



INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY

Chapter 5: General Case Management

Section 23: Diligent Search for Relatives/Kin and Case Participants

Effective Date: February 1, 2022

Version: 5

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POLICY OVERVIEW

The Indiana Department of Child Services (DCS) conducts a diligent search for parents, adult relatives, non-relative kin, and case participants in order to notify them of the child's removal; gather information about the child and family for a thorough assessment, locate family members, engage in services and/or the case planning process, and determine if the relatives/kin are possible supports for the child or a potential placement option.

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PROCEDURE

DCS shall conduct a diligent search of all potential resources, including efforts that utilize search technology, beginning upon the child's first contact with DCS and continuing throughout the life of the case to locate the following:

1. Absent and noncustodial parents, for the purposes of notifying them of an assessment, a Detention and Initial Hearing, other Juvenile Court proceedings (including Termination of Parental Rights [TPR] or adoption) and engaging them in case planning and services unless:
 - a. A parent is deceased (certified by a Death Certificate),
 - b. A parent has signed a Consent to Adoption for the child,
 - c. A parent has surrendered the child for adoption,
 - d. TPR has been finalized with respect to the child who is the subject of the Juvenile Court proceeding, or
 - e. DCS has confirmed a parent's home address by visiting the home within the last month.
2. All individuals named on a Preliminary Report of Alleged Child Abuse or Neglect (310) whose whereabouts are unknown, for the purpose of conducting an assessment;
3. Relatives required by law to be notified within 30 days of a child's removal from the child's parent, guardian, or custodian (see policy 4.28 Removals from Parents, Guardians, or Custodians for additional information);
4. All adult relatives/kin and other individuals who have an established and significant relationship with a child in DCS custody, for the purpose of finding the best and earliest placement for a child that may result in permanency, childcare, or other assistance to support the family (see policy 8.01 Selecting a Placement Option);
5. Siblings of a child in DCS custody, for the purpose of placing the siblings together or to facilitate regular visitation (see policy 8.12 Developing the Visitation Plan);

6. Individuals who have been identified by the child and/or family as potential informal supports; and
7. Any child absent from placement, including any child for whom DCS is legally responsible, who is absent from the child's approved/authorized placement without the consent of the child's caregiver or DCS. This also includes a child who is placed in protective custody and the child is abducted or the child's whereabouts become unknown during a pending assessment or pending case (see policy 5.22 Missing and Runaway Children).

Assessments

During an assessment, the Family Case Manager (FCM) will:

1. Attempt to locate the subjects of all required interviews by consulting a variety of resources (see policy 4.04 Required Interviews). These resources include, but are not limited to:
 - a. Relatives/kin who may have recent information concerning the subjects' whereabouts,
 - b. Law enforcement (e.g., requests for a search on a license plate number and social security numbers),
 - c. Local branch of the United States Postal Service (USPS).
 - d. Local utility companies,
 - e. Bureau of Motor Vehicles (BMV),
 - f. School records,
 - g. Internet search engines,
 - h. Public Assistance records, and
 - i. Telephone directories and information, such as 411.

Note: Diligent efforts should be made in requesting information pertaining to any absent parent of a child who is alleged to be a victim of Child Abuse/Neglect (CA/N). See policy 5.06 Locating Absent Parents for additional guidance.

2. Document the inability to locate and interview any required contact, along with the efforts made in the case management system. This includes documenting extenuating circumstances that prevent the completion of a component of the assessment or within the deadline;
3. Seek guidance from the FCM Supervisor if there is a deadline that cannot be met and/or a component of the assessment cannot be completed; and
4. Document the following information in the case management system:
 - a. The inability to locate and interview any required contact, along with the efforts made in the case management system. This includes documenting extenuating circumstances that prevent the completion of a component of the assessment or within the deadline, and
 - b. The decision (including the reason for the decision) to reach an assessment finding based on the available evidence and close the assessment without completion of one (1) or more required components of the assessments, upon approval by the FCM Supervisor (see policy 4.22 Making an Assessment Finding).

