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DEPARTMENT OF
HEALTH AND HUMAN SERVICES
Division of Child and Family Services
Helping people. It's who we are and what we do.



Ross Armstrong
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MTL # 0804 – 08172021
08/17/2021

TO: Timothy Burch, Administrator – Clark County Department of Family Services
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FROM: Kathryn Roose, Deputy Administrator, Division of Child and Family Services

POLICY DISTRIBUTION

Enclosed find the following policy for distribution to all applicable staff within your organization:

This policy is/was effective: 08/17/2021

- This policy is new. Please review the policy in its entirety
- This policy replaces the following policy(s): MTL # _____ - _____ Policy Name: _____
- This policy has been revised. Please see below for the type of revision:
- This is a significant policy revision. Please review this policy in its entirety.
 - This is a minor policy revision: (List page number & summary of change):
 - A policy form has been revised: (List form, page number and summary of change):

NOTE:

- Please read the policy in its entirety and note any areas that are additionally required by your agency to be in compliance with the policy enclosed.
- This is an **ALL STAFF MEMO** and it is the responsibility of the person listed above to disseminate the policy enclosed to appropriate staff within his/her organization and to ensure compliance.
- The most current version of this policy is posted on the DCFS Website at the following address:
<http://dcfs.nv.gov/Policies> Please check the table of contents on this page for the link to the chapter you are interested in.

0804 Pregnant and Parenting Youth

Policy Approval Clearance Record

<input checked="" type="checkbox"/> Statewide Policy	<input checked="" type="checkbox"/> New Policy
<input type="checkbox"/> Administrative Policy	<input type="checkbox"/> Modified Policy
<input type="checkbox"/> DCFS Rural Region Policy	<input type="checkbox"/> This policy supersedes:
Date Policy Effective:	08/17/2021
Attorney General Representative Review:	02/12/2021
DCFS Deputy Administrator Approval	08/17/2021
DMG Original Approval	N/A
DMG Approved Revisions	N/A

STATEMENT OF PURPOSE

Policy Statement and Purpose:

Child Welfare Agencies seeks to maintain the continuity of a minor parent family unit by ensuring minor parents and their children are placed together in the most family-like setting possible, unless it has been determined that placement together poses a risk to the child. Every attempt must be made to locate caregivers or other placement options willing to provide whole family placement and supportive, family-focused care for the minor parent and their child.

The purpose of this policy is to provide clarity for all programs regarding Agency response to children of minor parents already receiving child welfare services. A minor parent and their child must not be considered at risk of abuse or neglect solely based on information concerning the minor parent's placement history, past behaviors, health or mental health diagnoses occurring prior to the pregnancy, although this information may be taken into account when considering whether other factors exist that place the child at risk of abuse or neglect.

AUTHORITY

Federal: [TITLE IX; TITLE VI-E Section 475\(4\)\(B\) of the Act, Family First Prevention Services Act; 42 U.S. Code § 608](#)

NRS: [NRS 432B; NRS 442; NRS 127.080\(3\); NRS 432B.410-590; NRS 432B.490; NRS 432B.340; NRS 200.364; NRS 200.368](#)

NAC: [NAC 442](#)

DEFINITIONS

Agency which Provides Child Welfare Services: A county whose population is less than 100,000, the agency is a local office of the Division of Child and Family Services; or in a county whose population is 100,000 or more, the agency of the county, which provides or arranges for necessary child welfare services. May also be referred to as "Agency" or Child Welfare Agency".

Child: An individual who has not attained 18 years of age, or if in school, until graduation from high school.

Constructive Removal (paper removal): This occurs when a child is **not physically removed** from the home and the agency gains legal custody of the child. In this situation, the legal custody is removed from the **parent(s)** or other legal guardian, but the child remains in the home of a parent or guardian, so a physical removal has not occurred. The child can maintain living in the home due to another appropriate relative who resides in the home having placement of the child.

Shared Responsibility Plan (SRP): A collaborative written plan with clear and realistic guidelines for both the minor parent in foster care and the adult caregiver that defines each of their roles and responsibilities to the care of the minor parent's child.

State: An alternate word for the Division of Child and Family Services (DCFS) or Family Programs Office (FPO).

Minor Parent: A person under age 18 who is not emancipated and is either the parent of a dependent child or is pregnant.

