

Children and Family Services (CFS) hosted training for case workers specifically to foster care eligibility and court order requirements. There were questions submitted after the training, below is a FAQ for your review.

1. Where do I get more information about this training?

- a. Children and Family Services Training Center (CFSTC) website [CFSTC Website](#)
- b. ND Child Welfare Policy [Children and Family Services Policy and Resources](#)

2. Our Court is slow when it comes to getting our orders. Our orders reference multiple dates. We have been getting emails from eligibility workers stating the dates are wrong or there aren't effective dates, or we are missing court orders when it specifically says the dates in the order. We do a lot of explaining via email. Would you suggest we highlight the dates or write a summary to explain why our order dates are multiple weeks after the TCO?

- a. You can indicate the dates in the email to the Unit. There still may be questions as each Court jurisdiction does things a bit differently and the CFS FCSA Eligibility Unit wants to ensure we interpret the dates and order accurately as well.
- b. We are most interested in the date of removal and the hearing date, we are looking to ensure there is no gap in custody and that we see the required judicial determinations timely.

3. If a child is removed from parents, but they were staying with an aunt/friend due to an out-of-home safety plan, on the SFN 630 and 641, which address should we use?

- a. On the 630 under 'Residence at Time of Removal' use the aunt/friend address. Under 'residences where child lived in the 6 months prior to removal' use the aunt/friend's address.
- b. On the SFN 641 under 'Address of the Legal Removal Home' use the parent's address. Under 'Address of Where Children Resided at Time of Removal' use the aunt/friend's address.

4. For children turning 18 should the court order expire on their 18th birthday or the day before their birthday. How would this affect eligibility?

- a. For those approaching age 18, CFS would encourage court orders to expire on the child's 18th Birthday. If the child does not "age out" of foster care in ND, they lose all eligibility to continue in the 18+ program (re-entry up to age 21), apply for the Chafee Education and Training Voucher (\$20,000 for college), as well as meet certain benefits from Chafee. Sadly, there have been cases where the court order expired 2 days before the child's birthday and the child lost all kinds of benefits. Let's continue to advocate for these youth in transition!
- b. The training spoke about "the day before" the 18th birthday only addressing when the "effective date" of the 18+ Agreement would go into effect. If the child was IV-E prior to turning 18, the 18+ Agreement must be signed and goes into effect the day PRIOR to turning 18. If the child was Non-IV-E prior to turning 18, the 18+ Agreement must be signed and goes into effect the day AFTER the court order expires.

5. Is the eligibility of reviewing the child's income/assets or the parents' income/assets?

- a. Both. We will use the parents' income and assets as the primary source of review; however, CFS FCSA Eligibility Unit will also need to know if the child is receiving social security.

- 6. What should I do if I cannot locate one or both parents and I need to complete the SFN 641?**
- a. Workers should take some time to continue to search for the parent. Notify the unit that the agency is making efforts to locate mom/dad, once one parent is located, you may proceed with completing SFN 641. A phone call is sufficient.
 - b. Workers should not guess or assume; all answers need to come from the parent.
 - c. Reminder: Full kit must be submitted to CFS FCSA Unit within 45 days of removal.

7. What do I do if I receive a court order and it is missing a required judicial determination I know we addressed at the hearing?

- a. Contact the local states attorney and discuss next steps. The agency can contact Juvenile Court and ask for a transcript, if it is determined it was a clerical error and the judicial determination was missed by accident in the order, the order can be "corrected" and resubmitted. If the judicial determination was missed all together; not in the record or discussed in the hearing, then we cannot accept an "amended" order bring forth a missed judicial determination.

8. What if the child turns 19 in April and he will not graduate high school until May. What happens to his eligibility for foster care?

- a. If the child has been in care and it was expected the child would graduate before age 19, they may be Title IV-E already. If they are Title IV-E and turn age 19 one month prior to graduation, they will no longer be reimbursable with Title IV-E funds. If the child is under state custody, CFS FCSA Eligibility unit will change the match symbol to general funds, but if the child is Tribal IV-E, the unit must stop payment as we do not have a non- IV-E funding source for Tribal Nations.

9. What happens if Employment is checked as 'Yes' on SFN 641, but the details of the income are not completed?

- a. CFS FCSA Unit will return SFN 641 to be completed. If the application is not completed, the information will be considered unknown, and the child will not be eligible for IV-E.

10. Who should I contact if I have questions about court orders or eligibility determinations?

- a. Contact the CFS Foster Care and Sub-Adopt Eligibility Unit at cfsfcsaunit@nd.gov or 701-328-2076 or toll-free 833-551-2021.