

D.

CHILD PROTECTION PLAN

I. Region 1

A. Name and code of local offices of the Department of Child Services located within the region:

Lake (45)

II. Type of Child Protection Plan: Regional Child Protection Plan

III. **RM Planning and Community Involvement:** (Please attach a copy of the notice(s) of the hearings on the county child protection plan. Also attach a copy of the publisher's statement if one is required.)

A. Was the notice of the public hearing posted or published at least 48 hours in advance of the hearing (excluding weekends and holidays)?

1. Yes X No (Please explain)

B. Was the procedure for notice of hearing according to IC 5-14-1.5-5 (attached) followed in detail? (Please check all that apply.)

1. X Public Notice was given by the Local Office Director and Regional

Manager

2. X Notice was posted at the building where the hearing occurred and/or at the local offices of the Department of Child Services. (Required procedural element)

3. The following news media were notified that a public hearing was to be held: _____

C. Give the date(s) and location(s) of the public hearings and attach a copy of the notice posted as well as a copy of the newspaper notice including publisher's statement.

- D. Sign-in sheet(s) for the public hearing(s) and a copy of any written testimony presented can be found in the public testimony section of this plan.

IV. **RM The Staffing and Organization of the Local Child Protection Service**

- A. Describe the number of staff and the organization of the local **child protection service** including any specialized unit or use of back-up personnel. NOTE: The term CPS refers only to the reporting and investigation of child abuse and neglect
1. 32 Number of Family Case Managers investigating abuse/neglect reports full time.
 2. 0 Number of Family Case Manager IIs with dual responsibilities; e.g., 50% CPS investigations and 50% ongoing services or 20% CPS and 80% ongoing services.
 3. 6 Number of Family Case Manager Supervisor IVs supervising CPS work only.
 4. 0 Number of Family Case Manager Supervisor IVs supervising both CPS work and ongoing services; e.g., 50% CPS and 50% CHINS work.
 5. 6 Number of clerical staff with only CPS support responsibilities.
 6. 2 Number of clerical staff with other responsibilities in addition to CPS support.
 7. Does the Local Director serve as line supervisor for CPS?
Yes No X

Describe the manner in which suspected child abuse or neglect reports are received.

The Indiana Department of Child Services (DCS) Child Abuse Hotline will be available to receive reports of child abuse and/or neglect (CA/N) 24 hours per day, seven (7) days per week, through a toll-free child abuse hotline (800-800-5556).

DCS will receive oral and written (hard copy and electronic) reports and requests.

DCS will record the date, time, and purpose of every hotline call received.

Calls received by a law enforcement agency (LEA) requiring an immediate response, will be routed to the front of the queue.

The Hotline Intake Specialist will complete the following steps for all calls received:

1. Record the date and time of the call;
2. Engage with the caller in a courteous and professional manner;
3. Actively listen to the reporter and take detailed notes;
4. Make an initial determination about the nature of the call to be one of the following, record the purpose of the call, and take appropriate actions:
 - a. **CA/N allegations**
Proceed with creating a [Preliminary Report of Alleged Child Abuse or Neglect \(SF 114/CW0310\)](#) (Child Abuse and/or Neglect (CA/N) intake report).
 - b. **Service Requests**
Proceed with creating a [Service Request Intake Report \(SF 49548/CW0310SR\)](#).

Other calls

- 1) **Out of State CA/N allegations:** Reports where the alleged CA/N occurred in another state will be referred to the appropriate child welfare agency in that state. No further action required unless courtesy interviews are requested by the agency,
 - 2) **Information only** (i.e., requesting the phone number of a local childcare provider): Provide the caller with the requested information. No further action required,
 - 3) **Collateral information** for an open assessment or case: Transfer the caller to the DCS local office who is assigned to the assessment or case and after business hours to the DCS Local Office on-call designee,
 - 4) **Inquiries** about the status of CA/N report, assessment or case,
 - 5) **Homeless Unaccompanied Minor:** Proceed with completing a CA/N intake report regardless of whether abuse and/or neglect is alleged,
 - 6) **Complaints:** Refer the caller to the appropriate person by following the chain of command at the DCS Child Abuse Hotline, escalating only if previous complaints went unresolved (FCM, Supervisor, DCS Local Office Director, Regional Manager),
 - 7) **Resource parenting inquiries:** Refer the caller to the person who handles licensing at the DCS local office or the [Indiana Foster Care and Adoption Association \(IFCAA\)](#), phone: 800-468-4228,
 - 8) **Adoptive parenting inquiries:** Refer the caller to the [Indiana Foster Care and Adoption Association \(IFCAA\)](#), phone: 800-468-4228, and
- Wrong numbers:** No further action required

In Person Reports at DCS Local Office

The DCS local office will assist any individual from the community who wishes to make a report in person at the DCS local office. The DCS local office will ensure that the individual has access to a telephone to make their report.

1. Is the 24-hour Child Abuse Hotline **(1-800-800-5556)** listed in your local directory(ies) with the emergency numbers as required by law?

Yes x

No

2. List the **local** 24-hour CPS telephone number(s) for receipt of child abuse or neglect reports during:

a. 1-800-800-5556

3. What agency personnel will be answering the after-hours child abuse hotlines?

The Indiana Department of Child Services 24 hour Abuse and Neglect Hotline Intake Specialists will be answering after hour's abuse and neglect calls.

4. Non-DCS personnel will no longer receive after hour's calls. All calls during and after hours will be received by the 24 hour Indiana Child Abuse hotline.

Describe your current system of screening calls reporting allegations of child abuse and neglect. Refer to Child Welfare Manual subsection 204.3.

The Hotline Intake Specialist will:

1. Recommend a CA/N intake report for screen-out if:
 - a. The statutory definition of CA/N **has not** been met, and/or
 - b. There is not enough information in the CA/N intake report to either identify or locate the child and/or family to initiate an assessment.

Note: DCS will consider potential current and future risk to the child(ren) prior to recommending a CA/N intake report that involves domestic violence for screen-out.

2. Document the specific reason for the screen-out in the notes section of the CA/N intake report (i.e., “The allegations don’t meet the statutory definition of CA/N because the person who allegedly abused the child was not the child’s parent, guardian or custodian”);
3. Recommend the report be referred to a Law Enforcement Agency (LEA) if the allegations are of a criminal nature;
4. Forward the CA/N intake report and records search information to a Hotline Intake Supervisor for review and approval of the recommendation to screen it out. This may be done electronically; and
5. The Hotline Intake Specialist will either make direct contact with the Supervisor to confirm receipt or will assure receipt through a standardized delivery process such as a high-priority in-box, an incoming CA/N intake report log, etc.

The Hotline Intake Supervisor will approve or deny the decision to screen out the report.

A centralized Screen-Out Committee will exist to review a sample of all CA/N intake reports that have been recommended for screen-out. The Screen-Out Committee will act as an advisory committee and will make recommendations about screen-outs.

The Screen-Out Committee members will consist of the following four (4) people:

1. DCS Child Abuse Hotline Director or designee;
2. DCS Hotline Intake Supervisor or Hotline Intake Specialist;
3. Member of a local Child Protection Team¹; and
4. DCS Central Office Attorney.

After a Hotline Intake Supervisor approves a CA/N intake report for screen-out, the following will occur:

1. Another Hotline Intake Supervisor will complete the following within 24 hours of the conclusion of the initial call from the reporter:
 - a. Review the CA/N intake report and records search information,
 - b. Agree with or disagree with the Hotline Intake Supervisor’s recommendation, and
 - c. Contact Hotline Intake Supervisor who received the initial report to communicate his or her decision.
2. If the Hotline Intake Supervisors agree, the Hotline Intake **Supervisor** who received the initial report will document the decision in the notes section of the CA/N intake report in the Indiana Child Welfare Information System (ICWIS) and leave the report open in ICWIS so the other Hotline Intake Supervisor can enter their decision at a later date. Assure that a hard copy of the report and search information is properly filed for the Screen-Out Committee review;
3. If the Hotline Intake Supervisors do not agree, the Hotline Intake Supervisor who received the initial report will submit the report to the Child Abuse Hotline Director for a final decision;

¹ This representative may not be a DCS employee.

Yes

No

2. Please indicate who will assess abuse complaints received during working hours. (Check all that apply)

a. CPS

b. CPS and Law Enforcement Agency (LEA)

c. LEA only

3. Please indicate who will assess abuse complaints received after working hours. (Check all that apply)

a. CPS only

b. CPS and LEA

c. LEA only

4. Please indicate when neglect assessments will be initiated. .
3.9 Initiation Times for Assessment

a. Immediately, if the safety or well-being of the child appears to be endangered.

Yes

No

b. Within a reasonably prompt time (5 calendar days).

Yes

No

5. Please indicate who will assess neglect complaints received during working hours. (Check all that apply)

a. CPS only

b. CPS and LEA

c. LEA only

6. Please indicate who will assess neglect complaints received after working hours. (Check all that apply)

- a. CPS only
- b. CPS and LEA
- c. LEA only

E. Describe the manner in which unsubstantiated child abuse or neglect reports are expunged. Refer to Indiana Child Welfare Manual Chapter 2 Section 13.

Information on unsubstantiated allegations is automatically purged by ICWIS 180 days from the date the completed Assessment of Child Abuse or Neglect (SF113/CW0311) is approved.

Please indicate if you have received and are following the "Record Retention Guidelines."

Yes No

F. Describe the policy and procedure you follow when receiving complaints of institutional child abuse/neglect regarding: (It should be noted items F1 and F2 reflect current DCS policy relating to reports of institutional abuse and neglect. These policies will need to be amended in 2010 to reflect the creation of a specialized Institutional Unit within the Indiana Department of Child Services. The Institutional Unit will pilot in March 2010 with the scope of service to include to assessments in residential settings. The purview of the Unit will be expanded to include foster care as well as other institutional settings by May 2010. Corresponding policies and protocols are being drafted and will be available to be amended into the Child Protection Plan by March 2010.)

1. County assessments: Please describe procedures for assessments and reporting foster family homes, child care homes, and schools. Refer to Indiana Child Welfare Manual subsection Chapter 12 Section 23

The Indiana Department of Child Services (DCS) will investigate any Child Abuse and/or Neglect (CA/N) allegation regarding licensees of Licensed Child Placing Agency (LCPA) or DCS local office licensed homes.

The DCS local office or LCPA responsible for licensing compliance will investigate allegations of licensing rule violations that do not meet the statutory definition of CA/N.

DCS or an LCPA licensing worker may use the results of the investigation as the basis for revocation of a license if CA/N is substantiated or a rule violation is established.

The results of the licensing allegation may be used as the basis for probationary status.

The option to use DCS investigative personnel to conduct an investigation will depend upon the nature of the allegations and the staff available (Child Protection Service (CPS), licensing, etc.). See separate policies, [3.4 Initial Evaluation of Child Abuse and/or Neglect \(CA/N\) Intake Reports](#) and [4.1 Reviewing the Child Abuse and/or Neglect Intake Report and Other Records](#).

In accordance with Indiana Code, when a complainant alleges CA/N the identity of the complainant is confidential. The identity of the complainant is not to be a part of the public record, is not available to the licensee, and shall not be revealed to any person during the investigation. Disclosure of this information by design or by neglect shall be considered grounds for disciplinary action.

2. **State assessments: Please describe procedures for reporting allegations in state institutions and facilities. Refer to Indiana Child Welfare Manual subsection chapter 4 Section 30 Institutional Assessments**

The Indiana Department of Child Services (DCS) local office will conduct an assessment of a report of possible Child Abuse and/or Neglect (CA/N) that occurred in an institution located within the county.

Institutions include:

1. Resource family homes,
2. Licensed childcare homes and centers,
3. Public and private schools,
4. Hospitals,
5. Group homes,
6. Residential treatment centers,
7. Emergency shelter care centers,
8. Correctional facilities, and
9. [NEW] Unlicensed registered child care ministries.

3. **Abandoned infants (IC 31-9-2-0.5, plus amendments): Please describe procedures for taking custody of an “abandoned infant,” for**

purposes of IC 31-34-21-5.6, as added by P.L.35-1998, Sec. 2, and amended by P.L.133-2000, Sec. 1. (Abandoned infant Protocols should be renewed at this time and can be incorporated here to satisfy this item.)

Emergency Placement of Abandoned Infants

The DCS Local Office FCM who needs to place an abandoned infant in substitute care will initially place the child in emergency shelter care when the team cannot convene prior to the child's need for substitute care.

Note: This placement should be emergency shelter care only and should not be considered a long-term placement for the child.

In order to determine the final recommendation of placement for the child, the DCS Local Office FCM will convene a multi-disciplinary team comprised of the following team members:

1. CASA or GAL;
2. DCS Local Office Director or designee;
3. Regional Manager;
4. Supervisor;
5. SNAP worker (if appropriate); and
6. Licensing FCM.

The team will make a recommendation for placement, documenting the best interests of the child and the reasoning used in determining the most appropriate placement for the child. This recommendation and report on the interests served with this decision shall first be submitted to the DCS Director, then to the juvenile court for review.

G. RM: Describe the inter-agency relations and protocols in existence regarding the provision of child protection service. Describe protocols outlining information sharing between DCS, law enforcement and prosecutors.

The local CPS office has written inter-agency agreements available for review at the public meeting for the local school systems, law enforcement agencies, hospitals and county prosecutor. These written inter-agency agreements were also mailed to each school system, law enforcement agency, hospital and the county prosecutor in Lake County.

