

20 - Generick Blow Up

LESSON PLAN CONTENT RECORD
Family Independence Agency

Suggestions to Instructor	Reference	Content
<p>This LP should come after the Removal LP They must have closed the 1st Generick complaint already.</p> <p>Put the 2nd Generick complaint on SWSS as many times as you have trainees (plus one for yourself). **You may pre-fill from Soundex, but you <u>MUST</u> choose the Generick case with the same CIMS # for each trainee in order for it to pre-fill the history correctly.</p> <p>Then assign a complaint to each trainee (and yourself). When they come back from lunch, they should have a copy of the complaint on their chairs, the 3200, the 2nd (now showing history) and the three phone messages.</p>		<p>GENERICK BLOWS UP</p> <p>Typical day in the life of a CPS worker, you close a case thinking everything is somewhat under control, and you return to your desk with an emergency waiting for you to deal with....</p> <p>GIVE CLASS A MOMENT TO READ THROUGH EVERYTHING THEY FIND ON THEIR CHAIRS.</p> <p>How are you feeling right now?</p>

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I recommend trainees to take notes on what will be expected of them for this complaint.

Pass out Generick 2nd complaint information.

Refer back to 4 elements of CA/N flip chart if you still have it.

What do you think about this new information on the Generick case?

Now that we've had time to process our feelings, what we are going to do first?

- Go to the hospital, see the victim (Eric Jr.) and interview anyone else who is present.

There are some things that policy requires us to do for this investigation, what are they?

- Required Medical assessment of ALL children
- Required LEIN check on ALL adult household member
- Refer to Law Enforcement
- Petition the court

You have conducted your investigation and this is what you learned....

After reading your investigation information, do we have the 4 elements of CA/N?

- Eric is a **child** under the age of 18.
 - We have two **People Responsible** for the Health/Welfare.
 - Jenny broke his arm—physical abuse—this is the **harm**
 - Eric Failed to Protect because he left Eric Jr. with Jen despite the fact that he was in a safe placement and Jen did not want to take responsibility for Eric Jr.
 - We have the Doctor saying that Eric Jr. is a victim of child abuse and his injury is not consistent with a fall—this gives us our non-

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accidental element.

So do we have a preponderance of evidence of Child Abuse or neglect?

- Yes

Is this a discretionary or a Mandatory petition for this case?

- Mandatory Petition per policy

What is our next step?

- Contact the courts
- Open the case on SWSS

Before we actually have you open this case, I have a few questions for you.

What Category will this case be?

- Category I

How do we know that?

- Because we are going to write a court petition

What will the risk level be?

- Intensive--this is a policy override!!!!
- "Serious, non-accidental, physical injury requiring hospital or medical treatment."

Risk Policy overrides CFP 713-11, p.3

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CFP 715-3, p. 1-2 and CPL
section 17

- When you get to the point of doing the override, let us know if you need help.

Not only is this a Mandatory Petition for jurisdiction, does anyone know what policy and the law say about what the recommendation of DHS must be in a situation like this?

- Termination of Parental Rights for both Jen and Eric Sr.!!!!
- When a parent is found to have perpetrated or failed to protect from severe physical injury, which includes:
“brain damage, skull or bone fracture, subdural hemorrhage or hematoma, dislocation, sprains, internal injuries, poisoning, burns, scalds, severe cuts, or any other physical injury that seriously impairs the health or physical well-being of a child.”

How many of you think that removal of Eric Jr. from Jen and Eric Sr. is necessary in this case?

Show of hands

And we now know we must ask for Termination of Parental Rights of Jen and Eric Sr.

Are we going to terminate the rights of Lisa Abbott to Eric Jr.?

- No, she made appropriate arrangements
- We may even have Eric Jr placed with her when she returns from out of town, but....

Do we have any continuing concerns about Eric Jr. being placed

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Have them pull up a DHS-003 and look over the form.

with Lisa Abbott?

- Eviction, where are they going to live?
- This is why it is important to add information about Lisa Abbott on our petition we are going to write in the coming days.

