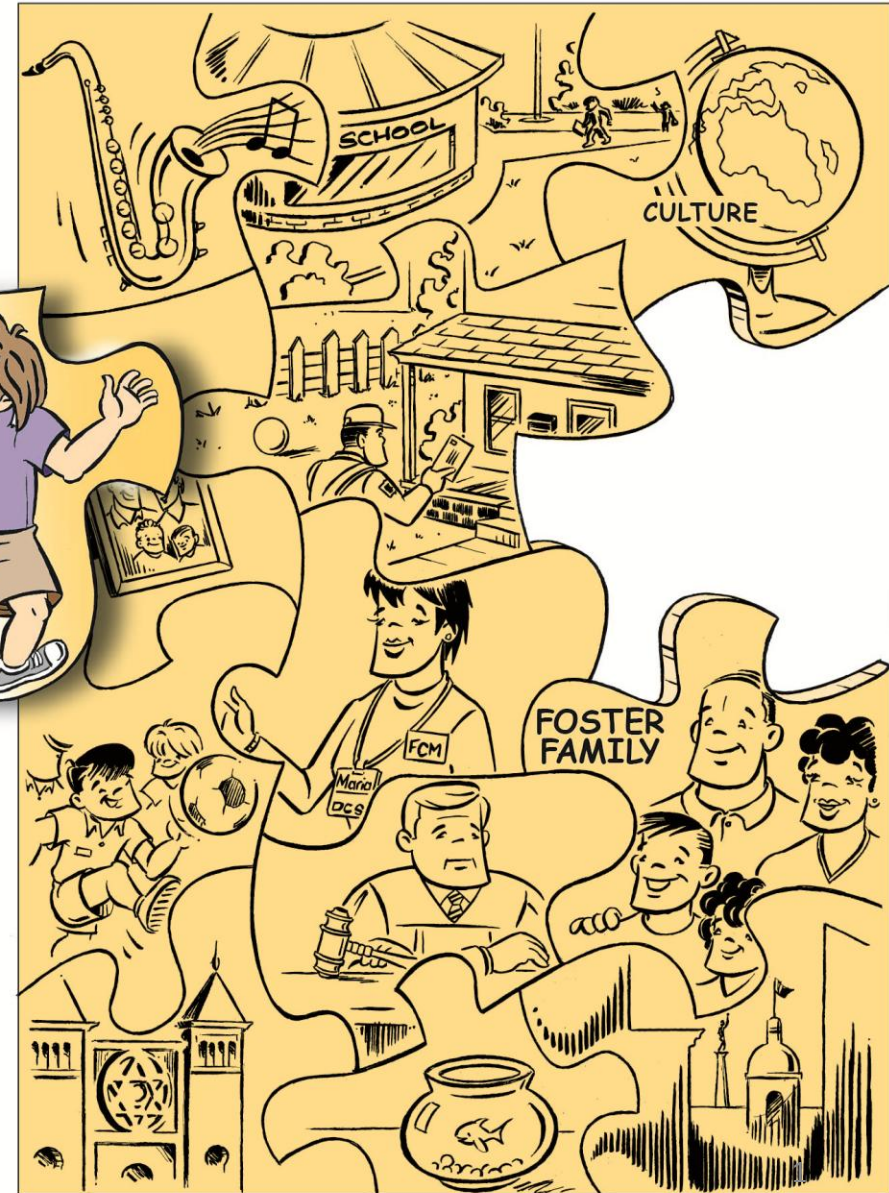
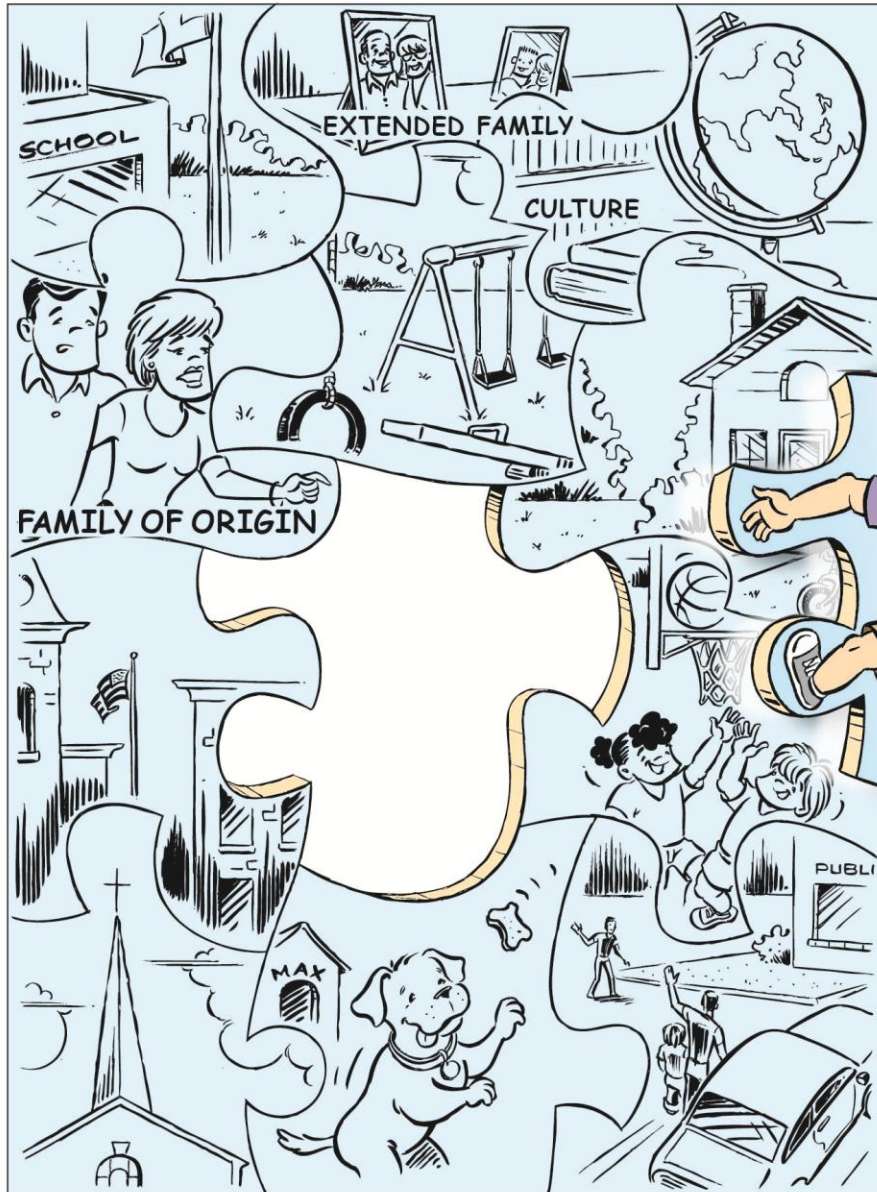


