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1	<b>500</b>	<b>Kinship</b>	
2			
3	<b>500.1</b>	<b>Table Of Contents</b>	
4			
5	<b>501</b>	<b>Kinship Services Philosophy, Active Search, And Preferences For Placement.....</b>	<b>1</b>
6	<b>501.1</b>	<b>Philosophy.....</b>	<b>1</b>
7	<b>501.2</b>	<b>Definitions.....</b>	<b>2</b>
8	<b>501.3</b>	<b>Diligent Search For Kin And Written Notice .....</b>	<b>3</b>
9	<b>501.4</b>	<b>Preferences For Placement .....</b>	<b>7</b>
10	<b>501.5</b>	<b>Factors That May Delay Placement Or Hinder Permanency.....</b>	<b>10</b>
11			
12	<b>502</b>	<b>Kinship Services - Preliminary Placement .....</b>	<b>12</b>
13	<b>502.1</b>	<b>Preliminary Placement Overview .....</b>	<b>13</b>
14	<b>502.2</b>	<b>Selection Of Kinship Caregiver For Preliminary Placement .....</b>	<b>13</b>
15	<b>502.3</b>	<b>Background Screening Requirements For Preliminary Placement And Ongoing Care</b>	
16		<b>Regarding Non-Custodial Parent And Kinship Caregivers .....</b>	<b>14</b>
17	<b>502.4</b>	<b>Limited Home Inspection For Preliminary Placement.....</b>	<b>19</b>
18	<b>502.5</b>	<b>Assessment Of Safety For Preliminary Placement .....</b>	<b>20</b>
19	<b>502.6</b>	<b>Reference Check For Preliminary Placement.....</b>	<b>20</b>
20	<b>502.7</b>	<b>General Qualifying Requirements For Preliminary Placement .....</b>	<b>21</b>
21	<b>502.8</b>	<b>Preliminary Placement With A Friend.....</b>	<b>22</b>
22	<b>502.9</b>	<b>Preliminary Placement With A Kinship Caregiver Out Of State .....</b>	<b>27</b>
23	<b>502.10</b>	<b>Notice Of Preliminary Placement .....</b>	<b>27</b>
24	<b>502.11</b>	<b>Preliminary Placement Coding In SAFE .....</b>	<b>28</b>
25	<b>502.12</b>	<b>Preliminary Placement Financial And Medical Support .....</b>	<b>28</b>
26	<b>502.13</b>	<b>Preliminary Placement Visitation .....</b>	<b>31</b>
27	<b>502.14</b>	<b>Preliminary Placement - Child And Family Team.....</b>	<b>32</b>
28			
29	<b>503</b>	<b>Kinship Services - Evaluation And Support For Ongoing Care Of A Child .....</b>	<b>34</b>
30	<b>503.1</b>	<b>Evaluation Of Kinship Caregiver/Friend Capacity For Ongoing Care Of A Child .....</b>	<b>34</b>
31			
32	<b>503.2</b>	<b>Child And Family Services Support Of The Kinship Caregiver/Friend While The Child</b>	
33		<b>Is In Child And Family Services Custody .....</b>	<b>42</b>
34			
35	<b>504</b>	<b>Kinship Background Screening Process .....</b>	<b>43</b>
36	<b>504.1</b>	<b>Kinship Background Screening Process – Authority And Uses.....</b>	<b>44</b>
37	<b>504.2</b>	<b>Kinship Background Screening Process – Expedited Request For Initial Background</b>	
38		<b>Screening For Preliminary Placement .....</b>	<b>44</b>
39	<b>504.3</b>	<b>Kinship Background Screening Process – Initiating Background Screening For</b>	
40		<b>Preliminary Placements And Ongoing Care .....</b>	<b>46</b>
41	<b>504.4</b>	<b>Conducting Background Screening – TAC/Alternate.....</b>	<b>49</b>

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42	<b>504.5</b>	<b>Conducting Background Screening – Office Of Licensing .....</b>	<b>52</b>
43	<b>504.6</b>	<b>Analysis Of Background Screening Results.....</b>	<b>53</b>
44	<b>504.7</b>	<b>Documentation Of Results .....</b>	<b>54</b>
45	<b>504.8</b>	<b>Follow-Up Action For No Disposition, Outstanding Warrant, Or Review.....</b>	<b>55</b>
46	<b>504.9</b>	<b>Review Of History By The Region Kinship Background Screening Committee For</b>	
47		<b>Preliminary Placement .....</b>	<b>56</b>
48	<b>504.10</b>	<b>Steps If Background Screening Is Denied After A Child Has Been Placed With A</b>	
49		<b>Kinship Caregiver/Friend .....</b>	<b>58</b>
50	<b>504.11</b>	<b>Communication Of Background Screening Results And Dissemination Of Records .....</b>	
51		<b>59</b>	
52			
53	<b>505</b>	<b>(NO LONGER USED).....</b>	<b>64</b>
54			
55	<b>506</b>	<b>Temporary Custody And Guardianship With The Kinship Caregiver And Court-</b>	
56		<b>Ordered Kinship Support Services [(KSS)] .....</b>	<b>65</b>
57			
58	<b>507</b>	<b>Periodic Review Of Kinship Placement .....</b>	<b>69</b>
59	<b>507.1</b>	<b>Removal Of A Child From The Home Of A Licensed Relative/Friend .....</b>	<b>69</b>
60			
61	<b>508</b>	<b>Statutory Timelines For Establishing Permanency.....</b>	<b>71</b>
62			
63	<b>509</b>	<b>Preparing Kin For Permanency Plan.....</b>	<b>72</b>
64			
65	<b>510</b>	<b>Temporary Custody And Guardianship With Child And Family Services And Licensed</b>	
66		<b>Kinship Foster Care [(KFC)] .....</b>	<b>74</b>
67			
68	<b>511</b>	<b>Permanent Custody With The Relative .....</b>	<b>76</b>
69			
70	<b>512</b>	<b>Preparing Kin For Permanency Decision .....</b>	<b>77</b>
71			
72			

73 **501 Kinship Services Philosophy, Active Search, And Preferences For**  
74 **Placement**

75 Major objectives:

- 76 A. Child and Family Services will make active efforts to locate potential kinship caregivers  
77 for placement of a child in agency custody and to build and sustain family connections  
78 for the child.  
79  
80 B. In selecting a placement for a child in agency custody, preferential consideration will be  
81 given to a non-custodial parent, relative, or friend of the parent or guardian, as  
82 established in law, subject to the child's best interests.  
83

84  
85 **Applicable Law**

86 Utah Code Ann. [§62A-4a-202.1](#). Entering home of a child – Taking a child into protective  
87 custody – Caseworker accompanied by peace officer – Preventive services – Shelter facility or  
88 emergency placement.

89 Utah Code Ann. [§62A-4a-209](#). Emergency placement.

90 Utah Code Ann. [§78A-6-306](#). Shelter hearing.

91 Utah Code Ann. [§78A-6-307](#). Shelter hearing – Placement – DCFS custody.

92 Utah Code Ann. [§78A-6-307.5](#). Post-shelter hearing placement of a child who is in division  
93 custody.

94 U.S. Code [Title 25, Chapter 21](#). Indian Child Welfare.  
95

96 **501.1 Philosophy**  
97

98 All children need permanency through enduring relationships that provide stability, familiarity,  
99 and support for the culture of the child; support the child's sense of self based on existing  
100 attachments; provide for the child's safety and physical care; and connect the child to their  
101 past, present, and future through continuing family relationships. First priority is to maintain a  
102 child safely at home. However, if a child cannot safely remain at home, kinship care has the  
103 potential for providing these elements of permanency by virtue of the kin's knowledge of and  
104 relationship to the family and child.  
105

106 All kinship work is done in the context of a Child and Family Team. Kinship care includes  
107 elements of child protection, in-home services, family preservation, and foster care. When a  
108 child cannot safely remain home, kinship care is preferable to other out-of-home placements if  
109 the kinship caregiver can keep the child safe and appropriately meet the child's needs.

110 The caregiver's willingness and ability to care for and keep the child safe are fundamental. The  
111 kinship caregiver must have or acquire knowledge of the child, be able to meet the child's  
112 needs, support reunification efforts, and be able to provide the child access to parents, siblings,  
113 and other family members through visits or caring for the child and siblings as a group.  
114

115 Ongoing assessment of the child's safety, permanence, and well-being is important to the  
116 stability and value of kinship care. Ongoing assessment of safety is based on the components  
117 of safety decision-making, which include threats of harm, vulnerabilities of the child, and  
118 protective capacities of the kinship caregiver and their support system.  
119

120 Providing for kinship care in the Child and Family Services spectrum of services requires active  
121 efforts to identify and locate kin families with whom children may form or continue  
122 relationships at home or in temporary or permanent placements. Support to kinship caregivers  
123 is essential to the success of the child's placement with the family and to the family's ability to  
124 respond to the needs of the child. As members of the Child and Family Team, kinship caregivers  
125 will seek support from other family members and from informal and formal supports to provide  
126 for the child.  
127

## 128 **501.2 Definitions**

- 129
- 130 A. Friend means an adult the child knows and is comfortable with. A friend does not meet  
131 the definition of a relative of the child as defined in Utah Code Ann. [§78A-6-307](#), and  
132 may be an extended relative of the child that is not included in the definition of  
133 relative. An emergency placement may be made with a friend, if one is designated by  
134 the custodial parent or guardian of the child and the friend is **[a licensed foster parent or**  
135 **is]** willing to become a licensed foster parent within six months or sooner of the child  
136 being placed with them. **[See: Practice Guidelines Section 502.8.]**  
137
- 138 B. Guardian is a person who has been appointed by a judge to take care of a minor child  
139 personally and/or manage that person's affairs until the child reaches majority at 18  
140 years of age. The guardian (caregiver or responsible adult) has the authority to consent  
141 to the child's marriage; enlistment in the armed forces; major medical, surgical, or  
142 psychiatric treatment; and to legal custody, if legal custody is not vested in another  
143 person, agency, or institution. [See: Utah Code Ann. [§78A-6-105](#).]  
144
- 145 C. Kinship caregiver means a non-custodial parent, **[ex-]relative, or friend** as defined in this  
146 section, who is selected for placement and care of a child in Child and Family Services  
147 custody.  
148
- 149 D. Non-custodial parent is a natural parent as defined in Utah Code Ann. [§78A-6-307](#) who is  
150 a biological or adoptive mother, an adoptive father, or a biological father who was

151 married to the child's biological mother at the time the child was conceived or born or  
152 who has had paternity established, and who has not been granted legal custody of the  
153 child.

154  
155 E. Preliminary Placement means an out-of-home placement with a non-custodial parent or  
156 relative, or [with] a friend **designated by the parent** who **the child is comfortable with**  
157 **and who is willing to become licensed as a foster parent [a licensed foster parent, which**  
158 **is referred to in statute as an emergency placement]** as authorized in Utah Code Ann.  
159 **[§78A-6-307](#) and [§62A-4a-209](#).**

160  
161 F. Relative is defined in Utah Code Ann. [§78A-6-307](#) as a relative who is the child's  
162 "grandparent, great-grandparent, aunt, great-aunt, uncle, great-uncle, brother-in-law,  
163 sister-in-law, stepparent, first cousin, stepsibling, sibling, or the first cousin of the  
164 parent," or an adult who is an adoptive parent of the child's sibling. For an Indian child,  
165 relative also includes an "extended family member" as defined by the Indian Child  
166 Welfare Act (ICWA), [Title 25, Chapter 21](#), which is "by the law or custom of the Indian  
167 child's tribe or, in the absence of such law or custom, will be a person who has reached  
168 the age of eighteen and who is the Indian child's grandparent, aunt, or uncle, brother or  
169 sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or  
170 stepparent."  
171

### 172 **501.3 Diligent Search For Kin And Written Notice**

173  
174 Federal and state laws require the caseworker to actively search for and provide notification to  
175 kin when a child enters protective custody of Child and Family Services. Within 30 days of  
176 removal, the caseworker will initiate diligent searches to identify and locate missing parents,  
177 grandparents, relatives, and/or potential kinship caregivers. The caseworker will work with  
178 designated kin locators or region appointed person to provide them with notice that a child  
179 related to them is in the custody of Child and Family Services. Efforts to locate kin and to build  
180 and sustain connections for the child will continue during the child's involvement with Child and  
181 Family Services.

#### 182 Caseworker Responsibilities

- 183  
184 A. The caseworker will conduct a diligent and reasonable search to locate potential kinship  
185 caregivers (including the child's non-custodial parent, grandparents, other adult  
186 relatives, adults who are adoptive parents of the child's sibling, or friends willing to care  
187 for the child, by taking as many of the following steps as necessary:
- 188 1. Interview the custodial parent or guardian to obtain the names, addresses, and  
189 telephone numbers of all potential kinship caregivers (including adoptive parents  
190 of the child's siblings) or friends who may be able to provide care for the child, or

- 191 who may be a resource to a kinship caregiver or friend that will have the child  
192 placed with them.
- 193 a. If a custodial parent or guardian objects to Child and Family Services  
194 contacting a potential kinship caregiver, the supervisor and the  
195 caseworker may assess whether to still contact the potential kinship  
196 caregiver by considering the following factors:
- 197 (1) If the safety of the child or the custodial parent or guardian will be  
198 jeopardized if the potential kinship caregiver is contacted.
- 199 (2) If contacting the potential kinship caregiver is in the best interest  
200 of the child.
- 201 (3) If contacting the potential kinship caregiver will substantially limit  
202 Child and Family Services' ability to work with the custodial parent  
203 or guardian to the detriment of the child.
- 204 b. If the custodial parent or guardian is uncooperative in providing the  
205 names of potential kinship caregivers or friends who may have the child  
206 placed with them, the caseworker may contact the Assistant Attorney  
207 General (AAG) to request the court to order the custodial parent to  
208 provide the names of all potential kinship caregivers within five working  
209 days.
- 210 2. Interview the child for names, addresses, and telephone numbers of kin or  
211 friends with whom the child is comfortable.
- 212 3. The kin locator or region-appointed person will complete diligent searches on  
213 relatives/friends as defined in Utah Code Ann. §78A-6-307 within 30 days of the  
214 removal using approved processes and resources.
- 215 [3]4. Ask participants at a Child and Family Team Meeting to help identify other  
216 potential kinship caregivers or friends who may be willing and able to care for  
217 the child.
- 218 a. Any friend or relative attending a Child and Family Team Meeting will be  
219 provided with the Notification Letter.
- 220 [4]5. Interview known relatives or friends of the child.
- 221 [5]6. Conduct a search in SAFE on the parent to determine if the parent has had  
222 previous cases with Child and Family Services where the child has been adopted.  
223 If possible, obtain the contact information of the adoptive parent.
- 224 [6]7. As early as possible, contact the Native American tribe's ICWA caseworker to  
225 request names, telephone numbers, and addresses of possible kin for any  
226 eligible Indian child, then follow-up with tribal placement preferences during  
227 case development.
- 228
- 229 B. The caseworker will contact the identified potential kinship caregiver(s) or friends by  
230 telephone, asking if they would like to be considered as a placement for the child,  
231 disclosing only the information necessary to assess their interest and/or to help identify

232 additional kinship caregivers or friends who may have the ability to have the child  
233 placed with them. The potential kinship caregiver/friend will be informed that the  
234 information discussed is confidential and will only be used by Child and Family Services  
235 to address the best interests of the child.

- 236
- 237 C. The caseworker/kin locator or region appointed person will provide written notice  
238 **(Kinship Pamphlet)** to a non-custodial parent, all grandparents, and other adult relatives  
239 (including an adult who is an adoptive parent of the child's sibling) known to Child and  
240 Family Services or suggested by the legal parent(s) within 30 days of removal, except  
241 when family or domestic violence justifies not providing notice. The written notice will:
- 242 1. Specify that the child has been or is being removed from the custody of the  
243 parent or parents of the child;
  - 244 2. Explain the options the relative has under federal, state or local law to  
245 participate in the care and placement of the child, including any options that  
246 may be lost by failing to respond to the notice; and
  - 247 3. Describe the requirements to become a licensed resource family or to request  
248 court ordered custody and guardianship and any additional services and  
249 supports that are available for children placed in a kinship caregiver home.

250

251 If a permanent placement has not been identified and if it is in the best interest of the  
252 child, the caseworker will continue to search for kinship caregivers. Kinship searches are  
253 required when children are not placed with kin and are in custody for over 12 months  
254 with no permanency options, or if there is any disruption or change in placement unless  
255 a kinship search was done within the past 90 days.

256

257 At the shelter hearing and subsequent hearings when requested, the caseworker will  
258 report progress of kinship exploration to the Guardian ad Litem (GAL), AAG, and court.

- 259 1. Record all identified relatives or friends in SAFE located in the Person Screen  
260 under the Child and Family Relationships field.
- 261 2. The ongoing worker will make phone or face-to-face contact with kin/friends  
262 who have expressed interest in being involved with the child.
- 263 3. Responses to the Notification to Kin Letters will be filed in the green binder  
264 under the kinship tab.
- 265 4. The caseworker will continue searches as needed and contact kin locator with  
266 identified information on possible relatives.

267

268 Kin Locator or Region Appointed Person Responsibilities:

- 269 A. The kin locator or region appointed person will complete all searches on  
270 relatives/friends within 30 days of removal using only Child and Family Services  
271 approved processes. **Complete searches on identified relatives or friends referred by**  
272 **the caseworker.**

- 273 [1. Complete searches on identified relatives or friends referred by the caseworker.  
274 2. If unable to identify or locate a non-custodial parent or family member email the  
275 Office of Recovery Services (ORS) at [ORSKINSHIPLOCATOR](mailto:ORSKINSHIPLOCATOR) to request a search  
276 through the National Parent Locator Service. In the subject line, indicate DCFS  
277 Kinship Locate Request. If the time frame to locate the non-custodial parent is  
278 URGENT, this will be noted in the subject line. When searching for relatives,  
279 identify the name and Social Security Number. In the body of the email, identify  
280 the child's name, date of birth, Social Security Number, and name of caseworker  
281 making the request. ORS should respond to requests within one business day.]  
282

283 **B. If unable to identify or locate a non-custodial parent or family member:**

- 284 1. The authorized Child and Family Services worker must complete the ORS Kinship  
285 Locate Request form for each child (if kinship locate services are being requested  
286 for more than one child). All kinship locate requests must contain the following  
287 information:  
288 (a) The child's name;  
289 (b) The child's date of birth or Social Security Number;  
290 (c) The individual's name;  
291 (d) The individual's relationship to the child; and,  
292 (e) The individual's date of birth or social security number.  
293 [See: Administrative Rules R495-884-3 and R495-884-4.]  
294 2. The Child and Family Services worker must provide the person's relationship to  
295 the child.  
296 3. Once the form is complete, the Child and Family Services worker will email it to  
297 [orskinshiplocator@ors.gov](mailto:orskinshiplocator@ors.gov)  
298 4. Urgent requests: If there is an emergency situation that requires immediate  
299 attention, the Child and Family Services worker will mark the email request as a  
300 High Priority in the subject line. If an individual is not known to the ORS  
301 information system, it is not possible to receive a quick response, even in a high  
302 priority situation.  
303 5. Information received from ORS regarding a child: If the request for kinship  
304 locate is for the child, ORS may provide Child and Family Services with the name,  
305 date of birth, Social Security Number, and any paternity information for the  
306 child, if available.  
307 6. Information received from ORS for a parent or adult relative: ORS may provide  
308 the following kinship locate information, if known, about a parent, alleged  
309 father, or non-parent relative:  
310 (a) Name;  
311 (b) Date of birth;  
312 (c) Social Security Number;  
313 (d) Most recent address;



- 314 (e) Employer name, identification number (EIN), and address; and  
315 (f) Whether or not the information is safeguarded. When a case has been  
316 safeguarded, ORS cannot release any locate information on that  
317 individual without an order from the court.
- 318 7. The timeframes for receiving information on a kinship locate request may vary.  
319 If an individual is already known to the ORS information system, the Child and  
320 Family Services worker may receive a response within one business day.  
321 However, if an individual is not known to the ORS information system, a  
322 response may take up to 30 days.
- 323 8. The response from ORS will be sent to Child and Family Services on the Locate  
324 Response for DCFS Kinship Locators form via email. The form will contain the  
325 information requested, if available. If no information was found, the form will  
326 still be returned, indicating that no information could be found.
- 327 9. Questions about the kinship locate process should be sent to the Child and  
328 Family Services state kinship program administrator, who will contact the ORS  
329 Child Support Policy and Training Unit, if necessary.
- 330 [3]10. Provide written notice (Notification to Relative Letter) to a non-custodial parent,  
331 all grandparents, all adoptive parents of the child's siblings, and other adult  
332 relatives known to Child and Family Services or suggested by the legal parent(s)  
333 within 30 days of removal, except when family or domestic violence justifies not  
334 providing notice. The written notice will:
- 335 a. Specify that the child has been or is being removed from the custody of  
336 the parent or parents of the child;
  - 337 b. Explain the options the relative has under federal, state, or local law to  
338 participate in the care and placement of the child, including any options  
339 that may be lost by failing to respond to the notice; and
  - 340 c. Describe the requirements to become a licensed resource family or to  
341 request court-ordered custody and guardianship and any additional  
342 services and supports that are available for children placed in a kinship  
343 caregiver home.
- 344 [4]11. Record all identified relatives or friends in SAFE located in the Child and Family  
345 Relationships field.
- 346 [5]12. Log returned Notification to Relatives response letters in SAFE Person Screen.
- 347 [6]13. Forward all returned Notification to Relatives letters to the caseworker **for follow**  
348 **up**. File these forms in the client's green binder under the kinship section.  
349

