

CHAPTER VII

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PROTECTIVE SERVICES FOR CHILDREN

I. Introduction and Legal Base

The duty and responsibility of the Department of Pensions and Security to protect children has been authorized by Alabama law since the Department was first established. Some of these duties were earlier included in the statutes which created the Alabama Child Welfare Department.

Title 49, Section 17 (7), Item (10), Code of Alabama 1940, recompiled as amended, provides that it shall be the duty and responsibility of the Department of Pensions and Security to seek out, through investigation, complaints from citizens, or otherwise, the minor children in the State who are in need of its care and protection and shall, as far as possible, through existing agencies, public or private, or through such other resources, aid such children to a fair opportunity in life.

Acts of Alabama 1975 (Regular Session) Act No. 1205, Article 5, "Juvenile Proceedings" provides for procedures for referrals of complaints and allegations of dependency to the Department of Pensions and Security for investigation, reports, and recommendations and procedures whereby children may be committed to the care of the Department.

Other State and Federal laws mandate, authorize, or assist the Department in implementing the duty to provide protection to children. For example, the Aid to Dependent Children program authorized by the Social Security Act and Alabama Statutes is a major means of protecting children, preventing neglect, and preserving a child's home life. Acts of Alabama 1971 (3rd Special Session), Act No. 174, The Child Care Act of 1971, which places responsibility on the Department to license or approve certain child care facilities, is an important measure in preventing neglect and exploitation.

Title IV-B, Child Welfare Services of the Social Security Act, which provides an annual allocation of funds to the Department has a protective feature as stated in the Act. One of the purposes of such funds is to prevent, remedy, or assist with problems which may result in neglect and to protect and care for children.

Act No. 1124, passed by the 1975 Regular Session of the Alabama Legislature, amends and reenacts the previous Child Abuse Act No. 563, Acts of Alabama 1965 (Regular Session), as amended by Act No. 725, Acts of Alabama 1967, now codified as Title 27, Sections (21-25). Provision is made in this statute for the mandatory reporting to the Department, police, or sheriff, by physicians, medical institutions, and others of suspected child abuse and neglect, for permissive reporting of child abuse and neglect by persons not mandated to report, and for exemption of those reporting from any liability, civil or criminal, that might otherwise be incurred or imposed for reporting. Public Law 93-247, The Child Abuse Prevention and Treatment Act, passed by Congress in 1974, makes funds available to combat child abuse and neglect to states meeting specified criteria. Act No. 1124 brings the Alabama Statutes into compliance with requirements of the Federal Act.

Many of the services described in the Family and Children's Services Manual may be directed toward the goal of prevention of neglect and rehabilitation of families. For example: counseling related to child rearing may be highly important in rehabilitating a parent who abuses; the provision of day care to prevent neglect; and foster care to provide protection and care. All family and children's service programs administered by the Department have elements of protective services for children. Because of the serious jeopardy which may occur for children in immediate danger and the highly significant importance of preventing future hazards for children, it is important to define specific activities and services which are essential to surround children with every protection possible. For this purpose many public and voluntary programs consider protective services as including those specialized services which carry a legally delegated authority and responsibility to identify children, receive reports, and make investigations concerning children who may be in danger or subject to neglect, abuse or exploitation.

Protective services to children are based on the conviction that the primary responsibility for the protection of children rests with their parents and recognizes the basic need of a child to belong to a family. As phrased in the first White House Conference on Children in 1909: "Home life is the highest and finest product of our civilization....Children should not be deprived of it except for urgent and compelling reasons". It is the goal of protective services to prevent or remedy abuse, neglect, or exploitation of children and preserve, rehabilitate, or reunite families. Recognition is given, however, to the fact that "urgent and compelling reasons" do exist in some homes and that all children cannot and should not remain with their parents in certain hazardous conditions.

