

**REPRESENTING THE DEPARTMENT-
DETERMINING WHEN A REMOVAL IS NECESSARY**

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REPRESENTING THE DEPARTMENT - DETERMINING WHEN A REMOVAL IS NECESSARY

I. INTRODUCTION

The goal of this presentation is to provide an overview of the relationship between the Department of Family and Protective Services (“the Department”) and the local County Attorney or District Attorney’s Office that represents it.

As a matter of law, the Office of the County Attorney/District Attorney is charged with representing the Department in suits affecting the parent-child relationship filed within its jurisdiction. As such, the Office of the County Attorney/District Attorney has an obligation to advise and counsel the Department regarding all legal matters related to the case, which includes determining legal sufficiency to remove a child from their home.

As counsel for the Department, the County Attorney/District Attorney’s Office must balance the duties owed to the Department with the duties owed to the citizens of the county/State. This may lead to instances in which the Department and their counsel are at odds. Thus, a portion of the discussion will address what can or should be done in those instances.

II. RECEIVING AN INTAKE

Reports of child abuse or neglect are received through either the report hotline or online report system. These are then classified as Priority 1, Priority 2, or Priority N by trained intake staff based on the information available at the time the report is received. The priority of the intake determines how quickly an investigation begins.

A. Priority I (P1) Reports

Priority I reports include all reports of children who appear to face an immediate risk of abuse or neglect that could result in death or serious harm. Investigations of these reports must start within 24 hours of receiving the report.

B. Priority II (P2) Reports

Priority II reports include all reports of children who appear to face a safety threat that could result in substantial harm. These investigations must start within 72 hours of receiving the report.

C. Priority N (PN) Reports

Some reports do not meet the legal definition of abuse or neglect, as defined in the Texas Family Code, and are not assigned a priority or investigated.

Reasons for assigning a PN to a report for investigation include:

1. Situations that do not appear to involve a reasonable likelihood of abuse or neglect in the foreseeable future (this includes report of prior incidents that are too far removed or have already been investigated);
2. Allegations that are too vague or general to determine if abuse or neglect is likely;
3. Reports with too little information to locate the child or the child’s family or household; and
4. Situations already under current investigation.

III. OFFERING SERVICES WITHOUT LEGAL INTERVENTION

Investigations of intakes are to be completed within 30 days. At the end of the investigation, the caseworker, with supervisor input, must determine whether to close out the case, request legal intervention, or make a recommendation for services to reduce the risk of abuse or neglect to the victim child. Where appropriate, services without removal of the child from the home may be offered.

A. Alternative Response

The Alternative Response Program (AR) was created to help families with low to moderate risk cases. In order to be considered for the program, all alleged victim children must be over the age of 6 and, the intake must have received a designation of P2. In an AR case, no final disposition, no alleged perpetrator, and no entry are made into the Central Registry. The goal is to provide a collaborative and nonjudgmental environment to work with the family to address concerns.

AR was introduced in December 2016, and is currently available in Regions 1, 3, 7, 9, and 11. It is anticipated that the program will be available in all regions by the end of 2018. The DFPS Alternative Response Resource Guide is included in the appendixes for your reference.

B. Safety Plans and Parental Child Safety Placements

The goal of the Department is to ensure the safety of a child while using the least invasive means possible. Where there is a determination that the child is not in immediate danger, but is not safe or might be harmed in the very near future if they remain in the same conditions that they are currently in, a Safety Plan may be developed to keep the child safe. A parent who enters into a Safety Plan with the Department voluntarily agrees to put certain precautions in place for the safety of their child. The Safety Plan may involve restricting certain people access to the home or placing supervision requirements on them until certain conditions are met. While voluntary, failure to follow through with the agreement may lead to legal intervention, if necessary, for the safety of the child.

In other instances, it may be determined that the child cannot stay in the home, even with a Safety Plan in place, but it is reasonably believed that the time needed to address the concerns of the Department does not warrant a full legal intervention. Under these conditions, the parent may agree to place their child in a Parental Child Safety Placement (PCSP) in order to avoid the need to file for legal intervention. A PCSP is one in which a child is placed outside of their home temporarily with a family or fictive kin member who has been approved by the Department for a short-term basis, intended to be no longer than 60 days, while safety concerns are addressed. A PCSP is most appropriate where indicators do not warrant legal intervention, and it is relatively certain that the concerns of the Department can be alleviated within 60 days. However, PCSP agreements have been used to avoid emergency removals with the understanding that a petition for a nonemergency removal will subsequently be filed. As a note of caution, such agreements are not legally binding and should not be used in situations where the parent is a high risk for flight with the child.

Along with the use of Safety Plans and PCSP agreements, parents are referred to a Family-Based Safety Services (FBSS) Caseworker for supervision and to complete voluntary services provided by the Department. Family-Based Safety Services are designed to maintain children safely in their homes, or to make it possible for children to return home, by providing services to help stabilize the family and reduce the risk of future abuse or neglect. Upon the successful completion of services, the FBSS worker may recommend closure of the family's case and return the children to the home, if the child is placed in a PCSP.

C. Court Ordered Services/Motion to Participate

Inevitably, there will be a parent who, when asked to put a Safety Plan in place or to agree to a PCSP in order to avoid legal intervention, will decline. Additionally, there may be a parent who initially agreed to complete voluntary services, but later declines or fails to do so. If the concerns of the Department are not severe, but still require services to address the underlying issues, the Department may request a court order requiring the parent(s) to participate in services and/or to ensure that the child is enrolled in services the Department has deemed necessary to address its concerns.

Once a parent is ordered by a court to complete the services, it is no longer a voluntary action. A services review will be held by the court periodically. If the case had not already progressed to supervision by a FBSS Caseworker, it will at this juncture. The recommendation for a dismissal of the case will be made after the FBSS Caseworker is satisfied that the Department's concerns have been addressed. Failure to

complete the services at this point will most likely lead to the filing of a petition for removal.

IV. REMOVAL OF A CHILD

When the Department determines that it is not safe to leave a child in their home, a removal becomes necessary. The Texas Family Code allows for the Department to obtain a court order authorizing a removal under nonemergency, emergency, and exigent circumstances. Except in cases involving exigent circumstances, the Department must obtain a court order before a child may be removed from their home. The requirements set out for each type of removal are discussed below.

A. Nonemergency Removal

As previously discussed, a PCSP may be appropriate where a short term removal of the child is necessary to address issues that can be addressed within a 60 day time frame. However, while a temporary removal may initially be agreed to, circumstances may change, requiring a more long-term removal to occur. In addition, a PCSP is sometimes agreed to in order to avoid an emergency removal, with the understanding that a petition for nonemergency removal will be filed.

When the Department has determined that a removal is necessary to protect the physical health and safety of a child, but circumstances allow for notice to be given, the Department must file a petition and sworn supporting affidavit requesting a court order for removal after giving due notice and a hearing. Texas Family Code §262.113 requires that facts contained within the affidavit must be sufficient to satisfy a person of ordinary prudence that (1) reasonable efforts have been made to prevent or eliminate the need to remove the child from the child's home; and (2) allowing the child to remain in the home would be contrary to the child's welfare before the court can make a finding in favor of the Department and ordering the removal of the child.