During an assessment, the FCM Supervisor will:

1. Assist the FCM with creative problem-solving techniques if it is determined that good faith efforts have not been made and additional efforts should be made to complete a component of the assessment; and

2. Review the FCM's documentation and discuss the circumstances with the FCM to make a final determination about whether good faith efforts have been made and if the assessment may be closed without completion of one (1) or more components of the assessment.

Removals

In the event of a child's removal from the parent, guardian, or custodian, the FCM will:

1. Identify all adult relatives/kin, and conduct a diligent search, including a search for those individuals required to be notified of the removal. Per IC 31-34-3-4.5, the following individuals must be notified of a child's removal within 30 calendar days of the removal:
 - a. Maternal and paternal grandparents;
 - b. Adult aunts and uncles;
 - c. A parent of a child's sibling if the parent has legal custody of the sibling;
 - d. All of the child's siblings who are at least 18 years of age; and
 - e. Any other adult relatives suggested by either parent or the child.

Note: When provided notice that a child has been removed from the child's parent, guardian, or custodian, each relative must be provided the Notice to Relatives form, which outlines the information which, by law, must be provided. DCS staff members are only permitted to share the information outlined on the form. If these relatives contact the FCM to request additional information about the case, the FCM should work with the child's parent to engage the relative in the CFT Meeting process and development of the Visitation Plan, as appropriate (see policy 2.06 Sharing Confidential Information).

2. Record in the case management system:
 - a. The name, relationship to the child, and contact information of each person for whom this information is available, and document each successful contact, and
 - b. The name, relationship to the child, and diligent efforts made to locate and contact each adult relative and sibling who has not been located for purposes of the written notice of removal (per IC 31-34-3-4.5).
3. Contact the located individuals as soon as possible to consider them for participation in CFT Meetings, placement for the child, and as informal supports for the child and/or family;
4. Ensure each individual receives a written notice of the removal using Notice to Relatives within 30 calendar days of the removal;

Note: When it is known or suspected that a relative has caused family violence or DV, DCS may not notify that relative of the child's removal. The decision not to provide notice to any of the required relatives must be made jointly with the FCM Supervisor and documented in the case management system.

5. Follow all confidentiality requirements when communicating with relatives/kin; and
6. Include diligent search efforts, including all adult relatives/kin and those named on the petition, in each progress report to the court.

Life of the Case

Throughout the life of the case, the FCM will:

1. Ask the child's parent where DCS may find the other parent if the other parent's whereabouts are unknown;

2. Contact the child's parent, guardian, or custodian, and request to be notified when the child appears if the child's whereabouts are unknown;
3. Gather information during conversations with each parent, the child, any known relatives/kin, other supports, and the current caregiver (if applicable). This information may be used to conduct a diligent search for the child's siblings, all adult relatives/kin, or friends who may be a possible placement option for the child (if applicable), Child and Family Team (CFT) member, and/or informal support for the child and/or family;

Note: The information the FCM will obtain includes addresses; telephone numbers; aliases; veteran status; present or previous employers; the last school the child attended; doctors; educational information for the child including school name, child's grade, and teacher's name; tribal affiliation (if applicable); and any other information that would be helpful in locating relatives/kin and resources for the child.

4. Visit the parent's last known address if there is reason to believe the parent may be at that location (see policy 5.06 Locating Absent Parents);
5. Contact the landlord, if applicable, ensuring the identified individual's confidentiality is maintained (see policy 2.06 Sharing Confidential Information);
6. Consider completing a DCS Investigator referral for assistance in situations where all procedural steps have been completed but efforts have been unsuccessful in locating individuals (see Investigation Services on the DCS Community Services/Referrals webpage for additional information);
7. Document all diligent search efforts and the results of each search effort in a contact in the case management system within 24 hours of completion of each respective search;

Note: These efforts must also be captured in the Kinship Connection Diagram.