The material included in this chapter is related to protective services as defined in the Alabama Department of Pensions and Security Comprehensive Annual Services Program Plan Under Title XX of the Social Security Act. Title XX of the Social Security Act makes it possible for such services to be provided ADC recipients, SSI recipients, income eligibles and all children and their families without regard to income when the situation and services offered are characterized as meeting definitions outlined below.

Title XX Protective Services Defined

Protective services are directed toward preventing or remedying abuse, neglect, or exploitation of children under the age of 18 years unable to protect their own interests, or harmed or threatened with harm by a person responsible for the individual's health or welfare (and for runaways) through: (1) non-accidental physical or mental injury; (2) sexual abuse; (3) or negligent treatment or maltreatment including the failure to provide adequate food, medical treatment, clothing or shelter.

Services include: Identifying children in need of protection, receiving child abuse and neglect reports, making reports to the Central Registry, investigating complaints or reports, diagnosing, making reports to courts having juvenile court jurisdiction, providing casework services, supervision of child in home of parents or relatives, arranging protective placement, arranging medical care, making use of community resources, including training for parents and providing

shelter care including clothing when shelter care is provided in a purchase of service contract. Shelter (and clothing and transportation under a purchase of service contract) is limited to 30 days WRTI in any six months period.

In combination with these services certain other services included in the Title XX Plan may be provided without regard to income when used to prevent or remedy abuse, neglect or exploitation of the individuals receiving protective services for children. These services are: homemaker services for children (limited to 30 days WRTI in any six months period), residential care for alcoholics (limited to 30 days WRTI in any six months period), legal services, diagnostic and evaluative services, and mental health counseling.

These services may be delivered directly or by purchase from either public or private resources. Protective Services for Children are directed to the following Title XX goal:

- Goal 3. Preventing or remedying neglect, abuse, or exploitation of children and adults unable to protect their own interests; or preserving, rehabilitating, or reuniting families.

II. Protective Services as Specialized Social Services

These services are provided in response to complaints and reports from all sectors of the community. When children are being harmed physically or emotionally by the conduct of their caretakers, whether willfully or otherwise, the Department has the responsibility to attempt to correct the abuse or neglect.

When complaints or reports are received, the county department has the duty and responsibility to study the complaint or report and:

1. evaluate the extent to which children are being harmed;
2. evaluate the parents' capacity to use help to improve the situation;
3. provide the supportive services needed to better the family's situation for children; and
4. when parents are unable to use this help, invoke the legal authority of the court by petition and secure adequate protection, care, and treatment for children whenever necessary to meet their needs and rights.

The Juvenile Court Statute under which the Juvenile Court Judges predominately operate is Act No 1205, Article 5, Sections 5-101-152. These sections provide that the Juvenile Court has jurisdiction over dependent children, including abandoned children; medically neglected children; children whose parents do not send them to school; children who are engaged in an occupation contrary to the child labor laws, etc.

Act No. 1205, Section 5-101 (j), Paragraphs (1) through (14) defines "dependent child". However, paragraphs numbered (4), (6), and (7) must not be used by the Department as valid definitions of a dependent child in preparing petitions. The language in these paragraphs is identical to that included in the definition of "neglect" in the former judicial court statute, Title 13, Section 350 (2). In a 1976 decision, the U. S. District Court for the Middle District of Alabama enjoined the Department of Pensions and Security from "enforcing the standards of 'neglect' found in the Alabama Code, Title 13, Section 350 (2) insofar as the statute permits removal of a child from parental custody in the absence of a showing of physical or emotional harm to the child". Excluding paragraphs (4), (6), and (7), a "dependent child" is defined in Act No. 1205, Section 5-101 (j) as a child:

- ___who, for any reason, is destitute, homeless, or dependent on the public for support; or
- ___who is without a parent or guardian able to provide for his support, training, or education; or
- ___whose custody is the subject of controversy; or
- ___whose parent, parents, guardian, or other custodian neglects or refuses, when able to do so or when such service is offered without charge, to provide or allow medical, surgical or other care necessary for such child's health or well-being; or
- ___whose parent, parents, guardian or custodian fail, refuse or neglect to send such child to school in accordance with the terms of the compulsory school attendance laws of this state; or
- ___who has been abandoned by his parents, guardian or other custodian; or
- ___who is physically, mentally, or emotionally abused by his parents, guardian or other custodian or who is without proper parental care and control necessary for his well-being because the faults or habits of his parents, guardian or other custodian or their neglect or refusal, when able to do so, to provide them; or
- ___whose parents, guardian or other custodian are unable to discharge their responsibilities to and for the child; or
- ___who has been placed for care or adoption in violation of the law; or
- ___who for any other cause is in need of the care and protection of the state; and
- ___in any of the foregoing is in need of care or supervision.

Children who meet these definitions come under the protection of the juvenile court system established by this Act. These conditions, however, also must be construed as requiring the child's being subjected to real physical or emotional harm.

For the purposes of reporting cases of suspected child abuse and/or neglect, Act No. 1124 gives the following specific definitions:

"Abuse", as defined in Act No. 1124, means harm or threatened harm to a child's health or welfare, which occurs through non-accidental physical or mental injury, sexual abuse, or attempted sexual abuse. Act No. 1124 defines a "child" as a person under the age of eighteen.

Physical abuse can take the form of extreme injuries, such as subdural hematoma, which could result in death or brain damage, multiple fractures, and internal injuries to vital organs; or seemingly less extreme injuries, such as bruises, cuts, or black eyes. These are the injuries usually resulting

from sharp blows or tossing, hurling actions. Burning is another form of abuse. Burns often result from cigarettes, scalding water, or pressing hands, buttocks or feet to hot surfaces. Failure to thrive in infants can be abuse when the condition results from the deliberate withholding of food or care from the child. Sexual abuse can take the form of sex play, rape, exhibitionism, incest, or use for prostitution.

Exploitation of children is closely related to abuse. The exploited child is one who is forced to overwork, beg, steal, engage in prostitution, or commit other unlawful acts.

Mental injury is referred to in Act No. 1124 but not specifically defined. For determination and reporting purposes, the Department's definition of mental injury is emotional disturbance in children due to continuous friction in the home, marital discord, exposure to harsh and degrading criticism or the presence of mentally ill (psychotic) parents.

"Neglect", as defined in Act No. 1124, means negligent treatment or maltreatment of a child under 18 years of age. Such negligent treatment or maltreatment include the failure to provide adequate food, medical treatment, clothing, or shelter. Conditions that might indicate possible neglect are lack of care; denial of normal experiences that produce feelings of being loved, wanted, secure, and worthy (emotional neglect); consistent failure to provide an opportunity for education; and exposure to unwholesome and demoralizing circumstances. These may include a home environment where there is evidence of severe alcoholism, prostitution, criminal activity, drug addiction, or other illegal activity. Act No. 1124 defines the failure

to provide medical treatment as neglect, provided that the parents or guardian legitimately practicing his religious beliefs who thereby does not provide specified medical treatment for a child is not, for that reason alone, to be considered a negligent parent or guardian. Such an exception, however, does not preclude a court from ordering that medical services be provided to the child where his health requires it.

Some distinctive characteristics of protective services in abuse/neglect cases are:

1. The request or referral for protective services ordinarily comes from someone other than the parents in the form of a report of apparent neglect or abuse.
2. The parents may be unaware of what is happening to the child or may be unable or unwilling to ask for help though they know they need it.
3. The services have to be initiated by the Department as an "advocate" of the child who is allegedly abused or neglected because this is a mandated responsibility of the Department.
4. Community interest in the problem of abuse and neglect is such that action will be demanded.
5. Although the parent may accept or reject the casework help that is offered to them, the County Department must continue services to the child until he is receiving proper care either at home or elsewhere.

III. Intake in Protective Services

Intake begins when a report or complaint of abuse and/or neglect is received by the County Department. It is inherent in the responsibility for protecting children to initiate prompt and effective action. Services must be initiated immediately when a child is reported to be in danger.

