



INDIANA  
DEPARTMENT OF  
CHILD  
SERVICES

# **GAL/CASA Director's Meeting**

**Indianapolis, Indiana  
April 30, 2008**



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# GOALS

- **Set the stage**
- **Discuss HB 1001**
- **General**
- **CHINS**
- **Probation**
- **Others**
- **Questions**



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# Setting the Stage!

- **History of CPS in Indiana**
- **The back drop of property taxes**
- **Leading up to the elections**
- **After the election**
- **December**
- **The Session**

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# What is HB 1001?

- **Address property taxes**
- **Family and Children's Fund**
- **Payments in the past**
- **County or State??**
- **State!!**
- **High level**
- **Processes and forms to settle**
- **Work is ahead**



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# General

- **DFC**
- **Local office, Director**
- **Department of Correction- Kids**
- **FCMs not investigate paternities**
- **FCMS do custody only if a CHINS**
- **FCMS not to do home studies in  
Gship**



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# Finances

- **Counties have no levy for services**
- **Defines state FCF as an account**
- **State can augment funds**
- **State contracts for services- not cty**
- **Counties pay for all fees to 12-31-08**
- **State starts paying after 12-31-08**
- **Counties can retain funds after that**



# Regional Services Councils

- **Defines RSC**
- **Requires participation**
- **Sets out membership**
- **Adds county prosecutor**
- **Judge can appoint probation**
- **RSC put services in place for ctys**
- **Must do plan**
- **Contract for services**

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# Informal Adjustments

- **Must be ruled on in 10 days- apprvd**
- **If deny IA, must state reasons**
- **Set for hearing & heard & Ruled on in 30 days or apprvd**
- **IAs are for 6 months with 3 month extension**
- **Probation IAs have special process**

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# CHINS Cases

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# CHINS Cases

- **Before Disp, Crt submits order of Placement or Service to DCS**
- **DCS has 3 days to report approving or not the P & S**
- **DCS has alternative, Crt approve & state pays**
- **DCS has alternative, Crt not approve, Crt states reasons and DCS can appeal- DC pays during appeal**
- **Crt finding of Emergency, DCS pays**
- **No finding of emergency, cty pays**

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# CHINS Cases

- **Only DCS can file CHINS**
- **Only DCS atty or GAL/CSA can file parental participation in CHINS**
- **Only DCS atty can file protective order in CHINS case**
- **DCS can place a child in public school with legal settlement**
- **Videotaped statement of child notice is down from 20 to 7 days**



# Out of State Placements

- **Crt not place out of state unless:**
- **1. w approval of DCS, or**
- **2. with written finding by clear and convincing evidence-**
- **A- no comparable in state place or**
- **B- facility is w/ 50 miles of county of child's residence**

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# Disp- Findings/Appeals



- **Crt consider rec of DCS, court, GAL/CASA, par/gua/cus, fos par, caretaker**
- **Crt accepts DCS rec, order- St pays**
- **If not, set out 7 days for DCS to consider recs**
- **Crt accepts DCS supp recs, St pays**
- **If not, Crt makes finding that DCS recs are unreasonable & contrary to welfare & best intersts of child**

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# Disp- Findings/Appeals

- **DCS can appeal- rocket docket**
- **DCS prevails- only pays**
- **A- programs & services in place**
- **B- only out of home costs if Crt made findings of emergency to protect child's health & safety**
- **If no emergency findings on out of home and DCS prevails, County pays**

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# Probation Cases



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# Probation Cases

- **Only Prosecutor can file JDS**
- **Pls must have eligibility words-  
emergency, R/E, Best interests,  
contrary to Health & welfare**
- **DCS can't file Parental Participation**
- **Probation must do case plan for  
out of home placements, update  
every 180 days & send to  
par/gua/cus**
- **DCS can't supervise delinquents**



# Probation IAs

- **IAs to DCS if state to pay for services**
- **DCS can agree or submit alternative**
- **DCS must give written consent before paying for services**
- **6 months with 3 month extension**

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# Pre-Dispositional Report



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- **PDR must contain;**
  - **a. words for eligibility for IV-E**
  - **b. DCS response to recs for services**
  - **C. concurrence or alternative**
- **Sent to DCS for review before Disp**
- **Must have risk & needs assessment**
- **And supporting documents**
- **Include who, programs- why/why not**



# Disp- Findings/Appeals

- **PDR sent to Crt**
- **Hearing-**
- **Crt make findings on approval, modification or rejection of Recs**
- **Crt doesn't accept DCs recs, must make written findings:**
  - **A- DCS recs unreasonable with the facts**
  - **B- contrary to child's welfare & safety**

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# Reviews

- **Psych evals for del sex offenders subject to concurrence or alternative by DCS**
- **Reviews 6 & 12 months**
- **Requires a progress report**
- **Requires hearing and notice to DCS for Modification of emergency change of placement**
- **Appeals- rocket docket**



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# COSTS



# Payment by State

- **Defines Detention costs- not by St.**
- **St not pay if words for eligibility**
- **If not IV-B/IV-E programs or services or approved by DCS, St not pay**
- **St not pay out of state if fits rules**
- **St not pay if eligibility info not given**
- **If St not responsible for costs of programs or services, county is**
- **IF CHINS& JD, St can pay in Detent.**

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# Plan

- **April and May- intern discussions to discuss topics and areas of concern to share w/ partners**
- **June and July- meet w/ Partners to finalize processes and forms**
- **August- finalize process and forms- pilot the system**
- **Sept to December- train partners, agency staff & continue to meet & refine final processes**



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# Committees

- **Probation**
- **Forms**
- **Current/New Contracts**
- **Regional Services Councils**
- **Training**
- **Financial Process**
- **Central Office Staffing**
- **Communication Plan**
- **Other State Agency Interaction**
- **Child Support Technology**



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# Conclusion

- **Monumental**
- **Historic**
- **Epic**
- **Responsibility**
- **Change**