

The Philadelphia Department of Human Services
Children and Youth Division
Juvenile Justice Services
Community Based Prevention Services

The First Judicial District of Pennsylvania
Court of Common Pleas
Family Division-Juvenile Branch
Juvenile Probation Office

REVISED Joint Policy and Procedure Guide for
Shared Case Responsibility

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**This Joint Policy and Procedure Guide Replaces the Guide which was
Issued on June 20, 2011 and Effective July 11, 2011**

To: All DHS, JPO, Provider and Administrative Services Staff

From: Anne Marie Ambrose, Commissioner, Department of Human Services
Kevin M. Dougherty, Administrative Judge, Family Court



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Effective: Immediately

Purpose

The mandate of child welfare services is to ensure safety, permanence, and well being. The mandate of JPO services is to provide treatment, rehabilitation, and supervision for youth involved in delinquent court while ensuring the principles of Balanced and Restorative Justice (BARJ) are maintained. These two distinct mandates must be integrated when DHS and the JPO plan together so that youth have access to the full array of services available within each system: this is **Shared Case Responsibility (SCR)**. The Department of Public Welfare (DPW) issued a bulletin outlining the framework to implement this practice with full implementation to occur between October 1, 2010 and October 21, 2011. The purpose of this guide is to implement a policy and establish procedures regarding the expectations for Juvenile Probation Officers (JPO), DHS Social Work Services Staff (hereinafter "DHS Worker") in both the Children and Youth Division (CYD) and Juvenile Justice Services (JJS) and their Administrative Support Staff, and contracted Providers.

Discussion

Implementation of SCR requires a collaborative partnership between DHS, the Court, and the JPO. Critical to this effort is that these entities work together to share information so that accurate assessments of youth can be made. Ongoing collaboration is necessary to provide joint case planning when youth who are under probation supervision (probation, consent decree, delinquent placement, etc.) also have child protection, child welfare, or dependency issues themselves or within their families. This ensures that appropriate services are provided to address all identified needs.

Joint planning assures that youth receive all the services they require and for which they are eligible in order to become healthy, productive, and well adjusted members of the community who will be safe in their homes and whose communities are protected.

Some youth for whom there is shared responsibility will be assigned to Crossover Court, however not all SCR youth are assigned to Crossover Court.

POLICY

Shared Case Responsibility applies to youth who are arrested as juveniles who themselves or their families have child protection, child welfare, or dependency issues as well. The youth or family can be:

- **Active with DHS CYD at the time of the arrest.**
- **Reported to the DHS Hotline by the JPO when they suspect from their initial assessment that there are child protection, child welfare, or dependency issues with the youth or family and the report is accepted for investigation.**
- **Reported to the DHS Hotline by the JPO at any time during their involvement with the youth when they suspect that there is child protection, child welfare, or dependency issues with the youth or family and the report is accepted for investigation.**

All youth for whom there is shared responsibility require joint assessment and planning between JPOs and DHS Workers, along with other interested parties.

- Using their specific assessment tools, JPOs and DHS Workers identify family strengths and challenges, safety threats, educational, medical, and behavioral health needs, community safety issues, etc. This is directed towards developing an appropriate plan, securing needed services, identifying resources, articulating outcomes to be achieved, and making recommendations to the Court.
- Planning for youth and families involved with both systems must be done in a consistent and thoughtful manner.

Youth involved with the DHS Children and Youth Division (CYD) and who are placed under the supervision of juvenile court, interim probation (deferred delinquent adjudication), consent decree, adjudicated delinquent and placed on probation, or adjudicated delinquent and placed in a delinquent setting require continued planning from both CYD and the JPO **as long as** child protection, child welfare, or dependency issues remain.

- These youth have a delinquent order requiring Shared Case Responsibility whether or not they are also adjudicated dependent, are otherwise involved in dependent court with a deferred dependent adjudication, or whose families are voluntarily receiving in-home services without court involvement.
- DHS shares in planning for arrested youth with whom they are involved in the same manner as they would for youth who have not been arrested, unless relieved of shared responsibility by the Court.