#### 501.4 Preferences For Placement

- 350  
351  
352 A. If parents share legal joint custody of a child but do not live together and Child and  
353 Family Services has determined that the child must be removed from one parent,  
354 protective custody is invoked. The child may be placed with the other parent according

- 355 to the Preliminary Placement requirements for a non-custodial parent. Using the  
356 components of safety decision-making, determine with the other parent the supports  
357 necessary to keep the child safe. Report the legal joint custody status of the other  
358 parent to the court at the shelter hearing for the judge to make a decision about  
359 releasing the child to the other parent or ordering the child into Child and Family  
360 Services custody.
- 361
- 362 B. The following order of preference applies to placement of a child in the custody of Child  
363 and Family Services, and is subject to the child's best interest:
- 364 1. A non-custodial parent of the child.
  - 365 2. A relative of the child.
  - 366 3. A friend designated by the custodial parent or guardian [of the child or an  
367 extended family member] of the child, if the friend is licensed or willing to  
368 become a licensed foster parent within six months or sooner of the child being  
369 placed with them. The custodial parent or guardian may only designate up to  
370 two as potential Preliminary Placements, unless Child and Family Services  
371 otherwise agrees.
  - 372 4. A former foster placement if still licensed, crisis care facility, or other foster  
373 placement designated by Child and Family Services.
- 374
- 375 C. An eligible Indian child must be placed within the foster/pre-adoptive placement  
376 preferences established by ICWA:
- 377 1. A non-custodial parent of the child.
  - 378 2. Member of the child's extended family, according to the tribe's customary  
379 definition of extended family ([25 U.S.C. §1903\(2\)](#)).
  - 380 3. Foster home licensed, approved, or specified by the Indian child's tribe.
  - 381 4. Indian foster home licensed or approved by an authorized non-Indian.
  - 382 5. An institution for children approved by an Indian tribe or operated by an Indian  
383 organization that has a program suitable to meet the child's needs.
  - 384 6. If none of the above is possible, the child may be placed in a non-Indian foster  
385 home or other appropriate out of home placement.
- 386
- 387 D. A child will be placed in a placement consistent with the child's needs, first taking into  
388 consideration preference of placement found in Practice Guidelines [Section 704](#). The  
389 type of out-of-home placement for the child, either the initial placement or change in  
390 placement, will be determined within the context of the Child and Family Team.  
391 Placement level decisions will be made based upon the needs, strengths, and best  
392 interests of the child according to the following criteria (these are in no particular order,  
393 rather they will be considered in the context of each case and situation):

- 
- 394 1. Safety factors in regards to the potential placement, including the threats of  
395 harm to the child or that the child poses to others, the protective capacities of  
396 the caregiver, and the child's vulnerabilities.
- 397 2. Reasonable proximity to the child's home.
- 398 3. Placing siblings together unless there is a safety concern.
- 399 4. Educational needs, including proximity to the child's school and child's need for  
400 maintaining connections to school.
- 401 5. Needs specific to the child's age, including developmental level.
- 402 6. Cultural factors, language, and religion specific to the child.
- 403 7. Existing relationships between the child and a caregiver or other significant  
404 individuals in the child's life.
- 405 8. Health and mental health needs.
- 406 9. Potential for ongoing care or permanency with the caregiver to prevent  
407 unnecessary changes in placement.
- 408
- 409 E. Paternal and maternal relatives are to be considered equally when assessing for the best  
410 placement for the child.
- 411
- 412 F. For the purpose of a Preliminary Placement, siblings who have only one parent in  
413 common may be placed together with the sibling's relative, if it is in the unrelated  
414 sibling's best interests. The relative will meet the Preliminary Placement requirements  
415 for a relative. Pursuit of a foster care license will be recommended to the caregiver if  
416 this is the selected ongoing placement for the child.
- 417
- 418 G. When choosing from multiple placement options, the Child and Family Team will try to  
419 reach a consensus as to which kinship placement would be the most appropriate for the  
420 child.
- 421
- 422 H. A potential kinship caregiver will not automatically be excluded from consideration for  
423 Preliminary Placement of a child in Child and Family Services custody due to factors that  
424 may prevent them from becoming licensed through the Office of Licensing, such as a  
425 citizenship status that is undocumented.
- 426
- 427 I. Preferential consideration means the Child and Family Team will consider the  
428 relative/friend for selection as a possible placement for the child, but does not  
429 guarantee that more than one potential kinship caregiver/friend will have background  
430 screening, limited home inspection, a Child-Specific Home Study, or that the child will be  
431 placed with the kinship caregiver/friend. Documentation of consideration and selection  
432 of potential kinship caregivers/friend by the Child and Family Team will be maintained in  
433 SAFE in Child and Family Team notes.
- 434

435 J. Preferential consideration given to kinship caregivers in Utah Code Ann. [§78A-6-307](#)  
436 expires 120 days from the date of the shelter hearing or, if no shelter hearing was held,  
437 then from the date the child was ordered into the custody of Child and Family Services.  
438 The Child and Family Team may consider potential kinship caregivers for placement  
439 after the 120 days has lapsed if it is in the best interest of the child.

440  
441 K. Preferential consideration may be given to a friend if the friend is willing to become a  
442 licensed foster parent and actively working towards licensure within 120 days of the  
443 shelter hearing, or if no shelter hearing was held, within 120 days of the child being  
444 ordered into the custody of Child and Family Services. [\[See: Practice Guidelines Section](#)  
445 [502.8.\]](#)  
446

### 447 **501.5 Factors That May Delay Placement Or Hinder Permanency**

448  
449 When selecting a kinship caregiver, consideration will be given to factors that may result in a  
450 delay of placement or that may hinder progress towards the child's permanency goals. Factors  
451 of concern will be communicated to the potential kinship caregiver/friend, which may lead  
452 them to recommend a different kinship caregiver/friend to prevent a delay in placement or to  
453 better support potential permanency options.  
454

455 A. Previous Child Abuse or Neglect Finding or Criminal History: Placement will likely be  
456 delayed if any adult in the home of the potential kinship caregiver/friend has had a  
457 previous child abuse or neglect finding or criminal history because more extensive  
458 identity verification and evaluation of threat of harm to a child is required. The kinship  
459 caregiver/friend may also be required to obtain and provide legal documents further  
460 explaining the criminal history. In addition, a Region Background Screening Committee  
461 will likely be required to evaluate the history before a decision regarding approval or  
462 denial can be made.  
463

464 B. Out of Area/Out of State: If the potential kinship caregiver/friend lives out of the area,  
465 reunification efforts could be impacted by distance. Also, if the kinship caregiver/friend  
466 lives out of state, a significant amount of time may be required to complete the  
467 Interstate Compact for the Placement of Children (ICPC) requirements, including an out  
468 of state background screening and home study, which must be met prior to placement.  
469

470 C. Inability to Qualify for Adoption or as a Foster Parent:  
471 1. If child abuse findings or criminal history do not meet the standards for the  
472 Office of Licensing, a kinship caregiver/friend would not be able to qualify for  
473 ongoing care of the child as a licensed foster parent or for adoption assistance, if  
474 that becomes the plan for the child.

475 2. [If a kinship caregiver/friend has a citizenship status that is undocumented,  
476 ongoing care as a licensed foster parent nor adoption assistance would be an  
477 option; potential arrest or deportation could also be a concern.]If a kinship  
478 caregiver/friend is not able to provide documentation to show U.S. citizenship or  
479 residential status, ongoing care as a licensed foster parent and adoption  
480 assistance may not be an option; potential arrest or deportation may also be a  
481 concern.

482 3. If adults in the home are cohabitating and are not legally married, careful  
483 consideration will be given to permanency options because Child and Family  
484 Services cannot place a child in custody with caregivers that are cohabitating,  
485 even if they are licensed as foster parents, and neither adoption nor adoption  
486 assistance could be pursued in Utah.

487  
488 If a decision is made in any of these types of circumstances to recommend custody and  
489 guardianship to the kinship caregiver/friend, the court must be fully educated on the risks and  
490 limitations for permanency.  
491

492 **502 Kinship Services - Preliminary Placement**

493 Major objectives:

- 494 A. Child and Family Services may place a child in custody into a Preliminary Placement  
495 with a kinship caregiver (non-custodial parent or relative), or a friend designated by a  
496 parent/guardian who is willing to become a licensed foster parent within six months or  
497 sooner of the child being placed with them.  
498
- 499 B. A Preliminary Placement is used to keep a child in Child and Family Services custody  
500 safe while the Child and Family Team makes decisions regarding the child's ongoing  
501 care and determines what steps are necessary to promote the safety, well-being,  
502 stability, and permanency of the child.  
503
- 504 C. Criteria for approving a kinship caregiver/friend for Preliminary Placement include  
505 background screening, assessment of safety, limited home inspection, general  
506 qualifying criteria, and may include a reference check.  
507
- 508 D. The kinship caregiver/friend is responsible to meet the basic needs of the child while in  
509 their care. The caseworker will educate and assist the kinship caregiver/friend on  
510 possible financial and medical resources to support the child's needs.  
511
- 512 E. The kinship caregiver/friend will assist in carrying out plans for visitation for the child  
513 and will be engaged as a participant in the Child and Family Team.  
514

515  
516  
517 **Applicable Law**

518 Utah Code Ann. [§62A-2-120](#). Criminal background checks – Direct access to children or  
519 vulnerable adults.

520 Utah Code Ann. [§62A-4a-202.1](#). Entering home of a child – Taking a child into protective  
521 custody – Caseworker accompanied by peace officer – Preventive services – Shelter facility or  
522 emergency placement.

523 Utah Code Ann. [§62A-4a-209](#). Emergency placement.

524 Utah Code Ann. [§62A-4a Part 7](#). Interstate Compact on the Placement of Children.

525 Utah Code Ann. [§78A-6-306](#). Shelter hearing.

526 Utah Code Ann. [§78A-6-307](#). Shelter hearing – Placement – DCFS custody.

527 Utah Code Ann. [§78A-6-307.5](#). Post-shelter hearing placement of a child who is in division  
528 custody.

529 U.S. Code [Title 25, Chapter 21](#). Indian Child Welfare.  
530

## 531 **502.1 Preliminary Placement Overview**

532  
533 A Preliminary Placement is an out-of-home placement with a non-custodial parent, relative, or  
534 a friend (including an extended relative) of the custodial parent or guardian. A Preliminary  
535 Placement is used to keep a child in Child and Family Services custody safe while the Child and  
536 Family Team makes decisions regarding the child's ongoing care and determines what steps are  
537 necessary to promote the safety, well-being, stability, and permanency of the child.

538 Preliminary Placement with a kinship caregiver or friend is preferred over crisis care and may be  
539 considered for emergency foster care to avoid the use of another out-of-home placement with  
540 a caregiver who is unfamiliar to the child. The Preliminary Placement may also remain as the  
541 child's ongoing placement with the kinship caregiver becoming a licensed foster parent or being  
542 granted custody and guardianship. The Preliminary Placement may also remain as the child's  
543 ongoing placement with the friend becoming a licensed foster parent. **Child and Family Services**  
544 **may not recommend that** friends ~~may not~~ be granted custody and guardianship of the child.

545  
546 A Preliminary Placement may be made while a child is in protective custody prior to a shelter  
547 hearing or after a court has ordered a child into the custody of Child and Family Services. A  
548 Preliminary Placement may continue while an evaluation is conducted and a plan is formed for  
549 ongoing care of the child.

550  
551 If it is determined that the Preliminary Placement will not be the ongoing placement for the  
552 child, the Preliminary Placement may assist in transitioning the child to an ongoing caregiver.

553

## 554 **502.2 Selection Of Kinship Caregiver For Preliminary Placement**

555  
556 Child and Family Services is primarily responsible to select a kinship caregiver/friend for  
557 Preliminary Placement, taking into account preferences for placement, the best interest of the  
558 child, the kinship caregiver/friend's ability to meet qualifying requirements, and factors that  
559 may delay placement, result in multiple moves, or hinder progress towards the child's  
560 permanency goals.

561

562 Out-of-Home Practice Guidelines [Section 300](#) apply during a Preliminary Placement with the  
563 following exceptions:

564

565 A. Traditional foster care placement screening or legal risk screening for foster/adoptive  
566 placements are not required when Preliminary Placement with a kinship  
567 caregiver/friend is being considered.

568

569 B. No crisis care or residential screening processes are required.

570

571 The kinship caregiver will be at least 18 years of age; age 21 years or older is preferred because  
572 of age requirements to be licensed as a child-specific foster parent. A friend would be required  
573 to be aged 21 due to the requirement for them to obtain a foster parent license. In the event a  
574 non-custodial parent is younger than age 18 years, care must be given that the non-custodial  
575 parent has a permanent residence and sufficient means to care for and ensure the safety of the  
576 child, preferably with a responsible relative or other adult.

577  
578 It may be necessary for the child to receive temporary care while background screening and a  
579 limited home inspection are being completed, or while waiting for the non-custodial parent,  
580 kinship caregiver, or friend to arrive to pick up the child. This care may be provided at sites  
581 identified by the region such as a crisis care facility or home, family support center, or other  
582 appropriate location.

### 583 584 **502.3 Background Screening Requirements For Preliminary Placement** 585 **And Ongoing Care Regarding Non-Custodial Parent And Kinship Caregivers**

- 586  
587 A. **PRELIMINARY PLACEMENT With Non-Custodial Parent:** The following background  
588 screenings are required for ~~[adults age 18 years and older]~~ **the non-custodial parent and**  
589 **all individuals** living in the home of the ~~[kinship caregiver/friend prior to placement of a~~  
590 ~~child, with one exception]~~ **non-custodial parent.**
- 591 1. If the child is being placed with a non-custodial parent, ~~[this]~~ **the following** checks  
592 may be completed for the non-custodial parent and any other ~~[adults age 18~~  
593 ~~years and older]~~ **individuals living** in the home before or within one day after a  
594 child is placed, excluding weekends and holidays, if based upon a limited  
595 investigation Child and Family Services determines that:
    - 596 a. The non-custodial parent has regular, unsupervised visitation with the  
597 child that is not prohibited by law or court order; and
    - 598 b. Based on the caseworker's best judgment and analysis of available  
599 information, there is no reason to believe that the child's health or safety  
600 will be endangered by making the placement prior to the background  
601 screening being completed.
  - 602 2. Utah Criminal History Bureau of Criminal Identification (BCI): A non-fingerprint-  
603 based Utah BCI criminal history check must be approved for ~~the non-custodial~~  
604 ~~parent and~~ **all adults age 18 years and older living in the home** ~~[of the kinship~~  
605 ~~caregiver/friend prior to placement of a child, except as noted above for a non-~~  
606 ~~custodial parent]~~.
  - 607 3. Child and Adult Abuse and Neglect History Checks through SAFE: SAFE  
608 background checks for child and adult abuse and neglect must be approved for  
609 ~~[all adults age 18 years and older]~~ **the non-custodial parent and all individuals**  
610 living in the home ~~[of the kinship caregiver/friend prior to placement of a child,~~  
611 ~~except as noted above for a non-custodial parent]~~.



- 612 country lived in or efforts to obtain such history.]
- 613 4. Juvenile Criminal History: A name-based check through the Utah Criminal Justice
- 614 System (UCJIS) must be approved for the non-custodial parent and all adults age
- 615 18 years and older living in the home.
- 616 a. A name-based check through the UCJIS must be approved for all
- 617 individuals age 12 to 17 years old living in the home of the non-custodial
- 618 parent.
- 619 5. The following background screenings are not required for the non-custodial
- 620 parent, but Child and Family Services may require any of these checks if Utah
- 621 criminal history or SAFE child abuse checks result in concerns about potential
- 622 threat of harm to the child.
- 623 a. Federal Bureau of Investigation (FBI) Fingerprint-Based Criminal
- 624 History Check.
- 625 b. Out of State Child Abuse Registry Check.
- 626
- 627 ~~B. The following background screenings are required for all adults age 18 years and older~~
- 628 ~~living in the home of the kinship caregiver or friend, as specified below, but may be~~
- 629 ~~completed after the child has been placed in a Preliminary Placement.~~
- 630 ~~1. Federal Bureau of Investigation (FBI) Fingerprint Based Criminal History Check:~~
- 631 ~~a. This check is not mandatory for a non-custodial parent, but Child and~~
- 632 ~~Family Services may require this check if Utah criminal history or SAFE~~
- 633 ~~child abuse checks result in concerns about potential threat of harm to~~
- 634 ~~the child.~~
- 635 ~~b. Live Scan fingerprint scanning must be completed or fingerprint cards~~
- 636 ~~submitted within 10 business days after placement of the child.~~
- 637 ~~2. Out of State Child Abuse Registry Check: An out of state child abuse registry~~
- 638 ~~check is required for any state in which a relative, friend, or other adult age 18~~
- 639 ~~years and older in the home has lived in the previous five years. This check is~~
- 640 ~~not mandatory for a non-custodial parent, but Child and Family Services may~~
- 641 ~~require this check if Utah criminal history or SAFE child abuse checks result in~~
- 642 ~~concerns about potential threat of harm to the child.~~
- 643 ~~3. Out of Country Background Check:~~
- 644 ~~a. If a relative, friend, or any other adult age 18 years and older in the home~~
- 645 ~~has resided outside of the U.S. in the five years prior to the request for~~
- 646 ~~background screening, Child and Family Services may require the kinship~~
- 647 ~~caregiver/friend to provide out of country background screening~~
- 648 ~~documentation prior to or after placing a child in a Preliminary~~
- 649 ~~Placement.~~
- 650 ~~b. The kinship caregiver/friend may be required to provide the following~~
- 651 ~~documentation for adults age 18 years and older that have resided~~
- 652 ~~outside of the United States in the previous five years. Note that the~~

653 United States territories of Puerto Rico, American Samoa, United States  
654 Virgin Islands, and Guam are considered outside of the United States.  
655 Contact information for embassies of countries outside of the United  
656 States can be obtained at <http://www.embassy.org/embassies/>.  
657 (1) — A criminal history report from each country lived in; or  
658 (2) — A letter of honorable release from the United States Military or  
659 full time ecclesiastical service, from each country lived in; or  
660 (3) — Other written verification of criminal history from each

661  
662 **B. PRELIMINARY PLACEMENT With Kinship Caregiver Relative:** The following background  
663 screenings are required for the kinship caregiver relative and all individuals living in the  
664 home of the kinship caregiver relative PRIOR to placement of a child.

- 665 1. Utah Criminal History Bureau of Criminal Identification (BCI): A non-fingerprint-  
666 based Utah BCI criminal history check must be approved for the kinship caregiver  
667 relative and all adults age 18 years and older living in the home.
- 668 2. Child and Adult Abuse and Neglect History Checks through SAFE: SAFE  
669 background checks for child and adult abuse and neglect must be approved for  
670 the kinship caregiver relative and all individuals living in the home.
- 671 3. Juvenile Criminal History: A name-based check through the Utah Criminal Justice  
672 System (UCJIS) must be approved for the kinship caregiver relative and all adults  
673 age 18 years and older living in the home.
  - 674 a. Juvenile Criminal History: A name-based check through the UCJIS must be  
675 approved for all individuals age 12 to 17 years old living in the home of  
676 the kinship caregiver relative.

677  
678 **C. ONGOING CARE With Kinship Caregiver Relative:** The following background screenings  
679 are required for the kinship caregiver relative and all adults age 18 years and older living  
680 in the home but may be completed AFTER placement of child has occurred.

- 681 1. Federal Bureau of Investigation (FBI) Fingerprint-Based Criminal History Check:
  - 682 a. Live Scan fingerprint scanning must be completed or fingerprint cards  
683 submitted within 10 business days after placement of the child.
- 684 2. Out of State Child Abuse Registry Check: An out of state child abuse registry  
685 check is required for any state in which the relative or other adult age 18 years  
686 and older living in the home has lived in the previous five years.

687  
688 **D. PRELIMINARY PLACEMENT With Kinship Caregiver Friend BEFORE SHELTER HEARING:**  
689 The following background screenings are required for the kinship caregiver friend and all  
690 individuals living in the home PRIOR to placement of a child.

- 691 1. Utah Criminal History Bureau of Criminal Identification (BCI): A non-fingerprint-  
692 based Utah BCI criminal history check must be approved for the kinship caregiver  
693 friend and all adults age 18 years and older living in the home.

