

**Timing of Services to Parents:  
Consequences for Federal Timelines**

**Marna Geyer Miller, Ph.D.**

**February 2004**



*Washington State  
Institute for  
Public Policy*



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## **Washington State Institute for Public Policy**

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# WASHINGTON STATE INSTITUTE FOR PUBLIC POLICY

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## TIMING OF SERVICES TO PARENTS

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Under the federal Adoption and Safe Families Act, when a child has been in out-of-home care for 15 of the previous 22 months, the state must begin proceedings to terminate parental rights. The law assumes that during the period of out-of-home placements, the state will provide services to help the parent make the changes necessary to provide a safe family home for the child.

For some families, it may be a challenge to correct home conditions within the federal timelines: evaluations are sometimes needed prior to service, services may be available only with a waiting list, and the course of service or treatment may require considerable time.

This report was initially presented to the Dependency and Termination Equal Justice Committee (DTEJC)<sup>1</sup> to provide a visual picture of some of the timing issues involved in dependency cases. The information was obtained from surveys conducted in 2002 on behalf of the DTEJC by the Office of Public Defense and the Washington State Institute for Public Policy (Institute). Questionnaires were sent to service providers, evaluators, social work supervisors, and the courts in the spring and summer of 2002.<sup>2</sup> The survey data provide a unique opportunity to examine the following questions:

- When are services offered by the Department of Social and Health Services (DSHS) or ordered by the court?
- How long must parents wait for services?
- How long do services or treatments last?

### What the Surveys Tell Us

Social workers at DSHS frequently offer services to parents even before a dependency petition is filed. The courts report, however, that they are most likely to order services at the disposition hearing or later.

The exhibits show a simplified timeline for court proceedings in dependency cases. The exhibits also indicate estimates of waiting periods and service/treatment duration for selected services, derived from the surveys of evaluators and providers. They do NOT include provider estimates of the time it takes parents to contact the providers after a referral from DSHS.

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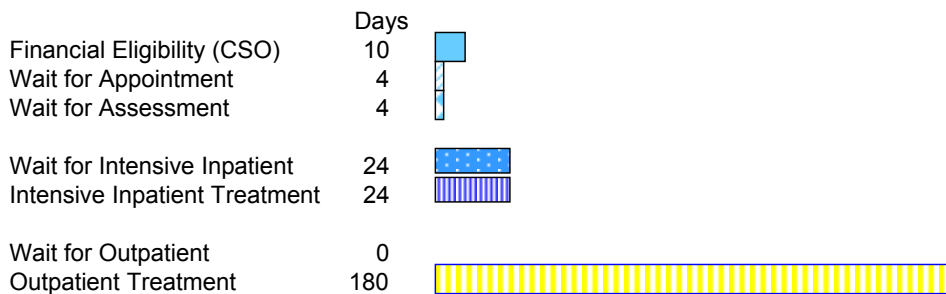
<sup>1</sup> The Dependency and Termination Equal Justice Committee was created by the Office of Public Defense, at legislative direction, to: (1) develop criteria for a statewide program to improve dependency and termination defense, (2) examine caseload impacts to the courts resulting from improved court practices, and (3) identify methods for the efficient use of expert services and means by which parents may effectively access services.

<sup>2</sup> Summaries of these surveys can be found on the Institute's website: [www.wsipp.wa.gov](http://www.wsipp.wa.gov).

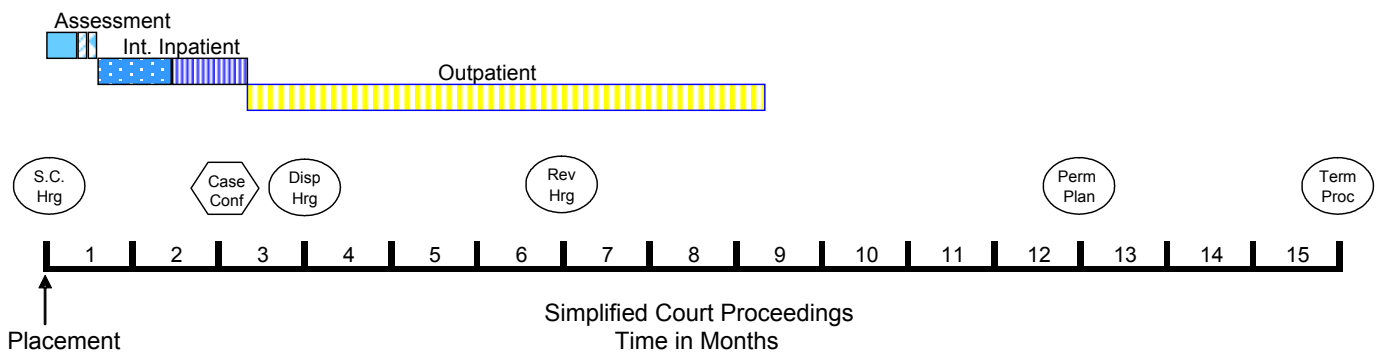
Thus, times displayed are what might be expected for the parent who does not delay in contacting the provider. These exhibits illustrate the timing consequences of a delay in the ordering of services.