One Child, Two Worlds: Where Do I Fit? How Do I Fit?





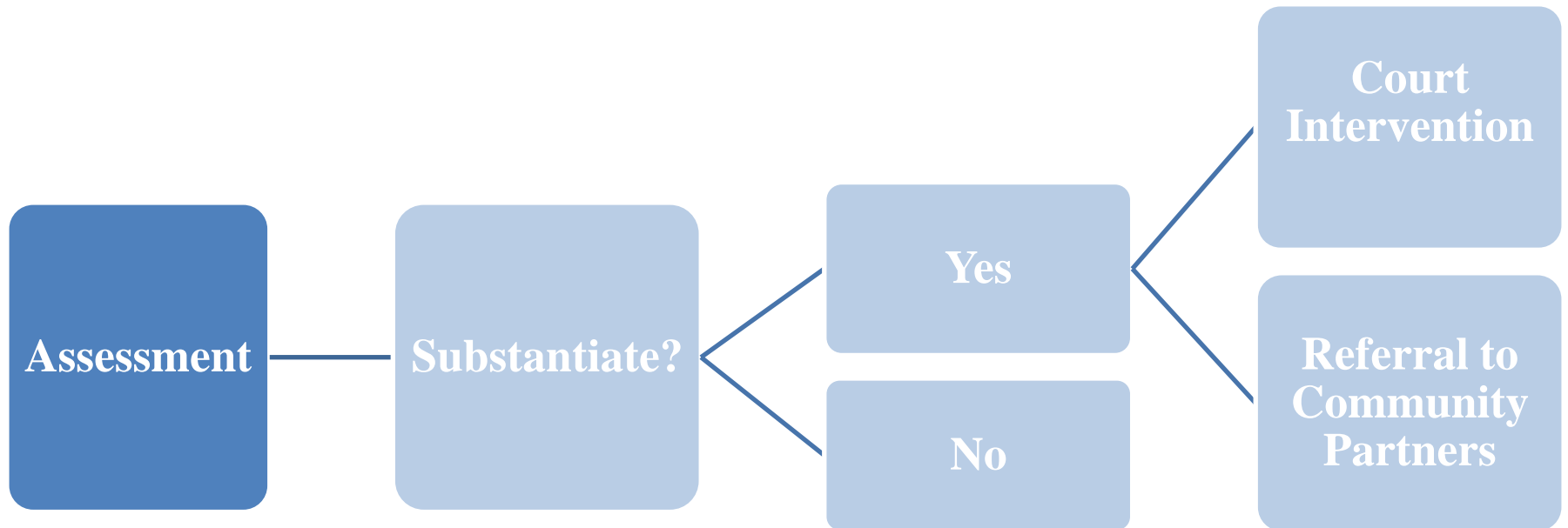
INDIANA
DEPARTMENT OF
CHILD
SERVICES

The Life of a DCS Case

Presentation to the Department of Child
Services Interim Study Committee
August 22, 2012