A. Reports or Complaints of Abuse/Neglect

Act No. 1124 provides for both mandatory and permissive reporting of child abuse and neglect. Persons who are mandated by law to report any suspected cases are: medical personnel, school personnel, law enforcement officials, social workers, day care personnel, mental health personnel, and any other person called upon to render aid or medical assistance to a child suspected of being abused or neglected. The law also provides for permissive reporting from any person who has reasonable cause to suspect abuse or neglect of a child. Both groups are provided immunity in the law from any liability, civil or criminal, that might otherwise be incurred or imposed.

In Alabama, reports are received by a duly constituted authority which is defined in the law to mean: 1) the chief of police of a city or city and county; 2) the sheriff, if the observation of child abuse or neglect is made in an unincorporated territory; 3) the Department of Pensions and Security; or 4) any person, persons, organization

corporation, group, or agency authorized and designated by the Department of Pensions and Security to receive such reports. However, no agency may be designated as a duly constituted authority when the circumstances of the complaint or report directly involves that agency. When a report is made to a law enforcement official, such official subsequently is required to inform the County Department of Pensions and Security of the report so that the Department can carry out its responsibility to provide protective services to the respective child or children.

Frequently, complaints and reports will be received from persons who wish to remain anonymous. When such reports are received, they should be accepted for prompt investigation. In most cases, an anonymous complainant can be helped to reveal more information if the worker explains the Department's policies regarding investigation of complaints. The worker should explain that the parents will be approached in a positive and helping manner and only action in the child's best interest will be taken.

1. Mandatory Reporting

Persons and institutions specifically identified by Act No. 1124 as required to report are as follows: all hospitals, clinics, sanitariums, doctors, physicians, surgeons, medical examiners, coroners, dentists, osteopaths, optometrists, chiropractors, podiatrists, nurses, school teachers and officials, peace officers, law enforcement officials, pharmacists, social workers, day care workers or employees, mental health professionals or any other person called upon to render aid or medical assistance to any child when such child is known or suspected to be a victim of child abuse or neglect. Act No. 1124 also provides that any person who shall knowingly fail to make the report required by the Act shall be guilty of a misdemeanor and shall be punished by a sentence of not more than six months or a fine of not more than \$500.00.

Because child abuse and neglect are problems which must be approached with assistance from many different disciplines, effective communication, coordination, and cooperation among all community resources are essential. The County Department has the responsibility to persons and institutions mandated to report to inform them of this responsibility, provide them with reporting forms and instructions, and acquaint them with the protective services available. Prompt response to reports referred by these persons and institutions and sharing information as to the Department's decision on the referral are important components in maintaining a cooperative relationship. Child abuse reports from physicians and hospitals are to be accepted as sufficient basis for immediate investigation.

2. Permissive Reporting

In addition to those persons and institutions mandated to report child abuse and neglect, Act No. 1124 provides that any person may make such a report if that person has reasonable cause to suspect that a child is being abused or neglected. Examples of persons who might make such reports are:

- a. A relative - Relatives are usually emotionally involved in the situations they report and sometimes unable to be objective. The worker should focus on factual content rather than the emotions expressed in evaluating the report. The emotional investment these persons have in the situation possibly may be utilized in future planning.
- b. A parent - This person may be a parent living in the home who is concerned about a condition existing in the family involving the other spouse or an estranged parent who is concerned about the actions of the parent who is caretaker or custodian. As with relative reports, these reports need careful evaluation to determine the factual content.
- c. A private citizen - This person may be a neighbor, friend of the family, or otherwise concerned observer of the conditions being reported. However, these reports can sometimes be of malicious intent and such factors need careful evaluation.
- d. The child himself - A child can report his parents for abuse/neglect. This is sometimes true in allegations of sexual abuse in which a daughter will report her father for sexual advances. These reports also can sometimes be of malicious intent and such factors need careful evaluation.

