

# You Are Not Alone

A Guide for Parents When Your Child Enters Foster Care



Prepared by:



In Partnership with:



## Parent Handbook

It is devastating when your child is removed  
and placed in foster care.

Find your power from within.

Connect with others.

**You have what it takes**  
for the difficult journey ahead.



Parent Handbook • Copyright ©2020

The mission of Fostering Great Ideas is to restore  
hope to children in foster care through innovative  
ideas built on meaningful relationships.



fgi4kids.org |      @fgi4kids

**Parents, we believe in you!** We care about you! We commit to encourage, honor and support you. You can overcome your struggles.

When children are placed in foster care, it can be very stressful for everyone in the family. You will be asked about any relatives or others connected to your family that may be interested in providing temporary care. Be sure to share any names and contact information so that we may begin exploring temporary placement options now.

You may feel angry, overwhelmed, or worried about your child's safety and well-being. Your child may be confused and scared. No one can tell you exactly how long your child will be in foster care; this will depend on your Family Permanency Plan and the circumstances that brought you to the foster care system. But foster care is not forever. Children and youth can and do return home to their families. In fact, this is the most common outcome. Reunification—which means getting the family safely back together—is the first goal when it is in your child's best interest.

Visiting your child while he is in foster care helps to preserve and strengthen your bond while you are not living in the same place. It can soothe your child's fears and worries by showing that you care about him and that he can count on you to be there when you say you will. It also shows the agency that you are committed to your child.

Once you have successfully completed the reunification process with your child or youth, consider using your experience to help others. Are there parts of the system you'd like to see changed? Would you like to help other families who are going through what your family went through? Your voice and experience are powerful.

We respect you and the strength you have as a parent. We know that you have autonomy in decision-making and we are grateful for the opportunity to work alongside you and your family. We commit to working with you to create and carry out a Family Permanency Plan that will result in greater strength, stability, safety and self-sufficiency for you and your family in the future.

Child Welfare Division,  
South Carolina Department of Social Services



[dss.sc.gov](https://dss.sc.gov)

# Table of Contents



<b>1. What Just Happened?</b>	<b>2</b>
<b>2. Top 10 Tips from Parents Like You</b> <i>(If you read nothing else, read this!)</i>	<b>4</b>
<b>3. Work as a Team</b>	<b>6</b>
<b>4. Your Rights &amp; Responsibilities</b>	<b>10</b>
<b>5. The Emotional Pain</b>	<b>12</b>
<b>6. Visits with Your Child</b>	<b>13</b>
<b>7. Understand The Court Process</b>	<b>15</b>
<b>8. Work Your Plan</b>	<b>19</b>
<b>Appendix: Helpful Resources</b>	<b>25</b>

# 1. What Just Happened?



Your child was recently removed from your care. This is an impossible situation.

**You can do what it takes to get your child back.**

This guide will walk you through your next steps, with tips from parents who have successfully reunified.

**You are not alone.**

## Where Is My Child?

Your child may be with family. This is called **Kinship Care**, and it is the first option that the Department of Social Services (SC DSS) considers when a child is removed. **If you have relatives or family members who you know are capable of caring for your child, please notify the case manager as soon as possible.**

If not with family, your child will be placed in foster care with licensed and trained foster parents or in group home care. These caregivers have gone through a certification process, involving safety checks.

## When Can I See My Child?

You will be contacted by a DSS case manager who will notify you when you can see your child. Visits may be supervised (see Chapter 3 for more details).

The best thing you can do is **make contact with the case manager, introduce yourself, and share your contact information.** She will be able to help ensure visits for you and your children.

## Some Things You Can Do Right Away:

- ☐ **Write a letter** to your child. Include a picture. Bring it to your first court hearing and deliver it to your child's case manager.
- ☐ **Gather your child's small familiar items** (sippy cup, blanket, stuffed animal, or favorite toy) and deliver them to your child's case manager at the first court hearing.
- ☐ **Write down your contact information** and ask that it be shared with the foster parent or group home staff.
- ☐ **Send a note** to the foster parent, and include a few words to be shared with your children. Simple things like: "I love you. I miss you. I am working hard to see you again."

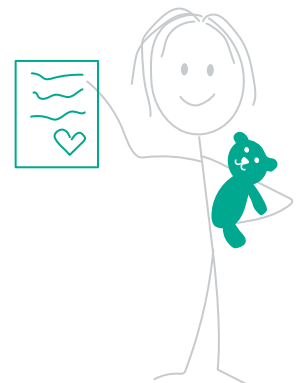


How other parents felt right after their children were removed:

"I was **scared,** angry, confused. How could they take my kids away without even talking to me?"  
~Trisha

"I felt scared and **lonely,** and had no idea what to expect."  
~ Sandi

"I felt **broken.** This can't be happening to me."  
~ Eric



## How Long Until I Get My Child Back?

A quarter of foster care cases end within the first 6 months. Almost half end within the first year. **The length of time depends on your progress on set goals, your effort on the Family Permanency Plan, and decisions made at Family Court.**

The entire legal process is explained in detail in [Chapter 7](#).

Here's what you can generally expect within the first 60 days after your child has been removed from your home and placed in foster care:

### Timeline of First 60 Days



**DSS Case Manager and CASA/GAL will contact you.**

Make sure they have your current cell phone & email



**Within 72 Hours:**

Probable Cause Court Hearing (Judge will determine if the child should go back home or remain in foster care)



**Child and Family Team Meeting**

with DSS to discuss your Family Permanency Plan



**Visits with Your Child**

will be scheduled by the Case Manager



**Within 35 Days:**

First Call Merits Hearing (DSS provides a recommendation and Family Permanency Plan)



**Within 45 Days:**

DSS completes the internal investigation of abuse/neglect



**After 45 Days:**

Merits Hearings and Review Hearings



**Closure**

A quarter of cases end within the first 6 months. Almost half end within the first year.