STANDARDS/PROCEDURES

Legal Rights and Responsibilities of a Minor Parent in Foster Care: A minor parent has most of the same rights and responsibilities as an adult parent. All parents, even when they are under age eighteen (18), have a constitutional right to the care, custody, and control of their children and the right to make important legal decisions about their children, such as religion, school, medical care, etc.

1. The United States Supreme Court has concluded that the interests of parents in their relationship with children are fundamental and protected by the Fourteenth Amendment. Nevada has created a statutory guarantee for youth to be appointed counsel, and receive other procedural protections, at every stage of proceedings where abuse or neglect of a child is alleged. At all stages of proceedings that interfere with the weighty and important right to family integrity, “fundamentally fair” procedures must be in place. See 42 U.S.C. § 675(5)(c) (2000) (articulating procedural safeguards for permanency hearings for foster children); Santosky, 455 U.S. at 753-54 (providing that any state challenge to parental custody rights must be accompanied by “fundamentally fair procedures”).
2. The obligation to provide for the child and protect the rights of the child is incumbent in the fundamental right to parental custody and control, including the preservation of the child's freedom from serious physical harm, illness, or death, and the child's right to an education. Parents are responsible for meeting the basic needs of their children, such as providing for their child financially and ensuring their child receives appropriate medical care and the education to which the child is entitled.
3. **Potential Criminal Ramifications:** For a minor parent who is involved with an agency providing child welfare services, the circumstances must be assessed to determine if the minor parent was a victim of sexual abuse resulting in pregnancy. If a person is more than four years older than the minor parent or is age twenty-one (21) or older when the minor parent is fifteen (15) years of age or under, that person may have committed either a misdemeanor or a felony ([NRS 200.364](#) and [NRS 200.368](#)). An immediate referral to law enforcement must be made by the child welfare agency.
 - a. Under Nevada's laws, people under the age of eighteen (18) who engage in consensual sex with those close in age cannot be convicted of statutory rape, and if the defendant is under the age of twenty-one (21), the crime is a misdemeanor. A referral to local law enforcement must be made if appropriate.

Rights, Responsibilities, and Needs of Minor Parents

1. Minor parents are a unique population, as they do not have legal responsibilities for themselves, yet they still have parental rights and responsibility regarding their own child that must not be violated. The child welfare agency must consider limits and the rights of minor parents. Many of the age-based barriers on the rights of minors have a direct effect on a minor parent's ability to parent and provide proper care for their children. When an assessment is required to determine safety of a minor parent and/or their child the caseworker will consider the age-based barriers, abilities, and willingness to parent. The following are some examples of:
 - a. **Access to Health Care:** A pregnant minor has distinct health care needs. Most medical treatment of minors requires the consent of their parents; therefore, a minor cannot receive routine medical care on their own, and they are not able to refuse treatment that their doctors and parents conclude is necessary. However, a pregnant minor can seek prenatal care independently and would need to provide consent to release the medical information to their parent, guardian, and/or acting guardian. Court intervention may be necessary to ensure the overall well-being of the pregnant minor upon any refusal to grant the child welfare agency access to their medical records. The child may need help accessing prenatal care or family planning services or may need mental health services to adjust to the impending birth.
 - b. **Access to Abortion:** [NRS Chapter 442](#) provides guidance on abortions and a child's access to funds as this can be an obstacle. In 1976, just three years after *Roe v. Wade*, Congress passed the Hyde Amendment, which banned the use of federal Medicaid funds for abortion. Since May 1, 2018, the state of Nevada can use public funding for abortions involving cases of life endangerment, rape, or incest.
 - c. **Psychotropic Medications:** If the minor parent is on psychotropic medication, the medication risk

and benefits to both the minor parent and child should be considered. Should it be recommended that a medication be discontinued, a new plan or temporary plan to assist with the minor parent's behavior may need to be developed. Refer to policy [209 Psychiatric Care and Treatment](#) for additional information on psychotropic medications.

