STANDARD FOR CASE TRANSFER, COURTESY SUPERVISION, AND CONFLICT OF INTEREST

PURPOSE

The purpose of this standard is to provide direction and guidance to the Child and Family Services (CFS) programs regarding case transfer, courtesy supervision, and conflict of interest. This standard is intended to achieve statewide consistency in the development and application of CFS core services and shall be implemented in the context of all applicable laws, rules and policies. The standard will also provide a measurement for program accountability.

INTRODUCTION

A child in the custody or guardianship of the Department of Health and Welfare may be placed in a foster home or with a pre-adoptive family in another region. A request may be made by one region for courtesy supervision or transfer of the case to another region. Coordination between the sending and receiving regions is essential. Every effort should be made to ensure the process is a smooth transition for children and families through clear and regular communication between regions, use of family centered practice principles, and obtaining input from the family as to their preferences.

TERMS

Case Transfer

Case transfer refers to the transfer of legal and fiscal responsibility of a case from one region to another region. Case transfer may also involve voluntary cases, where a family receives services on a voluntary basis. In these cases, the fiscal responsibility and ultimate case decision-making authority of the case is transferred, but there is no legal jurisdiction to transfer.

Conflict Cases

A conflict case is a case where some kind of conflict of interest exists that may interfere with the (real or perceived) exercise of impartial judgment within the region from which the allegation of child abuse, abandonment, or neglect is received. In such cases, regions must take appropriate action to minimize this conflict of interest. Conflict of interest cases may also include cases where the confidentiality of a CFS employee may be compromised if it was handled in the same Region where the employee works.

Courtesy Supervision

Courtesy supervision is applicable when a child is placed outside the region where the presenting issue originated. The child may have moved from the region of origin because he/she is placed with a relative or is in a pre-adoptive placement. In some cases the family may have moved from one region to another. Courtesy supervision is requested in cases where the legal jurisdiction is not transferred by the court to the new region of the family's residence. In courtesy supervision cases, the sending region maintains ultimate case decision-making authority and financial responsibility.

IMPLEMENTING THE STANDARD

Prior to Approval

A case must be determined appropriate as a case transfer case, conflict case, or courtesy supervision case. The regional program manager or designee must first review the case information and determine whether the request is appropriate prior to the request being made.

Case transfer may be appropriate in situations where the family resides in another region within the state and/or the court has transferred jurisdiction. Courtesy supervision may be appropriate in situations where the family permanently resides in one region, while the child is placed in another.

The following should be considered for a conflict case if all the following are true:

- A conflict of interest exists that may interfere with the (real or perceived) exercise of impartial judgment within a region; and
- The conflict may be minimized by the safety assessment and/or services being completed by another region; and
- The conflict may compromise the confidentiality of a CFS employee; and
- The conflict can not be adequately minimized by actions taken within one's own region, such as assigning the case to a field office within the region.

There may be situations where consensus can not be reached between regional program managers related to a case transfer, courtesy supervision, or conflict case. After careful review of program instruction contained in this standard and attempts to resolve any concerns, the concern in question may be taken to the Division Administrator for consideration and final decision making authority prior to a region taking action where consensus has not been reached.

Prior to Case Transfer or Courtesy Supervision

Children will not be placed from one region to another without prior approval from the program manager, or designee, in both regions. There are specific tasks the sending region is responsible to complete, prior to requesting courtesy supervision or case transfer. The sending region must do the following:

- 1. The sending region will be responsible for a portion of the documented informal assessment of the receiving home. The sending region's responsibility related to the assessment will include:
 - Talking with the potential placement family about their willingness of becoming a placement option and explaining the steps that are required of a family prior to placement or licensure.
 - Checking the Child Protection Central Registry in each state the prospective foster/adoptive parents and any other adult(s) living in the home have resided in during the preceding five years.
 - Arranging for the prospective resource/adoptive parent to participate in the criminal history check process, as delineated in Idaho Code 39-1211, Child Care Licensing Reform Act, Standards and Foster Homes, and IDAPA 16.05.06, Rules Governing Mandatory Criminal History Checks.
 - The sending region will furnish the receiving region with a summary of pertinent information related to the child and the placement family with the rationale that explains how this family has been identified as a family that will meet the child's needs.
 - A "Home Environment Standards" evaluation must be completed to determine the safety and suitability of the family's home. If the receiving home is a significant distance from the sending region, the sending region will request the receiving region to check the home environment to ensure the safety of the child. The parameters of a "significant distance" are determined on a case by case basis. However, as a general rule, distance that can not be completed in 90 minutes or less would be considered "significant". In general, the region issuing the license for the home should be the region completing the home assessment unless an allowance is made due to emergency or time restraints. If licensure is required, a request for licensure will be submitted to the receiving region.
- 2. The receiving region will be responsible for documenting the assessment of the home that includes the following information:
 - Conducting a face-to-face interview to assess the potential caregiver's ability
 to meet the child's needs and to work with CFS as part of the professional
 team. Initially, although this does not require a full home study, the informal
 assessment is to be documented in FOCUS and must address the five PRIDE
 competencies. The brief assessment will serve as the basis for a more
 thorough assessment to be completed at a later time during the licensing or
 adoptive process.
 - If the home was previously licensed to provide foster care by the receiving region, the Resource Licensing unit will discuss the appropriateness of placing the child in the identified home and make a recommendation to their program manager, or designee, on the advisability of proceeding with the

placement. Considerations include the number of children in the home and compatibility of the child(ren) being considered for placement, etc.

3. Before the child(en) are placed in the receiving region, program managers will work out any financial issues on a case-by-case basis.

Process when Requesting Courtesy Supervision

There are specific tasks the sending region and receiving region are responsible to complete when requesting courtesy supervision. In order to facilitate communication and clarify roles, the following responsibilities are delineated below:

- 1. When requesting courtesy supervision, the sending region's CFS program manager, or designee, will contact the CFS program manager, or designee, in the receiving region and briefly discuss the following:
 - a) name of the child(ren) in our custody;
 - b) name(s) of family members if applicable;
 - c) the presenting issues;
 - d) reason for the child's move;
 - e) name, address and phone number of the placement resource; and
 - f) any concerns or barriers to the placement.
- 2. If information does not support the placement or licensing of the home, the child will not be placed in the home until after the concerns are resolved and the placement is approved by program managers, or designees, in both regions.
- 3. Both the sending and receiving region will identify the responsible case supervisor and case manager by name, address and phone number.
- 4. The sending region is responsible for all expenses related to the child's placement and care. All service authorizations and approvals for purchases will be completed by the sending region.
- 5. The sending region is responsible for developing and updating the service plan, writing court reports, and appearing in court. The social worker in the receiving region will be available as needed to offer testimony. If the courtesy supervision request occurs prior to case plan development, the receiving region's social worker should be included in the case plan development process.
- 6. Once the approval for courtesy supervision has been made, the sending region will send a copy of the case record to the receiving region.
- 7. The receiving region will provide case management services including contact with the family and child according to Department rules (see IDAPA 16.06.01.405.05).

8. FOCUS documentation responsibilities remain with the sending region unless a case transfer request is made and accepted. However, the receiving region will document their contacts in the contact screens and provide clear documentation in FOCUS to allow the sending region to follow the progress of the case and prepare reports for court.

Communication

Courtesy supervision necessitates frequent and ongoing communication between sending and receiving regions to:

- Coordinate case management activities;
- Meet the needs of the child and placement home;
- Review the case status;
- Make informed decisions:
- Supply information for judicial reviews; and
- Develop recommendations related to the case.

Process for Requesting Case Transfers

Case transfer is appropriate only when legal jurisdiction (venue) has been changed.