Exhibit 1 indicates the median reported times for a hypothetical parent requiring inpatient treatment followed by outpatient treatment. (The median time is the midpoint in the range of reported times, half of providers indicated at least as long a time.) Chemical dependency treatment for parents is frequently funded by the Alcohol and Drug Addiction Treatment Support Act (ADATSA). Access to treatment first requires a determination of financial eligibility, followed by an assessment of the need for chemical dependency treatment. A parent encountering the median times will take eight months to complete treatment. If treatment is begun at the shelter care hearing, the parent will have nearly completed treatment by the first review hearing and be finished three months before the 12-month permanency planning hearing (the second review).

**Exhibit 1**  
**Estimated Median Times for ADATSA Treatment**  
**For Parent Beginning Treatment at Shelter Care Hearing**



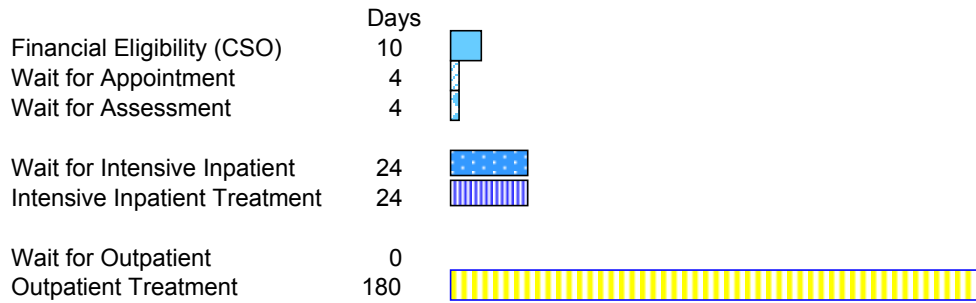
**Scenario: A parent requiring chemical dependency treatment and where the treatment is ordered at the shelter care hearing**



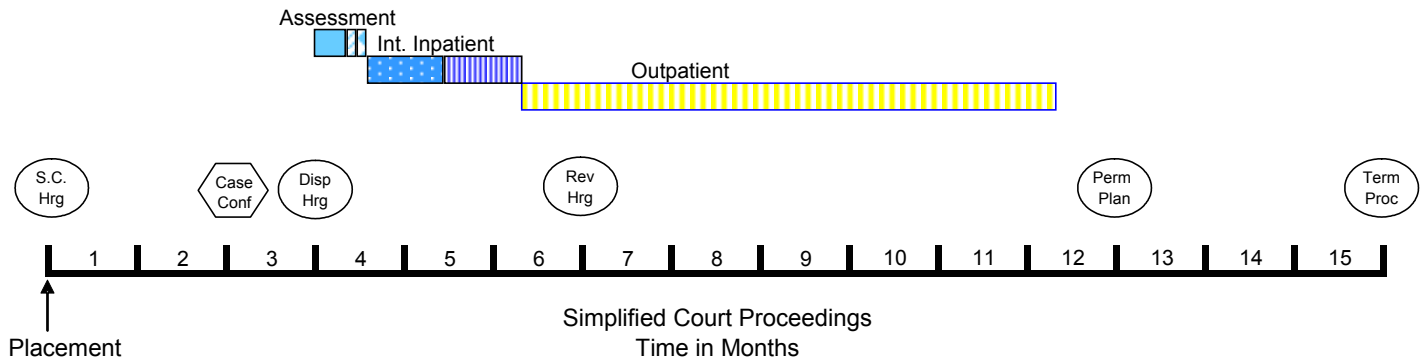


If the same parent does not begin the treatment process until the disposition hearing, he or she will complete treatment about the time of permanency planning (see Exhibit 2).

**Exhibit 2**  
**Estimated Median Times for ADATSA Treatment**  
**For Parent Beginning Treatment at Disposition Hearing**

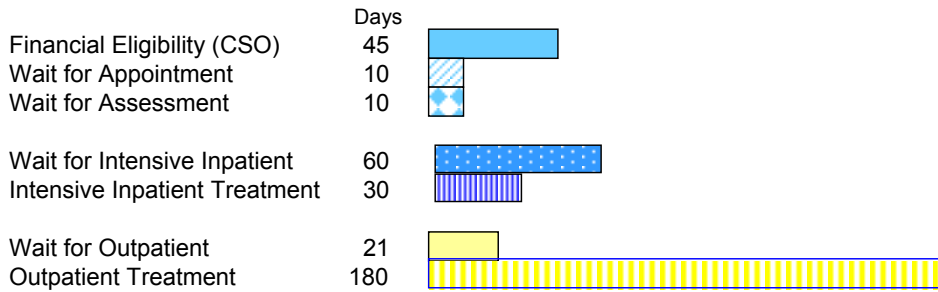


**Scenario: A parent requiring chemical dependency treatment and where the treatment is ordered at the disposition hearing**



A compliant parent running up against the longest reported wait and treatment times might easily take 12 months from referral to completion of chemical dependency treatment. If treatment is ordered at the shelter care hearing, there is time for the court to evaluate parental fitness at permanency planning. If the court waits until the disposition hearing to order these services, even if the parent is completely compliant, the parent will still be in treatment at the time of the permanency planning hearing and might not complete treatment until the 15-month time limit is reached (see Exhibit 3).