DHS Workers or DHS Court Representatives must appear for Delinquent Court hearings along with the JPO.

The sections below outline responsibilities based on factors that may be applicable to a case.

Initial JPO and DHS Collaboration

THERE IS CURRENT CYD INVOLVEMENT and youth are arrested:

- Whenever families have current DHS involvement and youth from those families are arrested, DHS will continue to serve the family and youth through the delinquent hearing process and, thereafter as long as child protection, child welfare, or dependency issues remain.
- The JJS Delinquent/Dependent Unit serves as the liaison between CYD and the JPO and informs each of the responsible chains of command.
 - DHS Workers and JPOs are responsible for contacting each other in these instances.
 - JPOs and DHS Workers must share information regarding the youth, the family, and the services being provided, or planned, and collaborate with other interested parties regarding appropriate planning for the arrested youth.
- If arrested youth are subsequently adjudicated delinquent and placed on probation, or otherwise placed under the supervision of the JPO (i.e. Crossover Court, interim probation, consent decree):
 - JPOs and DHS Workers, along with other interested parties, collaborate on assessment, planning and making recommendations to the Court regarding the most appropriate disposition for the youth. This will require a face to face meeting. This meeting can be used to develop the Family Service Plan (FSP) or used to as an opportunity to revise other necessary documents required by law or regulation.
 - If the Court orders delinquent placement:
 - JPOs are responsible for securing the placement.
 - DHS Workers, along with all parties including the JPO, schedule a meeting within the required timeframe to prepare a Family Service Plan (FSP) and Child Permanency Plan (CPP).
 - JJS Billing Unit processes payments for the placement and works collaboratively with the JJS Managed Care Unit which ensures that medical insurance is secured.
 - If the Court places the youth on probation or defers adjudication and allows the youth to remain at home or in **dependent** placement:
 - JPOs are responsible for monitoring the youth and their compliance with the court ordered terms of the probation and the Single Plan.
 - DHS Workers include the terms of probation for the youth in the FSP (and CPP if the youth is in dependent placement), ensure that Providers are providing services to assist the youth with the terms of probation, and monitor their compliance with those terms.
- **At no time will DHS CYD close a case or youth on a case simply because they were adjudicated delinquent.**

THERE IS NO CURRENT CYD INVOLVEMENT and youth have been adjudicated delinquent or otherwise placed under the supervision of the JPO and:

- In the course of the JPO's case management of the youth, they monitor the youth's home situation. If at any point JPOs determine that there is suspicion that child protection, child welfare, or dependency issues have surfaced with the family or the youth, they will report these to the DHS Hotline.
 - It is critical that the JPO pay particular attention to these issues when planning for discharge. Required reports must be made to the DHS Hotline (215-683-6100) as soon as the JPO suspects child protection, child welfare, or dependency issues. The JPO should also call Childline at 1-800-932-0313. DHS will make an assessment as to whether the report will be accepted for investigation or assessment.

- DHS Hotline Workers use Hotline Guided Decision Making to determine whether a report will be accepted for investigation or diverted to Community Based Prevention Services (CBPS). Careful consideration must be made by Hotline Workers to determine if CYD intervention **will be necessary upon the youth's discharge**, not simply whether they are needed during the delinquent placement.
 - All reports not accepted for investigation are referred to CBPS.
- If the report is accepted for investigation, the assigned DHS Worker will complete an assessment of the youth and family and collaborate with the JPO as mandated.