- 694 2. Child and Adult Abuse and Neglect History Checks through SAFE: SAFE  
695 background checks for child and adult abuse and neglect must be approved for  
696 the kinship caregiver friend and all individuals living in the home.
- 697 3. Juvenile Criminal History: A name-based check through the Utah Criminal Justice  
698 System (UCJIS) must be approved for the kinship caregiver friend and all adults  
699 age 18 years and older living in the home.
- 700 a. Juvenile Criminal History: A name-based check through the UCJIS must be  
701 approved for all individuals age 12 to 17 years old living in the home of  
702 the kinship caregiver friend.
- 703 (1) Federal Name-Based Check: A federal name-based criminal  
704 history check through Interstate Identification Index (III) must be  
705 approved for the kinship caregiver friend and all adults age 18  
706 years and older living in the home.
- 707
- 708 E. ONGOING CARE With Kinship Caregiver Friend When Placement Occurred BEFORE  
709 Shelter: The following background screenings are required for the kinship caregiver  
710 friend and all adults living in the home but may be completed AFTER placement of child  
711 has occurred.
- 712 1. Federal Bureau of Investigation (FBI) Fingerprint-Based Criminal History Check: A  
713 fingerprint-based criminal history check for the kinship caregiver friend and all  
714 adults age 18 years and older living in the home.
- 715 a. Live scan fingerprinting must be completed or fingerprint cards submitted  
716 within 15 calendar days of III check being completed.
- 717 b. If the kinship caregiver friend or any adults age 18 years or older living in  
718 the home fail to complete live scan fingerprinting within the designated  
719 time frame, then the child shall immediately be removed from the home  
720 [see: Practice Guidelines Section 301.2].
- 721 2. Out of State Child Abuse Registry Check: An out of state child abuse registry  
722 check is required for any state in which a kinship caregiver friend or other adult  
723 age 18 years and older living in the home has lived in the previous five years.
- 724
- 725 F. PRELIMINARY PLACEMENT With Kinship Caregiver Friend AFTER SHELTER HEARING: The  
726 following background screenings are required for the kinship caregiver friend and all  
727 individuals living in the home PRIOR to placement of a child.
- 728 1. Federal Bureau of Investigation (FBI) Fingerprint Based Check: A fingerprint-  
729 based criminal history check for the kinship caregiver friend and all adults age 18  
730 years and older living in the home.
- 731 2. Child and Adult Abuse and Neglect History Checks through SAFE: SAFE  
732 background checks for child and adult abuse and neglect must be approved for  
733 the kinship caregiver friend and all individuals living in the home.

734 3. Juvenile Criminal History: A name-based check through the Utah Criminal Justice  
735 System (UCJIS) must be approved for the kinship caregiver friend and all adults  
736 age 18 years and older living in the home.

737 a. Juvenile Criminal History: A name based check through the UCJIS must be  
738 approved for all individuals age 12 to 17 years old living in the home of  
739 the kinship caregiver friend.

740  
741 G. ONGOING CARE With Kinship Caregiver Friend When Placement Occurred AFTER  
742 Shelter: The following background screenings are required for the kinship caregiver  
743 friend and all adults living in the home but may be completed AFTER placement of child  
744 has occurred.

745 1. Out of State Child Abuse Registry Check: An out of state child abuse registry  
746 check is required for any state in which a kinship caregiver friend or other adult  
747 age 18 years and older living in the home has lived in the previous five years.

748 2. Friend or Extended Family Member: In cases where a placement is made with a  
749 friend or kinship caregiver that is already a licensed foster parent, no additional  
750 background screening is required for Preliminary Placement or as part of the  
751 evaluation of capacity for ongoing care of the child, unless there is valid reason  
752 to believe that the information obtained through the licensing process may no  
753 longer be complete. The background screening has already been completed as a  
754 part of the licensure process.

755  
756 [E]H. Option to Require Additional Background Screening Prior to Placement: Child and  
757 Family Services may require a fingerprint-based national criminal history check, out of  
758 state child abuse registry check, or out of country criminal history check prior to placing  
759 a child in a Preliminary Placement with a kinship caregiver/friend when there is reason  
760 to believe that the additional background screening may be necessary to prevent threat  
761 of harm for the child. [If there is a concern about a juvenile court history, consult with  
762 the AAG to determine whether or not those records can be accessed.]

763 a. If out of country documentation is needed, the following can be accepted. Note  
764 that the United States territories of Puerto Rico, American Samoa, United States  
765 Virgin Islands, and Guam are considered outside of the United States. Contact  
766 information for embassies of countries outside of the United States can be  
767 obtained at <http://www.embassy.org/embassies/>.

768 (1) A criminal history report from each country lived in; or

769 (2) A letter of honorable release from the United States Military or full-time  
770 ecclesiastical service, from each country lived in; or

771 (3) Other written verification of criminal history from each country lived in or  
772 efforts to obtain such history.

773  
774 Examples of circumstances in which additional background screening may be  
775 appropriate include need for verification of identity for a non-fingerprint-based Utah BCI

776 criminal history report, indication of multi-state offense on the Utah BCI criminal history  
777 report, recent move to Utah, suspicious behavior or circumstances, or concerns  
778 regarding out of state criminal or abuse activity reported by a person known to the  
779 individual.  
780

#### 502.4 Limited Home Inspection For Preliminary Placement

781  
782  
783 A. The caseworker, supervisor, or other employee designated by the region director will  
784 conduct a limited home inspection (KBS16) in the home of the potential kinship  
785 caregiver/friend prior to placement to determine if there are apparent conditions that  
786 may present a threat of harm to the child, with one exception as indicated below.  
787

788 If the child is being placed with a non-custodial parent, the limited home inspection may  
789 be completed before or within one day after a child is placed, excluding weekends and  
790 holidays, if based upon a limited investigation Child and Family Services determines  
791 that:

- 792 1. The non-custodial parent has regular, unsupervised visitation with the child that  
793 is not prohibited by law or court order; and
- 794 2. Based on the caseworker's best judgment and analysis of available information,  
795 there is no reason to believe that the child's health or safety will be endangered  
796 by making the placement prior to completion of the limited home inspection.  
797

798 B. The limited home inspection determines if the following are met:

- 799 1. The home is free from observable safety, health and fire hazards. (See  
800 Environmental Neglect in Practice Guidelines [Section 204.5.](#))
- 801 2. There are adequate sleeping arrangements to meet the specific needs of each  
802 child; and
- 803 3. Any firearms, ammunition, hazardous chemicals, and/or medications are secured  
804 and not accessible to children.  
805

806 C. In situations where the non-custodial parent, kinship caregiver, or friend lives in Utah  
807 but outside of the region where the child resides, ~~the supervisor of the child's~~  
808 ~~caseworker will contact a CPS supervisor in the respective region~~ the caseworker will  
809 send a Request for Kinship Support Services (KBS09) to the region kinship supervisor in  
810 the region where the prospective kin/friend placement resides as soon as possible to  
811 request a limited home inspection. The receiving region will make contact with the non-  
812 custodial parent, kinship caregiver, or friend to schedule and complete the limited home  
813 inspection according to the urgency identified by the requesting region.  
814

---

815 **502.5 Assessment Of Safety For Preliminary Placement**

816

817 The caseworker, supervisor, or other person designated by the region director will conduct an  
818 assessment of safety for placement of a child with a potential kinship caregiver/friend, based  
819 on safety decision-making, which includes:

820

821 A. Specific and Observable Threats of Harm:

- 822 1. Background screening results,  
823 2. Other persons who have regular access to the home, and  
824 3. Age-specific environmental conditions.

825

826 B. Vulnerabilities of the Child:

- 827 1. The child's comfort level with the kinship caregiver/friend, and  
828 2. Age and developmental level of the child.

829

830 C. Protective Capacities of the Kinship Caregiver/Friend and Their Support System:

- 831 1. Ability of the kinship caregiver/friend to meet or address the safety, physical,  
832 and emotional needs of the child, and  
833 2. Access to resources.

834

835 **502.6 Reference Check For Preliminary Placement**

836

837 A. Child and Family Services may request the name and contact information for a reference  
838 from the potential kinship caregiver/friend and may contact the individual to obtain  
839 input about the potential kinship caregiver/friend's ability to safely care for the child.

840 The caseworker may ask for information such as:

- 841 1. How familiar the individual is with the kinship caregiver/friend.  
842 2. If the individual would recommend the placement of a child in the home of the  
843 kinship caregiver/friend.  
844 3. What information the individual can provide regarding the kinship  
845 caregiver/friend's capacity to care for a child.  
846 4. Whether the individual has knowledge of the kinship caregiver/friend's  
847 interaction with the child.  
848 5. Whether the individual is aware of any other relatives or friends of the child to  
849 consider as a possible preliminary or long-term placement.  
850 6. Any other information the individual can provide that will assist the caseworker  
851 in assessing the appropriateness of the placement.

852

853 B. The caseworker will assess the individual's level of familiarity with the potential kinship  
854 caregiver/friend before giving significant consideration to the information provided. If  
855 negative feedback is received from the individual, the caseworker will consider further

856 assessment of the potential kinship caregiver/friend prior to making the Preliminary  
857 Placement.

858

## 859 **502.7 General Qualifying Requirements For Preliminary Placement**

860

861 In addition to requirements specified above for a non-custodial parent, kinship caregiver,  
862 relative, or friend, the following requirements must be met prior to approving Preliminary  
863 Placement of a child with a kinship caregiver/friend:

864

865 A. If the Preliminary Placement is being considered prior to the shelter hearing, Child and  
866 Family Services will ask the child's custodial parent or guardian to sign a Preliminary  
867 Placement Agreement stating that they:

- 868 1. Agree not to remove the child from the home of the kinship caregiver/friend.
- 869 2. Agree not to have any contact with the child until after the shelter hearing,  
870 unless authorized by Child and Family Services in writing.

871

872 The caseworker will document in activity logs if the parent or guardian refuses or is not  
873 able to sign a parent/guardian Preliminary Placement Agreement. Child and Family  
874 Services may place a child with a kinship caregiver/friend if a parent refuses or is unable  
875 to sign a Preliminary Placement Agreement if it is in the child's best interest.

876

877 If the Preliminary Placement is being made after the shelter hearing and the court has  
878 ordered the child into Child and Family Services custody, no custodial parent or guardian  
879 agreement is required.

880

881 B. The kinship caregiver/friend:

- 882 1. Signs a Preliminary Placement Agreement stating that they:
- 883 2. Are able and willing to keep the child safe and provide daily care and nurturance.
- 884 3. Agree not to allow the custodial parent or guardian to have any contact with the  
885 child unless authorized by the court or Child and Family Services in writing.
- 886 4. Agree to contact law enforcement and Child and Family Services if the custodial  
887 parent or guardian attempts to make unauthorized contact with the child.
- 888 5. Are able and willing to take the child to medical, mental health, dental, and  
889 educational appointments at the request of Child and Family Services.

890 **6. Are willing to apply for medical benefits through the Department of Workforce  
891 Services within 10 business days of the child's placement.**

892 **[6]7.** Agree to allow Child and Family Services and the child's GAL to have access to  
893 the child.

894 **[7]8.** Are willing to support the child's permanency plan, including assisting the  
895 custodial parent or guardian in reunification efforts at the request of Child and  
896 Family Services.

- 897 [8]9. Are willing to follow all court orders.  
898 [9]10. Have been informed and understand that Child and Family Services may  
899 continue to search for other possible placements for long-term care of the child,  
900 if needed.  
901 [40]11. Agree to submit a background screening application, copy of photo  
902 identification, and fingerprints through Live Scan or hard copy cards for a  
903 fingerprint-based background check within 10 business days of placement of the  
904 child.  
905 [44]12. Agree to inform Child and Family Services of any changes or circumstances that  
906 might affect the child's well-being such as a change in health, address, or  
907 caregiving arrangements.  
908  
909 C. The child is comfortable with the kinship caregiver/friend.  
910  
911 D. A supervisor approves the placement.  
912  
913 E. Child and Family Services may not place a child with an individual who is prohibited by  
914 court order from having access to that child.  
915

## 502.8 Preliminary Placement With A Friend

916  
917  
918 A child may be placed in the home of a friend (including an extended relative) designated by  
919 the custodial parent or guardian of the child, if the friend is a licensed foster parent, or if the  
920 friend agrees to become a licensed foster parent within six months of the child being placed  
921 with them. All Out-of-Home Practice Guidelines in [Section 300](#) apply to the friend or extended  
922 relative of the child. [See: Administrative Rule [R512-500-4](#).]  
923

924 Child and Family Services staff will be aware that when a Preliminary Placement of a child is  
925 made with a friend designated by the parent, the friend is not eligible for the specified relative  
926 grant or other financial benefits through the Division of Workforce Services (DWS). At this time,  
927 with the exception of cases where the child has a trust account and/or a parent with the ability  
928 to pay child support, there are no financial supports available for friends designated by the  
929 parents as caregivers for the child until the friend becomes a licensed foster parent. Staff will  
930 give careful consideration to whether the friend has the financial capability to support the  
931 child's needs during the period before completion of foster care licensure. Friends chosen as  
932 caregivers for a child in custody may be eligible to receive a Medicaid card for the child through  
933 DWS while pursuing foster parent licensure.  
934

935 When Child and Family Services makes a Preliminary Placement with an unlicensed friend, the  
936 friend caregiver is required to be actively engaged in the process of obtaining foster parent  
937 licensure within 60 days of the child being placed with them. If a friend caregiver receives a



938 [probationary]provisional license, the friend caregiver must continue the process and obtain  
939 foster parent licensure within six months of the child being placed with them or the child will be  
940 removed from the home of the friend caregiver. Foster parent licensure refers to being  
941 licensed as a foster parent or obtaining a child-specific license through the Utah Department of  
942 Human Services, Office of Licensing.

943

944 When the kinship worker or other designated staff begin to meet with the friend caregiver after  
945 the child is placed, information will be provided to the friend caregiver to assist them in caring  
946 for the needs of the child and planning for the child's permanency. The kinship worker will  
947 review with the friend caregiver the requirement that they obtain foster parent licensure, help  
948 them understand the steps to complete for foster parent licensure, as well as what resources  
949 are available to them once they become licensed.

950

951 A. The kinship or other designated staff will discuss with the friend caregiver the advantages  
952 and responsibilities of becoming a licensed foster care placement for the child. Resources  
953 and advantages include:

- 954 1. Monthly foster care payment.
- 955 2. Medical needs maintained by Child and Family Services to cover Medicaid,  
956 dental, and mental health needs.
- 957 3. Access to and assistance from a Resource Family Consultant.
- 958 4. Further options for supports and resources, such as trackers, respite, and mental  
959 health services, other than those found through the local mental health  
960 authorities.
- 961 5. Educational and training opportunities to assist them in meeting the needs of  
962 the child.
- 963 6. Cluster support groups.
- 964 7. Respite care.
- 965 8. If the child's permanency goal changes to adoption, the AAG will facilitate a  
966 process for termination of parental rights and the child will be assessed for  
967 monthly adoption assistance.
- 968 9. Transition to Adult Living resources.
- 969 10. Health Care Nurse.

970

971 B. In an effort to support the permanency needs of the child and expedite the ability of the  
972 friend caregiver to obtain foster parent licensure, a caseworker and/or kinship worker will  
973 complete the following after the placement of the child with the friend caregiver:

- 974 1. Within two months (or earlier) of initial placement of the child with the friend  
975 caregiver: The caseworker, kinship worker, or other designated Child and Family  
976 Services staff will conduct a child and family team meeting for the purpose of  
977 addressing the permanency needs of the child. The Child and Family Team  
978 Meeting will include the following individuals (when applicable): the friend with

- 979 whom the children were placed, other potential kinship caregivers and relatives,  
980 the caseworker, the kinship ~~worker~~~~[resource family consultant]~~, and any other  
981 Child and Family Services staff involved in the placement, ~~including out of region~~  
982 ~~staff~~ if the placement is made in another region. ~~Other informal and formal~~  
983 ~~supports to the family may include supportive family, friends, health care nurse,~~  
984 ~~therapist, school representative, daycare provider, etc.).~~ Child and Family  
985 Services staff will do the following in the Child and Family Team Meeting:
- 986 a. Educate the friend caregiver regarding permanency timeframes and  
987 other information associated with the case.
  - 988 b. Review the advantages of becoming licensed with the friend caregiver  
989 (listed in A1 above). Remind the friend caregiver that when the child was  
990 initially placed with them, they agreed to become a licensed foster care  
991 provider.
  - 992 c. Review the progress of the friend caregiver in obtaining the  
993 ~~[probationary]provisional~~ license.
  - 994 d. If the friend caregiver does not have the ~~[probationary]provisional~~  
995 license, assess whether there are systemic issues that have prevented it  
996 or whether the friend caregiver has not actively engaged in the process of  
997 obtaining the ~~[probationary]provisional~~ license. If the friend caregiver  
998 has not engaged in the process of obtaining a ~~[probationary]provisional~~  
999 license, assess whether the friend caregiver is able to care for the needs  
1000 of the child and whether the child needs to be moved to a new  
1001 placement.
  - 1002 e. If the friend caregiver has received a ~~[probationary]provisional~~ license,  
1003 explain there are further steps to achieve foster parent licensure and that  
1004 the ~~[probationary]provisional~~ license will expire after six months.
  - 1005 f. Review the steps for obtaining foster parent licensure.
  - 1006 g. Review the progress of the friend caregiver in obtaining foster parent  
1007 licensure.
  - 1008 h. Assess whether the friend caregiver is actively engaged in the process of  
1009 obtaining the foster parent license. Examples of being “actively engaged”  
1010 include but are not limited to the following:
    - 1011 (1) Licensing application has been completed ~~and given to the~~  
1012 ~~caseworker or kinship worker.~~ ~~[(2)—Information for references~~  
1013 ~~have been filled out and returned to the Office of Licensing (OL).]~~  
1014 ~~[(3)](2)~~ Child and Family Services kinship staff has been contacted to  
1015 schedule a home study.
    - 1016 ~~[(4)](3)~~ Medical appointments are scheduled or complete.
    - 1017 ~~[(5)](4)~~ FBI fingerprint background screening has been completed.
    - 1018 ~~[(6)](5)~~ Friend caregiver has begun required foster parent training.

- 1019 i. If the friend caregiver is not actively engaged in the process of obtaining  
1020 foster parent licensure, assess whether the child needs to be removed  
1021 from the friend caregiver's care and explore other placement options for  
1022 the child.
- 1023 (1) Remind the friend caregiver that if foster parent licensure is not  
1024 completed prior to the [probationary]provisional license expiring,  
1025 the child will be removed from their care.
- 1026 (2) Introduce the concept of adoption to the friend caregiver and  
1027 provide education regarding the child's need for permanency,  
1028 including educating the friend caregiver regarding the resources  
1029 available through Adoption Assistance and post adoption support  
1030 if the friend caregiver becomes licensed.
- 1031 (3) If the friend caregiver has not yet become licensed, discuss any  
1032 obstacles to obtaining licensure and help formulate a written  
1033 action plan to overcome the barriers. The written plan will state  
1034 Child and Family Services' expectations of the friend caregiver,  
1035 provide specific steps and designate who is responsible for each  
1036 step, and outline specific dates to accomplish the steps prior to  
1037 meeting in two more months.
- 1038 2. Within four months (or earlier) of initial placement of the child with the friend  
1039 caregiver, if the friend caregiver has not yet received the foster parent license,  
1040 the caseworker or kinship worker will conduct a Child and Family Team Meeting  
1041 for the purpose of assessing the progress of the friend caregiver on the written  
1042 plan that was completed in the prior team meeting. Participants in the Child and  
1043 Family Team Meeting will include those outlined above in B1. Child and Family  
1044 Services staff will do the following in the Child and Family Team Meeting:
- 1045 a. Educate the friend caregiver that there are only two months remaining in  
1046 which they should have completed or be well into the process of  
1047 obtaining a foster parent license for the child placed in their home.
- 1048 b. Inform the friend caregiver that if foster parent licensure is not obtained  
1049 and/or if the friend is not actively engaged in the process of becoming  
1050 licensed within six months of the child being placed there, the child will  
1051 be removed from their care.
- 1052 c. Discuss any obstacles to obtaining licensure and modify the action plan to  
1053 overcome the barriers. The written plan will:
- 1054 State Child and Family Services' expectations of the friend caregiver
- 1055 (1) Provide specific steps and designate who is responsible for each  
1056 step.
- 1057 (2) Outline specific dates to accomplish the steps in the action plan.