**When you feel discouraged, remember:**

- ☑ Your child **loves you** and wants to come home.
- ☑ Many parents have gone before you and received their children back.
- ☑ **You can** do the work to get your child back. The power lies within you.
- ☑ **Show determination**, and you will gain the support of those around you.

# Top 10 Tips from Parents Like You

If you read nothing else, here are the top 10 tips from parents who have successfully reunified with their children. There is more information about each of these tips throughout the entire handbook.



## 1. Acknowledge Your Need for Help

Trauma is real and survival tactics don't always work. The best way to heal is to **identify your emotions and find coping skills**. Don't let guilt and shame keep you from success. Work toward solutions. **Respect yourself, ask for help, and do the work**. You can do this!



## 2. Find Your Support

Find the **people who are FOR you, will HELP you, and will be COMMITTED to you** throughout this process. Lean on them when you need help. You will need it



## 3. Get Organized

Organizational skills don't always come naturally. They take discipline. Begin by keeping everything (documents, paperwork, letters about court, etc.) in one place. **Get folders to keep it all organized**.



## 4. Be Prepared

Be prepared for a process that can take months. How long it takes will partially depend on how willing you are to complete your reunification plan. **Focus on what you can do to make progress each day**.



## 5. Learn All That You Can

Take advantage of parenting classes and other services available to you. **Don't just attend, but try to learn all you can**. The goal of everyone, including you, should be permanent lifestyle changes to ensure this never happens again.

# Top 10 Tips (Continued...)



## 6. View the Child and Family Team as Your Allies

The Child and Family Team will help you if you let them. The mindset of “they took my child” won’t get you anywhere. Instead, **be honest, adjust your actions, and have a positive attitude**. It is up to you to show them that you are the best person for your child.



## 7. Be Accessible

**Make sure the Child and Family Team has your current phone number, email address and home address.** Connect with them. Email, text, and call them. The worst thing you can do is to avoid them. Show that you are reliable and responsible.



## 8. Focus During Child Visits

**Your child needs your complete attention during visits.** Stay off your phone. Don’t make promises that aren’t in your power or that you can’t keep. Never discuss your case in front of your child. Your child needs you. Be present.



## 9. Dress and Act Professionally

Always be on time. Present yourself as if you are interviewing to be your children’s parents. Consider your words and tone of voice. **Always present your best self.** All eyes are on you.



## 10. Clean Up Your Social Media

Remove any inappropriate pictures or posts on all sites you use. Do not engage in any discussions about your case on social media. Consider all these sites open to the public while you have an ongoing case.



# 3. Work as a Team



Everything feels chaotic... You wonder who is in charge now. **It is you.** Not everything is in your control, but accepting the reality of your situation will help you. Begin by getting to know the Child and Family Team.

## The Child and Family Team

Each family is assigned a team that consists of the following people:

**Investigator:** This person gathers evidence on the case when it first begins.

**Foster Care Case Manager:** This person is the primary representative of SC DSS, which has temporary legal custody of your child while in foster care.

**Foster Care Supervisor:** This person has experience managing multiple cases. Keep her involved and copied on all important emails.

**Guardian ad Litem (GAL)/Court Appointed Special Advocate (CASA):** This person is appointed by the court to advocate for the best interest of the child and to help the Judge make an informed decision about the child's future. She reviews documents, interviews family members and professionals in the child's life, and stays in direct contact with the child. This person should reach out to you once assigned to your family's case.

**Caregiver:** This is the person who will take care of your child while you are separated. This could be a relative, a licensed foster parent, or group home staff member. You may meet this person during a family visit or at Family Court.

**Family: You will decide** which family members are supportive of you and your child, and you can invite them to participate. SC DSS may ask other relatives to join the conversation, even some you are not close to or you don't like. Every child wants their family. Now is the time to work with yours.

**Get contact information for each of these people as soon as possible. Show the Child and Family Team you are dependable and reliable.**



*"Here's what helped... I let out my pain... I found someone who listened to me..."*

***I empowered myself with knowledge...***

*My anger came from feeling powerless to help my son, so I empowered myself by asking the caseworker exactly what I needed to do. Then I used that knowledge to bring my son home."*

*~ Jeanette,*

*"Act Now, Pay Later"*

*([www.risemagazine.org/2017/03/act-now-pay-later/](http://www.risemagazine.org/2017/03/act-now-pay-later/))*

## Child and Family Team Meetings

A child's removal is quickly followed by a meeting led by SC DSS. **Many parents describe this first meeting as intimidating.** There will be follow up family meetings. Your relatives and close family friends will be invited. The meetings will give you an opportunity to discuss what your child needs. Your Family Permanency Plan will be discussed, and you can be a part of the process in creating it.

### Before the meetings:

- ☐ **Dress appropriately**, as if you are going to an interview. This means no high heels, short shorts, ripped jeans, or low cut tops. A sweater or jacket compliment a nice pair of jeans and t-shirt. A button down shirt and long skirt is always appropriate.
- ☐ **Invite a supportive friend** to be with you, if allowed.
- ☐ **Prepare yourself to listen and be open-minded.** You will hear intimate details of your family dynamics shared by others. This can feel overwhelming. **You can handle it.**

### At the meetings:

- ☐ **Take responsibility** over your actions, admit your mistakes, and be open to feedback.
- ☐ **Do not give excuses** for your prior actions and behaviors.
- ☐ Have an **open mind** about the resources that are provided.
- ☐ Use this opportunity to **take notes** on what you can do.

