



# FOR YOUR INFORMATION

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Issue 23-04

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## EMERGENCY PLACEMENTS PRIOR TO RFA APPROVAL (SB 354 UPDATE PART 3)

This FYI clarifies DCFS' authority to make emergency placements prior to Resource Family Assessment (RFA) approval in light of SB 354.

SB 354 did not affect DCFS' ability to make an emergency placement. SB 354 impacted the criminal exemption process and allows for relatives who were previously unable to seek a criminal exemption to request an exemption under specific circumstances. See [FYI 22-10](#). The emergency placement steps remain as follows:

### Emergency Placement Requirements

1. Conduct an in-home inspection to assess the safety of the home and the ability of the relative or NREFM to care for the child's needs.
2. Conduct a CACI and CLETS record check on the relative or NREFM and all other adults in the home.
3. If the results come back clean or show an infraction, the child may be placed in the home on an emergency basis.
4. If the CLETS information obtained indicates that the person has been convicted of an exemptible offense, a child may be placed on an emergency basis with a relative or nonrelative extended family member, pending a criminal records exemption decision by RFA Criminal Exemption Unit, if all of the following conditions are met:
  - a. The conviction does not involve an offense against a child.
  - b. The Deputy Director, Director, or their designee (ARA, RA) determines that the placement is in the best interest of the child.
  - c. No party to the case objects to the placement.
5. If the CLETS information obtained indicates that the person seeking placement has been convicted of a [non-exemptible](#) offense, DCFS cannot place the child in the home unless the prospective caregiver is a relative and a [SB 354 criminal records exemption](#) has been granted, or the court has ordered the placement. Please refer to [0100-520.05](#) for more information.
6. Within 10 days following the criminal records check or 5 days of the placement, whichever is sooner, the caregiver is required to submit a completed RFA application and the home environment assessment must be initiated.