

TUESDAY'S TIP #8

Welcome to a new feature on our listserv – Tuesday's Tip. Each Tuesday, our office will share a tip that you can apply to your cases right now. I encourage you to save each tip in a folder so that if you're faced with the same situation in a future case, you have this handy resource available to you. These will also be available on our website as a counsel resource.

Situation: Your client is subject to a cookie cutter case plan, the same as everyone else's.

The Problem: Case plans can easily become overwhelming for our clients. Often, there are so many requirements, that our clients don't have enough time, energy, or funds to complete all of them. This sets up a situation where your client is doomed to fail.

Law: Disposition orders are supposed to be specific to remediating the conditions that led to the child's removal from the home. NCGS 7B-904(d1)(3). See also the [DHHS Manual](#) (p. 17)

Action Steps:

1. Put together a list of services that your client needs based on what they feel they need to address the reasons for removal. Compare that list with DSS's case plan. A parent with no substance abuse allegations should not be subject to an assessment.
2. Specify what DSS is supposed to provide and when. For example, if it is a referral to a parenting class, include in the disposition order that DSS will do that by x date. Don't let months go by without holding DSS to its burden to provide the referral.
3. Does your parent need an evaluation? Being poor does not mean that you have mental health needs. If your client needs an evaluation, what kind of evaluation is needed? A quick assessment, a psychological evaluation for purposes of diagnoses? Who will pay for this?
4. Assist your client in preparing a [schedule](#) of all the programs that they must participate in (including transportation to and from). Don't forget to include work, visits, sleeping, eating, getting ready, and miscellaneous down time. Yes, we all need that! Ask the court to prioritize the services so that your client is snowballing their success instead of failing by trying to complete all services at once.
5. Assist your client in putting together a budget of everything that they need to pay for and identify your client's budgetary needs. This can be a simple list that reflects co-pays and frequency. For example, DV classes typically cost \$25 per week. Therapy sessions frequently have a \$10 or more co-pay. Don't forget to list transportation costs as well as costs of child care (if there is any) during any of those times.
6. Get to the root of the problem. What is the court's (and DSS/GALs) main concern? How can we best address this? Discipline issues may benefit from parenting classes, but lack of stable housing cannot be addressed by parenting classes.
7. If a parent already had stable housing and/or employment, don't let those creep into a case plan. First, it makes the list of needs look so much longer. Second, it places a burden on your client to keep DSS informed.

Conclusion:

Don't let a case plan and disposition happen to your client. Take an active role in helping to craft an achievable and realistic plan so that your client's chances at reunification improve.