

CHANGE NOTICE FOR MANUAL

DATE: August 1, 2017

MANUAL: CHILD WELFARE SERVICES MANUAL – SECTION 1201 – Child Placement Services; V – Out of Home Placement Services, CHAPTER X: The Juvenile Court and Child Welfare

CHANGE NO: 07-2017

TO: COUNTY DIRECTORS OF SOCIAL SERVICES

ATTENTION: CHILD WELFARE PROGRAM ADMINISTRATORS, MANAGERS, SUPERVISORS, & CHILD WELFARE SOCIAL WORKERS

RE: Rylan’s Law / CPS Observation

EFFECTIVE: June 21, 2017

I. BACKGROUND

North Carolina Session Law 2017-41, House Bill 630, Part X. Rylan’s Law/CPS Observation was approved on June 21, 2017, in which N.C.G.S. § 7B-903.1(c) was revised to read, “If a juvenile is removed from the home and placed in the custody or placement responsibility of a county department of social services, the director shall not allow unsupervised visitation with or return physical custody of the juvenile to the parent, guardian, custodian, or caretaker without a hearing at which the court finds that the juvenile will receive proper care and supervision in a safe home. Before a county department of social services may recommend return of physical custody of the juvenile to the parent, guardian, custodian, or caretaker from whom the juvenile was removed, a county department of social services shall first observe that parent, guardian, custodian, or caretaker with the juvenile for at least two visits that support a recommendation to return physical custody. Each observation visit shall consist of an observation of not less than one hour with the juvenile, and each observation visit shall be conducted at least seven days apart. A department of social services shall provide documentation of any observation visits that it conducts to the court for its consideration as to whether physical custody should be returned to the parent, guardian, custodian, or caretaker from whom the juvenile was removed.”

II. SPECIFIC CHANGES

Rylan’s law addresses parent/child visitation prior to physical custody being returned to the removal parent or caretaker. Specifically, county child welfare agencies must, prior to recommending to the court that the child be reunified with the parent or caretaker in which the child was removed, observe two visits between the parent/caretaker and the child. These visits must occur for no less than one hour each, and be conducted at least seven (7) days a part. It is also recommended that the two visits occur no more than thirty (30) days prior to the court hearing in which the agency recommends physical custody be returned to the parent/caretaker.

County child welfare agencies are required to provide written documentation to the court regarding the observations. This documentation can be provided as a separate document, or within the agency report to the court.

III. INSTRUCTIONS

The following policy manuals have been revised to include Rylan’s Law and requirements of county child welfare agencies: 1201 – Child Placement Services; V – Out of Home Placement Services, and CHAPTER X: The Juvenile Court and Child Welfare. The Visitation Section of the Model Court Report for Permanency Planning Hearings (DSS-5311) has also been revised to include information on the required visits prior to reunification.

OBSOLETE	USE
<p>NORTH CAROLINA DIVISION OF SOCIAL SERVICES</p> <p>CHILD WELFARE SERVICES MANUAL</p> <p>1201 – Child Placement Services; V – Out of Home Placement Services</p> <p>CHAPTER X: The Juvenile Court and Child Welfare</p> <p>MODEL COURT REPORT FOR PERMANENCY PLANNING HEARINGS – DSS-5311 (Rev. 09/2015)</p>	<p>NORTH CAROLINA DIVISION OF SOCIAL SERVICES</p> <p>CHILD WELFARE SERVICES MANUAL</p> <p>1201 – Child Placement Services; V – Out of Home Placement Services</p> <p>CHAPTER X: The Juvenile Court and Child Welfare</p> <p>MODEL COURT REPORT FOR PERMANENCY PLANNING HEARINGS – DSS-5311 (Rev. 08/2017)</p>

Sincerely,



Wayne E. Black
Senior Director for Social Services
and County Operations