- 1. The sending region's CFS program manager, or designee, will contact the CFS program manager, or designee, in the receiving region and briefly discuss the following:
 - a. name of the child(ren) in our custody;
 - b. name(s) of family members if applicable;
 - c. the presenting issues;
 - d. reason for the child's move;
 - e. name, address and phone number of the placement resource; and
 - f. any concerns or barriers to the placement.
- 2. If information does not support the placement or licensing of the home, the child will not be placed in the home until the concerns are resolved and the placement is approved by the program manager, or designee, in each Region.
- 3. Both the sending and receiving region will identify the responsible case supervisor and case manager by name, address and phone number.
- 4. Both program managers, or designees, will resolve any financial and/or legal jurisdiction issues on a case-by-case basis. The sending region is responsible for all expenses related to the child's placement and care until a transfer of legal jurisdiction has been completed.
- 5. Once the approval for case transfer (and legal jurisdiction) is made by the receiving region, the sending region will send the case record to the receiving region. The sending region will continue to be responsible for the development and the updating of the service plan, as well as holding reviews and permanency

hearings until legal jurisdiction has been transferred. If the case transfer request occurs prior to case plan development, the receiving region's social worker should be included in the case plan development process.

6. FOCUS documentation responsibilities will remain with the sending region until approval for case transfer is finalized by the receiving region.

Process for Requesting Adoption Placement Transfers

- 1. The sending region's facs program manager, or designee, will contact the facs program manager, or designee, in the receiving region and briefly discuss the following:
 - a. name of the child(ren) in our custody or guardianship;
 - b. the presenting issues;
 - c. reason for the child's move;
 - d. name, address and phone number of the pre-adoptive family; and
 - e. any concerns or barriers to the placement. If information does not support the placement or licensing of the home, the child will not be placed in the home until the concerns are resolved and the placement is approved by the program manager, or designee, in each Region.
- 2. Both the sending and receiving region will identify the responsible case supervisor and case manager by name, address and phone number.
- 3. Before the child(en) are placed in the receiving region, program managers will work out any financial issues on a case-by-case basis.
- 4. After the Adoptive Placement Agreement is signed, the sending region could continue to be responsible if an adoption disruption occurs. This decision would depend on each region's relationship with the family and if there has been a transfer of legal jurisdiction.
- 5. The receiving region is responsible for completing the Adoption Assistance Application, negotiating and completing the Adoption Assistance Agreement, court reports, monthly progress reports, and all work pertaining to finalization of the adoption.
- 6. Once the adoption is finalized, the receiving region is responsible for initiation and ongoing adoption assistance benefits in FOCUS.
- 7. If the adoption disrupts after finalization, services for the family and child are the responsibility of the region where the family resides.

Case Transfer Required Steps

Depending on whether a case is in case management or pre-adoptive stage, staff should complete the following information prior to case transfer.

- Complete all associated safety assessments.
- Complete PI Disposition.

Case Management

• Close any associated PI not to be transferred.

- Complete an existing Plan and Plan Outline associated with the PI, as appropriate.
- Update associated Services and Invoices and review them to make sure they are released prior to closure.
- Confirm change of legal jurisdiction, as appropriate, with both courts according to Rule 50. Transfer of Venue (C.P.A.)
- Update Removal Episode Reviews.
- Update Plan Reviews.
- Complete an existing Alternate Care Plan, as appropriate.
- Submit any required Eligibility Determinations or Re-determinations.
- Create Case Transfer record and complete required Approvals.
- End Placement(s) with the **End Reason** of Case Transfer for any associated Child(ren) of Concern (COC).

To complete transfer of a case, receiving Region staff must complete the following:

- Complete Case Transfer Approvals.
- Assign Responsible Staff to any associated Removal Episode(s), as appropriate.
- Record new a Placement Service Request(s), as appropriate.
- Modify Plan, if necessary, and complete Plan Approval.
- Record new a Service(s), as appropriate.
- Update Legal records, if necessary.