Ongoing DHS and JPO Collaboration and Coordinated Supervision

Youth are adjudicated delinquent and PLACED IN A DELINQUENT SETTING:

- Case plan consultation between the JPO and DHS is required **whenever** there is shared responsibility for youth in delinquent placement.
 - At no time will DHS close a case with which they are involved when youth have been adjudicated delinquent and placed in a delinquent placement unless the Court has specifically relieved DHS of continued responsibility. The case cannot be closed while a dual adjudication or SCR Order is in place.
- An SCR Order cannot be withdrawn solely based on the type of placement setting. If there was a service need prior to the delinquency adjudication and that service need remains, then DHS and the JPO will provide services to youth and the family as long as they are necessary.
- After required collaboration between JPOs and DHS Workers, an updated Single Plan, FSP, and CPP are developed and must reflect joint case planning. These documents must be developed within the required timeframes.
- Continued collaboration and planning between JPOs and DHS Workers is essential to ensure that services are being provided appropriately and objectives are being met.
- JPO are required to visit youth in delinquent placement within the first thirty days of placement and every other month thereafter. According to DPW Bulletin 3490-08-05, Frequency and Tracking of Caseworker Visits to Children, the JPO visit can serve as the quality visit for DHS Workers. The JPO is required to share information regarding this visit with the assigned DHS Worker. The DHS Worker must ensure that this information is documented in ECMS.
- The DHS Worker must visit the youth in delinquent placement beginning in the child's second month of placement and every other month thereafter. The DHS Worker must share information about the visit with the JPO. In addition, DHS workers must document the visitation in ECMS.
- The current **and anticipated** needs of youth determine the continuation or discontinuation of SCR. If either DHS or JPO seek to change the status, each party must inform the other and be present at the court hearing during which the request is made.
 - Both the JPO and DHS must discuss with their respective chain of command the reason for the request. Information documenting the request must be in the case records for both JPO and DHS.

Youth are adjudicated delinquent or the delinquent adjudication is deferred or they are otherwise placed under the supervision of the JPO AND REMAIN AT HOME:

- Whenever families have current DHS involvement and youth from those families are arrested, DHS will continue to serve the family and youth through the delinquent hearing

process and, depending on the disposition, thereafter as long as child protection, child welfare, or dependency issues remain.

- After required collaboration between JPOs and DHS Workers, the Single Plan, and FSP are developed and must reflect joint case planning. Both documents must be developed within the required timeframes.
- Continued collaboration and planning between JPO and DHS Workers is essential to ensure that services are being provided appropriately and objectives are being met.
- If there is no specific order for CYD involvement for youth on probation, the case may be closed after consultation with the JPO as long as child protection, child welfare, or dependency issues have been resolved.
 - If the conditions of the probation are not being met and the JPO is considering placement, DHS may not close the case until the next Delinquent Court hearing. If that hearing results in the youth being placed in a delinquent placement, the youth becomes SCR and CYD remains involved.

Youth are adjudicated delinquent or the delinquent adjudication is deferred, or youth are otherwise placed under the supervision of the JPO AND ARE IN DEPENDENT PLACEMENT:

- After required collaboration between JPOs and DHS Workers, the Single Plan, FSP, and the CPP are developed within the required timeframes and must reflect joint case planning.
- Continued collaboration and planning between JPOs and DHS Workers is essential to ensure that services are being provided appropriately and objectives are being met.
- DHS Workers are required to visit, on a monthly basis, all youth in dependent placement for whom there is shared responsibility.
 - JPOs are not required to visit youth who are in dependent settings. However, JPOs are required to maintain regular and consistent telephone contact, not less than once monthly, with the assigned DHS Worker for updates on the youth's progress while the youth is residing in a dependent setting. The JPO and DHS Worker are required to collaborate regarding the youth's progress and collaboration around additional needed resources. Discharge planning must take into consideration the youth's and family's strengths, family dynamics, physical and emotional health, educational needs, rehabilitation efforts, and prospects for successful reintegration into the community.
- These youth may be either dually adjudicated or adjudicated dependent with a deferred delinquent adjudication. The case remains open with CYD as long as there is dependent court involvement.

JJS Delinquent/Dependent Unit

This unit reviews all youth arrested in order to determine whether they or their families are or have been involved with CYD.

