

January 12, 2021 -- Sibling Placement Advocacy Policy (SPA)

Seminar led by GAL Circuit Director Jessica Allen.

- Developing a SPA is required for ALL cases where siblings are NOT placed together.
- The goal is to improve advocacy and prevent placement issues down the road.
- The SPA must be reviewed every 90 days during the regular 90-day staffing (unless excused by Circuit Director or managing attorney). The following issues must included at a minimum:
 - Whether it is in the best interest of the children to be placed together;
 - If so -- what efforts are being made to place them together.
 - **Sibling visitation** must be addressed in the SPA
- **If it is NOT in the best interest of the children to be placed together, a follow-up staffing, including the Circuit Director and managing attorney must be held.**
 - Not in the best interest must be determined on a case-by-case basis.
- **SPA must be in place prior to the 1st JR hearing.** If GAL is appointed after the first JR, then the GAL team must meet and develop a SPA within 30 days of appointment.
 - The GAL must be involved in the development of the plan.
 - GAL should be asking if there are any relatives willing to take the children and must document these conversations.
 - GALS must speak to the parents, introduce ourselves, and observe visits.
 - If you are NOT recommending that siblings be placed together, then your reports must first have approval from Circuit Director/Managing Attorney.
- **To document SPA in Optima**, go to **contact logs** and under activity, use internal staffings for SPA.
 - In the **placement section**, there is a dropdown box for “with siblings, some (if they are placed with at least 1), none, or NA (if they don’t have siblings).”
 - If one child is in the system and the other child isn’t, document and staff.
- **If you have a case and the siblings are not placed together, reach out to your CAM ASAP to set up a staffing and to develop a SPA.. This is for all cases going forward, as of now.**
- The SPA is very important for TPR/adoption cases, but also must be done in reunification cases. Sometimes it takes a while for a parent to complete a case plan and the siblings may have been separated that whole time. It is imperative we address sibling separation ASAP.
- If the children have different fathers or an uncharged parent, speak to the parents. Find out if they are willing to take all the kids. If not, find out about sibling contact/visitation. Develop and review the plan.
- Make sure to obtain children’s wishes as well as best interest.

- The attorneys must:
 - Inquire at shelter about the status of sibling placement and ask the parents or CPI if there are any relatives/parents who can keep the children together.
 - All shelter notes must address whether there are siblings, if they are placed together (why or why not), and what is being done to resolve placing them together.
 - At each hearing, parents should be asked for names of relative/non-relatives for possible placement.

- When a volunteer takes a case and the siblings are not together, the CAM must develop the SPA with the GAL. The GAL must contact and document efforts to contact the parents when assigned the case and continue to request names and observe parent/child visitation throughout -- not wait to do so right before a TPR trial.
- Cases with special circumstances -- where you don't feel it is in the best interest for the siblings to be placed together and you would like to be excused from all efforts to place them together -- must be discussed, agreed upon, and approved by the Circuit Director and Managing Attorney before halting efforts to place them together.