8. Advise the CFT regarding the identity, or lack thereof, of each parent and all adult relatives/kin, efforts made to locate and contact the parent and identified relatives/kin, and the identity and location of other persons contacted as requested by the child or the child's parent;
9. Continue to pursue diligent efforts to locate absent parents, alleged parents, all adult relatives/kin, and siblings, as necessary, throughout the life of the case, and discuss progress made during regular case staffing (see policies 5.04 Noncustodial Parents and 5.06 Locating Absent Parents); and
10. Include diligent search efforts in each progress report to the court. Ensure an Affidavit of Diligent Inquiry (ADI) is completed on individuals named on the Petition, if applicable.

The FCM Supervisor will:

1. Ensure the FCM has conducted a diligent search for all adult relatives/kin, including those individuals required by IC 31-34-3-4.5 to be notified of the removal;
2. Assist the FCM, as necessary, by using creative problem-solving techniques to help locate case participants throughout the life of the case;
3. Review the continued progress of the FCM to pursue diligent efforts to locate absent parents, alleged parents, all adult relatives/kin, siblings, and those named on the petition throughout the life of the case, and discuss progress made during regular case staffing (see policies 5.04 Noncustodial Parents and 5.06 Locating Absent Parents). Also, review and discuss with the; and
4. Ensure all diligent search efforts are completed on all adult relatives/kin and those individuals named on the petition, when necessary, documented in the case management system, and included in progress reports to the court.

RELEVANT INFORMATION

Definitions

Case Staffing

Case staffing is a systematic and frequent review of all case information with safety, stability, permanency, and well-being as driving forces for case activities.

Sibling

A sibling is defined as:

1. A brother or sister including biological, half, step, and adopted; and
2. Any other individual who would be considered a sibling if parental rights had not been terminated.

Forms and Tools

- [4.A Tool – Interviewing Children](#)
- [Affidavit of Diligent Inquiry \(SF 54778\)](#)
- [Consent to Adoption \(SF 12582\)](#)
- [Investigation Services](#)
- [Kinship Connection Diagram](#)
- Notice to Relatives (SF 55211)- Available in the case management system
- [Preliminary Report of Alleged Child Abuse or Neglect \(SF 114\) \(310\)](#)
- Visitation Plan- Available in the case management system

Related Policies

- [2.06 Sharing Confidential Information](#)
- [4.04 Required Interviews](#)
- [4.22 Making an Assessment Finding](#)
- [4.28 Removals from Parents, Guardians, or Custodians](#)
- [5.04 Locating and Engaging Noncustodial Parents](#)
- [5.06 Locating Absent Parents](#)
- [5.22 Missing and Runaway Children](#)
- [8.01 Selecting a Placement Option](#)
- [8.12 Developing the Visitation Plan](#)

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LEGAL REFERENCES

- [IC 31-9-2-107: "Relative"](#)
- [IC 31-34-3-4.5: Procedures for notices to adult relatives and siblings; content](#)
- [IC 31-34-18-2: Predispositional report; participation by parent, guardian, or custodian; out-of-home placement with blood or adoptive relative caretaker](#)
- [42 USC 671 \(a\)\(29\): notification of parents of siblings](#)

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PRACTICE GUIDANCE- DCS POLICY 5.23

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.

Accessing DCS Investigators

DCS Investigators are employees of DCS who are responsible for assisting FCMs in locating absent parents, relatives, and/or other identified persons of interest to the case and/or assessment. FCMs may make a referral for this assistance in situations where all procedural steps have been completed and their efforts have been unsuccessful. Additional information regarding how to make a referral, when to make a referral, and other helpful information may be found under Investigation Services on the DCS Community Services and Referrals webpage.

Building Trust with Relatives

When family members do not respond immediately to DCS inquiries, this does not necessarily mean they do not care about the child. When DCS takes the time to build trust with relatives, it may go a long way to help them seriously consider the role they want to play in the child's life. DCS may help relatives see they do not have to limit their roles to providing a place to stay but have a variety of ways they may be involved in the child's life.