B. Emergency Removal After Obtaining a Court Order

When the Department requests permission to take possession of a child without prior notice and hearing, Texas Family Code § 262.101 requires that a petition and sworn supporting affidavit must be filed by a person with personal knowledge of the facts sufficient to satisfy a person of ordinary prudence that:

- (1) there is an **immediate danger** to the physical health or safety of the child **or** that the child has been a **victim of neglect or sexual abuse** and that **continuation in the home** would be **contrary** to the child's welfare;
- (2) there is **no time**, consistent with the physical health or safety of the child and the nature of

the emergency, for a full adversary hearing;
and

- (3) **reasonable efforts**, consistent with the circumstances and providing for the safety of the child, were made to prevent or eliminate the need for removal of the child.

Texas Family Code §262.102 requires that a court must find the above exist before it may issue such an order. If an order for emergency removal is granted, a full adversarial hearing must be held within 14 days unless an extension is granted.

C. Emergency Removal Before Obtaining a Court Order (Exigent Circumstances)

Pursuant to Texas Family Code §262.107, exigent circumstances exist where:

- (1) there is a **continuing danger** to the physical health or safety of the child if the child is returned to the parent, managing conservator, possessory conservator, guardian caretaker, or custodian who is presently entitled to possession of the child **or** the evidence shows that the child has been the **victim of sexual abuse or of trafficking**...on one or more occasions **and** that there is a **substantial risk** that the child will be the victim of sexual abuse or of trafficking in the future;
- (2) **continuation** of the child **in the home** would be **contrary** to the child's welfare; **and**
- (3) **reasonable efforts**, consistent with the circumstances and providing for the safety of the child, were made to prevent or eliminate the need for removal of the child.

While the Department is allowed to take emergency custody of a child without a court order if exigent circumstances exist, Texas Family Code §262.105 requires that a petition and sworn supporting affidavit must be filed without unnecessary delay. Best practice is to file the petition as soon as practicable the very next business day. Additionally, the Department is required to request the appointment of a child ad litem and request that an initial hearing held no later than the first working day after the date of the removal. Due to the nature of the removal, this initial hearing is typically ex parte. After the hearing the court may either grant the continued removal if it is satisfied that the above elements have been satisfied and enter orders for the protection of the child or order the return of the child. Upon a finding that continued removal is necessary, the parents are entitled to notice and a full adversarial hearing must be held within 14 days.

V. LEGAL REPRESENTATION OF THE DEPARTMENT

A. Statutory Requirement

Texas Family Code §264.009 specifies the agencies responsible for representation of the Department of Family and Protective Services ("the Department") in a suit affecting the parent-child relationship. The order in which the agencies shall represent the Department is as follows:

- (1) the County Attorney of the county where the legal action is brought, unless the District Attorney or Criminal District Attorney of the county elects to provide representation;
- (2) if a conflict of interest or special circumstances exist, rendering the County Attorney, District Attorney, or Criminal District Attorney unable to represent the Department, the Attorney General shall represent the Department;
- (3) if the Attorney General is unable to represent the Department, the Attorney General shall deputize an attorney contracted by the Department or an attorney employed by the Department to represent the Department in the cause of action;
- (4) in a county with a population of 2.8 million or more, the Department shall be represented by the attorney in the county where the legal action is brought who represents the state in civil cases; if the civil attorney has a conflict of interest or special circumstances exist, the Attorney General shall represent the Department.

B. Models of Representation

The Texas Family Code designates the offices of the County Attorney, District Attorney, or Criminal District Attorney as the primary source of representation for the Department in suits affecting the parent-child relationship. While the Office of the Attorney General is second in line, it has routinely deputized attorneys contracted or employed by the Department to represent it in these causes of action. When represented by Regional Attorneys, the relationship between the Department and its attorney of record is more consistent with that of in-house counsel. However, the relationship between the Department and its attorney, when the County Attorney, District Attorney, or Criminal District Attorney, is the attorney of record is a bit more complicated.

ABA Models of Representation for Agency Attorneys

The American Bar Association ("ABA") has identified two models of child welfare agency representation: the Agency Representation Model and the Prosecutorial Model. Under the Agency

Representation Model, the attorney representing the child welfare agency acts just as in-house counsel would represent a corporation. Most commonly, the attorney representing the child welfare agency under this model is employed by the agency; however, the attorney may also be from a separate governmental agency with the understanding that the child welfare agency is clearly the client. Under the Prosecutorial Model, an elected or appointed attorney, such as a district or county attorney files petitions and appears on behalf of the agency. However, rather than the child welfare agency being the “client,” the attorney represents the state or “the people” of the jurisdiction. When the interests of the Department and that of the people differ, the office of the district or county attorney may choose to represent the will of the people over that of the Department.

The ABA recommends that the Agency Representation Model be applied in representing child welfare agencies. While the Texas Family Code sets out a preferential order as to who shall represent the Department of Family and Protective Services, it is silent as to the model of representation to apply in representing the Department. However, the statutory preference set out by the Family Code allows for the use of either model on a case-by-case basis. It is, therefore, imperative that the agency attorney and agency communicate as to which model applies to their relationship.

C. Advising the Department

ABA Standards of Practice for Lawyers Representing Child Welfare Agencies

In 2004, the ABA published standards of practice for lawyers representing child welfare agencies. These standards, while non-binding, are intended to assist agency attorneys prioritize their duties and provide a level of advocacy that will benefit all legal parties and the children in the care of the child welfare agency. The standards of practice, which apply to attorneys under both models of representation, create five categories of obligations for the attorney representing the child welfare agency.

The categories are broken down into the following:

- (1) General;
- (2) Advise and counsel;
- (3) Court preparation;
- (4) Hearings; and
- (5) Post hearings or Appeals.

The advise and counsel category requires that the attorney for the agency counsel the client/agency about all legal matters related to individual cases and policy issues. It also requires that the attorney periodically monitor cases in order to provide competent and informed representation. Applying this principle, a County Attorney, District Attorney, or Criminal District

Attorney representing the Department is required to advise the Department as to the legal sufficiency of a potential removal. If a disagreement arises about how to proceed with the case, the Prosecutorial Model of representation would allow for the County Attorney/District Attorney’s Office to decline filing a Petition for Removal. Due to the implied conflict of interest in this type of situation, the Department could then staff the matter with its Regional Attorney, who may file on behalf of its client.

VI. CONCLUSION

The relationship between the Department of Family and Protective Services and its attorney is an important one. While caseworkers and supervisors are trained to identify danger indicators that may support a removal, legal analysis is still required to determine the type of removal, if any, that can be supported by the facts. Where a removal cannot be supported, the attorney for the Department should counsel the Department as to the reasons a removal cannot be supported and may advise as to alternatives, if applicable. When the Office of the District or County Attorney is representing the Department, there may be instances in which the desires of the Department are in conflict with the desires of the State. In these instances, the attorney for the Department should make the Department aware of the conflict, and, if the conflict is not one that can be resolved, representation from the Regional Attorney’s Office should be sought.