When youth are arrested and there is no current CYD involvement:

- The JJS Delinquent/Dependent Unit notifies the JPO regarding any arrested youth whose family had recent prior CYD activity. This means the family received CYD services or was the subject of CPS investigations which were indicated, or GPS assessments with findings present within the last 2 years. JPOs must take this information under consideration during their assessment of newly arrested youth and their family.
 - If there is suspicion that child protection, child welfare, or dependency issues exist with the youth or the family, JPOs, as mandated reporters, will make a report to the DHS Hotline.

- o DHS Hotline Workers use the Hotline Guided Decision Making process to determine whether the report is accepted for investigation or diverted to Community Based Prevention Services (CBPS).
 - All reports not accepted for investigation are referred to CBPS.

When youth are arrested and there is current DHS involvement:

- JJS Delinquent/Dependent Unit contacts the DHS chain of command, via e-mail, informing them the youth has been arrested, the nature of the arrest, the JPO's name and contact information, and the next delinquent court date.
- JJS Delinquent/Dependent Unit contacts the JPO chain of command, via e-mail informing them of the DHS chain of command, their contact information, and the nature of the DHS involvement.
- DHS Workers are expected to contact and collaborate with JPO as soon as possible in advance of the next delinquent court date to discuss information gathering to lay a foundation for joint assessment and case planning.

JJS Billing Unit

- This unit is responsible for processing payments to providers for delinquent services whether youth are shared responsibility or not.
 - The JJS Delinquent/Dependent Unit helps facilitate ascertaining whether the case is an SCR.

JJS Managed Care Unit and the Finance Medical Eligibility Unit

- These units collaborate in securing medical coverage for youth placed in delinquent settings particularly when needed on an emergency basis.

Definitions:

Adjudicated Dependent – in response to a petition filed, the Court makes a determination that children or youth are dependent based on the provisions of the Juvenile Act, or abused, based on the provisions of the Child Protective Services Act.

Adjudicated Delinquent – in response to a petition filed by the District Attorney, the Court makes a determination that the allegations regarding the delinquent act are true (found guilty), and that the youth is in need of treatment, rehabilitation, or supervision (delinquent).

Consent Decree Probation Supervision – an agreement by parties to a non-adjudicatory, six month supervision of the youth by JPO under specific conditions.

Crossover Court - a special Court within Family Court for youth with dependent issues on whom delinquent petitions filed are also filed. Meeting these criteria, and based on the nature of the charges, the Philadelphia District Attorney's Office selects youth to participate in Crossover Court.

Dual Adjudication - refers to youth adjudicated both dependent and delinquent.

Residential Services Unit (RSU) - refers to JPO's assigned to youth who are committed by the Court to delinquent residential facilities, whereas the supervision of these youth is transferred to the RSU from the geographical (regular) probation units. JPO's in the RSU are assigned to specific facilities such as St. Gabriel's, Abraxas, and Vision Quest long term programs, Glen Mills, Summit Academy, George Jr. and state governed residential facilities.

Shared Case Responsibility (SCR) – pertains to the joint planning, case management and service provision for youth and their families who meet one of the following criteria:

- The youth is adjudicated dependent and subsequently arrested and adjudicated delinquent and whose dependency issues still remain.
- A family is receiving voluntary CYD services, and a youth in that family is arrested and adjudicated delinquent.
- Arrested youth who are adjudicated delinquent who themselves or within their family have child protection, child welfare, or dependency issues identified by the JPO requiring DHS intervention.

Shared Case Responsibility Order (SCRO) – This language is required on all Delinquent Orders when youth are adjudicated delinquent and committed to a **delinquent** placement setting and child welfare or dependency issues remain with the youth or family. The youth may or may not have a dependency adjudication. The order reflects that planning responsibilities are with both the DHS Worker and the JPO until such time that either or both are discharged.

Special Offender Unit (SOU) – refers to JPOs assigned to youth who are committed by the Court to residential treatment facilities (RTF) for serious behavioral health or sex offender issues, whereas the supervision of these youth are transferred to the SOU from geographical or RSU probation units.