- 1058 (3) Schedule a further meeting to discuss any remaining barriers for  
1059 obtaining the foster parent license prior to the end of the sixth  
1060 month.
- 1061 (4) State in writing that if a foster parent license is not obtained  
1062 within six months of the child being placed there, then the child  
1063 will be removed from their care.
- 1064 (5) State in writing that if the foster parent license is not obtained by  
1065 the end of the sixth month, the next meeting will be to discuss a  
1066 transition for the child to another placement.
- 1067 d. Discuss other placement options for the child, and if possible, identify  
1068 who the child will be placed with if the friend caregiver is unable to  
1069 obtain the foster parent license.
- 1070 e. If the friend caregiver is not actively engaged in the process of licensure  
1071 at the time of the four month meeting, plans to transition the child to live  
1072 with another relative or foster home will be arranged and pursued  
1073 immediately, in a manner that limits trauma to the child.
- 1074 3. Within six months of initial placement, if the friend caregiver has not received  
1075 the foster parent license and the child remains in the home while retaining the  
1076 status of being in foster care, the caseworker or kinship worker will:
- 1077 a. Assess whether the barriers to licensure or custody and guardianship are  
1078 the result of barriers in the system or the result of the kinship caregiver's  
1079 lack of follow through on the written action plan.
- 1080 b. If the barriers to licensure are the result of systemic issues, the kinship  
1081 worker will staff the situation with a supervisor to determine if the  
1082 barriers will likely be overcome and the child may remain in the home  
1083 pending licensure. The staffing will include any steps that Child and  
1084 Family Services must take in order to assist in completion of the licensure  
1085 process. The staffing will be documented in the activity logs of each  
1086 child's case.
- 1087 c. If the barriers are a result of the friend caregiver's lack of follow through,  
1088 the kinship worker will conduct a child and family team for the purpose  
1089 of planning to transition the child from the friend caregiver's home into  
1090 the home of another relative or foster parent and addressing the child's  
1091 permanency plan. Participants in the Child and Family Team Meeting will  
1092 include those outlined above in B1, as well as the identified caregiver that  
1093 will have the child placed with them.
- 1094 d. Unless the friend caregiver is close to completing licensure and has  
1095 completed all the necessary steps to obtain the license, the child will be  
1096 removed and placed in a home that is willing to provide permanency for  
1097 the child.

- 1098 e. In unusual circumstances, the case may be staffed to determine if  
1099 remaining in the unlicensed home that does not have custody or  
1100 guardianship is in the best interest of the child. This option will not be  
1101 readily utilized. The staffing shall be done first with the Child and Family  
1102 Team. Then it will be done with the State Office kinship administrator  
1103 and the deputy director of Child and Family Services.  
1104

## 1105 **502.9 Preliminary Placement With A Kinship Caregiver Out Of State**

- 1106
- 1107 A. If the non-custodial parent lives outside of Utah, all requirements under the ICPC,  
1108 including parent home study and background screening, must be completed as  
1109 described in Practice Guidelines General Major Objectives [Section 703](#) prior to  
1110 placement of the child out of state.  
1111
- 1112 B. If a relative lives outside of Utah, all requirements under the ICPC, including relative  
1113 home study and background screening, must be completed as described in Practice  
1114 Guidelines General Major Objectives [Section 703](#) prior to placement of the child out of  
1115 state.  
1116
- 1117 C. If the friend who is designated for placement of the child lives outside of Utah, all  
1118 requirements under the ICPC, including fingerprint-based background screening and  
1119 being licensed as a foster parent in the receiving state, will be completed as described in  
1120 Practice Guidelines General Major Objectives [Section 703](#) prior to placement of the child  
1121 out of state.  
1122
- 1123 D. If the child being placed is an Indian child and the kinship caregiver approved by the  
1124 tribe lives outside of Utah, the tribe must have completed their own approval or  
1125 licensure for the home prior to the child being placed out of state. Child and Family  
1126 Services may only make foster care maintenance payments to the home if the home is  
1127 licensed by the tribe or the receiving state, and may only make Title IV-E foster care  
1128 maintenance payments if fingerprint-based background checks and out of state child  
1129 abuse registry checks have been approved as part of the licensing process. If the tribe  
1130 has custody of the child, then ICPC does not apply.  
1131

## 1132 **502.10 Notice Of Preliminary Placement**

1133

1134 Notice must be provided to the court and all parties to a case when a child is placed in or  
1135 moved from a Preliminary Placement. Written notice must be provided within three days after  
1136 making or changing the placement, excluding weekends and holidays.  
1137

1138 **502.11 Preliminary Placement Coding In SAFE**  
1139

- 1140 A. When the court orders a child into Child and Family Services custody, an SCF case will be  
1141 opened in SAFE.  
1142  
1143 B. The caseworker will open a Preliminary Placement with a non-custodial parent, kinship  
1144 caregiver, or friend in SAFE using the BHR code.  
1145

1146 **502.12 Preliminary Placement Financial And Medical Support**  
1147

1148 The kinship caregiver/friend caregiver is responsible to meet the basic needs of the child while  
1149 in their care, including meeting the health care requirements specified in Practice Guidelines  
1150 [Section 303.5](#). The caseworker will educate the kinship caregiver about potential financial and  
1151 medical resources that may be available to assist them while caring for the child and will assist  
1152 them in submitting an application and supporting documents for financial and medical benefits  
1153 to the Department of Workforce Services (DWS), if needed. Applications for assistance will be  
1154 submitted to DWS within 10 business days after the child's placement.  
1155

1156 Child and Family Services staff will be aware that when a Preliminary Placement of a child is  
1157 made with a friend designated by the parent, the friend is not eligible for the specified relative  
1158 grant or other financial benefits through the Division of Workforce Services (DWS). At this time,  
1159 with the exception of cases where the child has a trust account and/or a parent with the ability  
1160 to pay child support, there are no financial supports available for friends designated by the  
1161 parents as caregivers for the child until the friend becomes a licensed foster parent. Staff will  
1162 give careful consideration to whether the friend has the financial capability to support the  
1163 child's needs during the period before completion of foster care licensure. Friends chosen as  
1164 caregivers for a child in custody may be eligible to receive a Medicaid card for the child through  
1165 DWS while pursuing foster parent licensure.  
1166

- 1167 A. Financial Support:  
1168 1. Child Support – Office of Recovery Services (ORS):  
1169 a. If a child is placed with a non-custodial parent, that parent may contact  
1170 ORS to have an existing child support case reviewed to determine if child  
1171 support payments may be discontinued or reduced or **the non-custodial**  
1172 **parent** may apply to establish a child support case.  
1173 b. If a child is placed with a relative or friend caregiver, the caseworker will  
1174 inform the relative or friend caregiver that when a child is ordered into  
1175 Child and Family Services custody, the court also orders the parent from  
1176 whom the child is removed to contact ORS to establish a child support  
1177 case to reimburse the state for cost of care. Some relatives are hesitant  
1178 to apply for public assistance and to sign the required Duty of Support

- 1179 form when applying for financial or medical benefits because of fear it  
1180 will result in the person from whom the child was removed having an  
1181 obligation for child support. The relative needs to understand that the  
1182 court already ordered this financial obligation when the child was taken  
1183 into custody, and the relative receiving a specified relative grant does not  
1184 add to the financial obligation of the parent from which the child was  
1185 removed.
- 1186 2. Public Assistance – DWS:
- 1187 a. A non-custodial parent may apply for financial assistance, food stamps, or  
1188 child care through DWS. Income and assets of all members of the  
1189 household will be considered for determining eligibility.
- 1190 b. A relative may apply for specified relative financial assistance **and**  
1191 **Medicaid** to care for a related child through DWS. Eligibility for specified  
1192 relative assistance **and Medicaid** is based **[only]** on the income and assets  
1193 of the child. **[The relative needs to understand that the court already**  
1194 **ordered this financial obligation when the child was taken into custody,**  
1195 **and the relative receiving a specified relative grant does not add to the**  
1196 **financial obligation owhen completing the application, they will indicate**  
1197 **on the form that assistance is only being requested for the relative child**  
1198 **so that the income and assets of all members of the household are not**  
1199 **considered for determining eligibility.]Other DWS benefits for the relative**  
1200 **will be based on the household income.**
- 1201 **c. A friend may apply for Medicaid through DWS. Financial and other**  
1202 **benefits will be based on the household income.**
- 1203 3. Child's Unearned Income – Social Security or Supplemental Security Income:  
1204 When a child in Child and Family Services custody receives unearned income,  
1205 such as Social Security or Supplemental Security Income (SSI), Child and Family  
1206 Services will become the representative payee for the child's income as specified  
1207 in Practice Guidelines [Section 303.16](#). If the child is placed with a non-custodial  
1208 parent, unlicensed relative, or friend not eligible for a foster care payment  
1209 (hereinafter "caregiver") in a Preliminary Placement, Child and Family Services  
1210 will assess whether a Kinship Caregiver Maintenance Reimbursement will be  
1211 issued to the caregiver from the child's trust account.
- 1212 a. The caregiver will complete the "Division of Child and Family Services  
1213 Kinship Caregiver Maintenance Reimbursement Agreement" form.
- 1214 b. Child and Family Services will issue the kinship caregiver maintenance  
1215 reimbursement to the caregiver from the funds in the child's trust  
1216 account, up to a maximum of the basic daily foster care rate. The rate  
1217 paid to the caregiver will be based on the child's age and the number of  
1218 days the child is in the caregiver's home. Thirty-five dollars must be

- 1219 maintained in the child's trust account from each monthly deposit. [See:  
1220 [Section 303.16.](#)]
- 1221 c. The caseworker is required to access the Trust Account System monthly  
1222 to request the kinship caregiver maintenance reimbursement, as well as  
1223 personal needs funds through the SAFE web system. [See: [Section](#)  
1224 [303.16.](#)]
- 1225 d. Payment will be issued the month after the child received care in the  
1226 caregiver's home.
- 1227 e. This reimbursement is to be used for the maintenance and basic needs of  
1228 the child (such as housing, utilities, food, supervision, and personal  
1229 incidentals).
- 1230 f. The caregiver will not be required to provide Child and Family Services  
1231 with receipts for these maintenance and basic needs expenses, once the  
1232 maintenance reimbursement is established.
- 1233 g. The caregiver may submit a request for funds to the caseworker to help  
1234 pay for specific additional needs of the child. Approval is subject to  
1235 availability of funds and administrative approval. Receipts are required  
1236 for approved expenses.
- 1237 h. Child and Family Services will continue to verify the child lives with the  
1238 caregiver.
- 1239 i. The caregiver will notify the caseworker if the child no longer resides in  
1240 the home.
- 1241 4. Foster Care Payment: After completion of the foster care licensing process, a  
1242 friend or relative who is selected for ongoing placement of the child will receive  
1243 a foster care payment appropriate for the child's level of need and the provider's  
1244 level of training.
- 1245 5. Special Needs Payment: Special needs payments may be made for children who  
1246 are in a Preliminary Placement with a kinship caregiver/friend, according to  
1247 limits for children in out of home care, if other resources are not available to  
1248 meet those needs.
- 1249
- 1250 B. Health Care Resources: A kinship caregiver that is not a licensed foster parent is  
1251 responsible to seek resources to pay for health care for the child while in a Preliminary  
1252 Placement.
- 1253 1. Medicaid and Children's Health Insurance Program (CHIP):
- 1254 a. Child and Family Services eligibility workers cannot issue Medicaid for a  
1255 child who is in a Preliminary Placement with a non-custodial parent or  
1256 relative who is not a licensed foster parent; however, the caseworker is  
1257 still responsible to submit the DCFS Title IV-E and Medicaid Application  
1258 within 30 days after the child is placed in Child and Family Services  
1259 custody (see Practice Guidelines [Section 303.9](#)) so an initial Title IV-E



- 1260 eligibility determination can be completed. Eligibility workers can issue  
1261 Medicaid for a child who is placed in a Preliminary Placement or ongoing  
1262 placement with friend or extended relative who is licensed as a foster  
1263 parent.
- 1264 b. A non-custodial parent, relative, or friend may apply for Medicaid or CHIP  
1265 for the child through DWS. Income and assets of all persons in the  
1266 household will be considered for determining eligibility for the child who  
1267 is placed with a non-custodial parent. Income and assets of the child only  
1268 will be considered for determining eligibility for a child who is placed with  
1269 a relative or friend. Medicaid may be requested on the same application  
1270 submitted for financial assistance.
- 1271 c. When submitting an application for Medicaid, a non-custodial parent,  
1272 relative, or friend should request that the application for Medicaid be  
1273 retroactive back to the date the child was placed in the home; which is  
1274 allowable for up to 90 days.
- 1275 2. Private Medical Insurance: A non-custodial parent, relative, or friend may be  
1276 able to provide for the child's health care needs by adding the child to their own  
1277 private medical insurance, when allowed by their insurance plan.
- 1278 3. MI706: An eligibility worker may issue an MI706 to the end of the month  
1279 following the month a child is ordered into Child and Family Services custody, if  
1280 the child is not enrolled in Medicaid when removed from the home. After that  
1281 time and only as a last resort, the caseworker may request an MI706 from the  
1282 Fostering Healthy Children nurse for specific health care needs of the child and  
1283 for medical, dental, or mental health examinations required by Child and Family  
1284 Services that the non-custodial parent, relative, or friend cannot pay for through  
1285 other available resources. The non-custodial parent or relative should have  
1286 applied for Medicaid, including requesting retroactive coverage, before an  
1287 MI706 is requested or issued by a nurse.
- 1288

### 1289 **502.13 Preliminary Placement Visitation**

1290  
1291 The kinship caregiver/friend will assist in carrying out plans for visitation for the child.

#### 1292 1293 A. Child Visitation with Familial Connections:

- 1294 1. Pre-placement Visits with Potential Kinship Caregivers/Friends: If the child is not  
1295 immediately placed in a Preliminary Placement, visitation between the potential  
1296 kinship caregiver/friend and child will be part of a planned transition when it is  
1297 determined that placement with the kinship caregiver/friend is in the best  
1298 interest of the child. Visitation between the potential kinship caregiver/friend  
1299 and the child may be limited and/or supervised until all requirements for  
1300 Preliminary Placement are met.

1301 2. Visitation with Siblings, Parents, and Other Relatives: Visitation for the child with  
1302 parents and siblings will be allowed in accordance with Practice Guidelines  
1303 [Section 303.1](#) when a child is in a Preliminary Placement. Visitation between the  
1304 child and extended relatives is allowable and may assist in helping the child  
1305 maintain valuable connections with the child's family. The Child and Family  
1306 Team will make a determination whether visitation between the child and the  
1307 extended relative is in the best interest of the child before visitation occurs.  
1308 Visitation between the child and extended relative will be individualized to meet  
1309 the needs of the child.

1310  
1311 B. Caseworker Visitation with a Child, Kinship Caregiver, and Parents During a Preliminary  
1312 Placement:

- 1313 1. The caseworker will have an initial visit with the child by midnight of the second  
1314 day after making the Preliminary Placement. If the kinship caregiver resides in  
1315 another region, the caseworker may request the caseworker who conducted the  
1316 limited home inspection to make this visit for them.
- 1317 2. For the first four weeks of a Preliminary Placement, the caseworker will visit with  
1318 the child at least once per week in the home of the kinship caregiver/friend.
- 1319 3. The caseworker will follow Practice Guidelines [Section 302.2](#) regarding  
1320 purposeful visiting with a child, out-of-home caregiver, and parents when a child  
1321 is placed in a Preliminary Placement.

1322  
1323 **502.14 Preliminary Placement - Child And Family Team**

1324  
1325 A. Role of the Child and Family Team:

- 1326 1. All kinship work is done in the context of a Child and Family Team. The team is  
1327 identified to bring together critical supports for the family. This may include the  
1328 biological parents, kinship caregivers/friend, children 12 years of age or older,  
1329 stepparents, other significant persons to family, **[and] the tribe/ICWA**  
1330 **caseworker, health care nurse, therapist, and school representative**. The  
1331 caseworker will engage the kinship caregiver/friend to participate in the Child  
1332 and Family Team.
- 1333 2. If the child has Native American heritage and is eligible as a registered tribal  
1334 member, Child and Family Services will establish contact with the tribe/ICWA  
1335 caseworker as early as possible to ensure the tribe is invited to participate in  
1336 Child and Family Team Meetings.
- 1337 3. The caseworker will prepare for the unique circumstances of each family prior to  
1338 a Child and Family Team Meeting. For example, if there are domestic violence  
1339 issues, the caseworker will consider separate Child and Family Team Meetings  
1340 for safety and confidentiality issues, and will prepare in advance to deal with  
1341 barriers, attitudes, relationship issues, safety issues, and legal concerns.

- 1342 4. If background screening for a potential kinship caregiver/friend has been denied,  
1343 the caseworker will discuss with the potential kinship caregiver/friend prior to  
1344 the Child and Family Team Meeting, other ways they may support the child and  
1345 their recommendations for another kinship caregiver/friend for Preliminary  
1346 Placement. The caseworker will not discuss any specific criminal history or child  
1347 abuse findings with the potential kinship caregiver/friend or the Child and Family  
1348 Team but may provide information about how a kinship caregiver/friend may  
1349 obtain a copy of their own criminal history or child abuse and neglect findings.  
1350
- 1351 B. Primary Purposes of Initial Child and Family Team Meeting:
- 1352 1. As soon as possible, the caseworker will conduct an initial Child and Family Team  
1353 Meeting. The initial Child and Family Team Meeting is used for the following:
- 1354 a. Sharing how Child and Family Teams work to support the goals of the  
1355 family.
- 1356 b. Explaining requirements for a Preliminary Placement.
- 1357 c. Gathering information to identify and notify possible kinship/friend  
1358 placements and supports.
- 1359 [e]d. Explaining the court process/status.
- 1360 [d]e. Explaining roles/responsibilities and how to work with Child and Family  
1361 Services.
- 1362 [e]f. Explaining requirements of caring for the child, such as expectations for  
1363 medical, dental, and mental health care examinations.
- 1364 [f]g. Explaining the process for evaluation of ongoing capacity of the kinship  
1365 caregiver/friend to care for the child and/or identifying the most  
1366 appropriate relatives or friends to be considered for ongoing placement  
1367 for the child.
- 1368 [g]h. Exploring and developing strategies for other members of the Child and  
1369 Family Team to support the kinship caregiver/friend in caring for the child  
1370 and meeting agency requirements.
- 1371 2. The Child and Family Team will decide the best ongoing placement for the child  
1372 and identify ways members of the team can support the placement, taking into  
1373 consideration the best interests of the child, preferences for placement, and  
1374 factors that may delay placement or hinder permanency for the child.
- 1375 3. For Preliminary Placements made with a friend, the Child and Family Team  
1376 Meeting process outlined in Practice Guidelines [Section 502.8](#) must be followed.  
1377

1378 **503 Kinship Services - Evaluation And Support For Ongoing Care Of A**  
1379 **Child**

1380 Major objectives:

- 1381 A. Child and Family Services will evaluate with a kinship caregiver/friend their capacity for  
1382 ongoing care of the child.  
1383  
1384 B. The region in which a kinship caregiver/friend resides will provide support in accessing  
1385 local resources and in responding to urgent concerns.  
1386  
1387 C. The region with jurisdiction of a child is responsible for supporting limited financial needs  
1388 of the child that cannot be met by the kinship caregiver/friend.  
1389

1390  
1391 **Applicable Law**

- 1392 Utah Code Ann. [§62A-2-120](#). Criminal background checks – Direct access to children or  
1393 vulnerable adults.  
1394 Utah Code Ann. [§62A-4a-202.1](#). Entering home of a child – Taking a child into protective  
1395 custody – Caseworker accompanied by peace officer – Preventive services – Shelter facility or  
1396 emergency placement.  
1397 Utah Code Ann. [§62A-4a-209](#). Emergency placement.  
1398 Utah Code Ann. [§62A-4a Part 7](#). Interstate Compact on the Placement of Children.  
1399 Utah Code Ann. [§78A-6-306](#). Shelter hearing.  
1400 Utah Code Ann. [§78A-6-307](#). Shelter hearing – Placement – DCFS custody.  
1401 Utah Code Ann. [§78A-6-307.5](#). Post-shelter hearing placement of a child who is in division  
1402 custody.  
1403 Utah Code Ann. [§78A-6-308](#). Criminal background checks necessary prior to out-of-home  
1404 placement.  
1405 U.S. Code [Title 25, Chapter 21](#). Indian Child Welfare.  
1406

1407 **503.1 Evaluation Of Kinship Caregiver/Friend Capacity For Ongoing Care**  
1408 **Of A Child**

1409  
1410 Child and Family Services will evaluate with the kinship caregiver/friend their capacity for  
1411 ongoing care of the child, including consideration of long-term stability of placement, long-term  
1412 view and permanency planning. The caseworker will initiate this evaluation process within 30  
1413 days of the child being placed in a Preliminary Placement with a relative. The process will be  
1414 initiated immediately when a child is placed in a Preliminary Placement with a friend. The  
1415 process is initiated by submitting a [Request for Kinship Support Services](#) to the region kinship  
1416 [\[home study caseworker\]supervisor](#). [\[The kinship home study caseworker in the region where](#)  
1417 [the kinship caregiver resides will complete the evaluation.\]If the caregiver resides outside of](#)  
1418 [the region, the region kinship supervisor will send the request to the kinship supervisor in the](#)

1419 region where the kinship caregiver resides to complete the evaluation. This evaluation consists  
1420 of the following:

1421  
1422 A. Background screening: Background screening results from background screening for  
1423 Preliminary Placement and from the Office of Licensing review must be approved for  
1424 ongoing care of a child in custody. If background screening is not approved, the  
1425 caseworker and Child and Family Team will carefully consider how the child's needs for  
1426 enduring safety and permanency will be met (long-term view) and what the  
1427 permanency goals, both primary and concurrent, for the child are before recommending  
1428 that the court grant custody and guardianship to a kinship caregiver ~~[/friend]~~.