Jennifer Hubartt, DCS Region 10 Manager

Intervention Process

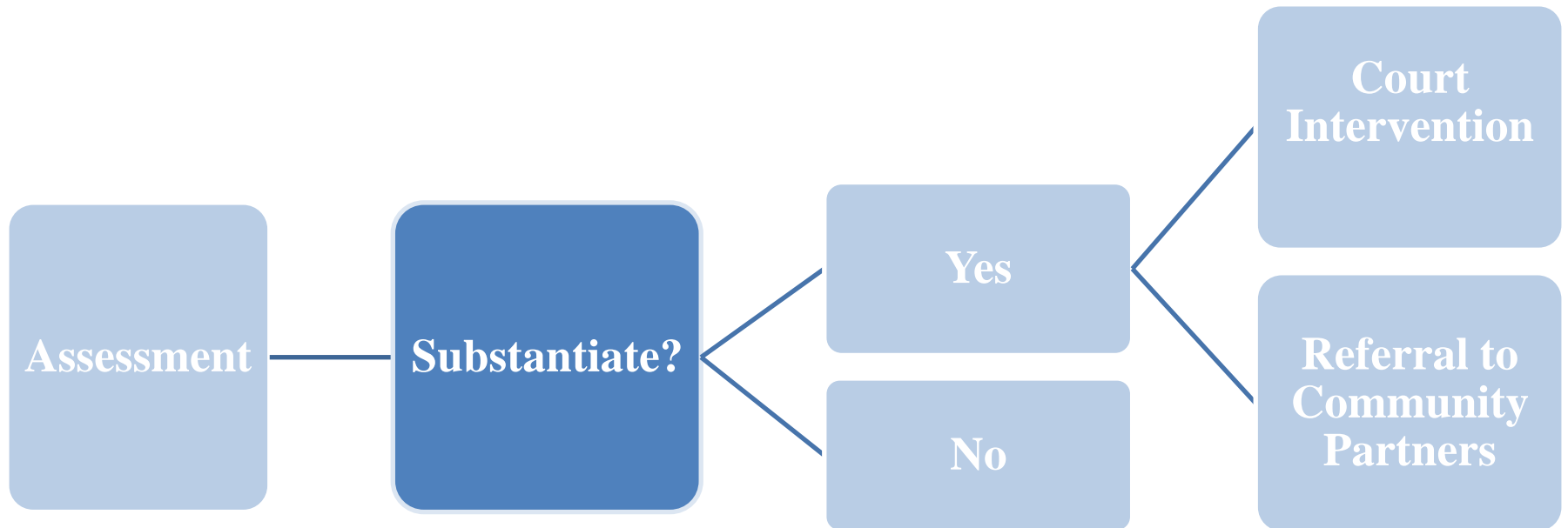




Assessment

- An assessment is the process of gathering and analyzing information on allegations of Child Abuse or Neglect.
- Requirements set out in IC 31-33
“Assessment and Child Protection”.

Intervention Process





Outcome of Assessment

Substantiate

IC 31-9-123

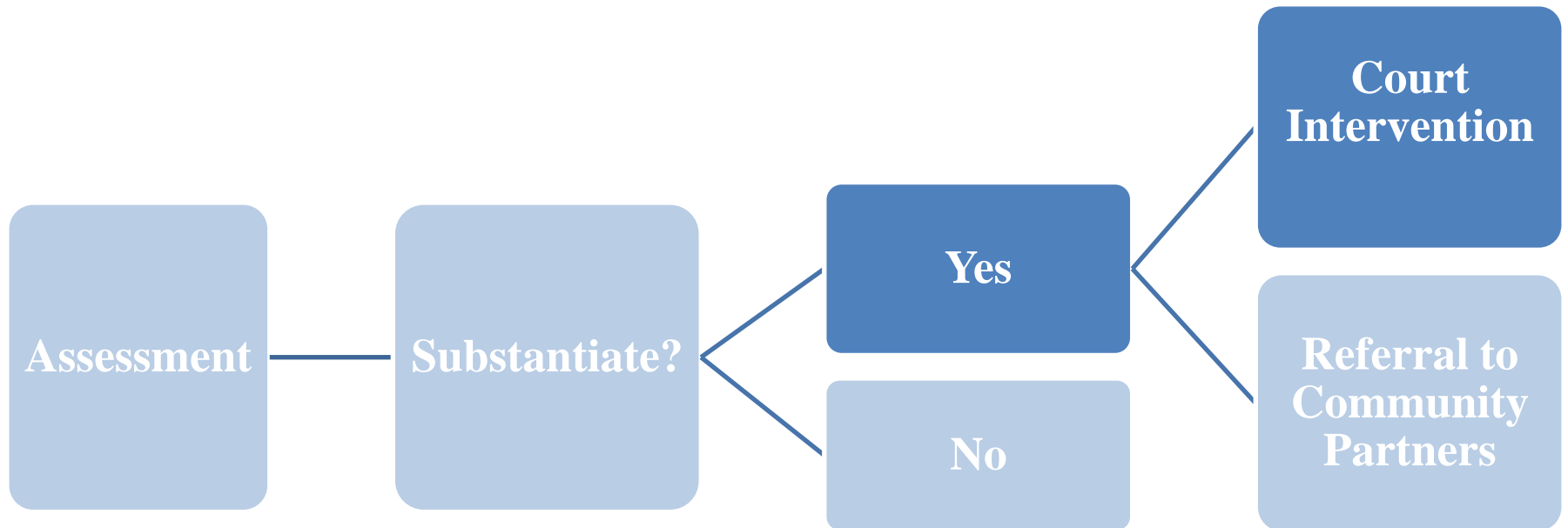
- DCS finds enough facts to prove that there is a preponderance of the evidence (over 51%) that child abuse and neglect has occurred.

Unsubstantiate

IC 31-9-2-132)

- DCS is unable to find facts to provide credible evidence that child abuse or neglect has not occurred.