H. Describe the procedures that you follow upon receiving and referring child abuse or neglect reports to another county or state where family resides or where abuse or neglect occurs. (Refer to Indiana Child Welfare Manual subsections 3.11)

When an Indiana Department of Child Services (DCS) local office receives allegations of Child Abuse and/or Neglect (CA/N) that took place in another Indiana county, the office will:

1. Notify the DCS local office that has jurisdiction in the county where the allegations occurred; and
2. Transfer the report to that DCS local office for evaluation.

I. Describe special circumstances warranting an inter-county investigation (Refer to Indiana child welfare manual 3.11)

When a DCS local office receives allegations of CA/N that may pose a conflict of interest due to relationships between subjects of the report and local office staff, the office may transfer the report to another county for assessment.

J. Describe the manner in which the confidentiality of records is preserved. (Refer to Indiana Child Welfare Manual subsection 2.6)

The Indiana Department of Child Services (DCS) will hold confidential all information gained during reports of Child Abuse and/or Neglect (CA/N), CA/N assessments, and ongoing case management.

DCS will abide by Indiana law and share confidential information with only those persons entitled to receive it.

DCS shall comply with any request to conduct CA/N history checks received from another state's child welfare agency, as long as the records have not been expunged, when:

1. The check is being conducted for the purpose of placing a child in a foster or adoptive home;
2. The check is being conducted in conjunction with a C/AN assessment; and
3. The requesting state agency has care, custody and control of the child and the request is to check Child Protection Services (CPS) history of an individual who has a prior relationship with the child.

DCS will advise individuals who make calls reporting CA/N, parents, guardian, or custodian and perpetrators of their rights regarding access to confidential CA/N information.

DCS will make available for public review and inspection all statewide assessments, reports of findings, and program improvement plans developed as a result of a full or partial Child and Family Services Review (CFSR) after approval of Chief Legal Counsel.

DCS will provide unidentifiable CA/N information of a general nature to persons engaged in research. The DCS Central Office shall provide such information upon written request.

DCS Central Office will submit all public records requests for substantiated fatality or near fatality records to the juvenile court in the county where the child died or the near fatality occurred for redaction and release to the requestor.

All records sent from DCS shall be labeled or stamped "CONFIDENTIAL" at the top of each record. Any envelope containing records shall also be labeled "CONFIDENTIAL".

[NEW] DCS will protect the confidentiality of all information gained from non-offending parents in families experiencing domestic violence. Prior to releasing any information (i.e. during court proceedings where disclosure of certain information is mandatory), the non-offending parent will be notified so they may plan for their safety and the safety of the child(ren).

Does your county have written policies regarding confidentiality of reports in addition to those in IC-31-33-18?
Yes X No ___ (If yes, please attach a copy.)

K. Describe the follow-up provided relative to specific investigations:

Are 30-/90-day follow-up reports specified in IC 31-33-7-8, (to hospital administrators, referring physicians, licensed psychologists, dentists, and school principals, community mental health centers, managed care providers, hospitals, or schools) sent within required time frame?

Yes X No ___ (If no, please attach policy in use at this time.)

The Indiana Department of Child Services (DCS) will provide a summary of the information contained in the Assessment Report to the administrator of the following facilities if such a facility reported the Child Abuse and/or Neglect (CA/N) allegations:

1. Hospitals;
2. Community mental health centers;
3. Managed care providers;
4. Referring physicians, dentists;
5. Licensed psychologists; and
6. Schools

DCS will provide this summary 30 days after receipt of the [Preliminary Report of Alleged Child Abuse or Neglect \(SF 114/CW0310\)](#) (CA/N intake report).

L. Describe GAL/CASA appointments in your region.

Describe how are guardian ad litem or court appointed special advocates appointed in your county?

The Lake County Juvenile Court Judge appoints GAL and CASA either directly or from the recommendation of her Chief Assistant.

What percentage of CHINS are able to have advocates assigned?

100 %

M. Describe the procedure in place in your county with the CAPTA appeals process.

The Administrative Review is a process by which the alleged perpetrator has the opportunity to have a review of the assessment done by an Indiana Department of Child Services (DCS) employee not previously connected to the case. The alleged perpetrator can present information at the Administrative Review to see if the substantiation should be upheld.

DCS requires that the Administrative Review be conducted by one of the following:

1. The DCS Local Office Director in the county responsible for the assessment;
2. The DCS Local Office Deputy Director in the county responsible for the assessment;
3. The Regional Manager in the region responsible for the assessment; or
4. The DCS Local Office Division Manager in the county responsible for the assessment.

If the DCS Local Office Director, Deputy Director, or Division Manager was the person who approved the initial [Assessment of Child Abuse or Neglect \(SF113/CW0311\)](#) determination, or was otherwise involved in the assessment or preparation of the report, or if there is a conflict of interest, the request will be referred to the Regional Manager for this review and decision.

The individual identified by DCS to conduct the Administrative Review may at his/her discretion and subject to the time limits stated herein, refer the request to the community Child Protection Team (CPT) to review and make a recommendation.

The objectives of an Administrative Review are to:

1. Determine if the assessment presented provides sufficient evidence and supports the conclusion to substantiate the allegation(s);

2. Provide an opportunity for the alleged perpetrator to submit documentation (not testimony) relating to the allegation(s) substantiated that the alleged perpetrator believes may make the substantiation inappropriate;
3. Provide an internal review of the assessment by DCS at the request of the perpetrator; and
4. Comply with due process mandates that DCS gives a perpetrator the opportunity to challenge substantiations. An Administrative Review is one step in due process prior to an Administrative Appeal.

DCS will require that the decision as to the outcome of the Administrative Review be made by the appropriate DCS Local Office Director or Regional Manager. Local Office Deputy Directors and community CPTs are prohibited from making the decision.

DCS will complete the Administrative Review and will notify the alleged perpetrator in writing of the outcome within thirty (30) calendar days of the receipt of the request.

If the DCS Local Office Director or Regional Manager, determines that further assessment and reconsideration of the [Assessment of Child Abuse and Neglect \(SF113/CW0311\)](#) is necessary, the DCS Local Office Director will:

1. Notify the alleged perpetrator by sending the [Notice of Administrative Review Decision and Right to Administrative Appeal \(CAPTA080802RDA\)](#) informing them that the assessment has been referred back to Child Protection Services (CPS) for further assessment and preparation of a revised [Assessment of Child Abuse and Neglect \(SF113/CW0311\)](#) report. DCS will not send the [Assessment of Child Abuse and Neglect \(SF113/CW0311\)](#) to the alleged perpetrator until the reassessment is complete;
2. Notify the Supervisor that the [Assessment of Child Abuse and Neglect \(SF113/CW0311\)](#) has been reopened for further evaluation; and
3. Following the reassessment, if substantiated, refer to separate policy, [2.1 Requests for Administrative Review](#) outlining procedures.

The DCS Local Office Director or designee will maintain a record of:

1. The date of the Administrative Review;
2. The person who conducted the Administrative Review; and
3. The Administrative Review decision.

This policy does not apply to child abuse and/or neglect (CA/N) substantiated cases involving childcare workers. See separate policy, [2.4 Child Care Worker Investigation Review Process](#).

This policy does not apply to CA/N substantiated cases involving DCS employees. See separate policy, [2.5 Investigation and Review of DCS Staff Alleged Perpetrator](#)

Please explain your current process once a Request for Administrative Review has been made and how your county will comply with the timelines required?

The Indiana Department of Child Services (DCS) recognizes the right of each alleged perpetrator to request an Administrative Review of the related Child Abuse and/or Neglect (CA/N) substantiation. The process outlined herein will apply to all substantiated CA/N determinations made on or after October 15, 2006.

DCS will have **ten (10) calendar days** from approval of the [Assessment of Child Abuse and Neglect \(SF113/CW0311\)](#) to provide [Notice of Child Abuse and/or Neglect Assessment Outcome and Right to Administrative Review \(CAPTA080802AOR\)](#) and a copy of the redacted [Assessment of Child Abuse and Neglect \(SF113/CW0311\)](#) to the alleged perpetrator.

If the substantiation is against a minor, the [Notice of Child Abuse and/or Neglect Assessment Outcome and Right to Administrative Review \(CAPTA080802AOR\)](#) must be sent via mail to the following:

1. Parent;
2. Guardian;
3. Custodian;
4. Child's attorney (if representation for specific substantiation) ;
5. Guardian ad Litem; or
6. Court Appointed Special Advocate (CASA), if applicable.

DCS will require that the request for an Administrative Review be made in writing using the [How to Request for an Administrative Review for Child Abuse or Neglect Substantiation \(CAPTA080802ADR\)](#).

DCS will require that the request for Administrative Review is **received** by the DCS local office within **thirty-three (33) calendar days** of the date that the [Notice of Child Abuse and/or Neglect Assessment Outcome and Right to Administrative Review \(CAPTA080802AOR\)](#) was mailed.

Note: If the request for an Administrative Review is received on a day that the DCS local office is closed, the **thirty-three (33) days** is extended to the next business day.

DCS **will not conduct** an Administrative Review if:

1. A Child in Need of Services(CHINS) petition has been filed based on the facts and circumstances of the substantiated determination, until the court has ruled on the petition:
 - a. Any request received for an Administrative Review will be stayed during the stay, the substantiation will remain on the Child Protection Index (CPI); and
 - b. DCS will send the perpetrator the [Stay of Administrative Review or Appeal of DCS Substantiation of Child Abuse and/or Neglect \(CAPTA080801SRA\)](#).

Note: In the event the CHINS petition results in adjudication of CA/N by the person who requested the review, the request for Administrative Review will be dismissed.

2. Criminal charges or Juvenile Delinquency/Juvenile Status (JD/JS) have been filed on the same facts and circumstances on which the report of CA/N was substantiated, until the court has ruled on the charges:
 - a. Any request received for an Administrative Review will be stayed due to a pending criminal or JD/JS matter;
 - b. During the stay, The substantiation will remain on the CPI; and
 - c. DCS will send the perpetrator the [Stay of Administrative Review or Appeal of DCS Substantiation of Child Abuse and/or Neglect \(CAPTA080801SRA\)](#).

Note: In the event that the perpetrator is convicted of any charges based on the substantiated CA/N, the request for an Administrative Review will be dismissed.

3. An Informal Adjustment (IA) has been filed and the court has not ruled on the IA. During the stay:
 - a. Any request received for an Administrative Review will be stayed due to a pending IA; and
 - b. During the stay, the substantiation will remain on the CPI; and
 - c. DCS will send the perpetrator the [Stay of Administrative Review or Appeal of DCS Substantiation of Child Abuse and/or Neglect \(CAPTA080801SRA\)](#) if the perpetrator requests an Administrative Review prior to completion of the IA .

Note: Following the completion of the IA, the DCS local office will reactivate the review process without a request from the alleged perpetrator, if the request was made timely upon original [Notice of Child Abuse and/or Neglect Assessment Outcome and Right to Administrative Review \(CAPTA080802AOR\)](#).

DCS will reactivate each alleged perpetrator's Administrative Review process when:

1. The alleged perpetrator notifies the DCS local office within **30 days** of the court's action, of their desire to continue with the Administrative Review; and
2. The alleged perpetrator provides an official court document reflecting that issues relating to the same facts and circumstances have been resolved or will not be determined by the court.

The DCS local office will determine whether to set the Administrative Review or dismiss it based on the official court document provided by the alleged perpetrator. The DCS local office will notify the alleged perpetrator whether or not an Administrative Review will occur based on the official court document.

The DCS Local Office Director or designee will maintain a record of all requests for Administrative Reviews and Appeals.

This policy does not apply to either of the following situations:

1. Administrative Appeals of license denials or revocations that are currently heard and decided by the FSSA Office of Hearings and Appeals; or
2. A court proceeding requesting expungement of reports entered into the CPI that are governed by the procedures specified in the law, [IC 31-39-8](#) and [IC 31-33-7-6.5](#).

If the substantiation is against a minor, the request for an Administrative Review must be made by one of the child's:

1. Parent;
2. Guardian;
3. Custodian;
4. Child's attorney ;
5. Guardian ad Litem; or
6. CASA, if applicable.

This policy does not apply to CA/N substantiated assessments involving child care workers.

This policy does not apply to CA/N substantiated assessments involving DCS employees.

Are you automatically filing the Administrative Review on all Child Care Workers and DCS employee's substantiated abuse and neglect charges?

Yes X No _____

The CCWAR will occur regardless of the attendance of the alleged child care worker or resource parent perpetrator. DCS will require that the CCWAR occurs prior to supervisory approval of the assessment finding.

Do you feel that your county allows reasonable notice in scheduling the administrative reviews, allows the client ample time to attend the hearing and to reschedule them if there is good cause for their not attending?

