

Navigating Conversations with Your State Caseworker



NICWA
National Indian Child Welfare Association
Protecting Our Children • Preserving Our Culture

Disclaimer:

This resource is intended for educational and informational purposes only. It is not legal advice. You should consult legal counsel for advice related to legal matters or court proceedings.

For many families, involvement with the child welfare system can feel overwhelming and demanding. The child welfare system is complicated, and the procedures are not always obvious or easy to navigate. This document is designed to help you, or others in your family, who may be involved with the state child welfare system. We hope this guide helps make things more manageable and provides positive solutions for you and your family.

Child welfare focuses on child safety, family well-being, prevention, and helping children stay connected to their families, communities, cultures, and Tribes. Public child welfare agencies are responsible for child safety, but they do not do this work alone. Families, relatives, kin, Tribes, courts, attorneys, service providers, and community partners all help identify the strengths of your family, address safety concerns, reduce barriers, and support safe, stable, and lasting family relationships.

Establish Roles as the First Step in Your Partnership



Families work with caseworkers for many reasons, including developing child safety plans, accessing services, supporting reunification, and helping children remain safe at home. You may work with several professionals, each responsible for different parts of your case. Although this can provide valuable support, it may also feel confusing and overwhelming—especially when you must repeat your story or keep track of information from multiple people.

Ask caseworkers to explain their role and responsibilities, which questions or needs they can address, and how and when to contact them. Knowing who is responsible for what can reduce confusion and help you get support more efficiently. Caseworkers can also explain available resources, connect your family with services, and help communicate your needs within the child welfare system.

What is a caseworker's role? What does their job entail?

A caseworker monitors the safety and placement of children who have been removed from their home, including foster or relative placements, when applicable. They advocate for children's safety and well-being, while working with parents, relatives, and support systems to assess whether reunification, or another family placement, is safe and appropriate. They also help coordinate and evaluate services provided to the child and family, and coordinate across other systems like mental health, housing, healthcare, education, food assistance, and employment services and training.

★ Tips:

- Ask what information the caseworker needs from you.
- Share concerns early when something feels unclear or difficult.
- Keep notes about conversations, decisions, and next steps.

Types of Child Welfare Professionals and Their Roles

You may work with caseworkers who have different titles, or who fulfill different roles for you and your family, during your time interacting with the state child welfare system. You may work with some of the professionals listed below, depending on what is available in your area.

Intake/Assessment—This type of worker is responsible for the assessment or investigation of alleged child abuse or neglect, and determines if the child is safe, is safe but the family needs additional support or services to keep the child safe, or is unsafe.

Family Preservation/Family Support—These types of caseworkers may be more focused on preventative services to prevent a child from having to be removed from the home and entering foster care or another type of out-of-home placement. This caseworker can help identify additional services or resources that families may need to assist in supporting the safety of the child.

Intensive Family Preservation—Intensive Family Preservation Services (IFPS) provides intensive, in-home crisis intervention, counseling, and education on life skills for families who have children at imminent risk of placement in out-of-home care.

Court-Appointed Special Advocate (CASA)—Volunteer advocates appointed by the court to advocate for the child's needs and secure necessary services.

Ongoing Caseworker—This worker assesses family and child needs, creates Family Service Plans, arranges services, monitors visitation, visits foster or adoptive homes to assess how children are doing in the placement, and works with birth parents to achieve permanency for the child. Permanent placement can occur through reunification with the birth parents, a relative, or another home.

Permanency Caseworker—This worker finds and secures permanent homes for children in foster care. This type of caseworker may work closely with the ongoing caseworker shortly after the ongoing caseworker is assigned, or become involved after it is determined the child(ren) cannot return safely to their birth parents (reunification).

Independent Living—This worker helps foster youth aging out of the system, or adults with disabilities transition into self-sufficiency. This service is typically for youth ages 16–21. Youth involved in this phase of service cannot return home to their birth parents safely and do not have another permanent home available for them.

If the Indian Child Welfare Act (ICWA) applies: The **Tribal ICWA Specialist** represents the interests of the Tribal Nation as an intervening party to state child welfare court proceedings involving a Tribal Nation member child and helps to ensure ICWA requirements are followed.