**Exhibit 3**  
**Estimated Maximum Times for ADATSA Treatment**



**Scenario: A parent requiring chemical dependency treatment and treatment is ordered at disposition**

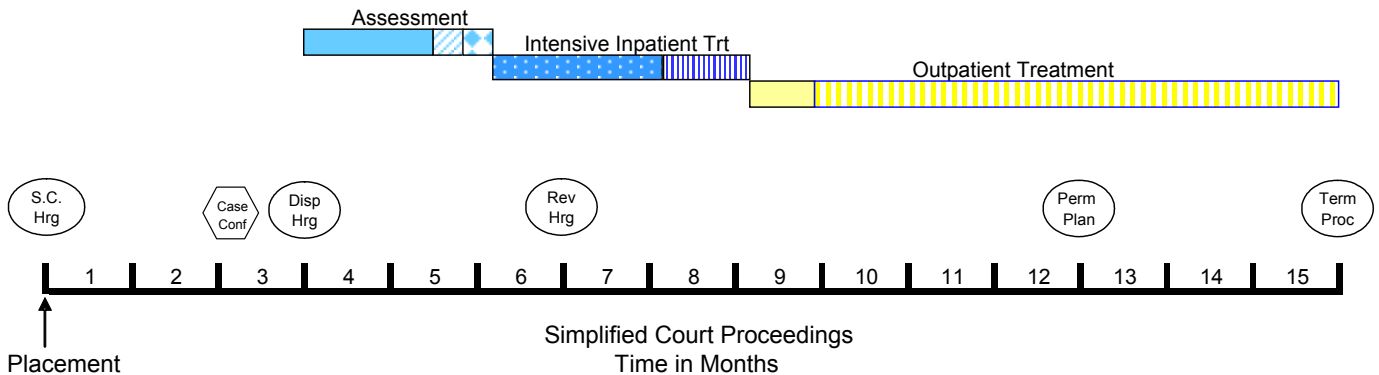
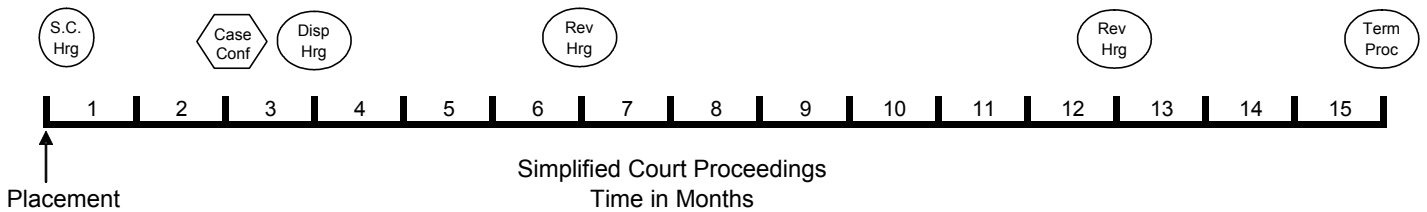
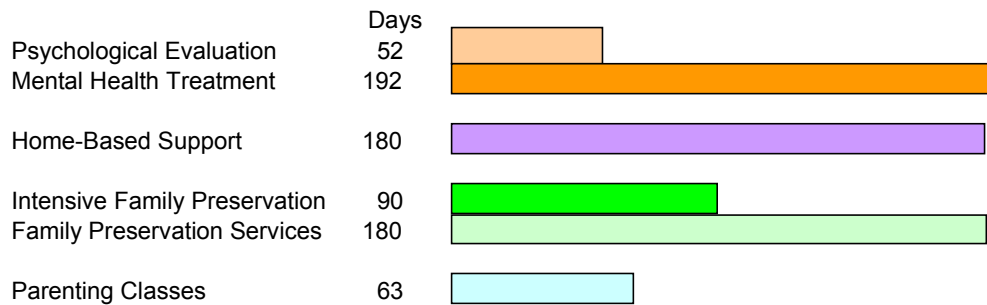


Exhibit 4 illustrates the median times required to complete several additional types of services commonly required in dependency cases. The times do not include any wait for services. Exhibit 4 can be used to create additional scenarios.

**Exhibit 4**  
**Estimated Median Times for Other Services**



## Key Findings

- Under the federal Adoption and Safe Families Act, when a child has been in out-of-home care for 15 of the previous 22 months, the state must begin proceedings to terminate parental rights. Thus, the state and the parents have 15 months to make changes necessary to provide a safe family home for the child.
- Depending upon the nature of a family’s problems, correcting the difficulties may require a year or more of services.
- Delay in ordering services runs the risk of exceeding federal timelines and lengthens the time until children are in a permanent home.