- d. **Access to Public Benefits:** Minor parents often have difficulty securing access to the public benefits to which they are entitled because of the complexity of the rules and the bureaucratic processes that are required to maintain eligibility. This lack of access to benefits impacts their ability to support their children. The Personal Responsibility and Work Opportunity Reconciliation Act ([P.L. 104-193](#)), commonly known as welfare "reform," placed limits on a pregnant mother's eligibility for welfare benefits. The current law requires mothers under the age of eighteen (18) to live with their parents and to remain in high school or an equivalent training program (if not yet graduated) in order to obtain welfare. The child welfare agency must ensure that minor parents can access the benefits to which they are entitled and address the potential barriers to eligibility such as a lack of transportation, necessary documentation, lack of job, or education requirements. Even if a minor parent is not eligible for cash assistance, programs such as health insurance, food stamps, WIC, and subsidized day care can assist the minor parent in providing appropriately for their child.
- i. **TANF** – If a minor parent is in a paid foster care setting, they are not eligible to receive TANF as the child welfare agency provides foster care maintenance payments that would include the support of the minor parent's child. Once the minor parent reaches the age of majority, then TANF would be applicable, and the child welfare agency would assist in completing the application. If a minor parent is on an Independent Living Agreement (ILA) the payment will count as income and may disqualify the minor parent.
 - ii. **Child Support** – A minor parent is eligible to seek assistance for establishment and enforcement of a child support obligation which may require the assistance as a minor cannot initiate legal proceedings. If a minor parent does not initiate child support, they can still claim back child support for up to 4 years. Non-custodial parents in child welfare custody should be made aware of this information.
 - iii. **Women, Infant, Children (WIC)** – A minor parent is eligible to apply for WIC regardless of placement setting. The child welfare worker should assist in completing the application.
 - iv. **Medicaid** – A child welfare worker will assist the minor parent in securing appropriate Medicaid coverage for minor parent's child. The minor parent may need to apply for Medicaid separately for their child, if over the age of one (1), if the child welfare agency does not have custody of the minor parent's child. Medicaid will require an agreement that child support will be pursued. The child welfare worker will work with DWSS to assist the minor parent.

Note: The same limitations on access to TANF and/or Medicaid for minor parents do not apply to Food Stamps, and Women Infants and Children (WIC), and many otherwise eligible minor parents assume they are not eligible for these government programs; therefore, they do not attempt to apply for access to public benefits.

- e. **Public Benefits and Exemptions:** The child welfare agency will provide information to support the welfare worker and help determine eligibility and exemptions. An unmarried minor parent must live with a birth or adoptive parent, other adult relative, or in an adult-supervised supportive living arrangement, unless they meet one of the good cause exemptions set by the state. The minor parent has the right to know when and if an exemption applies and the minor parent should refer to DWSS for guidance.
- f. **The Court System and Right to Counsel:** A minor parent may be seen as an unfit parent, or their parental rights may be dismissed simply because of their age and foster care circumstances. In abuse and neglect proceedings, children are appointed an attorney, and in some cases guardian ad litem (GAL) or CASA on their behalf. When the child being represented is also a minor parent, those appointed for the minor parent must be careful to protect all the minor parent's rights and interests, and advocate for services that will best support the minor in parenting their child. The caseworker will work with the minor parent's attorney to seek court intervention if it is in the best interest of the minor parent.
- i. In circumstances where a minor parent does not have an attorney, the caseworker will remain supportive and encourage the minor parent to seek resources and counseling regarding their options and remain available for referrals until case closure or the

