

1395 VOLUNTARY SERVICES FOR CHINS	
Chapter: Juvenile Justice Field Services	Section: Case Management
	New Hampshire Division for Children, Youth and Families Policy Manual Policy Directive: 15-18 Effective Date: March 2015 Scheduled Review Date:
	Approved:  Lorraine Bartlett, DCYF Director
Related Statute(s): RSA 169-B, RSA 169-C, and RSA 169-D Related Admin Rule(s): Related Federal Regulation(s): 	Related Form(s): FORM 2011, FORM 2240VC, FORM 2250, FORM 2251, Form 2267, FORM 2281J, and FORM 2702 Bridges' Screen(s) and Attachment(s):

DCYF is committed to supporting children/youth and their families with dignity and in the least intrusive manner consistent with their needs. The ability to serve families without court intervention results in a less adversarial process through which children/youth and families may be supported and strengthened.

Purpose

This policy establishes the legal standard and procedures for assessing a request for Voluntary Services to be provided to a "Child in Need of Services" (CHINS) and the provision of CHINS Voluntary Services.

Definitions

"Child in Need of Services" or "CHINS" means a child/youth under the age of 18:

1. Who is subject to compulsory school attendance, and is habitually, willfully and without good and sufficient cause truant from school;
2. Who habitually runs away from home, or who repeatedly disregards the reasonable and lawful commands of his or her parent(s)/guardian, and places himself/herself or others in unsafe circumstances;
3. Who has exhibited willful repeated or habitual conduct constituting offenses which would be violations under the criminal code of this state if committed by an adult or, if committed by a person 16 years of age or older, would be violations under the motor vehicle code of this state; or
4. With a diagnosis of severe emotional, cognitive, or other mental health issues who engages in aggressive, fire setting, or sexualized behaviors that pose a danger to the child/youth or others and who is otherwise unable or ineligible to receive services under RSA 169-B or RSA 169-C; and
5. Is expressly found to be in need of care, guidance, counseling, discipline, supervision, treatment or rehabilitation.

"CHINS Voluntary Service Plan/Agreement" means DCYF Form 2240VC, the written Plan/Agreement entered into by the child/youth, parent/guardian, and JPPO that identifies the reason for DCYF involvement, the services and interventions that will be implemented to resolve the reason for DCYF involvement, the estimated time for completion, and the parent/guardian's acknowledgement that services paid for by DCYF may require parental reimbursement.

"DCYF" or the **"Division"** means the DHHS Division for Children, Youth and Families.

"Guardian" means either a natural parent or a person appointed by a NH probate court or a court of similar jurisdiction in another state to have the care, custody, and control of the child/youth. This term includes custodian.

"JJS" means the Bureau of Field Services' Juvenile Justice Services under DCYF.

"JPPO" means the Juvenile Probation and Parole Officer employed by DCYF.

"JPPS" means the Juvenile Probation and Parole Supervisor employed by DCYF.

"Parent" means mother, father, stepparent, or adoptive parent, but the term does not include a person to whom the parent-child relationship has been terminated by judicial decree or voluntary relinquishment.

"W-Case" means a Juvenile Justice Services case providing services on a voluntary basis without court intervention to a family and youth who have met the legal standard in RSA 169-D for a Child in Need of Services.

Policy

- I. CHINS Voluntary Services may be provided to a child/youth and families when:
 - A. The presenting behaviors of the referred child/youth meet the legal standard of CHINS;
 - B. The presenting concerns do not relate to issues of child/youth abandonment, abuse, neglect or sexual abuse as defined in RSA 169-C;
 - C. The presenting behaviors and concerns do not require emergency or crisis intervention services for the relief of medical, mental health, or other situations;
 - D. The child/youth is not being referred for placement services; and
 - E. The referred child/youth is under 18 years;
- II. The following persons are not eligible for CHINS Voluntary Services:
 - A. Child/youth who have run away from home and whose whereabouts are unknown at the time of the CHINS Voluntary Services request; and
 - B. Child/youth and families who do not reside in New Hampshire.
- III. Upon receipt of a W-Case, the JPPS will review the request and the information provided.
 - A. The W-Case will be assigned to a JPPO if the request meets the legal standard for CHINS as defined in RSA 169-D:2, II(a)-(c).
 1. Upon receipt of a phone call from Central Intake advising that a request from a law enforcement agency indicates that the runaway is a habitual runaway and in imminent danger, the JPPS shall contact the law enforcement agency to determine if the child/youth's and family's needs can be met through CHINS Voluntary Services.