Intervention Process

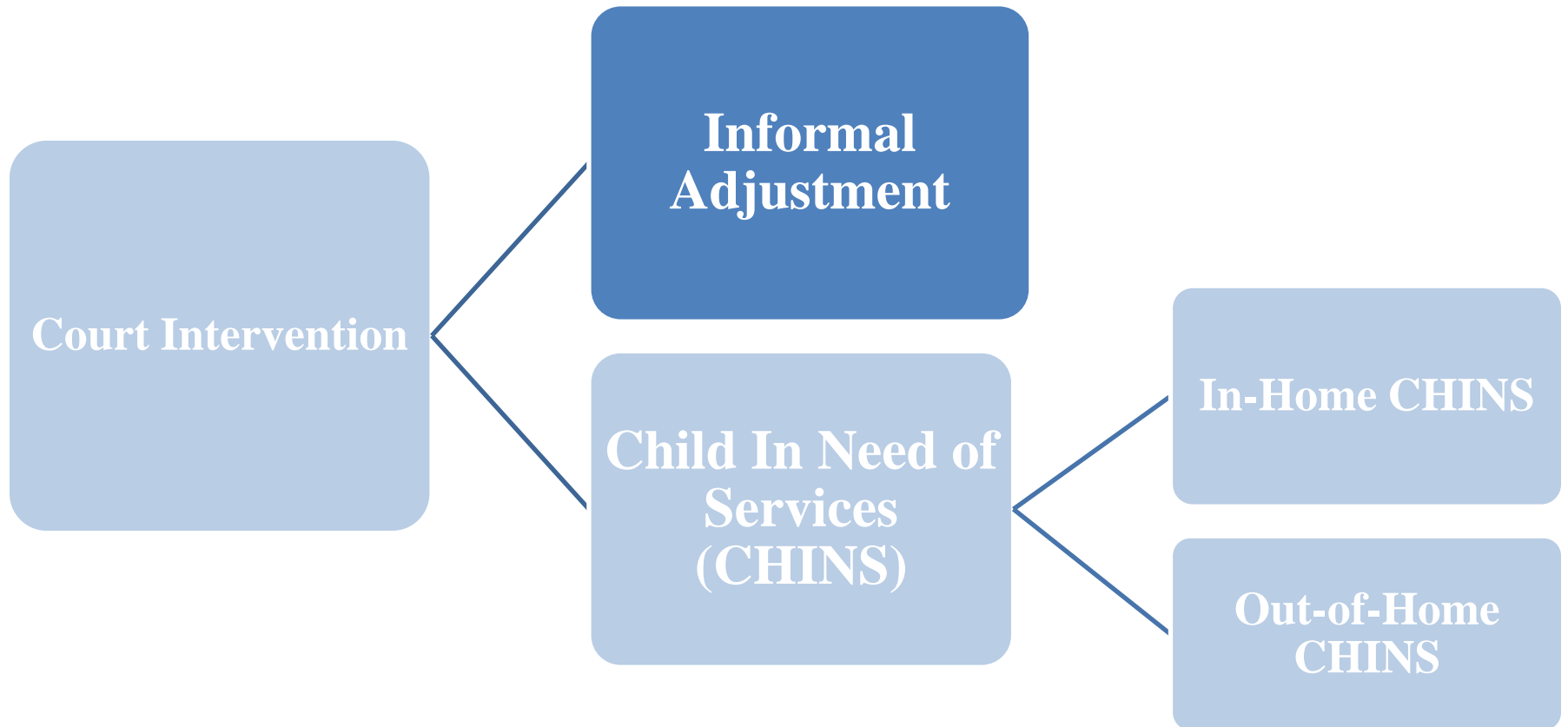




Level of Intervention

- Level of Intervention with substantiation:
 - Formal intervention
 - Family cooperates with intervention
 - Informal Adjustment
 - Child safety at risk or family does not cooperate with intervention
 - Child In Need of Services (CHINS)
 - In- Home CHINS
 - Out-of-Home CHINS
 - No formal court involvement needed
 - Community Partners Referral

Intervention Process



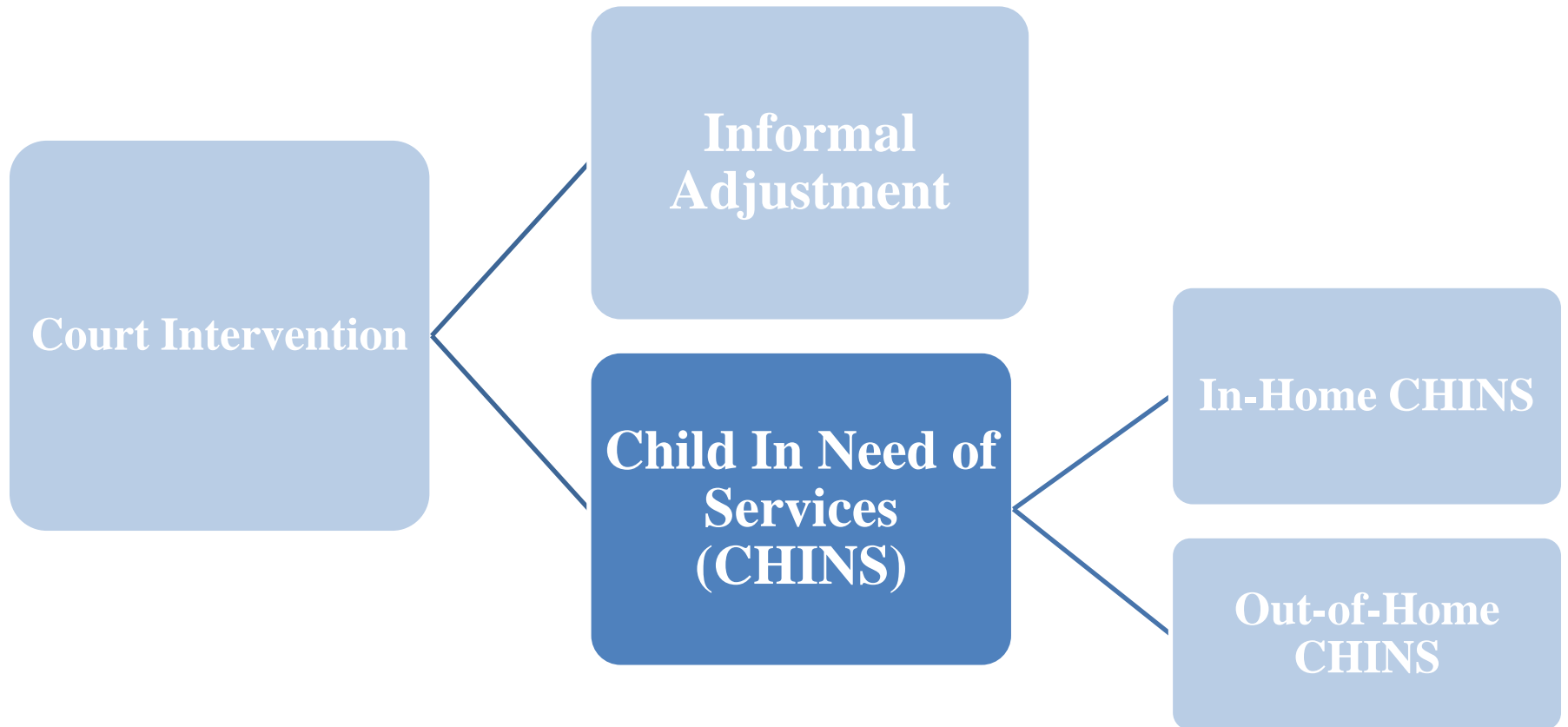


Informal Adjustment (IA)

IC 31-34-8

- Child remains in home.
- A written agreement between the Department and the family that is approved by the court.
- The Family Case Manager will:
 - visit the child and family monthly
 - locate and engage absent parents
 - participate in Child and Family Team Meetings
 - prepare required court reports
- The family and child will:
 - Receive home based services referred for and funded by DCS.
- Lasts 6 months per statute, possible 3 month extension.
- Family no longer cooperates, DCS will file a CHINS.