Communicate Your Family's Story

The caseworker needs to hear your story, from your perspective, because the details you share help them accurately assess the situation, address your family's needs, anticipate challenges, and understand how to connect you with the services and resources that meet your needs.

Share with the caseworker

- Context about your family—who is in your family and your child's life, and what role they play in your child's life.
- Who makes up your support network (relatives, mentors, community healers, community members, etc.).
- The names and contact information of extended family members, trusted community members, or other Tribal families who could be a temporary placement for your child if necessary.

★ **Tips:**

- *Describe what happened leading up to the child's welfare involvement.* Share the events in your own words, including what you saw, what you understood at the time, and anything that may have contributed to the situation. Your perspective helps your caseworker understand the full context.
- *Explain any steps you took to keep your child safe or address concerns.* Tell your caseworker about actions you tried, support you sought, or challenges you were facing. These details help them advocate for you and present a more complete picture of your efforts.
- *Prepare for difficult conversations.* These conversations about your child's safety and well-being can be challenging because they carry so much emotion. If you feel like the conversation is too tense, or something is too challenging to describe, ask your caseworker to take a break so you can ground yourself and gather your thoughts, so the situation feels less overwhelming.

Court Process/Timeline



This section outlines the steps in a state child welfare case. Again, some of the language may be different in various states or regions, but this is also shaped by state and federal laws and guidelines.

Protective Custody or Detention

Hearing. The judge must sign an order for temporary protective custody within 48–72 hours of the child's removal from the home. After the order is signed by the judge, the date and time for the Protective Custody Hearing will be set, usually a few days after the order is signed.

If ICWA applies—The court will determine whether the child is an Indian Child under ICWA's definition, and whether to apply ICWA's requirements at the Protective Custody Hearing, including if the placement the child is currently in meets ICWA's placement preferences. However, ICWA can be applied at any point throughout the life of the case. See NICWA's [ICWA: A Family's Guide](#) for more information on ICWA.

Adjudication. Generally occurs within 90 days after a removal. This is when the court determines whether the available evidence proves the allegations of child abuse/neglect to be true.

Disposition. When the court decides who will have custody of the child(ren) in their out-of-home placement, including if they are in relative placement, and what services are appropriate for the family.

Review. Generally occurs every six months after the initial disposition hearing. The child welfare agency (or sometimes a court) reviews the progress the family has made so far, and discusses further support and services needed. The goal is to keep children in care the least amount of time possible, but also to ensure that the children are safe.

Permanency Review. Generally occurs within 12 months after a removal from the home, and determines the permanency goals for the case going forward. The court will determine if the permanency goal *should* be returning the child home (reunification), relative care, adoption, or guardianship. Keep in mind that if the birth parents have not made significant progress towards their case plan goals, or a permanent home that was identified is no longer available, the judge may order a change in the permanency goals to a different permanent placement.

Termination of Parental Rights. If the permanency goal is adoption then a hearing for termination of parental rights will be set for both parents. In many cases, if a child has been in out-of-home care for 15 out of the last 22 months, the agency may petition the court to terminate parental rights.

If ICWA Applies—In any case where a petition to terminate parental rights has been filed with the court, the judge must meet ICWA's requirements for that proceeding.

Case Planning/ Service Planning

A written case plan will be developed following the assessment of the family and child's needs. Federal regulations require that a case plan be developed within 60 days of the date of placement. A case plan review and revision will occur at least every six months. A written court report incorporating the elements of the plan will be submitted to the court at least three days before, or as dictated by local court protocol, the initial dispositional hearing or any subsequent review hearing.

What is in a case plan?

Case plans should include

- Identification of the safety needs of the family
- Discussion of the strengths of the family
- Identification of what the safety goals are for the family
- Identification of what objectives should be made to meet those goals
- Identification of the action steps needed to reunify the family, or prevent out-of-home placement
- Identification of who is responsible for tasks
- Establishment of time frames for achieving case goals, projected discharge, and case closure

Who may participate in the family's case plan?

