



## New Hampshire Division for Children, Youth and Families Policy Manual

### 1176 INVESTIGATORY INTERVENTIONS

Chapter: Child Protective Field Services

Section: CPS Family Assessments

Approved:

Joseph E. Ribsam, Jr., DCYF Director

Policy Directive: **22-11**

Effective Date: **May 2022**

#### References Of Note

Federal Authority:

Statutes: [RSA 169-C:12-g](#), [RSA 169-C:34\(IV\)](#),  
and [RSA 169-C:34\(VII\)](#)

Administrative Rules:

Case Law:

This policy establishes the CPS Assessment practice around requesting court orders to enter a private residence or compel parents/guardians to make a child available for an investigatory interview or evaluation.

#### **Required Practices**

*Any deviations to the following information must be documented with Supervisory Approval.*

- I. CPSWs must immediately consult with their Supervisor and the DCYF Staff Attorney to determine the appropriateness of filing a motion with the Court in support of the Assessment process when a parent/guardian has refused:
  - A. To allow the CPSW into their home;
  - B. To allow the CPSW to interview the child; or
  - C. To have the child evaluated by an expert (to assess the safety/risk to the child with regard to the suspected abuse/neglect).
- II. Consideration as to the appropriateness of filing a motion must take into account:
  - A. The probability that the child has been abused or neglected based on available information, including:
    1. Information obtained through collateral contacts who have relevant information regarding the family or alleged abuse/neglect;
    2. Any previous DCYF or law enforcement history with the family as it relates to the allegations or the CPSW's inability to gain access to the home or child; and
    3. Other pertinent information, such as the CPSW's observations; and
  - B. The CPSW's efforts to engage the family and the family's response to those efforts, including:

1. Refusal to allow access to the home or child;
  2. Not allowing the child to be interviewed or examined; or
  3. Avoiding the CPSW (not answering the door, missing scheduled appointments, etc.).
- III. Any motion to the Court must be approved by a CPS Supervisor, in consultation with the DCYF Staff Attorney, and may include one or more of the following requests:
- A. That DCYF be allowed to enter the premises where the child resides; and/or
  - B. That the parents/guardians, custodian, or other caregiver be compelled to produce the child for:
    1. An investigatory interview, which may include a multi-disciplinary team (MDT) interview; and/or
    2. An interview or evaluation by a specified expert for the purpose of investigating abuse/neglect or ensuring the child's immediate physical or mental health needs are met.
- IV. When it is determined that a motion is warranted to ensure the safety of the child, the CPSW must work with the DCYF Staff Attorney to file a motion with the Court of jurisdiction immediately.
- V. The CPSW must arrange for law enforcement to accompany the CPSW to carry out any order to enter a private residence (law enforcement must remain present).
- VI. After execution of the Court's order, the CPSW must consult with their Supervisor and DCYF Staff Attorney to determine what, if any, additional actions are necessary.
- VII. All efforts to engage the parents/guardians, assess the safety and well-being of the child, and arrange for any necessary evaluations leading up to, and including, obtaining an order from the Court must be documented in the DCYF electronic information system within 24 hours.

<b>Glossary and Document Specific Definitions</b>
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A - B    C - D    E - F    G - I    J - L    M - N    O - Q    R - S    T - V    W - Z

<b>Document Change Log</b>
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PD	Modification Made	Approved	Date