### After the meetings:

- ☐ Many of the goals discussed during this meeting will become part of your Family Permanency Plan. **Start on the goals identified immediately** after leaving the meeting.
- ☐ **If you can't meet any of the set goals, it's best to communicate this up front**, for example: transportation, disabilities, or financial challenges that appear overwhelming.
- ☐ Write a thank you email or text to people who came to the meeting. This may be an incredibly difficult thing to do. Why not? It can only help you.

If you can't fly then run, if you can't run then walk, if you can't walk then crawl, but whatever you do you have to **keep moving forward.**"

~ Martin Luther King, Jr

### Examples of Family Permanency Plan Goals

- ☐ Parenting classes
- ☐ Drug assessments at treatment facilities
- ☐ Consistent employment
- ☐ Safe housing
- ☐ Accessible transportation

## Child and Family Team Communication

As we stated before, you can take charge of your future. How you respond to the team will make either a positive or negative impression on everyone. What will you choose?

Try these tips to help:

- ☐ **Make sure the team has your updated contact information** (email, phone, home address). This includes: case manager, case supervisor, GAL/CASA, and your attorney.
- ☐ **Respond to their requests quickly.**
- ☐ **Share the facts**, not your opinions.
- ☐ **Document everything.** For details on documentation, go to [Chapter 8: Work Your Plan](#).
- ☐ **Confirm all scheduled family visits** within the time frame requested by SC DSS or your visit may be canceled.

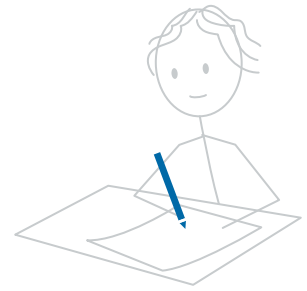
### Communicate with the Case Manager:

Foster Care case managers often have a lot of cases. If you contact a case manager twice and do not get a response, try copying the supervisor the next time.

#### Sample emails to the case manager:

Dear Case Manager,

- I have just been hired at (employer). Here is the company name, location, and my work hours. List contact information.
- I have just been informed there is a bench warrant for my arrest. I plan to go down to the law enforcement center. How would you like me to proceed?
- My child told me that she has been moved. I am concerned that I was not informed about this before it happened. Can you provide the details please?
- You have not replied to my last two emails about a home visit. Is there a reason for this holdup of which I am not aware?
- Can I contact my child's teacher?



"It is better to  
**ask some of  
the questions**  
than to know all  
the answers."

~ James Thurber

### Communicate with the Caregiver:

The relationship between you and your child's caregiver is very important. **If you work together, it can lessen the stress and anxiety for your child.**

There are some situations where contact is not possible due to safety or location. Ask the case manager if you have questions about this.

What you can do:

- ☐ **Introduce yourself.** Share your phone number and email address, and let them know that you would appreciate pictures and updates, if possible.
- ☐ **Ask how your child is doing.** Share information like any allergies, routines, or favorite foods or nighttime routines.
- ☐ **Write a note** to the caregiver, thanking them for taking care of your child during this difficult time.

#### Sample thank you notes to the caregiver:

Dear foster parent (or group home staff member),

- Thank you for taking care of my child while I do the work I need to bring him home.
- Thank you for being there for my child during the hardest time of my life.



*"I met with my case manager about my daughter, but the **best updates** came from the woman who was caring for my child."*

*~Kayla*

# 4. Your Rights & Responsibilities

You may feel your rights as a parent have been stripped from you. You may feel it is not your responsibility to solve the problem, and your child needs to come back home NOW! **You are not alone.**

## Your Rights

You have rights when your children are removed from your home and placed in foster care. A great list comes from Rise Magazine ([risemagazine.org](http://risemagazine.org)), a national thought leader for parents rights. Your rights include:

- ☑ The right to know the reason your child was removed, and what you must do to have your child returned to you.
- ☑ The right to legal representation in court (an attorney) and to be notified of the time and date of all court hearings.
  - **If you can't afford an attorney, the court can provide one for you.** You may have to complete an application and answer questions about your income to determine if you qualify for a court appointed attorney.
  - **The judge will ask you if you want an attorney. It is in your best interest to say yes.** You may not get another opportunity.
- ☑ The right to have an interpreter in your first language.
- ☑ The right to receive updates on your child's health, development, behavior and progress in school.
- ☑ The right, in most cases, to visit with your child routinely. Family visits are covered in depth, in the next chapter.
- ☑ You have a **right to** consent to medication and surgeries for your child.
- ☑ You have the right to know if your child is moved to a different placement (this may be from foster home to another foster home, or group home to foster home, etc.).

### You Have the Right to:

- ☑ Know the reason your child was removed
- ☑ Legal representation in court (an attorney)
- ☑ Have an interpreter
- ☑ Receive updates on your child
- ☑ Visit with your child (in most cases)
- ☑ Consent to medication and surgeries for your child
- ☑ Know if your child is moved to a different placement

**"There is no shame in not knowing.**

The shame lies in not finding out."

~ Assyrian Proverb

## Your Responsibilities

To be given a list and told “these steps are required of you before you get your child back,” is humiliating. Yet, you still have responsibilities as a parent. Stand tall.

### ☐ **Accept the situation**

You can be angry, and lash out at everyone else. You can blame others. You can do what is required with no energy, and just go through the exercise. Or, you can accept the situation. Your first step to acceptance is acknowledging that you need help from others right now.

### ☐ **Focus on your child**

Your child loves and wants you - as if you needed to hear that. Show up for visits with your child, give him your attention, and focus on his needs.