Yes X No _____

V. Community Child Protection Team

A. Have confidentiality forms been signed by all team members?

Yes X No _____

B. How often are CPT meetings scheduled at the present time? Include the date of the last meeting.

1. _____ weekly
2. X monthly
3. _____ by telephone
4. _____ as necessary, but at least
- _____

Date of last meeting: October 23, 2008

C. How many meetings were held in:

1. SFY 2008 6
2. SFY 2009 0

D. Are emergency CPT meetings held?

Yes _____ No X

If yes, how many:

- a. in SFY 2008? _____
- b. in SFY 2009? _____

E. What was the average attendance for the CPT meetings?

1. in SFY 2008? 8
2. in SFY 2009? 0

F. What was the number of reports reviewed by the CPT:

1. in SFY 2008? 40
2. in SFY 2009? 0

G. What was the number of complaints reviewed by the CPT:

1. in SFY 2008? 0
2. in SFY 2009? 0

H. Please list **names, addresses, and telephone numbers of CPT members** (Refer to I.C. 31-33-3) and **note the name of the coordinator by adding ** next to their name:**

1. Director of local CPS or director's designee
Henry Mosley, DM
661 Broadway, Gary, IN (219) 881-5861
- 2-3 Two (2) designees of juvenile court judge
Elizabeth Tegarden, Atty
3000 W. 93rd Ave, Crown Pt. (219) 660-6969
4. County prosecutor or prosecutor's designee
Kathleen O'Halloran, Deputy Prosecutor
2293 N. Main Street, Crown Point, IN (219) 755-3720 ex.t 344
5. County sheriff or sheriff's designee
Roy Dominguez, Sheriff
2293 N. Main Street, Crown Point, IN (219) 755-3300
6. **Either** president of county executive or president's designee **or** executive of consolidated city or executive's designee
Dr. Kalyani Gopal
8300 S. Broadway, Suite F1, Merrillville, IN (219) 736-1000
7. Director of CASA/GAL program or director's designee (*See note after 11.)
Elizabeth Tegarden, Atty.
3000 W. 93rd Ave, Crown Pt. (219) 660-6969

The following members are to be appointed by the county director:

8. **Either** public school superintendent or superintendent's designee **or** director of local special education cooperative or director's designee
9. Two (2) persons, each of whom is a physician or nurse experienced in pediatrics or family practice
Dr. Janice Zunich
3400 Broadway, Gary, IN (219) 980-6560
11. One (1) citizen of the community
12. Other (Crises Center)

***Note:** If #7 was left blank because your county does not yet have a CASA or GAL program, add another citizen of the community to make your number of team members total 11 as specified by I.C. 31-33-3-1 Director of local CPS or director's designee

VI. County Child Protection Service Data Sheet

A. RM List the cost of the following services for CPS only: **(Please do not include items which were purchased with Title IV-B or other federal monies.)**

	<u>2008</u>	<u>2009</u>
1. List items purchased for the Child Protection Team and costs		
a. _____		
b. _____		
c. _____		
2. Child Advocacy Center/Other Interviewing costs		

B. Please provide the annual salary for the following positions and total the salaries for each of the classifications listed below: (Please include all staff with dual responsibilities and estimate and indicate percentage of salary for CPS time only. For example, if a Family Case Manager works 40% CPS and 60% ongoing child welfare services, use 40% of the salary, the CPS portion. Also, if the Local Director acts as line supervisor for CPS, include the proper percentage of salary on the line for Family Case Manager Supervisors. Attach a separate sheet showing your computations.)

Average salaries to be used in calculations:

	<u>Average Salary</u>	<u>Fringe</u>
FCM	34,987.32	16,629.52
FCM Supervisor	42,392.64	18,076.52
Local Office Director	51,390.09	19,834.62
Clerical	25,211.30	14,719.29

	<u>2008</u>	<u>2009</u>
1. Family Case Manager IIs	1,342,038	1,651,739
2. FCM Supervisors (or Local Director)	505,264	505,264

3. Clerical Support Staff

Total Cost of Salaries 1,847,302 2,157,003

C. **Grand Total of VI (Total Cost of Services in A, plus Total Cost of Salaries in** \$ **4,004,305.00**

CERTIFICATION

I certify and attest that the local Child Protection Service Plan of Region 1 is in compliance with IC 31-33-4-1; and copies of the plan have been distributed in conformity with same.

Signature of Regional Manager

Jane A. Bisbee_
Regional Manager's Name

12-21-09
Date

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE MANUAL	
	Chapter 2: Administration of Child Welfare Services	Effective Date: May 1, 2009
	Section 6: Sharing Confidential Information	Version: 3

POLICY

The Indiana Department of Child Services (DCS) will hold confidential all information gained during reports of Child Abuse and/or Neglect (CA/N), CA/N assessments, and ongoing case management.

DCS will abide by Indiana law and share confidential information with only those persons entitled to receive it.

DCS shall comply with any request to conduct CA/N history checks received from another state’s child welfare agency, as long as the records have not been expunged, when:

4. The check is being conducted for the purpose of placing a child in a foster or adoptive home;
5. The check is being conducted in conjunction with a C/AN assessment; and
6. The requesting state agency has care, custody and control of the child and the request is to check Child Protection Services (CPS) history of an individual who has a prior relationship with the child.

DCS will advise individuals who make calls reporting CA/N, parents, guardian, or custodian and perpetrators of their rights regarding access to confidential CA/N information.

DCS will make available for public review and inspection all statewide assessments, reports of findings, and program improvement plans developed as a result of a full or partial Child and Family Services Review (CFSR) after approval of Chief Legal Counsel.

DCS will provide unidentifiable CA/N information of a general nature to persons engaged in research. The DCS Central Office shall provide such information upon written request.

DCS Central Office will submit all public records requests for substantiated fatality or near fatality records to the juvenile court in the county where the child died or the near fatality occurred for redaction and release to the requestor.

All records sent from DCS shall be labeled or stamped "CONFIDENTIAL" at the top of each record. Any envelope containing records shall also be labeled "CONFIDENTIAL”.

[NEW] DCS will protect the confidentiality of all information gained from non-offending parents in families experiencing domestic violence. Prior to releasing any information (i.e. during court proceedings where disclosure of certain information is mandatory), the non-offending parent will be notified so they may plan for their safety and the safety of the child(ren).

Code References

1. [IC 5-14-3 Confidentiality of and Public Access Records](#)
2. [IC 31-33-22-2 Obtaining child abuse information under false pretenses; knowingly falsifying records or interfering with an assessment](#)
3. [IC 31-33-7-8 Reports to health care providers and schools; contents; confidentiality](#)
4. [31-33-18 Disclosure of Reports; Confidentiality Requirements](#)
5. [31-33-18-2 Release of CPS Records Disclosure of unredacted material to certain persons](#)
6. [31-33-18-3 Disclosure to qualified researchers](#)
7. [IC 31-33-18-4 Notice to parent, guardian, or custodian of availability of reports, information, and juvenile court records; release form; copying costs](#)
8. [465 IAC 2-5-1](#)

PROCEDURE

DCS (Intake and Assessment) Records

All CA/N reports and assessment information, including written reports and photographs are confidential. It is a Class B misdemeanor for a person to knowingly obtain or to falsify CA/N information or records. In addition, it is a Class A misdemeanor for a public employee knowingly and intentionally to disclose information classified as confidential by state statute.

Upon receipt of a written request, the Family Case Manager (FCM) may disclose intake or assessment information to the following after approval from the DCS Local Office Attorney:

1. A legally mandated child protection agency investigating a report or treating a child or family who are subjects of a report;
2. A law enforcement agency, prosecutor or coroner investigating a report;
3. A physician treating a child whom the physician suspects may be abused or neglected;
4. Anyone legally authorized to take protective custody of an abused or neglected child when the information is needed to determine whether to remove the child and make an out-of-home placement;
5. An agency with legal responsibility or authorization to provide care, treatment, or supervision for the subject child, or the child's parent, guardian, or custodian, or other person responsible for the child's welfare;
6. The alleged victim (if requested as an adult) the Guardian ad Litem (GAL) or Court Appointed Special Advocate (CASA), or both, of the alleged victim;

7. The parent, including non-custodial parent, guardian, custodian, or other person responsible for the welfare of a child named in a report and an attorney of any of those persons, provided that the identity of the reporting source and other persons is protected;

Note: Each parent, guardian, or custodian must be given verbal and written notice of the availability of the investigative report and must be provided with a copy upon written request. See separate policy, [4.10 Interviewing the Parent/Guardian/Custodian](#).

8. A court that requires the information to decide an issue before it;
9. A grand jury;
10. Any state or local official responsible for CPS or legislation who has a need for the information to carry out that person's official functions; a consent form must be signed by the subject of the report prior to release of information to a legislator who has been approached to intercede on their behalf;
11. The Child Protection Team (CPT), upon request, in order to carry out its purpose;
12. A person, about whom a report has been made, provided that the identity of the reporting source and other appropriate persons is protected.
13. An employee of DCS, a FCM, or a Juvenile Probation Officer conducting a criminal history check to assess the appropriateness of a family for placement and to make a placement recommendation to the court for a child in out-of-home care;
14. A local child fatality review team established under [IC 31-33-24-6](#);
15. The statewide child fatality review committee established;
16. The Division of Family Resources (DFR), in relation to a license applicant, licensee, employee or volunteer of a child care center, child care home, or child care ministry;
17. An employee of DCS, in relation to a license applicant, licensee, employee or volunteer of a child caring institution, group home, a child placing agency, or foster home in relation to a household member of a foster home;
18. Any authorized employee of DCS for an appropriate purpose, as determined by the Director or Deputy Director of Field Operations; and
19. A citizen's review panel, established under [IC 31-25-2-20.4](#).

Providing Information to Another CPS Agency

Within one (1) business day of receiving the request the FCM will:

1. Determine whether the requesting agency is a legally mandated public or private CPS agency;

Note: The requesting agency must send a written request for information on agency letterhead with complete job and unit titles of the requesting person (e.g., Jane Doe, Family Case Manager, CPS Unit, Marion County DCS Local Office).

2. Determine the basis for the agency's request (i.e., whether the requesting agency is assessing a report of child abuse or neglect or assessing a family for the purpose of placement of a child for whom the agency has care or placement responsibility;

- a. The written request shall contain a listing of the specific information needed and any information that would assist the FCM in identifying the appropriate CPS case file. For example, if a child's name is Charles Smith, a date of birth or social security number may be requested to ensure the release of accurate information,

Note: If the CPS agency requests the immediate release of records based on an emergency, the FCM shall acquire the approval of the Unit Supervisor or DCS Local Office Attorney prior to the release of records.

- b. The FCM will orally collect the information needed to make the determinations outlined above from the requesting CPS agency and document this information within the case file,
 - c. The FCM will Request a follow-up written request for the records which complies with the procedures outlined above,
 - d. The DCS Local Office Attorney will determine if the records are accessible to the CPS agency based upon the information provided and shall orally advise the FCM of the appropriate response to the requesting CPS agency.
3. Redact the name of the report source and information concerning any children or adults that are not the subject of the request prior to sending to the requesting agency.

Providing Information to Parent, Guardian, or Custodian or Perpetrator

Upon written request from the parent, guardian, or custodian, subject child (if an adult at the time of request), appointed CASA/GAL, representative, or perpetrator, the FCM will provide the requested information regarding the assessment, after deleting the identities of the person making the report and other appropriate individuals. The FCM will carefully review to determine what information should be redacted to protect the safety of a non-offending parent and children of families with identified domestic violence. See separate policy [2.1 Request for Administrative Review](#), Practice Guidance and Related Information.

Note: "Other appropriate individuals" refers to individuals, other than law enforcement officers, mentioned in the report if disclosure, in the judgment of the FCM, could endanger the person's life or safety. Protection also must be given for the identity of any other person or agency providing information, if that other person or agency advises that disclosure of the person's identity would be likely to endanger that person's life or safety.

Note: No prerequisites for obtaining information beyond a written request may be imposed upon the parent/guardian/custodian other than reasonable copying costs.

Release of Information for Research Purposes

All requests to release CA/N information for research purposes must be approved by the Central Office Deputy Director of Field Operations or his/her designee and the Chief Legal Counsel.

1. All requests for CA/N information must be submitted on the [Application for Child Abuse Research \(SF116/CW 0321\)](#);
2. The Deputy Director or his/her designee will evaluate the request. If approved, the request will be forwarded to the appropriate staff member for the release of the requested information;
3. Information released may include:
 - a. Statistical data,
 - b. Social data used for studies, reports, surveys, or
 - c. Information concerning the functions and activities of the DCS or CPT.

Note: No name-specific or other identifying information may be included in the data. No information, general or case-specific, can be released that tends to identify involved parties. Further, no case information can be released if it is the subject of pending litigation.

Release of Child Fatality and Near Fatality Records

All fatality and near fatality records for which DCS has substantiated CA/N are subject to release.

Upon receipt of a public records request (phone, written, e-mail, fax or by walk-in), the DCS local office will within one (1) business day of receiving the request, e-mail the Central Office Fatality Consultant the following information:

1. Name, address and phone number of the requestor;
2. Relationship, if any, of the requestor to the identified child; and
3. Organizational affiliation of the requestor (e.g. Indianapolis Star, Indianapolis Channel 6 News).

The DCS Central Office Fatality Consultant will:

1. Send a notice to the requestor regarding DCS' ability to process the request; and
2. If the record(s) requested are a substantiated fatality or near fatality locate the records and submit the file to the juvenile court judge in the county where the child died or the near fatality occurred.

Note: Only the juvenile court judge has the authority to release fatality or near fatality records.