- assessment completion.
- ii. All parents, including minor parents must be informed of their right to seek custody, partial custody, or visitation of their children. As minors are not able to file a petition with the court on their own behalf it is often difficult for them to enforce these rights unless emancipated; however, emancipation is not encouraged. As the child welfare agency does not provide legal advice, the minor parent should seek legal advice regarding custody, visitation, child support, establishing paternity and updating the birth certificate with their attorney.
 - iii. A minor parent may decide to place their child for adoption privately through a licensed child placing agency. The minor parent can make this decision and complete a consent of adoption without the representation of an attorney or approval of a parent or guardian. A minor parent may execute a relinquishment for adoption and cannot revoke it upon coming of age ([NRS 127.080](#)).
 - iv. If a minor involved in the foster care system becomes a minor parent and is alleged to have maltreated their child, it is important that their GAL/CASA only represent the best interest of the minor parent. When GAL attempts to represent a youth in a dual role as a minor in custody and as a parent, the GAL may have knowledge of the minor parent's mistakes or limitations which could be used against them, which could create a conflict of interest. The minor parent is entitled to zealous advocacy on their behalf by their attorney, unobstructed by the opinion of their CASA/GAL. If the minor parent's child needs representation, an attorney, guardian ad litem, or CASA can be appointed to represent the child's best interest.
- g. **Right to Education:** A minor parent still retains their right to an education through the public school system under Title IX. The child welfare agency must safeguard the educational rights of the minor parent. Minor parents often are unable to complete traditional high school settings or pursue postsecondary education. The child welfare agency must provide appropriate interventions through the case plan and/or Independent Living Transition Plan (ILTP) to support the minor parent's pursuit of education and support them with services to assist the attainment of their educational goals.
- i. The minor parent must be encouraged and allowed the opportunity to attend school, complete homework, and participate in age and developmentally appropriate activities unrelated to and separate from parenting.
- h. **Access to Housing:** The child welfare agency must take special consideration of the age-based distinctions that prevent a minor parent from exercising their parental rights and meeting their parental obligations. Securing safe and appropriate housing can be a challenge for minor parents. Living with their own parents may not be an option, and lack of funds along with the inability to sign a lease may prevent them from securing housing on their own. The child welfare agency must support a minor child in securing safe housing with their child, and this should be addressed in the minor parent's Independent Living (IL) Agreement (refer to [801 Independent Living Policy](#)).
- i. To access Title IV-E, the minor parent must be in the least restrictive, most family-like placement, should have a permanency goal that favors reunification, should receive all services that meet his/her needs, and reviewed every six months, just as any youth in foster care. Under the Title IV-E prevention activities, funds can be used for in-home parent skill-based programs, mental health services, and substance abuse prevention and treatment services to prevent the placement of children and youth into the foster care system. These funds can be used in the capacity for twelve (12) months for foster youth who are pregnant or parenting.
- i. **Services and Requirements:** Minor parents and their children living in foster care must be provided access to existing services for which they may be eligible that are specifically targeted at supporting, maintaining, and developing both the parent-child bond and the minor parent's ability to enhance parenting skills and to provide a permanent and safe home for the child.
- i. Every youth fourteen (14) years old and older is entitled to Independent Living (IL) Services and an Independent Living Transitional Plan (ILTP), which should be incorporated into the child welfare agency case plan. It is important that the ILTP encompasses services which will support the minor parent in caring for their child independently and meet their obligations as a parent. Refer to the [0801 Independent Living Policy](#) for further directives.

Note: Under the Families First Prevention Services act the pregnant and/or parenting youth may access additional Title IV-E services. The agency eligibility worker should be consulted.

Considerations for minor parents in the Juvenile Justice System:

1. A minor parent involved in the delinquency system still retains his/her parental rights. If a minor parent is adjudicated as a delinquent, the minor parent's parental rights must be respected and considered. An adjudication of delinquency does not mean that the minor parent's child does not automatically become a dependent of the state.
2. The child welfare agency and juvenile justice, should collectively, whenever possible, develop a disposition that allows the adjudicated minor parent to continue to parent their child.
3. If the minor parent is held in a secure facility prior to adjudication or after adjudication, the child welfare agency and juvenile justice system should collectively make provisions to ensure that the minor parent can participate in decisions about the care and custody of his/her child.
 - a. The minor parent should be informed they have rights as a parent and have the opportunity to speak with their attorney to exercise his/her right to transfer custody or guardianship to a relative or other caregiver, depending on how long the minor parent will be held.
 - b. The minor parent should also be allowed to have visitation with their child as frequently as possible.

Determining the appropriate Agency response: The child welfare agency does not have the authority to exercise control over the child without taking protective or legal custody. The child of a minor parent in foster care is not automatically dependent. When there are multiple caseworkers for minor parents and/or their child(ren), the child welfare agency will make concerted efforts to collaborate case plans and protect the family integrity as well as respect the parental rights of the minor children.

1. **Assessments and Evaluations:** Upon notification that a minor has become pregnant, or a child has been born, and the minor parent is currently in the custody of a child welfare agency or currently receiving ongoing services, the child welfare agency must complete the following and can use the support of an IL caseworker;
 - a. Formally or informally assess the minor parent's needs and their ability to care for the child:
 - i. Does the minor parent have behaviors that may impact effective and safe parental functioning because of substance abuse, sexual offending, assaultive behavior or mental health?
 - ii. What is the minor parent's plan for parenting?
 - iii. Does the minor parent have the skills necessary for parenting?
 - iv. Does the minor parent have the protective capacity to safely parent the child?
 - v. Are there concerns that require an Intake Report to be made?
 - vi. Is the minor parent enrolled in any parenting classes to better prepare?
 - vii. Who does the minor parent identify as support people?
 - viii. Is the minor parent's child at risk of removal?
 - ix. Are there any other identified needs?
 - b. Document in UNITY any information gathered through the assessment. This informal assessment must be completed within an appropriate timeframe that will allow successful intervention if such intervention is necessary; and must be documented in UNITY case notes within five (5) days.
 - c. The child welfare agency must reassess the situation if the circumstances change and the child welfare agency is concerned for the safety of the minor parent and/or the minor parent's child. If necessary, update the minor parent's case plan to include support services.

