

**Cuyahoga County Division of Children and Family Services
(CCDCFS)
Policy Statement**

Policy Chapter: Case Review
Policy Number: 5.02.01
Policy Name: TDM/Staffings Policy

Original Effective Date: 03/07/2005
Revision Date(s): 05/01/2020, 05/01/2016, 05/01/2013, 07/30/2007
Current Revision Date: 06/01/2023
Approved By: Jacqueline M. Fletcher

PURPOSE: Team Decision Making meetings (TDM) bring families, community supports, service providers, resource families, agency staff and other natural/professional partners together with the goal of reaching consensus about a recommended plan focused on child safety, permanency, and well-being. Each team member has a role and responsibility in carrying out this plan. For the purpose of this policy, TDM meetings will be referred to as “staffings”.

SCOPE: This policy applies to all Cuyahoga County Division of Children and Family Services (CCDCFS) staff who participate in staffings.

POLICY

Research and experience inform us that including parents, natural supports and service providers in all meetings where recommendations are made about a child’s custody, placement, and/or permanency result in better outcomes for children. Safety threats, risk factors, and family strengths are presented in a collaborative approach that recognizes the family as experts in building the support and protective capacity necessary to protect their children, make recommendations about their placement, safely reunify, or contribute to their permanency planning discussion. The goal is to reach consensus using the least restrictive plan which protects the child’s safety and stability.

PROCEDURES

I. When to Schedule a Staffing:

The WOR must hold a staffing or SAR prior to any legal filing and/or placement request, except for motions to extend or terminate court ordered protective supervision. **A staffing or SAR recommendation becomes the agency’s official position, and is binding upon all agency participants, who are obligated to support it and carry out all recommended action steps. No change to the staffing or SAR recommendation may occur without first obtaining a Deputy Director override or participating in a delayed filing or new staffing.**

A. Initial Custody and/or Placement Staffing

When the WOR identifies child safety concerns, he/she meets with their Supervisor in a timely manner to discuss safety and risk. If removal or any form of court involvement is being considered, the WOR schedules a staffing to determine the least restrictive plan that will keep the child safe and protected.

1. An initial custody and/or placement staffing is also required when a parent/custodian places a child out of the home with another caregiver voluntarily during the course of agency involvement. The child's safety and well-being with the alternative caregiver must be assessed in addition to the length of time and stability of the out-of-home placement. Any placement of a child away from home is a major change and may be traumatic. In addition, the team assesses the degree to which the parent views their arrangements as voluntary or in response to agency involvement.
2. The WOR schedules a staffing when a Law Enforcement Officer authorizes custody via a Juvenile Rule 6 (JR6) to determine the recommended course of action.
3. The court liaison schedules a staffing when Juvenile Court issues an intent to grant the agency custody of a child at an upcoming delinquency or private custody hearing.
4. The WOR schedules a staffing when a power of attorney, private custody, or guardianship filing is in process or considered during the course of agency involvement.
5. Below are some specific examples of presumed safety concerns which require the WOR to schedule a staffing:
 - a) A new case is opened, and the parent has had a child previously and permanently removed from their care (legal custody to another individual, permanent custody, or adoption).
 - b) The parent has a child who is currently in the custody of a child protection agency AND the mother is pregnant and due within the next 30 days OR has recently given birth to another child.
 - c) Children in the family have experienced a previous serious injury or neglect (e.g., children left home alone, serious head injury, such as baby with a skull fracture, unexplained or inflicted broken bones, failure to protect from serious harm, etc.)

B. Placement Preservation/Change of Placement Staffing

When the WOR becomes aware of concerns regarding a child's placement, he/she meets with their Supervisor in a timely manner to discuss child safety and stability with the current caregiver(s). The following concerns are examples of when a WOR shall schedule a placement preservation/change of placement staffing.

