

Glossary and Acronyms

Adjudication Hearing – The trial stage of child dependency proceedings during which the court determines whether allegations of abuse, neglect, or dependency concerning a child are sustained by the evidence and, if so, are legally sufficient to support state intervention on behalf of the child (see Chapter 6: Adjudication).

Adoption and Safe Families Act of 1997 (AFSA) - This Act amended titles IV-B and IV-E of the Social Security Act to clarify certain provisions of P.L. 96-272 and to speed the process of finding permanent homes for children. AFSA imposes upon states the requirement to focus on the child's need for permanency rather than the parent's actions or inactions (42 U.S.C. § 671 *et seq.*) (see Chapter 20: Overview of Federal and State Child Welfare Legislation).

Adoption - Adoption is the legal and permanent establishment of a relationship between adult individual(s) who are not the biological parents and a child of biological parents whose parental rights have been terminated. When a child cannot safely return home, adoption is the preferred legal permanency option under ASFA and the Juvenile Act. Under the adoptive relationship, the child becomes the heir and is entitled to all other privileges belonging to a natural child of the adopting parent (see Chapter 18: Adoption).

Adoption Disruption – Termination of an adoptive placement prior to the finalization. Failure of an adoption after finalization is termed “dissolution.”

Adoption Hearing – Court proceeding in which a permanent parental relationship is legally established between adult individual(s) who are not the biological parents and a child of biological parents whose parental rights have been terminated (see Chapter 18: Adoption).

Aggravated Circumstances – Particular situations or offenses, defined by the Juvenile Act, where no attempts need to be made to reunite a child, who has been adjudicated dependent, with his or her family. These situations arise when a court determines, by clear and convincing evidence, that a parent has subjected a child to aggravated circumstances and further determines that reasonable efforts need not be extended (see Chapter 19: General Issues, section 19.2).

Alternative Dispute Resolution (ADR) - ADR approaches provide an opportunity for parents to be empowered to determine their own solutions. This is a shift from the traditional adversarial court approach to a more family focused, strength-based and solution-focused approach. The initiation of these approaches requires a significant change in traditional court directed resolution or litigation, but its benefits far override any difficulties with implementation. These approaches are typically voluntary for the family, but all seek to engage the family in identification of needed services preferably prior to court intervention. Some ADR approaches include, but are not limited to: FGDM, Mediation, Facilitation and pre-trial conferences.

Another Planned Permanent Living Arrangement (APPLA) - ASFA defines APPLA as “any permanent living arrangement not enumerated in the statute” (42 U.S.C. § 475(5)(C)). It is the least preferred option for ensuring permanency for a child. ASFA and the Juvenile Act require the agency provide the court with a “compelling reason” why one of the other permanency options (reunification, adoption, legal custodianship, permanent placement with a fit and willing relative) is not available to the child. APPLA is not to be viewed as a catchall or as long-term foster care; the placement should be both planned and permanent (see Chapter 11: Permanency Options).

Child Abuse Prevention and Treatment Act (CAPTA) - The Child Abuse Prevention and Treatment Act (1974) was most recently reauthorized by the Keeping Children and Families Safe Act of 2003. The Act provides federal funding to states in support of assessment, prevention, prosecution, investigation, and treatment activities. It also sets forth a minimum definition of child abuse and neglect (see Chapter 20: Overview of Federal and State Child Welfare Legislation).

Child’s Permanency Plan (CPP): Upon placement of a child, the county children and youth agency is required to collaborate with all stakeholders to develop and prepare a CPP (amendment to the Family Service Plan) for each child. The CPP should never be developed in isolation. The county children and youth agency must involve the parents, child, youth, relatives, kin and other stakeholders in the development of the CPP. The CPP also provides a wide variety of information for the courts and should be provided to all parties. The CPP includes specific information regarding the child, such as: circumstances which made placement necessary, the child’s permanency goal and concurrent planning goal, the placement type and location, medical and educational information, appropriateness of the placement, justification for the placement’s level of restrictiveness, and anticipated duration of the placement.

