

TITLE 89: SOCIAL SERVICES  
CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
SUBCHAPTER a: SERVICE DELIVERY

**PART 304**

**ACCESS TO AND ELIGIBILITY FOR CHILD WELFARE SERVICES**

**Section**

- 304.1 Purpose
- 304.2 Definitions
- 304.3 Introduction to Child Welfare Services
- 304.4 Eligibility for Child Welfare Services
- 304.5 Access to Child Welfare Services
- 304.6 Decision Concerning Case Opening

**AUTHORITY:** Implementing and authorized by Section 5 of the Children and Family Services Act [20 ILCS 505/5]; Sections 2 and 2.1 of the Abused and Neglected Child Reporting Act [325 ILCS 5/2 and 5/2.1]; Section 1-2 of the Juvenile Court Act of 1987 [705 ILCS 405/1-2 ]; the Illinois Alcoholism and Other Drug Abuse and Dependency Act [20 ILCS 301]; the Adoption Assistance and Child Welfare Act of 1980, which amends Section 471 of the Social Security Act (42 USCA 671 (a) (14)).

**SOURCE:** Adopted and codified at 5 Ill. Reg. 13117, effective November 30, 1981; amended at 8 Ill. Reg. 12118, effective July 9, 1984; amended at 17 Ill. Reg. 251, effective December 31, 1992; amended at 19 Ill. Reg. 9429, effective July 1, 1995; emergency amendment at 19 Ill. Reg. 10738, effective July 1, 1995, for a maximum of 150 days; emergency expired November 27, 1995; amended at 20 Ill. Reg. 1569, effective January 10, 1996; amended at 22 Ill. Reg. 18843, effective October 1, 1998; amended at 26 Ill. Reg. 11756, effective August 1, 2002; amended at 36 Ill. Reg. 4058, effective March 5, 2012; amended at 40 Ill. Reg. 708, effective December 31, 2015; amended at 40 Ill. Reg. 7732, effective May 16, 2016; amended at 42 Ill. Reg. 2181, effective January 17, 2018.

**Section 304.1 Purpose**

The purpose of these rules is to provide information on how individuals who need public child welfare services can secure these services from the Department of Children and Family Services. Additionally, the rules specify the client populations which the Department of Children and Family Services must serve and the client populations which the Department of Children and Family Services may optionally serve.

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## Section 304.2 Definitions

*"Abused child" means a child whose parent or immediate family member, or any person responsible for the child's welfare, or any individual residing in the same home as the child, or a paramour of the child's parent:*

*inflicts, causes to be inflicted, or allows to be inflicted upon such child physical or mental injury, by other than accidental means, which causes death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;*

*creates a substantial risk of physical or mental injury to such child by other than accidental means which would be likely to cause death, disfigurement, impairment of physical or emotional health, or loss of or impairment of any bodily function;*

*commits or allows to be committed any sex offense against such child, as such sex offenses are defined in the Criminal Code of 2012 [720 ILCS 5], or in the Wrongs to Children Act [720 ILCS 150], and extending those definitions of sex offenses to include children under 18 years of age;*

*commits or allows to be committed an act or acts of torture upon such child;*

*inflicts excessive corporal punishment;*

*commits or allows to be committed the offense of female genital mutilation, as defined in Section 12-34 of the Criminal Code of 2012, against the child; ]*

*causes to be sold, transferred, distributed, or given to such child under 18 years of age, a controlled substance as defined in Section 102 of the Illinois Controlled Substances Act [720 ILCS 570] in violation of Article IV of the Illinois Controlled Substances Act or in violation of the Methamphetamine Control and Community Protection Act [720 ILCS 646], except for controlled substances that are prescribed in accordance with Article III of the Illinois Controlled Substances Act and are dispensed to such child in a manner that substantially complies with the prescription; or*

