



## INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY

**Chapter 5:** General Case Management

**Section 09:** Informal Adjustment/Prevention Plan (IA)

**Effective Date:** December 1, 2023

**Version:** 10

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### POLICY OVERVIEW

The Informal Adjustment/Prevention Plan (hereafter referred to as IA) is a written agreement filed with the court, which outlines the steps the parent, guardian, or custodian must complete to ensure the safety and well-being of the child. An IA may be offered to a family to provide the parent, guardian, or custodian with an opportunity to keep the child safe in the home when there is probable cause to believe Child Abuse and/or Neglect (CA/N) exists.

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### PROCEDURE

The Indiana Department of Child Services (DCS) will initiate an IA when:

1. An allegation of CA/N is substantiated;
2. Voluntary participation in family and/or rehabilitative services is the most appropriate course of action to protect the safety and well-being of the child;
3. The parent, guardian, or custodian consents to an IA; and
4. Juvenile court approval is requested and obtained.

**Exception:** The IA is deemed approved if the court does not approve the IA, deny the IA, or set a hearing within 10 calendar days of filing the IA. An IA is also deemed approved if the hearing is set within 10 calendar days, but not held, and action is not taken to approve or deny the IA within 30 calendar days of submission to the court.

The beginning date of the IA is the date of court approval. If the court does not approve or deny the IA, the beginning date is 10 calendar days after filing. The duration of the IA will be no longer than six (6) months. An IA extension may be requested for no longer than three (3) months.

DCS will utilize the Progress Report on Program of Informal Adjustment/Prevention Plan (IA) form to:

1. Discharge the IA if the family has complied with the terms of the IA;
2. Extend the IA past the initial six (6) months (an IA may have one [1] three [3] month extension);
3. Dismiss the IA if:
  - a. The family has not complied with the terms of the IA and DCS is not requesting an extension; or

**Note:** DCS may file a petition for compliance if a parent, guardian, or custodian fails to comply with the services outlined in the IA. The following scenarios are examples of situations when an IA may be dismissed when the family has not complied with/completed the terms of the IA and DCS is not requesting an extension:

- i. The family is moving out of state;
- ii. DCS is involved due to truancy issues and probation becomes involved; and/or
- iii. Custody changed during the course of the IA, and the child is no longer living in the home where the IA was initiated.

b. DCS has obtained court approval to file a Child in Need of Services (CHINS) petition.

4. Notify the court that DCS will be filing a subsequent report because:
  - a. The family has not substantially complied with the terms of the IA, and DCS is reviewing the situation to determine appropriate action, or
  - b. Services have not been successful to allow the child to remain safely in the home, and a petition requesting court approval to file a CHINS has been filed.

**Note:** DCS will consider filing a CHINS petition if the parent, guardian, or custodian does not comply with the terms of the IA or the best interest of the child requires additional services for which court intervention is needed. If the child turns 18 years of age during the term of the IA, the 18-year-old cannot be adjudicated a CHINS.

If the parent, guardian, or custodian has initiated an Administrative Appeal of the substantiation determination, consideration of the appeal will be delayed until after completion of the IA (see policies 2.01 Notice of Assessment Outcome, 2.02 Administrative Review Process, and 2.05 Administrative Appeal Hearings).

The Family Case Manager (FCM) will:

1. Review or develop the Safety Plan and/or Plan of Safe Care to ensure the child's safety in all daily settings and seek supervisory approval of the plan;

**Note:** Regularly review the Safety Plan and/or Plan of Safe Care and make necessary revisions to ensure the child's safety. (see policies 4.19 Safety Planning, 4.42 Plan of Safe Care, and 5.21 Safety Planning).

2. Gather information necessary and complete the Child and Adolescent Needs and Strength (CANS) assessment within five (5) calendar days of a substantiated CA/N finding(see policy 5.19 Child and Adolescent Needs and Strengths [CANS] Assessment).
3. Convene a Child and Family Team (CFT) Meeting or case plan conference to assist the family in identifying goals to be met through the IA (see policy 5.07 Child and Family Team Meetings);

**Note:** Identify potential barriers to obtaining and/or participating in services (e.g., transportation, childcare, and work schedules) with the family, and develop a plan to overcome these barriers. DCS will not discriminate against a parent, guardian, or custodian based on a disability. Reasonable accommodations will be considered when determining services and goals for the individual with a disability.