Intervention Process



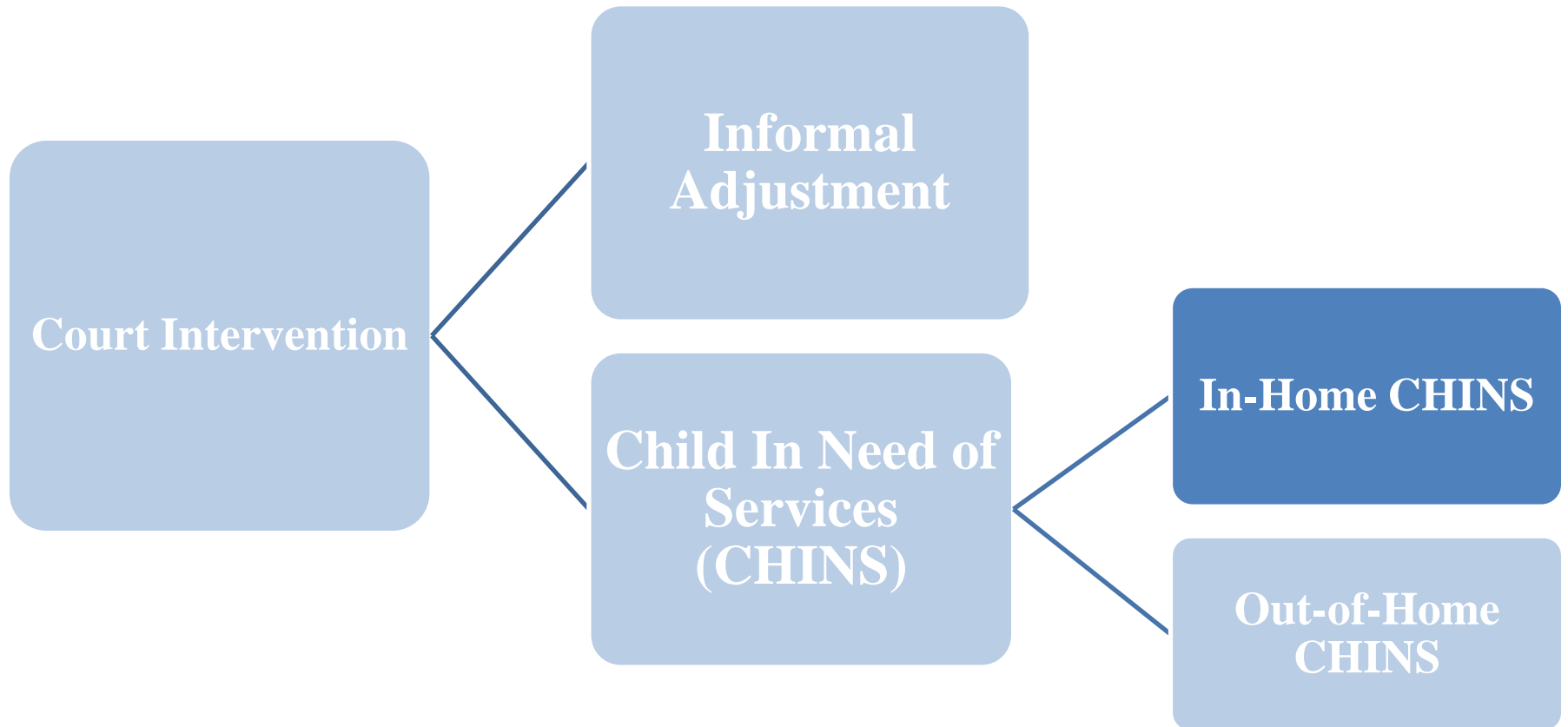


Child In Need of Services (CHINS)

IC 31-34-1 through 31-34-25

- Court must grant DCS authority to file CHINS petition.
- DCS presents the CHINS petition to the court, if granted by the court a CHINS case will be opened.
- Indiana Code describes the legal requirements for a CHINS:
 - Child is under 18;
 - Child was abused or neglected;
 - Child needs care, treatment, or rehabilitation as a result;
 - Child is not receiving care, treatment, or rehabilitation;
 - Child is unlikely to receive the care, treatment, or rehabilitation they need without the coercive intervention of the court.