*commits or allows to be committed the offense of involuntary servitude, involuntary sexual servitude of a minor, or trafficking in persons for forced labor or services, as defined in Section 10-9 of the Criminal Code of 2012 against the child.*

*A child shall not be considered abused for the sole reason that the child has been relinquished in accordance with the Abandoned Newborn Infant Protection Act [325 ILCS 2]. [325 ILCS 5/3]*

*"Addicted minor" includes any minor who is an addict or an alcoholic as defined in the Alcoholism and Other Drug Abuse and Dependency Act [20 ILCS 301/1-10].*

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"Adjudicated", as used in this Part means that the Juvenile Court has entered an order declaring that a child is abused, neglected, dependent, a minor requiring authoritative intervention, a delinquent minor or an addicted minor.

"Biological father" means a man who was not married to the mother when the child was born and who has acknowledged his paternity in open court, or who has signed a statement acknowledging paternity, or who is legally presumed to be the father because he married the child's mother after the child's birth and his name appears on the child's official record of birth, or whose paternity is adjudicated in court. When paternity has been established in the above manner, the relatives of the biological father as well as those of the mother may be considered for the placement of related children.

*"Child welfare services" means public social services that are directed toward the accomplishment of the following purposes:*

*protecting and promoting the health, safety and welfare of all children, including homeless, dependent, or neglected children;*

*preventing or remedying, or assisting in the solution of problems that may result in, the neglect, abuse, exploitation, or delinquency of children;*

*preventing the unnecessary separation of children from their families by identifying family problems, assisting families in resolving their problems, and preventing the breakup of the family where the prevention of child removal is desirable and possible when the child can be cared for at home without endangering the child's health and safety ;*

*restoring to their families children who have been removed, by the provision of services to the child and the families when the child can be cared for at home without endangering the child's health and safety;*

*placing children in suitable adoptive homes, in cases where restoration to the biological family is not possible or appropriate;*

*assuring safe and adequate care of children away from their homes, in cases where the child cannot be returned home or cannot be placed for adoption. At the time of placement, the Department shall consider concurrent planning, as described in Section 5(l-1) of the Children and Family Services Act [20 ILCS 505/5(l-1)] so that permanency may occur at the earliest opportunity. Consideration should be given so that, if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child;*

*providing supportive services and living maintenance that contribute to the physical, emotional and social well-being of children who are pregnant and unmarried;*

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providing shelter and independent living services for homeless youth; and

*placing and maintaining children in facilities that provide separate living quarters for children under the age of 18 and for children 18 years of age and older, unless a child 18 years of age is in the last year of high school education or vocational training, in an approved individual or group treatment program, in a licensed shelter facility, or secure child care facility. The Department is not required to place or maintain children:*

*who are in a foster home;*

*who are persons with a developmental disability as defined in the Mental Health and Developmental Disabilities Code [405 ILCS 5];*

*who are female children who are pregnant, pregnant and parenting or parenting; or*

*who are siblings, in facilities that provide separate living quarters for children 18 years of age and older and for children under 18 years of age. [20 ILCS 505/5(a)(3)]*

These services include but are not limited to: counseling, advocacy, day care, homemaker, emergency caretaker, family planning, adoption, visitation, placement, child protection, and information and referral.

"Delinquent minor" means a minor who before his or her 18<sup>th</sup> birthday violated or attempted to violate a Federal or State law or municipal ordinance. Delinquent minor is further defined in the Juvenile Court Act of 1987 [705 ILCS 405].

"Department client" means a child or a family who is receiving child welfare services either directly from the Department or through the Department's purchase of service providers.