Case Records for Children in Foster Care or Residential Placement

DCS will keep all records regarding children and information gathered about the child, the parent, guardian, or custodian, or their relatives confidential [IC 31-27-4-21](#). Information about children involved in ongoing services cases may be released to the following:

1. A state agency involved in the licensing of the substitute care home or facility where the child is placed;
2. A legally mandated child protection agency. Refer to procedure outlined above in CPS Intake and Assessment Records; Providing information to another state agency;
3. A Law Enforcement Agency (LEA).
4. An agency having legal responsibility to care for a child placed in a substitute care home or facility;
5. The parent, guardian, or custodian of the child in a substitute care home or facility; and
6. Citizens Review Panel.

Licensing Records

Information contained in licensing files is considered public information with the **exception** of the following:

1. CA/N information;
2. Information concerning children in substitute care, day care children or the parent, guardian, or custodian of these children;
3. Medical or psychological information;
4. Federal Bureau of Investigation (FBI) transcript reports;
5. Financial information; and
6. Inter-agency and intra-agency decision making communications.

Adoption Records

Adoption records are confidential and may not be released. Some information may be accessible under the Indiana Adoption History Program or the Indiana Medical History Program (See separate policies in [Chapter 10 Adoption](#)).

PRACTICE GUIDANCE

N/A

FORMS AND TOOLS

[Application for Child Abuse Research \(SF116/CW 0321\)](#)

RELATED INFORMATION

Copying Cost

No fee may be charged for inspection of public records. However, a copying fee may be charged which is not to exceed the average cost of copying or 10 cents per page, whichever is greater.

SECTION IV

PROTOCOLS



Mitchell E. Daniels, Jr., Governor
James W. Payne, Director

Indiana Department of Child Services
Lake County Office
661 Broadway
PO Box 2270
Gary, Indiana 46409

Main Switchboard: 219-886-6000

www.in.gov/dcs

Child Support Hotline: 800-840-8757
Child Abuse and Neglect Hotline: 800-800-5556

Date

Prosecutor

Dear Prosecutor _____:

In compliance with Indiana State Law, IC 31-33-4-1, the Lake County Department of Child Services has developed a protocol for implementation by the Lake County Department of Child Services and the Lake County Prosecutor's Office.

We have enclosed a copy of the Protocol for the Lake County Prosecutor's Office. Please take the time to review, sign and return the original signature page to us by January 22, 2007. If you wish, you may fax your signed copy to (219) 881-2142, to my attention. Keep a copy for your record. This protocol will become a part of our Child Protection Plan for 2007-2008.

If you should have any questions, you may call me at 881-2007.

Sincerely,

LaVetta L. Wade
Division Manager
Intake & Assessment
Department of Child Services

smr
Enclosure



Protecting our children, families and future

**AGREEMENT BETWEEN THE PROSECUTING ATTORNEY'S OFFICE
AND
THE LAKE COUNTY DEPARTMENT OF CHILD SERVICES**

PURPOSE:

The Lake County Department of Child Services is mandated to develop a protocol for implementation by the Lake County Department of Child Services, Law Enforcement Agencies and the Lake County Prosecutor to insure agreement on the use of protective orders to remove the alleged perpetrator in abuse investigations [IC 31-34-2-2], to assure that appropriate family members are given consideration any emergency placement of a child alleged to be a child in need of services (CHINS) [IC 31-34-4-2, IC 31-], to agree on the handling of the initial assessment of "imminent danger of serious bodily harm" necessitating an "immediate, on-site investigation" and the need for a joint investigation [IC 31-33-8-1 & 31-33-8-2], to share completed reports among the Lake County Department of Child Services, Law Enforcement Agencies, Prosecutor, Court and Child Protection Team [IC 31-33-8-3], and to agree on procedures for registry entry and access to registry information and advisement of registry entry to parents and the alleged perpetrator [IC 31-33-8-12 & 31-33-8-1].

OBJECTIVE:

To insure that a protocol involving the Lake County Department of Child Services, Law Enforcement Agencies and the Lake County Prosecutor is maintained.

PROCEDURES:

- 1) Agreement on the use of protective orders to remove the alleged perpetrator in abuse investigations [IC 31-34-2-2] - See Attachment 1.
- 2) Agreement on procedures to assure that appropriate family members are given consideration in any emergency placement of a child alleged to be a Child In Need Of Service (CHINS) [IC 31-34-6-2] - See Attachment 2.
- 3) Agreement on the handling of the initial assessment of "imminent danger of serious bodily harm" necessitating an "immediate, on-site investigation" and the need for a joint investigation [IC 31-33-8-1 & 31-33-8-2] - See Attachment 3.
- 4) Agreement on the sharing of completed reports among the Lake County Department of Child Services, Law Enforcement Agencies, Prosecutor, Court and Child Protection Team [IC 31-33-8-4, 31-33-8-5, 31-33-8-(9)(10)(11)].
- 5) Agreement on the procedure for taking of color photographs [IC 31-33-8-3].
- 6) Agreement on procedures for registry entry and access to registry information and advisement of registry entry to parents and the alleged perpetrator [IC 31-33-8-(13)(14)]

ADDITIONAL INFORMATION:

- A. It is understood that child abuse and child neglect information received by the Lake County Prosecuting Attorney's Office is confidential and will be treated as such.
- B. It is recommend that monthly meetings be held by the Lake County Department of Child Services, the Lake County Prosecuting Attorney's Office and the Law Enforcement Agencies to monitor the progress of investigations, determine the need for further information and preparation for prosecution.
- C. Periodic meetings will be held by the Lake County Department of Child Services Director and the Lake County Prosecutor to work out any problems that might occur as a result of this agreement.
- D. This agreement is considered to be in force until such time as it is revised.

ATTACHMENT 1

AGREEMENT ON THE USE OF PROTECTIVE ORDERS TO REMOVE THE ALLEGED PERPETRATOR IN ABUSE INVESTIGATIONS [IC 31-34-2-2]

The Indiana Legislature has changed the way law enforcement must handle alleged child abuse situations. The following sequence must be followed:

REMOVAL OF ALLEGED PERPETRATOR

Under the following conditions a law enforcement officer may remove an alleged perpetrator from the home, if the law enforcement officer believes an individual is the perpetrator of abuse or neglect against a child and if:

1. The law enforcement officer has probable cause to arrest the alleged perpetrator on a related or unrelated charge (i.e. battery, trespass; the alleged perpetrator can be arrested if there is probable cause that battery has been committed per IC 35-33-7-1 and 35-33-7-2) AND
2. There is reasonable opportunity to obtain a protective order from the court (i.e. time, circumstances) AND
3. The removal of the alleged perpetrator will adequately protect the child (i.e. are there other potential perpetrators remaining in the home or are living conditions still safe) AND
4. It is in the best interests of the child to remove the alleged perpetrator from the home.

The law enforcement officer must satisfy 1-4 before removing an alleged perpetrator.

NOTE: This does not eliminate the need to make a CHINS report to Child Protection Services to allow for a protective order to be obtained.

REMOVAL OF CHILD

If removing the alleged perpetrator from the home will not adequately protect the child as specified above, then the law enforcement officer may remove the child from the home if:

1. The law enforcement officer has probable cause to believe the child is a CHINS AND
2. There is no reasonable opportunity to obtain a protective order AND
3. The consideration for the safety of the child precludes the immediate use of family services for pre-placement preventative services to prevent the removal of the child from the home.

The law enforcement officer must satisfy 1-3 before taking a child into custody. If for some reason the law enforcement officer cannot take a child into custody, then a Child Protection Service Case Manager or probation officers may do so.

ATTACHMENT 2

AGREEMENT ON PROCEDURES TO ASSURE THAT APPROPRIATE FAMILY MEMBERS ARE GIVEN CONSIDERATION IN ANY EMERGENCY PLACEMENT OF A CHILD ALLEGED TO BE A CHLD IN NEED OF SERVICES (CHINS) [IC 31-34-6-2]

To assure that appropriate family members are given consideration in any emergency placement of a child alleged to be a Child In Need Of Services (CHINS) the procedures listed below will be followed:

1. The law enforcement officer and/or the Child Protection Services worker will inquire of the parents and/or child for information as to any family member who is appropriate for emergency placement.
2. Since reunification becomes difficult, if a child is placed with a family member who the parents object to, the parents should agree to the emergency placement with the family member.
3. Once a determination has been made that appropriate family members are available, then the Child Protection Service worker will contact those family members to determine if they are willing to care for the child prior to placement, per state law and DCS directive, a check for previous CPS involvement and criminal history background check will be completed before the child can be placed in the home of a relative.
4. The Child Protection Service worker will give information regarding the current situation, the needs of the child, financial and social services available to the family member to allow them to decide if they are willing and able to care for the child as an emergency placement.
5. *Once an appropriate family member is located, the Child Protection Services worker will determine if the home meets the minimum sufficient level of care standards and advise the family member of the Department of Child Services' policies and procedures regarding removal of child from his/her home if these standards, policies and procedures are not followed. The law enforcement officer and/or the Child Protection Services worker will transport the child to the family member's home.

ATTACHMENT 3

AGREEMENT ON THE HANDLING OF THE INITIAL ASSESSMENT OF “IMMINENT DANGER OF SERIOUS BODILY HARM” NECESSITATING AN “IMMEDIATE, ON-SITE INVESTIGATION” AND THE NEED FOR A JOINT INVESTIGATION [IC 31-33-8-1 & 31-33-8-2]

Whenever an abuse or neglect complaint is received, an initial assessment of “imminent danger of serious bodily harm” necessitating an “immediate, on-site investigation” and the need for a joint investigation needs to be made. The following assessment procedures will be utilized:

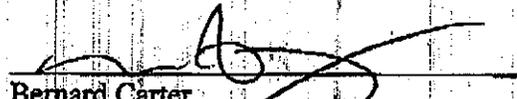
1. Law enforcement dispatcher receives abuse/neglect complaint.
2. Law enforcement officer responds to complaint.
3. Law enforcement dispatcher/officer immediately reports nature of complaint to Child Protection Services.
4. If the child is in “imminent danger of serious bodily harm” an “immediate, on-site investigation” will be conducted jointly by the law enforcement and the Child Protection Services case manager within one hour of the complaint.

Bernard Carter
Lake County Prosecuting Attorney

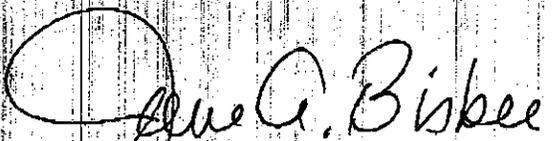
Date

Jane A. Bisbee, Regional Manager/Director
Lake County Department of Child Services

Date


Bernard Carter
Lake County Prosecuting Attorney

1-11-07
Date


Jane A. Bisbee, Regional Manager/Director
Lake County Department of Child Services

1-5-07
Date



Mitchell E. Daniels, Jr., Governor
James W. Payne, Director

Indiana Department of Child Services
Lake County Office
661 Broadway
PO Box 2270
Gary, Indiana 46409

Main Switchboard: 219-886-6000

www.in.gov/dcs

Child Support Hotline: 800-840-8757
Child Abuse and Neglect Hotline: 800-800-5556

January 9, 2007

Dear Chief :

In compliance with Indiana State Law, IC 31-33-4-1, the Lake County Department of Child Services has developed a protocol for implementation by the Lake County Department of Child Services and Lake County Law Enforcement Agencies.

We have enclosed a copy of the Protocol for the Lake County Law Enforcement Agencies. Please take the time to review, sign and return the original signature page to us by January 22, 2007. If you wish, you may fax your signed copy to (219) 881-2142, to my attention. Keep a copy for your record. This protocol will become a part of our Child Protection Plan for 2007-2008.

If you should have any questions, you may call me, LaVetta L. Wade, at 881-2007.

Sincerely,

LaVetta L. Wade
Division Manager
Intake & Assessment
Department of Child Services

dls
Enclosure



Protecting our children, families and future

C. LCDCS INVOLVEMENT IN LEA INVESTIGATIONS

1. When a law enforcement agency receives an initial report that a child may be a victim of child abuse or neglect, the law enforcement agency shall:
 - a. immediately communicate the report to CPS, whether or not the law enforcement agency has reason to believe there exists an imminent danger to the child's health or welfare; and
 - b. conduct an immediate, on-site investigation of the report along with the local child protection service whenever the law enforcement agency has reason to believe that an offense has been committed.
2. In all cases, the law enforcement agency shall forward any information, including copies of investigation reports, on incidents of cases in which a child may be a victim of child abuse or neglect, to the Lake County Department of Child Services.

D. THE ON-SCENE INVESTIGATION

When the Law Enforcement Officer and the Child Protective Services Family Case Manager are both on the scene, it is the responsibility of both to give priority to insuring the safety of the child. The Law Enforcement Officer is responsible for conducting the criminal investigation and to insure the safety of all persons at the scene. The Child Protective Services Family Case Manager and the Law Enforcement Agency will give every diligence to place children with appropriate family members in any emergency placement of a Child In Need of Services (CHINS) (IC 31-34-4-2, IC 31-34-6-2) after appropriate CPS check and criminal history background check. The CPS Family Case Manager will provide for the taking of photographs in the course of abuse/neglect investigation (IC 31-33-8-3). The worker is not to interfere with the criminal investigation of charges against the alleged perpetrator until law enforcement finishes their investigation. The focus of the CPS worker at that time is the immediate and safe removal of the child, if the decision has been made to remove the child. The CPS worker is to use the Safety and Risk Assessment tool in determining the safety of the child.

