

Concurrent Planning: Sample Scripts
Developed by Constance Cohen and Judy Norris

Judges:

To Parents:

The next thing we need to talk about is what we call concurrent planning. The law requires me to be sure that we have a concurrent plan. What does this mean? It means that my job is to first decide whether everyone is doing their job to reach the goal of reunification. It also means that if the goal of reunification cannot be met within the deadlines I have to follow, we have to figure out what our backup plan is. I'm not bringing this up to upset you. I bring this up because the law requires me to be sure we have a solid back-up plan if you cannot resume full time care of your child within ____ months. Also, you deserve and need to know what is at stake in your case.

We know from the experts that babies suffer every time their placement changes. For them it is not just the placement that changes, but everything in their lives: sights, smells, voices, routines, everything. We cannot explain to them what is happening. They feel powerless. They get confused and this confusion can result in problems for them. When they experience stress from dealing with unpredictability, their brains are too busy figuring out how to adapt and may not develop in a healthy way. Changing placements can also have a negative impact on their ability to form healthy and trusting relationships in the future. Your child has already had to adjust to one new home and it is important that we keep her in a consistent setting so she can be healthy in every way.

So, we need to have a "Plan B" from the beginning of the case. Plan A is for you to resume custody and safely care for your child without Court involvement. This is the outcome that everyone involved in your case wants. Plan B must be developed right away in order to be sure there is a safe and secure home for your child to grow up if you cannot safely resume care of your child. Caretakers, I am not asking you to give me the answer right now, but we will need to know soon whether you are in a position to provide this child with a forever home if parental rights are terminated. I am asking you to do some soul searching and let the social worker and me know whether you are willing and able to adopt the child if he cannot be safely reunified with his parents in the time the law allows.

If the current placement is not a permanent option, parents need to help identify appropriate relatives or other people close to your family who may be able to provide a permanent home for your child if the need arises. Federal law requires DHS to notify all adult relatives of the removal within thirty days. Your help is needed to comply with this law.

Parents, please know that it is my commitment to you to provide you with whatever help is available to support safe and permanent reunification with you. At every hearing I will be asking you whether you have the services you need, for example, transportation, adequate parenting time, therapy, treatment, etc.. It is your job to be sure to let us know what you need. If you need something you are not receiving, you must let us know. If you are not getting the response you seek from the providers, don't wait until the next hearing to ask for it. Let your lawyer know right away and she will ask me to set a hearing to resolve the issue. It is her job to make sure you have what you need when you need it. Even if you have the best lawyer in the world, she is not a mindreader. Be sure you keep in contact with her and keep her updated.

Also, your lawyer is assigned to advocate for the outcome you want. But she is not allowed to mislead the Court. And she cannot do the work for you. So, what I'm saying is that no matter how skilled your lawyer is, you have to do the work. She cannot say you attended therapy if you didn't. She cannot tell me you didn't use drugs if you did. I hope that you will seek out and benefit from the help you need in order to close this case successfully.

Remember that I have a limited amount of time to keep this case open, so it is important that you think of this case as an emergency. You will know what the deadline is. The law requires us to have a permanency hearing within ___months of the removal. The removal was on _____, so that's when we start the clock. We will determine the date of the permanency hearing and include it in every order. It is my hope that we will be able to cancel that hearing because your child will have already been reunified with you.

I know that this is a lot of information to process. There are several people who will help you and explain things along the way. Following this hearing, who will be immediately available to answer parent's questions? Do you have any questions you would like to ask now?

Social Workers / Providers / Attorneys

After court: (Opening the dialogue) "So how are you feeling about what the judge said in court about your plan B? Do you have any questions or thoughts about what was said?" "Are you doing OK?"

(Layman explanation)

(Acknowledging the fear) I'm sure it's pretty tough to hear that, but by law we all have to talk about it and plan. (Validate the purpose) None of us have that goal first, we all know a child benefits most by safely growing up with their mom and dad. (Give example) It's kind of like when your family is dealing with an emergency situation and although no one wants to talk about it, it's best to have backup plans in place. The kids are less traumatized by being plan-full in those situations. We believe that with the love you have already showed us for your children, that you want what's best, and being prepared is what best in these yucky situations like this"

(Validate their anxiety/fear/anger about the placement) I know it's hard to see your kids with someone else. And part of that is that you know it's hard on them too. That's why we don't want to see them have to move someplace else unless it's back with you. So, what we need to ask of you is to do some soul searching about what has you upset about the placement. Do you want them moved because they are unsafe, or is it because of a pretty toxic relationship that you have between you and_____. Please keep talking to us about it so we can work through it with you. I ask that you just make sure that if getting your kids home is what matters most to you, then try to stay focused on that.

(Reinforce that it is not plan "A") So with that being said, let's talk about how we can support you the best way possible so we can get you and your family safely reunited and the system out of your life. I can tell that.... (Give a positive about the parent(S); give it thought! Don't just throw something out! Be genuine and honest even if you can only find the smallest of hope that you believe in them!) Your attorney is your "go to about this whole process"

(Explain next steps simplistically) So we want to make sure you have as much contact as possible with your kids. The reasons why they were removed will be put in a case plan and steps to address those issues and resolve the issue of safety will be in there. We will also talk about them in court and family team meetings. I know some stuff may be really hard, that's why we need you to work with us on what we can do to help you meet those goals and get those beautiful kids of yours where they need to be! There's no dumb question and difficulty doesn't mean failure to any us. Keep in contact with your attorney and/or if this stuff gets confusing to you or you have concerns.

(Make it part of the dialogue in case process) FTM's and court. Make the time line part of the conversations you have. Tie it in with the actions/expectations they are working on. There's never a good time to present it like a threat. There is ALWAYS good out of helping them believe in themselves and their self-worth, regardless of their journey. Even if the concurrent plan needs implemented, and the children go to relatives, there will likely be some kind of relationship down the road, help them plan for it. Secondly, there is a high likelihood they may have other children. No level of encouragement will go wasted!