2. If the JPPS determines that imminent danger is present and CHINS Voluntary Services are not appropriate, the JPPS shall inform the law enforcement agency that they have Division's approval to bring a CHINS petition to court and forward a copy of the letter to the law enforcement agency immediately.
 3. If the JPPS determines that imminent danger is not present, the W-case will be assigned to a JPPO.
- B. Upon receipt of a phone call from Central Intake advising that the request meets the legal standard of CHINS defined in RSA 169-D:2; II (d) and has been sent to the District Office as a W-Case:
1. The JPPS will contact the referring entity or the child/youth's parent/guardian to obtain sufficient information to determine the child/youth's status if necessary.
 2. The JPPS will consider whether the child/youth's and family's needs can be met through CHINS Voluntary Services.
 3. If a child/youth has been brought forward on petitions for delinquency and found to be incompetent by the court, the child/youth will be considered to have met the legal standard for CHINS as defined in RSA 169-D:2, II(d).
 4. If the child/youth meets the legal standard of CHINS defined in RSA 169-D:2, II(d), the JPPS submits the CHINS request to the Well-Being Bureau Administrator, to request approval of the CHINS being brought to court without providing CHINS Voluntary Services.
 - (a) If the Well-Being Bureau Administrator determines that there is sufficient information to pursue the CHINS in court:
 - (1) The Well-Being Administrator will send a letter to the prospective petitioner with the Division's approval to bring a CHINS petition to court and forward a copy of the letter to the parent (if different than the petitioner) and to the JPPS and Field Administrator; and
 - (2) The JPPS will close the W-Case, documenting that Voluntary Services were not provided as the child/youth met the legal standard for CHINS as defined in RSA 169-D:2, II(d).
 - (b) If the Well-Being Bureau Administrator determines that there is insufficient information to pursue the CHINS in court. The Well-Being Administrator will notify the JPPS that the request is denied.
- IV. Upon assignment, the JPPO will schedule an initial meeting with the child/youth and family to determine the appropriateness of CHINS Voluntary Services.
- A. If during, or following, the initial meeting the JPPO determines that CHINS Voluntary Services can be offered and the family and child/youth are willing to participate, the JPPO will begin to review and develop a CHINS Voluntary Services Plan/Agreement, Form 2240VC, with the family and child/youth.
1. Any services or interventions to be implemented must start with the least restrictive.

2. The parent/guardian must be informed of the responsibility to provide reimbursement to the State of NH for services provided pursuant to RSA 169-D:29.
 - (a) Families will be provided the parental reimbursement pamphlet.
 - (b) Staff must be clear that they do not know the definite rate or the level of reimbursement for which the family will be responsible and will provide the family with:
 - (1) Form 2250 Financial Reimbursement Notification and Agreement, to obtain the parent/guardian signature; and
 - (2) Form 2251 Financial Notification Range of Rates.
 - (c) If the family is unable to engage based on their worries about the financial responsibilities, the family should be referred to contact the Parental Reimbursement Unit.
 - (d) If a family refuses to participate in a W-Case (as noted on the CHINS Voluntary Services Plan/Agreement Form 2240VC) based on the state's requirement to collect parental reimbursement, the JPPO must document the information as a refusal to enter into a W-Case.
- B. Any child/youth and/or family that is uncertain about signing a CHINS Voluntary Services Plan/Agreement, Form 2240VC will be afforded 10 business days to determine if he/she will participate.
1. The child/youth and/or family will be informed that it is their responsibility to contact the JPPO with his/her decision.
 2. A child/youth's and/or family's failure to respond will be treated as decision not to engage in CHINS Voluntary Services and the JPPO will prepare to close the W-Case.
 3. A W-Case with no activity may remain open for up to 30 calendar days if the parent has indicated that they would like to receive CHINS Voluntary Services but there are extenuating circumstances to preclude the provision of CHINS Voluntary Services.
- C. Voluntary Services cannot be implemented without a signed CHINS Voluntary Services Plan/Agreement, Form 2240VC completed by the JPPO, child/youth (based on age and developmental appropriateness), and family, and approved by the JPPS. The CHINS Voluntary Services Plan/Agreement must not:
1. Be extended beyond the 18th birthday of the referred child/youth;
 2. Include special education or educationally related services, or services related to the evaluation, care or treatment of a child/youth at the adolescent unit of NH Hospital;
 3. The CHINS Voluntary Services Plan/Agreement shall not remain in effect for longer than 9 months unless the Department determines an extension for an additional, specified period of time is appropriate, not to exceed ninety days.
 - (a) The CHINS Voluntary Services Plan/Agreement must be updated when a voluntary services case is extended.

