.58, 5600.3, 11467.1, 16501, 16501(e), 16501.1(e)(9), and 16507, Welfare and Institutions Code; 42 U.S.C. Sections 675(1) and 677, and Sections 1502 and 1502(a)(8), Health and Safety Code.

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31-206 CASE PLAN DOCUMENTATION**31-206**

- .1 The social worker shall document in the case plan the case plan goal which the social worker has determined as specified in Section 31-201.12 to be appropriate for each child.
- .2 The social worker shall document in the case plan the following information regarding case plan objectives for each person named in the case plan:
 - .21 Measurable, time-limited objectives based on the problems and family strengths identified in the assessment.
 - .211 The social worker shall include specific descriptions of the responsibilities of the parent(s)/guardian(s) in meeting the case plan objectives.
 - .212 Discussion of advisement to the parent(s) that at any time during the child's dependency he/she/they may request adoption counseling and services.
 - .22 The specific services to be provided and the case management activities to be performed in order to meet the case plan objectives and goal.
 - .221 The social worker shall include specific descriptions of the responsibilities of the social worker, other county staff, other individuals, and community agencies in the provision of services and the performance of case management activities.
 - .222 For children in out-of-home care, the social worker shall document the two services tracks identified for children receiving family reunification services.
 - (a) The services to be provided to assist the parents in reunifying with the child as identified in the family reunification services track.
 - (b) The services to be provided and steps to be taken to implement the permanency alternative identified in the case plan if family reunification fails.
 - .23 The projected date for completion of case plan objectives and the date child welfare services are to be terminated.
 - .24 The schedule of planned social worker contacts and visits with the child and the family in accordance with Sections 31-320 and 31-325.
 - .241 The social worker shall document in the case record the justification for any exceptions to the contact or visit requirements specified in Sections 31-320 and 31-325.

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- .3 For children receiving out-of-home care, the social worker shall also document in the case plan, the following:
 - .31 An assessment of the child's placement needs and a determination and description of the type of home or institution which will best meet those needs.
 - .311 If siblings are not placed together, the social worker shall document the diligent efforts to place siblings together and reasons why they were not placed together, if applicable.
 - .312 For children placed out-of-county, the rationale for out-of-county placement, and a description of the specific responsibilities of the sending and receiving counties, in accordance with the provisions of Section 31-505.
 - (a) When an out-of-state group home placement is recommended or made, the case plan shall document the recommendation of the multidisciplinary team, pursuant to MPP Section 31-066 and the rationale for this particular placement. The case plan shall address what in-state services or facilities were used or considered and why they were not recommended.
 - .313 For children placed in a foster family home, group home, or other child care institution that is either a substantial distance from the home of the parent(s) or guardian(s) or out-of-state, the case plan shall specify the reasons why such placement is the most appropriate placement selection and whether the placement continues to be in the best interest of the child.
 - .314 For a group home and community treatment facility placement, the case plan shall have a schedule of planned social worker/probation officer monthly visits.
 - .315 When a community treatment facility placement is recommended or made, the case plan shall specify the reasons why this placement is the most appropriate placement selection pursuant to Section 31-406.
 - .316 For a community treatment facility placement, the case plan shall specify how the continuing stay criteria will be met as specified in Section 1924 of the California Code of Regulations, Title 9, Chapter 11.

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.317 California Code of Regulations, Title 9, Section 1924 states:

"(a) Continuing stay criteria used by a CTF shall include documentation by the CTF psychiatrist of the continuation of admission criteria in addition to written documentation from the appropriate interagency placement committee, or other designated external case manager, such as the probation department, county mental health department, or private insurance utilization review personnel, supporting the decision for continued placement of the child within a CTF. Continuing stay criteria shall be reviewed by a CTF in intervals not to exceed ninety (90) days. Findings shall be entered into each child's facility record.

"(b) Individuals who are special education pupils identified in paragraph (4) of subdivision (c) of Section 56026 of the Education Code and who are placed in a CTF prior to age eighteen pursuant to Chapter 26.5 of the Government Code may continue to receive services through age 21 provided the following conditions are met:

"(1) They continue to satisfy the requirements of subsection (a);

"(2) They have not graduated from high school;

"(3) They sign a consent for treatment and a release of information for CTF staff to communicate with education and county mental health professionals after staff have informed them of their rights as an adult.