Children’s Roundtable Initiative - The Children’s Roundtable Initiative, supported by the Office of Children and Families in the Courts (OCFC) within the Administrative Office of Pennsylvania Courts (AOPC) was established by the Supreme Court of Pennsylvania in 2006. The Children’s Roundtable embodies a collaborative, cross-system statewide infrastructure that allows for effective administration and communication via a three-tiered system. The first tier of the infrastructure is comprised of local Children’s Roundtables. These exist in each judicial district, are convened by a judge and collaboratively facilitated with the child welfare administrator. The intermediate level (tier 2) of the infrastructure is comprised of Leadership Roundtables. There are eight Leadership Roundtables dividing Pennsylvania’s sixty judicial districts into groups based on size. Membership includes the lead dependency judge, child welfare administrator and one additional local children’s roundtable member. Issues are identified during Leadership Roundtable meetings and common themes are brought to the highest roundtable level (tier 3) the State Roundtable. The State Roundtable is comprised of at least two members from each Leadership Roundtable and others with specific expertise in child dependency matters (see Chapter 1: The Charge for Pennsylvania’s Dependency System).

Common Pleas Court Management System (CPCMS) Dependency Module – CPCMS was developed by the Supreme Court of Pennsylvania, Administrative Office of Pennsylvania Courts as a means to unify dependency court orders and data throughout the Commonwealth. Forms for the CPCMS Dependency Module can be found on the Unified Judicial System of Pennsylvania website at <http://www.pacourts.us/Forms/dependency.htm> (see Chapter 19: General Issues, section 19.5).

Concurrent Planning – A foster care case management strategy where the caseworker works intensively toward reunification of a child with his or her own family while, at the same time, develops an alternative plan for the child's permanency. The purpose is to overcome barriers and delays in securing permanent families for children who are in out-of-home care, by doing concurrent rather than sequential planning (see best practice box in Chapter 9: Disposition).

Court Appointed Special Advocate (CASA) – A specially screened and trained volunteer, appointed by the court, who conducts an independent investigation of child abuse, neglect or other dependency matters, and submits a formal report(s) to the court offering advisory recommendations as to the best interests of the child (see Chapter 19: General Issues, section 19.8).

Disposition Hearing – The court proceeding which follows the adjudication hearing and at which the court determines the resolution of the case, such as whether placement of the child in out-of-home care is necessary and what services the child and family will need to reduce risk and address the effects of maltreatment (see Chapter 9: Disposition).

Educational Decision Maker (EDM) - An educational decision maker is a responsible adult appointed by the court to make decisions regarding a child's education when the child has no parent or guardian, or when the court has limited the parent's or guardian's right to make such decisions for the child. The educational decision maker acts as the child's representative concerning all matters regarding education unless the court specifically limits the authority of the educational decision maker.

Facilitation – A method of Alternative Dispute resolution. As with other ADR processes, facilitation is voluntary and focuses on engaging the family to help them identify their strengths and needs in an effort to develop solutions for their specific case. This process typically involves all parties and support persons, who upon agreement seek a final order from the Judge or Hearing Master.

Family Development Credentialing (FDC) – One of the primary elements of the Permanency Practice Initiative, FDC is a professional development course and credentialing program for frontline family workers to learn and practice skills of strength-based family support with families. FDC courses are offered to frontline family workers from a wide range of government, private and not-for-profit agencies, as well as faith-

based organizations, businesses and large corporations. Family development trainees work with families across the life span including families with young children, teen parents, retired people, people with disabilities, and many other groups.

Family Finding – A process used to identify family members (including extended family). Far more than a web-based search, this process provides the skills to engage disconnected family members in an effort to provide permanent placements, supports and safe, adult connections for youth. This process is particularly effective when used in conjunction with Family Group Decision Making (see Chapter 19: General Issues, section 19.3). More information on Family Finding can be found at www.familyfinding.org/.

Family Group Decision Making – A method of bringing family members together to reach a consensus on a recommendation to the court for a safe and permanent plan for a child. Unlike traditional child welfare case conferencing, the family is “in-charge” of the meeting and responsible for creating the recommended plan. The caseworker’s participation primarily involves the sharing of information/resources and acceptance of the family’s plan (if safety concerns are adequately addressed). Unique to this practice is “private family time” that excludes any non-family member (see Chapter 19: General Issues, section 19.4).

