

Critical Decisions

A simple guide for parents, foster parents, and caregivers

THE MAIN IDEA

A critical decision is a big choice about a child or family. The worker gathers facts. A supervisor reviews the facts and approves the decision.

Your Questions, Answered

What is a critical decision?

It is an important decision that can impact a child's safety, home, visits, services, or case plan. These decisions must be reviewed by a supervisor.

Who makes the decision?

The worker gathers facts and talks with the supervisor. The supervisor may ask for more facts. The supervisor makes or approves the decision based on the child's needs and the information in the case.

What big choices may come up when a child lives at home?

DCFS may need to decide:

- Is the child safe?
- Does the family need a safety plan?
- Can a safety plan end?
- Can worker visits happen less than once each week?
- Can services keep the child safely at home, or should DCFS ask the court to remove the child?
- Should a parent ask probate court to give guardianship to another trusted caregiver?
- Can the family's DCFS case close?

What big choices may come up when a child is in foster or relative care?

DCFS may need to decide:

- Is the child safe? Is a safety plan needed?
- Where should the child live? Should the placement change?
- Can the child return home?
- Should brothers and sisters live together or visit each other?
- How often will parents or siblings visit? How long will visits last? Must an adult watch the visits? Who should supervise visits?
- Can DCFS share a foster parent's or relative caregiver's contact information with the child's parents or siblings?

- What long-term goal should DCFS ask the court to approve?
- Should DCFS ask the court to end parental rights and seek another permanent home?
- Is an older youth ready to live partly or fully on their own?
- Should DCFS ask the juvenile court to give parental rights back?

Will I be told about the decision?

Yes. The worker should explain the choice and why it was made. This may happen in person or by phone. The worker should also give or mail you a written form called the CFS 151, Notice of Decision.

IMPORTANT: Read the CFS 151 right away. It tells you what DCFS decided and how to ask for a review.

When will I get the written notice?

In most cases, the worker must hand you or mail you the CFS 151 within 48 hours after telling you about the decision. The notice should reach you at least 10 days before the change starts. The child's guardian ad litem (GAL) should also get a copy.

What if the worker cannot reach a parent?

If the worker tries two times and cannot reach the parent, DCFS may put the decision in place without first speaking with the parent. DCFS must still send the written notice.

What if DCFS believes a child is in danger right now?

DCFS may act right away when it believes there is an immediate risk of harm. The worker should try to explain the choice no later than the day DCFS acts. The worker should mail the CFS 151 within 48 hours. The form should say why more notice was not given.

Can I ask questions about the decision?

Yes. Ask the worker to explain what was decided, why it was decided, and what happens next. You may also ask the supervisor to review and explain the decision at the next Child and Family Team Meeting (CFTM).

What if I do not agree?

The CFS 151 should tell you how to appeal. An appeal is a request for DCFS to review the decision. Act quickly. If you appeal within 10 days of the date on the notice, DCFS must decide if waiting would put a child or someone else in immediate danger.

- If there is no immediate danger, services may stay at the same level while the appeal is reviewed.
- If there is immediate danger, DCFS may make the change right away.

What can I do now?

- Keep every letter, form, text, and email about the decision.

- Write down the date you were told and the date you got the CFS 151.
- Ask: What facts were used? What can I do next?
- If you want to appeal, follow the steps on the CFS 151 right away.
- Talk with your lawyer if you have legal questions.

Words You May Hear

Safety plan: A short-term plan used when DCFS believes a child may not be safe.

Placement: The home or setting where a child lives while away from a parent.

Permanency goal: The long-term plan for where a child will grow up.

GAL: Guardian ad litem. A lawyer appointed by the court to speak for the child's best interests.

CFTM: Child and Family Team Meeting. A meeting where the family and team talk about needs, strengths, safety, and next steps.

Appeal: A request for a decision to be reviewed.

Where can I learn more?

Ask your worker or supervisor for the rule that fits your case. DCFS procedures listed in the original handout include:

- Investigations: Procedure 300.70(b)(5)
- Intact Family Services: Procedure 302.388(f)(3)
- Permanency: Procedures 315.45 and 315.335
- Appeals: Procedure 337.20

This guide gives general information. It is not legal advice. Rules and case details can change what happens. Ask your worker, supervisor, or lawyer about your own case.