Suggested strategies to build trust with relatives include:

1. Persevering- Continue to engage the family during each contact and during CFT Meetings to partner in the identification of family and important individuals in the lives of the child and family members; and
2. Providing Opportunities for Family Participation in CFT Meetings- It is important to let family members decide as much as possible about how they may help the child. Once the child's situation is clear, it is important to give relatives an opportunity to step forward. Family members often take the initiative to let others know about the child's situation. They often show their support in unanticipated ways- including traveling long distances at their own expense to participate in planning meetings.

Extenuating Circumstances (added November 2022)

When initiating an assessment, extenuating circumstances may occur that prevent the FCM from completing face-to-face contact with a child within the initiation timeframe. Extenuating circumstances which may be approved include but are not limited to:

1. The child victim is not at the location stated on the report (e.g., school trip, out of town/state);
2. The victim is unknown or the child does not exist;
3. There is an inclement weather emergency;
4. There is a traffic accident or traffic delays;
5. A new child victim added to the report after the initial family contact was made;
6. Child is deceased;
7. Parent refused to allow access to the child (motion to compel is needed);
8. Report is linked to an open assessment and additional face-to-face contact is not required;
9. Report is assigned after the initiation timeframe; or
10. Child is in a hospital setting and not available due to critical illness or a traumatic incident.

Note: Contact with a child who is in the hospital should occur within the initiation timeframe unless the child is unavailable due to current medical intervention.

Good Faith Efforts to Locate

Upon arriving at the last known address for a child who is the subject of a CA/N report, and the FCM learns that the family has fled or is no longer at that address, the FCM will make good faith efforts to locate the family. These good faith efforts may include, but are not limited to, the FCM:

1. Consulting local phone directories and information, school records, BMV records, utility company records, and public assistance records in search of additional information that may help identify the family's new location.
2. Returning to the last known address, if the records search yields no new information, and making inquiries with several neighbors about where the family moved or if a forwarding address was left.
3. Leaving the FCM's contact information with the neighbors and asking them to call should the family reappear. At no point should the FCM reveal or indicate that the FCM works for DCS, as this would violate the confidentiality rights of the family. The FCM may state the FCM works for the State of Indiana.
4. Documenting all efforts to locate and discussing these efforts with the FCM Supervisor in order to determine if good faith efforts have been made and the assessment may be closed.

Parental Resistance

Often when engaging a parent, they may refuse to identify the absent parent, relatives, or other adults who care about the child. The following are some suggested strategies that may be of assistance in overcoming parental resistance. They include:

1. Informing the parent about the benefits of the child having a relationship with the absent parent and permanent connections with relatives and other caring adults, and the potentially harmful effects on the child who does not have these supports;
2. Being persistent and recognizing that sometimes the parent (and others) are not ready to provide information when first asked. The parent's resistance may lessen as they see other family members are concerned for the child and participate in services to preserve the family, reunification services, and/or CFT Meetings;
3. Asking the child to identify important individuals in the child's life with whom they would like to have contact. See 4.A Tool: Interviewing Children for some helpful techniques for interviewing the child;
4. Seeking individuals who may be resources to provide support to the child and parent; and
5. Partnering with the courts and attorneys to obtain court orders requiring that parents identify relatives to whom written notice of removal is required by law. If necessary, request the parent be put under oath and instructed to provide testimony regarding identifying relatives and their contact information.

Respecting Family and Community Culture

Throughout the relative search process, it is important to honor the family's culture and background and to integrate their cultural practices into plans for the child's care. In many cultures, family and community members have a range of supportive roles in caring for children. The family's cultural traditions may greatly enhance plans for child rearing, parenting, and supporting children. To build rapport with relatives, DCS must learn about the family's culture and engage them in developing workable plans that are consistent with the family's culture and unique traditions.

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