E. FILING OF REPORTS BY LAW ENFORCEMENT

It is the responsibility of the Law Enforcement Officer to file appropriate criminal charges with the County Prosecutor's Office. It is the responsibility of the CPS Worker to assure that the State Form 310, "Report of Alleged Abuse or Neglect" is provided to the Law Enforcement Agency while on the scene, if requested. It is the responsibility of the CPS worker to insure that all substantiated State Form 311s, "Report of Investigation", is provided to the County Prosecutor within the time frame established by law and to the appropriate Law Enforcement Agency, if requested. The worker shall be responsible for a timely submission and completion of the investigation based upon the special needs of the child, the circumstances, and the needs of the County Prosecutor in pursuing criminal charges against the alleged perpetrator.

F. THE ROLE OF THE COUNTY PROSECUTOR

It is the responsibility of the County Prosecutor to determine whether to file charges against the alleged perpetrator. It is the responsibility of the case manager and supervisor, in consultation with the local agency attorney, to insure that a CHINS Petition is filed in a manner consistent with the law. It is the responsibility of both the Law Enforcement Officer and the Child Protective Services Family Case Manager to complete

the investigation as deliberately and thoroughly as possible, but also as expeditiously as possible.

G. FILING OF REPORT BY CHILD PROTECTIVE SERVICES WORKER

During a joint investigation, the State Form 310 will be given to the Law Enforcement officer at the scene if requested; otherwise the Law Enforcement Agent is to receive a copy of State Form 310 the next business day. At the completion of the investigation, the County Prosecutor and the Law Enforcement Agency are to receive a copy of State Form 311. Additional information pertaining to the CPS investigation and case material will be available upon request from the prosecutor or the Law Enforcement Agency. To the greatest extent possible, the Law Enforcement Agency and the Lake County Department of Child Services shall cooperate and collaborate with information sharing.

H. THE REMOVAL OF A CHILD

Whenever a child is removed from a home as a victim of alleged abuse or neglect, the Law Enforcement Officer can and the Child Protective Services Family Case Manager shall present the family with State Form 47114/FPP0010 "Advisement of Legal Rights". Included on that form is a place for the Law Enforcement Officer to sign as well as a place for the case manager to sign.

In instances where a joint investigation is not in progress and a child is to be removed from a home, Law Enforcement is to be called because they have the primary power of removal and have to also sign the Advisement of Legal Rights Form.

I. INFORMATION SHARING BETWEEN THE LAW ENFORCEMENT AGENCY AND CHILD PROTECTIVE SERVICES

On a periodic basis, the Director/Regional Manager of the Lake County Department of Child Services or designee and the designated liaisons of each of the Lake County Law Enforcement Agencies shall meet to discuss methods to improve Child Protective Services Investigations in Lake County. The meeting shall be held at the request of either party. The purpose of the meeting is to exchange information; to inform all participants of investigations that could have been managed better; and to utilize a well-coordinated investigation as a model for training to improve the Child Protection system in Lake County.

J. THE ROLE OF THE CHILD PROTECTION TEAM

Each Law Enforcement Agency is to be aware that any specific investigation may be referred to the Child Protection Team for review. Prior to a referral to the Child Protection Team, it is agreed that the liaison officer for the Law Enforcement Agency will contact the Assessment Division Manager for the Lake County Department of Child Services to discuss the particular situation.

Upon recommendation from the Law Enforcement Agency, a referral to the Child Protection Team shall then be made. The purpose of the referral is to review the circumstances of the investigation and make recommendations as to how to improve investigations in the future.

K. CHILD FATALITY

Whenever a suspicious child fatality occurs, the officer in charge of the investigation will make immediate contact with the Lake County Department of Child Services to assure that the agency is aware of the death. The LCDCS case manager will complete a 310 referral and will make a copy available to the Law Enforcement Agency. The Law Enforcement officer and the LCDCS case manager are to exercise the appropriate degree of sensitivity in a situation that is very tragic and unfortunate for the parents. LCDCS is to assess risk to surviving siblings and to evaluate elements related to possible abuse or neglect. When the investigation is completed, LEA will forward a copy of the investigation report to LCDCS. The Lake County Department of Child Services' written report of the investigation will be made available to the Law Enforcement Agency in the form of a 311 report.

Suspicious child fatalities include, but are not limited to the following:

- Homicide with an alleged perpetrator in a caregiver role;
- Accidental death where questions of caregiver negligence are raised;
- Natural death (including SIDS) where the condition of the body or the autopsy suggests abuse or neglect;
- Suicide, if abuse or neglect may be a contributing factor;
- Death from undetermined or no definite cause; and
- Death of a child being supervised by the Office of Family and Children, either as a Child in Need of Services (CHINS), by Informal Adjustment or by a Service Referral Agreement

L. RESPONSE TIME

1. Answering Service

When a Law Enforcement officer calls CPS during non-business hours, expect a response from the On-Call case manager within a reasonable period of time. At the response to the call, the case manager is to inform the officer of approximately how long it will be before they can arrive on the scene. If the results of the call are unsatisfactory then the Law Enforcement officer can call the On-Call supervisor at (219) 881-6964.

2. Imminent Danger---One Hour

If at any hour a Law Enforcement officer discerns that a child is in a life or death situation, the officer should briefly explain the situation to the case manager using the words imminent danger so that the case manager understands that they have to arrive on the scene within one (1) hour (where physically possible). The case manager will call the contact supervisor to inform them of the situation and an estimated time of arrival. The supervisor will return the call to the Law Enforcement Agency to advise them of the estimated time of arrival at the scene by the case manager. The worker is not authorized to extend that one hour limit simply because the child has been moved to a safe place (e.g., a relative) or because the child has been admitted to the hospital.

In the event that the report of a child in imminent danger comes first to CPS, it is the responsibility of CPS to notify Law Enforcement of the report.

M. DANGER TO CASE MANAGER

In instances where there is not a joint investigation with Law Enforcement and the case manager perceives themselves to be in a dangerous situation, the case manager is to request a Law Enforcement officer to come to the scene of the investigation by contacting the Law Enforcement Agency dispatcher.

N. FOLLOW UP DISCUSSIONS

It is recommended that whenever either party has a concern that can be addressed by this protocol that a discussion be arranged to resolve the concern. The objective of this protocol is to improve the safety of the children of Lake County.

II. ABANDONED INFANT PROTOCOL

A. PURPOSE OF THE PROTOCOL

The Lake County Department of Child Services is mandated by Senate Enrolled Act 330 to develop a protocol for implementation by the Lake County Department of Child Services and Emergency Medical Services Providers to insure agreement on procedures for taking emergency custody of an abandoned infant and reporting to Child Protection Services, [IC 32-32-2.5]

B. OBJECTIVE

To insure that a protocol involving the Lake County Department of Child Services and Emergency Medical Service Providers is established in accordance with Senate Enrolled Act 330.

C. DEFINITIONS

1. An abandoned infant is defined as a child who:
 - a) is less than 12 months of age and whose parent, guardian or custodian has knowingly or intentionally left the child in an environment that endangers the child's life or health or a hospital or medical facility and has not reasonable plan to assume the care, custody and control of the child; or
 - b) is, or who appears to be, not more than 45 days of age and whose parent has knowingly or intentionally left the child with an Emergency Medical Services (EMS) provider and did not express the intent to return for the child.
2. An Emergency Medical Service Provider is defined as a firefighter, law enforcement officer, paramedic, emergency medical technician or other person who provides emergency medical services in the course of the person's employment, [IC 1-41-10-1].

D. PROCEDURES

1. An Emergency Medical Service Provider shall, without a court order, take custody of a child who is, or who appears to be not more than thirty (30) days of age if:
 - a) the child is voluntarily left with the provider by the child's parent; and

- b) the parent does not express intent to return for the child.
2. An Emergency Medical Service Provider who takes custody of a child shall perform any act necessary to protect the child's health and safety.
3. Immediately after an Emergency Service Provider takes custody of a child, the provider shall notify Child Protection Services that they have taken custody of the child.
4. Child Protection Services shall assume the care, control, and custody of the child immediately after receiving notice.
5. Child Protection Services shall treat the child as a child taken into custody without a court order, except that efforts to locate the child's parents or reunify the child's family are not necessary, if the court makes a finding to that effect under IC 31-34-21-5.6(b)(5).
6. The juvenile court shall hold a hearing on the next business day after the Emergency Medical Service Provider takes the child into custody. If the court is unavailable on the next business day, a hearing shall be held as soon as the court becomes available. However, the hearing must be held no later than the third business day after the child is taken into custody.
7. Child Protection Services shall notify the Emergency Medical Service Provider of the initial hearing. The Emergency Medical Service Provider has the right to be heard at the initial hearing.
8. Child Protection Services shall notify the Emergency Medical Service Provider, who has taken custody of an abandoned child, at least ten (10) days before the periodic case review, including a case review that is a permanency hearing.

ADDITIONAL INFORMATION

- A. It is understood that abandoned infant information received by the Emergency Medical Services Provider is confidential and will be treated as such.
- B. Periodic meetings will be held by the Lake County Department of Child Services Director/Regional Manager and the Emergency Medical Services Provider to work out any problems that might occur as a result of this agreement.
- C. This agreement is considered to be in force until such time as it is revised.
- D. A rebuttable presumption is indicated if the state introduces competent evidence of probative value that the illegal manufacture of a drug or controlled substance is occurring on property where a child resides (Child Welfare Manual Subsection 306.42). In such cases, an immediate report to CPS by LEA is required.

Police Chief
Police Department

Date

Jane A. Bisbee, Director/Regional Manager
Lake County Department of Child Services

Date

Roger A. Patz

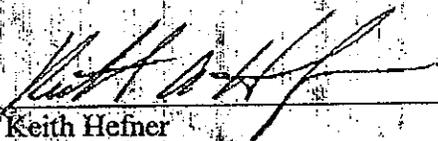
Chief Roger Patz
Cedar Lake Police Department

1-17-2007
Date

Jane A. Bisbee

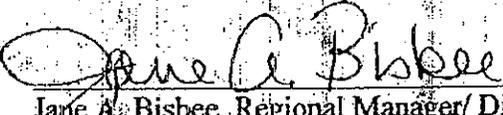
Jane A. Bisbee, Regional Manager/ Director
Lake County Department of Child Services

1-5-07
Date



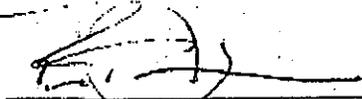
Chief Keith Hefner
Crown Point Police Department

1-18-07
Date



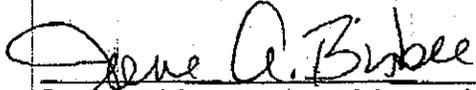
Jane A. Bisbee, Regional Manager/ Director
Lake County Department of Child Services

1-5-07
Date



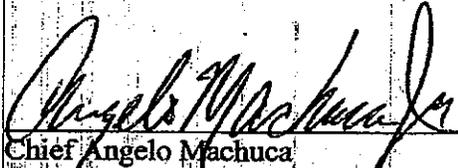
Chief Richard Quinn
Dyer Police Department

1-15-07
Date



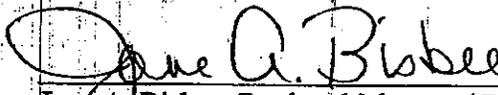
Jane A. Bisbee, Regional Manager/ Director
Lake County Department of Child Services

1-5-07
Date



Chief Angelo Machuca
East Chicago Police Department

1-12-07
Date



Jane A. Bisbee, Regional Manager/ Director
Lake County Department of Child Services

1-5-07
Date

Nate Brannon

Chief Nate Brannon
Gary Police Department

1-17-07

Date

Jane A. Bisbee

Jane A. Bisbee, Regional Manager/ Director
Lake County Department of Child Services

1-5-07

Date



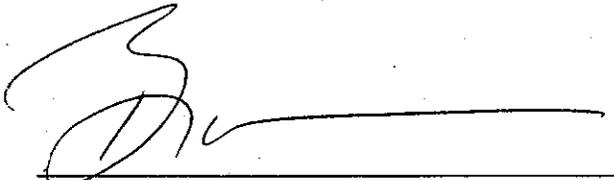
Chief Ronald Kottak
Griffith Police Department

1/12/06
Date



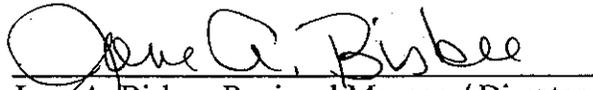
Jane A. Bisbee, Regional Manager/ Director
Lake County Department of Child Services

1-5-07
Date



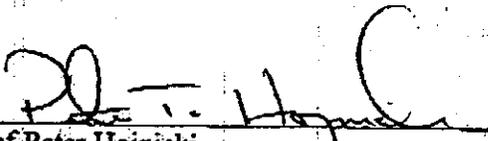
Chief Brian Miller
Hammond Police Department

1-15-07
Date



Jane A. Bisbee, Regional Manager/ Director
Lake County Department of Child Services

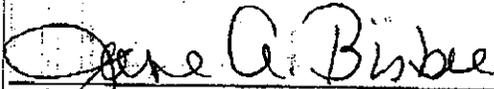
1-5-07
Date



Chief Peter Hojnicky
Highland Police Department

1-12-07

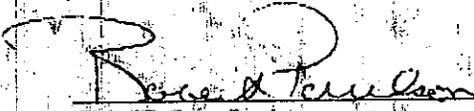
Date



Jane A. Bisbee, Regional Manager/ Director
Lake County Department of Child Services