### ☐ **Own your mistakes**

Downplaying your mistakes or denying what happened can complicate matters. **Own your mistakes, admit where you messed up, and take actions to demonstrate that you are fit to parent again.**

Let this list guide you:

<input checked="" type="checkbox"/> <b>Don't Say:</b>	<input checked="" type="checkbox"/> <b>Instead, Own your Mistake:</b>
I don't know why I tested positive.	I had a relapse, but I am consistently attending meetings or I am in drug classes now, and I understand what is required.
There was nothing wrong with where we were living.	I can see how this might not be safe for my child and I am looking for appropriate housing.
It wasn't my fault. My child was with the babysitter.	I am working hard to put appropriate people in my life, who care about me and my child.
He didn't mean to hurt me or my child. He loves me.	I am learning that love shouldn't be scary. I am finding support in other places.
Everything I do is for my child.	I am learning to balance work, appropriate daycare, and spending time with my child.

### Your Responsibilities:

- ☐ **Accept the situation**
- ☐ **Focus on your child**
- ☐ **Own your mistakes**

“A bend in the road is **not the end of the road...** Unless you fail to make the turn.”

~ Helen Keller

# 5. The Emotional Pain



Most people will never understand what you are going through right now. Your emotions may take over, causing you to freeze or get angry. Shame at what just happened may stop you in your tracks. You may have these common questions:

## What Do I Do When I Feel Like Someone is Working Against Me?

It is easy to feel like there are people who don't want you to succeed in getting your child back. Don't become distracted by the views of others about you.

Instead, try these tips:

- ☐ **Focus on your progress.** Look forwards, not backwards.
- ☐ **Speak respectfully.** Don't talk bad about others. Be especially attentive to this in court and at visits, and anywhere you are in front of your child. **Your job is to demonstrate that you are focused on your child**, not on yourself. Period.
- ☐ **Keep conversations with your child appropriate.** Manipulating your child's feelings is never the answer, even if what's being said is true. For example, if your child informs you that someone is saying mean things about you, you can respond with: "That person has a right to his opinion. Let's not focus on what he said, and just move on."

## Will This Ever End?

This is a process. Choose to **move forward one step at a time** even when you don't know what's going to happen. Do the right thing, without any guarantee. **Focus on what you can do right now.**

- ☐ Make a list of what needs to be done this week. This breaks down your Family Permanency Plan and keeps you from being overwhelmed.
- ☐ Speak to **someone you can trust** and ask that person to listen.
- ☐ **Communicate all the time** with all the people involved.



*"I let other people define who I was for so long. Once I realized I needed to help myself and let others help me, I was able to **do what needed to be done.**"*

*~Teresa*

### Take a Deep Breath...

Identify all your emotions. Name them, yell them out, write them down, start a journal.

## 6. Visits with Your Child

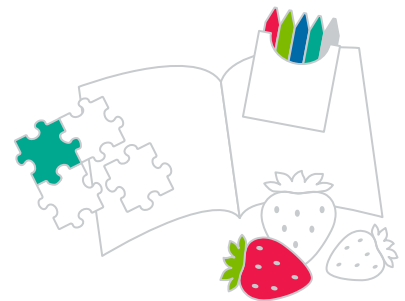


Most parents will be allowed regular visits with their child. Unless there is a court order saying that you cannot have contact with your child, DSS is required to offer **a minimum of two visits per month for one hour each**. Additional contact via telephone or with foster parents may also be allowed. Ask the case manager to learn more.

Visiting takes some getting used to. It feels uncomfortable to be supervised and have so many rules around your time together. Learn what is expected of you before, during, and after the visit to help with this process.

### Prepare for the Visit

- ☐ You are encouraged to **bring healthy snacks or a small game, toy or activity** (for example, a book to read together). This gives you and your child something to do together and allows others to see that you are trying hard to have a great visit.
- ☐ You may choose to **bring a letter, picture, or small keepsake** to give to your child. The purpose of this is not to buy gifts, but instead to help her remember the time together, while you are separated. Some helpful ideas are a book or toy, clothing for when seasons change, or diapers or wipes for your baby or toddler.
- ☐ Be mindful of your finances and don't let guilt get the best of you. If you are saving money for better housing, do not show up with expensive items for your child.
- ☐ Turn off your cell phone or put it on silent and away in a bag before the visit starts. This allows you to **be present with your child** and shows those watching that you are focused entirely on your child.



### During the Visit

Visits can be wonderful but also nerve-racking: you are being watched. Keep these pointers in your mind; read them before you enter, and they will stay with you:

- ♥ **My focus is my child**, not me or what I'm going through right now.
- ♥ My child wants to know he is going to be okay. **He needs my reassurance.**
- ♥ I will focus on playing with her and just **enjoy our time together.**
- ♥ I will **ask my child what he likes** at his placement and what friends he is making.
- ♥ I will **not worry about people watching me**. I will thank them for caring for my child.
- ♥ I will not ask my child questions about their foster family; instead, I will keep the **focus on my own relationship with my child.**



*"I always wanted to know where my children were going. I knew that may not be possible, but to know when I would see them next was*

***a focal point to get me through it all..."***

*~Angel*



You may think that you need to prove to those watching that your child loves and needs you. You may think your child needs to understand your side of the story. You may think it is better to tell your child that the foster home is not his real home. You may want to make promises to her about coming home soon. **Don't make promises to your child about things beyond your control.** Instead, focus on your child's needs only.

## Ending the Visit

The goodbye can be devastating for you and your child. Tears are often involved. In these moments, remember that **you are the parent**. You might have emotions. Just focus on comforting emotions instead of anger, longing, or anxiety. Those particular emotions at this time can add to your child's stress.

**Your child wants to know two things at this time:**

- ♥ You are his parent who loves him.
- ♥ You will come back.

A visit can feel rushed at the end. Your child has to be transported back to the foster placement. Another family needs the visit room. The case manager has way too many other cases she needs to work on now.