"Dependent minor" means any minor under 18 years of age:

*who is without a parent, guardian or legal custodian;*

*who is without proper care because of the physical or mental disability of his parent, guardian or custodian;*

*who is without proper medical or other remedial care recognized under State law or other care necessary for his or her well being through no fault, neglect or lack of concern by his parents, guardian or custodian, provided that no order may be made terminating parental rights, nor may a minor be removed from the custody of his or her parents for longer than 6 months, pursuant to an adjudication as a dependent minor under Section 2-4(c) of the Juvenile Court Act of 1987, unless it is found to be in his or her best interest by the court or the case automatically closes as provided under Section 2-31 of that Juvenile Court Act of 1987; or*

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*who has a parent, guardian or legal custodian who with good cause wishes to be relieved of all residual parental rights and responsibilities, guardianship or custody, and who desires the appointment of a guardian of the person with power to consent to the adoption of the minor under Section 2-29 of the Juveniles Court Act of 1987.*

*This definition does not apply to a minor who would be included herein solely for the purpose of qualifying for financial assistance for himself, his parent or parents, guardian or custodian or to a minor solely because his or her parent or parents or guardian has left the minor for any period of time in the care of an adult relative, who the parent or parents or guardian knows is both a mentally capable adult relative and physically capable adult relative, as defined by the Juvenile Court Act of 1987. [705 ILCS 405/2-4]*

"Family" means one or more adults and children, related by blood, marriage, civil union or adoption and residing in the same household.

*"Fictive kin" means any individual, unrelated by birth or marriage, who:*

*is shown to have significant and close personal or emotional ties with the child or the child's family prior to the child's placement with the individual;  
or*

*is the current foster parent of a child in the custody or guardianship of the Department pursuant to the Child and Family Services Act and the Juvenile Court Act of 1987, if the child has been placed in the home for at least one year and has established a significant and family-like relationship with the foster parent, and the foster parent has been identified by the Department as the child's permanent connection. [20 ILCS 505/7(b)]*

"Godparent" is a person who sponsors a child at baptism or one in whom the parents have entrusted a special duty that includes assisting in raising the child if the parent cannot raise the child. If the person is considered to be the child's godparent, in order for placement to occur, the same placement selection criteria as contained in 89 Ill. Adm. Code 301.60 (Placement Selection Criteria) must be met. If the godparent is not a licensed foster parent, all the conditions currently in effect for placement with relatives in 89 Ill. Adm. Code 301.80 (Relative Home Placement) must be met.

"Minimum parenting standards" means that a parent or other person responsible for the child's welfare sees that the child is adequately fed, clothed appropriately for the weather conditions, provided with adequate shelter, protected from physical, mental and emotional harm, and provided with necessary medical care and education required by law.

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"Minor requiring authoritative intervention" or "MRAI" means *any minor under 18 years of age:*

*who is:*

*absent from home without consent of parent, guardian or custodian, or*

*beyond the control of his or her parent, guardian or custodian, in circumstances that constitute a substantial or immediate danger to the minor's physical safety; and*

*who, after being taken into limited custody for the period provided for in Section 3.3 of the Juvenile Court Act of 1987 and offered interim crisis intervention services, where available, refuses to return home after the minor and his or her parent, guardian or custodian cannot agree to an arrangement for an alternative voluntary residential placement or to the continuation of such placement.*

*Any minor taken into limited custody for the reasons specified in Section 3.3 of the Juvenile Court Act of 1987 may not be adjudicated an MRAI until the following number of days have elapsed from his or her having been taken into limited custody: 21 days for the first instance of being taken into limited custody and 5 days for the second, third, or fourth instances of being taken into limited custody. For the fifth or any subsequent instance of being taken into limited custody for the reasons specified in Section 3.3, the minor may be adjudicated as requiring authoritative intervention without any specified period of time expiring after his or her being taken into limited custody, without the minor's being offered interim crisis intervention services, and without the minor's being afforded an opportunity to agree to an arrangement for an alternative voluntary residential placement. Notwithstanding any other provision of Section 3.3, for the first instance in which a minor is taken into limited custody where one year has elapsed from the last instance of his having been taken into limited custody, the minor may not be adjudicated an MRAI until 21 days have passed since being taken into limited custody. [705 ILCS 405/3-3]*