1429  
1430 B. The Initial Kinship/Specific Family Application form to be filled out by the kinship  
1431 caregiver/friend includes:  
1432 1. Identifying information regarding the kinship caregiver/friend and the spouse, if  
1433 applicable).  
1434 2. Others living in the household: children of the kinship caregiver/friend or others  
1435 residing in the home.  
1436 3. References: At least two references and no more than four; only one may be a  
1437 relative.  
1438 4. Previous home studies.  
1439 5. If the kinship caregiver is currently licensed as a daycare provider.  
1440 6. Questionnaire #1 for kinship caregiver and the spouse (if applicable): History  
1441 regarding the kinship caregiver's family, relationships, and medical information.  
1442 7. Emergency Plan Form.  
1443 8. Kinship/Specific Income Statement Form.

1444  
1445 ~~[B]C.~~ Reference checks: Child and Family Services will contact at least two references by  
1446 ~~[phone and document the calls]~~ email or regular mail using the approved Reference  
1447 Request as part of the Child-Specific Home Study. ~~[The same type of information~~  
1448 ~~specified for reference checks for Preliminary Placement will be discussed (see Practice~~  
1449 ~~Guidelines Section 502.6).]~~ Child and Family Services will receive at least two positive  
1450 reference letters in order to approve the home study.

1451  
1452 D. Questionnaire 2: This will be given to the kinship caregiver/friend and the spouse (if  
1453 applicable) at the time of the home study visit and will be completed by the kinship  
1454 caregiver/friend.

1455  
1456 ~~[G]E.~~ Child-Specific Home Study: Through Child and Family Team Meetings, interviews, and  
1457 other conversations with the kinship caregiver/friend and others living in the home, the  
1458 kinship home study worker will evaluate the kinship caregiver/friend's ability to provide  
1459 current and ongoing care for the child.

- 1460 1. The Child-Specific Home Study will be comprehensive, objective, and will address  
1461 the kinship caregiver/friend's long-term ability to care for the child. It may be  
1462 used as a home study for a foster care license, as a report to the court for  
1463 recommendations for custody and guardianship, and as an adoption home study  
1464 if the child's permanency goal changes to adoption.
- 1465 2. The Child-Specific Home Study will include an assessment of the home  
1466 environment ~~and~~to evaluate if it meets the Office of Licensing health and  
1467 safety requirements. The Office of Licensing may issue a waiver (variance) of any  
1468 rule in regards to a kinship/specific home that does not impact the health or  
1469 safety of the specific child or sibling group. This requires prior written approval  
1470 by the director of the Office of Licensing. [See: Administrative Rule R501-12-  
1471 15.]  
1472 3. The kinship home study caseworker will document the evaluation on the  
1473 Child-Specific Home Study form ~~(SAFE-KBS10)~~, which when completed will be a  
1474 typed, professional document of approximately 6-12 pages. The document may  
1475 be presented to the court, if requested. The Child-Specific Home Study is a  
1476 protected record.
- 1477 4. Areas assessed in the Child-Specific Home Study include:  
1478 a. The kinship caregiver/friend's motivation, understanding, and  
1479 expectations in providing ongoing care for the specific child.  
1480 b. The kinship caregiver/friend's relationship with the specific child and how  
1481 this placement was chosen.  
1482 [b]c. Information about the kinship caregiver/friend's childhood and family of  
1483 origin, including strengths, challenges, and trauma history as it relates to  
1484 their ability to care for this child.  
1485 [e]d. [Current]The kinship [family]caregiver/friend's [information,  
1486 including]marital relationship, children in the home, extended family  
1487 interactions, [and relationship between the kinship caregiver/friend's  
1488 family and child,] supports and barriers, [financial impact,] proximity to,  
1489 and the nature and quality of the relationship between the biological  
1490 parents and the kinship caregiver/friend.  
1491 [d]e. Parenting skills and attitudes, including the kinship caregiver/friend's  
1492 methods of discipline for various situations, family's rules and  
1493 expectations, knowledge and/or skills pertaining to [children with  
1494 challenges or special needs]this child's specific needs, how kinship  
1495 caregivers /friends support and challenge each other in parenting,  
1496 [kinship caregiver/friend's]parenting strengths and weaknesses, how  
1497 [the kinship caregiver/friend relieves]they relieve stress, and what coping  
1498 skills the kinship caregiver/friend find [s to be] effective.  
1499 d. Home and neighborhood description, including the [kinship  
1500 caregiver/friend's home and]length of time the [family]kinship  
caregiver/friend has lived in the current home, sleeping arrangements for

- 1501 the child and other ways the home might accommodate the child's  
1502 needs, ~~[a description of the neighborhood and]~~ benefits or risks for  
1503 children including people who may have regular access to the child, and a  
1504 list of schools in the area.
- 1505 e. ~~[Financial capacity of]~~ The kinship caregiver/friend's financial capacity,  
1506 including ~~[the kinship caregiver/friend's]~~ occupational information and  
1507 length of time on the job, how the kinship caregiver/friend's employment  
1508 affects their ability to care for the child in either positive and/or negative  
1509 ways, earnings, and ~~[the kinship caregiver/friend's]~~ ability to meet their  
1510 own financial needs and needs of the child without being dependent on  
1511 foster care payments.
- 1512 f. Kinship caregiver/friend's current physical and mental health, including  
1513 health conditions, history, medications, and treatment of any family  
1514 member in the home and how these might affect ability to care for the  
1515 child. Both the primary caregiver and the spouse (if applicable) will fill out  
1516 their portion of the approved Office of Licensing Medical form and  
1517 provide this form to their doctor to be completed and faxed back to the  
1518 home study worker.

- 1519
- 1520 **[D]F.** Educating the kinship caregiver/friend: Concurrently as the Child-Specific Home Study is  
1521 conducted, the kinship home study caseworker will educate the kinship caregiver/friend  
1522 about expectations of caring for a child who is under the jurisdiction of the court,  
1523 including:
- 1524 1. Carrying out the orders of the court.
  - 1525 2. Working toward the child's permanency goal.
  - 1526 3. Meeting the needs of the child while in their care.
  - 1527 4. Being involved in the Child and Family Team process.
  - 1528 5. Complying with Child and Family Services requirements, such as visits with  
1529 caseworkers, the child's visits with parents and siblings, maintaining the home-  
1530 to-home book, role of the GAL, health care visits, and education.

- 1531
- 1532 **[E]G.** Information about the child will be given to the kinship caregiver/friend: The  
1533 caseworker and other team members will discuss with the kinship caregiver/friend  
1534 information the caseworker knows about the child and is relevant to the child's care,  
1535 including medical, dental, education, mental health, and any behavioral issues or special  
1536 needs the child may have. Best practice is allowing the kinship caregiver/friend an  
1537 opportunity to review the child's file before making any long-term decisions to care for  
1538 the child. If the kinship caregiver/friend is a licensed foster parent, refer to Practice  
1539 Guidelines [Section 301.4](#) for details about the information that may be shared with the  
1540 kinship caregiver/friend.

- 1541 1. The file may have limited information. However, it is important to share any  
1542 relevant information that may help the relatives decide if they have the skills and  
1543 supports to raise the child. When a child has an existing file, the caseworker will  
1544 inform the relatives that the information in the file is often subjective opinions of  
1545 the caseworker or therapist written at one time in the child's life. In addition,  
1546 circumstances that occur in a given time in the child's development can change  
1547 the way a child behaves and adjusts to life situations. For instance, the child may  
1548 have received many different mental health diagnoses. The mental health  
1549 diagnoses in a child's file are affected by each therapist's interpretation, the  
1550 child's developmental stage, factors in the child's environment, and different life  
1551 circumstances.
- 1552 2. The following guidelines will be used when the potential kinship caregiver/friend  
1553 views the child's file.
- 1554 a. Appropriate information about the child will be shared; however, neither  
1555 the biological parents' nor prior foster parents' medical, psychiatric,  
1556 psychological, or other personal information will be disclosed to the  
1557 relative.
- 1558 b. Child and Family Services must use prudent judgment in helping a kinship  
1559 caregiver/friend have information about the child that may be important  
1560 for the permanency and stability of the child's placement. Parents'  
1561 confidential information that may be important to caring for a child could  
1562 be shared in general non-identifying ways. For example, if a parent's  
1563 psychological diagnosis indicates schizophrenia, this specific information  
1564 about the parent cannot be disclosed to the relatives. However,  
1565 information regarding schizophrenia in general can be discussed.
- 1566 c. Child and Family Services file review guidelines:
- 1567 (1) The confidentiality agreement (SAFE form DCFS02) must be  
1568 signed. Special care will be given to addressing the sensitive  
1569 nature of confidential information about a child's family member.
- 1570 (2) The caseworker will orient the kinship caregiver/friend to the  
1571 structure of the files and where information is located.
- 1572 (3) The caseworker will instruct the kinship caregiver/friend to  
1573 consider specific types of information when available, such as  
1574 medical conditions, developmental delays, disabilities, mental  
1575 health diagnoses, placements and transfers, educational needs,  
1576 and other considerations for the child.
- 1577 (4) If a child has an existing file, the kinship caregiver/friend will want  
1578 to look for specific information in the file that will be important in  
1579 caring for the child. (*Red italic script* identifies information the  
1580 caseworker will copy for the kinship caregiver/friend review.)



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- (a) Medical Information: *Immunizations, all allergies including food allergies*, disabilities and treatments, current medications and implications of discontinuing medications, history of illnesses, conditions from abuse or neglect, serious accidents, surgeries, past doctors, and hospital of birth.
  - (b) Dental Information: Dental records, *past dentists*, orthodontic work, and *orthodontist*.
  - (c) Educational Information: *Schools and grades, evaluations, special education plans such as Individual Education Plans (IEPs) or Student Education and Occupational Plans (SEOPs), learning disability including specific disability, and test results.*
  - (d) Mental Health Information: *Current and prior therapists* and history of treatment, current and past medications, current and past diagnoses, including what the diagnoses means in raising a child. The kinship caregiver/friend will be encouraged to talk directly with the child's mental health therapist when possible about how behaviors are connected with the diagnoses and how behaviors are best dealt with.
  - (e) Family History: *Health Data Report from SAFE*, culture, family situation, moves or stability factors, abuse and neglect history, domestic violence, reason for the child's removal from their biological family, *genogram including the siblings (with their birth dates), and timelines.* Family members' talents, hobbies, and interests. *Family photos and letters, if available.*
- d. After the kinship caregiver/friend has looked through the file, the caseworker will:
- (1) Talk with the kinship caregiver/friend about what they found in the file. Give them health and mental health diagnoses summary sheets, and answer questions they may have.
  - (2) Share helpful websites such as:
    - (a) American Academy of Child & Adolescent Psychiatry: [www.aacap.org](http://www.aacap.org).
    - (b) American Psychological Association: [www.apa.org](http://www.apa.org).
    - (c) American Academy of Pediatrics: [www.aap.org](http://www.aap.org).
    - (d) **Substance Abuse and Mental Health Services Administration: [www.samhsa.gov](http://www.samhsa.gov)**

- 1622 (3) Give the kinship caregiver/friend time to process what  
1623 they have learned. Encourage them to set another  
1624 appointment to talk and ask other questions.  
1625 (4) Help the kinship caregiver/friend know the importance of  
1626 keeping the child's information and history.  
1627 (5) Encourage the kinship caregiver/friend to review the  
1628 child's file at intervals, especially after the child has been  
1629 with the family for a couple of months.  
1630 3. After disclosure, the caseworker will confirm with the kinship  
1631 caregiver/friend their ability and willingness to become the placement  
1632 option for the child.  
1633

1634 **[F]H.** Assessing Current Supports: Concurrently as the Child-Specific Home Study is  
1635 conducted, the kinship home study caseworker will help the kinship caregiver/friend  
1636 assess current resources that may be available to assist them in providing a stable  
1637 placement for the child, which may include:

- 1638 1. Assistance for a specified relative from DWS for financial assistance (for those  
1639 that fit the definition of a relative).  
1640 2. Health care resources, such as Medicaid, CHIP, or the family's health insurance.  
1641 3. Caregiver support groups such as the Utah Foster Care cluster groups and  
1642 Grandfamilies.  
1643 4. Informal supports such as community, schools, church, friends, and extended  
1644 family.  
1645

1646 **[G]I.** Ongoing Care of the Child: If the kinship caregiver/friend who is a licensed foster parent  
1647 was the Preliminary Placement, the caseworker will assess with the kinship  
1648 caregiver/friend and the Child and Family Team the kinship caregiver/friend's desire and  
1649 ability to provide ongoing care for the child.  
1650

1651 **[H]J.** Licensing or Temporary Custody and Guardianship: If the kinship caregiver is an  
1652 unlicensed relative, concurrently as the Child-Specific Home Study is conducted, the  
1653 kinship home study caseworker will provide information to the kinship caregiver to  
1654 assist them in assessing and comparing the possible resource supports and  
1655 responsibilities associated with the options of becoming a licensed foster parent or  
1656 requesting temporary custody and guardianship for ongoing care of the child. If the  
1657 kinship caregiver is a non-custodial parent, the discussion will be limited to  
1658 consideration for requesting temporary custody and guardianship. If the caregiver is an  
1659 unlicensed friend identified by the parent, they are required to become licensed within  
1660 six months or sooner of the child being placed with them, and **Child and Family Services**  
1661 **may not recommend** the ~~they do not have the~~ option of taking temporary custody and  
1662 guardianship of the child.

- 1663 1. Discuss with the kinship caregiver/friend the advantages and responsibilities of  
1664 becoming a licensed foster care placement for the child.  
1665 a. Resources and advantages include:  
1666 (1) Monthly foster care payment.  
1667 (2) Medicaid maintained by Child and Family Services to cover  
1668 medical, dental, and mental health needs.  
1669 (3) Child and Family Services Resource Family Consultant help.  
1670 (4) Educational opportunities for meeting the needs of the child.  
1671 (5) Cluster support groups.  
1672 (6) Family's own informal support network, such as community,  
1673 schools, church, and extended family.  
1674 (7) Respite care  
1675 (8) If the child's permanency goal changes to adoption, the AAG will  
1676 facilitate a process for termination of parental rights and the child  
1677 will be assessed for monthly adoption assistance.  
1678 b. Requirements to become a licensed foster parent include:  
1679 (1) **If married**, both kinship caregivers/friends will complete the  
1680 required training provided for kinship caregivers/friends through  
1681 the current contractor for training, recruitment, and retention  
1682 services.  
1683 (2) All licensing requirements must be met including submission of an  
1684 application, financial and medical documentation, obtaining  
1685 written references, **questionnaires**, and safety home inspection.  
1686 2. Discussing with the kinship caregiver the advantages and responsibilities of  
1687 becoming a kinship caregiver and the process to request temporary custody and  
1688 guardianship of the child from the court. (Unlicensed friends identified by the  
1689 parents as caregivers for the child **[are not eligible]will not be recommended by**  
1690 **Child and Family Services** for temporary custody and guardianship and **[are**  
1691 **required to become]will be given instructions on becoming** licensed foster  
1692 parents.) Resources may include:  
1693 a. Financial assistance for a specified relative (or from public assistance for a  
1694 non-custodial parent) from DWS or child support from ORS.  
1695 b. Medicaid or CHIP for the child or a private health insurance plan of the  
1696 kinship caregiver to cover the child's medical, dental, and mental health  
1697 needs.  
1698 c. Support groups through the private provider, Grandfamilies, and/or other  
1699 sources.  
1700 d. Family's own informal support network, such as community, schools,  
1701 church, friends, and extended family.  
1702

1703 **[4]K.** Initiating the Process to Apply to Become a Licensed Foster Parent: In order for the  
1704 kinship caregiver/friend to apply to become a licensed child-specific foster parent, the  
1705 caseworker or region kinship consultant will ~~gather the following documents and~~  
1706 ~~submit to the regional licenser from the Office of Licensing;~~ follow Practice Guidelines  
1707 Section 503.1 meeting current Utah Office of Licensing requirements. The region  
1708 kinship supervisor or designated person will send a Request for Licensing a Child Specific  
1709 Foster Home with the home study documentation to the Office of Licensing.

- 1710 [1. — Foster Parent/Resource Family Application.  
1711 2. — Child Specific Home Study, including Office of Licensing Safety Check and  
1712 documentation of two positive references, completed by the kinship home study  
1713 caseworker.  
1714 3. — Kinship Background Screening Application (KBS01) approved by the Office  
1715 of Licensing.]

1716 The Office of Licensing will issue a [probationary]provisional license when all of the  
1717 necessary documentation is received from [Child and Family Services]the  
1718 kinship/specific caregiver and will work with the family to complete the licensing  
1719 process. The caseworker will encourage the family to complete licensing requirements,  
1720 including training, before the [probationary]provisional license expires five months from  
1721 the date of the provisional license being issued.

### 1723 **503.2 Child And Family Services Support Of The Kinship Caregiver/Friend** 1724 **While The Child Is In Child And Family Services Custody**

- 1725  
1726 A. The region in which the kinship caregiver/friend resides will support the kinship  
1727 caregiver/friend in responding to urgent concerns or accessing local resources (such as  
1728 Medicaid and Specified Relative Grant through DWS, establishing a local Child and  
1729 Family Team or Utah Foster Care clusters).  
1730  
1731 B. If the kinship caregiver/friend lives in a different region than the region with jurisdiction  
1732 over the child, [a courtesy caseworker will be requested through the associate region  
1733 director to assist with kinship caregiver/friend support]the caseworker/kinship worker  
1734 will send a Request for Kinship Support Services to the kinship supervisor in the sending  
1735 region. The kinship supervisor will send the request to the region kinship supervisor in  
1736 the region where the prospective caregiver resides to complete the evaluation.  
1737  
1738 C. The region that has jurisdiction for the child is responsible for supporting limited  
1739 financial needs of the child that cannot be met by the kinship caregiver/friend (such as  
1740 mileage, special needs payments, or MI706).  
1741

## 504 Kinship Background Screening Process

### Major objectives:

- A. Child and Family Services is authorized to conduct background screening for the purpose of assessing safety and threat of harm to a child when considering Preliminary Placement with a kinship caregiver for a child in agency custody.
- B. Child and Family Services will coordinate with the Office of Licensing to complete the background screening process for a kinship caregiver after Preliminary Placement has been made.
- C. A region Terminal Agency Coordinator (TAC) or alternate will complete background screening and will do an initial analysis of results.
- D. A region background screening committee will be established in each region to review background screening for Preliminary Placement.
- E. Background screening results will be safeguarded and disseminated only to those authorized to receive the information, in accordance with the Bureau of Criminal Identification (BCI) policies.

### Applicable Law

- Utah Code Ann. [§62A-2-120](#). Criminal background checks – Direct access to children or vulnerable adults.
- Utah Code Ann. [§62A-4a-202.1](#). Entering home of a child – Taking a child into protective custody – Caseworker accompanied by peace officer – Preventive services – Shelter facility or emergency placement.
- Utah Code Ann. [§62A-4a-209](#). Emergency placement.
- Utah Code Ann. [§62A-4a Part 7](#). Interstate Compact on the Placement of Children.
- Utah Code Ann. [§78A-6-306](#). Shelter hearing.
- Utah Code Ann. [§78A-6-307](#). Shelter hearing – Placement – DCFS custody.
- Utah Code Ann. [§78A-6-307.5](#). Post-shelter hearing placement of a child who is in division custody.
- Utah Code Ann. [§78A-6-308](#). Criminal background checks necessary prior to out-of-home placement.
- U.S. Code [Title 25, Chapter 21](#). Indian Child Welfare.

1779 **504.1 Kinship Background Screening Process – Authority And Uses**

1780

1781 A. Authority:

1782 1. The BCI within the Department of Public Safety maintains criminal records in  
1783 Utah. Child and Family Services accesses both Utah and national fingerprint-  
1784 based criminal records through BCI in accordance with federal and state laws  
1785 and BCI policies.

1786 2. Utah Code Ann. [§62A-4a-202.4](#), [§62A-4a-209](#), [§78A-6-307](#), and [§78A-6-308](#)  
1787 authorize Child and Family Services to complete background screening for  
1788 potential kinship caregiver/friends of children in custody.

1789 3. The Office of Licensing will complete the background screening process for  
1790 kinship caregiver/friends after Child and Family Services has conducted the non-  
1791 fingerprint-based check for Preliminary Placement.

1792

1793 B. Uses of Background Screening Results in Kinship Care:

1794 1. Background screening conducted by the TAC/alternate or reviewed by the  
1795 Region Background Screening Committee is used to help assess safety and threat  
1796 of harm to a child for the purpose of approving or denying a Preliminary  
1797 Placement.