Procedure and Practice Considerations

For new DHS investigations:

- *DHS Workers review the case history of the family in FACTS to determine if there is current delinquent activity or services. If such activity is present, the DHS Worker contacts the JPO to get additional information.*
 - *The JJS Delinquent/Dependent Unit can assist with providing names and phone numbers for the JPO.*
 - *If the family is accepted for CYD services and the youth is on probation, the probation requirements must be included in the FSP.*
 - *There is an automatic SCR Order if the youth is adjudicated delinquent unless there is an open petition in Dependent Court and the youth has been adjudicated dependent (Dual Adjudication).*
 - *JPO's and DHS Workers are to establish joint planning meetings, to share social history, evaluations, and case plans. Both parties communicate monthly and meet face to face at least every six months, or as needed, for the duration of SCR Order or Dual Adjudication. All communications should be document by the DHS worker in ECMS.*

For families active with CYD and youth are arrested:

- *The JJS Delinquent/Dependent Unit serves to facilitate communication between DHS Workers and JPOs.*
 - *The case remains open at least until the next delinquent court hearing.*
 - *DHS and JPO must conference the case prior to any court hearing to discuss planning for the youth in the event there is a finding of guilt and an adjudication, or other court ordered JPO supervision. This discussion must include what is in the best interest of the youth, including possible probation requirements, whether placement is warranted, current DHS services for the youth and the family, etc.*

When JPOs believe supervised youth may require child protection, child welfare, or dependent services:

- *The JPO calls the DHS Hotline. If an investigation has been initiated the Hotline Worker will inform the JPO.*
- *If the case is accepted for investigation, DHS Intake Workers must contact the assigned JPO to collaborate during the assessment.*
 - *The case remains open at least until the next delinquent court hearing. DHS and JPO must conference the case prior to any court hearing to discuss continued planning for the youth.*
 - *JPO and DHS discuss what is in the best interest of the youth. This includes, but is not limited to, current probation requirements or placement and the JPO services the youth and family are currently receiving, if applicable. Or, the nature of the current JPO involvement and planning if a new arrest.*
 - *If there are child protections, child welfare, or dependency issues with the youth or within the*

family, the family is accepted for CYD services no matter what the outcome of the delinquent proceedings.

When youth are placed as a dependent, but under the supervision of the JPO:

- The JPO updates the DHS Worker every one to three months until the delinquent petition is discharged.
- DHS Workers invite the JPO along with all other relevant parties to the CCP meeting.
- There should be collaboration between the DHS Workers and JPOs prior to scheduled court hearings to discuss what is in the best interest of the youth and continued appropriate planning particularly around discharge.

The JJS Delinquent/Dependent Unit notifies the DHS and JPO chains of command regarding the arrest and shares all available information.

The JJS Billing Unit processes the 85-29, and forwards a date stamped copy to the DHS Worker, via inter-office mail if the youth are placed in a delinquent setting.

JJS Billing Unit:

- Retrieves delinquent court orders from Family Court.
- Processes payments (85/29's) for the Providers.
 - Forwards a copy of the payment authorization and the delinquent court order to assigned DHS Workers when the case is open with CYD and there is shared responsibility.
- Forwards necessary information to the JJS Medical Eligibility Unit so that medical coverage can be secured.

DHS staff: if you have any questions, they can be addressed to the following people:

Policy:

Janice Jervay, Policy and Planning Administrator	215-683-4115
Rosemarie Reid, Policy and Planning Analyst	215-683-4106

JJS Delinquent/Dependent Unit:	Belinda Moody, Supervisor	215-683-4218
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JJS Billing Unit:	Cheri Bush, Supervisor	215-683-4272
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JPO staff: if you have any questions, they can be addressed to the following people:

James King, Acting Chief Probation Officer	215-686-4050
Lynn Roman, Deputy Director	215-686-8329
Bennie Price, Deputy Director	215-686-7732
Gwen Chavers, Deputy Director	215-686-7430
Faustino Castro-Jimenez, Deputy Director	215-686-4035