

MARIN COUNTY PROBATION DEPARTMENT

THE PROBATION DEPARTMENT IS
CONSIDERING A PLACEMENT
RECOMMENDATION FOR MY CHILD

WHAT HAPPENS NOW?



MARIN COUNTY JUVENILE SERVICES
4 JEANNETTE PRANDI WAY • SAN RAFAEL, CA 94903
415.473.6659

Why is the Probation Department considering making this recommendation?

Of the hundreds of youth who are referred to the Juvenile Division of the Marin County Probation Department each year, only a very small percentage of those find themselves in a situation in which they are facing a recommendation for out of home care. The goal and philosophy of the juvenile justice system is to use “graduated sanctions” when dealing with delinquency, and to provide support to families to allow their children to remain in their communities. However, when a child’s behavior involves a significant threat to self and/or to public safety, and their needs cannot be adequately addressed in the community, the Probation Department is likely to recommend that the Juvenile Court remove custody of the child and place them in a different setting. Gang involvement, access to and use of weapons, consumption of dangerous drugs, inability to care for one’s self, repeated law violations, and/or an inability to follow terms of probation, are all examples of such behaviors.



What is “Case Review?”

The Probation Department fully recognizes the gravity of a decision to recommend out of home care for a child. In order to be certain the Probation Department has as much information as possible, a Case Review is held to consider whether making such a recommendation is appropriate or not. The Case Review consists of Probation Department staff and outside service providers who discuss the needs of the child and family, review the history of efforts to keep the child in their home, and the behavior that has led to convening Case Review. In most Case Reviews, the parent and/or child are also invited to participate, and to express their concerns about the recommendation. If you are invited to participate in Case Review, please consider the following questions in advance of the meeting:

- Do you understand the Juvenile Court process, and the point at which your child’s case is at?
- What services or support would help your child be able to remain living in your home safely?
- What services or support would help you and/or other members of your family?

- Are there any relatives/friends able and willing to assume custodial responsibility of your child at this time?



Will the Juvenile Court Judge agree to the Probation Department recommendation?

The Juvenile Court Judge will consider the Probation Department's recommendation, but will not necessarily or always agree with it. The Judge is obligated to consider other factors and information, usually presented by your child's defense attorney. If you feel strongly that placement is not an appropriate recommendation for your child, it helps your argument if you can present an alternative plan that the Juvenile Court can understand and support. You should discuss this with your child's defense attorney. If the Court does not agree with the Probation Department recommendation, most often (but not always), the Judge will order the child to be placed on probation and remain in the community.



If the Juvenile Court does order my child into placement, what will happen?

After a Disposition Hearing in which the Juvenile Court orders a child to be placed into out of home care, several things take place immediately. Typically, the Probation Department will transfer the assignment of the case to a Deputy Probation Officer who specializes in placement. The Deputy Probation Officer will quickly become familiar with your child's situation; they will review the Probation Department file for your child, and interview both you and the child. The Officer's primary responsibility will be to find a suitable placement for your child. This could be with a relative, in a foster home, or in a group home, depending on the needs of your child and the availability of programs. While your concerns and preferences for a placement will be considered, they will be weighed with a variety of other factors, including program availability and suitability given your child's needs.

Family reunification is the primary goal for the vast majority of youth placed into foster care. In order to accomplish that goal, the Deputy Probation Officer must find a suitable and available placement which will address the issues that resulted in the child being removed from their home. This might mean a program that assists in dealing with drug and alcohol issues, impulse control, choice of peers, and/or mental health treatment. In the event that family reunification is not possible, the alternative plan for the child will be "independent living." When placed in an independent living placement, your child is provided with the skills and experiences necessary to equip them to become self-sufficient adults in society (please see the section below that discusses "extended foster care").

The Deputy Probation Officer will work hard to ensure that your child is not detained in Juvenile Hall any longer than is necessary before placement in a suitable situation. The Juvenile Court will schedule regular reviews of your child's case to ensure progress is made to find such a placement. Those reviews are held every two weeks until the child is placed. After your child is placed into some sort of living situation, the Juvenile Court requires that the Probation Department submit reports updating the child's progress in placement every six months.