- V. The child/youth, family, and JPPO must meet monthly to review progress made following the implementation of the CHINS Voluntary Services Plan/Agreement, Form 2240VC.
 - A. The participants will review the treatment plans in place for any services that have been implemented.
 - B. As mutually agreed upon by the participants, a CHINS Voluntary Services Plan/Agreement may be modified, updated, or terminated.
 - 1. If the service or interventions are deemed insufficient, the child/youth and family may engage in further services with increasing intensity.
 - 2. If a family is utilizing the highest level of services in the community with no positive effect then Voluntary Services should be identified as not appropriate to meet the child/youth's needs.

- VI. If the JPPO has concerns at any point in developing or managing a W-Case that ongoing involvement with the Division is not appropriate (including the refusal of the youth and/or parent to participate), the JPPO must document his/her concerns and consult with his/her supervisor.
 - A. The JPPS will consider:
 - 1. The cooperation and level of response from the child/youth and family;
 - 2. The efforts made to engage the child/youth and family;
 - 3. The outcomes of any services/interventions provided through the W-Case, if applicable; and
 - 4. Prior efforts implemented with the child/youth and family and their respective outcomes.
 - B. If the JPPS supports the JPPO's concerns regarding the appropriateness of the case, the JPPS will determine if the W-Case should be closed.
 - 1. Any W-Case that is closed without resolving the concerns that brought the child/youth to the Division must be referred back to the source of the concerns.
 - (a) The JPPO will notify the referring entity, and the parent if different, through Form 2702, Statement of CHINS Voluntary Services and document in the Bridges case contact log that:
 - (1) The Division has made efforts to provide the child/youth and family with services/interventions, and Voluntary Services have been determined to not be appropriate for the child/youth and family; and
 - (2) The decision does not prevent the referring entity from filing a CHINS petition with the court.
 - 2. The JPPO will close the W-Case in Bridges.

- (a) One of the following case closing reasons that best represents the decision to close the case will be identified:
 - (1) The parent has declined voluntary services.;
 - (2) The parent has failed to cooperate;
 - (3) The child/youth has failed to cooperate;
 - (4) The parent or referring entity has withdrawn the request;
 - (5) The child/youth is a habitual runaway and places himself/herself or others in unsafe circumstances;
 - (6) Completed case plan; or
 - (7) Other: Does not meet the definition of CHINS, and
- (b) The JPPO will document in the Bridges case closing summary screen the explanation for closing the case based on one of the above reasons.
 - (1) If the reason identified is "Other," the first words in the summary must state "Does not meet the CHINS definition" before any further information is documented.
 - (2) If the reason identified is "Client's failure to cooperate" or "Client's request," the JPPO will document further explanation for closing the case.

VII. If the child/youth is adjudicated through criminal proceedings, juvenile proceedings pursuant to RSA 169-B, 169-C, 169-D, or similar court proceedings in another jurisdiction and services are deemed not appropriate, the CHINS Voluntary Services Plan/Agreement, Form 2240VC may be terminated and the W-Case in Bridges closed.

- A. If there are services in effect in the home when the matter is petitioned to a court, the W-Case and authorized services should be maintained until the court establishes an order to open a case under RSA 169-B, 169-C, or 169-D.
- B. If during the court proceedings there is a motion to reduce the charges/petition to order CHINS status, the Division will respond that this practice does not meet the legal standard for CHINS and is not supported by the Division.

VIII. CHINS petitions that are filed following the closure of a W-Case will be viewed as a separate case.

- A. The new CHINS case will be opened on Bridges, with the existing client, specific to the court petitions and orders made.
- B. If a child/youth and/or family expresses to the court, upon the filing of CHINS petitions, that they did not have the opportunity to engage in CHINS Voluntary Services:
 - 1. The JPPO must respond with any and all efforts made including attempts to contact, services provided, resources expended, and money spent with clear information regarding any outcomes or lack of outcomes; and