1798 2. Background screening conducted by Office of Licensing is used to help confirm  
1799 the appropriateness of a Preliminary Placement and as part of the Child-Specific  
1800 Home Study and safety assessment for evaluation of a kinship caregiver/friend's  
1801 capacity for ongoing care of the child. Office of Licensing background screening  
1802 results may also be used for the purpose of a foster care license, subsequent  
1803 adoption (if within 18 months of when the background screening was originally  
1804 approved and there is no reason to believe the background screening is  
1805 incomplete), or for a recommendation to the court for temporary custody and  
1806 guardianship.

1807

1808 **504.2 Kinship Background Screening Process – Expedited Request For**  
1809 **Initial Background Screening For Preliminary Placement**

1810

1811 A caseworker may request to expedite the initial background screening for Preliminary  
1812 Placement verbally. Steps to expedite background screening include:

1813

1814 A. The caseworker will obtain and write down the following information for the kinship  
1815 caregiver/friend and for all adults age 18 years and older residing in the home on the  
1816 Expedited Background Screening for Preliminary Placement form (SAFE KBS00):

1817 1. Name, including correct spelling of first, middle, last, maiden, alias, and previous  
1818 married names.

1819 2. Social Security number, if a number has been issued.

- 1820 3. Date of birth.
- 1821 4. Relationship to the child.
- 1822
- 1823 B. The caseworker will view the photo identification of the kinship caregiver/friend and
- 1824 other adults age 18 years and older in the home to ensure the photo is of the same
- 1825 individual, and spelling of name, date of birth, and if listed, Social Security number are
- 1826 correct. The caseworker will also verify that the ID is not expired. Driver privilege cards
- 1827 and school IDs are not acceptable identification. The caseworker will document on the
- 1828 form that this has been completed.
- 1829
- 1830 C. The caseworker will have the kinship caregiver/friend and each adult review and sign
- 1831 the form to verify that the information is correct and that Child and Family Services is
- 1832 authorized to conduct background screening for the purpose of Preliminary Placement.
- 1833
- 1834 D. The caseworker will request initial background screening for Preliminary Placement
- 1835 through an authorized TAC or designated alternate.
- 1836 1. For on-call background screenings for Preliminary Placements, contact Intake
- 1837 2. If a request is made after hours to Intake, background screening documentation
- 1838 will be sent the next business day by the caseworker who requested the
- 1839 background screening to the TAC/alternate in the region where the kinship
- 1840 caregiver/friend resides. The TAC/alternate in the sending region may retain a
- 1841 copy of the documentation in a locked file for audit purposes.
- 1842 3. The Intake worker who completed the background screening will document in a
- 1843 dissemination log that the background screening was completed.
- 1844
- 1845 E. The caseworker will provide the identifying information to the TAC/alternate by phone,
- 1846 email through state email, fax, or in person.
- 1847 1. The caseworker will give the TAC/alternate the name of the child being
- 1848 considered for placement and, if known, the child's date of birth, SAFE case
- 1849 number if a case is open, and if an out of region request, the caseworker's region
- 1850 and kinship caregiver/friend's region of residence.
- 1851 2. The caseworker will give the TAC/alternate the information provided by the
- 1852 kinship caregiver/friend for all adults in the home, including the correct spelling
- 1853 for all names, and will verify to the TAC/alternate that each of the adults in the
- 1854 home signed the Expedited Background Screening for Preliminary Placement
- 1855 form.
- 1856 3. As follow-up to a verbal, emailed, or faxed request, the caseworker will send the
- 1857 TAC the original Expedited Background Screening for Preliminary Placement
- 1858 form signed by the kinship caregiver/friend and adults in the home and by the
- 1859 caseworker.
- 1860

- 1861 F. The caseworker will notify the kinship caregiver/friend that this expedited background  
1862 screening is preliminary and that the kinship caregiver/friend and other adults age 18  
1863 years and older in the home must also complete additional background screening  
1864 requirements to complete the process (see Practice Guidelines [Section 504.3](#)).  
1865
- 1866 G. The TAC/alternate may notify the caseworker verbally if the background screening was  
1867 approved, needs further review, is denied, or could not be completed based upon the  
1868 verbal information presented. Specific details may be provided according to  
1869 dissemination policies in practice guideline [Section 504.11](#).  
1870
- 1871 H. If the result of the background screening is a mandatory denial then the TAC/alternate  
1872 will send a denial letter to the applicant.  
1873  
1874

### 1875 **504.3 Kinship Background Screening Process – Initiating Background** 1876 **Screening For Preliminary Placements And Ongoing Care**

1877  
1878 The following steps are required before **the** kinship caregiver **[friend]** background screening is  
1879 complete. If expedited background screening was used, these steps are required as follow-up  
1880 to the expedited process. If expedited background screening was not used, these steps will  
1881 initiate **ongoing** background screening.  
1882

#### 1883 A. Caseworker Responsibilities:

- 1884 1. The caseworker is responsible to ensure that required background screening is  
1885 completed for all adults in the home. Another caseworker, such as a supervisor,  
1886 region kinship consultant, or senior assistant caseworker, may assist with the  
1887 tasks described below.
- 1888 2. The caseworker will notify the kinship caregiver **[friend]** of background screening  
1889 requirements and processes.
- 1890 3. The caseworker will print the Kinship Background Screening Application (SAFE  
1891 KBS01) from SAFE and will write on Page Two of the application the caseworker  
1892 name and child's name, date of birth, and SAFE case number.
- 1893 4. The caseworker will make copies of the application for the kinship  
1894 caregiver **[friend]** and all persons age 18 and older living in the home and will  
1895 provide them written instructions for completing the background screening  
1896 process, including how to access Live Scan or to submit hard copy fingerprint  
1897 cards.
- 1898 5. The caseworker will follow up to ensure the application and fingerprints were  
1899 submitted.  
1900



- 1901 B. Kinship Caregiver [/friend] Responsibilities:
- 1902 1. The kinship caregiver [/friend] and each adult age 18 years or older residing in
- 1903 the home must obtain the Kinship Background Screening Application (SAFE
- 1904 KBS01) from the caseworker, complete the application following instructions on
- 1905 the form, submit copies of photo identification and Social Security cards, and
- 1906 bring it to the Child and Family Services office.
- 1907 2. The kinship caregiver [/friend and spouse] and any other adults age 18 years and
- 1908 older living in the home must submit fingerprints for an FBI national criminal
- 1909 records check [any other person age 18 years and older residing in the home of
- 1910 the kinship caregiver/friend].
- 1911 a. Fingerprints may be submitted using Live Scan at Child and Family
- 1912 Services offices, following the procedures described below. The kinship
- 1913 caregiver [/friend] or adults in the home are responsible to pay the fee for
- 1914 scanning the prints.
- 1915 b. Fingerprints may be submitted using hard copy fingerprint cards,
- 1916 following the procedures described below. The kinship caregiver [/friend]
- 1917 or adults in the home are responsible to pay the fee for having the prints
- 1918 rolled by a law enforcement agency or BCI and to pay the transmitting
- 1919 fee for scanning the fingerprint cards. [to the Department of Public Safety
- 1920 to submit the hard copy cards to the FBI.]
- 1921 c. Live Scan or submission of fingerprint cards must be completed no later
- 1922 than 10 business days after the child's placement in the home.
- 1923
- 1924 C. Live Scan Process:
- 1925 1. Live Scan Operators. Live Scan operators are designated by the region and must
- 1926 receive training on scanning fingerprints and submitting Live Scan data from
- 1927 qualified persons, such as BCI trainers or other qualified Live Scan operators.
- 1928 The region will notify the Background Screening Coordinator at the State Office
- 1929 when making a change in Live Scan operators. Live Scan operators are
- 1930 responsible to verify applicant identity and to electronically scan and submit
- 1931 fingerprints of background screening applicants to the BCI.
- 1932 2. Live Scan Appointment. Persons required to have a fingerprint-based
- 1933 background screening will schedule an appointment for Live Scan by phone in
- 1934 advance. The Kinship Background Screening Application (SAFE KBS01) must be
- 1935 completed prior to the appointment.
- 1936 3. What Individuals Must Bring for Live Scan. Persons required to have a
- 1937 fingerprint-based background screening will bring the following with them to
- 1938 their Live Scan appointment:
- 1939 a. Original Kinship Background Screening Application (SAFE KBS01)
- 1940 completed and signed.

- 1941  
1942  
1943  
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- b. Photo Identification. This must be a current photo identification issued by a state or federal government such as a driver license or identification card issued by Department of Motor Vehicles or issued by the United States government such as a passport. School identification and driver privilege cards are not acceptable. If no United States identification is available, current photo identification issued by the government of another country may be used. If photo identification has expired, Live Scan cannot be completed.
  - c. Social Security card, if available at time of appointment.
  - d. Fee to scan the prints. Each person is required to pay a fee to have fingerprints scanned. Payments must be by cashier's check or money order payable to Department of Human Services. Some offices also accept cash.
4. Live Scan Process. The Live Scan operator will complete the following steps for the Live Scan process:
- a. Prepare the Live Scan Authorization Form.
  - b. Hand out a copy of the FBI Privacy Rights to the Live Scan applicant.
  - c. Receive payment.
  - d. Verify and make an enlarged, clear copy of photo identification and Social Security card. (If expiration date or corrections are listed on back, copy both sides of identification.)
  - e. Document Live Scan billing code, Live Scan operator's initials, and date of Live Scan submission on the upper left hand corner second page of the Kinship Background Screening Application.
  - f. Send the original Kinship Background Screening Application and a clear copy of both sides of photo identification and Social Security card to the regional TAC [alternate].
  - g. [Fax] Scan and email a copy of the Live Scan Authorization Form to the Background Screening Coordinator.
- D. Hard Copy Fingerprint Card Process:
- 1. Obtain Copy of Fingerprint Cards: If any persons who need a fingerprint-based check do not have access to a Child and Family Services Live Scan location, they [will obtain from the caseworker two sets of 10 print fingerprint cards that indicate the region's authorization code and identifying information. The caseworker can get these cards from the TAC/alternate.] can submit two hard copy 10-print fingerprint cards. Each person is responsible to go to a law enforcement agency or other agency approved by the BCI to have their fingerprints rolled on a 10-print fingerprint card. Each person is responsible to pay the cost charged by the agency to have the fingerprint rolled. Photo identification will be required.

1982 [2. Rolling of Fingerprint Cards: Each person is responsible to go to a law  
1983 enforcement agency or other agency approved by the BCI to have their  
1984 fingerprints rolled on the 10-print fingerprint cards. Each person is responsible  
1985 to pay the cost charged by the agency to have the fingerprints rolled. Photo  
1986 identification will be required.]

1987 [3]2. Submission of the Fingerprint Cards and Payment for Submission:  
1988 a. The kinship caregiver [friend] or adult in the home will submit to the  
1989 caseworker the Kinship Background Screening Application (SAFE KBS01),  
1990 copy of photo identification, Social Security card, two sets of fingerprint  
1991 cards, Live Scan Authorization Form, and payment for fee to scan and  
1992 transmit the fingerprint cards. [the FBI background screening for each  
1993 adult age 18 years and older in the home that is required to have a  
1994 fingerprint-based check. A separate cashier's check or money order  
1995 payable to the Department of Public Safety will be submitted for each  
1996 person for the current required fee. Child and Family Services will copy  
1997 photo identification and Social Security cards for each person whose  
1998 fingerprint cards are submitted.]  
1999 b. The caseworker will give the application, fingerprint cards, copies of  
2000 photo identification and Social Security card, Live Scan Authorization  
2001 Form, and payments to the region TAC [alternate].  
2002 c. The region TAC [alternate] will submit [the fingerprints and payment to  
2003 the BCI at the Department of Public Safety.] all of the above paperwork,  
2004 except the payment, to the State Office background screening  
2005 coordinator.]

2006 [4. Fingerprint cards may be required as a follow-up to Live Scan if the electronic  
2007 scan cannot capture a high enough quality print or if BCI or the FBI rejects the  
2008 submitted fingerprints.]  
2009

#### 504.4 Conducting Background Screening – TAC/Alternate

2010  
2011  
2012 The region director will designate the region's TAC and any alternates. Each TAC/alternate  
2013 must receive approval and training to conduct background screening through the Background  
2014 Screening Coordinator at the Child and Family Services State Office and through BCI, and must  
2015 have an approved fingerprint-based national criminal history check submitted through BCI to  
2016 the FBI.

2017  
2018 The TAC/alternate will conduct background screening for each kinship caregiver [friend] and  
2019 adult age 18 years and older in the home (referred to below as "applicant") to identify if an  
2020 adult or child abuse or neglect finding or criminal history record exists for each applicant.  
2021

- 2022 A. Verify Identity: The TAC/alternate will make a “good faith” effort to determine that the  
2023 identification and information submitted for each applicant is valid and does not appear  
2024 to be forged or altered, based upon review of the applicant information on [the Kinship  
2025 Background Screening Application (SAFE KBS01)]any background screening application  
2026 submitted and photo identification. If background screening for a Preliminary  
2027 Placement is being conducted based upon an expedited verbal request, the effort to  
2028 verify identity will be completed based upon information available in data systems and  
2029 upon post-screening review of the application and photo identification after submission  
2030 by the caseworker or Live Scan operator.  
2031
- 2032 B. Child Abuse and Criminal Record Checks: The TAC/alternate will research the systems  
2033 listed below, in accordance with laws and policies authorizing Child and Family Services  
2034 to access these records, to determine if an applicant has child or adult abuse or neglect  
2035 findings or a criminal history.
- 2036 1. Preliminary Placement Background Screening - Utah Criminal Justice Information  
2037 System (UCJIS):
- 2038 a. UCJIS is searched to determine if the applicant has criminal convictions or  
2039 patterns of arrests or convictions that indicate a likely threat [of harm  
2040 to]to safety of a child. Analysis will be based upon statutory criteria  
2041 specified in Utah Code Ann. [§62A-2-120](#).
- 2042 b. [UCJIS]Utah Criminal History reports are run with a purpose code X if the  
2043 background screening is occurring BEFORE the shelter hearing and the  
2044 [child's]child is in the custody of Child and Family Services. The SAFE case  
2045 number will be entered into the audit field. If no SAFE case number has  
2046 been established, enter 111 (number one repeated three times) and the  
2047 child’s name in the audit field. Purpose code C is used if the background  
2048 screening is occurring AFTER the shelter hearing or if child is not yet in  
2049 the custody of Child and Family Services.
- 2050 2. Preliminary Placement Background Screening – SAFE Management Information  
2051 System and Licensing Information System: The SAFE Management Information  
2052 System and Licensing Information System is searched for the following:
- 2053 a. To determine if the applicant has findings of a severe type of child abuse  
2054 or neglect as defined in Utah Code Ann. [§62A-4a-1002](#) accessible in the  
2055 LIS portion of SAFE, or if other child welfare or domestic violence case  
2056 history or patterns of behavior may pose a likely threat [of harm to]to the  
2057 safety of a child.
- 2058 b. To determine if the applicant has findings of adult abuse.
- 2059 3. Preliminary Placement Background Screening-Juvenile Criminal History:
- 2060 a. To determine if the applicant has juvenile criminal convictions or patterns  
2061 of arrests or convictions that indicate a likely threat to safety of a child.

- 2062 Analysis will be based upon statutory criteria specified in Utah Code Ann.  
2063 §62A-2-120.
- 2064 4. Preliminary Placement Background Screening-Federal Name Based Check  
2065 through Interstate Identification Index (III):
- 2066 a. This check only applies for an expedited background screening on a  
2067 kinship caregiver friend if the background screening is occurring BEFORE  
2068 the shelter hearing as per emergency statute §62A-4a-209.
- 2069 b. To determine if the applicant has criminal convictions or patterns of  
2070 arrests or convictions that indicate a likely threat to safety of a child.  
2071 Analysis will be based upon statutory criteria specified in Utah Code Ann.  
2072 §62A-2-120.
- 2073 5. Preliminary Placement Background Screening-Fingerprint-Based:
- 2074 a. This check applies for a preliminary placement with a kinship caregiver  
2075 friend when placing with a friend AFTER shelter hearing as per shelter  
2076 hearing statute §78A-6-307.
- 2077 b. Fingerprint-based FBI national criminal history records are checked to  
2078 determine if the applicant has criminal convictions or patterns of  
2079 convictions that indicate a likely threat to safety of a child. Analysis will  
2080 be based upon statutory criteria specified in Utah Code Ann. §62A-2-120.
- 2081 [3]6. Completing Ongoing Background Screening – Fingerprint-Based Check:
- 2082 a. If fingerprinting has not already occurred, fingerprint-based FBI national  
2083 criminal history records are checked to determine if the applicant has  
2084 criminal convictions or patterns of convictions that indicate a likely threat  
2085 [of harm to]to the safety of a child. Analysis will be based upon statutory  
2086 criteria specified in Utah Code Ann. §62A-2-120.
- 2087 b. Live Scan results of multi-state and FBI national criminal history records  
2088 are accessed through BCI/Applicant Background Checks (ABC) Webpage,  
2089 which may include obtaining hard copy reports.
- 2090 (1) If the Live Scan results are “approved,” no history exists.  
2091 (2) If the Live Scan results indicate “research,” the TAC/alternate  
2092 must wait for either a result of “approved, pending, or needs  
2093 agency review” to determine if a criminal history exists.  
2094 (3) If Live Scan results indicate “pending or needs agency review,” a  
2095 criminal history may exist and a hard copy report must be  
2096 obtained by printing the report from the BCI/ABC Webpage to  
2097 determine if background screening is approved or denied.
- 2098 c. If fingerprints were submitted on 10-print fingerprint cards, results will  
2099 be accessed through the BCI/ABC Webpage.
- 2100 [4]7. Completing Ongoing Background Screening – Interstate Child Abuse Registry  
2101 Checks:

- 2102 a. Out of State Child Abuse Registry checks will be conducted for each state  
2103 in which an applicant resided in the previous five years to determine if  
2104 the applicant has findings of a severe type of child abuse or neglect that  
2105 are consistent with those defined in Utah Code Ann. [§62A-4a-1002](#) or if  
2106 other child welfare case history or patterns of behavior may pose a threat  
2107 of harm to a child.  
2108 b. The TAC/alternate will complete and submit the paperwork and any  
2109 payments required for the specific state, and if necessary work with the  
2110 applicant to obtain state-specific paperwork from them.  
2111

#### 504.5 Conducting Background Screening – Office Of Licensing

- 2113  
2114 A. As the authority to conduct background screening for prospective foster and adoptive  
2115 homes, the Office of Licensing will conduct background screening for kinship  
2116 caregiver **[/friends]** and other adults age 18 years and older in the home after Child and  
2117 Family Services has completed background screening for Preliminary Placement.  
2118  
2119 B. The regional TAC will compile the background screening application, reports,  
2120 documentation submitted by the applicant for review, verify or attach copies of photo  
2121 identification and Social Security cards for each kinship caregiver **[/friend]** and other  
2122 adults age 18 and older in the home, and will submit these to the Child and Family  
2123 Services background screening coordinator.  
2124  
2125 C. The Child and Family Services Background Screening Coordinator will check the  
2126 paperwork submitted, log information received, and submit it to the Office of Licensing  
2127 background screening coordinator.  
2128  
2129 D. The Office of Licensing background screening coordinator will return the approved or  
2130 denied background screening application to the Child and Family Services Background  
2131 Screening Coordinator, and the coordinator will return the approved or denied  
2132 background screening application to the regional TAC.  
2133  
2134 E. The regional TAC will disseminate information from the Office of Licensing Screening  
2135 according to Practice Guidelines [Section 504.11](#).  
2136  
2137 **F. If the kinship caregiver does not have a Social Security Number or an ID that would be**  
2138 **accepted by the Office of Licensing, a variance of [Rule 501-14-3](#) through Office of**  
2139 **Licensing may be requested by submitting the Kinship Background Screening Application**  
2140 **(KBS01) with supporting documentation to the region TAC. The region TAC will submit**  
2141 **the paperwork to the State Office Background Screening Coordinator, who will**  
2142 **coordinate with the Office of Licensing to determine if the information submitted is**

2143 sufficient enough to verify identity. The Office of Licensing will determine if the variance  
2144 will be accepted.

2145

#### 2146 **504.6 Analysis Of Background Screening Results**

2147

2148 The TAC/alternate will complete an initial analysis of the background screening results to  
2149 determine:

2150

2151 A. No Criminal History or Child/Adult Abuse or Neglect Findings: If the TAC/alternate finds  
2152 NO history from any of the management information systems or hard copy reports, the  
2153 TAC/alternate will approve the background screening.

2154

2155 B. Criminal History or Abuse or Neglect Findings That Require Mandatory Denial:

2156 1. If the TAC/alternate identifies criminal records that require mandatory denial  
2157 based upon Utah Code Ann. [§62A-2-120](#), the TAC/alternate may deny  
2158 background screening or may staff the report with la member of the Region  
2159 Background Screening Committee Chairperson, Background Screening  
2160 Coordinator, or Kinship Program Administrator to verify accuracy of the decision  
2161 before denying the background screening.