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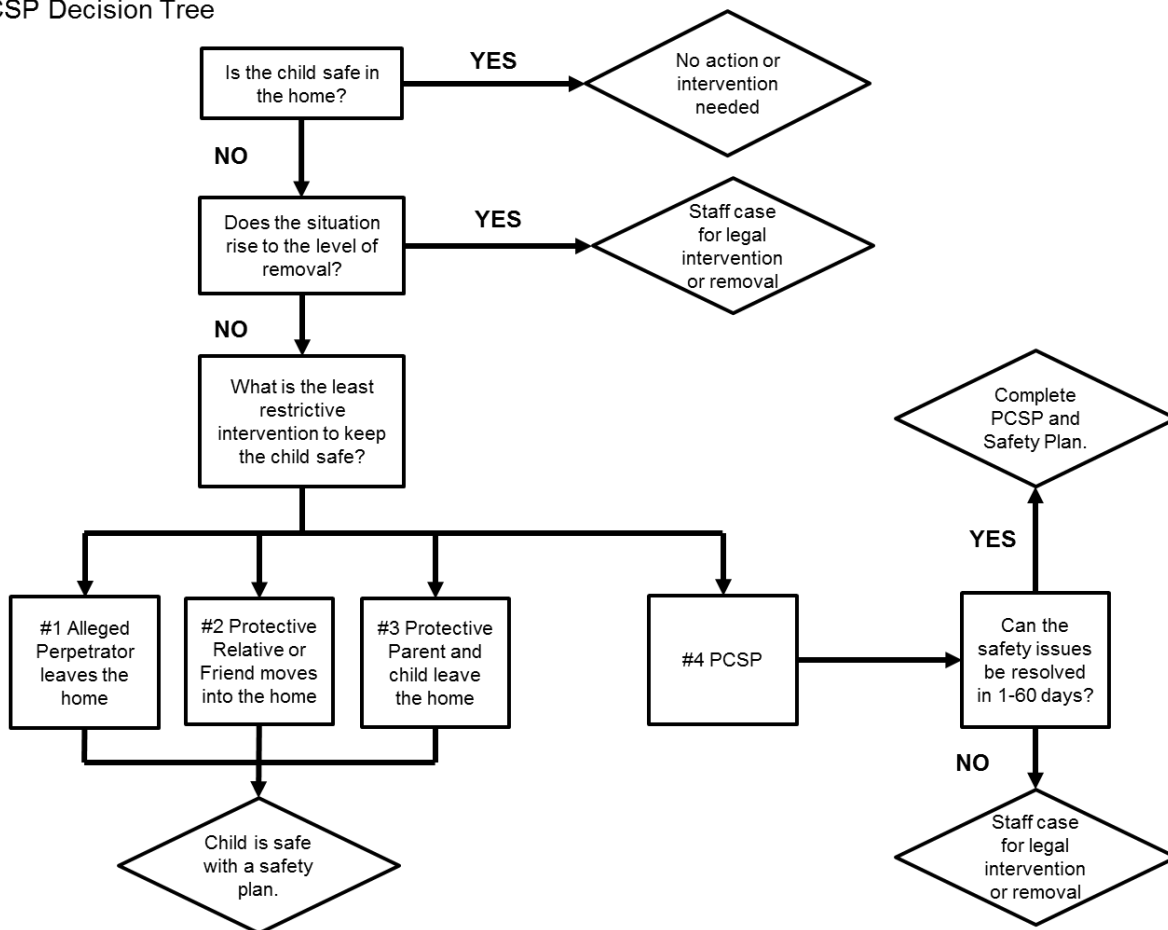
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APPENDIX A

Parental Child Safety Placement (PCSP) Resource Guide

APPENDIX 1: PCSP DECISION TREE

PCSP Decision Tree



APPENDIX B



Alternative Response Resource Guide

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Alternative Response Resource Guide

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ALTERNATIVE RESPONSE RESOURCE GUIDE FOR CASEWORKERS AND SUPERVISORS

INTRODUCTION

Alternative Response (AR) is a different way of engaging with families in certain cases of alleged abuse and neglect. AR allows you to better meet the needs of the family while still keeping children safe. Often, the families you serve are struggling to do the best they can. Sometimes these struggles put their children at risk. A helping hand or a supportive ally can make the difference between a family that can keep its children safe and a family that becomes a statistic in the CPS system. The AR approach works with the family in a collaborative and non-judgmental manner. In AR there is no disposition, no alleged perpetrator, and no entry into the Central Registry.

Only certain types of intakes accepted for investigation are eligible for Alternative Response. The AR approach is appropriate for intakes that initially appear to be low to moderate risk cases, not for high risk and immediate response cases.

Once an intake is identified as a P2 with all victim children age 6 or over, it is sent to the screeners for review. If the intake meets additional criteria after going to the screener, it is assigned as an AR case. Once the case is sent to an AR unit, the AR supervisor assigns it to you.

For related policy, see CPS Handbook [2600](#) Alternative Response.

STAGE PROGRESSION FROM ALTERNATIVE RESPONSE TO TRADITIONAL INVESTIGATIONS

Most cases classified as AR will continue down the AR pathway for the entire life of the case. In very rare instances, an AR case may end up being stage progressed to traditional investigations before it is assigned to you. Before this happens, both your Supervisor and Program Director **must** approve the stage progression. Also, if at any time during an AR case you find it is no longer appropriate for AR, the case can be stage progressed to a traditional investigation with the approval of the supervisor and PD. This should not happen very often.

While a case assigned to AR may stage progress to traditional investigation, cases initially assigned to traditional investigations are *never* stage progressed to the AR pathway.

NEW INTAKES ON AN OPEN AR CASE

If an AR case is already open, and CPS receives a new intake on the same family, the intake is routed to the AR supervisor, who will decide whether to continue the case as AR or stage progress it to traditional investigation.

See [2612](#) New Intakes on an Open Alternative Response Case.

INITIAL CONTACT WITH THE FAMILY

TELEPHONE CONTACT

Once the case is assigned to you, it's time to make contact with the family. You do this a little differently in Alternative Response. Your first contact with the family is going to be by telephone, if the family has a telephone. You must contact the family within 24 hours of stage progression to AR or within the next business day if the call comes in over a weekend or holiday. If the family does not have a phone, you will need to make a home visit within 24 hours. During this call, you are going to:

- let the family know who you are;
- give a brief explanation of AR;
- provide a general description of the AR process and how it differs from a traditional investigation; and
- ask the parent to set a time to meet with the parent and the rest of the family (within the 5 day timeframe).

You want to be respectful and collaborative with the family. When possible, allow the family to decide when to meet, as long as it is reasonable and within your mandated timeframes.

Try to schedule this initial face-to-face meeting with the entire family. However, sometimes you can only meet with part of the family. You want to be flexible and work with that situation, but make sure you schedule to see all of the children within the initial 5 day time period and that any safety issues are addressed immediately.