1-5-07

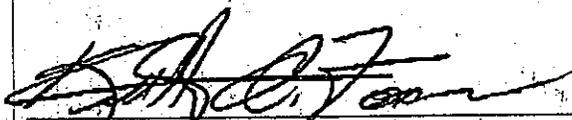
Date


Chief Robert Paulson
Hobart Police Department

0-15-07
Date


Jane A. Bisbee, Regional Manager/ Director
Lake County Department of Child Services

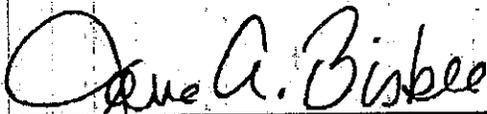
1-5-07
Date



Chief Keith Foor
Lake of the Four Seasons Security

1-15-07

Date



Jane A. Bisbee, Regional Manager/ Director
Lake County Department of Child Services

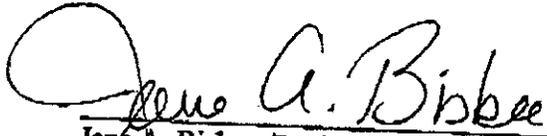
1-5-07

Date



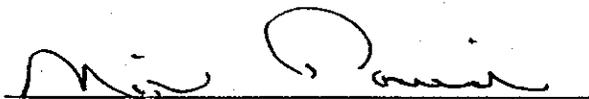
Chief John Shelhart
Lowell Police Department

1/23/07
Date



Jane A. Bisbee, Regional Manager/ Director
Lake County Department of Child Services

1-5-07
Date



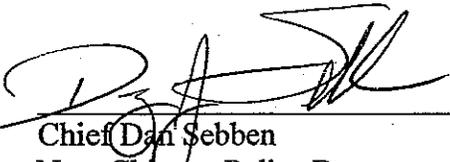
Chief Nick Panich
Munster Police Department

Date 1-13-07



Jane A. Bisbee, Regional Manager/ Director
Lake County Department of Child Services

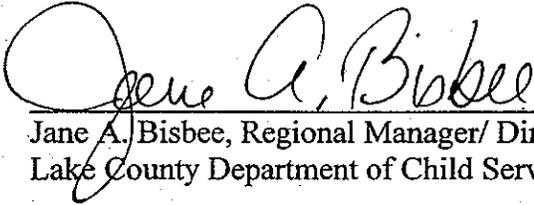
Date 1-5-07



Chief Dan Sebber
New Chicago Police Department

1-12-07

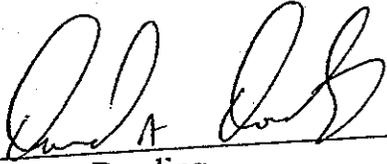
Date



Jane A. Bisbee, Regional Manager/ Director
Lake County Department of Child Services

1-5-07

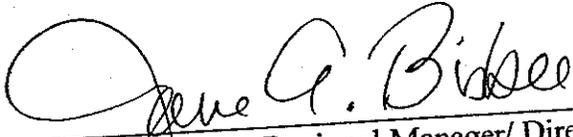
Date



Chief Dave Dowling
Schererville Police Department

1-16-07

Date:



Jane A. Bisbee, Regional Manager/ Director
Lake County Department of Child Services

1-5-07

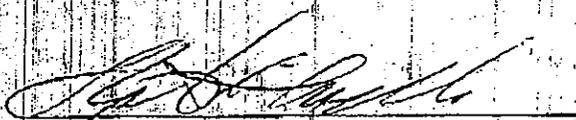
Date

Fred A. Frego
Chief Fred Frego
St. John Police Department

1-15-07
Date

Jane A. Bisbee
Jane A. Bisbee, Regional Manager/ Director
Lake County Department of Child Services

1-5-07
Date



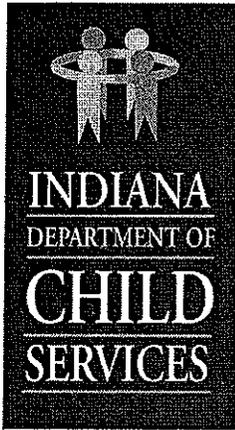
Chief Stephen Miller
Whiting Police Department

1-16-07
Date



Jane A. Bisbee, Regional Manager/ Director
Lake County Department of Child Services

1-7-07
Date



Mitchell E. Daniels, Jr., Governor
James W. Payne, Director

Indiana Department of Child Services
Lake County Office
661 Broadway
PO Box 2270
Gary, Indiana 46409

Main Switchboard: 219-886-6000

www.in.gov/dcs

Child Support Hotline: 800-840-8757
Child Abuse and Neglect Hotline: 800-800-5556

Date

Lake County Coroner

Dear _____:

In compliance with Indiana State Law, IC 31-33-4-1, the Lake County Department of Child Services has developed a protocol for implementation by the Lake County Department of Child Services and the Lake County Coroner's Office.

We have enclosed a copy of the Protocol for the Lake County Coroner's Office. Please take the time to review, sign and return the original signature page to us by January 22, 2007. If you wish, you may fax your signed copy to (219) 881-2142, to my attention. Keep a copy for your record. This protocol will become a part of our Child Protection Plan for 2007-2008.

If you should have any questions, you may call me at 881-2007.

Sincerely,

LaVetta L. Wade, Division Manager
Intake & Assessment
Department of Child Services

smr
Enclosure



Protecting our children, families and future

PROTOCOL BETWEEN THE LAKE COUNTY CORONER AND THE LAKE COUNTY DEPARTMENT OF CHILD SERVICES

INTRODUCTION

This protocol is to promote communication between the Lake County Coroner's Office and the Lake County Department of Child Services.

A. PURPOSE OF PROTOCOL

This protocol is to establish guidelines for the transfer of information about child fatalities between the Lake County Coroner's Office and the Lake County Department of Child Services.

B. TEXT

Whenever a person under the age of 18 dies in Lake County, Indiana and child abuse or neglect is suspected the Lake County Coroner's Office and the Lake County Department of Child Services (LCDCS) will make immediate telephone contact to assure that both agencies are aware of the death. The contact number for the Lake County Department of Child Services is **881-6964**. The LCDCS fax number is **881-2142**.

The Lake County Department of Child Services will complete the written report of the fatality on the 310 report form and make a copy available to the Lake County Coroner's Office at its request. The Lake County Department of Child Services staff will notify the LCDCS Director and the appropriate state officer in Indianapolis. After an investigation, the Lake County Coroner's Office will submit any findings to the appropriate Law Enforcement Agency, the prosecutor, and the Lake County Department of Child Services. The Lake County Department of Child Services' written report of the investigation on the form 311 will be made available to the Lake County Coroner's Office on request.

C. FOLLOW UP DISCUSSIONS

It is recommended that whenever either party has a concern which can be addressed by this protocol, that a discussion be arranged to resolve the concern. The objective is to facilitate communications between the Lake County Coroner's Office and the Lake County Department of Child Services.

David J. Pastrick, Coroner
Lake County, Indiana

Date

Jane A. Bisbee, Director/Regional Manager
Lake County Department of Child Services

Date



Mitchell E. Daniels, Jr., Governor
James W. Payne, Director

Indiana Department of Child Services
Lake County Office
661 Broadway
PO Box 2270
Gary, Indiana 46409

Main Switchboard: 219-886-6000

www.in.gov/dcs

Child Support Hotline: 800-840-8757
Child Abuse and Neglect Hotline: 800-800-5556

January 9, 2007

Superintendent
c/o Community School Corporation
123 Street
Anywhere, IN 46000

Dear Superintendent:

In compliance with Indiana State Law, IC 31-33-4-1, the Lake County Department of Child Services has developed a protocol for implementation by the Lake County Department of Child Services and Lake County School Corporations.

We have enclosed a copy of the Protocol for In-School Interviews of Alleged Victims & Handling Referrals of Suicidal Children At Risk. Please take the time to review, sign and return the original signature page to us by January 22, 2007. If you wish, you may fax your signed copy to (219) 881-2142, to my attention. Keep a copy for your record. This protocol will become a part of our Child Protection Plan for 2007-2008.

If you should have any questions, you may call me, LaVetta L. Wade, at 881-2007.

Sincerely,

LaVetta L. Wade
Division Manager
Intake & Assessment
Department of Child Services

ejs
Enclosure



Protecting our children, families and future

PROTOCOL FOR IN-SCHOOL INTERVIEWS OF ALLEGED VICTIMS & HANDLING REFERRALS OF SUICIDAL CHILDREN AT RISK

I. IN SCHOOL INTERVIEWS OF ALLEGED VICTIMS

Frequently, the investigation will include an interview with the alleged victim at the school during regular school hours. The following guidelines are to be followed:

1. When possible, the Child Protection Services (CPS) worker will notify the principal when they will come in the school.
2. Parents of the child to be interviewed should not be notified by the school if they are the perpetrator of the abuse or neglect. If the perpetrator is outside of the home, reasonable efforts should be made by the CPS worker to contact the parents/ caregiver to approve that the child can be interviewed by the CPS worker.
3. Upon entering the school building, the CPS worker will immediately contact the school representative previously designated.
4. Prior to the interview with the child, the CPS worker will decide where the interview will be conducted and who will be present.
5. At the conclusion of the interview, the CPS worker may decide that protection of the child requires the immediate taking of the child into custody. The need for removal will be explained to the child by the CPS worker. School representatives may be asked to assist in this process.
6. If requested the CPS worker will provide the school representative with the duplicate forms which clearly designate:
 - a. the time at which the child was taken into custody
 - b. the name and authorization of the persons taking the child into custody, and
 - c. the reason protective custody was deemed necessary.
7. The CPS worker is responsible to notify the parent(s) or guardian(s) that the child is being taken into protective custody.
8. After such notification (or reasonable attempt to notify has been made), the CPS worker will take the child with them from the school.

NOTE: No child should be released by the school to anyone other than a properly identified law enforcement officer or CPS worker.

9. If a parent calls or comes to the school demanding an explanation of the action taken by the CPS representative, he/she should be referred directly to CPS. The parent should be told that the action was taken by a law enforcement agency and/or CPS and not by the school. The parent copy of the temporary custody form provided by the investigative team should be given to the parent.

II. HANDLING REFERRALS OF SUICIDAL CHILDREN AT RISK

The reporting of suicidal at risk children does not fall under the mandatory abuse/neglect reporting requirement according to the current legal definition of a child abuse/neglect victim [IC-31-6-4-3] [a][1] through [IC-31-6-4-3][a][5]. The suicidal at risk child would fall under the CHINS definition or category only if the child's parent, guardian or custodian fails to take appropriate action to seek help for the child. Abuse/neglect reporting law mandates an investigation to be initiated within 24 hours for abuse and within a reasonable prompt time involving neglect.

For children who are wards of the Lake County Department of Child Services, authorization for hospitalization and treatment can be given by the Agency Director/Regional Manager, Deputy Director or Division Manager of Child Welfare. The authorization will be given only when the evaluating psychiatrist has recommended hospitalization and/or treatment verbally and in writing.

School Superintendent
School Corporation

Date

Jane A. Bisbee, Director/Regional Manager
Lake County Department of Child Services

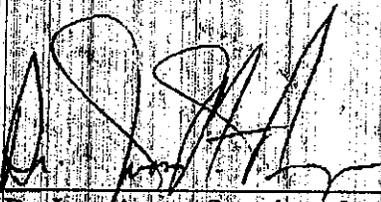
Date

Dr. Teresa A. Eineman
Dr. Teresa Eineman, Superintendent
Crown Point School Corporation

1-19-07
Date

Jane A. Bisbee
Jane A. Bisbee, Regional Manager/Director
Lake County Department of Child Services

1-5-08
Date



Dr. Juan Anaya, Superintendent
East Chicago School Corporation

1-16-07

Date



Jane A. Bisbee, Regional Manager/Director
Lake County Department of Child Services

1-5-07

Date

Michael P. Livovich Jr.