"(4) A CTF obtains an exception from the California Department of Social Services to allow for the continued treatment of the young adult in a CTF pursuant to Section 80024, Title 22, Division 6, Chapter 1 of the California Code of Regulations."

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31-206	CASE PLAN DOCUMENTATION (Continued)	31-206
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- .32 The schedule of planned parent(s)/guardian(s) contacts and visits with the child, in accordance with Section 31-340.
- .33 The schedule of planned visitation of the child by his/her grandparents as specified in Welfare and Institutions Code Section 16507(a).
- .34 The schedule of planned social worker contacts and visits with the child's out-of-home care provider, in accordance with Section 31-330.
- .35 The health and education information about the child.
 - .351 This information shall include the following, as available.
 - (a) The names and addresses of the child's health and educational providers.
 - (b) The child's grade level performance.
 - (c) The child's school record.
 - (d) Assurances that the child's placement in foster care takes into account proximity to the school in which the child is enrolled at the time of placement.
 - (e) A record of the child's immunizations.
 - (f) The child's known medical problems.
 - (g) The child's medications.

31-206 CASE PLAN DOCUMENTATION **31-206**
(Continued)

- .352 If any of the required health and education information is not contained in the case plan, the case plan shall document where the information is located.

- .36 A plan which will ensure that the child will receive medical and dental care which places attention on preventive health service through the Child Health and Disability Prevention (CHDP) program, or equivalent preventive health services in accordance with the CHDP program's schedule for periodic health assessment.

- .361 Each child in placement shall receive a medical and dental examination, preferably prior to, but not later than, 30 calendar days after placement.

- .362 Arrangements shall be made for necessary treatment.

- .37 For each youth in placement 16 years of age or older, the case plan shall incorporate the Transitional Independent Living Plan (TILP) as specified in Section 31-236.

- .38 For each child for whom a dependency petition has been filed, the recommendation that the right of the parent(s)/guardian(s) to make education decisions be limited by the court pursuant to Welfare and Institutions Code Section 361(a), if applicable.

- .4 The social worker shall document in the child's case file the determination of whether it is in the best interest of the child to refer the child's case to the local child support agency and the basis for this determination in accordance with Section 31-503.

- .5 The case plan shall be considered complete only if all of the elements specified in Section 31-206 have been documented and the social worker's supervisor has signed and dated the case plan.

- .51 The social worker may complete a single case plan for the family, provided that the planned services are individually identified for each person named in the case plan.

- .52 If any of the elements specified in Section 31-206 are not immediately available, the social worker shall document in the case plan the following information:
 - .521 The social worker's attempts to obtain the information.

 - .522 The social worker's plan for obtaining the information including the time frame in which the information is expected to be obtained.

31-206	CASE PLAN DOCUMENTATION (Continued)	31-206
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NOTE: Authority Cited: Sections 10553, 10554, and 16501.1, Welfare and Institutions Code; and Section 17552, Family Code; and Public Law 109-288. Reference: Sections 358.1(e), 361, 361(b), 361.5, 4094, 4094.5, 4094.6, 4094.7, 5585.58, 5600.3, 16002, 16501, 16501.1(e), and 16507, Welfare and Institutions Code; 42 U.S.C. Sections 675(1) and 677; Sections 7901, 7911, 7911.1, 7912, and 17552, Family Code; and Sections 1502 and 1502(a)(8), Health and Safety Code; and Public Law 109-288.

31-210	CASE PLAN TIME FRAMES AND ADMINISTRATIVE REQUIREMENTS FOR CHILDREN FOR WHOM A DEPENDENCY PETITION HAS BEEN FILED	31-210
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- .1 Within 30 calendar days of the in-person investigation (i.e., first face-to-face contact) or initial removal, or by the date of the dispositional hearing, whichever comes first, the social worker shall:
 - .11 Complete and sign the case plan as specified in Section 31-206.
 - .12 Explain the purpose and the content of the case plan to the parent(s)/guardian(s) named in the case plan.
 - .13 Request the parent(s)/guardian(s) to sign the case plan as an indication of case plan approval and willingness to participate in service activities.
 - .131 If unable to obtain the signature of the parent(s)/guardian(s) as specified in Section 31-210.13, the county shall nevertheless provide services, but shall document in the case plan the reason(s) for the failure to obtain the signature of the parent(s)/guardian(s).
 - .14 Provide a copy of the completed case plan to the parent(s)/guardian(s).
 - .15 Obtain the signed and dated written approval of the social worker's supervisor on the case plan or the court report.
 - .151 The social worker's supervisor must sign the case plan or the court report in which the case plan is included prior to submission to the court or within 30 days of the initial removal or initial response, whichever occurs first.