**You can slow down this rush:**

- ☐ Ask the case manager to inform you when there are 10 minutes left.
- ☐ Tell your child, "We have 10 minutes left today. How would you like to share it?"
- ☐ Bring joy to this final moment. Play with your child. **Hold your child in your arms with an extended embrace.**
- ☐ Let go at the end. Don't make promises or excuses. Say, **"I will see you next time."**

## After the Visit

After the visit can be a very emotional time. Prepare yourself by having **a friend or family member you can call**. Choose someone who will support you. **Do something positive for yourself** such as going to a (recovery) meeting, getting coffee with a friend, enjoying ice cream, or writing in a journal.

**Don't make promises to your child about things beyond your control.**

- **Don't Say:** "I'm going to bring you home real soon."
- **Instead Say:** "I'm working on what's been asked of me. It will take some time."
- **Don't Say:** "I'll make sure you don't have to [fill in the blank] anymore," if your child is frustrated with a foster parent's rules.
- **Instead Say:** "Can you work out a compromise with your foster parent?"



# 7. Understand the Court Process ♥

The South Carolina Family Courts handle most matters relating to children and families, including child abuse and neglect cases. General Sessions Court handles adult criminal charges. It is possible to have both:

- ☐ a criminal charge involving abuse or neglect of a child
- ☐ an action in Family Court for abuse and neglect

These are separate procedures. **The information described below is for abuse and neglect action in Family Court.**

## Key People

Key people involved in the Family Court System are:

**Your Attorney:** You may hire an attorney to represent you. **If you cannot afford an attorney, you can request that the judge appoint one for you at the first hearing or at the Family Clerk of Court's office.** Your attorney can answer your legal questions, tell you what to expect at each hearing, and speak for you in court.

- Make sure to give the attorney your **current phone number, email, and mailing address**. If any of this information changes, update her immediately.
- Your attorney is your voice in court, and can best represent you when you provide all documentation to her. **Any document you give to the case manager, you should also give to your attorney.**

**SC DSS Case Manager:** A case manager will be assigned to your case. This person will meet with you and assess what services you might need.

**SC DSS Attorney:** This attorney will represent SC DSS in court, presenting the facts and recommendations of SC DSS to the judge.

**Guardian ad Litem (GAL)/Court Appointed Special Advocate (CASA):** This is your child's advocate, a trained volunteer who meets with the child and all parties involved to make a recommendation to the court about what is in your child's best interest. The GAL/CASA also has an attorney to represent him in court.

This section was written by Indigent Defense Attorneys, the lawyers who fight for you in court.



**Your Attorney** is your voice in court. **If you cannot afford an attorney, you can request a court-appointed one.**

Your attorney should answer your legal questions, tell you what to expect at each hearing, and speak for you in court.

## Tips for Attending Court:

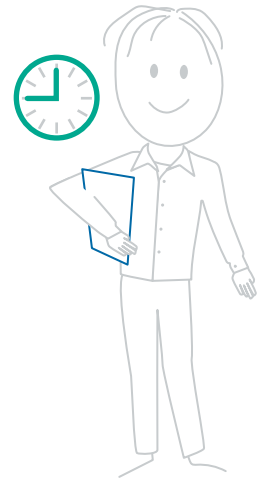
- ❑ **Present yourself well.** All eyes will be focused on you. Dress to impress. Wear your nicest outfit. Avoid wearing ripped jeans, low cut tops, or short skirts. Remember: you are interviewing to get your children back.
- ❑ **Arrive 15 minutes early.** Be prepared to wait until court begins. This can take hours or even the entire day, so **plan accordingly and take the day off work.**
- ❑ **Project positive and confident body language.**
- ❑ You may not be given the opportunity to speak in court. **Your voice will be represented by your attorney.** It is your responsibility to send documentation to your attorney of evidence and accomplishments, so that your attorney can present the facts on your behalf in court.

**You may choose to bring a supportive friend or family member** with you to court. Legal words used in court can be confusing. Talk to your attorney to help clarify anything you do not understand. Allegations against you may come up during your case, since your child is being observed and interviewed. If this happens, these allegations will be investigated. Let your attorney know immediately.

## Summary of Court Hearings

There are court hearings in set times according to statute (the law). Not every case follows this exact timeline. Here is an overview:

- ❑ **Emergency Removal or Probable Cause Hearing:** This hearing is held within 72 hours of removal. **At this hearing, the judge determines if the child should go back home or remain in foster care.**
  - SC DSS is still investigating the case at the time of the probable cause hearing. They have 45 days to complete this investigation. If the internal DSS investigation determines that the child has been abused or neglected, the case is considered “founded” by SC DSS. If the case is unfounded, your child will return home immediately. After this internal investigation you will receive a document called the “Determination Fact Sheet” that tells you if the case is “founded”.
  - SC DSS will call witnesses to show there was probable cause for the removal of your child. The witnesses are subject to cross examination. **Hearsay** and evidence in the form of an **affidavit** are allowed.