2. The JPPO must uphold any order of the court, including the provision of further CHINS Voluntary Services through the CHINS case if the court has reason to believe that the circumstances warrant further efforts.
 - (a) The JPPO will assess alternative means of engagement and services to be utilized;
 - (b) The JPPO will document further efforts in the CHINS case; and
 - (c) The JPPO will motion the court for a hearing if the CHINS Voluntary Services Plan/Agreement is not effectively meeting the needs of the child/youth and family.
- IX. If a JPPO is contacted regarding CHINS Voluntary Services that have not been referred to Central Intake:
- A. The JPPO must not become involved and must advise the referring entity to contact:
 1. Central Intake if it is during business hours, at 1-800-894-5533; or
 2. The Field Administrator/JPPS on-call for an emergency if it is after business hours, at the Juvenile Justice Hotline 1-888-230-0606.
 - B. Any CHINS petition that is filed with a court without the Division's prior efforts to provide services and interventions, must be identified as failing to meet the legal standard of CHINS, as the Division has not had the opportunity to engage the child/youth and family in CHINS Voluntary Services.
 1. If a court orders to stay/hold/suspend the petition, a CHINS case will be opened in Bridges. A W-Case must not be opened if there is an open petition/case in court, even if the case is resolved through Voluntary Services and never adjudicated.
 2. If the court dismisses the petition with the understanding that the petition may be brought forward again if the child/youth's needs cannot be met through CHINS Voluntary Services, the petitioner must be directed to contact Central Intake to make a request for CHINS Voluntary Services.

Procedures

- I. The JPPO must maintain any adjudicated JJS court cases as a priority over W-Cases on his/her case load.
- II. The JPPO should:
 - A. Call the parent/guardian and child/youth of an assigned W-Case within 3 business days to arrange a face-to-face meeting and perform an initial assessment of the appropriateness for CHINS Voluntary Services.
 1. All efforts to contact and engage the family will be documented in Bridges in a timely and accurate manner.
 2. If the family made the request for CHINS Voluntary Services and is non-responsive to the JPPO's attempts to contact them, a message should be left stating that if the

JPPO does not hear from them within one week, they will assume the concerns are resolved and services are no longer needed.

3. If the family did not request the request for CHINS Voluntary Services and the family is non-responsive to the JPPO's attempts to contact them, the JPPO should send a letter after the third attempt, to notify the family that:
 - (a) He/she has been trying to reach them to engage them in CHINS Voluntary Services; and
 - (b) That if they do not respond within one week, the CHINS Voluntary Services will be closed and the concerns will be referred to the appropriate entity for follow-up, which may include petitions to court.
- B. Meet with the child/youth and family at a mutually agreed upon time and place to complete an initial assessment of the appropriateness for CHINS Voluntary Services within 5 business days of the initial contact made by the JPPO.
1. Review information received by Central Intake with the family and record any updates or corrections to the request information;
 2. Utilize the Initial Assessment for Voluntary Services Questionnaire to obtain information from the child/youth and family;
 3. Provide the parent/guardian a Parental Reimbursement Pamphlet;
 4. Determine if the information available regarding the child/youth identified in Bridges as "participating as child" meets the legal standard for CHINS Voluntary Services and reach consensus with the family to develop a CHINS Voluntary Services Plan/Agreement, Form 2240VC.
 - (a) If there is only one W-Case and when the JPPO meets with the family it is determined that more than one child/youth is identified as meeting the legal standard for CHINS, the JPPO should contact Central Intake to create a new W-Case for the additional child/youth identified.
 - (b) One CHINS Voluntary Services Plan/Agreement, Form 2240VC may be completed specific to multiple children/youth who meet the legal standard for CHINS Voluntary Services in the same household.
 - (c) If there are additional children in the home, the JPPO is to indicate in Bridges that they are "participating as a child" whether they are receiving services or not.
- C. Work with the child/youth and family at the initial meeting or a subsequent meeting to:
1. Engage in developing a CHINS Voluntary Services Plan/Agreement, unless the JPPO has determined that there is a need to obtain further information before going forward;
 2. Obtains the parent's/guardian's signature(s) on Form 2011 "Authorization to Release Confidential Information" for the child/youth's school, current or prior service providers, and other relevant sources of information; and