31-210	CASE PLAN TIME FRAMES AND ADMINISTRATIVE REQUIREMENTS FOR CHILDREN FOR WHOM A DEPENDENCY PETITION HAS BEEN FILED (Continued)	31-210
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- (a) In so signing, the signature of the social worker's supervisor shall be deemed to have certified that the case plan was reviewed by the supervisor and the case plan goal and the planned services for meeting that goal are appropriate.

- .16 Begin implementation of the case plan in accordance with the time frames and schedules specified in the case plan.

- .2 The case plan shall be included in the court report and submitted to the court at least 48 hours prior to the dispositional hearing specified in Welfare and Institutions Code Section 358.
 - .21 If the dispositional hearing specified in Welfare and Institutions Code Section 358 is not convened within six months of the date the case plan was completed, the case plan update must be included in the court report and submitted to the court at least 48 hours prior to the dispositional hearing.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 358(b), 361, 16501(a), and 16501.1(d) and (e), Welfare and Institutions Code.

31-215	CASE PLAN TIME FRAMES AND ADMINISTRATIVE REQUIREMENTS FOR CHILDREN AND FAMILIES WHO WILL VOLUNTARILY RECEIVE SERVICES	31-215
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- .1 Within 30 calendar days of the in-person investigation (i.e., first face-to-face contact), the social worker shall:
 - .11 Complete and sign the case plan as specified in Section 31-205.
 - .12 Explain the purpose and content of the case plan to the parent(s)/guardian(s) named in the case plan.
 - .13 Request the parent(s)/guardian(s) named in the case plan to sign the case plan.
 - .131 If the parent(s)/guardian(s) refuses to sign the case plan for voluntary services, voluntary services shall not be provided.
 - .14 For children who will voluntarily receive out-of-home care, request the parent(s)/guardian(s) named in the case plan to sign the placement agreement parent/agency.

31-215	CASE PLAN TIME FRAMES AND ADMINISTRATIVE REQUIREMENTS FOR CHILDREN AND FAMILIES WHO WILL VOLUNTARILY RECEIVE SERVICES (Continued)	31-215
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- .141 If the parent(s)/guardian(s) named in the case plan refuses to sign the placement agreement parent/agency, voluntary out-of-home services shall not be provided.
- .15 Obtain the signed and dated written approval of the social worker's supervisor on the case plan.
 - .151 In so signing, the signature of the social worker's supervisor shall be deemed to have certified that the case plan was reviewed by the supervisor and the case plan goal and the planned services for meeting that goal are appropriate.
- .16 Provide a copy of the completed case plan to the parent(s)/guardian(s).

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 16501.1(f)(7) and 16507, Welfare and Institutions Code.

31-220	CASE PLAN UPDATES	31-220
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- .1 The case plan shall be updated as service and permanency needs of the child and family dictate and to assure achievement of service and permanency objectives.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Section 16501.1(d), Welfare and Institutions Code.

31-225	CASE PLAN UPDATE DOCUMENTATION	31-225
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- .1 Each case plan update shall document the following information:
 - .11 Any changes in the information contained in the case plan.
 - .12 Specific information about the current condition of the child and family.
 - .13 If the parent(s)/guardian(s) is part of the case plan, a description of the degree of compliance by the parent(s)/guardian(s) with the written case plan, including the following:
 - .131 Progress in working toward achievement of each case plan objective.