**Hearsay:**  
information heard from someone else. Example: “He said this,” or “she said that.”

**Affidavit:**  
statements that are signed and notarized, or signed and the signature is witnessed

- ❑ **First Call Merits Hearing:** This hearing is held within 35 days of removal. SC DSS will have a recommendation and Family Permanency Plan for the case.
  - SC DSS might ask if you agree with a “finding” of abuse or neglect. If you do not agree, then the case will be reset for a Merits Hearing (see below). If you agree with the finding and the plan, then the judge will ask questions about the agreement to ensure that you understand.
  - This hearing can be continued if SC DSS has not completed their investigation.
- ❑ **Merits Hearing:** At this hearing, you either **contest or agree to the allegations and plan** presented by SC DSS.
  - If you contest the allegations and Family Permanency Plan, you will have a trial where SC DSS must present evidence (witnesses) to prove their allegations. Your attorney can question these witnesses and present your witnesses and evidence to the court. The judge will decide whether SC DSS has proven the allegations by a “preponderance of the evidence.” This standard means “more likely than not.”
  - If you have remedied the original cause of removal, you can ask your attorney to request that your child return home.
  - The GAL/CASA also submits a report with their recommendation.
- ❑ **Review Hearing:** You can ask your attorney to request a review hearing. A review hearing might be to review your goals or timelines for return of your child.
- ❑ **Permanency Planning Hearing (PPH):** This hearing is held one year after your child is placed in foster care. **The court must review the case and determine a permanent plan for your child.**
  - If you have completed your treatment plan and the judge determines that you have remedied the conditions that cause the removal, the court may order the child to be returned to you immediately or over a specified period of time, not to exceed twelve months.
  - If the judge determines that the child shall not be returned, the court will require SC DSS to file a petition to terminate parental rights to the child within 60 days.
- ❑ **Termination of Parental Rights (TPR) Hearing:** At this hearing, SC DSS must present evidence and testimony that the parental rights to your child should be terminated. The standard of proof is “clear

### Court Hearings

- ❑ Emergency Removal or Probable Cause Hearing
- ❑ First Call Merits Hearing
- ❑ Merits Hearing
- ❑ Review Hearing
- ❑ Permanency Planning Hearing (PPH)
- ❑ Termination of Parental Rights (TPR) Hearing



*“It took me a while to learn how the court works. Whatever negative thing was presented about me during court, I made sure to change that or make progress on that and document it before the next hearing.*

***This changed everything.”***

*~Delaney*

and convincing.” This standard is higher than “preponderance of the evidence.”

- If the judge terminates your rights, this will end your legal rights to the child, and your child will become legally free for adoption.
- This is a separate action and you will be served with a Summons and Complaint. **You will need to request an attorney be appointed to this case.**

SC DSS wants to see improvement and progress in your ability to parent your child. Your job is to present evidence that reflects this. This includes being civil with the case manager, even if you disagree with her. If you disagree with something SC DSS is doing, let your attorney know. **Your attorney may be able to help you resolve any disagreement.**

## Pre-Trial Conferences

**When you arrive to court before a hearing begins, talk to the case manager and GAL/CASA.** During this time, there is a pre-trial conference between SC DSS and the GAL/CASA. They will try to reach an agreement/settlement. If this happens, you will only have a 15 minute hearing. If it doesn’t, your hearing time may be postponed to later in the day.

The case manager or attorney will present this settlement to you prior to being called into the courtroom. You have a right to agree to this settlement or to proceed to the hearing. Before you accept the settlement, make sure you review it with your attorney and understand it fully.

## Your Voice in Court

Court hearings are intended for your attorney, SC DSS, and the GAL/CASA to present a case to the judge. Facts are presented by each of these parties on what you have accomplished since the prior court hearing.

This is not a time to present your questions or concerns to the judge. It is the time for your attorney to share progress on your behalf. **The attorney is your voice in court.**

**Be sure to share the following information with your attorney prior to court.**

- ☐ Any questions or concerns you have regarding your case.
- ☐ Documentation of accomplishments you have completed on your Family Permanency Plan (see the list of Accomplishments in the next chapter).

### For More Details About the Court Process:

Read the brochure  
“What Parents Should Know  
If They Are Investigated”  
by SC Appleseed Legal  
Justice Center

[https://dss.sc.gov/resource-library/forms\\_brochures/files/30230.pdf](https://dss.sc.gov/resource-library/forms_brochures/files/30230.pdf)

### Accomplishments:

Documents or things you’ve done which you can share with your attorney to show that you are working on your family permanency plan.  
*(see the list in Chapter 8)*

## 8. Work Your Plan



**Important! In order for your child to come home, you will need to:**

- ☐ Complete all items on the **Family Permanency Plan**.
- ☐ Show that you have made the **behavior changes** needed to keep your child safe.

You must complete each requirement on the plan to get your child back.

### Family Permanency Plan Examples

Formerly known as the “treatment plan”, the Family Permanency Plan is issued by SC DSS, signed by the judge, and is court-ordered. **If there is something in the plan that you believe is unfair or unattainable, inform your attorney so she can advocate for you.** Some examples of a plan are:

- ☐ Secure employment or housing
- ☐ Participate in anger management or domestic violence classes
- ☐ Separate yourself from a partner or relationship that is deemed negative for the child
- ☐ Be assessed for drug and alcohol addiction
- ☐ Remain drug-free

### Behavior Change Examples

Before your children can come home, you must demonstrate the ability to make appropriate decisions about your child’s safety and well-being. This includes things like:

- ☐ Accept consequences for your actions
- ☐ Control your emotions
- ☐ Be honest
- ☐ Know when to ask for help
- ☐ Maintain healthy relationships
- ☐ Be consistently reliable and responsible
- ☐ Build a safety plan for your child
- ☐ Plan ahead (job and childcare/school arrangements, chore lists)



*“I visit friends and family  
**who encourage  
my recovery.***

*I feel loved, because when  
I tell them I can’t handle  
something, they don’t throw  
my past in my face. I’m working  
on opening up.”*

- Keyshana,

*“I didn’t Feel Loved”*

([www.risemagazine.org/wp-content/  
uploads/2019/05/Rise-TIPS-Service-  
Plan-Relationships.pdf](http://www.risemagazine.org/wp-content/uploads/2019/05/Rise-TIPS-Service-Plan-Relationships.pdf))

When your emotions take over, stop and remember your goals. Be patient with yourself. **Reflect on your progress.**

## How Do I Begin?

- ❑ **Focus on one week at a time**, so that you don't become overwhelmed.
- ❑ Begin each week with a plan. You might choose **one behavior goal** and **one goal from your Family Permanency Plan** to focus on. Consider smaller actions items you can take toward that goal during the week.
- ❑ You do not need to wait on a court-order to begin your Family Permanency Plan. You can voluntarily **begin services right away**. Ask the case manager for a list of approved parenting classes (and drug classes, if you have an addiction).
- ❑ **Start parenting and drug classes immediately**. They often last several weeks or a couple of months. Schedule your work hours around your classes, so that you can get the required classes completed first.
- ❑ **Get a folder or a binder and begin documenting everything**. This includes attendance at meetings and support groups, receipts for rent payments, letters about court appearances, email and text messages with the case team, a journal with observations about visits including dates and times, etc.
- ❑ **Find additional help if needed**. If money is an issue, go to your county DSS office to apply for financial assistance to help you with housing, daycare, food stamps, and more. If domestic violence is an issue, find a women's or men's shelter and get help there.