*"Neglected child" means any child:*

*who is not receiving the proper or necessary nourishment or medically indicated treatment including food or care not provided solely on the basis of present or anticipated mental or physical impairment as determined by a physician acting alone or in consultation with other physicians or otherwise is not receiving the proper or necessary support or medical or other remedial care recognized under State law as necessary for a child's well-being (including where there is harm or substantial risk of harm to the child's health or welfare), or other care necessary for a child's well-being, including adequate food, clothing and shelter; or*

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*who is subjected to an environment that is injurious insofar as:*

*the child's environment creates a likelihood of harm to the child's health, physical well-being; or welfare; and*

*the likely harm to the child is the result of a blatant disregard of parent or caretaker responsibilities; or*

*who is abandoned by his or her parents or other person responsible for the child's welfare without a proper plan of care; or*

*who has been provided with interim crisis intervention services under Section 3-5 of the Juvenile Court Act of 1987 [705 ILCS 405/3-5] and whose parent, guardian, or custodian refuses to permit the child to return home and no other living arrangement agreeable to the parent, guardian, or custodian can be made, and the parent, guardian, or custodian has not made any other appropriate living arrangement for the child; or*

*who is a newborn infant whose blood, urine or meconium contains any amount of controlled substance as defined in Section 102(f) of the Illinois Controlled Substances Act [720 ILCS 570/102(f)] or a metabolite thereof, with the exception of a controlled substance or metabolite thereof whose presence in the newborn infant is the result of medical treatment administered to the mother or the newborn infant.*

*A child shall not be considered neglected for the sole reason that the child's parent or other person responsible for his or her welfare has left the child in the care of an adult relative for any period of time.*

*A child shall not be considered neglected for the sole reason that the child has been relinquished in accordance with the Abandoned Newborn Infant Protection Act [325 ILCS 5].*

*A child shall not be considered neglected or abused for the sole reason that such child's parent or other person responsible for his or her welfare depends upon spiritual means through prayer alone for the treatment or cure of disease or remedial care under Section 4 of the Abused and Neglected Child Reporting Act.*

When the circumstances indicate harm or substantial risk of harm to the child's health or welfare and necessary medical care is not being provided to treat or prevent that harm or risk of harm because the parent or other person responsible for the child's welfare depends upon spiritual means alone for treatment or cure, the child is subject to the requirements of the Abused and Neglected Child Reporting Act for the reporting of, investigation of, and provision of protective services with respect to the child and his or her health needs, and, in such cases, spiritual means through prayer alone for the treatment or cure of disease or for remedial care will not be recognized as a substitute for necessary medical care, if the Department or, as necessary, a juvenile court determines that medical care is necessary.

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*A child shall not be considered neglected or abused solely because the child is not attending school in accordance with the requirements of Article 26 of the School Code. [105 ILCS 5]. [325 ILCS 5/3]*

"Permanent connection" means a family-like relationship, consistent with a child's best interests, health, safety and well-being, that provides:

- safe, stable and committed parenting;
- unconditional love and lifelong support; and
- a permanent legal status between child and family.

For a child for whom the Department is legally responsible, a permanent connection may be the child's parents or another caregiver in the child's home of origin. When the child cannot be safely returned home, a permanent connection may be the current or former foster parent or relative caregiver, an individual identified as an adoptive or legal guardianship placement resource, or another individual from among the child's or family's lifelong connections with whom a child has developed a familial relationship.

"Purchase of services provider" means an agency or individual offering services to a Department client through a signed contract with the Department.