If the family doesn't have a phone, or you can't make phone contact with the family, you will need to conduct an unannounced visit to make your 24 hour contact. Do not wait until day 5 to go out to the home. Your face-to-face contact with the family must occur no later than the 5th day from stage progression and cannot be delayed because you cannot contact the family by phone.

Unannounced visits should be rare but when you make an unannounced visit to a home, the goals are the same as for the initial phone call. Introduce yourself and ask to set up an appointment to meet with the family. If they invite you in right then to meet with the family, that is ideal, but this is likely to be an exception, not the rule.

FACE-TO-FACE MEETING

The initial face-to-face meeting with the family must occur within 5 days of stage progression. It will generally occur at the home but can occur elsewhere at the family's request. As an AR caseworker you should try very hard not to have this visit in your office. This is a place that represents your power and authority, and it may be difficult to engage the family using an Alternative Response family-friendly approach.

This is your first substantial contact with the family, and it is a very important one. It sets the tone for your relationship with the family. Use the skills you learned in AR training to develop rapport and engage the family. Treat them as the expert on their family, be respectful, and let them know they have an active voice in this case. This is your opportunity to talk to the family about what AR is, why you are there, and how you plan to work with them. As the caseworker, you should review the Alternative Response Engagement Guide and make sure you use powerful questions as well as solution-focused questions, when appropriate to move families towards their own solutions. Remember, solution focused questions are used when you start looking for solutions. This does not mean you leave your experience and

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Alternative Response Resource Guide

knowledge as a professional caseworker at the door. Before leaving the home, you still need to address all the allegations in the intake report, or other active safety issues you identify while working with the family. You will continually assess whether or not the case is still appropriate for AR.

Child safety is always your #1 priority before leaving the home.

During this visit you should:

- Establish rapport with the family;
- Explain AR in more detail and give the family the AR Parents Guide;
- Ensure the family wants to participate in the Alternative Response case and does not prefer the traditional pathway, or that you haven't discovered any additional information that requires the case to be progressed to a traditional investigation (a move to traditional should only be made if the case meets specific criteria - see [2611 Intakes or Cases Ineligible for Alternative Response](#));
- Share appropriate information about the intake and concerns (allegations) noted in it;
- Provide an opportunity for the family to talk about their family and to ask questions;
- Observe the family's interactions with each other;
- Gather sufficient information to complete the initial Safety and Family Needs Assessment (safety assessment);
- Get the information you need to run criminal background checks and CPS history;
- Determine how the family likes to communicate (text, email, telephone, face-to-face, etc.) for future correspondence;
- Discuss collateral contacts; and
- Ensure the children are safe.

QUESTIONS

Can I interview the children separately?

Preferably, you interview the entire family unit; however, your experience as a caseworker and case circumstances may lead you to interview the children separately. If you are going to vary from the traditional family interview, it's important to explain your request to the family before interviewing the child alone. This promotes transparency and gives the family a choice. Separate interviews should be the exception rather than the rule. Audio recordings of interviews with children are not required unless the child is interviewed separately. See [2622](#) Initial Contact Tasks.

If I interview the child separately or at school with parents' permission, does this mean it becomes a traditional investigation?

No, not necessarily. If you made arrangements with the parents before the interview, and all other criteria are met, this is just a variation in the preferred method of Alternative Response. If interviewing the child at school is absolutely the only way to meet your initial timeframes, you should consider with your supervisor why the family is not engaging, to determine if Alternative Response is appropriate.

Interviewing the child without the parent's knowledge could make it harder to work with the parent since it does not usually appear family friendly. Interviewing the child at school is extremely rare and should only be used as a last resort.

What if the parents are divorced, or there is an absent parent? How do I interview everyone together?

Although you *do* need to make contact with an *involved* absent parent (those that see the children, provide material items for them, pay child support, or have some other type of involvement), an "absent parent" is not required to participate in the "family" meeting, particularly if there is conflict between the parents or one parent has no relationship with the children.

However, if the parent you are working with *wants* to invite the other parent, all the better. The parent is demonstrating that he or she is looking out for the welfare of the children. The best approach is to talk to both parents, get their thoughts, and assess their relationship. Perhaps the second visit could be a joint visit, IF it is appropriate to the case.

What if parent and child are not in the same location within the 5 days, such as one of them visiting relatives in another state or county? What do we do?

During the first phone call, talk to the parent about the 5 day timeframe requirement and determine if the child will return within the time frame for first contact. If the child cannot return in the required time frame, explain to the parent that you will request a courtesy interview. If AR is not yet implemented in the area where the child is located, explain that the interview will be conducted in an investigative style. Request the courtesy interview of the child within timeframes. The case will remain an Alternative Response case.

Does the entire family always have to be interviewed together? What if I have concerns that it is unsafe to interview everyone together?

The goal in AR is to meet with the entire family. However, sometimes you need a different approach, such as situations involving domestic violence. Use your experience and knowledge about domestic violence to determine the most appropriate response. For example, if you have a safety concern about interviewing everyone together, you may interview an adult victim separately, just as you would ask to speak to children in the other room if necessary. This can be the approach from the first visit if you feel your concerns justify this action. Do not feel that you must interview the entire family together even if there is domestic violence. You still need to be able to determine what is happening in the family, and these are unique situations that require you to handle them thoughtfully.

What if the family isn't there or cancels our 5 day appointment?

Contacts in Alternative Response are just as important as in a traditional investigation. It is important to explain to the family that they can contact you back regarding a time to meet; however, there must be arrangements within the 5 day timeframe to meet or the case may need to be worked as a traditional investigation.

You can easily give the family a deadline to call back. For example "I really need to hear back from you by tomorrow so I can make sure I don't schedule something else - you are important."

If you have made your calls and visited the home, and still have no response, you may need to see the child at school in order to make contact by the 5th day. You may need to begin consider working the case as a traditional investigation (and stage progress the case) if the family continues to be uncooperative.

Child safety is your number one priority, and you must be able to see all the children and assess their safety by day 5. If this is not possible, you cannot compromise child safety, so you need to consider approaching the case from a traditional investigation.

What about families who say they can meet but don't call you back or who reschedule their appointments past the 5 day timeframe for initial face to face contact?

We suggest that if you are nearing the end of your timeframe, just be frank with the family. If you schedule with them once and they no-show, call back and let them know you will be coming out tomorrow, and you want to do it at a time convenient for everyone so that the family can have whomever they want present at the initial visit.

Be transparent about your requirements while balancing the desire to give the family some power in the situation. If the family keeps evading you, do as you would in a traditional investigation - try, try again. Go to the school or stop by unannounced. When you finally talk with them, explain why you had to take those steps. The family may not be willing to work with you, or they may be scared, or they may think they are being protective of their children by keeping them away from you.

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Boundaries are important! You can see it as "unwilling to engage" or an act of protection. You won't really know until you get to talk to the family, and your priority is making sure kids are safe.

How do we define the 'entire family'?