Conflict Cases

There are various situations in which a region may find a conflict of interest exists, and that the conflict may interfere with the (real or perceived) exercise of impartial judgment within the region from which the allegation of child abuse, abandonment, or neglect occurred. In such cases, regions must take appropriate action to minimize the conflict of interest and the safety assessment is provided through another region. If a determination is made that the case is to remain open with services provided to the family, the program manager, or designee, from the originating region would determine whether a case transfer or courtesy supervision request would be most appropriate to the circumstances of the case. Situations that may present a conflict of interest are detailed below.

Allegations involving IDHW employees or their families, elected officials, law enforcement, employees of other community agencies or other situations with potential for conflict of interest or media attention

Whenever_possible, referrals and requests for services should be handled within the region having geographical jurisdiction. The Regional CFS Program Manager or designee will determine if a referral or request for services will be conflicted to another Region. If the Program Manager or designee determines that a conflict or potential conflict exists, they will contact the program manager or designee in a neighboring Region to arrange for that Region to assume responsibility for the involved referral or request for services. Timeliness in arranging for the transfer of a referral or request for

services is critical in order to allow the receiving Region adequate time to comply with timeframe requirements. If a potential conflict is discovered in the process of responding to a referral or request for services, that Region should make every effort to complete tasks with imminent time requirements and find a "natural" transition point to transfer the referral or request for services to another Region.

The following examples are provided as guidelines only. Referrals or requests for services that might be considered to be conflicted to another Region include those involving the following:

- CFS staff or their immediate family; and
- Elected officials or law enforcement personnel serving throughout the Region.

In some situations, a field office located in a different county within the Region might be assigned the referral or request for services if that assignment would reduce or remove the potential conflict. Examples of referrals or requests for services that might be handled within a Region include the following:

- Department employees working in a regional program other than Child and Family Services;
- Extended family members of current Department employee, contractors, or community agency personnel; and
- Elected officials or law enforcement personnel whose jurisdiction is limited to a city or county within the Region.

Referrals involving potential conflicts should be handled as follows:

• Allegations involving current IDHW employees or their family members. The intake supervisor should contact their Regional CFS Program Manager, or designee, to determine whether the assessment should be conducted by another field office or region. If, in the course of conducting a safety assessment, a social worker becomes aware of a conflict of interest, they will complete the safety assessment to ensure compliance with priority response guidelines.

When conflict cases involve current CFS staff, the determination of what information, if any, is appropriate for the sending program manager to receive related to the conflict case will be determined by the receiving regional program manager handling the conflict case, or their designee.

- Allegations involving elected officials. The intake supervisor will contact their Regional CFS Program Manager, or designee, regarding the allegations. A priority response and assignment for assessment will be made according to the agency's priority response guide and this standard.
- Allegations involving law enforcement, prosecutors or employees of other community agencies. The intake supervisor will contact their Regional CFS

Program Manager or designee. The Regional CFS Program Manager, or designee, will determine whether the assessment should be conducted by another field office or region.

Note: In **all** allegations involving IDHW employees, an elected official, law enforcement, prosecutors, employees of other community agencies or others with a potential for conflict of interest, the Regional CFS Program Manager, or designee, will use the lock feature in FOCUS to preserve the confidentiality of the individual(s) involved.

Social Worker Child Contact

It is important that there is no lapse in monthly contact when a case is transferred from one region to another or during the time when courtesy supervision is being negotiated. The supervisor of the case, in the region where the presenting issue was originated, must ensure that monthly contact and related data entry occur in the month of a transfer to a new staff. The receiving region's supervisor will be responsible for monthly contact in subsequent months after case transfer or courtesy supervision has been initiated.

Any action taken not consistent with this standard must be pre-approved by the FACS Division Administrator or designee. The action, rationale and approval must be documented in the file.