Typically, the parent(s), caseworker(s), the child(ren) if they are developmentally capable, relatives who can provide support or placement options, legal and court representatives, and community support and service providers (this may also vary by state/region).

Ask the caseworker:

- What exactly do I need to do to complete my case plan, and how will the court measure my progress?
- What services or support will you help me access so I can complete my case plan successfully?
- How long do I have to complete my case plan?
- How often will we review my progress, and how will I know if I'm on track for reunification?



Tips:

- *Ask for your case plan to be aligned with other case plans/service plans.* Families can request that their child welfare case plans align with the other plans to help so they don't feel so overwhelming. Other plans include: Temporary Assistance for Needy Families (TANF), school Individual Education Plans (IEPs), housing, mental health services, and substance abuse services.
- *Don't be afraid to ask for help.* Be prepared to let the caseworker know what your family's strengths and needs are, address what the safety concerns are, and what services and support your family needs.

Family Team Meetings

Family Team Meetings (FTM), also referred to as Family Group Decision Making (FGDM) or Family Conferences, engage families in collaborative, proactive planning. Family meetings are a chance for your family to meet with the caseworker, service providers, and others to touch base on how well things are going, express concerns, and identify what other services and support your family needs. Family meetings should include extended family or others that you identify as part of your support network.

Ask the caseworker:

- Who will be at my family meetings?
- Can I invite additional support like my family, friends, my substance abuse sponsor, or counsel/therapist?
- What if I feel overwhelmed?
- How will the Tribe be represented?

★ Tips:

- *Identify formal and informal support.* Families can identify who they would like to attend the FTM with. Some families have extended family members, substance abuse sponsors, relative placement, and others that help provide support to the family.
- *Write down questions and concerns.* Prior to the meeting, write down your questions and concerns to help make sure you get them addressed.

Speak Honestly About Your Needs and Barriers

If you need help, don't be afraid to ask for help. Be a strong advocate for your children, your family, and yourself. Sometimes that means acknowledging when you need help.

Always go back to this question: *Is your caseworker explaining what will happen next in a way that is clear and easy to understand?*

If ICWA applies—The caseworker can advocate for services relevant to your needs or connect with the Tribal Nation representative to coordinate culturally based services and support. ICWA centers the child's cultural identity, as well as family and community connections—parents can lead in strengthening and maintaining those ties by advocating for yourself and your family.

★ Tips:

- *Keep a personal file and notebook with all important documents and a journal of events.* This may include court orders, your case plan, certificates or papers showing you finished required services, Tribal contact information, notes about your work with service providers, records of when your visits happened and how they went, summaries of meetings and court hearings, and copies of any communication with your attorney, caseworker, and service providers. Request copies of documents from the agency or court, if you don't already have them.
- *Stay organized throughout your case.* Being organized helps you and your caseworker work together, stay on track with your case plan, and quickly find information. Keep track of the notes that you take in conversations with your caseworker, especially if you are working with multiple caseworkers, so you can keep track of who you have communicated with, and what you've shared. Document the action steps you have taken in your case, so you have a record of what you've already done.

If ICWA Applies—Tribal Involvement

If ICWA applies, the Tribe can participate in planning and decisions. ICWA can impact where your child is placed temporarily or permanently, and the services your family receives. Sometimes Tribal Nations get involved right away, and sometimes they are unable to. If the Tribal Nation is not able to intervene, ICWA *still* applies and must be complied with. ICWA allows a Tribe to intervene later if they choose. Knowing what the Tribal Nation's expectations are for how the state agency and court will handle the case, and how the Tribe will be involved, can help you better understand the case, and advocate for yourself and your child.

The first step for ICWA involvement is determined by Tribal enrollment/membership. For more

information on what it means for a child to be considered an “Indian child”, and for ICWA to apply, check out this resource: [Does ICWA Apply—Flowchart](#)

If ICWA applies, the most important requirements are the state’s responsibility to ensure active efforts are met, ICWA placement preferences are met, and the need for an ICWA Qualified Expert Witness (QEW) to testify. For more information about ICWA, check out: [ICWA: A Family’s Guide](#)

Ask your caseworker:

- Has the child’s Tribal Nation been notified of this case?
- Is the Tribal Nation planning to have a representative or advocate present at the hearings?
- How involved is the Tribal Nation going to be at this point?
- Is my child documented in case notes and court records as an Indian child? Are the requirements of ICWA being followed?
- If my child’s Tribal Nation is unable to be involved, are there other ICWA resources available in our area (other Tribes, Tribal organizations, etc.)?