In evaluating reports, as much identifying information should be obtained from any complainant as possible. This includes the name of the child, his whereabouts, the names and addresses of the parents, guardians, or caretaker, the character and extent of the child's injuries and perpetrator (s), if known. Factors to be considered are sources of the complainant's information and the complainant's motivation.

It is the responsibility of the worker to initiate service immediately and validate the complaint. The worker may come to a fairly accurate assessment of the situation in the initial contact. The case may be cleared in the State Department Central Registry if the County Department has reason to believe the child has been reported previously in a different location.

B. Intake Process

1. Reporting to the Central Registry

Act No. 1124 provides for the establishment of a statewide Central Registry for reports of child abuse and neglect by the State Department of Pensions and Security. Each County Department will establish and maintain a county registry which will contain the same information submitted to the Central Registry.

The Central Registry will include: (a) all information in the written report; (b) record of the final disposition of the report, including services offered and services accepted; (c) the names and identifying data, dates, and circumstances of any persons requesting or

receiving information from the registry; (d) the plan for rehabilitative treatment; and (e) any other information which might be helpful in protecting children from abuse and neglect.

The Central Registry provides a system for receiving and analyzing data for: 1) identifying instances of repeated incidents of abuse/neglect with a particular child and/or perpetrator; 2) sharing pertinent information with authorized persons and agencies; 3) collecting statistical information needed for program planning; 4) assessing County Department needs such as staff allocations and training; and 5) storing information in a data bank for research purposes.

The Central Registry can assist the County Department in clearing children through the Central Registries in other states. If the County Department has reason to believe that a child known to them has been reported for child abuse/neglect in another state, a request can be made of the Central Registry in the Bureau of Family and Children's Services to clear this child through the appropriate state's registry. Our Central Registry will reciprocate with other states in the release of information to them on children reported as abused/neglected in Alabama. The cooperation of the County Departments in promptly submitting PSD-159's on all cases of child abuse/neglect reported to them will ensure the effectiveness of this aspect of the Central Registry.

The procedure for the transmittal of reports from the County Department to the Central Registry is as follows:

- a. Immediately upon receipt of a suspected child abuse or neglect referral, the County Department will ask persons making the report to complete and sign PSD-159, Report on Suspected Case of Child Abuse/Neglect, (Revised 1976), in duplicate. (Refer to Forms and Instructions) If they refuse, the County Department has responsibility for completing this form in duplicate with as much information as has been secured. Any type of written statement or report obtained from the person is to be attached. From the information secured on the PSD-159, (Revised 1976), the County Department is to complete a County Registry Card, PSD- 317 , (Refer to Forms and Instructions), to be filed in the county registry. The original copy of PSD-159, (Revised 1976), is submitted to the Bureau of Family and Children's Services for entry into the Central Registry.
- b. The Central Registry will be checked for previous reports on the family and the County Department will be notified if any previous reports appear.
- c. Within 30 days after initial intake and transmittal of PSD-159 (Revised 1976), a written report of the investigation shall be submitted to the Central Registry. Act No. 1124 provides that the County Department of Pensions and Security shall make a complete written report of the investigation, together with its recommendations. This report will include:

- (1) the source of the report and how it reached the Department;
- (2) initial action taken;
- (3) persons interviewed and findings (including workers' observations which must be specific, clear, and accurately descriptive of the situation);
- (4) results of the investigation and recommendations (the assessment of the worker and what is recommended should be done);
- (5) the plan for rehabilitative treatment (the case plan with short and long term goals - including services offered and accepted); and
- (6) the final disposition (the court's findings, the Department's decision regarding ongoing services or termination of services).

A copy of the narrative material can constitute this written report if all these elements are included in the recording.