Dr. Michael P. Livovich Jr., Superintendent
Hanover Community School Corporation

1-17-07

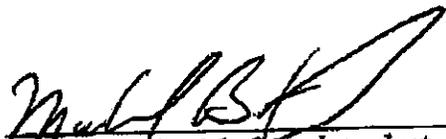
Date

Jane A. Bisbee

Jane A. Bisbee, Regional Manager/Director
Lake County Department of Child Services

1-5-07

Date



Michael Boskovich, Superintendent
Highland Community School Corporation

1-22-07
Date



Jane A. Bisbee, Regional Manager/Director
Lake County Department of Child Services

1-5-07
Date

John A. Leach

Dr. John Leach, Superintendent
Hobart School Corporation

1-16-07

Date

Jane A. Bisbee

Jane A. Bisbee, Regional Manager/Director
Lake County Department of Child Services

1-5-07

Date

Janet L. Emerick

 Dr. Janet L. Emerick, Superintendent
 Lake Central School Corporation

-11-07

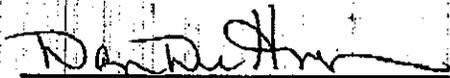
 Date

Jane A. Bisbee

 Jane A. Bisbee, Regional Manager/Director
 Lake County Department of Child Services

-5-07

 Date



Dr. Dan DeHaven, Superintendent
Lake Station Community School Corporation

1/11/07

Date



Jane A. Bisbee, Regional Manager/Director
Lake County Department of Child Services

1-5-07

Date

Tony Lux
Dr. Tony Lux, Superintendent
Merrillville Community School Corporation

1-18-06
Date

Jane A. Bisbee
Jane A. Bisbee, Regional Manager/Director
Lake County Department of Child Services

1-5-07
Date

William J. Pfister (MPL)

Mr. William Pfister, Superintendent
Munster Town School Corporation

1-16-07

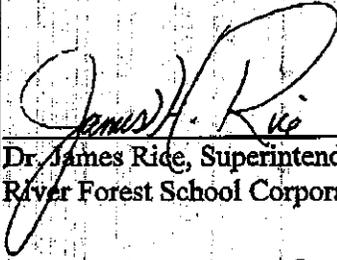
Date

Jane A. Bisbee

Jane A. Bisbee, Regional Manager/Director
Lake County Department of Child Services

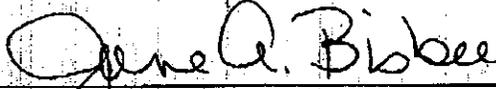
1-5-07

Date



Dr. James Rice, Superintendent
River Forest School Corporation

1-11-07
Date



Jane A. Bisbee, Regional Manager/Director
Lake County Department of Child Services

1-5-07
Date

Alice A. Neal

**Dr. Alice Neal, Superintendent
Tri-Creek School Corporation**

01/16/2007

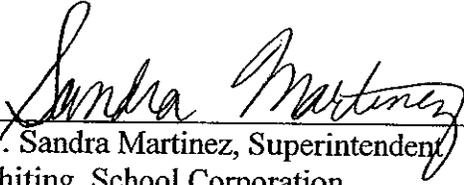
Date

Jane A. Bisbee

**Jane A. Bisbee, Regional Manager/Director
Lake County Department of Child Services**

1-5-07

Date



Dr. Sandra Martinez, Superintendent
Whiting School Corporation

1-11-07

Date



Jane A. Bisbee, Regional Manager/Director
Lake County Department of Child Services

1-5-07

Date

Sharon Shirley Johnson - Ph.D.
Dr. Sharon Shirley Johnson, Superintendent
Lake Ridge School Corporation

1-23-07
Date

Jane A. Bisbee
Jane A. Bisbee, Director/Regional Manager
Lake County Department of Child Services

1/25/07
Date



Mitchell E. Daniels, Jr., Governor
James W. Payne, Director

Indiana Department of Child Services
Lake County Office
661 Broadway
PO Box 2270
Gary, Indiana 46409

Main Switchboard: 219-886-6000

www.in.gov/dcs

Child Support Hotline: 800-840-8757
Child Abuse and Neglect Hotline: 800-800-5556

January 9, 2007

Dear _____:

In compliance with Indiana State Law, IC 31-33-4-1, the Lake County Department of Child Services has developed a protocol for implementation by the Lake County Department of Child Services and Lake County Hospitals.

We have enclosed a copy of the Protocol for the Lake County Hospital. Please take the time to review, sign and return the original signature page to us by January 22, 2007. If you wish, you may fax your signed copy to (219) 881-2142, to my attention. Keep a copy for your record. This protocol will become a part of our Child Protection Plan for 2007-2008.

If you should have any questions, you may call me, LaVetta L. Wade, at 881-2007.

Sincerely,

LaVetta L. Wade
Division Manager
Intake & Assessment
Department of Child Services

scs
Enclosure



Protecting our children, families and future

PROTOCOL BETWEEN LAKE COUNTY HOSPITALS AND THE LAKE COUNTY DEPARTMENT OF CHILD SERVICES

A. PURPOSE OF PROTOCOL

The purpose of this protocol is to facilitate a working relationship between the hospitals of Lake County and the Lake County Department of Child Services to ensure that all children will benefit from adequate health care and personal safety so as to reduce the effects of child abuse and neglect.

B. WHEN CHILD PROTECTIVE SERVICES IS TO BE NOTIFIED

Whenever a child is a patient in the hospital, the child is subject to an investigation for reported child abuse or neglect, and the hospital reported or has been informed of the report and investigation, the hospital and the Lake County Department of Child Services should interact as follows:

- 1) The hospital, after treating the patient, should immediately contact the Lake County Department of Child Services to make the agency aware of the current medical condition of the child.
- 2) The representative from the Lake County Department of Child Services shall request written or verbal records or reports from the hospital staff in order to assist in making a determination regarding custody to ensure the safety of the child. Hospital medical staff will explain the injuries that the child sustained to the CPS representative in as plain, non-medical language as possible. In addition, if the medical staff believes that the injuries were sustained in a manner inconsistent with the explanation given, hospital staff will state that to the CPS investigator. If the child is an obvious victim of child abuse or neglect, hospital staff will state that to the CPS case manager.
- 3) The representative from the Lake County Department of Child Services shall contact the appropriate CPS supervisor to discuss the situation, and if necessary, obtain permission to have the child taken into custody by CPS..
- 4) If the child is taken into custody by CPS, the hospital will cooperate with whomever the Lake County Department of Child Services deems appropriate and approves to have visitation or any other contact with the child.
- 5) Under no circumstances will the representative of the Lake County Department of Child Services delegate responsibility for the investigation of alleged abuse and/or neglect situations to the hospital staff.
- 6) The hospital will continue to cooperate with the Lake County Department of Child Services in furnishing all records and information necessary to complete the ongoing investigation, even after the child is hospitalized or released to the designated caregiver.
- 7) The hospital is to obtain information regarding health insurance or third party payor through its normal intake procedure.
- 8) The Lake County Department of Child Services shall furnish the agency attorney with health insurance or third party payor information for use at a hearing to be held to recoup medical expenses should the agency have to pay for the hospital stay.

C. SPECIAL REPORTING REQUIREMENTS

Special reporting requirements are placed on the health care provider or person in charge of a medical institution. These special requirements are to:

- 1) cause photographs to be taken of areas of trauma;
- 2) Cause radiological examination or physical medical examination of the child to be performed, if medically indicated. (IC 31-33-10-1)

The photographs and a summary of x-rays and other medical care given shall be made available to DCS (IC 31-33-10-3). DCS shall in turn notify, if appropriate, the prosecutor, law enforcement agency, and guardian ad litem or court appointed special advocate that such information is available (IC 31-33-2-4).

DCS is responsible, by law, for the reasonable cost of photographs and medically indicated x-rays and physical medical examinations that are ordered/conducted by health care providers relative to reports of child abuse or neglect that the health care providers make to DCS. Costs for the same services requested by DCS as part of investigations that result from reports made by persons who are not healthcare providers are the responsibility of DCS as well. However, the agency will pursue other available resources such as family-held insurance or Medicaid to reduce the cost of specified services related to those reports made by non-health care providers.

D. IMMUNITY FROM CIVIL OR CRIMINAL LIABILITY

Healthcare professionals, certified social workers, certified clinical social workers and certified marriage and family therapists are mandated to report if they obtain information concerning possible child abuse or neglect via what would otherwise be privileged communication. (The privileged communication status established for victim counselors and victims under criminal law is also abrogated relative to mandatory reporting of child abuse or neglect. However, once a report is made, a victim counselor may assert the privilege.)

In addition, a person (other than one accused of child abuse or neglect) who makes a report, or who causes photographs, x-rays, or physical medical examinations to be made, or who participates in a court hearing resulting from a report, is immune, under the Juvenile Code from civil or criminal liability that might otherwise be imposed because of such actions. (IC 31-33-6-1, 2, 3)

E. HOW TO REPORT KNOWN/SUSPECTED CHILD ABUSE OR NEGLECT

It is the responsibility of any hospital healthcare professional to contact the Department of Child Services and the Law Enforcement Agency in whose jurisdiction the hospital is located if there is a suspicion of child abuse or neglect. In Lake County, the Department of Child Services numbers are:

(219) 881-6964 during Normal Business Hours (8:00 a.m. to 4:00 p.m.)

Or

800-800-5556 (24 Hour Service)

The report can also be made in person or through the use of a fax machine. The Lake County Department of Child Services fax number is **881-2142**. Reports made via fax should be followed up with a telephone call to ensure receipt.

F. MEDICAL OR PSYCHOLOGICAL EXAMINATIONS

As a part of the investigation, medical psychological or psychiatric examinations of any child in the home may be obtained, if needed. In the event that permission for such needed examinations is denied, DCS may request a court order from juvenile court (IC 31-33-8-7 & IC 31-32-12-1). Costs for physical medical examinations performed by a health care provider on a child who is the subject of a report of child abuse and neglect shall be paid by the Department of Child Services

G. RESTRICTIONS ON RELEASE OF ALLEGED VICTIM FROM HOSPITAL

Whenever:

- 1) a child is subject to investigation by the Lake County Department of Child Services for reported child abuse or neglect;
- 2) the child is a patient in a hospital; and
- 3) the hospital reported or has been informed of the report and investigation;

The hospital may not release the child to the child's parent, guardian, custodian, or to a court-approved placement until the hospital receives authorization or a copy of a court order from the Lake County Department of Child Services indicating that the child may be released to the child's parent, guardian, custodian, or court-approved placement.

If the hospital receives verbal authorization from the Lake County Department of Child Services to release the child to the parent, guardian or custodian then the Lake County Department of Child Services shall fax a release to the hospital confirming that the agency has approved the child's discharge.

The individual or third party payor responsible financially for the child's hospital stay remains responsible for any extended stay. If no party is responsible for the extended stay, the Lake County Department of Child Services shall pay the expenses of the extended hospital stay.

H. COMPLETION OF THE CHILD ABUSE REFERRAL AND SUPPORTING DOCUMENTS

The hospital staff needs to be specific that their recommendations will include diagnosis and specific injury in order that legal sufficiency in an investigation is achieved. In an instance where criminal charges may be filed against an alleged perpetrator, that evidence must be collected and submitted to the Law Enforcement Agency within 48 hours. It is the responsibility of the Department of Child Services Worker to provide for the taking of photographs in the course of abuse and/or neglect investigation (IC 31-33-8-3). Indiana Code 31-33-10-2 provides the extent to which information can be released appropriately to Law Enforcement and the Department of Child Services Agency in order to establish legal sufficiency and/or criminal charges.

I. FOLLOW UP DOCUMENTATION

The hospital can expect a follow up from the Department of Child Services worker at 30-day and 90-day intervals. The Department of Child Services Worker will insure that this information is provided to the Director of the Social Services Division and the Chief Nurse at the emergency room.

J. TIMELINESS OF THE CHILD PROTECTIVE SERVICES AGENCY

A representative of the Lake County Department of Child Services is to appear at the hospital within one hour if the child is in imminent danger of serious bodily harm and be prepared to gather information from the hospital staff, the child and the family. It is the responsibility of the representative of the Lake County Department of Child Services to follow the lead of the local law enforcement agency when criminal activity has been established.

K. FOLLOW UP DISCUSSIONS

It is recommended that whenever either party has a concern that can be addressed by this protocol that a discussion be arranged to resolve the concern. The objective is to ensure the safety of the children of Lake County.

ABANDONED INFANT PROTOCOL

PURPOSE:

The Lake County Department of Child Services (LCDCS) is mandated by Senate Enrolled Act 330 to develop a protocol for implementation by the Lake County Department of Child Services and Emergency Medical Services Providers to insure agreement on procedures for taking emergency custody of an abandoned infant and reporting to Child Protection Services, [IC 32-32-2.5]

OBJECTIVE:

To insure that a protocol involving the Lake County Department of Child Services and Emergency Medical Service Providers is established in accordance with Senate Enrolled Act 330.

DEFINITIONS:

- A. An abandoned infant is defined as a child who:
 - 1. is less than 12 month of age and whose parent, guardian or custodian has knowingly or intentionally left the child in an environment that endangers the child's life or health or a hospital or medical facility and has no reasonable plan to assume the care, custody and control of the child; or
 - 2. is, or who appears to be, not more than 45 days of age and whose parent has knowingly or intentionally left the child with an emergency medical services (EMS) provider and did not express the intent to return for the child.
- B. An Emergency Medical Service Provider is defined as a firefighter, law enforcement officer, paramedic, emergency medical technician or other person who provides emergency medical services in the course of the person's employment, [IC 1-41-10-1].

PROCEDURES:

- A. An Emergency Medical Service Provider shall, without a court order, take custody of a child who is, or who appears to be not more than thirty (30) days of age if:
 - 1) the child is voluntarily left with the provider by the child's parent and
 - 2) the parent does not express an intent to return for the child.

- B. An Emergency Medical Service Provider who takes custody of a child shall perform any act necessary to protect the child's health and safety.
- C. Immediately after an Emergency Service Provider takes custody of a child, the provider shall notify LCDCS that they have taken custody of the child.
- D. The Department of Child Services shall assume the care, control, and custody of the child immediately after receiving notice.
- E. The Department of Child Services shall treat the child as a child taken into custody without a court order, except that efforts to locate the child's parents or reunify the child's family are not necessary, if the court makes a finding to that effect under IC 31-34-21-5.6(b)(5).
- F. The juvenile court shall hold a hearing on the next business day after the Emergency Medical Service Provider takes the child into custody. If the court is unavailable on the next business day, a hearing shall be held as soon as the court becomes available. However, the hearing must be held no later than the third business day after the child is taken into custody. The Department of Child Services shall notify the Emergency Medical Service Provider of the initial hearing. Emergency Medical Service Provider has the right to be heard at the initial hearing.
- G. The Department of Child Services shall notify the Emergency Medical Service Provider, who has taken custody of an abandoned child, at least ten (10) days before the periodic case review, including a case review that is a permanency hearing.