Family Service Plan (FSP) - A plan developed for the family by the child welfare agency which includes, but is not limited to, items such as: identifying information on the family members, the circumstances which necessitated placement, the services to be provided to achieve the objectives of the plan, the actions to be taken by the parents, children, the county agency or other agencies, and the dates when these actions will be completed.

Guardian Ad Litem (GAL) – A lawyer appointed by the court to represent the best interests of an allegedly abused or neglected child. A GAL differs from legal counsel for the child who specifically represents the child’s legal interests before the court (see Chapter 4: Legal Representation).

Independent Living (IL) – A service added to the Social Security Act in 1985. The Act was further amended by the Chafee Foster Care Independence Act (CFCIA) in 1999. Independent Living services must be provided to all youth in care who are age 16 years of age or older, no matter what placement they are in and regardless of their permanency plan. Independent Living services can include, but are not limited to: career counseling and placement, educational counseling and support, instruction in budgeting and home management, family-planning and sexual health counseling, and instruction in self-advocacy (see Chapter 19: General Issues, section 19.7).

Individualized Education Program/Plan (IEP) – A written document developed for a child with a disability regarding the special education, related services, supplemental aid and services, and other accommodations that the school district must provide to the

child. The IEP also describes the child's current educational performance and states measurable annual and short-term progress goals.

Interstate Compact on the Placement of Children (ICPC) – A law designed to provide the legal framework for placements, including adoptive placements, in which more than one state is involved (see Chapter 20 - Overview of Federal and State Child Welfare Legislation and Chapter 3: Jurisdiction).

Indian Child Welfare Act (ICWA) – An Act which addresses the removal of Indian children from their home and their placement with non-Indian families (see Chapter 3: Jurisdiction).

Kinship Care – Care of a child by a relative. The relative must become a licensed foster parent and may become the adopting parent if parental rights are terminated. Pennsylvania defines a relative as someone related “within the third degree of consanguinity or affinity to the parent or stepparent of the child and who is at least 21 years of age” (Act 25 of 2003).

Mediation – A process by which a neutral mediator assists all parties in voluntarily reaching a consensual agreement about issues at hand and agreeing upon a plan of action.

Mission & Guiding Principles for Pennsylvania's Child Dependency System - The foundational document created by the Pennsylvania State Roundtable, which identifies four fundamental mission priorities for all professionals involved in Pennsylvania's child welfare system: protecting children; promoting strong families; promoting child well-being; and providing timely permanency. These mission priorities are embedded into all aspects of this Benchbook (see Chapter 1: The Charge for Pennsylvania's Dependency System for a reproduction of the Mission and Guiding Principles document).

Multiethnic Placement Act (MEPA) – An Act intended to remove barriers to interethnic adoption (see Chapter 20: Overview of Federal and State Child Welfare Legislation).

Out-of-Home Care – Childcare, foster care, or residential care provided by a person, organization, or institution to children who are placed outside their families usually under the jurisdiction of a juvenile or family court.

Permanency Goal - A permanency goal is selected based upon the particular needs and best interests of the child and is designed to provide the child continuity of relationships with nurturing parents or caretakers and the opportunity to establish lifetime family relationships. Both ASFA and the Juvenile Act identify the following hierarchical permanency goals for children: (1) reunification, (2) adoption, (3) permanent legal custodianship, (4) permanent placement with a fit and willing relative, or (5) another planned permanent living arrangement but only when the other four goals have been rule out. The permanency goal for the child should be identified as early as possible. The agency is required to complete a written Family Service Plan (FSP) which

includes the permanency goal for the child within 60 days of accepting a family for service (see Chapter 11: Permanency Options).

Permanency Hearing – A special type of post-dispositional proceeding designed to reach a decision concerning the permanent living arrangement for a child with a family. The time of the hearing represents a deadline within which the final direction of a case is to be determined (see Chapter 12: Permanency Hearing).

Permanency Hearing to Change Goal - A permanency hearing to change a goal often referred to as a “goal change hearing” initiates the permanent removal of a child from parents. Most dependency cases begin with a permanency goal of reunification with the parents or guardians. During the permanency review process, the judge or master monitors the parents’ compliance with the permanency plan and their progress toward remedying the circumstances that led to the removal of the child. When reasonable efforts have been made to reunify the child with the parents but the child has remained in care and reunification is not viable or imminent, the court must consider changing the goal from reunification to another permanency goal (see Chapter 13: Permanency Hearing to Consider Change of Goal (“Goal Change Hearing”).