4. Review and discuss the Initial Safety Assessment, Initial Family Risk Assessment, and CANS Assessment with the family (see policies 4.18 Initial Safety Planning, 4.23 Initial

Family Risk Assessment, and 5.19 Child and Adolescent Needs and Strengths [CANS] Assessment);

5. Develop the IA with the family, outlining the activities or actions to be completed by each person and the deadline for completion. All activities and actions should directly relate to the safety and well-being of the child;
6. Review the IA with the family to ensure each person understands and agrees to the identified responsibilities;
7. Ensure the parent, guardian, or custodian and other participants named in the IA understand the consequences of noncompliance with the terms of the IA before requesting signatures;
8. Provide each person who is named in the IA with a copy of the signed agreement within 10 calendar days;
9. Submit the IA and Preliminary Inquiry (PI) to the DCS Staff Attorney;
10. Track the filing of the IA to determine whether it is approved;
11. Utilize the CFT to support the family in completing the terms of the IA;
12. Monitor the family's progress, and complete and submit to the court the Progress Report on Program of Informal Adjustment/Prevention Plan no later than five (5) months after court approval of the IA;

**Note:** DCS will ensure any new allegations of CA/N are reported to the DCS Child Abuse Hotline (Hotline). New allegations, observed by or reported directly to a DCS employee who is on the scene and immediately initiates an assessment (through face-to-face contact with all alleged victims), are reported to the Hotline within one (1) hour of leaving the scene. See policy 4.38 Assessment Initiation for additional information.

13. Re-determine whether the child continues to be at imminent risk of removal and if reasonable efforts are continuing to be made to safely maintain the child at home (see policy 7.01 Child at Imminent Risk of Removal).

**Note:** Indiana Code (IC) uses the phrase "imminent risk of placement" rather than "imminent risk of removal".

14. Staff with the FCM Supervisor and DCS Staff Attorney regarding a request for an extension from the court or approval to file a CHINS petition using the Progress Report on Program of Informal Adjustment/Prevention Plan if the family is not making progress toward the terms of the IA. If the court approves an extension, file a supplemental report no later than eight (8) months after court approval of the initial IA; and

**Note:** A CHINS petition should only be filed if safety concerns arise because the parent, guardian, or custodian has not complied with the terms of the IA, or the best interest of the child requires additional services for which court intervention is needed.

15. Use the Progress Report on Program of Informal Adjustment/Prevention Plan form to notify the court of DCS' intent to let the IA expire at six (6) months if no further DCS involvement is required.

The FCM Supervisor will guide and assist the FCM in completing required steps and ensure any deviation from best practice is documented.

The DCS Staff Attorney will:

1. Prepare and file a Request for Approval of the IA utilizing the PI and IA attachments/exhibits, or discuss the legal insufficiency with the DCS Local Office Director (LOD) or designee;
2. Notify the FCM of the filing date of the PI and the IA;
3. Notify the FCM of the court approval date of the IA;
4. Staff with the FCM and FCM Supervisor as needed regarding the need for requesting compliance, an extension, discharge of the IA, or filing a CHINS; and
5. Prepare and file appropriate pleadings.

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## RELEVANT INFORMATION

### Definitions

#### Petition for Compliance

A petition for compliance is a document that may be filed with the court by the local DCS office if the parent, guardian, or custodian has not substantially complied with the terms of the IA.

#### Preliminary Inquiry (PI)

A PI is a written report prepared by DCS, which includes the child's background, current status, and school performance. The report relates the facts and circumstances that establish the reason for DCS involvement in both CHINS and IA cases.

### Forms and Tools

- Initial Family Risk Assessment- Available in the case management system
- Initial Safety Assessment - Available in the case management system
- [Plan of Safe Care \(SF 56565\)](#)
- Preliminary Inquiry (PI) - Available in the case management system
- [Preliminary Report of Alleged Child Abuse or Neglect \(SF 114\)](#)
- Program of Informal Adjustment (IA)/Prevention Plan– Available in the case management system
- Progress Report on Program of Informal Adjustment/Prevention Plan (SF 54336) – Available in the case management system
- [Safety Plan \(SF 53243\)](#)

### Related Policies

- [2.01 Notice of Assessment Outcome](#)
- [2.02 Administrative Review Process](#)
- [2.05 Administrative Appeal Hearings](#)
- [4.18 Initial Safety Assessment](#)
- [4.19 Safety Planning](#)
- [4.23 Initial Family Risk Assessment](#)
- [4.38 Assessment Initiation](#)
- [4.42 Plan of Safe Care](#)
- [5.07 Child and Family Team \(CFT\) Meetings](#)
- [5.19 Child and Adolescent Needs and Strengths \(CANS\) Assessment](#)
- [5.21 Safety Planning](#)
- [7.01 Child at Imminent Risk of Removal](#)

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## LEGAL REFERENCES

- [IC 31-34-8-1 Implementation of program; statement by court of reasons for denial; program considered approved in certain circumstances](#)
- [42 USC 672: Foster care maintenance payments program](#)
- [42 USC 12102: Definition of disability](#)

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## PRACTICE GUIDANCE- DCS POLICY 5.09

*Practice Guidance is designed to assist DCS staff with thoughtful and practical direction on how to effectively integrate tools and social work practice into daily case management in an effort to achieve positive family and child outcomes. Practice Guidance is separate from Policy.*

N/A

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