## Accomplishments

The process of receiving your child back home takes a whole lot of effort and behavior changes. You must **show what you have accomplished** from the Family Permanency Plan.

Examples of documenting your accomplishments are:

- ❑ Transportation - driver's license, proof of car insurance
- ❑ Housing - lease agreement, renters insurance, paid bills
- ❑ Employment - job paperwork, including paystubs, promotions at work, raises, additional hours worked
- ❑ Recovery - signed attendance from meetings, receipts from drug tests, proof of payment (if you are paying for it), sponsor relationships
- ❑ Financial Assistance - food stamps receipts, any other assistance
- ❑ Parenting - record of any additional classes
- ❑ Photocopies of all letters written to your child



*"If you **start on classes right away**, you can get ahead and it makes everything more doable."*

*~Rhonda*

Accept failure as part of this process. There may be weeks that you don't make much progress. That is okay. **Take things one week at a time to focus on what needs to be done.**



- ☐ A plan for when your child returns - pre-registration forms for school, nearby daycare facilities that you can afford, list of family members who will support you and your child
- ☐ Number of family visits attended
- ☐ Owning a phone
- ☐ Paying off debt
- ☐ Resume - copy of job applications before submitting
- ☐ Positive co-parenting letter
- ☐ Relationship with your child's foster family

## Foster Care Review Board

The Foster Care Review Board (FCRB) is made up of private citizens appointed by the State Legislature to ensure plans are carried out in a timely manner. The FCRB meets every six months. The Board interviews the child's case team and makes recommendations to court.

The Board wants to see progress on your Family Permanency Plan and a plan for after reunification. **The Board may ask you questions about:**

- ☒ If you understand the process
- ☒ What resources you have been able to access, and challenges/barriers to accessing them
- ☒ What you have completed on your Family Permanency Plan
- ☒ Your plan for when your child comes home to live with you

Prior to attending these meetings, **create a plan for what your life will look like after your child comes home.** Present the following information:

- ☐ Weekly schedule for you and your child
- ☐ Your work schedule
- ☐ Your child's school schedule / daycare location
- ☐ A list of babysitters
- ☐ Family activities for you and your child
- ☐ Appropriate chores and responsibilities lists for your child
- ☐ Arrangement of your home, including bedrooms that are ready for your child
- ☐ Support resources you are involved with, such as recovery meetings, or faith-based and community groups
- ☐ Your transportation plan

### Foster Care Review Board (FCRB)

While you are working on your Family Permanency Plan, this committee meets to review the progress you have made on your plan. You are expected to attend these meetings.



## How Long Does the Family Permanency Plan Take?

A quarter of children remain in foster care for less than six months. Another quarter of children stay in foster care for longer than two years.

**The length of time depends on you.** The sooner you complete your plan requirements AND demonstrate behavior changes, the sooner your children will come home.

Use the worksheet on the following pages to help you begin the work and get started!



*"Seeing how sad my son was  
**motivated me  
to get done**  
with my plan as quickly  
as I could.*

~Ruben

*"The greatest glory in  
living lies not in never  
falling, but in **rising  
every time** we fall."*

~ Nelson Mandela

# My Family Permanency Plan Notes

## Important People

**Case Manager:** \_\_\_\_\_ **Supervisor:** \_\_\_\_\_

Phone: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_ Email: \_\_\_\_\_

**My Attorney:** \_\_\_\_\_

Phone 1: \_\_\_\_\_ Phone 2: \_\_\_\_\_

Email: \_\_\_\_\_

**Child's Foster Parent/Caregiver:** \_\_\_\_\_

Phone 1: \_\_\_\_\_ Phone 2: \_\_\_\_\_

Email: \_\_\_\_\_

## Family Permanency Plan Goals:

List each goal and what you plan to do to make progress on each.

**Goal #1:** \_\_\_\_\_

Two ways to make progress: • \_\_\_\_\_  
• \_\_\_\_\_

**Goal #2:** \_\_\_\_\_

Two ways to make progress: • \_\_\_\_\_  
• \_\_\_\_\_

**Goal #3:** \_\_\_\_\_

Two ways to make progress: • \_\_\_\_\_  
• \_\_\_\_\_

**Goal #4:** \_\_\_\_\_

Two ways to make progress: • \_\_\_\_\_  
• \_\_\_\_\_

**Goal #5:** \_\_\_\_\_

Two ways to make progress: • \_\_\_\_\_  
• \_\_\_\_\_

**My List of Accomplishments:**

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_
11. \_\_\_\_\_
12. \_\_\_\_\_

**Plan for After Reunification:**

Changes I plan to make:

At home: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

At work: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

In my recovery (if applicable): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

With my self-care: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

In my parenting: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

With our schedules / routines: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Notes:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# Appendix



We recognize that online resources are subject to changes of content and location. If you cannot find online resources listed, contact Fostering Great Ideas through our website at [fgi4kids.org](http://fgi4kids.org).

