

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

Policy Chapter: Custody
Policy Number: 6.06.02
Policy Name: Parental Background Reviews

Original Effective Date: 10/04/2010
Revision Date(s): 12/01/2018, 07/01/2015
Current Revision Date: 02/01/2022
Approved By: Cynthia G. Weiskittel

PURPOSE: The purpose of this policy is to provide guidelines for the completion of background reviews. Background reviews are necessary to understand a parent's needs, protective capacities, and risk contributors; to assess a parent's ability to care for and protect their child(ren); and to determine if parents are candidates for reunification / unification.

SCOPE: This policy applies to all Cuyahoga County Division of Children and Family Services (CCDCFS) direct service staff and workers of record (WOR) who are responsible for recommending and / or implementing family services.

POLICY

A background review is the gathering of information about a parent, including, but not limited to, identifying his/her first and last name, maiden name, aliases, social security number, address, telephone number, social service history, employment, Ohio Works First (OWF) involvement, child support obligations, criminal convictions and any civil orders or history which restrains or restricts a parent's access to a child.

The information is used to understand a parent's needs, protective capacities, and risk contributors; to assess a parent's ability to care for and protect their child(ren); and to determine if parents are candidates for reunification / unification. The decision not to unify or reunify a child with their family is not solely based on the information obtained from a background review. WOR reviews the complete information about the family's circumstances with their supervisor before making a recommendation.

PROCEDURES

- A. WOR and supervisor are informed and aware of the criminal background and social service history of the parents of children on assigned active cases.

- B. WOR completes background reviews on:
- all biological or adoptive parents of children who are the subjects of an active Juvenile Court complaint.
 - parents within 30 days of the decision to file for custody and/or within 30 days prior to the anticipated date of the staffing to recommend reunification/unification.
 - all individuals 18 years of age or older who reside in the home of the parent with whom reunification / unification is being considered.
- C. WOR documents background reviews in the person profile and activity log sections of SACWIS.
- D. Background reviews require, at a minimum, the following steps:
1. The WOR reviews SACWIS and Traverse to identify any social services history. If history exists, the WOR completes a thorough review of the case record and documents findings in the case activity log.
 2. The WOR requests updated information from Job and Family Services (JFS) and Child Support Enforcement Agency (CSEA) to determine if the family has involvement with either system.
 3. The WOR completes criminal and civil history checks on all custody cases within 30 days of the decision to file for custody or recommend unification/reunification. The WOR must search the following public internet websites when conducting a criminal and civil check:
 - The Federal Bureau of Prisons (<https://www.bop.gov/>)
 - The Ohio Department of Rehabilitation and Corrections (<https://appgateway.drc.ohio.gov/OffenderSearch>)
 - Registered Sex Offender Sites – Cuyahoga County and National (photo search) (<https://sheriff.cuyahogacounty.us/en-US/Sexual-Offender-Unit.aspx>); (<https://www.nsopw.gov>); (http://www.communitynotification.com/cap_main.php?office=55149)
 - The Cuyahoga County Clerk of Courts, both Civil and Criminal (<https://cpdocket.cp.cuyahogacounty.us/Search.aspx>)

Note: All of these websites are located on the intranet, under the "Directories" section, file named "Investigative Resources."
 4. The WOR searches the Juvenile Court ICASE system. This search is used for internal purposes only and the results of this search cannot be disseminated, absent specific authorization from the Juvenile Court.
 5. The WOR consults with the prosecutor's office regarding any Juvenile adjudications, criminal convictions or civil orders which require clarification.
 6. The WOR requests child welfare records from other jurisdictions and searches out-of-state court dockets when information indicates the person subject to the review has resided in or spends time out of state.
- E. If the Background Review reveals concerns that may adversely affect unification / reunification; the WOR consults with their supervisor and senior manager to determine if additional records checks, including fingerprinting, is necessary.

- F. WOR shares the results of background reviews with the supervisor. The supervisor and WOR may decide to seek assistance from other entities (e.g., parole or probation officials), recommendations from a mental health provider or other appropriate professional or additional information, such as police reports or copies of convictions from a clerk of court.
- G. WOR utilizes information gathered from the Background Review to assist with case planning and the readiness of reunification or unification. WOR reviews the information and identifies convictions and other circumstances that may constitute grounds for filing a reasonable efforts bypass with Juvenile Court. WOR approaches the prosecutor's office if grounds for a bypass are discovered.
- H. Reasonable efforts to prevent removal or to return the child home are not required if the parent from whom the child was removed has:
 - 1. been convicted of or pleaded guilty to one of the following offenses:
 - a. aggravated murder, murder, voluntary manslaughter (or conspiracy or attempt to commit, or complicity in committing aggravated murder, murder or voluntary manslaughter);
 - b. felonious assault, aggravated assault, or assault;
 - c. endangering children;
 - d. rape, sexual battery, unlawful sexual contact with minor, gross sexual imposition, or sexual imposition (or conspiracy or attempt to commit, or complicity in committing rape, sexual battery, unlawful sexual conduct with minor, gross sexual imposition, or sexual imposition);
 - 2. been required to register with a sex offender registry in accordance with section 113(a) of the Adam Walsh Child Protection and Safety Act of 2006;
 - 3. repeatedly withheld medical treatment or food from the child, but had the means to do so;
 - 4. placed the child at substantiated risk of harm two or more times due to alcohol or drug abuse and rejected treatment two or more times or refuses to participate in further treatment two or more times after a case plan is developed pursuant to OAC 5101:2-38-07 or 5101:2-38-05 and is journalized as part of a dispositional order issued with respect to the child or an order is issued by any other court requiring such treatment of the parent;
 - 5. abandoned the child by failing to visit or maintain contact with the child for more than 90 days;
 - 6. had parental rights terminated pursuant to ORC 2151.353, 2151.414, or 2151.415 with respect to a sibling of the child; or,
 - 7. deserted the child by voluntarily taking the child to an emergency medical service worker, peace officer, or hospital employee without expressing an intent to return for the child and who, pursuant to ORC 2151.3516 and 2151.3517, is 30 days old or younger and has no apparent signs of abuse or neglect.

SEE ALSO:

Ohio Administrative Code
5101:2-39-01(I)