Permanency Practice Initiative (PPI) – An initiative developed by the State Roundtable and implemented in phases throughout Pennsylvania which combines a set of casework and court practice changes aimed at enhancing safe, timely permanence for children. Practices include Family Group Decision Making, Family Finding, Family Development Credentialing, 3 month judicial reviews, CPCMS Dependency Module and local Children’s Roundtables.

Permanent Legal Custodianship (PLC) - In Pennsylvania, legal custodianship is the equivalent of legal guardianship under ASFA (42 U.S.C. §675(7)). It is a formal legal arrangement which transfers custody of a minor child from the natural parent to a relative or other caregiver. In the hierarchical scheme of permanency options outlined by ASFA and the Juvenile Act, legal custodianship is less desirable than reunification or adoption, but more preferred than permanent placement with a fit and willing relative, or another planned permanent living arrangement (see Chapter 11: Permanency Options).

Permanent Placement with a Fit and Willing Relative - Both ASFA and the Juvenile Act provide for permanent placement with a fit and willing relative as the fourth alternative for permanent placement – after reunification, adoption and permanent legal custodianship. Placement with a relative offers many advantages as it allows for the continuation of family bonds and may dampen the traumatic impact of removal and may preserve the child’s cultural identity. It is also an exception to the termination of parental rights if the child has been out of the home for 15 of the most recent 22 months (42 Pa.C.S. §6351(f)(9)(i)). However, permanent placement with a fit and willing relative is one of the least well-defined options provided in the statute. Neither ASFA nor the Juvenile Act define “relative” or “fit and willing” nor do they create new legal authority for the relative (see Chapter 11: Permanency Options).

Putative Father – The alleged or supposed male parent; the person alleged to have biologically fathered a child whose parentage is at issue (see Locating Fathers & Establishing Paternity Benchcard).

Reasonable Efforts - Federal law requires that “reasonable efforts” be made to prevent or eliminate the need for removal of a dependent, neglected, or abused child from the home and to reunify the family if the child is removed. The requirement is designed to ensure that families are provided with services to prevent their disruption and to respond to the problems of unnecessary disruption of families and foster care drift. To enforce this provision, the court must determine, in each case where federal reimbursement is sought, whether the agency has made the required reasonable efforts.

Reunification – The return of children to the custody of their biological parents when they have been involved in a period of foster care after out-of-home placement (see Chapter 11: Permanency Options).

Review Hearing - Proceedings which follow disposition at which the court reviews the status of the case, examines progress made by the parties, provides for correction and revision of the case plan, and generally ensures that the case is progressing (see Chapter 12: Permanency Hearing).

Risk Assessment – The process by which the caseworker assesses the current level of risk to a child to determine the likelihood of future harm, abuse, or neglect as prescribed by the Pennsylvania Risk Assessment Model. Information on this can be found at www.pacode.com/secure/data/055/chapter3490/s3490.321.html

Shelter Care Hearing – The first court hearing in a child abuse or neglect case which occurs either immediately before or immediately after a child is removed from home on an emergency basis. The purpose of the proceeding is to evaluate the child welfare agency’s concerns that allowing the child to remain in the home would be detrimental to the child (see Chapter 5: Entering the Child Welfare System – Shelter Hearing).

Subsidized Permanent Legal Custodianship (SPLC) – A permanent legal custodianship arrangement, which includes a subsidy similar to foster care payments to ensure that the custodian is financially able to meet the needs of the child. The subsidy ends when the child reaches the age of 18. Therefore, SPLC may **not** be appropriate if the foster family is not willing to provide support to the child after the child turns 18 (see Chapter 11: Permanency Options).

Supervised Independent Living (SIL) Placements – Living situations in which an older youth has a greater degree of independence than would be allowed in group or institutional care; for example, a youth may be placed in an apartment, alone or with roommates (see Chapter 19: General Issues, section 19.7).

