

	<b>INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY</b>	
	<b>Chapter 5:</b> General Case Management	<b>Effective Date:</b> July 1, 2017
	<b>Section 4:</b> Noncustodial Parents	<b>Version:</b> 3

**STATEMENTS OF PURPOSE**

The Indiana Department of Child Services (DCS) will make diligent efforts beginning in the assessment phase to locate and engage the noncustodial parent. These efforts will continue throughout the life of the case.

The Family Case Manager (FCM) will clearly document the efforts made to locate and engage the noncustodial parent throughout the life of the case.

DCS will provide the [Advisement of Legal Rights Form \(SF 47114\)](#) to the noncustodial parent and inform the noncustodial parent of his/her rights which include the right to:

1. Request that the child be placed with him or her;
2. Visit with the child, unless the court orders no visitation; and
3. Participate in case planning for the child through the Child and Family Team (CFT) Meeting or Case Plan Conference.

If it is necessary to remove a child from a custodial parent, DCS will give primary consideration to the noncustodial parent when selecting an out-of-home placement option. See separate policy, [8.1 Selecting a Placement Option](#).

If warranted, background checks may be conducted when moving a child to the care of the noncustodial parent. See Related Information and separate policies, [13.5 Conducting Background Checks for Unlicensed Placements](#) and [13.6 Evaluation of Background Checks for Unlicensed Placements](#) for further details.

DCS will inform noncustodial parents of his/her obligation to pay child support, if ordered. If not ordered, DCS will assist noncustodial parents in establishing child support responsibilities. DCS will also assist in helping noncustodial parents determine whether an existing child support order needs to be modified due to a change in circumstances (e.g., if the noncustodial parent now has placement of the child, or the amount of support needs to be adjusted to match current income levels). See policy [2.20 Establishment of Child Support Orders](#).

Code References

- [31-9-2-22.1 Concurrent Planning](#)

**PROCEDURE**

The FCM will:

1. Ask the parent, guardian, custodian, or other pertinent individuals including the child the name and location of the noncustodial parent at the time of the initial assessment;

2. Record the information in Management Gateway for Indiana's Kids (MaGIK);
3. Complete a diligent search to locate the noncustodial parent if the parent's location is unknown. See separate policy, [5.6 Locating Absent Parents](#);
4. Continue to request the name and locations of the noncustodial parent as necessary throughout the life of the case;
5. Notify the noncustodial parent (once identified and located) of his/her rights and responsibilities and all pending court hearings;

**Note:** In the case of an involuntary removal, notify the noncustodial parent according to separate policy, [4.28 Involuntary Removals](#).

6. Make copies of all correspondence sent to the noncustodial parent for the case file; and
7. Document in MaGIK the efforts to engage the noncustodial parent. See policy [5.3 Engaging the Family](#).

The FCM Supervisor will:

1. Review all efforts made by the FCM to locate and engage the noncustodial parent; and
2. Provide direction and support to the FCM as needed.

#### PRACTICE GUIDANCE

N/A

#### FORMS AND TOOLS

1. [Advisement of Legal Rights Form \(SF 47114\)](#) – Available in MaGIK
2. [Case Plan \(SF 2956\)](#) – Available in MaGIK

#### RELATED INFORMATION

##### **Noncustodial Parent**

A mother, father, or alleged father (biological or adoptive) who does not have legal or primary physical custody of the child.

##### **Reasons for Engaging Noncustodial Parents**

Engaging the noncustodial parent may benefit the child in the following ways:

1. The noncustodial parent may be a potential caregiver;
2. The noncustodial parent may be able to provide DCS with unknown medical history;
3. The child may be the recipient of or eligible for certain benefits; such as health insurance, survivor benefits, or child support;
4. The noncustodial parent's extended family may become active team members of the CFT by assisting with helping the family achieve permanency for the child;
5. The noncustodial parent's extended family may provide support if concurrent planning is pursued. See separate policy [5.15 Concurrent Planning](#)
6. The noncustodial parent's extended family may serve as a lifelong connection for the child/youth.

### **Conducting Background Checks on Noncustodial Parents**

Background checks may be conducted on the noncustodial parent if the FCM has reason to question the safety of the placement or if risk factors are present. Safety or risk factors that would necessitate a criminal history check include, but are not limited to, the following:

1. Child(ren) raises concern regarding the placement;
2. Custodial parent or members of the CFT have concerns regarding the placement;
3. Custodial parent or members of the CFT report past or current criminal history perpetrated by the noncustodial parent; or
4. Noncustodial parent does not have regular visitation with the child(ren).

If it is determined that it is in best the interest of the child to complete criminal history checks on a noncustodial parent, the FCM must document in MaGIK that checks were completed and the outcome of the check as criminal history checks are not required for noncustodial parents. See separate policies, [13.5 Conducting Background Checks for Unlicensed Placements](#) and [13.6 Evaluation of Background Checks for Unlicensed Placements](#) for additional information conducting criminal history checks on noncustodial parents.