31-225 CASE PLAN UPDATE DOCUMENTATION (Continued) 31-225

- (a) If the case plan's goal is family reunification, documentation shall also include the efforts to achieve the permanency alternative if family reunification fails.
- .132 Cooperation in keeping appointments.
- .133 For children in out-of-home placement, visiting patterns of the parent(s)/guardian(s) with the child, including, but not limited to, the following:
 - (a) Frequency of visits.
 - (b) Initiation by parent(s)/guardian(s).
 - (c) Cooperation in keeping appointments.
 - (d) Interaction with child and/or foster parent(s).
- .14 The case plan adequacy and continued appropriateness.
 - .141 The need, if any, for a change in the case plan.
- .15 The joint assessment conducted pursuant to Welfare and Institutions Code Sections 361.5(g), 366.21(i), or 366.22(b), when that assessment has been ordered by the court.
- .16 Any subsequent discussions with the parent(s) regarding the advisement made pursuant to Section 31-201.133(b) that he/she may request adoption counseling and services.
- .2 The case plan update shall be considered complete only if all of the elements specified in Section 31-225 have been documented and the social worker's supervisor has signed and dated the case plan update.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 361 and 361.5 (as amended by Assembly Bill 1544, Chapter 793, Statutes of 1997) and 16501.1(d), Welfare and Institutions Code; and 42 USC Section 675(1).

31-230 CASE PLAN UPDATE TIME FRAMES AND ADMINISTRATIVE REQUIREMENTS FOR COURT-ORDERED CASES 31-230

- .1 The social worker shall:
- .11 Complete a case plan update as often as the service needs of the child and family dictate and as is necessary in order to assure achievement of service objectives. At a minimum, the social worker shall complete a case plan update in conjunction with each status review hearing, but no less often than once every six months.

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- .111 Status review hearings are conducted pursuant to Sections 366.21, 366.22, 366.25, or 366.26 of the Welfare and Institutions Code.

The dispositional hearing held pursuant to Welfare and Institutions Code Section 358 may be considered the initial status review hearing if it is held within the first six months of a child's original placement date as defined in Welfare and Institutions Code Section 11400(p) and makes all of the findings required by Welfare and Institutions Code Section 366(a).

- .112 Welfare and Institutions Code Section 11400(p) specifies as follows:

"Original placement date" means the most recent date on which the court detained a child and ordered an agency to be responsible for supervising the child or the date on which an agency assumed responsibility for a child due to termination of parental rights, relinquishment, or voluntary placement.

- .113 Welfare and Institutions Code Sections 366(a) and (c) specify as follows:

"(a) The status of every dependent child in foster care shall be reviewed periodically as determined by the court but no less frequently than once every six months, as calculated from the date of the original dispositional hearing, until the hearing described in Section 366.25 or 366.26 is completed. The court shall determine the continuing necessity for and appropriateness of the placement, the extent of compliance with the case plan, and the extent of progress which has been made toward alleviating or mitigating the causes necessitating placement in foster care, and shall project a likely date by which the child may be returned to the home or placed for adoption or legal guardianship."

"(c) If the child has been placed out-of-state, each review described in subdivision (a), and reviews conducted pursuant to Sections 366.3 and 16503 shall also address whether the out-of-state placement continues to be the most appropriate placement selection and in the best interest of the child."

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.114 Welfare and Institutions Code Section 361.21 specifies as follows:

"(a) The court shall not order the placement of a minor in an out-of-state group home, unless the court finds, in its order of placement, that both of the following conditions have been met:

"(1) The out-of-state group home is licensed or certified for the placement of minors by an agency of the state in which the minor will be placed.

"(2) The out-of-state group home meets the requirements of Section 7911.1 of the Family Code.

"(b) At least every six months, the court shall review each placement made pursuant to subdivision (a) in order to determine compliance with that subdivision.

"(c) A county shall not be entitled to receive or expend any public funds for the placement of a minor in an out-of-state group home unless the requirements of subdivisions (a) and (b) are met."

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- .12 Obtain the signed and dated written approval of the social worker's supervisor on either the case plan update or the court report prior to submission of the case plan update and the court report to the court.
- .13 Provide a copy of the completed case plan update to the parent(s)/guardian(s) and discuss the case progress, problems, and case plan status.
- .14 Submit the case plan update and the court report to the court at least 10 calendar days prior to the scheduled hearing.
- .141 Updates to the case plan made during the period between review hearings which do not change the case plan goal may be approved by the social worker's supervisor and need not be approved by the court. The social worker's supervisor shall document approval of the updated case plan by signing and dating the case plan update.
- .15 Request the parent(s)/guardian(s) named in the case plan to sign the case plan update as an indication of plan approval and willingness to participate in service activities.