## Continued Learning Resources

### Rise Magazine for Families

[risemagazine.org](http://risemagazine.org)

An online place for you to find stories from other parents like you, and know that you are not alone.

### Brene Brown: Listening to Shame TED Talk

[brenebrown.com](http://brenebrown.com)

If you are struggling with shame and think, "It feels like I am the problem."

### Life Skills

- ☐ *Boundaries*, Henry Cloud and Dr. John Townsend
- ☐ *What's Right With You*, Barry Duncan, Psy. D.

### Recovery

- ☐ *Alcoholics Anonymous (AA)* - Search for a group in your zip code, and find in-person support in your community.
- ☐ *Celebrate Recovery* - Search for a group in your zip code, and find in-person support in your community.
- ☐ *Narcotics Anonymous (NA)* - Search for a group in your zip code, and find in-person support in your community.

### Parenting

- ☐ **Families Count**  
[\(lifelinechild.org/families-count/\)](http://lifelinechild.org/families-count/)
- ☐ **Strengthening Families Program**  
[\(scchildren.org/programs/strengthening-families-program/\)](http://scchildren.org/programs/strengthening-families-program/)
- ☐ **Triple P (Positive Parenting Program)**  
[\(triplep-parenting.com/us/triple-p/\)](http://triplep-parenting.com/us/triple-p/)

## SC Department of Social Services (SC DSS) Resources

### SC Department of Social Services

[\(dss.sc.gov/foster-care/\)](http://dss.sc.gov/foster-care/)

### Kinship Care

[\(https://dss.sc.gov/prevention/kinship-care/\)](https://dss.sc.gov/prevention/kinship-care/)

### Mandated Reporters

[\(https://dss.sc.gov/child-well-being/mandated-reporters/\)](https://dss.sc.gov/child-well-being/mandated-reporters/)

## Parent to Parent Support

### Fostering Great Ideas

[fgi4kids.org](http://fgi4kids.org)

The mission of Fostering Great Ideas is to restore hope to children in foster care through innovative ideas built on meaningful relationships.

### Moms Matter®

[\(fgi4kids.org/moms-matter/\)](http://fgi4kids.org/moms-matter/)

This peer support group by Fostering Great Ideas is for moms who are working on their Family Permanency Plans. Each group is led by someone with personal experience and in long-term recovery.

### Moms Matter SC Facebook Group

[\(facebook.com/groups/momsmattersc/\)](https://facebook.com/groups/momsmattersc/)

Moms in South Carolina who have had DSS involvement within the past 3 years can join this Facebook community. It's a safe space to connect with others, share resources, and find encouragement on your journey.

### Parent Stress Line (1-800-632-8188)

[\(parentshelpingparents.org/\)](http://parentshelpingparents.org/)

If you need to talk to someone, this free and confidential help line is staffed by parents and is available 24/7 to anyone in any location.

## Child Care, Education, and Mental Health

### SC Child Care

[scchildcare.org](http://scchildcare.org)

Find updated information about child care providers and daycares.

### ABC Vouchers

[scchildcare.org/departments/sc-voucher.aspx](http://scchildcare.org/departments/sc-voucher.aspx)

Foster parents may enroll in this program to help with the cost of daycare.

### Women, Infants and Children Nutrition Program (WIC)

[scdhec.gov/health/wic-nutrition-program](http://scdhec.gov/health/wic-nutrition-program)

Families who foster children under the age of 5 can apply for WIC to help with the cost of infant formula and other nutritional services.

### SC Department of Education, Title 1 Part A - Foster Care

[ed.sc.gov/policy/federal-education-programs/title-i/title-i-part-a-foster-care/](http://ed.sc.gov/policy/federal-education-programs/title-i/title-i-part-a-foster-care/)

Find immediate enrollment forms and answers to your questions about enrolling a child in school near you.

### SC Department of Mental Health (SC DMH)

[scdmh.net/dmh-components/community-mental-health-services/](http://scdmh.net/dmh-components/community-mental-health-services/)

Children in foster care can benefit from mental health therapy services. To find a center close to you, search their website. You may also choose to find a private provider that accepts Medicaid.

## Advocate and Court Resources

### Department of Children's Advocacy (DCA)

[childadvocate.sc.gov](http://childadvocate.sc.gov)

The SC DCA is an independent state agency that ensures children receive adequate protection and care from the various child welfare services or programs offered by other departments within the state government. On their site, you can find out more about the roles and responsibilities of the DCA, submit a child welfare complaint, or get in touch with other divisions within the agency.

### Foster Care Review Board (FCRB)

[fcrb.sc.gov](http://fcrb.sc.gov)

The FCRB is part of the SC Department of Children's Advocacy. Their mission is to provide external accountability to the foster care system and to advocate for children. They review cases regularly to recommend a permanent home for the child either by returning home or placing the child in another stable, permanent home.

### Court Appointed Special Advocates (CASA)

[rccasa.org](http://rccasa.org)

### Guardian ad Litem (GAL)

[gal.sc.gov](http://gal.sc.gov)

CASA and GAL are often used interchangeably. In SC, every county operates under the GAL program, with the exception of Richland County which uses CASA.

CASA or GAL volunteers get to know the child and everyone involved in the child's life, including family, teachers, doctors, social workers and others. They gather information about the child and their needs. Their recommendations to the court help the judge make an informed decision about the child's future. CASA or GAL volunteers provide a stable presence in a child's life.

## How Did We Do?

We are committed to supporting your journey. Let us know your feedback about this handbook:

[fgi4kids.org/resource-center/handbooks](http://fgi4kids.org/resource-center/handbooks)



*"You are **braver** than you believe,  
**stronger** than you seem, and  
**smarter** than you think."*

*~ Christopher Robin  
(from Winnie-the-Pooh by A.A. Milne)*