*"Relative", for purposes of placement of children for whom the Department is legally responsible, means any person, 21 years of age or over, other than the parent, who:*

*is currently related to the child in any of the following ways by blood or adoption: grandparent, sibling, great-grandparent, uncle, aunt, nephew, niece, first cousin, first cousin once removed (children of one's first cousin to oneself), second cousin (children of first cousins are second cousins to each other), godparent (as defined in this Section), great-uncle, or great-aunt;*

*is the spouse, or party to a civil union, of such a relative;*

*is the child's step-father, step-mother, step-grandfather, step-grandmother or adult step-brother or step-sister;*

*is the partner, or adult child of a partner, in a civil union with the child's mother or father; or*

*is a fictive kin as defined in this Section.*

*"Relative" also includes a person related in any of the foregoing ways to a sibling of a child, even though the person is not related to the child, when the child and its sibling are placed together with that person. For children who have been in the guardianship of the Department, have been adopted, and are subsequently returned to the temporary custody or guardianship of the*



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*Department, a "relative" may also include any person who would have qualified as a relative under this definition prior to the adoption, but only if the Department determines that it would be in the best interests of the child to consider this person a relative. [20 ILCS 505/7(b)]*

"Services delivered by the Department" means those social services provided either directly by Department of Children and Family Services staff or by purchase of service providers.

"Voluntary placement agreement" means a time-limited written request and consent from a parent, guardian or legal custodian of a child for placement of the child out of the home. When signed by designated Department staff, the Department agrees to provide child welfare services which include placement.

(Source: Amended at 42 Ill. Reg. 2181, effective January 17, 2018)

### Section 304.3 Introduction to Child Welfare Services

#### a) Purposes of Child Welfare Services

Child welfare services provided by Department staff or purchased by the Department from purchase of services providers are directed toward the following purposes:

- 1) protecting and promoting the welfare of all children, including handicapped, homeless, dependent or neglected children;
- 2) preventing or remedying, or assisting in the solution of problems which may result in, the neglect, abuse, exploitation, or delinquency of children;
- 3) preventing the unnecessary separation of children from their families by identifying family problems, assisting families in resolving their problems, and preventing breakup of the family where the prevention of child removal is desirable and possible;
- 4) providing services to children and families so that children, who have been removed, may be restored to their families;
- 5) placing children in suitable adoptive homes, in cases where restoration to the biological family is not possible or appropriate;
- 6) assuring adequate care of children away from their homes, in cases where the child cannot be returned home or cannot be placed for adoption; and
- 7) providing supportive services and living maintenance such as residential maternity homes and counseling which contributes to the physical, emotional and social well-being of children who are pregnant and unmarried.

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### b) Essential Criteria for Child Welfare Services

The mere determination that parental or caretaker conduct, the home conditions, or the child care arrangements differ from the norm shall not be justification for providing child welfare services. Instead, the Department shall focus on the available alternatives and whether or not Department intervention is less detrimental to the child and family than no Department intervention using the following criteria:

- 1) Does the parent or caretaker fall below the minimum parenting standards as defined in Section 304.2?
- 2) Is there clear evidence that the home conditions or the parental or caretaker conduct are likely to be detrimental to the child?
- 3) What is the specific harm to the child if left in the home without the support of child welfare services?
- 4) Is there clear evidence that the family needs child welfare services to keep the family together or to help them through a crisis which threatens family stability?
- 5) Is it probable that the provision of Department services will alleviate the conditions or change the conduct which has led to harm or threatened harm to the child?

(Source: Amended at 8 Ill. Reg. 12118, effective July 9, 1984)

### Section 304.4 Eligibility for Child Welfare Services

#### a) No Financial Eligibility

The family's income, assets or other financial resources do not affect whether a family is eligible for child welfare services. Instead, child welfare services are provided to the children and families who need them, who will benefit from them and who the Department is responsible for serving, regardless of the family's ability to pay for the services.