Intervention Process

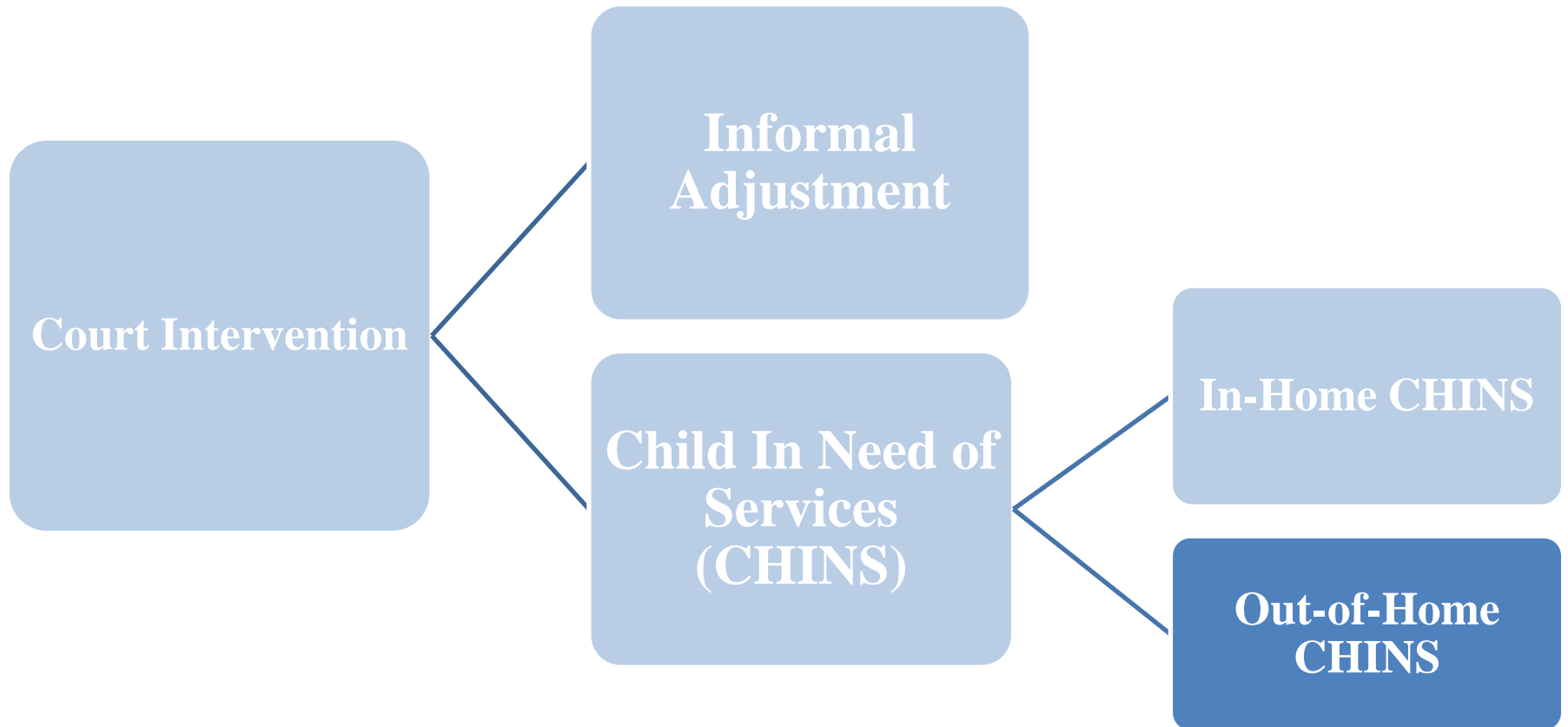




In-Home CHINS

- Used if the parents require court intervention to participate in services.
- Child remains in the care of the parent during the CHINS proceeding.
- The Family Case Manager will:
 - Refer the family for home-based services.
 - Develop the case plan.
 - Convene the Child and Family Team Meeting.
- Case proceeds in accordance with all provisions of IC 31-34.

Intervention Process





Out-of-Home CHINS

- Coercive intervention of the court is needed to ensure child receives care and services needed.
- DCS cannot remove a child from home without approval from the court.
 - Detention hearing required within 48 hours (IC 31-34-5).
- The code presumes that the child will be released to the parent, unless the court makes specific written findings under IC 31-34-5-3.
- Child is placed out-of-home.



