



State of Florida
Department of Children and Families

Ron DeSantis
Governor

Shevaun L. Harris
Secretary

DATE: February 14, 2022

TO: Regional Managing Directors
Sherriff Offices Conducting Child Protective Investigations
Community-Based Care Lead Agency CEOs

THROUGH:  Taylor Hatch, Deputy Secretary

FROM: Jessica Tharpe, Assistant Secretary for Child Welfare 
Sharron Washington, Assistant Secretary for Operations

SUBJECT: CFOP 170-7, Chapter 13, Discontinuation of a Safety Plan relating to parents whose rights have been terminated

PURPOSE: This memorandum advises of an update to CFOP 170-7, Chapter 13, Discontinuation of a Safety Plan. The update includes a new section 13-5 on information regarding a safety plan for parents whose rights have been terminated, and the child has not achieved a permanency goal under s.39.621 Florida Statutes, but remains in an identified placement with a licensed or unlicensed caregiver.

BACKGROUND: Upon the court's determination and finalization of termination of parental rights, the child welfare professional shall discontinue the current safety plan when the child meets the criteria of being "safe." The child welfare professional must document in the progress update sufficient information associated with the child's safety, and the identified danger threat that is no longer connected to the child and parent. The child welfare professional supervisor must review and approve all updates associated with the discontinuation of the safety plan.

ACTION REQUIRED: Please share this memorandum with all Child Protective Investigators, sheriff offices that conduct child protective investigations, Community-Based Care lead agencies, subcontracted providers, and other staff as appropriate.

CONTACT INFORMATION: If you have any questions or need clarification regarding this memorandum, please do not hesitate to contact Jessica Johnson, Statewide Out-of-Home Care Specialist, at Jessica.Johnson@myflfamilies.com or Vanessa Snoddy, Policy and Practice Manager for Case Management & Well-Being, at Vanessa.Snoddy@myflfamilies.com.

cc: Regional Family and Community Services Directors
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Mission: Work in Partnership with Local Communities to Protect the Vulnerable, Promote Strong and Economically Self-Sufficient Families, and Advance Personal and Family Recovery and Resiliency

Chapter 13

DISCONTINUE A SAFETY PLAN

13-1. Purpose. To provide standardized criteria used for the discontinuation of an agency-managed safety plan for families receiving case management supervision. Standardized criteria guard against safety plans being left in place when less intrusive actions are appropriate and, conversely, safeguard against a plan being terminated prematurely when the child remains unsafe.

13-2. Actions To Discontinue a Safety Plan.

a. A safety plan should be discontinued and a case should be closed when a determination has been made that the child is now safe based upon the following:

(1) The child's parent(s)/legal guardian(s) have substantially achieved all of the outcomes in the case plan pertaining to improved caregiver protective capacities and a safety plan is no longer necessary.

(2) A Progress Update has been completed that provides sufficient information and analysis that caregiver's protective capacities are adequate and danger threats have been eliminated or are being managed by the parent(s)/legal guardian(s).

(3) The child's parent(s)/legal guardian(s) have not achieved outcomes in a case plan, the relative/non-relative caregiver has a demonstrated history of protecting the child from the danger threats associated with the parent(s)/legal guardian(s) and either of the following have occurred:

(a) A relative or non-relative has obtained Temporary Custody pursuant to Chapter [751](#), F.S.

(b) The child has achieved a permanency goal under section [39.621](#), F.S., pursuant to dependency court proceedings.

b. In cases involving court supervision, there must be a Progress Update that provides the following:

(1) Include the basis for requesting discontinuation.

(2) Indicate the involvement of the parent(s), legal custodian, or legal guardian and the child, if appropriate, in making the decision about discontinuation.

(3) Verification of successful change in identified behaviors and enhanced protective capacities including written input and comments from service providers about the proposed termination of services/supervision.

c. In cases where other agencies or persons, such as the guardian ad litem or citizen review panels, are involved with the family, these agencies or individuals must be provided with written notification when supervision is to be terminated or such recommendation is to be made to the court. This written notification must be documented in the case record.

13-3. Discontinuing a Safety Plan for Children Placed Out-of-State.

a. Discontinuation of a safety plan in those cases where a Florida child has been legally placed into another state (the receiving state) pursuant to the Interstate Compact on the Placement of Children requires the following:

(1) The prior written concurrence of the receiving state Compact office before any action to terminate can be accomplished.