2. The County Registry and Child Abuse/Neglect File

A. The County Registry

The county registry will consist of a separately maintained file containing a folder on each child for whom there is a report of abuse/neglect received in the County Department. A county registry card, PSD- 317 , will be prepared on each child and will be filed in alphabetical order in a separate card file set up for this purpose. The first report on a child will be so designated by writing "FIRST" in the upper right hand corner of the card. If subsequent reports of other incidents are received on the same child, an additional card for each incident shall be prepared and attached to the back of the first card. The county's master card index file of case records containing any other information on the child and family will indicate a cross reference to the county registry on child abuse/neglect.

Act No. 1124 provides that the registry shall contain the names, identifying data, dates, and circumstances of any persons requesting or receiving information from the registry. Authorized persons to whom information may be disclosed and circumstances under which information may be shared are discussed under "Rules and Regulations Concerning Use of Registry Reports and Records - Confidentiality", page VII-10 . The back of the County Registry Card, PSD- 317 , has been prepared for this purpose. When an inquiry is made into an incident of abuse/neglect, the information will be so noted on the back of that County Registry Card, PSD- 317 . (Refer to Forms and Instructions)

b. Child Abuse/Neglect File

The Child Abuse/Neglect file will be maintained in a file drawer (s) or file cabinet separate from all other County Department's case files. The folders will not be given a case number and shall be filed in alphabetical order in the Child Abuse/Neglect File.

These folders will contain the PSD-159, (Revised 1976), with any attached statements or reports and the written report of the investigation when it is prepared. (Refer to pages VII-8-9, Section c). Other information specifically relating to the report and/or investigation, i.e., narrative recording, petitions, court orders, court reports, and correspondence relating to the investigation shall also be contained in the child abuse/neglect folder. No information other than that related to incident (s) of child abuse/neglect shall be filed in the Child Abuse/Neglect File. All information relating to the child abuse/neglect report and investigation shall be filed in these folders only and not duplicated for any other case record in the County Department. Confidentiality of information on child abuse/neglect reports and investigations has been legally guaranteed by Act No. 1124 and must be preserved by the Department. Act No. 1124 specifically spells out the circumstances under which there may be disclosure of these child abuse/neglect files. Therefore, these folders containing the results of the completed investigation must be carefully maintained separately from other case records in the County Department.

When a report of suspected child abuse/neglect is received on a family for whom the County Department does not have a case record established, a case number will be assigned and a regular file folder set up. This folder initially will contain Title XX and ASIS forms. If the report proves to be unfounded, the case will be closed and this regular file folder will contain no additional material. If the report proves to be founded, case material pertaining to ongoing services will be maintained in this regular file folder. When a report is received on a family known to the agency, the case number and file folder previously assigned will be used for these purposes.

3. Rules and Regulations Concerning Use of Registry Reports and Records - Confidentiality

Act No. 1124 provides that the State Department of Pensions and Security shall establish and enforce reasonable rules and regulations governing the custody, use, and preservation of the reports and records of child abuse and neglect.

The use of such reports and records shall be limited to the purpose for which they are furnished. These purposes are for prevention or discovery of child abuse/neglect. In no event shall reports be made available for any other purpose.

Act No. 1124 also provides for confidentiality of reports and records of child abuse and neglect. Violation of this provision is a misdemeanor and punishable accordingly. Confidentiality is essential in protecting the rights of the child and his parents or guardian. The statute does provide for the disclosure of information to specifically authorized persons.

The following rules and regulations are prescribed for the disclosure of information contained in the reports and records of child abuse and/or neglect:

- a. Information concerning an abuse/neglect report may be disclosed to the following designated persons:

(1) for investigation of child abuse or neglect by the police or other law enforcement agency. No information to aid in the investigation of any matter other than child abuse/neglect may be given;

(2) for use by a physician who has before him a child whom he reasonably suspects may be abused or neglected. Extensive medical records, including x-rays, blood tests, or information pertaining to old injuries may be needed and furnished to the physician;

(3) a district attorney, upon request, and for use by a grand jury upon its determination that access to such reports and records is necessary in the conduct of its official business;