We consider the "family" as those individuals that live in the home/household.

When I visited the home, there was a 4 year old in the home. AR is only for 6 and above, what do I do?

Screeners will only send intakes down the AR pathway when there are no known victim children under the age of 6. If the AR caseworker later discovers a child under 6 living in the home, in most instances, the case can stay on the AR track IF the supervisor feels this is appropriate. By itself, the fact that a younger child is in the home should not prevent the caseworker from continuing the case on the AR track unless the child under 6 is found to be a victim of physical or sexual abuse. If a different type of abuse is alleged, an assessment must be made to determine if it poses a danger to the child, requiring the case to be transferred to a traditional investigation.

Are we addressing all abuse/neglect categories and risk during the interview with family?

If you identify active safety threats, you need to address these during that first visit. That's the only way to ensure the children are safe. You address these through conversation and strategic use of your authority. There may be many risk-related situations that you won't be able to tackle in the first visit, but you must put a plan in place if you identify an active safety threat. The plan may be very short term - a day or two so that you can bring more people to the table to put together a stronger plan. As a caseworker it is your responsibility to ensure you have all the information necessary to leave the home feeling the child is safe, and that includes addressing all safety concerns reported in the initial intake.

While at the home assessing the family, I noticed a sibling who appeared to have primary or complex healthcare needs. What should I do in this situation?

Children are excluded from AR if medical neglect allegations indicate there is a serious medical condition that could cause substantial and immediate harm; however, it is possible that a non-victim sibling in the household may have a primary medical need or complex health condition. If you have questions when assessing any children with primary or complex healthcare needs in an AR household, contact the Regional Nurse for assistance.

What if the family refuses to cooperate?

In rare instances, the family may not want to participate in AR. If you exhaust all options to convince them it's in their best interest to cooperate in AR and they still refuse, that is their choice. You need to explain to them that their only other option is a traditional investigation. Your intervention with the family is NOT optional. Let them know that you will remain as their caseworker, but that an investigation is different from an AR case and you need to give the case a final disposition. Continue your work as if the case is a traditional investigation (and stage progress the case).

If you are still in the home, immediately assess the safety of the child(ren) as you would during a traditional investigation. If the situation is not dangerous for you, never leave the house until you have ensured the children are safe. If you must leave the house before you have fully assessed safety for some reason, contact your supervisor as soon as possible.

This applies not just during the initial face-to-face contact, but any time during the case. Whenever the family refuses to cooperate with the AR process, treat the case as a traditional investigation and follow all related policies and procedures.

See [2622](#) Initial Contact Tasks - Family Refusal to Cooperate At Any Time

What about recording interviews and taking pictures?

One difference in AR is that it does not require photographing victims or audio recording interviews unless a caseworker makes the decision to interview a child separately either at the child's request or due to safety issues. However, you have all of the authority and the responsibility to ensure child safety. You may audio record conversations that involve children if you decide it is necessary. Use your best judgment when working with families to ensure safety is not compromised.

Physical evidence is very important if any charges should be filed or removal becomes necessary. While you won't need pictures in most AR cases, you need to take pictures if a situation looks like it could result in charges or removal, for example if there are injuries. Photos should be about protecting kids now and in the future. Taking pictures makes sense in cases where there are bruises. Explain to the family that you need to document the injury as part of the safety assessment. If parents refuse, they are likely also refusing to participate in the safety assessment and planning process. If this happens, the case may need to be stage progressed to a traditional investigation.

Do I need to call collaterals in an AR case?

Yes. During the initial face-to-face visit, explain to the family your responsibility to contact collaterals. Discuss with them who you might contact, and explain the information you will ask for. Let the family suggest and discuss collaterals to contact. Ultimately, you make the decision on which collateral contacts are necessary to ensure the safety of the children, but you are transparent with the family.

In cases where there are two estranged parents, which one gets to make the decision regarding whether the case stays on the AR pathway? For example, the father, who has joint custody and was the reporter, says he wants the case sent to traditional. You said the family gets to make the decision as to which track the case goes down. Do I move it to traditional investigations?

No. When we say the "family" gets to decide, we mean that portion of the family we are assessing. In traditional investigations, you would call this person the alleged perpetrator. In this instance, the mother gets to make the decision, since she is the one being assessed. Reporters cannot "request" a case go down a specific pathway. The screeners make that decision according to protocol.

TIMEFRAMES AND ACTIVITIES

CASE CLOSURE AND EXTENSIONS

Keep case closure in mind from the beginning of your work with the family!

Once you receive the AR case, you immediately begin assessing the family and determining what, if any, additional services or needs the family has, and what role CPS will play. You have up to 60 days to complete your work with the family. If needed, there is a one-time 20 day extension you can request to complete the case. To request the extension, there must be:

- an active safety threat; and
- you must be confident that you can resolve the threat within those 20 days.

If you don't think you can finish the case within the additional 20 days, you must look at ongoing services for the family. If there isn't a safety issue and you just want to work with the family a bit longer, you must close the case.

The case does not have to stay open the full 60 days. You can close it immediately if there are no issues the family needs assistance with. You can close it at any time during the case if the active safety threats are resolved and any other issues the family has raised are worked out.

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If you reach the 80th day (with the extension), and you find you need to send the case to Family Preservation (FPR), you've misjudged your case. You should have made the decision to send the case to FPR at the 60 day timeframe. Learn from this so that the family's case gets moved more quickly to where they get the intervention they need.

SUPERVISOR SIGN OFF FOR CASE CLOSURE

The AR Supervisor must formally close a case with no extension no later than 70 days from stage progression to AR. If a case extension was granted, the AR Supervisor must formally close a case no later than 90 days from stage progression to AR.

ASSESSING SAFETY AND FAMILY NEEDS

Now that you've met with the family, you'll need to complete the safety and family needs assessment as soon as possible.

The safety assessment is the foundation for working with the family. It tells you what safety issues to focus on. Combined with the Family Plan, it is the basis for the relationship you develop with this family. You must complete the safety assessment in IMPACT within 24 hours after you have the initial face-to-face contact with the family. You need to address all safety concerns (allegations) in the case with the family and document all your efforts to address the concerns in the safety assessment. You need to talk with all members of the family involved to adequately complete your safety assessment.

However, if you talk to the caregiver (before an opportunity is available to interview the children) and determine a danger exists that requires a safety intervention, then the safety assessment must be completed within 24 hours of the safety intervention being implemented, whether or not the children have been interviewed.

An AR Caseworker may continue to work an AR case if a completed safety assessment identified no active safety threats, and the following conditions are both true:

- Evidence indicates that the family has experienced safety threats (not currently active) in the past; and
- The department can identify services to improve general family functioning and overall protective capacity within the standard AR case time frame. CPS does not allow a case extension for AR cases based *solely* on past, inactive safety threats.

SAFETY PLAN

As in traditional investigations, you must complete a safety plan if there are active safety threats or dangers. This plan should be completed immediately, before you leave the home. The family should be able to state back to you what the safety issues are after your conversations. Document the safety plan using behaviorally specific information that the family can easily understand. When possible, use the family's words so they understand the concerns and worries.