1. Safety concerns for any child with their caregiver;
2. A caregiver is becoming overwhelmed with caring for a child, despite receiving services to support the child and caregiver;
 - a) The WOR shall schedule a staffing prior to all unplanned respite occurring during business hours.
3. Resources or services are unavailable to meet a child's needs in their current placement;
4. A caregiver is unable or unwilling to meet a child's needs;
 - a) The WOR shall schedule a staffing within 72 hours upon receipt of a notice from a foster parent, agency, or resource manager/network case manager requesting a child be removed from their current placement.
5. A less restrictive safe, stable, and approved placement is now available;
6. Returning AWOL children (absent from placement without authorization) will have a staffing the same day or next workday if a new placement is needed and a TDM has not been held recommending a change in placement within the last 30 days.
7. A placement preservation/change of placement staffing is not required in the following circumstances:
 - a) Stepping down to a less restrictive lower level of care within the same residential facility.
 - b) Returning to the original placement after a short-term stay in an acute care facility (less than 14 days) for psychiatric stabilization or other treatment for illness/injury.
 - c) Moving from an identified short-term setting (less than 14 days) to a more long-term placement, once secured.
 - d) Not physically moving and only the provider's status is changing (ex: Kinship provider becoming a foster parent).
 - e) Being placed on adoptive placement either in their current placement or a straight-out adoption.

C. Permanency Planning Staffing

When assessment tools, concurrent planning, and legal timeframes inform the need for a permanency plan recommendation, the WOR shall schedule a permanency planning staffing.

1. When considering a reunification recommendation:
 - a) Reunification Staffing #1 – WOR schedules a staffing when parents have demonstrated behavioral changes and protective capacities over time to resolve prior safety threats and the risk level is reduced. Overnight or extended visits may be recommended to ensure a smooth transition.
 - b) Reunification Staffing #2 – Facilitator schedules this staffing type approximately 45 days after the 1st reunification staffing to assess frequency and quality of extended visits, action steps from the first staffing, re-assess safety, and formalize a permanency recommendation with a transition plan.
2. When considering another permanent plan:
 - a) If considering a legal custody recommendation, the potential custodian must be present at the staffing.
 - i. WOR shall refer them to the Matching Coordinators prior to the meeting.
 - ii. WOR shall make them aware of the expectations outlined in the Statement of Understanding prior to the staffing.
 - b) If considering termination of parental rights or legal custody, the WOR shall invite a Matching Coordinator to the staffing.
 - c) If considering planned permanent living arrangement (PPLA), the WOR and Supervisor shall consult with the Senior Manager prior to scheduling the staffing.
 - d) If considering emancipation for a young person who has reached the age of majority and/or completed their high school diploma/GED, the WOR shall consult with their supervisor about:
 - i. Does the youth have a safe and secure transition plan?
 - ii. Does the youth have significant mental health or developmental disabilities?
 - iii. Have the steps outlined in the Emancipation Guide been met?
 - iv. **If the youth is AWOL, WOR and Supervisor shall receive Deputy Director approval of this preliminary recommendation before scheduling the staffing.**

II. How to Schedule a Staffing:

- A.** The WOR consults with their Supervisor regarding the timeframe to hold the staffing (e.g., emergency vs. non-emergency) and potential dates.
- B.** The WOR contacts the family and providers to identify dates and times within that timeframe when they are able to attend the staffing.
- C.** The WOR contacts the Case Review Department Schedulers to schedule one of the staffing types listed in section (I) above, when the necessary

parties are available to attend. The Case Review Schedulers notify the Guardian ad litem (GAL), Court Appointed Special Advocate (CASA) and Community Collaborative. If this information is not readily available at the time of the call, the WOR is responsible for notification.

- D. The WOR then contacts the family and providers with the date, location, and time of the staffing and encourages them to bring natural and family supports.
- E. If the agency receives emergency custody, placement, or develops an out-of-home safety plan with a family after hours, the Hotline or WOR schedules a staffing for the next business day.
- F. The WOR or Facilitator schedules follow-up staffings for out-of-home safety plans and non-emergency custody filings to reevaluate circumstances and determine if more or less restrictive options may be considered. The WOR or Supervisor cancels the meeting in advance when a more or less restrictive plan may not be considered due to unchanged circumstances.
- G. The WOR may recommend a change of placement and/or permanent plan in a Semi-Annual Review (SAR) if key participants outlined in Section I, B, 4, are present.
- H. The WOR shall identify and notify the Case Review Schedulers in advance of any special accommodations that may be required for the staffing/SAR (e.g., WOR has arranged for an interpreter, a larger room is required, separate meetings are required due to domestic violence issues or No Contact/Protection Orders, security presence is needed, or WOR is combining an SAR with a staffing).

