

COVID – 19: Protect Yourself, Protect Others!

From: DCF Family Services Management Team

To: DCF Family Services Staff, CFS Partners, Judicial Partners

Re: Internal Guidance for DCF Family Services Division Staff regarding parent-child contact

Date: Revised 3/18/2020

It is important to remember that here in Vermont, we are actively engaged in efforts to *prevent the spread of COVID-19*. Based on enhanced risk to older and vulnerable Vermonters and the fast rate of spread, we are instituting the following preventive actions.

Priority # 1 Establish Family Time Plans:

Chief Administrative Judge Grearson, the Office of the Defender General and a representative State's Attorneys agreed to a request from DCF-FSD to a 48 hour suspension of Parent Child Contact (this covered Tuesday, 3/17 and Wednesday, 3/18) so that DCF-FSD could work with VDH to create a screening protocol for everyone involved in Parent Child Contact—parents, children, foster parents, visit supervisors. We are actively working with VDH to determine how parent child contact can occur in a safe and appropriate manner. Judge Grearson let Juvenile Court judges know that all PCC orders remained in effect (none are considered vacated) but that PCC would be suspended on these days.

When a child has been removed from a parent's care and placed in DCF custody, that parent and child contact is ordered by the court, and DCF, as the custodian, has a responsibility to ensure that this contact occur. At the same time, during the COVID-19 pandemic, DCF has a responsibility to ensure that contact occur in a manner that is safe and appropriate, in alignment with the latest guidance from the Department of Health, and in compliance with the expectations of the court.

To accomplish this goal, a small workgroup will immediately form that will meet by phone regularly to discuss parent-child contact made up of the following individuals or their designees: Chief Administrative Judge, Defender General, State's Attorney, FSD AAG Director, FSD Director of Operations, Parent Attorney, Child Attorney and GAL.



Effective immediately, support staff (such as case aides and CFS providers) will be actively engaged in systematically facilitating phone calls with all parents and foster parents (or staff caretakers) of children/youth in DCF custody to develop safe, appropriate parent-child contact. This will mean remote/virtual contact in most situations.

A script will be developed by FSD and provided to our staff and contractors to facilitate phone calls. The script will include the specific question whether the parent would like to continue with the plan as ordered or is amenable to a different schedule based on COVID.

Parents will be given the options of how parent-child contact could occur (e.g. in person, telephonically, Skype, etc...), including the amount of contact that is to be part of the plan.

Detailed, regular virtual/remote plans will be developed and documented, and facilitators will follow-up via electronic communication with the parents regarding the written plan for remote contact. These electronic communications will include the instructions to parents that they should speak to their attorneys about these options, and a final, agreed-to plan will be in writing and distributed to all parties.

These plans will be developed to cover the period in which Vermont is in a state of emergency. Currently that is for the time period of 3/19/20 until 4/15/20.

Facilitators will share general guidance from the Health Department regarding COVID as needed on these calls, and facilitators will encourage remote/virtual contact plans during these calls.

In cases of disagreement with virtual/remote contact:

If the parent disagrees with the plan for virtual/remote contact, facilitators will ask the two screening questions (see below) of all individuals directly involved in the parent-child contact (parent, caregiver, child).

1. Have you been in close contact with a person who has COVID-19?
2. Have you felt unwell with respiratory symptoms in the last few days? *Cough, high temperature, shortness of breath, difficulty breathing?*

If any of these individuals answer yes to the 2 screening questions, the plan for **virtual/remote contact** will immediately proceed, and the FSW will request of the State's Attorney that an emergency motion to suspend in-person parent-child contact be filed.

Facilitators will also ask if any of the individuals directly involved in the parent-child contact (parent, child, or caregiver) or if any individuals in those persons' households feel they are a member of the population that is considered to be high-risk of serious health issues were they to contract COVID-19, and the parent disagrees with remote contact, Dr. James Metz will be consulted to verify this individual is in the high risk category. If the individual is verified as in the high-risk category, this statement by Dr. Metz will be included in the emergency motion to the court regarding the disagreement. DCF will immediately implement remote contact until the matter can be reviewed by the court.

Given the nature of the issue before the court (that some involved individuals may have or may be exposed to COVID-19), these hearings will allow for remote participation.

Conditions under which in-person contact will occur:

If, after review by the court, DCF is ordered to provide in-person parent-child contact, DCF will provide parent-child contact as guided by our Family Time Policy and grid. Please remember that staff are encouraged to involve kin, natural supports and foster parents in supporting family time per the guidance in the grid to the extent possible.

If an emergency motion for parent child contact is reviewed by the court, and in-person contact is ordered, staff involved in supporting the contact, parents, children and foster parents will be asked the two screening questions below prior to all parent-child contact:

1. Have you been in close contact with a person who has COVID-19?
2. Have you felt unwell with respiratory symptoms in the last few days? *Cough, high temperature, shortness of breath, difficulty breathing?*

If there is a new “yes” repeat the steps above. Significant care must be taken to ensure individuals in the high-risk category are not involved in situations where in-person parent-child contact is occurring. If such a situation is court ordered and districts are feeling stuck regarding how to address this issue consultation with operations is required.

If the following conditions exist:

- none of the individuals directly involved in parent-child contact (parent, child, or caregiver) have been in close contact with a person with COVID-19,
- none of the involved persons have felt unwell with respiratory symptoms in the past few days,
- none of the individuals directly involved in the parent-child contact (parent, child, or caregiver) or any individuals in those persons’ households feel they are a member of the population that is considered to be high-risk of serious health issues were they to contract COVID-19
- and the parents disagrees with remote contact

Then DCF will provide parent-child contact as guided by our Family Time Policy and grid. Please remember that staff are encouraged to involve kin, natural supports and foster parents in supporting family time per the guidance in the grid to the extent possible.

Priority #2 Return home cases in which reunification can safely occur:

All custody cases where the Family Services Supervisor has assessed that we are on-track to reunify within the next 3 months will be immediately reunified if it is safe to do so. Supervisors will bear in mind all community supports would likely be remote in making this determination. If in-person services are necessary for child safety, we will not reunify until it is safe to do so. If any party, including the juvenile through counsel, objects to immediate reunification in these cases, immediate reunification will not occur.