2162 2. A child will not be placed in a Preliminary Placement if criminal history requires  
2163 mandatory denial. If there is any question about mandatory denial for a  
2164 Preliminary Placement, the TAC/alternate will refer the background screening to  
2165 the Region Background Screening Committee Chairperson, Background  
2166 Screening Coordinator, or Kinship Program Administrator for review and for a  
2167 decision to approve or deny background screening for Preliminary Placement.

2168 3. If the result of the background screening is a mandatory denial, the  
2169 TAC/alternate will send a denial letter to the applicant.

2170

2171 C. Criminal History or Abuse or Neglect Findings That May Be Approved Without Review:

2172 1. If the TAC/alternate identifies child abuse or criminal records that do not require  
2173 mandatory denial or that do not fall within the crime or abuse categories or time  
2174 periods that are subject to review, based upon Utah Code Ann. [§62A-2-120](#), or  
2175 severe types of child abuse or neglect records based upon Utah Code Ann. [§62A-](#)  
2176 [4a-1002](#), the TAC/alternate may approve the background screening or may staff  
2177 the results with a member of the Region Background Screening Committee,  
2178 Background Screening Coordinator, or Kinship Program Administrator before  
2179 approving the background screening.

2180 2. If there is any question about being able to approve the background screening  
2181 without review, the TAC/alternate will refer the background screening to the  
2182 Region Background Screening Committee for review and for a decision to  
2183 approve or deny background screening for Preliminary Placement.

- 2184  
2185 D. Criminal History or Abuse or Neglect Findings Requiring Further Review Before Approval  
2186 or Denial of Background Screening Can Be Determined: If the TAC/alternate identifies  
2187 child or adult abuse or criminal records that do not require mandatory denial but fall  
2188 within the crime or abuse categories or time periods that are subject to review based  
2189 upon Utah Code Ann. [§62A-2-120](#), or severe types of child abuse or neglect records  
2190 based upon Utah Code Ann. [§62A-4a-1002](#), the TAC/alternate will refer the background  
2191 screening to the Region Background Screening Committee for review and for a decision  
2192 to approve or deny the background screening for Preliminary Placement.  
2193

#### 2194 **504.7 Documentation Of Results**

- 2195  
2196 A. Documentation of Results on Expedited Kinship Background Screening Form:  
2197 1. The TAC/alternate will document on the Expedited Kinship Background  
2198 Screening form either “yes” or “no” for existence of child abuse or neglect  
2199 findings or a criminal history, regardless of whether or not the history affects  
2200 approval of the placement. Each entry will be initialed and dated by the  
2201 TAC/alternate.  
2202 2. In addition, the TAC/alternate will document on the Expedited Kinship  
2203 Background Screening form the results of the initial analysis, indicating approved  
2204 for no history, approved for records not subject to review, mandatory denial, or  
2205 records requiring review. This entry will be initialed and dated by the  
2206 TAC/alternate. No specific details of findings or history will be written on the  
2207 application. **Records will be retained for five years.**  
2208  
2209  
2210 B Region Background Screening Committee: A decision by the Region Background  
2211 Screening Committee to approve or deny a background screening application will be  
2212 documented by the TAC on the Expedited Kinship Background Screening form with  
2213 notes of the committee discussion attached to the original application. No specific  
2214 details of findings or history will be written on the Kinship Background Screening form or  
2215 committee report. **Records will be retained for five years.**  
2216  
2217 C. Supporting Documentation:  
2218 1. Supporting documentation will be attached to the original Kinship Background  
2219 Screening Application (KBS01) and submitted to the Office of Licensing for their  
2220 background screening. Supporting documentation will include Livescan reports  
2221 and may include out of state child abuse registry checks, original/certified court  
2222 dockets, police reports, etc. The TAC **[/alternate]** will store a copy of the  
2223 application and reports in a locked file. Records will be retained for five years.



- 2224 2. If fingerprints were submitted through Live Scan, the TAC/alternate will print  
2225 Live Scan results with the applicant's identifying information from the BCI/ABC  
2226 webpage results:  
2227 a. Approved.  
2228 b. Pending/Needs Agency Review. Pending/Needs Agency Review indicates  
2229 this person may have a criminal history. The hard copy report from Live  
2230 Scan when Pending/Needs Agency Review is reported will be printed by  
2231 the TAC/alternate from the ABC webpage. The original hard copy report  
2232 must be included as supporting documentation for the background  
2233 screening, even if the report indicates there is no criminal history.
- 2234 3. Ten-print fingerprint card results scanned in through the Livescan machine will  
2235 be accessible through the BCI/ABC Webpage. Repeat process 2 from above. The  
2236 original hard copy report from the 10-print fingerprint check must be included as  
2237 supporting documentation, even if the report indicates there is no criminal  
2238 history.  
2239

#### 2240 **504.8 Follow-Up Action For No Disposition, Outstanding Warrant, Or** 2241 **Review**

- 2242
- 2243 A. If the criminal history record reports no disposition, an outstanding warrant, or if the  
2244 background screening report is subject to review by the Region Background Screening  
2245 Committee, Child and Family Services will give the individual an opportunity to provide  
2246 additional documentation before making a decision to deny the background screening.  
2247
- 2248 B. A fingerprint-based check will have been completed to verify that the record being  
2249 considered belongs to the applicant.  
2250
- 2251 C. The TAC/alternate will send a notice to inform the applicant that:
- 2252 1. The applicant's criminal history or findings of abuse or neglect require further  
2253 review.
- 2254 2. The applicant is encouraged to submit a written statement about the applicant's  
2255 age and circumstances under which the offense or incident occurred and to  
2256 document rehabilitation, counseling, or psychiatric treatment received,  
2257 additional academic or vocational schooling completed since the offense, or  
2258 other information that the applicant believes is important for the review.
- 2259 3. The applicant will obtain court documentation to show final disposition of any  
2260 reports for which disposition was not available and documentation that  
2261 outstanding warrants have been resolved.
- 2262 4. All additional information requested from the applicant must be received by  
2263 Child and Family Services within 30 calendar days of the written notice.

- 2264 5. The review being conducted by the regional committee is for the purpose of  
2265 Preliminary Placement, and another background screening review may be  
2266 required by the Office of Licensing as part of evaluation of their ongoing capacity  
2267 to care for the child required by state law.  
2268 6. When requested by a caseworker, the regional committee may review the  
2269 background screening results for babysitting, visitation, or daycare purposes.  
2270

2271 **504.9 Review Of History By The Region Kinship Background Screening**  
2272 **Committee For Preliminary Placement**

- 2273  
2274 A. When an applicant has a history or findings of abuse or neglect or criminal convictions  
2275 that require review before a decision can be made for Preliminary Placement, the  
2276 Region Background Screening Committee will conduct the review. The caseworker  
2277 and/or supervisor may attend the committee meeting to provide pertinent information  
2278 from their assessment of safety but may not be voting members of the background  
2279 screening committee to approve or deny the background screening.  
2280  
2281 B. The region will designate specific members to form a Region Background Screening  
2282 Committee, consisting of designated professional staff and alternates who have been  
2283 trained in specific rules, statutes, Practice Guidelines, and committee protocol. Eight  
2284 members are recommended. Members of the committee may include the region  
2285 director, associate region director, program or child welfare administrators,  
2286 caseworkers, supervisors, resource family consultants, or clinical consultants.  
2287  
2288 C. Each member of the Region Background Screening Committee will receive training on  
2289 the role of committee members, scope of responsibility for Region Background  
2290 Screening Committees, and background screening criteria.  
2291  
2292 D. At least three members must meet in order to approve or deny an applicant's  
2293 background screening, with at least one member being an administrator above a  
2294 supervisor level. A decision may be based on a simple majority of the voting members.  
2295 The committee may meet by telephone, if necessary.  
2296  
2297 E. When the applicant lives in a different region than the region with jurisdiction over the  
2298 child, the Region Background Screening Committee where the applicant resides will  
2299 conduct the review. **It is recommended that the caseworker attend the Region**  
2300 **Background Screening Review by telephone.** A member(s) of the Region Background  
2301 Screening Committee from the region with jurisdiction over the child may **also** meet by  
2302 telephone, if necessary.  
2303

- 
- 2304 F. In the event the Region Background Screening Committee has a conflict of interest in  
2305 reviewing an applicant's history, the background screening review may be referred to  
2306 another region's Background Screening Review Committee.  
2307
- 2308 G. The TAC/alternate will provide available information to the Region Background  
2309 Screening Committee including summaries of background screening reports and any  
2310 information provided by the applicant. Information will not be sent electronically.  
2311 Criminal history reports (rap sheets) will not be distributed to committee members. The  
2312 TAC/alternate will maintain a dissemination record to track the names of the persons  
2313 receiving the information (including the caseworker/supervisor if they participate in the  
2314 screening) and will ensure that all copies of criminal history summaries have been  
2315 returned to the TAC at the conclusion of the review.  
2316
- 2317 H. The Region Background Screening Committee will act on a background screening  
2318 application as soon as possible, but no later than 10 business days of receipt of applicant  
2319 information requested for the review, or within 10 days following the time frame  
2320 allowed for the applicant to submit their explanatory information.  
2321
- 2322 I. The Region Background Screening Committee may request additional information from  
2323 the applicant and may defer action on an application until the applicant submits this  
2324 information.  
2325
- 2326 J. The Region Background Screening Committee will not deny a background screening  
2327 application without the region giving the applicant an opportunity to provide  
2328 information regarding the history or findings that are being considered.  
2329
- 2330 K. The Region Background Screening Committee may approve a report without additional  
2331 information from the applicant if the report of history or findings contains sufficient  
2332 information to make a decision about likely threat of harm to a child.  
2333
- 2334 L. The Region Background Screening Committee may deny a background screening  
2335 application in the event that an applicant fails to provide requested information within  
2336 the required time frame.  
2337
- 2338 M. The Region Background Screening Committee will carefully consider the applicant's  
2339 criminal history and/or child or adult abuse or neglect findings along with any  
2340 information submitted by the applicant to determine if approval of the background  
2341 screening will create a likely threat of harm to a child.  
2342
- 2343 N. The review will consider factors such as:  
2344 1. The date of the offense or incident;

- 2345 2. The nature and seriousness of the offense or incident;
- 2346 3. The circumstances under which the offense or incident occurred;
- 2347 4. The age of the perpetrator when the offense or incident occurred;
- 2348 5. Whether the offense or incident directly relates to abuse of a child or vulnerable  
2349 adult, including:
  - 2350 a. Actual or threatened non-accidental physical or mental harm;
  - 2351 b. Sexual abuse;
  - 2352 c. Sexual exploitation;
  - 2353 d. Negligent treatment;
- 2354 6. Any evidence provided by the person of rehabilitation, counseling, or psychiatric  
2355 treatment received, or additional academic or vocational schooling completed by  
2356 the person, and
- 2357 7. Any other pertinent information.

2358  
2359 O. Approval or denial will be determined according to standards established in Utah Code  
2360 Ann. [§62A-2-120](#) and Utah Code Ann. [§62A-4a-1002](#). **If the committee denies the  
2361 background screening, the region TAC or Region Background Screening Committee  
2362 Chairperson will send the applicant a Kinship Background Screening Committee denial  
2363 letter.**

2364  
2365 **P. If the applicant's background has been denied by the Region Background Screening  
2366 Committee, a Region Background Screening Committee denial letter will be sent to the  
2367 applicant either by the Region Background Screening Committee Chairperson, the  
2368 region TAC/alternate, or region-designated person. This notice will not include specific  
2369 reasons for the denial.**

#### 2371 **504.10 Steps If Background Screening Is Denied After A Child Has Been** 2372 **Placed With A Kinship Caregiver/Friend**

- 2373  
2374 A. If a child was placed with a kinship caregiver/friend in an approved Preliminary  
2375 Placement, and subsequent background screening of an adult in the home is not  
2376 approved, Child and Family Services will:
- 2377 1. Reassess safety based on safety decision-making (see Practice Guidelines [Section](#)  
2378 [502.4](#)).
  - 2379 2. Consult with the AAG and GAL assigned to the case.
  - 2380 3. Child and Family Services cannot approve ongoing placement of a child in Child  
2381 and Family Services custody with a kinship caregiver/friend that does not meet  
2382 background screening requirements.
  - 2383 4. Evaluate placement options and time frames in terms of immediate threat of  
2384 harm, placement stability, and long-term view with the Child and Family Team.  
2385 The team will decide if it is in the child's best interest to transition to another

- 2386 placement or to recommend to the court that custody and guardianship be  
2387 granted to the kinship caregiver. If the child is placed with a friend that has been  
2388 identified by the parent and the background screening is not approved, the child  
2389 must be moved to a new placement as soon as possible, as the friend will not  
2390 qualify to become a licensed foster parent. Child and Family Services will not  
2391 recommend that temporary custody and guardianship be granted to a friend.  
2392 5. If custody and guardianship is going to be recommended to the court, educate  
2393 the court on the ramifications of granting custody and guardianship without an  
2394 approved background screening (e.g., the family will not qualify for adoption  
2395 assistance if they later decide to adopt).  
2396  
2397 B. Prior to the Child and Family Team Meeting and before requesting a court hearing, the  
2398 caseworker will meet with the kinship caregiver to discuss ramifications of taking  
2399 custody and guardianship when background screening was not approved (e.g., will not  
2400 qualify for adoption assistance if they later choose to adopt) so the decision can be  
2401 made with full knowledge of the options.  
2402  
2403 C. If a decision is made to move the child to another placement, the caseworker will work  
2404 with the kinship caregiver/friend to transition the child to another appropriate  
2405 placement in a time frame consistent with the urgency identified through the safety  
2406 assessment.  
2407  
2408 The caseworker will move the child to another placement and provide written notice of  
2409 the change of placement to the court and all parties to the proceedings within three  
2410 days of the removal, excluding weekends and holidays.  
2411  
2412 D. If the Child and Family Team decides not to recommend that the kinship **relative**  
2413 caregiver be granted custody and guardianship, the caseworker may inform the kinship  
2414 caregiver of the their option to obtain their own legal counsel to seek temporary  
2415 custody and guardianship of the child from the court on their own.  
2416

## 504.11 Communication Of Background Screening Results And Dissemination Of Records

- 2417  
2418  
2419  
2420 A. Background Screening Results to Child and Family Services Staff:  
2421 1. Expedited Request:  
2422 a. If the caseworker verbally requested expedited background screening for  
2423 a Preliminary Placement and communication of the results is urgent, the  
2424 TAC/alternate may notify the caseworker verbally if the background  
2425 screening is approved, needs further review, is denied, or could not be  
2426 completed based upon the verbal information provided.

- 2427                    b.        The TAC/alternate will not provide specific details to a caseworker about  
2428                    a background screening history that was initiated by a verbal request  
2429                    until the TAC/alternate has received the Kinship Background Screening  
2430                    Application providing written authorization for the screening and photo  
2431                    identification. However, if dissemination of details is urgent to the  
2432                    Preliminary Placement decision, the results may be shared but will be  
2433                    considered tentative.
- 2434                    2.        UCJIS Report for Utah Criminal History, **Juvenile Criminal History, III History**, and  
2435                    FBI Reports:
- 2436                    a.        The TAC/alternate may only communicate details contained in a Utah  
2437                    criminal history, **juvenile criminal history, III history**, or FBI report  
2438                    obtained through UCJIS or the BCI/ABC Webpage to Child and Family  
2439                    Services staff who are authorized to receive the information (such as  
2440                    caseworker, supervisor, kinship consultant, or background screening  
2441                    committee members who have been trained, tested, and fingerprinted,  
2442                    and who have approved access rights through BCI).
- 2443                    b.        Any details shared will only be provided in a summary of the original  
2444                    report.
- 2445                    c.        All details can be shared verbally.
- 2446                    d.        A dissemination log can be maintained and a dissemination form can be  
2447                    completed to document the name of each person who received the  
2448                    information, if dissemination was verbal or written, date, case number,  
2449                    and signature of caseworker receiving the information. However, this is  
2450                    not mandatory.
- 2451                    e.        Any information reported prior to the TAC/alternate receiving the  
2452                    background screening application, photo identification, and fingerprint-  
2453                    based report will be considered tentative because positive identification  
2454                    of the applicant and record has not occurred through the fingerprinting  
2455                    process.
- 2456                    f.        The Utah BCI, **juvenile criminal history, III history** and FBI reports (rap  
2457                    sheets) may not be provided to staff and will not be transmitted  
2458                    electronically by fax or email and will not be stored in a case file. The  
2459                    TAC/alternate will ensure that any results printed from the UCJIS  
2460                    database or received from an FBI report will be locked in a secure file  
2461                    cabinet or will be shredded after being reviewed. Records will be  
2462                    retained for five years.
- 2463                    3.        SAFE Report of Child or Adult Abuse or Neglect: The TAC/alternate may provide  
2464                    the details of background screening reports obtained in SAFE to the Child and  
2465                    Family Services caseworker or background screening review committee.
- 2466
- 2467                    B.        Background Screening Results to the Court, Attorney General, and GAL:

- 2468 1. The TAC/alternate may provide a written summary of a Utah criminal history, **III**  
2469 **history,[report]** or FBI report obtained through UCJIS or BCI for the purpose of  
2470 placement of children to the court, Attorney General's Office, or GAL.  
2471 2. Any information reported prior to TAC/alternate receiving the background  
2472 screening application, photo identification, and fingerprint-based report will be  
2473 considered tentative because positive identification of the applicant and record  
2474 has not occurred through the fingerprinting process.  
2475 3. To disseminate Utah criminal history records to the court, Attorney General's  
2476 Office, or GAL, the report will be run again in UCJIS using the purpose code X and  
2477 stating the name and title of the judge, AAG, or GAL in the audit field. This  
2478 serves as a dissemination log for audit purposes.  
2479 4. The TAC/alternate or caseworker may provide the details of background  
2480 screening reports obtained in SAFE to the court, Attorney General's Office, or  
2481 GAL.  
2482  
2483 C. Reporting and Records Dissemination for Region Background Screening Committee:  
2484 1. Information in Preparation for Committee Review:  
2485 a. The TAC **[/alternate]** is responsible to notify the caseworker or designated  
2486 regional kinship **[consultant]supervisor** that a background screening  
2487 application requires review by the Region Background Screening  
2488 Committee when relevant findings or history of child abuse or criminal  
2489 records are found. A summary of the background screening reports may  
2490 be provided according to dissemination procedures for staff.  
2491 b. The TAC **[/alternate]** will send the applicant notice of the review and give  
2492 the applicant the opportunity to provide additional information required  
2493 to complete the review. The notice will also include information about  
2494 how the applicant may obtain their own criminal history or SAFE report of  
2495 child and adult abuse or neglect findings and steps to take if they believe  
2496 there are errors on the background screening report used by Child and  
2497 Family Services.  
2498 c. The TAC **[/alternate]** will compile and submit required documentation to  
2499 the Region Background Screening Committee for their review following  
2500 dissemination procedures for staff specified above.  
2501 2. Information Dissemination Following Committee Review:  
2502 a. The Region Background Screening Committee is responsible to notify the  
2503 TAC **[/alternate]** and caseworker or regional kinship  
2504 **[consultant]supervisor** of the committee's decision to approve or deny  
2505 background screening for Preliminary Placement. Dissemination  
2506 guidelines must be followed for release of specific details of an  
2507 applicant's criminal history.

