

# **Conditions for Return**

## **Introduction**

When children are placed as a part of a safety plan, everyone involved, most notably the child's caregivers should be well informed about what the conditions are for the child to be returned home. Well articulated conditions for return assure that caregivers are informed about what circumstances must exist for their child to be returned to them and provides a benchmark for the court, attorneys, GALs, CASA volunteers and others who are a part of the decision making concerned with placing and returning a child.

## **Conditions for Return**

Conditions for return are statements that are part of a court order, which identify specific behavior, and circumstances that must exist within a child's home for the child who is placed to return home. This definition has several critical parts that must be appreciated.

- This is a written statement that is related to the threats that warrant placement and justify invoking court jurisdiction.
- As a part of a court order, the statement is the official record and expectation that gives guidance to intervention, decisions and subsequent court involvement.
- The specific circumstances stated as conditions reasonably can account for the management of the threat. Specificity here is a key word.
- Conditions for return statements are concerned with what must occur within a child's home. This is an environmental statement more than a

statement about people and what they must do. This is a statement about status or the state of circumstances within a child's home. Basically, it is a description of what the home must be like in order to be a "safe environment."

- This is concerned with the question of the basis for reunification. Condition for return statements are the benchmarks for reunification. That is the fundamental purpose for conditions for return.

### **The Concept of Conditions for Return**

The concept of conditions for return can be supported soundly within the general conceptual framework of safety intervention. There are two fundamental safety intervention concepts that apply: the definition for child safety and the purpose of safety intervention.

- Child safety refers to the absence of threats to safety or sufficient caregiver protective capacities to mitigate threats to safety.
- The purpose of safety intervention is to control threats to safety when caregiver protective capacities are insufficient to mitigate threats.

These two fundamental safety intervention concepts establish that control or management of safety threats is what is critical in safety intervention – not the location of a child or where the safety management takes place. The objective of safety intervention is to control safety threats in the least intrusive manner possible. The most desirable place to control safety threats is in the child's home while the child continues to reside there. Placement occurs when that is not possible. At the point of placement CPS is in a position to know why an in home safety management approach cannot work. CPS should know what the conditions are that require the placement and therefore should know what the conditions

must be in order for the child to return home. The condition for return question is what must exist or is necessary for the child to be safe using an in-home safety plan?

Impending danger threats do not have to be eradicated in order for children to be reunified with their families. Caregivers do not necessarily have to change in order for children to be reunified with their families. What is necessary for children to be reunified with their family is the establishment of well-defined circumstances within a child's home that mitigate against threats to child safety. This concept brings into question the idea and practice associated with requiring caregiver change in order to reunify.

Placement is a safety intervention. Reunification is a safety decision. This concept maintains a focus on safety intervention rather than allowing treatment intervention to become the defining measure for a safety decision – reunification. This concept expects highly active ongoing safety management that presses to create the kind of circumstance within a child's home so that he or she can return. It is consistent with the idea of provisional safety intervention – always adjusting downward in intrusiveness.

Conditions for return are based on what it takes to re-establish an in-home safety plan!

### **Examples of Conditions for Return**

Here are three examples of conditions for return related to impending danger – safety threats. In these examples the children would be placed because insufficient caregiver protective capacity exists and family behavior or circumstances preclude the use of an in-home plan.

| Impending Danger                                 | Conditions for Return                                                                                                                                                                                                                                                                                                                                                                                     |
|--------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Caregiver fails to supervise/protect.            | A responsible adult in the home provides care for the child/ren 24 hours a day, 7 days a week. (This could get more specific, if desired, to define what care means, depending on the age(s) of the children. For example, it might say, "care includes supervision of children at all times, provision of meals at regular intervals, baths on a regular basis, etc.")                                   |
| Violent caregivers or others in the household    | <p>A person within the home can manage the caregivers' violence; the child can be separated from the mother sufficient to manage the violence; a violent person leaves the home.</p> <p>Caregiver demonstrates the ability to control behavior by expressing feelings in a non-aggressive and non-violent manner. This behavior is evident in relationship to the child and other adults in the home.</p> |
| Caregivers have a distorted perception of child. | Supervision and observation of caregiving; caregiving attitudes are sufficient to respond to protect. Caregivers are able to describe child in positive terms and acts toward child in way that demonstrates that they value and care for the child. This includes genuine affection, adequate attention given the age of the child, and verbal communication with child that is positive and nurturing.  |

### **The Process for Identifying Conditions for Return**

The following process can be applied to identify conditions for return for statement within a court order.

- Focus on what specifically will control impending danger within the home.
- Justify what will control impending danger within the home by:
  - analyzing how the threats are manifested;
  - determining caregiver capacity, attitude, awareness; and

- considering the potential for threatening caregivers or persons leaving the home.
- Develop a detailed understanding as to why an in home plan will not work.
- Specify optional, alternative, acceptable people, behaviors, situations, circumstances that if in place and active would resolve reasons an in home plan will not work.
- Process questions:
  - What must be controlled?
  - How can it be controlled?
  - Why can't it be controlled in the home?
  - Can anyone other than the caregiver control it?
  - Can anyone substitute for the caregiver within the home to provide sufficient protective capacity to assure control?