ADDITIONAL INFORMATION

- A. It is understood that abandoned infant information shared by the parties is confidential and will be treated as such.
- B. Periodic meetings will be held by the Lake County Department of Child Services Director/Regional Manager or designee and the Emergency Medical Services Provider to work out any problems that might occur as a result of this agreement.
- C. This agreement is considered to be in force until such time as it is revised.

Hospital Administrator

Date

Hospital

Jane A. Bisbee, Director/Regional Manager
Lake County Department of Child Services

Date

Rose Clemons

Rose Clemons, Hospital Liaison
St. Anthony Medical Center

1-12-07

Date

Jane A. Bisbee

Jane A. Bisbee, Regional Manager/Director
Lake County Department of Child Services

1-5-07

Date

Denise Gard

Denise Gard, Hospital Liaison
St. Margaret Mercy Hospital
Hammond Campus

1-19-07

Date

Jane A. Bisbee

Jane A. Bisbee, Regional Manager/Director
Lake County Department of Child Services

1-5-07

Date

Denise Gard

Denise Gard, Hospital Liaison
St. Margaret Mercy Hospital
Dyer Campus

1-19-07

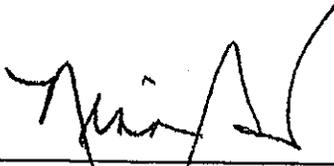
Date

Jane A. Bisbee

Jane A. Bisbee, Regional Manager/Director
Lake County Department of Child Services

1-5-07

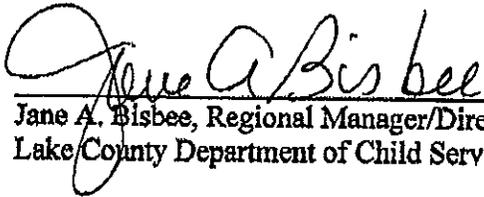
Date



Nina Stur, Hospital Liaison
St. Catherine Hospital

01-20-07

Date



Jane A. Bisbee, Regional Manager/Director
Lake County Department of Child Services

1-5-07

Date



Mitchell E. Daniels, Jr., Governor
James W. Payne, Director

Indiana Department of Child Services
Lake County Office
661 Broadway
PO Box 2270
Gary, Indiana 46409

Main Switchboard: 219-886-6000

www.in.gov/dcs

Child Support Hotline: 800-840-8757
Child Abuse and Neglect Hotline: 800-800-5556

Date

Fire Department

Dear Chief _____:

In compliance with Indiana State Law, IC 31-33-4-1, the Lake County Department of Child Services has developed a protocol for implementation by the Lake County Department of Child Services and the Emergency Medical Service Providers.

We have enclosed a copy of the Protocol for the Emergency Medical Service Providers. Please take the time to review the enclosed protocol. Your signature is needed, as this protocol will become a part of our Child Protection Plan for 2007-2008. If you wish, you may fax your signed copy to (219) 881-2142, to my attention. A copy, with our Regional Manger/Director's signature, will be returned to you.

If you should have any questions, you may call me at 881-2007.

Sincerely,

LaVetta L. Wade, Division Manager
Intake & Assessment
Department of Child Services

lfs
Enclosure



Protecting our children, families and future

ABANDONED INFANT PROTOCOL

PURPOSE:

The Lake County Department of Child Services is mandated by Senate Enrolled Act 330 to develop a protocol for implementation by the County Department of Child Services and Emergency Medical Services Providers to insure agreement on procedures for taking emergency custody of an abandoned infant and reporting to Child Protection Services, [IC 32-32-2.5]

OBJECTIVE:

To insure that a protocol involving the County Department of Child Services and Emergency Medical Service Providers is established in accordance with Senate Enrolled Act 330.

DEFINITIONS:

- A. An abandoned infant is defined as a child who:
1. is less than 12 month of age and whose parent, guardian or custodian has knowingly or individually left the child in an environment that endangers the child's life or health or a hospital or medical facility and has not reasonable plan to assume the care, custody and control of the child; or
 2. is, or who appears to be, not more than 45 days of age and whose parent has knowingly or intentionally left the child with an emergency medical services (EMS) provider and did not express the intent to return for the child.
- B. An Emergency Medical Service Provider is defined as a firefighter, law enforcement officer, paramedic, emergency medical technician or other person who provides emergency medical services in the course of the person's employment, [IC 1-41-10-1].

PROCEDURES:

- A. An Emergency Medical Service Provider shall, without a court order, take custody of a child who is, or who appears to be not more than thirty (30) days of age if:
- 1) the child is voluntarily left with the provider by the child's parent and
 - 2) the parent does not express an intent to return for the child.
- B. An Emergency Medical Service Provider who takes custody of a child shall perform any act necessary to protect the child's health and safety.
- C. Immediately after an Emergency Service Provider takes custody of a child, the provider shall notify Department of Child Services that they have taken custody of the child.
- D. Department of Child Services shall assume the care, control, and custody of the child immediately after receiving notice.
- E. Department of Child Services shall treat the child as a child taken into custody without a court order, except that efforts to locate the child's parents or reunify the child's family are not necessary, if the court makes a finding to that effect under IC 31-34-21-5.6(b)(5).
- F. The juvenile court shall hold a hearing on the next business day after the Emergency Medical Service Provider takes the child into custody. If the court is unavailable on the next business day, a hearing shall be held as soon as the court becomes available. However, the hearing must be held no later than the third business day after the child is taken into custody.
- Department of Child Services shall notify the Emergency Medical Service Provider of the initial hearing. Emergency Medical Service Provider has the right to be heard at the initial hearing.
- G. Department of Child Services shall notify the Emergency Medical Service Provider, who has

taken custody of an abandoned child, at least ten (10) days before the periodic case review, including a case review that is a permanency hearing.

ADDITIONAL INFORMATION

- A. It is understood that abandoned infant information received by the Emergency Medical Services Provider is confidential and will be treated as such.
- B. Periodic meetings will be held by the Lake County Department of Child Services Director and the Emergency Medical Services Provider to work out any problems that might occur as a result of this agreement.
- C. This agreement is considered to be in force until such time as it is revised.



Todd Wilkening, Chief
Cedar Lake Fire Department



Jane A. Bisbee, Regional Manager/Director
Lake County Department of Child Services

1-12-07

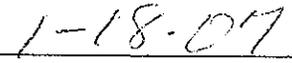
Date



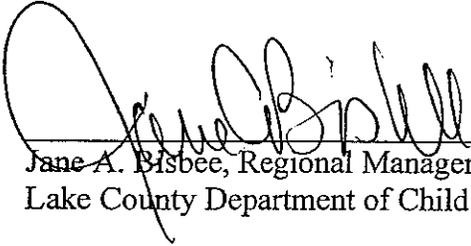
Date



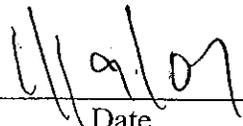
George Thiel, Chief
Griffith Fire Department



Date



Jane A. Bisbee, Regional Manager/Director
Lake County Department of Child Services



Date

William R. Corkle

Hobart Fire Department
WILLIAM R. CORKLE, CHIEF

1-22-07
Date

Jane A. Bisbee

Jane A. Bisbee, Regional Manager/Director
Lake County Department of Child Services

1/23/07
Date

ATTN: LAVETTA L. WADE

881-2142



Michael Parks, Chief
Lakes of Four Seasons Fire Department

01/01/2007

Date



Jane A. Bisbee, Regional Manager/Director
Lake County Department of Child Services

1/17/07

Date

Dwight Rensch

Dwight Rensch, Chief
Lowell Fire Department

Date 1/16/07

Jane A. Bisbee

Jane A. Bisbee, Regional Manager/Director
Lake County Department of Child Services

Date 1/17/07

James J. Knesek
~~Nick Taniich, Chief~~ JAMES J. KNESEK, Chief
 Munster Fire Department

1-17-07
 Date

Jane A. Bisbee
 Jane A. Bisbee, Regional Manager/Director
 Lake County Department of Child Services

1/23/07
 Date

Fred Wilman

Fred Wilman, Chief
St. John Fire Department

Date

Jane A. Bisbee

Jane A. Bisbee, Regional Manager/Director
Lake County Department of Child Services

Date

1/17/07

James J. Knesek
~~Nick Taniak, Chief~~ JAMES J. KNESEK, Chief
Munster Fire Department

1-17-07
Date

Jane A. Bisbee
Jane A. Bisbee, Regional Manager/Director
Lake County Department of Child Services

1/25/07
Date



Thad Stutler, Chief
Dyer Fire Department

1/19/07
Date



Jane A. Bisbee, Regional Manager/Director
Lake County Department of Child Services

1/25/07
Date



Mitchell E. Daniels, Jr., Governor
James W. Payne, Director

Indiana Department of Child Services
Lake County Office
661 Broadway
PO Box 2270
Gary, Indiana 46409

Main Switchboard: 219-886-6000

www.in.gov/dcs

Child Support Hotline: 800-840-8757
Child Abuse and Neglect Hotline: 800-800-5556

Date _____

Ambulance Service

Dear _____:

In compliance with Indiana State Law, IC 31-33-4-1, the Lake County Department of Child Services has developed a protocol for implementation by the Lake County Department of Child Services and the Emergency Medical Service Providers.

We have enclosed a copy of the Protocol for the Emergency Medical Service Providers. Please take the time to review the enclosed protocol. Your signature is needed, as this protocol will become a part of our Child Protection Plan for 2007-2008. If you wish, you may fax your signed copy to (219) 881-2142, to my attention. A copy, with our Regional Manger/Director's signature, will be returned to you.

If you should have any questions, you may call me at 881-2007.

Sincerely,

LaVetta L. Wade, Division Manager
Intake & Assessment
Department of Child Services

lfs
Enclosure



Protecting our children, families and future

ABANDONED INFANT PROTOCOL

PURPOSE:

The Lake County Department of Child Services is mandated by Senate Enrolled Act 330 to develop a protocol for implementation by the County Department of Child Services and Emergency Medical Services Providers to insure agreement on procedures for taking emergency custody of an abandoned infant and reporting to Child Protection Services, [IC 32-32-2.5]

OBJECTIVE:

To insure that a protocol involving the County Department of Child Services and Emergency Medical Service Providers is established in accordance with Senate Enrolled Act 330.

DEFINITIONS:

- A. An abandoned infant is defined as a child who:
1. is less than 12 month of age and whose parent, guardian or custodian has knowingly or individually left the child in an environment that endangers the child's life or health or a hospital or medical facility and has not reasonable plan to assume the care, custody and control of the child; or
 2. is, or who appears to be, not more than 45 days of age and whose parent has knowingly or intentionally left the child with an emergency medical services (EMS) provider and did not express the intent to return for the child.
- B. An Emergency Medical Service Provider is defined as a firefighter, law enforcement officer, paramedic, emergency medical technician or other person who provides emergency medical services in the course of the person's employment, [IC 1-41-10-1].

PROCEDURES:

- A. An Emergency Medical Service Provider shall, without a court order, take custody of a child who is, or who appears to be not more than thirty (30) days of age if:
- 1) the child is voluntarily left with the provider by the child's parent and
 - 2) the parent does not express an intent to return for the child.
- B. An Emergency Medical Service Provider who takes custody of a child shall perform any act necessary to protect the child's health and safety.
- C. Immediately after an Emergency Service Provider takes custody of a child, the provider shall notify Department of Child Services that they have taken custody of the child.
- D. Department of Child Services shall assume the care, control, and custody of the child immediately after receiving notice.
- E. Department of Child Services shall treat the child as a child taken into custody without a court order, except that efforts to locate the child's parents or reunify the child's family are not necessary, if the court makes a finding to that effect under IC 31-34-21-5.6(b)(5).
- F. The juvenile court shall hold a hearing on the next business day after the Emergency Medical Service Provider takes the child into custody. If the court is unavailable on the next business day, a hearing shall be held as soon as the court becomes available. However, the hearing must be held no later than the third business day after the child is taken into custody. Department of Child Services shall notify the Emergency Medical Service Provider of the initial hearing. Emergency Medical Service Provider has the right to be heard at the initial hearing.
- G. Department of Child Services shall notify the Emergency Medical Service Provider, who has

taken custody of an abandoned child, at least ten (10) days before the periodic case review, including a case review that is a permanency hearing.

ADDITIONAL INFORMATION

- A. It is understood that abandoned infant information received by the Emergency Medical Services Provider is confidential and will be treated as such.
- B. Periodic meetings will be held by the Lake County Department of Child Services Director and the Emergency Medical Services Provider to work out any problems that might occur as a result of this agreement.
- C. This agreement is considered to be in force until such time as it is revised.

Gary T. Miller

Gary T. Miller, Owner
Prompt Ambulance

1/12/07
Date

Jane A. Bisbee

Jane A. Bisbee, Regional Manager/Director
Lake County Department of Child Services

1-17-07
Date