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To: Regional Managers
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From: James W. Payne, Director
Angela Green, Deputy Director of Practice Support
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Subject: Child Welfare Cases Involving Domestic Violence – New Policies and Procedures
DCS-09-03

The Indiana Department of Child Services (DCS) would like to thank you for your continued commitment to ensuring the safety of Indiana's children. In fulfilling the values that "We believe parents have the primary responsibility for the care and safety of their children" and "We believe every child has the right to be free from abuse and neglect," additions have been made throughout the DCS Policy Manual to address intake, assessment, and ongoing case management in cases where domestic violence has been identified as a risk factor. This administrative letter outlines these changes that are effective May 1, 2009.

Domestic violence is a serious issue with potentially fatal implications for all family members. Exposure to domestic violence can have long lasting effects on children. In recognition of the negative impact exposure to domestic violence can have on children and prevalence of child abuse and neglect in families experiencing domestic violence, DCS will screen every report of alleged Child Abuse and/or Neglect (CA/N) for the presence of domestic violence.

DCS will assign for assessment, all intake reports that allege that a child witnessed or was present in the home during an incident of domestic violence. These reports are assigned on the basis that being present during domestic violence incidents generates concerns regarding the safety of the child(ren). In addition, DCS will also assign for assessment other domestic violence related calls that meet the



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statutory definition of CA/N. Domestic violence will not be added to ICWIS as an allegation; the intake worker must check the appropriate allegation based on the details of the CA/N report. In these situations, 'Domestic Violence' should always be selected as a Caregiver Stress Factor.

A timely response is necessary in reports alleging domestic violence to ensure that child safety is adequately assessed as soon as possible. Initiation times have been adapted for CA/N intake reports alleging domestic violence and are as follows:

1. If a Law Enforcement Agency (LEA) is on the scene and has requested assistance, DCS will respond within **one (1) hour** to the scene;
2. Any reports where a parent, guardian, custodian, or child(ren) calls to report alleged domestic violence will be initiated within **24 hours**;
3. DCS will initiate within **24 hours** if the event occurred in the past **48 hours** (regardless of the reporting source); or
4. If the alleged domestic violence occurred more than **48 hours** ago and the child(ren) are not believed to be in physical danger, DCS will initiate the assessment within **five (5) days**.

Since domestic violence is not an allegation of CA/N, workers should not substantiate on the presence of domestic violence, rather, they should substantiate on the physical abuse or neglect category that coordinates with the reported incident.

Note: For example, if the child was injured during the domestic violence incident, the worker would likely substantiate on physical abuse. If there are concerns about the child's safety due to the presence of domestic violence, the worker may substantiate on neglect (environment life/health endangering).

DCS will continue to assess for the presence of domestic violence through questioning and observation skills throughout the life of the case. This includes but is not limited to: during visits with children and families, prior to holding Child and Family Team (CFT) Meetings, before and during trial home visits (THV), and at any time the FCM suspects that domestic violence may be a risk factor for a family. This identification of domestic violence will assist the CFT in developing goals and interventions that will help ensure the safety of all family members.

DCS remains committed to engaging both parents in the CFT process. Prior to each scheduled CFT Meeting, the FCM and Supervisor will assess whether a CFT Meeting can be held safely with both the non-offending parent and alleged domestic violence offender present. If a CFT Meeting is held with both parents present, the FCM will create a plan that addresses safety before, during, and after the meeting. If it is not appropriate for the alleged offender to be present at the CFT Meeting with the non-offending parent, DCS will consider other options for him or her to be involved in the process.

Additions have been made to Chapter 2 – Administration of Child Welfare; Chapter 3 – Intake; Chapter 4 – Assessment; Chapter 5 – General Case Management; Chapter 6 – Court; Chapter 7 – In-Home Services; and Chapter 8 – Out-of-Home Services of the DCS Policy Manual to reflect these recent changes. Please review all of these changes in their entirety to ensure that services are provided consistently for all families served by DCS.



If you have any questions regarding these changes, please address them to the DCS policy mailbox at DCSPolicy@dcs.in.gov.

Sincerely,

James W. Payne, Director
Department of Child Services

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