

ORC:
OAC: 5101:2-42-93
COA: _____
CFSR: _____
Board: _____
Other: _____

Next Review Date: 2/2020
Last Reviewed: 2/2017
Review Responsibility: Client Rights Officer

FCCS PROCEDURE

NO.: 6D

**SUBJECT: Review of Case Plan Amendments
Prior to Adjudication and Disposition of a Case**

Approved by: Executive Council
Effective Date: December 6, 2010
Date(s) of Revision: Dec 9, 2013; Feb 28, 2017
Responsible for Implementation: Client Rights Officer and Program Services Staff

The Ohio Administrative Code requires that a children services agency have a process in place whereby a parent, guardian, custodian or guardian ad litem that is not in agreement with a case plan amendment that is prepared **PRIOR** to a case being adjudicated or disposed of by the Juvenile Court may request a review to be conducted by a “review agent.” This review applies to limited circumstances which are addressed below. The Agency Client Rights Officer will act as the “review agent” for any review requested pursuant to this section of the Ohio Administrative Code.

Procedures:

- 1) If a child is placed in substitute care by court order **a case plan change may be subject to a review** in limited circumstances. When the service team seeks to change placement or visitation and a parent, guardian, custodian or guardian ad litem (GAL) does not agree with the case plan change **AND** the case has not been adjudicated or a disposition has not yet been issued by the court, the parent, guardian, custodian or GAL has the right to request a review hearing if the court has **not** previously ordered:
 - a) The placement location or the type of placement; and/or
 - b) A specific visitation plan, or that no change in visitation could occur without the court's approval.
- 2) The right to **review a case plan change does not apply** if:

- a) The change in placement is from an emergency to a non-emergency;
 - b) The change is to a less restrictive placement;
 - c) The change neither reduces nor significantly alters visitation privileges; and
 - d) The change occurs after the court has adjudicated the matter and issued a dispositional order.
- 3) The Agency must provide **written notice** to the parent, guardian, custodian and GAL regarding their right to have a review prior to the case plan changes being made. In the event of an emergency the case plan changes may be made, but notice to the parent, guardian, custodian and GAL must be within 24 hours or the next working day. This notice must also include:
 - a) The proposed action and the reasons for taking it;
 - b) The date of the proposed action; and
 - c) The time frame in which a review must be conducted.
- 4) A **review** of the case plan changes must be requested within 10 calendar days following receipt of notice. The request may be made by mail addressed to the Office of Client Rights, Franklin County Children Services, 855 West Mound St., Columbus, Ohio, 43223, or by phone to 614-275-2621, or via e-mail at cro@fccc.us. A review will be held by the review agent no later than 10 calendar days following receipt of the request. At that review parent, guardian, custodian or GAL may present and examine witnesses and all documents and physical evidence introduced by the parties except those prohibited by law.
- 5) The finding of the review agent will be in writing and will clearly state the reasons for the decision made. The decision made must be based on evidence presented at the review. Copies of the decision will be provided to all parties within 15 calendar days of the review.