- 2508                   b.       The Region Background Screening Committee will return the original and  
2509                   all copies of the application, report summaries, and supporting  
2510                   documentation to the TAC ~~/alternate~~ to be stored in a locked file or  
2511                   destroyed. The TAC ~~/alternate~~ will retain documentation of the  
2512                   committee decision with the application and supporting documentation  
2513                   for five years.
- 2514                   c.       If the Region Background Screening Committee denies the application,  
2515                   the TAC ~~/alternate~~ or Region Background Screening Committee  
2516                   Chairperson will send a written notice of denial to the applicant. Specific  
2517                   reasons for denial will not be provided.
- 2518
- 2519   D.       Background Screening Application and Supporting Information for Office of Licensing:
- 2520                   1.       After background screening for Preliminary Placement has been completed and  
2521                   fingerprint results received, the TAC ~~/alternate~~ will send the ~~original~~ Kinship  
2522                   Background Screening Application, ~~[a copy of photo identification and Social~~  
2523                   ~~Security cards or verification of them,]~~ ~~out of state clearances (if applicable), [and~~  
2524                   ~~] supporting documentation (if application), and Live Scan results~~ to the Child and  
2525                   Family Services Background Screening Coordinator for submission to the Office  
2526                   of Licensing. The TAC ~~/alternate~~ will retain a copy of the information in a locked  
2527                   file until the ~~original~~ stamped Kinship Background Screening Application is  
2528                   returned from the Background Screening Coordinator, who will record transfer  
2529                   of the information in the dissemination log.
- 2530                   2.       The TAC ~~/alternate~~ will let the caseworker or regional kinship  
2531                   ~~consultant~~ supervisor know if the Office of Licensing has approved or denied  
2532                   the background screening application. The TAC ~~/alternate~~ will retain the original  
2533                   Kinship Background Screening Application. A copy of the application ~~[, photo~~  
2534                   ~~identification and Social Security card]~~ will be sent to the kinship home study  
2535                   caseworker to be retained with the Child-Specific Home Study.
- 2536                   3.       If the kinship caregiver ~~/friend~~ applies for a foster care license, a copy of the  
2537                   approved background screening application will be submitted to the local  
2538                   licensor for the Office of Licensing with the Child-Specific Home Study.
- 2539                   4.       Summaries of background screening reports may be communicated to the  
2540                   kinship home study caseworker for consideration of safety as part of the home  
2541                   study process following dissemination procedures. Specific background  
2542                   screening details will not be included in the kinship home study report.
- 2543                   5.       Background screening reports and supporting documentation will not be  
2544                   submitted to local licensor.
- 2545
- 2546   E.       Reporting of Background Screening Status and Results to the Applicant:
- 2547                   1.       The caseworker is responsible to keep the applicant informed regarding the  
2548                   status of background screening; specifically, if background screening is approved,



- 2549 denied, or requires further review. However, the caseworker is prohibited from  
2550 reporting details of findings or history to the applicant, in accordance with BCI  
2551 policies.
- 2552 2. The caseworker may give the applicant information about how to obtain their  
2553 own criminal history or SAFE report of child or adult abuse or neglect findings.
- 2554 3. The TAC/alternate will notify the applicant of the opportunity to provide further  
2555 information if background screening for Preliminary Placement is going to be  
2556 reviewed by the Region Background Screening Committee and will send a  
2557 written notice if denied.  
2558

2559 **505** (NO LONGER USED)  
2560

2561 **506 Temporary Custody And Guardianship With The Kinship Caregiver**  
2562 **And Court-Ordered Kinship Support Services [(KSS)]**

2563 Major objectives:

2564 The Child and Family Services caseworker may recommend to the court that the child be placed  
2565 in the temporary custody of a kinship caregiver and that Child and Family Services provide a  
2566 comprehensive array of kinship support services [(KSS)] to the child, the kinship caregiver, and  
2567 the parent. Friends identified by the parents as caregivers for the child and with whom the child  
2568 was placed in a Preliminary Placement but are not licensed foster parents at time the child is  
2569 placed are not eligible for temporary custody and guardianship **unless court ordered** and **[are**  
2570 **required to]** **Child and Family Services will recommend that friends** become licensed foster  
2571 parents.  
2572

2573 **Applicable Law**

2574 Utah Code Ann. [§62A-4a-105](#). Division responsibilities.

2575 Practice Guidelines

- 2576
- 2577 A. Temporary custody to the kinship caregiver and court-ordered kinship support services  
2578 may be recommended to the court when the initial permanency goal is reunification  
2579 and the kinship caregiver has agreed to:
- 2580 1. Work with the parent and Child and Family Services to reunify the child with the  
2581 parent.
  - 2582 2. Cooperate with Child and Family Services, the GAL, the AAG, and other support  
2583 agencies.
  - 2584 3. Follow all court orders.
  - 2585 4. Commit to the long-term permanency plan, which may include adoption or  
2586 permanent custody and guardianship of the child by the kinship caregiver.
  - 2587 5. Resist and report inappropriate and unauthorized requests by the parent for  
2588 access to the child.
  - 2589 6. Commit to protect and care for the child as long as necessary.
  - 2590 7. Provide a secure and stable environment for the child.
- 2591
- 2592
- 2593 B. The kinship caregiver needs to have the ability, commitment, and resources to access  
2594 and use the services needed to address the child's developmental, mental health,  
2595 educational, or medical needs.
- 2596
- 2597 C. The Child and Family Services caseworker needs to provide the kinship caregiver with  
2598 the following supports and services to meet the child's needs, assist the child's parents,  
2599 and meet the relative's needs as caregivers:
- 2600 1. Provide kinship support services for a minimum of six months unless otherwise  
2601 ordered by the court.

- 
- 2602           2.       Contact the kinship caregiver within five working days of placement and visit the  
2603           kinship caregiver's home within 10 working days of placement to:
- 2604           a.       Observe the conditions and circumstances of the kinship caregiver's  
2605           home.
- 2606           b.       Determine the health, well-being, and safety of the child.
- 2607           c.       Identify any resource and service needs of the kinship caregiver and the  
2608           child.
- 2609           3.       Assist in obtaining needed supports and services, which may include day care,  
2610           respite care, transportation, and counseling.
- 2611           4.       Assist in obtaining any necessary financial and medical assistance for the child  
2612           and the kinship caregiver, within 30 days of placement, which needs to include:
- 2613           a.       Explanation of the tasks needed for meeting eligibility criteria for specific  
2614           funding sources.
- 2615           b.       Technical assistance in securing documentation (i.e., Social Security  
2616           cards, birth certificates, legal documents) necessary for completing  
2617           financial applications.
- 2618           c.       Advocacy for the kinship caregiver with potential funding sources  
2619           throughout the application, interview, and evaluation processes.
- 2620           5.       Provide an opportunity for input into the service plan and participation in  
2621           ongoing Child and Family Team Meetings.
- 2622           6.       Thoroughly discuss the reunification services, the permanency plan, and the  
2623           permanency time frames with the kinship caregiver.
- 2624           7.       Offer and provide training and workshops based on the needs and interests of  
2625           the kinship caregiver.
- 2626           8.       Conduct a minimum of one visit per month to the home of the kinship caregiver.  
2627           The caseworker may make additional visits if the kinship caregiver needs  
2628           assistance and instruction to deal with the child's special needs or if Child and  
2629           Family Services has reason to believe that the parent may harass or interfere  
2630           with the kinship caregiver and help is needed to cope with the interference.
- 2631           9.       Assist in establishing a specific visitation plan as part of the service plan between  
2632           the child and the parent and develop the rules that will govern the visits. Visits  
2633           between the child and the parent will occur a minimum of one time per month.  
2634           If problems arise with visitation, the kinship caregiver can request Child and  
2635           Family Services to be actively involved in establishing visitation guidelines and  
2636           schedules.
- 2637           10.      Assist in maintaining relationships with other extended family when possible and  
2638           appropriate.
- 2639           11.      Provide access to a Child and Family Services family resource consultant to  
2640           provide support, respond to questions and solve problems, offer referrals to  
2641           training and workshops, conduct face-to-face quarterly field visits, and provide  
2642           resource consultation.

- 2643  
2644 D. The Child and Family Services caseworker needs to provide the following services and  
2645 supports to meet the needs of the child and needs to work collaboratively with the  
2646 kinship caregiver to enable the child to receive the needed services:
- 2647 1. Assist the kinship caregiver in setting up and attending the child's required  
2648 mental health, dental, and health assessments. The assessment appointment  
2649 needs to be scheduled within 30 days of placement. Ongoing treatment  
2650 recommendations will be incorporated into the service plan and monitored by  
2651 the caseworker. The Child and Family Services caseworker will report to the  
2652 court, the GAL, and the AAG the status of the assessments.
  - 2653 2. Conduct a minimum of one visit per month with the child (this may occur at the  
2654 same time as the visit with the kinship caregiver). The Child and Family Services  
2655 caseworker will visit with the child outside the presence of the kinship caregiver  
2656 to help assure that the child has a safe and healthy relationship with the  
2657 caregiver.
  - 2658 3. Contact an individual other than the kinship caregiver who knows the child and  
2659 who can provide feedback on the child's well-being.
  - 2660 4. Facilitate contact and visits between the child and the parent unless safety  
2661 concerns exist.
  - 2662 5. Share information about the parent's activities and progress toward reunification  
2663 or other permanency options.
  - 2664 6. Prepare the child to return to the parent's care or another permanent  
2665 arrangement including adoption or permanent guardianship by the kinship  
2666 caregiver.
  - 2667 7. Assist in maintaining relationships with siblings through visits and shared  
2668 activities whenever possible.
  - 2669 8. Provide an opportunity for input into the service plan, when age appropriate,  
2670 and identify the roles and responsibilities of the child in the service plan.
  - 2671 9. Advocate for the child in negotiating with other service systems and brokering  
2672 access to resources for the child.
- 2673
- 2674 E. The Child and Family Services caseworker needs to provide the following services to  
2675 parents that will support and enhance their functioning as parents:
- 2676 1. Involve parents in service planning and thoroughly inform them of their roles  
2677 and responsibilities in the plan (if circumstances warrant, separate plans may be  
2678 developed for each parent).
  - 2679 2. Invite parents to participate in ongoing Child and Family Team Meetings to  
2680 assess progress in meeting the service plan and the permanency planning goals.
  - 2681 3. Assist parents in addressing the problems that led to their child's placement in  
2682 kinship care and deliver or provide access to the services needed to remedy  
2683 those problems to achieve reunification.

- 2684  
2685  
2686  
2687  
2688  
2689
4. Include as part of the service plan a visitation schedule to maintain contact with the child that meets the needs of the child, parent, and kinship caregiver in consultation with the GAL.
  5. Deliver or provide access to services and resources to prepare the parents for reunification or other permanency options for the child.

## 2690 **507 Periodic Review Of Kinship Placement**

### 2691 Major objectives:

2692 Child and Family Services will periodically re-evaluate the appropriateness of the kinship/friend  
2693 placement in consultation with the Child and Family Team.  
2694

### 2695 **Applicable Law**

2696 Utah Code Ann. [§62A-4a-105](#). Division responsibilities.  
2697

### 2698 Practice Guidelines

2699 A. The Child and Family Services caseworker needs to assess the kinship/friend placement  
2700 and the reunification efforts within six months of the placement, unless otherwise  
2701 ordered by the court. The assessment needs to address the following:  
2702

- 2703 1. Has the parent made reasonable efforts to comply with the offered reunification  
2704 services and the service plan?
- 2705 2. Is the continuation of the placement in the child's best interests by supporting  
2706 the safety, permanency, and well-being of the child?
- 2707 3. Can the child and the kinship caregiver/friend maintain a stable relationship and  
2708 function effectively with reduced or increased services from Child and Family  
2709 Services?
- 2710 4. Does the child have an ongoing need for financial assistance beyond basic  
2711 maintenance?
- 2712 5. Does the child and kinship caregiver/friend require the ongoing services of a  
2713 caseworker?
- 2714 6. Can the child's needs be met through the kinship caregiver/friend's use of  
2715 community resources and has the kinship caregiver/friend agreed to access or  
2716 continue to maintain those services?  
2717

2718 B. The Child and Family Services caseworker needs to report the findings of the placement  
2719 assessment and make a recommendation to the court as to whether:

- 2720 1. The placement with the kinship caregiver/friend continues to be in the best  
2721 interest of the child.
- 2722 2. The child should be returned home.
- 2723 3. The child should be placed in the custody of Child and Family Services.  
2724

## 2725 **507.1 Removal Of A Child From The Home Of A Licensed Relative/Friend**

2726  
2727 A. When considering the removal of a child from a licensed relative/friend foster parent  
2728 when the relative/friend foster parent is incapable of caring for the child due to the  
2729 relative's age or health, consultation with the Assistant Attorney General assigned to the  
2730 case is required.

- 2731  
2732 B. Child and Family Services may not remove a child from a relative (as legally defined in  
2733 Utah Code Ann. [§78A-6-307](#) and Indian Child Welfare Act 25 U.S.C. §1901-63), who is a  
2734 licensed foster parent on the basis of the relative's age or health, unless the following  
2735 criteria are met:
- 2736 1. There is clear and convincing evidence that the licensed relative foster parent is  
2737 incapable of caring for the child and the child will be placed with another foster  
2738 parent who is NOT a relative.
  - 2739 Or
  - 2740 2. There is a preponderance of the evidence that the licensed relative foster parent  
2741 is incapable of caring for the child and the child will be placed with another  
2742 relative.
- 2743
- 2744 C. If a relative/friend who is a licensed foster parent requests that the child be moved to  
2745 another placement, complete the form "Licensed Relative Foster Parent Request for  
2746 Change in Placement of the Child" so there is no question regarding why the placement  
2747 change was made.  
2748



- 2749 **508** **Statutory Timelines For Establishing Permanency**  
2750  
2751 (Refer to Practice Guidelines [Section 301.2.](#))  
2752

2753 **509 Preparing Kin For Permanency Plan**

2754 Major objectives:

2755 Child and Family Services will adequately prepare the child's kin for a permanency plan.  
2756

2757  
2758 **Applicable Law**

2759 Utah Code Ann. [§62A-4a-105](#). Division responsibilities.  
2760

2761 Practice Guidelines

2762 A. In order to recommend the most appropriate **[-final]** permanency plan for the child, the  
2763 Child and Family Services caseworker needs to ensure the following issues are  
2764 addressed:

- 2765 1. If reunification with the parent is recommended:
  - 2766 a. Conditions, circumstances, or risks that resulted in removal of the child  
2767 have been sufficiently reduced.
  - 2768 b. Reunification with the parent is in the best interest of the child.
  - 2769 c. Substantial efforts to comply with the service plan have been made by  
2770 the parent.
  - 2771 d. A transition plan for the child's safe return home includes follow-up  
2772 supervision, services to the child, and services to the parent.
- 2773 2. If permanent custody and guardianship with the kinship caregiver/licensed  
2774 friend is recommended:
  - 2775 a. Reasonable efforts to reunify the child and parent were not successful or  
2776 were not ordered by the court.
  - 2777 b. Permanent custody and guardianship is in the best interest of the child  
2778 and is preferable to other permanency options.
  - 2779 c. The kinship caregiver/licensed friend is informed of the child's special  
2780 needs and the circumstances of the child's removal.
  - 2781 d. The child and the kinship caregiver/licensed friend can maintain a stable,  
2782 safe, and nurturing relationship.
  - 2783 e. The child's needs can be met through the kinship caregiver/licensed  
2784 friend 's use of community resources.
  - 2785 f. The kinship caregiver/licensed friend has been informed that they may  
2786 contact the Child and Family Services family resource consultant at any  
2787 time in the future if services or supports are needed for themselves or  
2788 the child.
  - 2789 g. The parent has been informed of the child support obligation they will be  
2790 required to provide if the kinship caregiver continues to receive a TANF  
2791 Specified Relative payment.
- 2792 3. If termination of parental rights and adoption are recommended:
  - 2793 a. Facts and circumstances support termination.

- 2794                    b.     Reasonable efforts to reunify the child and the parent were unsuccessful
- 2795    or were not ordered by the court.
- 2796                    c.     ICWA requirements have been met for an Indian child.
- 2797                    d.     Attitudes and wishes of the child regarding adoption and termination of
- 2798    parental rights have been considered.
- 2799

2800 **510 Temporary Custody And Guardianship With Child And Family**  
2801 **Services And Licensed Kinship Foster Care [(KFC)]**

2802 Major objectives:

2803 The Child and Family Services caseworker may recommend to the court that temporary custody  
2804 of the child be ordered to Child and Family Services, the child be placed in the home of a kinship  
2805 caregiver/friend, the identified kinship caregiver/friend becomes a licensed foster care provider,  
2806 and Child and Family Services provides out-of-home care services [(KFC)].  
2807  
2808

2809  
2810 **Applicable Law**

2811 Utah Code Ann. [§62A-4a-105](#). Division responsibilities.  
2812

2813 Practice Guidelines

- 2814 A. The Child and Family Services caseworker will adhere to out-of-home procedures and  
2815 Practice Guidelines when a child is placed in kinship foster care. The Child and Family  
2816 Services caseworker needs to provide the kinship caregiver/friend with the following  
2817 supports and services to meet the child's needs, assist the child's parents, and meet the  
2818 kinship caregiver/friend's needs:
- 2819 1. Assist in obtaining needed supports and services, which may include day care,  
2820 respite care, transportation, and counseling.
  - 2821 2. Access to a family resource consultant to provide support, respond to questions  
2822 and solve problems, offer referrals to training and workshops, conduct face-to-  
2823 face quarterly field visits, and provide resource consultation.
  - 2824 3. Conduct additional visits to the home of the kinship caregiver/friend if the  
2825 kinship caregiver/friend needs assistance and instruction to deal with the child's  
2826 special needs, or if Child and Family Services has reason to believe that the  
2827 parent may harass or interfere with the kinship caregiver/friend and help is  
2828 needed to cope with the interference.
  - 2829 4. Assist in establishing a specific visitation plan between the child and the parent  
2830 and develop rules that will govern the visits. If problems arise with visitation, the  
2831 kinship caregiver/friend can request Child and Family Services to be actively  
2832 involved in establishing visitation guidelines and schedules.  
2833
- 2834 B. In order to assist the kinship caregiver/friend to become a licensed foster home, the  
2835 Child and Family Services caseworker needs to:
- 2836 1. Provide follow-up assistance and advocacy until the kinship caregiver/friend  
2837 receives foster parent licensure.
  - 2838 2. Forward to the Office of Licensing a copy of the completed Kinship Home Study  
2839 and the results of the criminal background check on the kinship caregiver/friend  
2840 and all members of the household over the age of 18 years.

2841 3. Offer services and supports, as appropriate, to assist the kinship caregiver/friend  
2842 in adapting the home to meet licensing standards and the needs of the child.

2843

2844 C. Placement recorded in SAFE: When a child is receiving court-ordered In-Home Services

2845 (PSS) and has been placed in the home of a non-custodial parent or kinship

2846 caregiver/friend, the kinship placement needs to be recorded in SAFE. The role of Kin

2847 Caregiver will be recorded as KR. The role of Kin Child will be recorded as KC.

2848 Placement with a non-custodial parent will be coded as NCP. Placement with a kinship

2849 caregiver/friend will be coded as BHR.

2850

2851 **511 Permanent Custody With The Relative**

2852 Major objectives:

2853 When, at the shelter hearing or subsequent hearing, the court orders permanent custody and  
2854 guardianship of the child to the relative and the child is no longer under the jurisdiction of the  
2855 court, the Child and Family Services caseworker needs to contact the relative to explain  
2856 available services.  
2857

2858  
2859 **Applicable Law**

2860 Utah Code Ann. [§62A-4a-105](#). Division responsibilities.

2861  
2862 Practice Guidelines

2863 The Child and Family Services caseworker needs to do the following:

- 2864
- 2865 A. Contact the relative within five working days of the permanency order to:
    - 2866 1. Outline all possible financial and medical resources available for the child and  
2867 family, discuss the financial impact to selecting certain financial supports, and  
2868 provide technical assistance in securing the documentation necessary for  
2869 completing financial applications.
    - 2870 2. Provide information on available community resources including educational,  
2871 recreational, and medical services that could assist the child and the relative  
2872 family.
  - 2873
  - 2874 B. Assist the family with voluntary in-home services if requested by the kinship caregiver.  
2875
  - 2876 C. Inform the relative that they may contact the Child and Family Services family resource  
2877 consultant at any time in the future if services or supports are needed for themselves or  
2878 the child.  
2879

2880 **512 Preparing Kin For Permanency Decision**

2881 Major objectives:

2882 The Child and Family Services caseworker will make reasonable efforts to adequately prepare  
2883 kin/friend for permanency hearings and decisions.  
2884

2885  
2886 **Applicable Law**

2887 Utah Code Ann. [§62A-4a-105](#). Division responsibilities.  
2888

2889 Practice Guidelines

2890 A. At the permanency hearing, the Child and Family Services caseworker may recommend  
2891 the following permanency options:

- 2892 1. Reunification with parents.
- 2893 2. Permanent custody and guardianship with the kinship caregiver/licensed friend.
- 2894 3. Adoption by the kinship caregiver/friend.
- 2895 4. Non-related adoption.
- 2896 5. Transition to independence.
- 2897 6. Long-term kinship care.

2898  
2899 B. If long-term kinship care is recommended, the Child and Family Services caseworker  
2900 needs to ensure the following issues are addressed:

- 2901 1. Reasonable efforts to reunify the child and parent were not successful.
- 2902 2. Long-term kinship care is in the child's best interest, provides stability and  
2903 permanency, and is preferable to all other permanency options.
- 2904 3. Compelling reasons to not proceed with termination or permanent custody and  
2905 guardianship have been documented on a case-by-case basis. The following  
2906 examples may warrant not recommending a permanent home for the child:
  - 2907 a. A child's Indian tribe is opposed to termination of parental rights and has  
2908 determined the child needs to remain with the kinship caregiver.
  - 2909 b. A child has complex and expensive mental health, medical, or  
2910 developmental needs and the kinship caregiver/friend's benefits and  
2911 resources are insufficient to reliably cover the costs of the child's present  
2912 or anticipated care and treatment.
  - 2913 c. A teenager is opposed to termination of parental rights and adoption.
  - 2914 d. Services identified in the case plan were not provided in a timely fashion.
  - 2915 e. The parents have made substantial progress in eliminating the problems  
2916 causing the child's continued placement, and it is likely that the child will  
2917 be able to return home safely within several months.