

**DIVISION OF CHILDREN AND FAMILY SERVICES
ADMINISTRATIVE MEMO #11-2010**

Date: October 28, 2010

To: Children and Family Services Specialists, Supervisors, Administrators and Service Area Administrators

From: Ed Matney, Administrator *Ed Matney by CX*
CFS Policy Section
Division of Children and Family Services

Approved by: Todd L. Reckling, Director *Todd L. Reckling*
Division of Children and Family Services

Re: CFS Child Abuse and Neglect Intakes, Cross Jurisdiction Situations

Effective Date: Immediately

Duration: Until Revised

Contact: Suzanne Schied, CFS Program Coordinator, Children and Family Services, Policy Section at suzanne.schied@nebraska.gov or 402-471-9245
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Introduction and Background:

The Nebraska Safety Intervention System was introduced in 2007 and fully implemented in March 2008. NSIS focuses on comprehensive safety assessment for children and their families. Because the emphasis of the assessment has changed from focus on a specific incident of maltreatment, to a comprehensive determination of child safety, it is necessary to clarify how Child and Family Services will respond in situations crossing state lines and service area jurisdictions.

Intake reports may be received about children and families who are living in another state, or may be received about incidents that occurred in another state, although the children and family live in Nebraska.

Process:

Intake reports will be processed as follows:

1. **Family Residence Nebraska/Incident Location Another State:** The Intake report will be entered on N-FOCUS and screened as if the incident occurred in Nebraska. Although there cannot be criminal prosecution in Nebraska on an incident that occurred out of the state, the ongoing safety of the child is Nebraska's responsibility. If the Intake report meets screening criteria, it will be accepted for safety assessment.

2. **Family and Perpetrator Reside in Another State/Incident Location Nebraska:** The Intake report will be classified as a CAN report and closed as Law Enforcement. The Intake will be

forwarded to the local child protective services agency in the state where the child and family live.

3. **Family Residence Nebraska/Incident Location in Another Service Area:** If the Intake is accepted for assessment, the safety assessment will be assigned for completion by the service area where the child and family live. Because the focus of the safety assessment is on child safety and overall family functioning, instead of the specific incident of alleged child abuse or neglect, it is necessary to complete the assessment where the most information is available. Staff located where the incident occurred or where the child is placed, (for example, a hospital) will provide courtesy assistance with interviews, gathering law enforcement reports, etc. as appropriate. The CFS Specialist who completes courtesy interviews will document the information collected into the domains of the safety assessment as applicable.

However, in the case where the child has two parental homes, one custodial and one non-custodial, each in different service areas, and one parent is alleged to be the perpetrator of maltreatment and the intake is accepted for safety assessment, the safety assessment will be assigned to the area of the residence of the alleged maltreating parent. To be able to complete a comprehensive determination of child safety, it is necessary to have a CFS Specialist respond and be able to implement a safety plan in the area in which the safety threat exists.

4. **Family Changes Residence From One Service Area to Another:** Prior to completion of the safety assessment, the two service areas will work cooperatively to complete the assessment. If the family moves before the assessment is begun, the safety assessment will be completed by the service area in which the family currently lives.

If there is an *open ongoing case* in one service area prior to the receipt of a new CAN intake, and the family moves to another service area, the new CAN assessment will be completed in the service area where the family lives. This "rule" applies to open OJS cases also, unless the permanency objective is independent living.

Courtesy Interviews: When asked to complete courtesy interviews, the CFS Specialist will gather information needed to complete the overall safety assessment and will enter the documentation into the domains of the safety assessment.

Current policy requires that case management occur in the service area where the family lives, and the case should be transferred to the correct service area as soon as the Department is informed about the family's move.

5. **Child Visiting in Another State When an Incident Occurred:** If that state requests a courtesy interview to assist with an investigation in the other state, the report will be entered as Information Only, and assigned to the local office nearest the child to complete the courtesy interviews, unless there is information that the Nebraska parent will not protect the child.

6. **Incident Reported While Child Visiting in Another State:** The Intake report will be entered and screened as any other Intake if the alleged incident occurred in Nebraska, and the child and alleged perpetrator reside in Nebraska.

7. **One Parent Lives in Nebraska and the Other Parent Living in Another State Allege Maltreatment Against Each Other:** This may require both states to investigate and assess the situation with the children as they move back and forth or are in the opposing state for visitation. In these situations, Nebraska will share assessments and investigative reports with the CPS

agency in the other state, and request copies of the other state's assessment and investigative reports, so that as much information as possible about the children's situation is known to both states.

These protocols cannot cover every possible case circumstance. It is understood that CFS Administrators will work together to decide the most appropriate office to respond to reports of abuse or neglect in some situations.