31-230	CASE PLAN UPDATE TIME FRAMES AND ADMINISTRATIVE REQUIREMENTS FOR COURT-ORDERED CASES (Continued)	31-230
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- .151 If unable to obtain the signature of the parent(s)/guardian(s) as specified in Section 31-230.15, the county shall nevertheless provide services. However, the social worker shall document in the case plan the reason(s) for the failure to obtain the signature of the parent(s)/guardian(s).

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 361.21, 366(a), and 16501.1(d) and (f), Welfare and Institutions Code and Sections 7901, 7911 and 7911.1, Family Code.

31-235	CASE PLAN UPDATE TIME FRAMES AND ADMINISTRATIVE REQUIREMENTS FOR VOLUNTARY CASES	31-235
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- .1 The social worker shall:
 - .11 Complete a case plan update as often as the service needs of the child and family dictate and as is necessary in order to assure achievement of service objectives, but no less frequently than once each six months.
 - .12 Provide a copy of the completed case plan update to the parent(s)/guardian(s) and discuss the case progress, problems, and case plan status.
 - .13 Request the parent(s)/guardian(s) named in the case plan update to sign the case plan update as an indication of plan approval and willingness to participate in service activities.
 - .131 If the parent(s)/guardian(s) named in the case plan update refuses to sign the case plan update for voluntary services, voluntary services shall not be provided.
 - .14 Obtain signed and dated written approval of the social worker's supervisor on the case plan update.

NOTE: Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 16501.1(f)(7) and 16507, Welfare and Institutions Code.

31-236 **TRANSITIONAL INDEPENDENT LIVING PLAN (TILP)** **31-236**

- (a) For each youth in placement, 15½ and not yet 16 years of age, the social worker/probation officer of the county of jurisdiction shall insure that the youth shall actively participate in the development of the TILP. The TILP describes the youth's current level of functioning; emancipation goals identified in Section 31-236.6; the progress towards achieving the TILP goals; the programs and services needed, including, but not limited to, those provided by the ILP; and identifies the individuals assisting the youth. The TILP shall be reviewed, updated, approved, and signed by the social worker/probation officer and the youth every six months.

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- (1) While foster care providers, ILP staff, and others may administer living skills assessments tests to foster/probation youth, the social worker/probation officer is responsible for utilizing the test results in the TILP to reflect the needs and goals of the youth.

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- (2) For youth who entered foster care after their 16th birthday, the TILP shall be completed prior to the Disposition Hearing.
- (3) The social worker/probation officer shall include the TILP in the youth's case plan when submitting documents to the court for determining services at the disposition hearing and each status review hearing prior to the first permanency planning hearing and each permanency planning hearing pursuant to Welfare and Institutions Code Sections 358(b), 358.1, 366.3, 706.5, 727.2(e)(5), and 727.3.
- (4) Counties may develop a TILP for youth younger than 16 years of age in accordance with a county plan.
- (5) The TILP shall be incorporated into the case plan specified in Section 31-206.37.
- (6) The social worker/probation officer shall use a nationally recognized or departmentally-approved assessment tool to assist the youth in developing the TILP.

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(A) The following are some examples of nationally recognized assessment tools:

Daniel Memorial Institute Independent Living Assessment for Life Skills, Ansel-Casey Skills Assessment, Phillip Roy Life Skills Curriculum, Community College Foundation Life Skills Assessment Pre and Post Questionnaires.

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- (7) When a goal contained within the TILP is employment, the TILP must state that the purpose of employment is to enable the youth to gain knowledge of work skills, and the responsibilities of maintaining employment pursuant to Welfare and Institutions Code Section 11008.15.

- (b) The social worker/probation officer shall update the TILP at least annually or more often if requested by the youth to reflect progress, changes in the youth's level of functioning and modifications made to emancipation goals, programs and services identified in the TILP.

- (c) The social worker/probation officer shall ensure that the initial TILP and each update is signed and dated by the social worker/probation officer and the youth.

- (d) If the youth refuses to cooperate with the social worker/probation officer in the development of the TILP, the social worker/probation officer shall complete the TILP, including the needs and services. This shall include documentation explaining the refusal and reasonable efforts made to obtain the youth's cooperation. In any instance where the youth refuses services, the social worker/probation officer shall again offer services to the youth at least once every six months.