Tips:

- *Contact your child’s Tribe.* Whether or not the Tribe is able to be involved or not, keep them updated on progress, concerns, and issues. Also, ask for recommendations and advice on services and support available in your area. Ask if the Tribe is able to help with access to services.
- *Request regular updates about the Tribal Nation’s involvement.* Ask about any recommendations the Tribe is making regarding placement preferences, services for your family, and actions the child welfare agency or court are planning to take.
- *Take note of extended family, including adoptive relatives, who could be potential placements for your child if necessary.* It is up to the caseworker and family services department to follow ICWA placement preferences, but having notes of your extended family who could be available is helpful to advocate for your family in the process.
- *If your child or children are not placed with relatives, ask why the relatives are unable to have placement.* Sometimes relatives are unable to pass background checks or may not have enough room in their home. Ask what the reasons are that your child or children are unable to be placed with your relatives. Sometimes you may have to push caseworkers to be specific.

What Do I Do If I Feel Like My Rights Are Being Violated?



If you feel your rights are being violated in the child welfare system, you should document everything and take immediate steps to share your concerns outside of your assigned caseworker. This is where your notes become really important. Be specific about how you feel your rights are being violated. Be able to show in writing how your rights are being violated. Some options may include

Contacting the Supervisor. Usually, the first step to filing a complaint is to contact the supervisor. If the issues cannot be resolved with the supervisor, then you could try other avenues.

Filing a Grievance. If you believe the caseworker is violating your rights, there may be a formal grievance procedure available to your caseworker’s supervisor.

Contacting Your Attorney. Immediately inform your legal counsel of the specific rights or procedures that you believe are being violated.

Contacting the State’s Ombudsman. An ombudsman is an independent, impartial official appointed to investigate, report on, and help resolve complaints between individuals and an institution.

Conclusion

Check with the state that you live in; you may have several formal avenues available to seek resolution. For state-specific contacts, visit the department's website.

NICWA as an organization cannot provide direct legal advice or case management, but can direct you to resources as you navigate these conversations with your caseworker and the child welfare system in general. Check out [our website](#) for more information.

Resources

- Child Welfare Information Gateway. (2021, August). *Concurrent planning for timely permanency for children—Texas*. <https://www.childwelfare.gov/resources/concurrent-planning-timely-permanency-children-texas/>
- Child Welfare Information Gateway. (n.d.). *Permanency*. Retrieved July 17, 2026, from <https://www.childwelfare.gov/topics/permanency/>
- Every Child Oregon. (2025, March 27). The importance of caseworkers in the foster care system. <https://everychildoregon.org/stories/the-importance-of-case-workers/>
- Families Rising. (n.d.). *Considering concurrent planning: Is it right for you?* Retrieved July 17, 2026, from <https://wearefamiliesrising.org/resource/concurrent-planning/>
- Grandfamilies.org. (2020, January 27). *Concurrent permanency planning: A guide for families* [Brochure]. https://ittakesanohana.org/wp-content/uploads/2022/08/2022-LawUpdate-Concurrent-Planning-Parent-Brochure_081020.pdf
- Tribal Information Exchange. (2021). *Tribal customary adoption*. <https://www.ntcwcia.org/wp-content/uploads/2025/07/Tribal-Customary-Adoption.pdf>



Acknowledgement

We extend our sincere gratitude to the Yuhaaviatam of San Manuel Nation for their generous financial support, which made the development of this resource possible.



NICWA

National Indian Child Welfare Association
Protecting Our Children • Preserving Our Culture

NICWA'S MISSION

The National Indian Child Welfare Association (NICWA) protects the safety, health, and cultural identity of all Native children and families—today and for future generations—by upholding culturally based services, community strength, and Tribal sovereignty.

Portland, Oregon • (503) 222-4044 • www.nicwa.org