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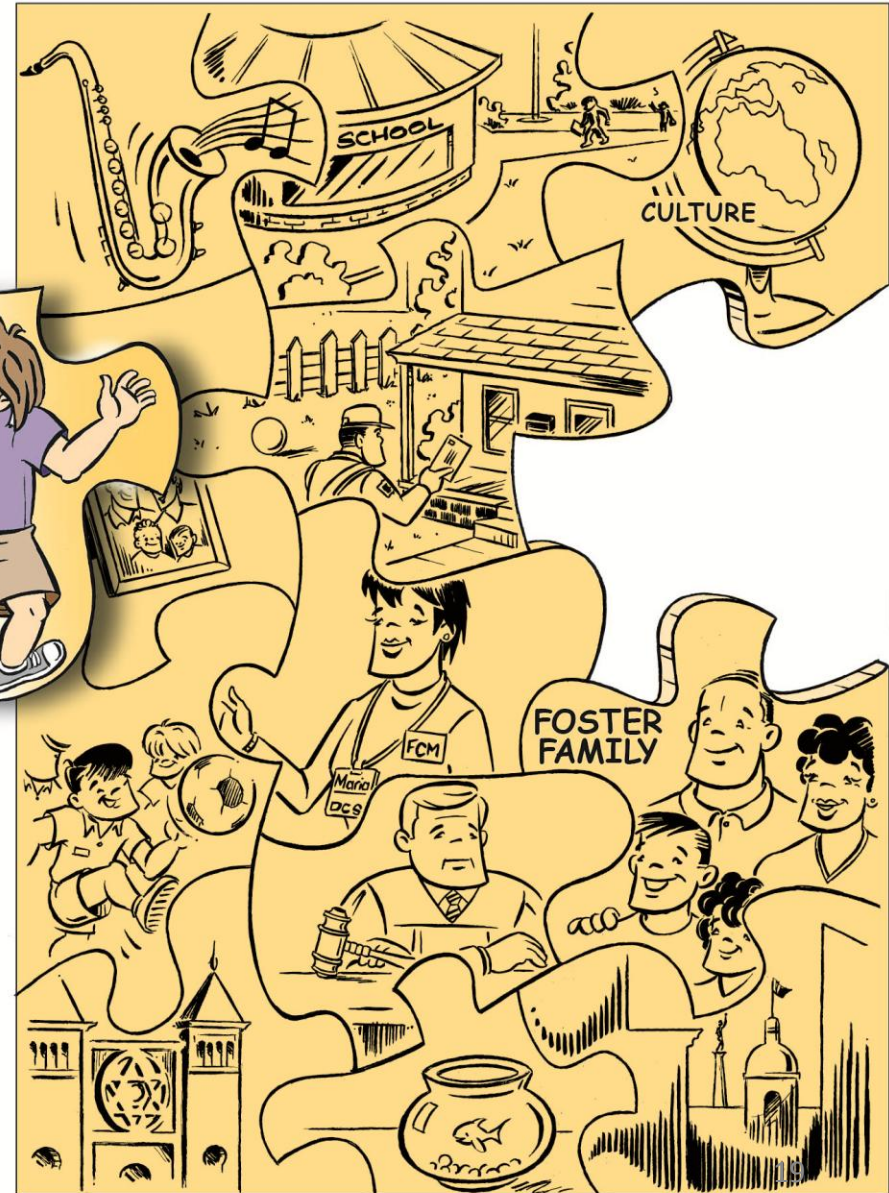
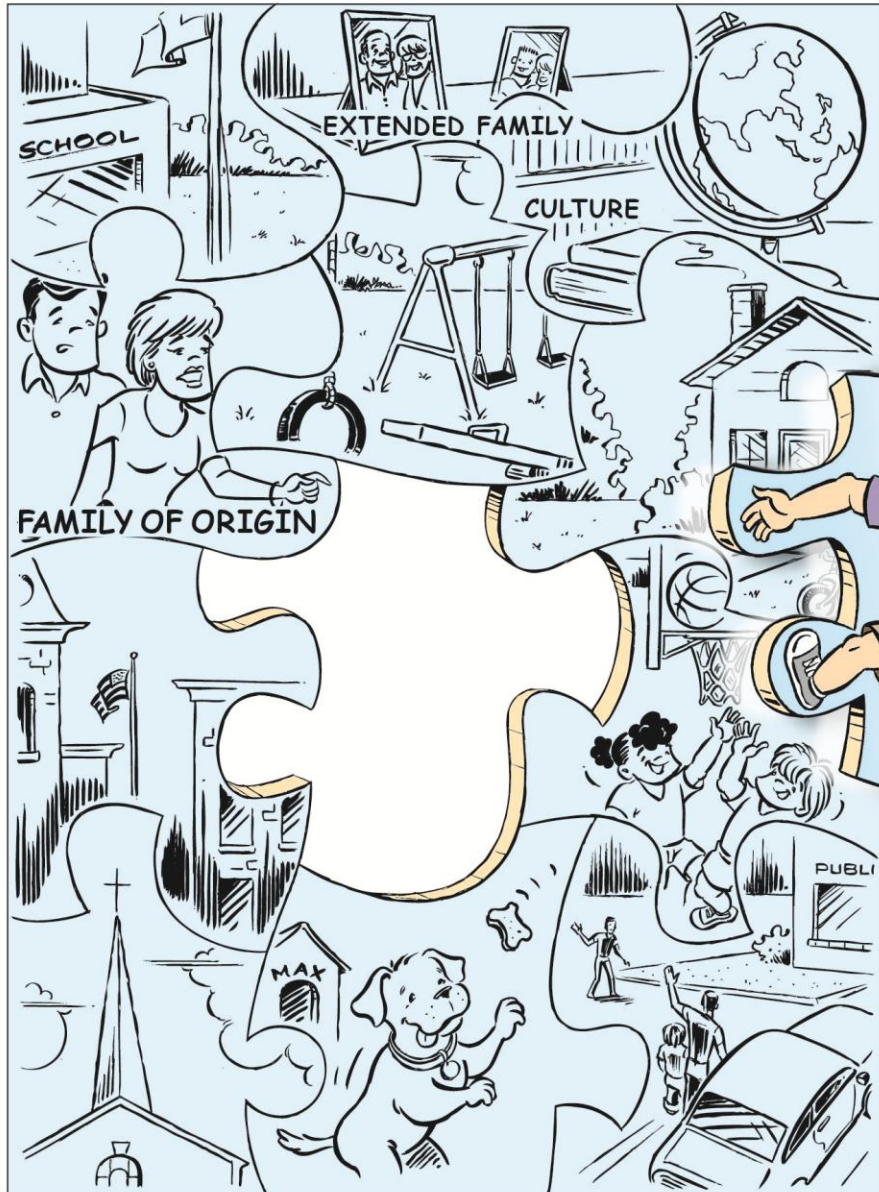
Placement



Placement Options

- Own home
- Non-custodial parent
- Relative caregiver
- Resource / Foster home
- Group home
- Residential placement
- Psychiatric facilities

One Child, Two Worlds: Where Do I Fit? How Do I Fit?





Safely Home, Families First

- Children are:
 - Safely home with services, or
 - With appropriate relatives.
- IC 31-34-4-2 requires DCS to consider relative placement before considering any other out of home placement.
- National research shows improvement in outcomes, reduction in case length, and reduce traumatic effects of removal for children placed with relatives.

