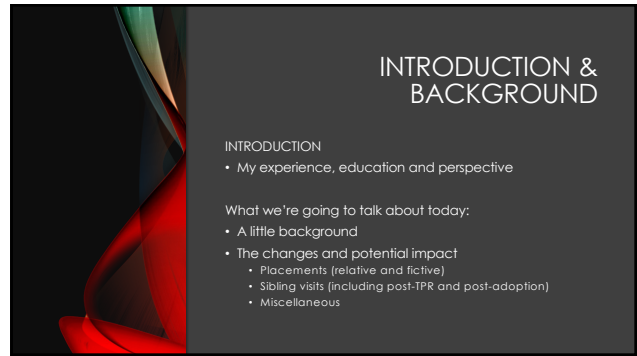
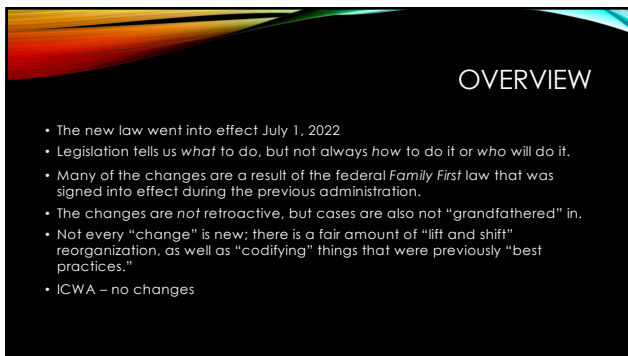




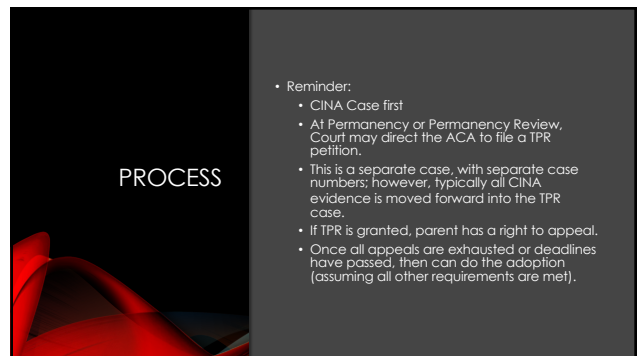
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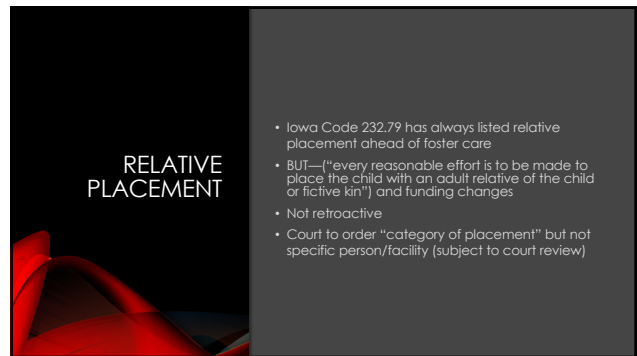
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6

FICTIVE KIN

- Used to be an adult known to the child, but not related to the child e.g., a family friend, teacher, coach, someone from church, etc.
- Now the statute reads, "a nonrelative with an emotionally significant positive relationship with the child or the child's family."
- Fictive kin now treated same as foster.

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SIBLING VISITS

- Previously "best practices"
- Now in the code 232.108 and part of reasonable efforts. Questions:
 - Who must do this?
 - "The department shall make reasonable efforts to provide for visitation or other ongoing interaction between the child and the child's siblings from the time of the child's out-of-home placement until the child returns home or is in a permanent placement.
 - This obligation is in place even after TPR.
 - What if some children are with bio-parent and bio-parent is the "stumbling block" to sibling visits?

8

ADOPTION AND NOTICE TO SIBLINGS

- Primary concern the AG's office is hearing is that if notice is provided to an older sibling, s/he may disclose the date/time of the adoption to the bio parent.
 - If this is a concern, we can notify the court.
 - Court can instruct deputies to turn away bio parent.

9

TPR – SEVERE SUBSTANCE-RELATED DISORDER

- 232.116(1)(1)-(2) Modifies the standard to allow a finding of SSRD if:
 - A diagnosis consistent with DSM or
 - If it is evidenced by continued and repeated use through the case, and the parents' refusal to obtain a SA Eval or treatment after being given opportunity to do so.
- HOWEVER—under both findings, there must also be proof the parent presents a danger to self or others as evidenced by prior acts.

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MANDATORY REPORTERS

- 232.70 – Mandatory reporters no longer need to make WRITTEN reports.

11

GUARDIANS AD LITEM

- Nearly all things now "required" were previously in the statute, but more of a "best practices" thing.
- GALs now required to write and file a report.
 - "Check the box" minimum; not "content rich"
- Requires use of "objective criteria," that requires input from schools, medical, etc., and also includes the child's expressed wishes.
- Must state whether bifurcation is required
- Presumption (but not requirement) is that children attend hearing at age 10 and up.
- The GAL must tell the child why siblings are not placed together and efforts to place them together, even though that decision is made by DHS (unless child too young/immature).
- GAL must share what efforts are being made to keep siblings together (unless child too young/immature).

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EXPECTATIONS

- You have a right to be heard. The court typically asks two questions:
 - How are things going? and
 - Do you need anything?
- As a practical matter, this means you need to know when and where the hearings are, and to receive a link if virtual.
- Social History – When can foster parents see this?

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EXPECTATIONS

If I am your GAL, I will help you:

- If you need something from the bio-parent that you are having trouble getting
- If you need information re: the child's school/teacher, medical provider or appointments, birth certificates, reimbursements, etc., and are having trouble getting that information
- Other information
- If I don't know the answer, I can usually get it. I may have access to people you don't, and may have a little more leverage.
- If there are things you think the court should know that are not covered by the two questions the judge asks, let me know and I can often include in my report.

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QUESTIONS & CONTACT INFORMATION

- Jean M. Baker
- jean@jeanmbaker.com (don't forget the "m")
- 515-778-0017

• If you send me an email, please do NOT include confidential information (including names).

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