- (e) The social worker/probation officer of the county of jurisdiction shall provide a copy of each completed TILP and its updates to the youth and others who are essential to the completion of the TILP goals.

- (f) The social worker/probation officer shall use the TILP document available on the Child Welfare Services/ Case Management System (CWS/CMS).

- (g) The social worker/probation officer of the county of jurisdiction shall inform youth about the county ILP and encourage them to participate.

- (1) When the appropriate ILP services have been identified, participation in ILP must be documented in the youth's TILP.

31-236	TRANSITIONAL INDEPENDENT LIVING PLAN (TILP) (Continued)	31-236
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- (2) The social worker/probation officer of the county of jurisdiction shall, prior to youth's emancipation, ensure that ILP services are provided as identified in the TILP.
- (3) The social worker/probation officer of the county of jurisdiction shall defer ILP enrollment only if the youth is physically or mentally unable to benefit from the program or if the youth declines to participate. Physical or mental deferments shall be determined by the youth's primary care physician or health/mental health care professional. A redetermination of deferment shall be made at least every six months and documented in the TILP.
- (4) The social worker/probation officer of the county of jurisdiction shall provide, as applicable, the necessary records, referrals and documentation to ensure timely and appropriate ILP service provision and meet the goals and services of the TILP as described in Section 31-236.
- (5) The social worker/probation officer of the county of jurisdiction shall ensure that transportation is provided and/or accessible to enable youth to participate in the ILP.
- (6) The social worker/probation officer of the county of jurisdiction shall work with the youth to ensure that they have access to ILP core services.
- (7) The social worker/probation officer shall ensure that participation in ILP is not used as a punishment or reward.
- (h) The social worker/probation officer shall assist the youth to complete the emancipation preparation goals described in the TILP by collaborating with public and private agencies/persons including but not limited to schools, colleges, Workforce Investment Act programs and services, the Department of Education, Mental Health, ILP coordinators, care providers, the Student Aid Commission, the Employment Development Department and One-Stop Career Centers.
- (i) The services described in the TILP shall assist, the youth, as applicable, to attain the following emancipation preparation goals:
 - (1) Education attainment including: literacy skills, high school diploma/GED.
 - (2) Management, budget and financial management skills; knowledge of landlord/tenant issues, self-advocacy skills, and credit issues; and knowledge of preventive health activities (including substance abuse prevention, smoking avoidance, nutrition education, pregnancy prevention).

31-236	TRANSITIONAL INDEPENDENT LIVING PLAN (TILP) (Continued)	31-236
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- (3) Development of a mentoring relationship with a responsible adult.
- (4) Knowledge of how to acquire and receipt of important documents, including but not limited to:
 - (A) A certified birth certificate;
 - (B) A social security card;
 - (C) An identification card and/or driver's license;
 - (D) A proof of citizenship or residency status (for undocumented aliens, preparation and/or receipt of a completed application for Special Immigrant Juvenile Status (SIJ) pursuant to 8 C.F.R. Section 204.11 or other naturalization process);
 - (E) Death certificate(s) of parent or parents;
 - (F) A proof of county dependency status for education aid applications;
 - (G) School records;
 - (H) Immunization records;
 - (I) Medical records;
 - (J) A Health and Education Passport;
 - (K) A work permit;
 - (L) Written information concerning the child's dependency case including: information about the child's family history; the child's placement history;
 - (M) The names, phone numbers and addresses of siblings and other relatives;
 - (N) The procedures for inspecting the documents described under Welfare and Institutions Code Section 827; and
 - (O) Information regarding jurisdiction termination hearings and the potential consequences of a failure to attend.
 - (P) Information and assistance for completing applications to seal juvenile records pursuant to Welfare and Institutions Code Section 781, as needed.