FAMILY PLAN

Developing a family plan (if necessary) begins as early as the first visit. As soon as issues are identified, it's time to help the family identify worries, needs, strengths, supports, and resources by completing the Family Plan with them. The plan can be completed at any time but if there are identified active safety

threats, it must be completed within 21 days of stage progression to AR. This is the foundation for the family getting the assistance and support they need to succeed.

If active safety threats have been identified, the AR family plan **must** include tasks and activities to increase parent/caregiver protective actions to address those safety threats. If any active safety threats are identified after the AR family plan is created, the plan must be revised to include tasks and activities to increase parent/caregiver protective actions to address the newly identified safety threats.

The AR family plan **may** also contain tasks and activities aimed at increasing general family functioning and protective actions that are not linked to a specific safety threat. The family plan is a great tool that allows the family to address any needs in their home, not just identified threats. This is a major difference between AR and traditional investigations!

The primary principle of the family plan is that it is family driven. You want the family to identify what supports they have, what they need, and how they plan on accessing resources. It is your job to act as a facilitator and guide as the family completes the plan. You are allowed to assist the family by physically documenting the family's words on the form, but the plan needs to use the family's words since the family is creating it (with help from you if needed), and they are going to be carrying out the action plans they develop for themselves. If there are safety issues that the family has missed, you should work with the family to have them express those concerns in their words and develop a suitable plan to address those issues. When the family plan is complete, have all parties who helped create the plan sign it. Tear off the top sheet of the duplicate form and hand a copy to the family right there. That way the family has a hardcopy of the plan they just helped to develop. It is a strong reminder of their voice in the process and serves as a reminder of the action steps they need to take to satisfy the goals on their plan. Remember - if you have identified any safety threats, they must be documented on the family plan with action steps to increase protective actions or to resolve the safety issue.

QUESTIONS

Do I need a Family Plan in every case?

You don't need a family plan in *every* case. As in traditional investigations, some AR cases may be closed after the first visit if no safety issues are found. If any active or immediate safety issues are found, a family plan should be completed. Family Plans should be written within 21 days of stage progression to AR. Most would be written much earlier than this so that the family has a focus and a direction. AR plans don't have to be related only to safety issues. If there are items that will help strengthen the family, these can also be added to the plan.

Do I need a safety plan to have a family plan?

No. As long as there are past safety concerns, you can still work an AR case. That means you can have a family plan, with the latter part of the plan containing "optional actions to benefit the family".

Can I create a family plan on the first visit?

You may begin collaborating with the family to create the AR family plan any time during or following the first contact with the family. CPS will assess the family's progress and need for assistance with the AR family plan during **every** contact with the family.

Can I ask the family to use a PCSP or have an FTM in an AR case?

Yes, you can, if that is necessary and the least intrusive way to ensure the children are safe. Use the same process that you would use in a traditional investigation.

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CASE MANAGEMENT

ONGOING CONTACT REQUIREMENTS

During the life of the AR case, you must maintain regular contact with the family. Remember, we defined family as everyone living in the home. Minimum contact requirements are a face-to-face contact at least once every thirty (30) days, and some form of contact once every seven (7) days. This 7 day contact can occur in whatever form the family chooses (and that you as the caseworker feel is appropriate for the situation), such as phone calls, texts, emails or home visits. Let the family tell you what their preferred method of contact is and use it if appropriate.

To engage, develop rapport, and establish a relationship with the family, you may need contact with the family more frequently than the minimums stated above. Especially in the beginning of the case, when the family is in crisis, you should be having regular contact with the family to get to know them and to begin working on the required case documents. Contact allows the family to get to know you and understand that you are there to be a guide and collaborative partner during this process. You may need less frequent contact as the case progresses and the family works through the safety plan and family plan. Because every family's situation is different, use your experience to determine if more frequent contact is needed to support the family and monitor any safety concerns.




WHEN A CHILD WHO IS WITH HIS OR HER FAMILY CANNOT BE LOCATED

In an alternative response stage, the caseworker should follow policy in Section [3100](#) When a Child Who is With His or Her Family Cannot be Located.

PROVIDING SERVICES TO THE FAMILY

One of the most important aspects of Alternative Response is that you look to families to come up with their own solutions and identify possible resources and supports. These resources could be within the family or outside in their community. By using their natural safety network, you are increasing their protective actions because you are connecting them to people and resources that can assist them in the future if they experience the same types of struggles. When using existing resources to support the family, you are limiting the amount of purchased services that are funded by CPS. The goal is to use purchased services through CPS sparingly, if at all. Be creative with the family and think outside the box to locate or develop services!

There are three main ways to provide support for a family by providing services.

-  You can give any AR family information and referral services, which alerts them to possible resources and supports in the community.
-  Case management services are provided when families need a deeper level of collaboration from you. If a family is experiencing an active safety threat or has experienced a safety threat at any time in the past (in AR cases, this does not need to be a current threat), they are eligible to receive AR case management services, to help deal with those issues that may cause problems as they move forward. Working on safety issues that occurred in the past but that may affect current parenting is optional on the family's part.
-  Purchased Services are only available to AR families for whom there is an active safety threat, but they should be used sparingly, since AR emphasizes using community-based services to surround the family with supports that remain after CPS closes the case. Any purchased services end when the case closes and should be considered only as a last resort.

Not all families will receive all of the services. Some cases may be closed without needing any of these services. Some may receive one service, others two, and if necessary some will get all three. The family's needs, on a case-by-case basis, determine the level of service provision.

QUESTIONS

What if I have companion cases, and one is Alternative Response and the other is a traditional investigation?

If there are companion cases, and one is sent to Alternative Response and the other sent to a traditional investigation, both cases need to be worked as a traditional investigation. Staff can always contact the Alternative Response mailbox for consultation if they feel cases should remain on their respective pathways and not be reassigned.

What happens if local law enforcement wants to conduct a joint investigation on an Alternative Response case? Does the case remain in Alternative Response or is it stage progressed to a traditional investigation?

By law, the CPS is not required to conduct a joint investigation with law enforcement unless the case is a Priority 1 PHAB or SXAB case. However, CPS strives to maintain a collaborative working relationship with law enforcement. If this situation arises, follow Alternative Response policy and meet requirements while explaining our policy to law enforcement and working out an agreement that is acceptable for all. You should be transparent when working with families involved in a criminal case by explaining the difference between CPS and law enforcement and their roles in the case.

What if law enforcement wants to have the child interviewed at the Children's Advocacy Center (CAC)? Does the case remain in Alternative Response or is it stage progressed to a traditional investigation?

A law enforcement request to have the child interviewed at the local Child Advocacy Center (CAC) does not automatically mean the case will be stage progressed to a traditional investigation. Law enforcement can request a child be interviewed at the CAC just as CPS has the right to request an interview when appropriate. You and your supervisor need to discuss the allegations and rationale for an interview at the CAC, and determine whether the case still meets Alternative Response criteria or should be progressed to a traditional investigation.

