

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, CA 95814



March 27, 2000

ALL COUNTY LETTER NO. 00-21

TO: ALL COUNTY WELFARE DIRECTORS  
ALL COUNTY PROBATION OFFICERS  
ALL GROUP HOME PROVIDERS  
ALL FOSTER FAMILY AGENCIES  
ALL COUNTY MENTAL HEALTH DIRECTORS

**REASON FOR THIS TRANSMITTAL**

- State Law Changes
- Federal Law or Regulation Change
- Court Order or Settlement Agreement
- Clarification Requested by One or More Counties
- Initiated by CDSS

SUBJECT: FOSTER CARE MONTHLY VISITS

REFERENCE: SENATE BILL (SB) 933, (CHAPTER 311, STATUTES OF 1998)

The purpose of this All County Letter is to address several inquiries the Department has received regarding the group home visitation requirement of children in foster care both in-state and out-of state by both social workers and probation officers.

Manual of Policy and Procedures (MPP) Division 31, Section 320.1, outlines the purpose of these visits and contacts. The ultimate purpose of such statutes and regulations is for the social worker or probation officer assigned to the case to assess the location and living arrangements of the child, gather information to assess the effectiveness of services provided and to monitor the child's progress and safety in the placement, as well as determine how the placement is meeting identified goals. The person doing the visit must have the qualifications to assess a child during the visit and authority to act immediately to protect the child. In order to perform this function effectively, the role of the assigned social worker or probation officer is paramount. It is imperative that the assigned worker establishes rapport and builds a trusting relationship with the child, who often times may already be dealing with issues of separation and abandonment. Such a crucial relationship can only be established over a period of time through consistent contact and visitation. To interrupt this contact by sending different workers would only work counter to strengthening a relationship that is necessary to appropriately assess the child's needs and progress and to promote the child's well-being.

The inquiries have raised the following issues:

1. May a probation officer visit a child placed by welfare services and can a social worker visit a probation ward and meet the child requirements of MPP Division 31, the Family Code and the Welfare and Institutions Code (WIC)?

**ANSWER:** **No.** As defined in Family Code Section 7912 (a) and WIC Sections 740, 11400 (k), 16501, 16514(d), and 16516.5, the sending agency, that is responsible for the care, custody and control of the child is responsible for the supervision and visitation of that child. This responsibility cannot be transferred or eliminated.

2. May a participant on a county Multidisciplinary Team, as defined in Family Code 7911.1 visit either a probation ward or a child welfare service case and meet the requirements of MPP Division 31, the Family Code and WIC?

**ANSWER:** **Qualified Yes.** The team member visiting the child must be an employee of the placing agency.

3. Are the monthly visitation requirements treated differently for a Children's Systems of Care county?

**ANSWER:** **Yes.** Counties that are a Children's System of Care county for seriously emotionally disturbed (SED) children or adolescents have an established Memorandum of Understanding (MOU) with participating departments, approved by the State Department of Mental Health that define how that county will address the needs of SED children. Specifically, it should address out-of-county placements and the collaborative review, case planning, case progress monitoring, and placement decision making process, as well as the participating departments involvement in these decisions. In terms of case management or best practice it would be preferred that the case carrying worker or someone knowledgeable of the child and his/her case plan, visit the child. Thus, in a Children's System of Care county, counties have a "case management team," in which all are knowledgeable of the child and his or her case plan. An active member of the "case management team" may meet the visitation requirements for the targeted population, if provided for in the county's System of Care plan and approved by the State Department of Mental Health.

4. Are the monthly visitation requirements treated differently for a county participating in the Youth Pilot Program (YPP) (AB 1741)?

**ANSWER:** **No.** Participation in the AB 1741 YPP does not exempt a county from the monthly visitation requirements. However, if the monthly visitation requirements present a barrier to implementation of the county's YPP strategic plan, the county may request approval of alternative methods to meet specific State statutory/regulatory requirements. The WIC Section 18987(a) grants the Secretary of the California Health and Human Services Agency the authority to approve requests for the removal of such project implementation barriers. The six YPP counties include Alameda, Contra Costa, Fresno, Marin, Placer, and San Diego.

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In enacting SB 933, one of the concerns of the Legislature was the health and safety of California children placed in group homes by a county social services agency or probation department and the monitoring of these placements. To that extent the bill provided and increased State funding for monthly visitation for children placed in group homes. We interpret the intent of the Legislature through SB 933 to mean that county social workers shall visit the children under child welfare services supervision, and probation officers shall visit the wards placed under their care, custody and control, in both in-state and out-of-state placements. The only exceptions to this monthly visitation requirement are those referenced above.

If you have any questions about this issue, please contact the Foster Care Placement Policy Unit at (916) 445-0813.

Sincerely,

*Original Signed By:*

SYLVIA PIZZINI  
Deputy Director  
Children and Family Services Division