(2) The other state's written concurrence must be placed in the case record upon receipt and a copy attached to the appropriate report to the court.

(3) An approved Progress Update.

b. The unit supervisor will not approve a judicial case for closure until the court terminates supervision and a copy of the termination order is in the case record.

13-4. Discontinuing a Safety Plan for Family Unable to Locate.

a. When the case manager has been unable to locate the family using all available sources of information, a Progress Update is prepared which documents all efforts made to locate the family.

b. A written order from the court releasing the Department from further supervision must be received prior to terminating court-ordered supervision/services.

13-5. Discontinuing a Safety Plan for Children Whose Parents or Legal Guardian's Rights Have Been Terminated.

a. A safety plan should be discontinued when the courts have finalized a termination of parental rights and a determination has been made that the child is now safe.

b. There is no identified danger threat currently associated with the child.

13-6. Family with Unsafe Child(ren) Refuses to Participate in Safety and Case Planning.

a. A Supervisor Case Consultation must be conducted when a family is no longer willing to support a safety plan or to participate in a case plan. The purpose of the consultation is to help the case manager remain objective and analytical about case dynamics. The focus should be on the case manager's perceptions and behaviors, and role as a helper to facilitate family change.

(1) Help the case manager assess their level of engagement and potential ways to strengthen their efforts. The following issues should be discussed:

(a) Level of case manager's understanding and empathy with caregivers.

(b) Strategies to deal with resistance including coaching on interpersonal techniques. If the caregiver was openly hostile or rebellious, how did the case manager lower their authority and support self-determination?

(c) If the caregiver is apathetic and passively resistant to intervention, how did the case manager attempt to empower the caregiver?

(2) Help the case manager assess the current case plan for achieving change and potential ways to strengthen it. The following issues should be discussed:

(a) Is there agreement with the family as to child needs? Is there agreement with the caregiver as to what must change in order to meet the child's needs? If not, how could the child welfare professional revisit that discussion?

(b) Are case plan outcomes individualized and written using the caregiver's language? Are outcomes described in enough detail to provide benchmarks for change? Are the outcomes sequenced in a way to provide the caregiver with small, reasonable steps towards achieving success?

(c) What specific strategies are being used in the change process for this child and family? What are the suggestions of other team members for improving the change process?

(d) How well are resources matched to the strategies that are intended to meet needs and achieve planned outcomes?

(e) Are services that are being provided to child and family working well? If not, why not?

(f) Are other services necessary to protect the health and safety of the child or, when necessary, protect others from the child?

b. Are there any identified needs for changing service providers? If so, can a timely change be made?

c. A staffing with CLS, the primary child welfare professional responsible and the supervisor must be conducted when any of the following have occurred and the supervisor has conducted one or more consultations with the case manager to remedy the problem:

(1) CLS has determined that there is not legal sufficiency to file a petition.

(2) A petition has been filed and denied by the court.

d. During the staffing, participants will determine the following:

(1) The best options to re-engage the family.

(2) Determine whether there needs to be additional information gathering to improve an understanding of danger threats, when they are operating, and the analysis of caregiver protective capacities.

(3) Strategies and options to develop and implement an in-home safety plan.

13-7. Court Orders Case Closed Involving Unsafe Child.

a. The Supervisor will conduct a case consultation with the case manager to determine the most appropriate means for communication with the caregivers, family members, and team members as to the court's decision.

b. The child welfare professional will record all activities to communicate and implement the court's decision in FSFN.

13-8. Supervisor Consultation and Approval.

a. For discontinuation of a Present Danger Plan, the supervisor will review a completed Family Functioning Assessment-Investigation for sufficient information and analysis that caregiver protective capacities are adequate and danger threats have been eliminated or are being managed by the parent/legal guardian.

b. For discontinuation of a safety plan during on-going services, the supervisor will review the Progress Update that was completed to ensure it provides sufficient information and the analysis supports that caregiver protective capacities are adequate and danger threats have been eliminated or are being managed by the parent(s)/legal guardian(s).

13-9. FSFN Documentation.

a. Document the progress made toward alleviating danger by enhancing caregiver protective capacities, which resulted in an intervention and confirmed through a progress evaluation from the provider.

b. Document the Supervisor Consultation and approval.