III. Meeting Preparation:

- A. All youth in agency custody age 13 and above, with consideration given to developmental abilities/stages, are required to attend all placement preservation/change of placement and permanency planning staffings.
 - 1. WOR contacts the teen in advance to discuss the staffing purpose and prepare the teen as an active participant.
 - 2. The WOR shall reschedule the staffing/SAR if the teen is unable to attend the meeting due to the date and time.
 - 3. The WOR shall complete a Teen Waiver form if the teen is unable to attend due to other extenuating circumstances.
 - 4. The Supervisor and Senior Manager must approve the Teen Waiver prior to the staffing/SAR.

5. The WOR submits the Teen Waiver to the Facilitator at the time of the staffing.
- B. The following key participants shall be invited to a placement preservation/change of placement staffing: parents/legal guardian (non-PC cases), current caregivers, resource managers, private provider, GAL and CASA.
 - C. Placement Preservation Worksheet shall be completed and submitted to the facilitator prior to the staffing.
 - D. Attorneys, police officers, and detectives acting in official capacity are not permitted to attend staffings.
 - E. Recording devices are not permitted in a staffing or SAR.
 - F. Staffings shall not be utilized to arrest a participant or to serve a warrant.
 1. Under no circumstance shall a participant be arrested during the staffing/SAR.
 2. The WOR must consult with their chain of command and the Deputy Director shall approve any decision to arrest individuals in the building.

IV. Appeals:

The goal of the staffing is to reach consensus about a recommendation that achieves child safety, well-being, and permanency. When consensus is not attained because a CCDCFS staff member (outside of the assigned staff's chain of command) present at the staffing does not believe that the recommendation meets the best interest of the child, the Facilitator schedules an appeal. Whenever possible, the appeal is held immediately, and all staffing participants are included. A Senior Manager who is not directly responsible for the management of the case (and not in the chain of the command of the appellant) facilitates the appeal and is responsible for determining the final recommendation. If a Senior Manager attends the original staffing, an Administrator or Deputy Director facilitates the appeal. The appeal decision is binding, unless overturned by a Deputy Director or the Director.

V. Delayed Filings:

When the Assistant Prosecuting Attorney (APA) and the Managing Attorney question the legal basis of a filing, legal action is "delayed" and the Prosecutor's Office convenes a meeting to clarify information and identify barriers to moving forward with the requested legal action. Participants in the delayed filing shall include Case Review staff, APA, Managing Attorney, WOR, Supervisor, and Senior Manager. If consensus cannot be reached and the legal team believes the facts presented do not meet the statutory requirements for a filing, the complaint or motion will not be filed unless issues are adequately resolved. If agency staff do not agree with the Prosecutors' decision not to file, they present the case to the Director for a final decision as to how the agency will proceed from both a social work and legal perspective.

SEE ALSO:

Cuyahoga County Division of Children and Family Services Policies and Procedure Manual

Policy 2.03.07 Cases Involving Domestic Violence

Policy 5.01.04 Family Team Meeting

Policy 5.02.02 Case Reviews/Semi-Annual Administrative Reviews

Policy 6.01.03 Placement into Out-of-Home Care Settings

Policy 6.01.04 Sibling Policy

Policy 6.05.01 Family Visits

Policy 7.01.05 Minor Parents and Their Children

Policy 7.06.03 Client Rights

Policy 7.06.04 Provisions for Clients with Limited English Proficiency (LEP)

FORMS

Location: Traverse

Teen Waiver Form

Placement Preservation Worksheet

Location: DCFS Intranet

Case Review Requirements and Checklist

Location: Agency PC Desktop

Emancipation Guide

Teen Reference Guide