What should happen with Elliott and Edward?

Get feedback

Some points to think about re: Elliott and Edward....

- Case law: Dittrick & LaFlure--the manner in which a caretaker treats one child may be indicative of how they will treat other children.
- When Jen's scapegoat is gone, is she going to turn her anger and frustration to another child?
- Eric Jr. may feel like he is being punished if only he is separated from his parents!
- Do you want to be responsible for leaving children in a home where a parent broke another child's arm?

We are going to tell you in this situation to ask for removal of all three children from the care of Jen and Eric Sr.

But, if you had chosen to leave Edward and Elliott in the home, you must fill out a DHS-003. Go into Microsoft Word and open this form.

****As you can see, unless your situation falls into a limited set of circumstances, you really need to hash out why it is you feel some of the kids will be safe at home, while others will not!**

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**In these instances, you not only need a PS and FC supervisor's approval and signature, you must get a Second line supervisor's approval and signature!

How many of you feel Jen and Eric Sr's rights to Edward and Elliott should be terminated?

Get responses

**CFP
715-3,
p. 2-3
and
CPL
section
17**

Section 18 of the CPL requires a petition for court jurisdiction when there is a preponderance of evidence of abuse of a "child or a sibling of the child and the abuse included 1 or more of the following:"

- Abandonment of a young child.
- Criminal sexual conduct involving penetration, attempted penetration, or assault with intent to penetrate.
- Battering, torture, or other severe physical abuse.
- Loss or serious impairment of an organ or limb.
- Life-threatening injury.
- Murder or attempted murder.

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PSM
715-3, p.
4

Policy goes on to say that we will file the petition for termination of rights as we talked about earlier AND....

- “Workers should not initiate or negotiate a plea agreement with regard to a mandatory termination petition.”
- The worker must obtain supervisory approval before the worker supports a plea agreement on the record.

In short: You do not have the authority to recommend that parental rights **NOT** be terminated when any of the situations in policy apply!

If you truly believe it is not in the best interest of the children for parental rights to be terminated, you must talk to your supervisor about it, then if given approval to support a plea agreement, **DOCUMENT, DOCUMENT, DOCUMENT!**

How are you going to address Reasonable Efforts in your documentation?

- Talk about the services offered in the last case, they were recent and relevant to physical abuse (our current issue)
- There may be times when Reasonable Efforts are not “reasonable.” In emergency situations, where services are not appropriate, we must document why we did not provide services.

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If the Family Information icon on SWSS is not yet done, remind them to establish households.

The **mandatory elements** we talked about earlier (LEIN, LEN, Medical exam and petition) need to be documented.

- You have the results of the **LEIN** check in the information we provided you. You'll need a copy of the **DHS-269 in the file** and you'll need to **document the results** in the correct spot.
- You also need a copy of the **LEN for the file**. You should document that contact in your **Social Work Contacts**.
- **The LEIN and LEN can be printed from the Case Reports Menu.**
- You can simply **document the medical exam results** in the correct spot.
- We will work on the **petition** together next, so don't worry about that right now.

Begin your work for the second Generick complaint. Go ahead and open this case, and packet the information on your own.

YOU DO NOT HAVE TO PUT IN SERVICES FOR THE SECOND GENERICK COMPLAINT!

When we remove children from their home, Foster care will be doing a very thorough Parent Agency Agreement with the family.

Remember, you are now answering these questions, and all assessments and narratives, focusing on the current Physical Abuse issue, while keeping in mind the history and previous services you

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Give class some time to work on cases and then move into Removal LP in the afternoon. Inform trainees the Generick petition will be written in Legal training.

have provided to this family.

We will be looking over your entire Generick case (as well as your Carpenter and Tyler cases) to assure all required elements are present, and the work is satisfactory.

Whenever you are completely done with both cases (I.E. First complaint complete and closed, second one complete and opened), bring the entire folder to me for review. You need to have this completed before we transfer this case to Foster Care!