#### b) Children and Families the Department Must Serve

The Department must, by law, provide child welfare services to the following categories of children and families:

- 1) abused and neglected children and their families, as determined by the Department in accordance with 89 Ill. Adm. Code 300 (Reports of Child Abuse and Neglect);
- 2) dependent children and their families;

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- 3) children under the age of 13 who have been adjudicated delinquent and their families;
- 4) children for whom the Department already has court ordered legal responsibility who are subsequently adjudicated delinquent or minors requiring authoritative intervention and their families. The Department is mandated to continue serving these children even if they are over age 13 when they are adjudicated delinquent or minors requiring authoritative intervention. However, the Department may transfer custody of a minor 10 years of age or over to the Juvenile Division of the Department of Corrections in accordance with the provisions of the Unified Code of Corrections [730 ILCS 5/3-10-11], if the minor has been adjudicated delinquent and it is determined by an interagency review committee that the Department lacks adequate facilities to care for and rehabilitate the minor.

### c) **Children and Families the Department May Elect to Serve**

In addition to the children and families the Department must serve, the Department may elect to provide child welfare services to other children and families who request the services, who the Department deems to be in need of the services, and who the Department deems will benefit from the services.

### d) **Child and Family Ineligible for Department Services**

The Department shall not accept for care or services, or legal custody or guardianship, of a minor 13 years of age or older for whom allegations or adjudication of abuse, neglect or dependency arise from the same facts, incident or circumstances which give rise to a charge or adjudication of delinquency unless the minor is already in the legal custody or guardianship of the Department.

(Source: Amended at 22 Ill. Reg. 18843, effective October 1, 1998)

## **Section 304.5 Access to Child Welfare Services**

- a) Child welfare services are available to Illinois families with children under age 18 and to children found within the state who are under age 18 who fall into one of the categories outlined in Section 304.4. Children and families come to the Department's attention in one of the following ways:
  - 1) through a report to the Department that a child is alleged to be abused, neglected, or dependent,
  - 2) through a referral from a purchase of service provider or another public or private agency,

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- 3) through a direct request for child welfare services from a family
    - A) to keep the family together or to assist in alleviating problems which are likely to result in harm to the child,
    - B) to have a child temporarily removed from their care until a family crisis or short term problem is resolved. These requests, called "voluntary placement agreements," are limited to 60 days and require the prior written approval of the administrator in charge of the Department region or his designee. A voluntary placement agreement may be renewed for an additional 60 days only with the prior written approval of the administrator in charge of the Department region,
    - C) to voluntarily surrender their child for adoption. These requests can result in voluntary adoption surrenders and shall not be taken unless an adoptive placement resource or that child is expected to be available within 90 days. The Department will seek court ordered legal responsibility for the child when an adoptive placement resource is not readily available,
  - 4) through certain dispositional court orders. However, *a minor charged with a criminal offense under the Criminal Code of 1961 or adjudicated delinquent shall not be placed in the custody of or committed to the Department by any court, except a minor less than 13 years of age committed to the Department under Section 5-23 of the Juvenile Court Act of 1987.* [20 ILCS 505/5]
- b) When a purchase of service provider or other public or private agency refers a child or family to the Department for service provision or service funding, the Department shall:
- 1) determine the appropriateness of Department involvement in accordance with Sections 304.3(b) and 304.4; and
  - 2) make a decision concerning case opening in accordance with Section 304.6.

(Source: Amended at 20 Ill. Reg.1569, effective January 10, 1996)

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### Section 304.6 Decision Concerning Case Opening

- a) The Department shall decide whether a case will be opened no later than 10 working days of the date a child abuse or neglect report is determined to be "indicated." For all other cases, the Department shall decide whether a case will be opened within 30 working days of the referral for services.
- b) When the family is eligible for child welfare services which can most appropriately be offered by the Department and the Department has decided to deliver child welfare services, the Department shall open a family case. The family case shall be opened regardless of whether the Department delivers services directly or determines that services should be purchased. A separate case shall be opened for a child only when the Department has assumed legal responsibility for the child.
- c) Upon case opening the Department shall identify the problems in family functioning and determine the type(s) and duration of social services needed by the family. A written service plan shall be developed upon case opening in accordance with 89 Ill. Adm. Code 305, Client Service Planning.
- d) When the family is not eligible for child welfare services or when it is determined that needed services can most appropriately be provided by another public agency, the Department shall terminate further contact with the family after providing the family with information concerning resources or referring the family to other appropriate resources.
- e) When the Department determines that the family needs child welfare services, but the services are not immediately available, either directly or through a purchase of service provider, the Department shall attempt to locate or create appropriate child welfare services.

