STATE OF INDIANA

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_COURT

CAUSE NO. 00X00-0000-XX-00000

In the Matter of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

a Child Alleged to be a Delinquent Child/Child in Need of Services

**REFERRAL TO**

**DUAL STATUS ASSESSMENT TEAM**

Under IC 31-34-7 or IC 31-37-8, a DCS Family Case Manager or Probation Officer has completed a Dual Status Screening Tool Report, identified the child as a dual status child, and recommended the child be referred for an assessment by a Dual Status Assessment Team.

Court has considered all relevant factors and determines the child

🞏 should NOT be referred for an assessment by a Dual Status Assessment Team.

🞏 should be referred for an assessment by a Dual Status Assessment Team.

The Court finds:

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Under IC 31-34-11-2 or IC 31-37-13-2, Court has entered an adjudication, completed a Dual Status Screening Tool, and identified the child as a dual status child.

Court, being duly advised,

🞏 does NOT refer the child for an assessment by a Dual Status Assessment Team.

🞏 refers the child for an assessment by a Dual Status Assessment Team.

The Court finds:

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Facilitator shall convene a meeting of the following members of the Dual Status Assessment Team within ten (10) days of the date of this referral to consider any allegations of abuse or neglect suffered by the child and any allegation the child is delinquent.

Facilitator: [NAME]

DCS Case Manager or DCS Representative Appointed by Local Director: [NAME]

Probation Officer or Probation Representative Appointed by Court: [NAME]

Court authorizes the following members to attend said meeting as requested by the Facilitator:

🞏 Child

🞏 Child’s Public Defender or Attorney: [NAME]

🞏 Child’s Parent(s): [NAME]

🞏 Child’s Parent(s)’s Attorney: [NAME]

🞏 Prosecuting Attorney: [NAME]

🞏 DCS Attorney: [NAME]

🞏 CASA/GAL: [NAME]

🞏 DOC Representative: [NAME]

🞏 School Representative: [NAME]

🞏 Educator: [NAME]

🞏 Therapist: [NAME]

🞏 Child’s Foster Parent(s): [NAME]

🞏 Service Provider Appointed by Team: [NAME]

🞏 Service Provider Appointed by Court: [NAME]

Each member of the Dual Status Assessment Team shall attend said meeting and bring copies of all agency or other records possessed regarding and relevant to the child (for example: IYAS, CANS, DRAI, MAYSI, SASSI, IEP, or other educational records) [[1]](#endnote-1). The Dual Status Assessment Team shall assess the child’s status, best interests, and need for services as well as the level of needs, strengths, and risk of the child.

The Dual Status Assessment Team shall obtain a signed release from the parents of the child to share the above referenced records and information. Failure of a parent to sign this release may result in the Dual Status Assessment Team requesting an order from the Court releasing these records for use by the Dual Status Assessment Team.

Under IC 31-41-4, all statements communicated in a Dual Status Assessment Team meeting are not admissible as evidence against the child in any judicial proceeding and are not discoverable in any litigation.

The Dual Status Assessment Team shall consider the child’s best interests and well-being including the following:

1. child’s mental health, including any diagnosis
2. child’s school records, including attendance and achievement level
3. child’s statements
4. statements of child’s parent(s), guardian(s), custodian(s)
5. impact of child’s behavior on any victim
6. safety of the community
7. child’s needs, strengths, and risk
8. need for a parent participation plan
9. efficacy and availability of services and community providers

(10) whether appropriate supervision of child can be achieved by dismissal of delinquency adjudication in deference to CHINS adjudication

(11) whether appropriate supervision of child can be achieved by combining delinquency adjudication or informal adjustment with CHINS petition

(12) child’s placement needs

(13) restorative justice practices that may be appropriate

(14) whether CHINS petition or informal adjustment should be filed or dismissed

(15) whether delinquency petition or informal adjustment should be filed or dismissed

(16) availability of coordinated services regardless of whether child is adjudicated CHINS or delinquent

(17) whether team recommends exercise of dual adjudication and the lead agency to provide services

(18) any other information considered appropriate by the team

The Dual Status Assessment Team shall designate a member to submit the Recommendation of Dual Status Assessment Team at least two (2) days prior to the next scheduled hearing date regarding a course of action for the child including:

1. whether the Court should proceed with an additional hearing regarding the CHINS petition and dismiss a pending delinquency petition or informal adjustment at the conclusion of a CHINS adjudication
2. whether the Court should proceed with an additional hearing regarding a delinquency petition and dismiss a pending CHINS petition or informal adjustment at the conclusion of a delinquency adjudication
3. whether the Court should proceed with an additional hearing and adjudication or informal adjustment concerning both a CHINS petition and a delinquency petition
4. what agency should be the lead agency in the child’s supervision
5. any other matters relevant to the child’s best interests including any services to be included in a dispositional decree

Court schedules an additional Hearing on [DATE] at [TIME] in [COURT] at which time all parties are ordered to appear.

So REFERRED: [DATE]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Judge

1. IYAS – Indiana Youth Assessment System

   CANS – Child and Adolescent Needs and Strengths

   DRAI – Detention Risk Assessment Instrument

   MAYSI – Massachusetts Youth Screening Instrument

   SASSI – Substance Abuse Subtle Screening Inventory

   IEP – Individualized Education Program [↑](#endnote-ref-1)