CASE EXTENSION

In certain situations, you can get a one-time 20-day extension for an AR case, with supervisor approval. You can request the extension any time during the case, but no later than 60 days from the date the case stage progressed to AR.

A case qualifies for an extension only if:

- the child is unsafe in his or her home, AND
- the caseworker and supervisor agree that the active safety threat will be resolved so that the child will be safe and the AR case may be closed within the extension time frame, with no further CPS intervention.

Both conditions must exist for the extension to be granted. If it doesn't seem likely that you can address the safety threat within the 20 days, don't request the extension. It may be more appropriate to stage progress to FPR or consider removing the child.

See [2640](#) Extension

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CASE CLOSURE

You must save and submit an AR case for closure no later than 60 days from stage progression to AR, unless an extension was approved. The AR supervisor must formally close the case, or stage progress the case to ongoing services, no later than 70 days from stage progression to AR, unless an extension was approved.

FINAL CONTACT WITH THE FAMILY

If it's possible to contact the family, you must notify the family that the AR case is being closed or stage progressed to the traditional investigation track or FPR, or that we are asking the court to remove the children. You typically notify the family during a face to face visit, but the AR Caseworker and AR Supervisor make the decision about the type of contact to make, based on case circumstances. At a minimum, verbal notification is required if possible, followed by a notification letter. For most cases, the order of preference for final contact is:

- Home visit;
- Face-to-face contact occurring outside of the home; or
- Telephone contact.

If you have engaged the family, closing the case is a critical time. It is important to sit down with the family and debrief with them.

CLOSURE SAFETY AND FAMILY NEEDS ASSESSMENT

Whatever the reason for closing a case, you need to complete a closure Safety and Family Needs Assessment before submitting your case for approval. This is required to ensure that CPS actions at closure are based on up-to-date safety information. However, if the initial Safety and Family Needs Assessment is less than fourteen (14) days old, you only need to answer questions twelve (12) and thirteen (13) on the closure Assessment. If it has been longer than fourteen days since the initial assessment, a complete closure assessment is required. A final safety assessment is not required if the family cannot be located.

NOTIFICATION LETTERS IN ALTERNATIVE RESPONSE

You must send a notification letter to the family's last known address and to the reporter any time an AR case is closed or stage progressed. The format and content of the letter varies depending upon the reason for AR case closure, and there are standardized letter templates in IMPACT for each of the closure and transfer scenarios.

CLOSURE REASONS:

Close - No Significant Safety Factors/CPS Decision

The AR caseworker completed the initial safety assessment and determined there are no active safety threats present in the home. CPS decides to close the case, regardless of the wishes of the family, and offers no services other than information and referral.

Close - Services Completed

The family completed all services in AR and all safety threats are resolved. CPS no longer needs to be involved in this case.

Close - Family Declined Services/No Safety Threat

The AR caseworker met with the family and determined there are no active safety threats that warrant further CPS involvement, BUT determined that there is risk indicated and the family could benefit from AR services. Because there are no safety issues, the family has a right to decline services.

Close - Unable to Locate

If the AR caseworker cannot locate the family, either before or after the case is initiated, and before all active safety threats are resolved, the case is closed as "Unable to Locate" in case the family has a new report called in.

Close - Administrative Closure

The AR caseworker may submit an AR case for closure if one of the following is true:

- CPS does not have the authority to investigate the allegation;
- The allegations were already investigated;
- The allegations do not meet the definition of abuse or neglect;
- The allegations were based on an anonymous report and there is no evidence corroborating the allegation; or
- The caseworker gathered sufficient, credible information refuting that the alleged abuse or neglect occurred or is at risk of occurring and the child is not vulnerable to any other danger. (Refer to Administrative Closure Policy)

Close – Stage Progress to INV

- INV - CPS Decision** - Based on new information discovered or the emergence of a significant safety threat, the case is determined no longer appropriate for AR, and the case is progressed to traditional investigations.
- INV - Family Request** - If the family prefers that the case be handled via the traditional investigations pathway (e.g. a custody battle), then the family has the right to request a non-AR pathway. **NOTE:** If the reporter is a parent, the parent being investigated chooses what pathway the case follows, as long as it remains appropriate for AR.
- INV - Child Fatality Allegations** - If a child in an open AR case dies as a result of alleged abuse or neglect, the case is immediately progressed to traditional investigations.
- INV - Removal** - If removal appears likely or imminent, the AR case is stage progressed to traditional investigations before removal (or as quickly as possible if an emergency removal) so that the Conservatorship Removal page can be completed, the SUB and FSU stages opened, and an INV disposition determined.

Close – Stage Progress to FBSS/FPR

If the safety threat in the AR case cannot be resolved during the normal duration of the AR stage, or during the one-time extension period, a case may be directly stage progressed to FPR. This can occur at any time during the AR stage as long as the caseworker is certain the safety threats or level of risk cannot be resolved within the AR timeframe, and has completed all required documentation for this stage of service. Stage progression requires supervisory approval.

CASE CLOSURE WHEN CPS INVOLVEMENT IS NO LONGER REQUIRED

After the initial safety assessment, a case in the AR stage may be closed at any time if the AR Caseworker and AR Supervisor determine that CPS is no longer needs to be involved. In this scenario, the criteria for case closure are:

- No active safety threats exist; and

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- No identified additional services to enhance general protective capacities can be coordinated within the remaining case time frame.

Here are a few activities that should be included in the final contact with the family:

- Explain that the safety plan and family plan - if any - are no longer in effect because all children are safe;
- Debrief with the family about their experience, and review the origin of CPS involvement;
- Reinforce positive changes made;
- Discuss possible future issues, and help the family make tentative plans to address them; and
- Discuss how the family can seek help in the future, and review any community resources available.

Express your pride in the family's hard work and encourage the family to continue using the supports and resources around them. Review and acknowledge the work they have done, and ask them if they have anything they want to say or any feedback. Leave them feeling empowered and self-confident that they have the skills to be successful as a family.

STAGE PROGRESSING CASES

For various reasons, you may determine an Alternative Response case is no longer appropriate for the Alternative Response pathway, or you may determine that the case requires ongoing services. The information provided below will help you understand the process for stage progressing a case from Alternative Response to another stage of service. The AR case should be stage progressed within 24 hours after the decision to stage progress was made.

STAGE PROGRESSING AN AR CASE TO THE TRADITIONAL INVESTIGATION PATHWAY

If the process of working with the family needs to change from AR to traditional investigations due to additional information, a new report, or a family request, staff the case with your supervisor and start stage progression procedures. Be sure to meet with the family to explain why you are changing the way you are working with them, and debrief with them. You will remain the caseworker for the family, unless the transfer is due to a fatality caused by alleged abuse or neglect. (See [2630](#) Stage Progressing an AR Case to Traditional Investigation). Since you are going to remain the caseworker, it is in the best interest of both you and the family to maintain the rapport you've developed.