In order to expedite your child's eligibility for placement, Probation Department staff will ask that you provide us with your child's birth certificate, social security card, immunization records and complete and return a packet of information to determine your child's eligibility for federal funding to support foster care benefits. Delaying completion and return of this form will only ensure a longer and unnecessary stay in detention at Juvenile Hall. Please complete the forms and ask for assistance if you are unable to do so for any reason. Once you have submitted the forms, staff from the Marin County Office of Child Support Services will contact you to discuss your financial obligations for the cost of care for your child while they are in placement. This determination takes into account your family's income and financial situation. The Probation

Department cannot answer questions for you about this process, and can only refer you to the Office of Child Support Services.



What sort of support services will I have available to me while my child is in placement?

There is a parent support group for people in the same situation as you and it meets monthly. The purpose of this program is to:

- Provide a forum for parents experiencing the placement process to support, advise and encourage one another
- Meet with their child's deputy probation officer to go over concerns, updates and progress of their child in placement
- Participate in educational opportunities around parenting issues

If you or other members of your family have specific needs, and are interested in receiving additional support or services, please contact the deputy probation officer for your child. If those needs can be shown to be connected to your child's well-being in the home, and can help reduce the amount of time your child needs to be in a placement, the Probation Department will consider how we can help you access those services.

What is AB 12 (also known as "extended foster care")?

In 2012, the State of California passed Assembly Bill (AB) 12, also known as the "California Fostering Connections to Success Act." This is a voluntary program that provides 18 year olds who exit from foster care with financial support as long as they are in compliance with basic eligibility requirements. If you think it is possible that your child will be in foster care near their

18th birthday, it is important that you become familiar with this benefit. Please ask your child's Deputy Probation Officer for more information.



What is CASA (Court Appointed Special Advocates)?

“Court Appointed Special Advocates” are community volunteers who advocate for youth who are in foster care. Not all children in placement through the Juvenile Court are assigned a CASA volunteer, but if you want more information about the services they provide, please visit their website at <http://www.marinadvocates.org/>.



When will my child be able to return home?

There is no set date for a child to be able to return home. A common misconception is that a child being placed is required to remain in a program until they turn 18, or for a pre-determined period of time, i.e., one year. Your child will likely remain in placement until the Juvenile Court is confident that the threat to self and/or public safety that led to their being removed from the home has been reduced or eliminated, regardless of how long that takes. In some cases, it may involve going beyond the child's 18th birthday. What will contribute to the likelihood that your child will be able to return to the community are things such as:

- Your child's positive participation and progress in their placement program
- Your child's achieving important milestone such as completion of treatment programs, acquisition of job skills and/or high school graduation
- Your involvement in parent education and support programming while your child is in placement
- Completion of probation conditions as explained in the Juvenile Court orders you receive after your child's Disposition Hearing

After my child returns home, will they still be on probation?

The conditions under which a child returns home after placement vary a great deal, depending on the child's age, where they are in terms of satisfying the conditions of their probation, and the needs of the young person. In the vast majority of cases, your child's involvement with the Probation Department will take on one of the following forms:

Some young people (particularly those who turn 18 while they are in placement), assuming they qualify and choose the services, will transition to the AB 12 program. Please ask your Deputy Probation Officers for more detailed information about that opportunity.

AB 12

Particularly in situations where the child returns home before they turn 18 years old, the Probation Department will continue to supervise the case and enforce orders of probation. The purpose of this is to ensure a successful transition from the highly structured environment of placement to the community.

**Probation continues
after placement**

**PROBATION IS
TERMINATED
AFTER**

In those situations in which a young person has completed the conditions of their probation, has done well in their placement, and there are no reasons for cause for concern regarding safety for either the child or the community, the Probation Department will likely recommend that probation be terminated after successful completion of a placement program.

It is impossible to know what form your child's return from placement will look like at the outset. Please ask the Deputy Probation Officer assigned to your child's case what their ideas are in regards to your child's involvement with the Probation Department after completion of their placement program.

Will my family be billed for the cost of my child's placement?

State law requires that costs incurred for youth in foster care are billed to both parents. Your income is considered in the calculation of how much you will be obligated to pay. The Office of Child Support Services will contact you to discuss the process. The Probation Department strongly recommends that you communicate directly with Child Support Services staff so they can conduct an accurate and fair assessment of your family's ability to pay these costs. If you do not cooperate with them, you run the risk of having them inaccurately assess your ability to pay, and/or incurring interest charges, in addition to the cost of care.

Child Support Services can be reached Monday through Friday, from 8:30 AM to 4:00 PM, at (866) 901-3212.

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