SIBLING PLACEMENT PRACTICE

1. All current cases where the siblings are not placed together must have a Sibling Placement Advocacy Plan (SPA) in place. The SPA must be reviewed every 90 days during the regular 90 day staffings. The SPA should include at a minimum: 1) whether it is in the best interest of the children to be placed together; 2) if so, what efforts are being made to place siblings together; 3) address sibling visitation. If a determination is made that it is not in the best interests of any of the children to be placed together, a follow-up staffing must be held to include the advocacy team, Circuit Director, Managing Attorney, CAMII, and Assistant Director if necessary. The SPA must be reviewed every 90 days regardless of whether a 90 day staffing is held unless excused by the CD or MA.
2. All cases where GALP is appointed prior to first JR and siblings are not placed together must be reviewed and have an SPA in place prior to the first JR. If appointed at the first JR or later and siblings are not placed together, then the team must review and have develop a SPA within 30 days of appointment. The SPA must be reviewed every 90 days, ideally as part of the 90 day staffing (see paragraph #1), but regardless of whether a 90 day staffing is held unless excused by Circuit Director or Managing Attorney.
3. In documenting the SPA in Optima, the CAM and/or Program Attorney will create a new entry under contact logs. In the subject box of the new entry type "Sibling Placement Advocacy Plan" or "SPA". In the activity type box please select "Attended Internal GAL Staffing". This will allow us to identify the SPA among all the other contacts.
4. In documenting the children's placement(s) in Optima, under placement details there is a "with siblings" drop down box. The choices are "all", "some", "none", "NA" or "unknown". If there are no siblings in the dependency system then select "NA". If they have siblings and they are all placed together then select "all". If there are siblings and the child entered is placed with at least one of his siblings then select, "some". If there are siblings and all are in separate places, then select "none". This same section also has a notes box. Many of you use it to describe the relationship of the placement when it is a relative. ***This would also be an appropriate place to note when we have siblings but under a different case number, a different section or even in a different circuit.***
5. Attorneys must inquire at shelter the status of sibling placement if unknown. The attorneys must inquire of the parents any relatives and non-relatives that may be suitable for placement. If parents are not present, inquire of the CPI if names were provided. All shelter notes need to address whether there are siblings and whether they are placed together and if not placed together, why not, and what is being done to resolve. Shelter notes must include what type, duration and frequency of sibling visitation and ensure that an order for sibling visitation is in place if appropriate.
6. On cases that were open with the courts prior to our appointment, the attorney needs to inquire at the hearing in which we are appointed whether siblings are placed together. If they are not, why not and what efforts has CBC made to place them together. Ask for additional efforts to be made if appropriate and ask for a status hearing and Judge's ruling on issue. Inquire on the record if CLS will include this in their order for the hearing or if they should prepare a separate order. Attorney notes must include this information in Optima court hearing notes.
7. The Program Attorneys should question the parents at each hearing in cases where the children continue to be placed separately, for names of relatives or non-relatives for possible placement,

and ask for a court to order CM to do relative locator search where necessary. This requirement may be waived in certain circumstances, for instance: where team has concluded it's not in the child's best interest to continue to inquire; where the goal is adoption and parents have been given multiple chances to provide names over the course of the case and failed to do so. Attorneys should seek guidance from the Managing Attorney and Circuit Director if they feel continued inquiry of parents at each hearing is not in the child's best interests.

8. When a volunteer takes a case and the siblings are not placed together, the CAM must discuss and develop with them the SPA and what the volunteer needs to do to stay on top of the issue (i.e. asking the parents and children for names of relatives/ non-relatives, any follow up that needs to be made with CM, etc.) CAMs and volunteers must contact and document efforts to contact parents when assigned the case and continue to request early on for the names of relatives and observe parent/child visits throughout and not right before a TPR trial.
9. When requests to CM for relative search, home studies, backgrounds etc., have failed, motions should be filed to get orders for what we want done. (i.e., CMs to follow up with relatives/NR who have been identified; order for home study, background check, ICPC). The order should include dates for CM to complete task and dates should be requested for hearings to check status.
10. The advocacy team should use GALP contact to search for relatives in cases where siblings are placed separately as soon as possible, especially if the CBC has been unable to locate anyone. Send your request to Paul Nigro at AdvancedFamilySearch@gal.fl.gov.

In order to request information, please provide

- a. *The type of search your need (i.e. possible relatives, criminal history, most recent address, etc.) and*
- b. *Provide as much information as you can, but preferably provide at least three of the following:*

Name (Our search program can only search for information about adults, not children)

Last Known Address

Date of Birth

Social Security Number

Driver's License Number

Please remember there is one person for the entire region and they also have other work responsibilities. Don't make a request on every case.

11. Make inquiries if Paternity is an issue. Have those family members been considered?
12. Cases with special circumstances where the assigned case team would like to be excused from making all efforts to place the siblings together must be discussed/agreed/approved with Circuit Director and Managing Attorney, prior to halting efforts to place siblings together. Additionally, the team should not make any representations in a report to the court or to the CBC that we want the siblings to continue to be placed separately without discussing with the CD and MA. In the event of a conflict between the team, a conflict resolution staffing must be held with the CD and MA. If there is a conflict between the CD and MA, the matter must be escalated to Regional Management.