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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Policy Guide 2014.18

ACCEPTANCE OF DELINQUENT MINORS  
FOR PLACEMENT AND SERVICES

**DATE:** December 30, 2014  
**TO:** All DCFS and Private Agency Child Welfare Workers and Supervisors  
**FROM:** Bobbie Gregg, Acting Director *Bobbie Gregg*  
**EFFECTIVE:** January 1, 2015

**I. PURPOSE**

The purpose of this Policy Guide is to alert Permanency Workers, supervisors and managers of recent changes in Illinois law that affects the Department's responsibility to accept and provide services for certain delinquent youth. This Policy Guide supersedes **Rule and Procedures 304, Access to and Eligibility for Services** regarding criteria for acceptance of delinquent children and youth for placement and services. Rules and Procedures 304 will be updated in the near future to reflect the information set out below.

**II. PRIMARY USERS**

Primary users are DCFS and POS Child Welfare Staff, and their Supervisors and Managers.

**III. BACKGROUND**

Recent amendments to the Child and Family Services Act and the Juvenile Court Act of 1987 have altered the Department's responsibility regarding services to delinquent youth and their families. Effective January 1, 2015, DCFS must accept for care and provide child welfare services to:

- children under the age of 16 who are adjudicated delinquent and their families.

This is a new responsibility that was added into the C&FS and Juvenile Court Acts by Public Act 98-803.

The Department currently accepts, and will continue to accept, for care and provide services to:

- children under the age of 18 who are adjudicated delinquent and there is an independent basis of abuse, neglect, or dependency. An independent basis exists when the allegations or adjudication of abuse, neglect, or dependency do not arise from the same facts, incident, or circumstances that give rise to a charge or adjudication of delinquency; and



- a child or youth under age 21 for whom the Juvenile Court has reinstated wardship. Examples include former wards i) who were in a subsidized or KinGap guardianship living arrangement, ii) who were emancipated in accordance with the Emancipation of Mature Minors Act, or iii) who aged out of foster care after attaining age 19 and have not yet reached age 21.

The instructions that follow are intended to ensure Permanency Workers comply with these legal requirements.

#### **IV. INSTRUCTIONS**

- A. Case Opening.** When notified that a Juvenile Court has entered a dispositional order committing a delinquent youth to DCFS custody, a Permanency Worker shall be assigned. The Permanency Worker shall open family and child cases and ensure that the youth is placed in an appropriate living arrangement.
- B. Development of Service Plan.** The Integrated Assessment shall serve as a main source to develop the Family Service Plan. In collaboration with the family, the Permanency Worker shall develop the Family Service Plan. The Permanency Worker shall file the Family Service Plan with the Juvenile Court within 45 days of Shelter Care. The Permanency Worker shall ensure that the youth is promptly referred for all services indicated as necessary and appropriate in the Family Service Plan.

These instructions do not apply to children and youth who are currently in DCFS custody or guardianship. This Policy Guide applies only to children and youth referred by the Juvenile Court who do not currently have an open placement or service case.

#### **V. QUESTIONS**

Questions regarding this Policy Guide may be directed to the Office of Child and Family Policy at 217-524-1983 or via Outlook at OCFP – Mailbox. Non Outlook users may e-mail questions to [cfpolicy@idcfs.state.il.us](mailto:cfpolicy@idcfs.state.il.us).

#### **VI. FILING INSTRUCTIONS**

Place this Policy Guide immediately after Rule 304, Access to and Eligibility for Child Welfare Services.