2. Assessment Findings

There are no safety concerns identified for the minor parent's child:

- a. Consider the appropriateness of the minor parent's current placement and discuss the benefits of a Shared Responsibility Plan (SRP) with the minor parent and caregiver.
- b. The caseworker should consider the attitude of the minor parent's caregiver towards the child and their ability and willingness to provide assistance to the minor parent.
- c. Assist the minor parent and the caregiver in addressing the minor parent's educational and childcare needs.
- d. Refer the minor parent and the caregiver to community resources. A parent or adult relative caring for an unmarried minor parent may be eligible to receive assistance.

- e. Prior to documenting any health information about the minor parent's child who is not in legal custody, the child welfare agency must complete the following:
 - i. Consult the minor parent's attorney to obtain the minor parent's permission and have the minor parent sign relevant consent forms. If the minor parent refuses to provide consent, the caseworker should make concerted efforts to collaborate with the minor parent's attorney and/or team to educate the minor parent and involve them in the process of providing consent for release.
 - ii. If the agency has legal custody of the minor parent, the agency can provide consent on behalf of the minor parent. Examples would include the minor parent refuses to provide consent in an emergency, or if a minor parent continually refuses to cooperate, additional legal action may be sought including reviewing the matter during a court hearing.
 - iii. Non-emergency procedures (such as circumcisions) and immunizations schedule should be discussed on a case-by-case basis.

There are safety concerns identified for the minor parent's child: If the assessment indicates that the minor's child is unsafe due to an identified threat or the parent's protective capacity is diminished in a way that will harm the child.

- a. A Child Abuse and Neglect report must be made to the child welfare agency. The agency should then follow the [0506 Intake Policy](#), and [0508 NIA Policy](#) for further information.
 - b. The child welfare agency must follow [NRS 423B](#) in investigating and determining the safety of the child and whether the child is, or may be, in need of protection. If the child is determined to be in need of protection, the agency must follow standard procedures ([NRS 432B.410-590](#)) to place the child into the custody of the Child Welfare Agency, refer to [1006 Out of Home Placement](#) policy for further information.
 - c. The child welfare agency must make reasonable efforts to provide services to the family to prevent the removal of the minor parent's child and prevent entry into foster care.
 - d. The child welfare agency may determine safety-related services cannot be offered due to the safety issues warranting immediate removal of the child.
 - e. If a safety plan is required, the child welfare agency must develop and monitor an appropriate safety plan that ensure the child's safety.
 - f. If removal is necessary, the child welfare agency must follow their policies and/or court protocols; consult with the agency attorney as appropriate. Failure to enter a voluntary in-home safety plan alone is not enough cause to detain the child.
3. **Removal Guidance:** A minor parent in protective custody will continue to actively participate in their [NRS 432B](#) court proceedings. Furthermore, the minor parent's child has no court involvement unless the court finds the child is in need of protection from the minor parent.
- a. If the minor parent's child has been placed in the legal custody of the child welfare agency, the minor parent's child will be a participant of their own 432B court proceeding, including a legal in-home case.
 - b. If the minor parent qualifies for a constructive removal this could be a potential placement for the minor parent's child if legal removal is necessary. To qualify the minor parent must be living with an appropriate parent/guardian for a period of six (6) months or less prior to legal removal or voluntary placement (for further guidance refer to [Title Iv-E Foster Care Eligibility Review Guide](#)). For additional eligibility requirements contact agency eligibility.
 - c. The child welfare agency will file a petition pursuant to [NRS 432B.490](#), if the child in need of protection. The agency must either request that the child be removed from the custody of the minor parent(s), or the child can remain in the home with supervision from the agency and Court ([NRS 432B.340](#)).
 - i. Both parents need to be listed on the petition regardless of their age.
 - ii. Failure to petition against a minor parent can potentially delay permanency for the minor parent's child.
4. **Placement:** Minor parents in foster care retain the same rights to custody and visitation as other parents and must be placed with their child whenever possible. Caseworkers must assess the appropriateness of the current placement and if necessary, adjust the placement to address the needs of the minor parent. This may include selecting a new foster care placement which demonstrates a willingness and ability to provide support and assistance to the minor parent and their child. If the child is not able to be placed with the minor parent, consideration will be given to a placement that can

accommodate a very high frequency of contact between the minor parent and their child. When seeking an appropriate placement for the child of a minor parent, the caseworker will consider:

- a. Living arrangements where the minor parent and the child can remain in the same home.
- b. Living arrangements where the minor parent can learn parenting skills and independent living skills.
- c. Living arrangements where the adult caregiver is open to a Shared Responsibility Plan (SRP) as defined below.

Note: Under federal law, foster care maintenance payments can be made on behalf of the child to allow the child to be placed with the minor parent without adjudicating the child for up to a year. Agency eligibility worker should be consulted as certain criteria must be met.

Caseworker Responsibilities Involving the Non-Custodial Parent:

1. Locating a Non-Custodial Parent:

- a. If the minor parent's child is at risk of removal:
 - i. Discuss with the custodial parent the demographics of the non-custodial parent (name, age, address, telephone number, etc.).
 - ii. Discuss the custodial parent's thoughts and feelings about potential placement of the child with the non-custodial parent.
 - iii. When provided this information, the agency will contact the non-custodial parent by telephone, letter, or face-to-face in order to determine their willingness to be involved with the child.
 - iv. When information is missing to identify the non-custodial parent, the agency will follow the diligent search protocol and perform concerted efforts to locate the non-custodial parent through contacts with relatives, friends, databases, and any other resources the agency identifies as appropriate.
 - v. If the non-custodial parent is under the care and control of the child welfare agency, contact the youth's caseworker and request that they make a face-to-face contact with the youth to determine their willingness and suitability to be involved with the child.
- b. If the minor parent's child is not at risk of removal:
 - i. Inform the minor parent on the resources/services available to them, such as public benefits, child support, etc., and educate on the benefits of identifying the non-custodial parent. Assist the minor parent in applying for the resources, if needed.
 - ii. The agency should encourage the minor parent to consider visitation between the child and the non-custodial parent.
- c. Documentation:
 - i. The identified information or lack thereof must be documented in a UNITY case note whether the child is at risk of removal or not. If the child is at risk of being removed, the supervisor must document details around the concerns for risk and safety of the child, and how the child is remaining safe in the home if applicable.

2. Engaging the Non-Custodial Parent.

- a. In the event of a legal case of the minor parent's child the agency will proceed as any other case. If legal and physical removal of the child is necessary, the agency must attempt to place the child with the non-custodial parent if possible, with consideration to the following:
 - i. Whether a crime was committed in causing the teen to be pregnant.
 - ii. Level of maturity and commitment to the infant.
 - iii. If the parent is a minor, the agency should assess the whole household prior to placement, and obtain a local criminal history check on anyone in the household over the age of 18.
 - iv. Resources within the family and/or community.
- b. The agency will encourage and assist as necessary visitation and contact with their child and the development of their parenting skills and develop the non-custodial visitation plan in respect to the visitation guidelines below:
 - i. If the non-custodial parent's involvement with their child is unsafe or detrimental to the child, the non-custodial parent (or their guardian) should be informed they can seek counsel to represent them in custody matters or provide resources (i.e., names, phone

- numbers, web addresses, courthouse) for further guidance in obtaining legal protections (i.e., restraining and custody orders).
- ii. If the non-custodial parent lacks parenting skills or has a negative relationship with the custodial parent, services to assist the non-custodial parent in developing parenting skills or improving their relationship should be made part of the appropriate case plan(s).
 - iii. A non-custodial parent's visitation plan with their child must be included in the case plan and discussed with the custodial parent and, if applicable, with the custodial minor parent's out-of-home caregiver.
- c. If they agency only has legal custody of the non-custodial minor parent agency will support and provide resources to the minor parent to enhance the minor parent's ability to make a well-informed decision and/or co-parent skills.
 - i. Documentation would be captured in the parenting section of the IL case plan (ILTP) as there would be no active 432B case regarding the child of the non-custodial minor parent.