Termination of Parental Rights (TPR) – The extinguishment of the legal relationship of parent and child on the basis of abuse, neglect, abandonment or similar grounds (see Chapter 16: Termination of Parental Rights).

Voluntary Placement Agreement (also known as Voluntary Agreement for Care or Voluntary Entrustment) – Arrangement with the child welfare agency for the temporary placement of a child into foster care, entered into prior to court involvement, and typically used in cases in which short-term placement is necessary for a defined purpose, such as when a parent enters into in-patient hospital care; a method of immediately placing a child in foster care with parental consent prior to initiating court involvement and thereby avoiding the need to petition the court for emergency removal.

Voluntary Relinquishment – A legal process through which a biological parent voluntarily gives up parental rights with the intent that the child will be adopted. (see Chapter 16: Termination of Parental Rights)

The definitions are adapted from the text of this Benchbook, the Mission and Guiding Principles for Pennsylvania's Dependency System and the following sources: Resource Guidelines: Improving Court Practice in Child Abuse and Neglect Cases (1995), NCJFCJ; Adoption and Permanency Guidelines: Improving Court Practice in Child Abuse and Neglect Cases (2000), NCJFCJ; and Pennsylvania Judicial Deskbook: A Guide to Statutes, Judicial Decisions and Recommended Practices for Cases Involving Dependent Children (2004), Juvenile Law Center and DPW OCYF bulletins 3130-12-03 & 3490-06-01.

ACRONYMS

AACWA	ADOPTION ASSISTANCE AND CHILD WELFARE ACT
AC	AGGRAVATED CIRCUMSTANCES
AFSA	ADOPTION AND SAFE FAMILIES ACT, PUBLIC LAW 105-89
ABA	AMERICAN BAR ASSOCIATION
ADR	ALTERNATIVE DISPUTE RESOLUTION
AOPC	ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS
APPLA	ANOTHER PLANNED PERMANENCY LIVING ARRANGEMENT
CAPTA	CHILD ABUSE AND PREVENTION AND TREATMENT ACT
CASA	COURT APPOINTED SPECIAL ADVOCATES
CFCIP	CHAFEE FOSTER CARE INDEPENDENCE PROGRAM
CIP	COURT IMPROVEMENT PROGRAM
CPCMS	COMMON PLEAS CASE MANAGEMENT SYSTEM
CPP	CHILD PERMANENCY PLAN
CRT	CHILDREN'S ROUNDTABLE
CYS	CHILDREN AND YOUTH SERVICES (COUNTY-LEVEL AGENCIES)
DPW	DEPARTMENT OF PUBLIC WELFARE
EDM	EDUCATIONAL DECISION MAKER
ESC	EMERGENCY SHELTER CARE
FCIA	FOSTER CARE INDEPENDENCE ACT
FGDM	FAMILY GROUP DECISION MAKING
IDEA	Individuals with Disabilities Education Act
FSP	FAMILY SERVICE PLAN

GAL	GUARDIAN AD LITEM
ICPC	INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN
ICWA	INDIAN CHILD WELFARE ACT
IEP	INDIVIDUAL EDUCATION PLAN
IL	INDEPENDENT LIVING
JCJC	JUVENILE COURT JUDGES COMMISSION
JLC	JUVENILE LAW CENTER
MA	MEDICAL ASSISTANCE
MEPA	MULTIETHNIC PLACEMENT ACT
NACC	NATIONAL ASSOCIATION OF COUNSEL FOR CHILDREN
NBPB	NEEDS BASED PLAN AND BUDGET
NCSC	NATIONAL CENTER FOR STATE COURTS
NCJFCJ	NATIONAL COUNCIL OF JUVENILE AND FAMILY COURT JUDGES
OCFC	OFFICE OF CHILDREN AND FAMILIES IN THE COURT
OCYF	OFFICE OF CHILDREN, YOUTH, AND FAMILIES
PLC	PERMANENT LEGAL CUSTODIANSHIP
PPI	PERMANENCY PRACTICE INITIATIVE
RTF	RESIDENTIAL TREATMENT FACILITY
SIL	SUPERVISED INDEPENDENT LIVING
SPLC	SUBSIDIZED PERMANENT LEGAL CUSTODIANSHIP
TPR	TERMINATION OF PARENTAL RIGHTS