(4) for use by a court where it finds that such information is necessary for the determination of an issue before the court;

(5) an agency having the legal responsibility or authorization to care for, treat, or supervise a child who is the subject of a report or record, or a parent, guardian or other person who is responsible for the child's welfare when the information is needed to prevent further abuse or neglect;

(6) a person engaged in bona fide research who has the written permission of the Commissioner of the State Department of Pensions and Security may have statistical information; identifying information will not be released unless such disclosure is absolutely essential to the research project, and only to the extent expressly authorized by the Commissioner (A recommendation as to the release of identifying data to researchers will be made by the Bureau of Family and Children's Services to the Commissioner for written approval);

(7) for use by an attorney or guardian ad litem in representing or defending a child or its parents or guardians in a court proceeding related to abuse or neglect of said child; and

(8) a person whose use of such reports or records would prevent or disclose abuse or neglect of children through the information contained therein as determined by the State Department of Pensions and Security.

- b. The County Department may release only information from the abuse/neglect report and investigation as contained in the county registry. The County Department can defer (unless served a subpoena or court order) providing information to the above-authorized persons until the Department has been able to make a thorough investigation to substantiate the allegations of abuse/neglect and to make a complete written report of the investigation. The Department's legal mandate is:

Act No. 1124, Section 7 (4); "The County Department of Pensions and Security shall make a complete written report of the investigation, together with its recommendations. Such reports may be made available to the appropriate court, the district attorney, and the appropriate law enforcement agency upon request. The County Department of Pensions and Security shall make a written report....to the state's Central Registry".

The County Department may release information immediately to law enforcement officials or physicians in instances when release of this information would protect a child suspected as abused or neglected or other children in the home. (For example: law enforcement officials should be apprised of situations where death or serious injury has resulted from suspected child abuse/neglect. Physicians should be given information that could aid in their making a decision about reporting a child or referring a child for protective custody). When law enforcement officials request information on an incident that the Department's investigation does not substantiate as abuse/neglect, the County Department's report may include a request that no action be taken.

- c. Only authorized persons designated in Act No. 1124 may be given information from the registry. Confirmation of the identity of any person requesting information from the registry must be made in order to assure that no information is given to unauthorized persons. Anyone who comes into the County Department requesting information will be asked to show credentials or identification. When requests are received by telephone, worker can take the telephone number, check it against the telephone directory and return the call. Written requests can be checked through addresses given in city directories.

- d. The County Department shall apprise those persons to whom information is disclosed of its confidentiality and the purposes for which it may be used, and specify that the information provided is not to be relayed to others. This may be done by designating any report furnished as "Confidential - to be used only by you to prevent or discover child abuse/neglect".
- e. Information that is released should be designated "Under Investigation", "Founded" or "Unfounded". "Under Investigation" would be used when no determination has been made; "Founded" when abuse/neglect has been established; "Unfounded" when it has not been established.
- f. At no time will records other than child abuse or neglect be made available to anyone outside the Department unless subpoenaed or ordered by a court.
- g. When information is released to authorized persons, the identity of the person making the report will not be disclosed. Identifying information will need to be deleted where it appears.
- h. Should clarification be needed in specific instances as to the release of information, contact the Bureau of Family and Children's Services for clearance.

4. Evaluating Complaints or Reports with Parents

The parents should be considered the most suitable and valuable source of information about themselves and their children. Contact should be initiated with them promptly upon receipt of a report of abuse or neglect, except in instances where such action could pose a danger for the child or children involved. (See Section V, Item F, page VII-26, for procedures to follow in these instances). The contact should establish the need for protective services or agency non-intervention. A home visit is preferable and may be made with or without prior notification.