3. Completes and reviews a Child/Youth Information Sheet (Form 2267 or Form 2281J) with the child/youth and family.
- D. Obtain and review any ancillary information necessary to determine the appropriateness of CHINS Voluntary Services.
 1. The JPPO will consult with the JPPS regarding any information that indicates CHINS Voluntary Services may not be appropriate;
 2. The JPPO will follow-up with the child/youth and family regarding the outcome of the JPPO's initial assessment in determining the appropriateness of CHINS Voluntary Services within 10 business days of the face-to-face meeting; and
 3. If it is determined that CHINS Voluntary Services are appropriate, the JPPO will develop a CHINS Voluntary Services Plan/Agreement in collaboration with the child/youth and family within 5 business days.
 - E. Provide case management services for the child/youth and family, to identify services and interventions that are the least restrictive and most appropriate to address the identified concerns.
 - F. Submit the completed CHINS Voluntary Services Plan/Agreement to the JPPS for approval within 5 business days from the date the child/youth and family sign the CHINS Voluntary Services Plan/Agreement.
 1. Work with the JPPS to resolve any concerns for the CHINS Voluntary Services Plan/Agreement; and
 2. Provide a copy of the final signed CHINS Voluntary Services Plan/Agreement to the Fiscal Specialist.
 - G. Authorize and arrange for the implementation of services identified and approved through the CHINS Voluntary Services Plan/Agreement for a period of service up to 90 days, unless extended with supervisory approval.
 - H. Use the releases signed by the child/youth's parent/guardian, to obtain ongoing updates during the W-Case.
 - I. Meet a minimum of once a month with the child/youth and family to review progress toward the desired outcomes established by the CHINS Voluntary Services Plan/Agreement.
 - J. Use Bridges to complete necessary forms and enter workload documentation relating to the W-Case.

Practice Guidance

Are JPPOs responsible to develop a Community Supervision Plan?

- JPPOs do not need to complete a Community Supervision Plan as the CHINS Voluntary Services Plan/Agreement is the case plan for voluntary services that do not involve the court.

If a family has a paid service implemented through the W-Case for CHINS Voluntary Services, does the family need to have Solution-Based Family Meetings (SBFMs)?

- The use of SBFMs is encouraged and can be utilized in the managing of CHINS Voluntary Services when it has been deemed appropriate; however it is not required for CHINS Voluntary Services.

If a child is developmentally unable to provide consent to enter a CHINS Voluntary Service Plan/Agreement, can the family still enter into an agreement and receive services?

- If a child or youth has been determined incompetent, is of a young age, or has a diagnosis that indicates the child or youth is unable to provide consent, an agreement can be entered into if the parent/guardian is in agreement on the child or youth's behalf.

Is there a breakdown of the timeframes JPPOs should adhere to?

Make an initial contact to the family **within 3 business days** to arrange a face-to-face meeting

Meet with the family within **5 business days** of the initial contact

- Review information received by Central Intake
- Utilize the Initial Assessment for Voluntary Services Questionnaire
- Provide the Parental Reimbursement Pamphlet
- Determine if meets the legal standard for CHINS Voluntary Services
- Reach consensus to develop a CHINS Voluntary Services Plan/Agreement

Any family that is uncertain about entering an agreement will be afforded **10 business days** to notify the JPPO if he/she will participate

A W-Case with no activity may remain open for up to **30 calendar days** if the family intends to participate but there are extenuating circumstances

Submit the CHINS Voluntary Services Plan/Agreement to the JPPS for approval within **5 business days** of the date signed by the family

Authorize and arrange for services for a period of up to **90 days**

Meet with the family **once a month**

CHINS Voluntary Services shall not remain in effect longer than **9 months**

If an absent parent cannot be located or a non-custodial parent refuses to meet or agree to CHINS Voluntary Services, can a W-Case for CHINS Voluntary Services be opened?

- Best practice is to include and gain consensus from both parents prior to opening a W-Case, however, this should not disqualify a child/youth and family from receiving services if the child/youth and custodial parent have completed a CHINS Voluntary Services Plan/Agreement.

If a child/youth and family achieve the goals of the W-Case and the reasons for opening the W-Case are resolved, is the family mailed Form 2702, Statement of CHINS Voluntary Services to indicate that CHINS Voluntary Services are no longer appropriate?

- No. If a W-Case is to be closed after resolving the concerns that brought the family to the Division a Statement of CHINS Voluntary Services will not be provided.

JJ staff please note:

If during the course of an abuse/neglect Assessment (protective investigation) there is a concern that the Assessment will be closed and the family could avail themselves of voluntary CHINS services, a consultation should occur between the Juvenile Justice staff/supervisor and Child Protective staff/supervisor to determine appropriateness of a Voluntary CHINS. If a family will be advised to contact Central Intake the Child Protective Services Supervisor must send an email to Central Intake to alert them the family has been advised to call about Voluntary CHINS Services.