After initial contact with the family, the process to change from AR to the traditional investigation pathway is:

- Within 24 hours after the decision:
 - Document the decision in a contact narrative and stage progress in IMPACT;
 - The AR Caseworker must contact and interview all victim children if this has not already occurred; and
 - Notify the family of the change from AR to traditional investigation.
- The AR caseworker continues to serve as the Primary Worker if a case is stage progressed from the AR pathway to the traditional investigation pathway, unless the AR Supervisor directs otherwise.
- Complete the initial safety assessment within 24 hours after initial face to face contact with the family, *regardless* of when the stage progression occurs. Complete the initial safety assessment

in the Alternative Response stage (if it was already started there) or in the traditional investigation stage if it was not started in the AR stage.

- ☐ When talking to the family about stage progressing their case to a traditional investigation, complete the following activities when appropriate:
 - Reiterate the reason for changing the manner of working with them to a traditional investigation and answer the family's questions;
 - Explain that the safety plan and family plan – if any – are still in effect because all children are not safe;
 - Explain that you remain the family's caseworker in the traditional investigation pathway, unless your supervisor has directed otherwise;
 - Discuss the traditional investigation process and explain what the family can expect;
 - Provide the family with a CPS "Parents' Guide" for traditional investigations;
 - Debrief with the family about their experience, and review the origin of CPS involvement; and
 - Reinforce positive changes made.
- ☐ Begin the time frame for completing the case in the traditional investigation pathway once the decision is made to change the case approach. You must complete the traditional investigation case within 15 days from the decision to change the approach; two 15-day extensions are available. The first extension requires supervisor approval; the second extension requires supervisor and PD approval.
- ☐ Follow all existing policy, procedures, and checklists related to the traditional investigation pathway.

STAGE PROGRESSING AN AR CASE TO FPR

A case can be stage progressed directly from AR to FPR. If all of the active safety threats have not been resolved, or the children remain unsafe in the home due to lack of protective actions or other safety concerns, the case may need to be transferred to longer term services such as FPR. Staff with your supervisor for the best course of action. You must complete all required AR documentation before stage progression to FPR can occur.

When talking to the family about stage progressing their case to FPR, complete the following activities when appropriate:

- ☐ Reiterate the reason for the case becoming an FPR case and answer the family's questions;
- ☐ Explain that the safety plan and family plan - if any - are still in effect because all children are not safe;
- ☐ Explain that the family will receive a new caseworker and how that process will occur;
- ☐ Discuss the FPR program and explain what the family can expect;
- ☐ Debrief with the family about their experience, and review the origin of CPS involvement;
- ☐ Reinforce positive changes made.

TRANSFERRING AN AR CASE TO CVS

Any time a child is removed during an AR case, the case must change from the AR pathway to the traditional investigation pathway so that staff can complete the *Conservatorship Removal* tab and issue a formal disposition. The case should be stage progressed in IMPACT from A R to INV with enough time to enter the placement and medical consent by 7:00 PM on the day following the removal. All existing policy, procedures, and checklists related to removals apply.

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Any work started and not completed in the Alternative Response stage can be entered into the traditional investigation case. This includes any contacts not documented and completion of the safety assessment even if it was started in the AR case. IMPACT puts a statement on the safety assessment in the AR case saying the assessment was continued in the traditional investigations case due to a removal. This allows the AR worker to meet the mandates of a new removal timely and streamlines the documentation process.

When talking to the family about stage progressing their case to Conservatorship complete the following activities when appropriate:

- Reiterate the reason for removal and answer the family's questions;
- Explain that the safety plan is no longer in effect because the children are no longer living at home (this applies only if all of the children have been removed);
- Discuss whether the family plan remains in effect or needs to be modified, if activities need to occur for reunification;
- Explain that the family will receive a new caseworker and how that process will occur;
- Discuss the CVS program and explain what the family can expect;
- Provide the family with the 'While Your Child is in Care' brochure;
- Debrief with the family about their experience, and review the origin of CPS involvement; and
- Reinforce positive changes made.

CHILD DEATH OCCURS IN AN AR CASE

When CPS receives an intake report that a child involved in an open AR case is alleged to have died from abuse or neglect, the new (P1) intake is generally sent to the unit with the open AR case. The supervisor stage progresses the case involving the child death to a traditional investigation, and the case is assigned to a different caseworker than the AR worker. The supervisor follows standard DFPS policies and procedures (See [Child Fatality Protocol Guidebook](#)).

You are not allowed to have additional contact with the family after a child death occurs in an open AR case.

If a child death occurs while the Alternative Response case is open, you must complete these tasks:

- Within 24 hours, complete all final documentation in the AR case. The existing AR case is stage progressed to the investigation stage and merged to the traditional investigation case (leaving the traditional investigation case open and the AR case closed).
- Inform the new investigation caseworker of any additional contact with the family or collaterals that are needed so the new worker is aware of the issues and may address them.

APPEALS PROCESS FOR THE FAMILY

There is no formal appeals process for the transfer of an AR case to a traditional investigation or any other stage of service. However, families always have the right to discuss issues with Supervisors and PDs. Also, eligible families in the traditional investigation pathway may engage in the Administrative Review of Investigation Findings (ARIF) process at the end of the traditional investigation.

There is also no formal appeals process for families who believe their AR case should remain open even though CPS has made a closure decision. The family may always talk to the supervisor and/or their chain of command if they feel there are safety issues that have not been addressed and if they feel the case should remain open. The AR Caseworker should explain the reason CPS is closing the case as part of the final contact.

MISCELLANEOUS

In most other instances, AR cases follow the same procedures that a traditional investigation does if not addressed in this Resource Guide. For instance:

- ☐ Any safety concerns or dangers that occur during the life of an AR case will be handled using the same policy, procedures, and practice that address safety concerns occurring in the traditional investigation pathway.
- ☐ At any time during an AR case, if an AR family cannot be contacted or located, the AR caseworker follows the same policy, procedures, and practice outlined for cases in the traditional investigation pathway regarding attempting to locate the family.
- ☐ For all Unable to Locate cases, a decision will need to be made regarding CSCAL. This should involve a Special Investigator. See the Case Management section of this guide for more information regarding CSCAL.
- ☐ When making the initial face to face contact with the family in AR, you must ensure all children are seen by the 5th day from stage progression, just as you would when making initial contact with alleged victims within 72 hours from stage progression for a screened Priority 2 traditional investigation. Child safety is your number one goal in both Alternative Response and traditional investigation. Although you work with families in different ways, you are expected to always ensure that the children are safe both during the case and before submitting the case for closure.
- ☐ An intake that alleges *Refusal to Accept Parental Responsibility* is not automatically ineligible for AR. In fact, many times parents are at their wits end, but are able to make great progress when served through an AR approach. You should follow AR protocols to engage the family and seek their participation. However, If the situation appears to be based on the parent's inability to obtain mental health services for the child you must determine if the parent may be able to place the child in a Residential Treatment Center (RTC) bed funded by the Department of State Health Services (DSHS). See the CPS Handbook Section [2390](#) Families Who Are Unable to Obtain Mental Health Services for Children with Severe Emotional Disturbance.