Visitation for a Child of a Minor Parent: When the minor parent's child is in the legal custody of the child welfare agency contact between the child, the custodial parent, and the non-custodial parent must be facilitated when that contact is found to be in the best interest of the child (Refer to [213 Visitation Policy](#) for additional information). Visitation between the child and the non-custodial parent should be maintained regardless of the age difference between the parents, and/or the custodial parent's reluctance to involve the non-custodial parent.

1. Courts could find there is clear and convincing evidence that visitation would be detrimental to the minor parent and/or their child.
 - a. Careful consideration may be necessary when developing the visitation plan. There may be some instances where there is suspected child abuse due to the age difference between parents which the caseworker is mandated to report to local law enforcement.
 - b. The caseworker must still simultaneously work with the alleged perpetrator to develop a safe plan for visitation with his or her child. In these situations, caseworkers will seek guidance through their supervisors and legal counsel.

Shared Responsibility Plan (SRP):

1. The caregiver and the minor parent have the option to develop a Shared Responsibility Plan (SRP). The SRP is created to help develop the parent-child bond, assist the minor parent in their transition to independence, and create a successful, supportive, and nurturing placement for both the minor parent and child. In addition, the SRP provides clear, realistic guidelines for both the minor parent and the adult caregiver as to the responsibilities of each, allowing for week-to-week flexibility.
2. The SRP is a written agreement between the minor parent who is in legal custody and their caregiver about the duties, roles, and responsibilities each has regarding the minor parent's child who is not in the legal custody. The SRP does the following:
 - a. Allows the minor parent and the caregiver to know what their responsibilities are regarding the care of the child.
 - b. Includes strategies for dealing with miscommunication or disagreement between the minor parent who is in legal custody and the caregiver about care of the child.
 - c. Identifies supportive services to be offered to the minor parent by the caregiver providing direct and immediate supervision.
 - d. Includes the caregiver in the case plan regarding the parent/child visitation, and enhancement of parenting skills to support the minor parent's case plan and any visitation orders made by the court.
 - e. Is not a legally binding document and is not intended to be used for court purposes. If there is a concern of abuse and/or neglect, a separate assessment (i.e., NIA) will need to be completed.
3. The initial SRP should be developed in a CFT and the minor parent and the caregiver should have final approval of the plan. The SRP must be designed to preserve, strengthen and maintain the continuity of the minor parent family unit, to facilitate a supportive home environment for the minor parent and the child, and to ultimately assist the minor parent to independently provide a safe, stable, and permanent home for the child. The SRP must not limit the minor parent's legal right to make decisions regarding the care, custody, and control of their child.
4. The SRP should be developed with the caregiver and minor parent within thirty (30) days of placement. Revisions should be allowed to be made between the minor parent and the caregiver as needed with an

update provided at the next CFT. SRP remains in effect as long as it is relevant and copies of the SRP are to be provided to the minor parent, their caregiver, and their team.

5. Updates should be documented within the child contact case note, in UNITY within five (5) business days and should document the effectiveness of the approved SRP.

Case File Documentation (paper)

File Location	Data Required
<ul style="list-style-type: none">• Location in primary file	<ul style="list-style-type: none">• Initial case, visitation, and SRP plans and updates with signatures

UNITY Documentation (electronic)

Applicable UNITY Screen	Data Required
<ul style="list-style-type: none">• Case Plan/Visitation• Unity Case Notes	<ul style="list-style-type: none">• Initial case/visitation plans and updates.• Supervision staffing• Assessments as identified in this policy

JURISDICTIONAL ACTION

Development of Internal Policies: The Agency shall develop internal procedures as necessary to implement the provisions of this policy.

Supervisory Responsibility: Provide guidance to caseworker during times of concern or uncertainty regarding this policy. Consult with caseworker regarding whether there is a need for agency intervention and, if so, what type of intervention is appropriate. Review and approve the case plan, visitation plans, SRP, and updates per existing procedures.

STATE RESPONSIBILITIES

The child welfare agency will reach out to the Family Program Office for technical assistance as needed.

POLICY CROSS REFERENCE

- [0209 Psychiatric Care and Treatment](#)
- [0213 Visitation Policy](#)
- [0506 Intake Policy](#)
- [0508 Nevada Initial Assessment \(NIA\) Policy](#)
- [0801 Independent Living Policy](#)
- [1006 Out of Home Placement Policy](#)

Attachments

FPO 804A - Shared Responsibility Plan Template