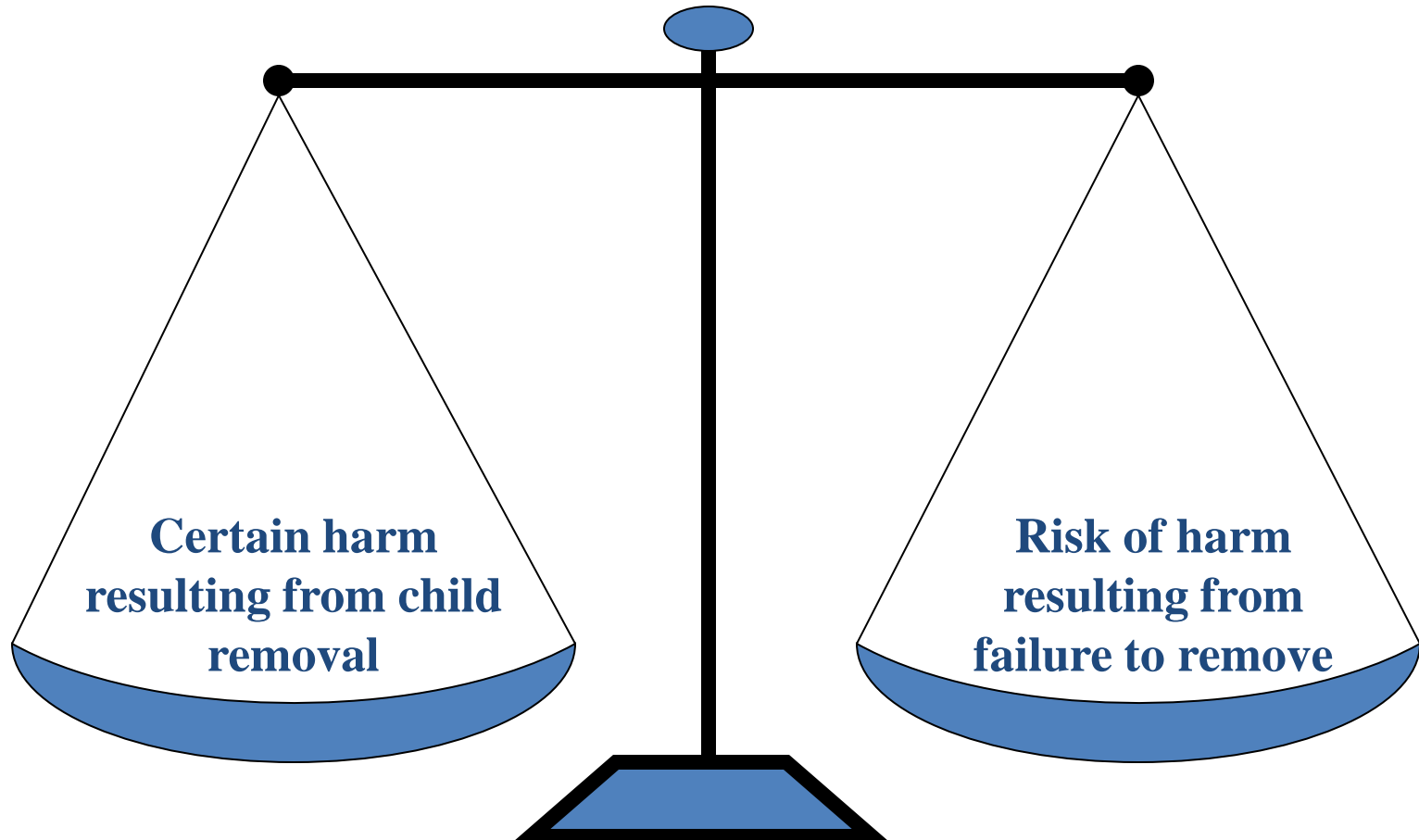


Removal

- When deciding to remove a child from home ,DCS will:
 - Consider whether efforts can be made to prevent or eliminate the need for removal.
 - Consider whether the parent is amenable to accepting the services.
 - Engage the Child and Family Team.
 - Utilize information gathered in the assessment;
 - Use information gather in safety and risk assessment

Removal

Use protective factors to make safety decisions- *weighing potential outcomes*





On-Going Case Management

- On-going case management is work completed by Family Case Manager when CHINS case is open.
- On-going Family Case Management includes:
 - Completes assessment tools.
 - Regularly meets with the family and child.
 - Ensures family and child receive services needed.
 - Convene the Child and Family Team .
 - Completes court reports.
 - Plans for permanency
 - DCS must make reasonable efforts to preserve and reunify the family in line with IC 31-34-21-5.5
 - Parenting time and sibling visitation facilitation



Court Involvement

IC 31-34

- Detention hearing (48 hours after removal)
- Initial hearing and factfinding (10 days after removal)
- Disposition hearing - the court shall enter a dispositional decree that placement is:
 - least restrictive (most family like) and most appropriate setting available;
 - close to the parents' home, consistent with the best interest and special needs of the child;
 - least interferes with family autonomy;
 - least disruptive of family life;
 - least restraint on the freedom of the child and the child's parent, guardian, or custodian; and
 - provides a reasonable opportunity for participation by the child's parent, guardian, or custodian.
- Periodic review hearing (every 6 months)
 - DCS submits reports every 3 months, hearings held at least every 6 months
- Permanency hearing (12 months after removal)



Permanency



Permanency

IC 31-34-21

- Permanency is the opportunity for a child to have a stability, certainty, and continuity in familial or lifelong relationships.
- Five permanency options:
 - Reunification
 - Fit and Willing Relative
 - Legal Guardianship
 - Another Planned Permanent Living Arrangement (APPLA)
 - Adoption



Permanency

Reunification:

- Return of the child to the physical and legal custody of the parent.
- DCS is legally required to make all reasonable efforts to reunify the child and family within the timeframes set forth in IC 31-34.
- Transition home is recommended by DCS and the Child and Family Team but ordered by the court.

Fit and Willing Relative:

- Permanent placement of child with a relative who is able and willing to care for the child.



Permanency

Legal Guardianship:

- Transfer of parental responsibility and legal authority of a child to an adult caregiver who intends to provide permanent care for the child.

Another Planned Permanency Living Arrangement:

- A planned, permanent arrangement for older youth after reunification, adoption, legal guardianship, and relative placement have been ruled out.

Termination of Parental Rights (TPR)



- Legal termination of a parents rights to parent a child:
 - Parents are not able to remedy safety concerns in the home.
- Timing:
 - Can be filed as early as 6 months.
 - Must be filed when child is out of home for 15 of the last 22 months.
- DCS must prove to the court:
 - That parents cannot provide a safe environment for the child,
 - That termination is in the best interest of the child, and
 - That there is a plan for the care and treatment of the child.



Permanency

Adoption:

- The legal process by which a child becomes the legal child of a person(s) other than biological parents.
- Mechanisms to free the child for adoption:
 - parent executes consent to adoption;
 - voluntary termination;
 - involuntary termination



Up Next: Services and Funding