31-236	TRANSITIONAL INDEPENDENT LIVING PLAN (TILP) (Continued)	31-236
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- (5) Receipt of mental health counseling, as appropriate.
- (6) Establishment and maintenance of a bank account including, but not limited to an emancipation savings account.
- (7) College, vocational training program, or other educational or employment program admittance information, prior to emancipation.
- (8) Gainful employment through the provision of information about and participation in employment and training services provided through Workforce Investment Act programs and services, Employment Development Department (EDD) One-Stop Career Centers, and registered at an EDD One-Stop Career Center, including but not limited to: career exploration, work readiness skills, vocational training, employment experience, job placement and retention.
- (9) Receipt/completion of applications for sources of post-emancipation financial support including but not limited to emancipation stipends, Supplemental Security Income (SSI), Transitional Assistance to Needy Families (TANF), Supportive Transitional Emancipation Program (STEP), Transitional Housing Program-Plus (THP-Plus), scholarships and grants, as applicable.
- (10) Referral to appropriate county adult social services agencies, as needed, prior to emancipation.
- (11) Completion of Medi-Cal reapplication, prior to emancipation.
- (12) Acquisition of safe and affordable housing, upon emancipation.
- (j) The social worker/probation officer shall enable the youth to obtain documents identified in the TILP that are necessary to complete the emancipation goals during the first six months of the youth's 16th year or as soon thereafter as is reasonable.
- (k) Social workers/probation officers shall, prior to each withdrawal from the emancipation savings account, include in the TILP their written determination and authorization for the youth to withdraw cash savings necessary for emancipation purposes pursuant to Welfare and Institutions Code Sections 11008.15 and 11155.5.
- (l) If applicable, savings and incentive payments shall be documented in the TILP, and the requirements of Welfare and Institutions Code Sections 11008.15 and 11155.5 shall apply.

31-236 TRANSITIONAL INDEPENDENT LIVING PLAN (TILP)
(Continued)

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- (1) Welfare and Institutions Code Section 11008.15 specifies:

"Notwithstanding Sections 11008.14 and 11267, the department shall exercise the options of disregarding earned income of a dependent child derived from participation in the Job Training Partnership Act of 1982 (P.L. 97-300), a dependent child who is a full-time student pursuant to the Deficit Reduction Act of 1984 (P.L. 97-369), and a dependent child 16 years of age or older who is a participant in the Independent Living Program pursuant to the Consolidated Omnibus Budget Reconciliation Act of 1985 (P.L. 99-272), providing the child's Independent Living Program case plan states that the purpose of the employment is to enable the child to gain knowledge of needed work skills, work habits, and the responsibilities of maintaining employment."

- (2) Welfare and Institutions Code Section 11155.5 specifies:

"(a) In addition to the personal property permitted by other provisions of this part, a child declared a ward or dependent child of the juvenile court, who is age 16 years or older, may retain resources with a combined value of not more than ten thousand dollars (\$10,000), consistent with Section 472(a) of the federal Social Security Act (42 U.S.C. Sec. 672(a)) as contained in the federal Foster Care Independence Act of 1999 (P.L. 106-169) and the child's transitional independent living plan. Any cash savings shall be the child's own money and shall be deposited by the child or on behalf of the child in any bank or savings and loan institution whose deposits are insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation. The cash savings shall be for the child's use for purposes directly related to emancipation pursuant to Part 6 (commencing with Section 7000) of Division 11 of the Family Code.

"(b) The withdrawal of the savings shall require the written approval of the child's probation officer or social worker and shall be directly related to the goal of emancipation."

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- (m) The social worker/probation officer shall consider placement of eligible youth in the THPP subject to the requirements set forth in Welfare and Institutions Code Section 16522(a).

31-236	TRANSITIONAL INDEPENDENT LIVING PLAN (TILP) (Continued)	31-236
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- (1) Welfare and Institutions Code Section 16522(a) states, in part:
- (a) "The State Department of Social Services shall adopt regulation to govern transitional housing placement programs that provide supervised housing services to persons at least 16 years of age and not more than 18 years of age, except as provided in section 11403, and who meet all of the following conditions;
- "(1) Meet the requirements of section 11401.
- "(2) Are in out-of-home placement under the supervision of the county department of social service or the county probation department.
- "(3) Are participating in, or have successfully completed an independent living program.
- "(4) Any minor at least 16 years of age and not more than 18 years of age, except as provided in Section 11403, who is eligible for AFDC-Foster Care benefits under this chapter and who meets the requirements in Section 16522.2."

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NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 358, 366, 391, 706.6, 727.2, 727.3, 10553, 10554, 11155.5, 11403.2, 16501, 16501.2, 16501.5, 16522, et seq., and 18987.6, Welfare and Institutions Code and 42 U.S.C. Sections 672(a), 675, and 677.

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