Both parents should be interviewed whenever possible to obtain direct knowledge of these adult members of the household and to evaluate their attitudes toward the children and each other. The parents should be approached by the worker with an open, honest, non-judgemental attitude. Most parents will want to make the situation better for their children. However, because the initiation of protective services is not generally of the parents' choosing, their first reaction may be one of resistance. Parents should be informed that upon receiving a report of child abuse or neglect, the Department has the responsibility and duty to determine whether or not the children who are the subjects of this report have a need for services. Early in the initial contact, the worker should assure the parents of the Department's goals

to strengthen family life and help children remain in their own homes. If the parents continue to resist to the point of refusing to cooperate, they should be told that the Department will request the assistance of the court to obtain the information necessary to the investigation.

Frequently, parents become preoccupied with who made the report. They should be helped to focus on the content of the report and how accurate it is, rather than the identity of the complainant. They should be told what is involved in working with the County Department, the services available, the Department's expectations, and time limitations.

Information helpful to the evaluative process that should be obtained from the parents can be found in the Guide for Study and Case Plan (see Appendix). Of particular concern to the worker investigating a report of abuse or neglect is the parents' background with regard to their own parenting: i.e., whether or not they were abused as children; how well their physical and emotional needs were met; and their present relationship to parents and siblings. The parents should be encouraged to discuss each child and the worker should listen closely to detect the feeling tone in this discussion. How does each parent view each child? Revealing answers may be brought out by such questions as, "Does he eat well? Does he cry a lot? Is he stubborn? Does he obey well? Do you have any trouble controlling him?" Is one child seen as good, bad, hard-headed, spoiled, "just like mama," "just like his father," "just like me?" Observation of the children in the presence of the parents can be helpful in evaluating emotional interchange. This also can be misleading, however, because many abused/neglected children have become quite skillful in masking their feelings toward their parents. The signs of their fear or resentment are subtle rather than overt and can be overlooked easily. Many times the symptoms of treatment received at home are revealed in other settings such as school, day care center, church, boys clubs, or the neighborhood. Therefore, exploring these sources of information should be part of the intake process.

5. Information Gathering

a. Guide for Gathering Information

An interview with the children who are subject of child abuse/neglect reports is important in the evaluative process. The children may be interviewed at some site other than the home, such as school, day care facility, or elsewhere. Should the worker be refused access to a child at school or anywhere else the child may be, a court order may be sought in obtaining an interview with the child.

When discussing the conditions in the home with children, great care should be taken to avoid damaging a child's perception of his parents' concern and authority. Children need to have positive feelings about their parents, and they will be confused if workers add to the negative feelings they may already be

experiencing. This does not mean that the worker should in any way inhibit the child's talking frankly about his parents. The child should be helped to talk out and work through his negative feelings about his parents.

If psychological evaluations, physical examinations, or psychiatric evaluations of the children are considered necessary in the evaluative process, they may be obtained with or without the parents' consent. The parents' consent and cooperation is preferable. If parental permission cannot be secured, then a court order in these matters should be sought.

When information is to be obtained from other sources, the parents should be advised and their consent obtained, if possible. When parental consent cannot be obtained, the worker still has a responsibility for determining through other sources, such as physicians, health personnel, hospitals, schools, ministers, neighbors, relatives, or other agencies whether or not children are abused or neglected. The worker also has a responsibility for acting on the information obtained from these sources. Information should be sought from collateral contacts in a way that does not unnecessarily invade the privacy of the family, and with respect to confidentiality. The worker must guard against sharing information about the family with persons from whom he is receiving information.

As information is gathered from all sources, the worker should strive to get factual content: i.e., what those interviewed have actually seen; and how they have had occasion to observe the incidents they relate. Professionals are usually the most accurate sources of information. Relatives, friends, and neighbors will often mix facts with conjecture, innuendo, and opinion. Hearsay and suppositions cannot stand by themselves. Opinions, except from professionals, have little value without facts to support them. Workers' own observations are important.

b. Guide for Recognizing Child Abuse and Neglect

Some typical reactions and attitudes of abusive parents are: making no attempt to explain the child's injuries or giving absurd, contradictory explanations, often blaming the child for hurting himself; becoming irritated at being asked questions about an injury; becoming critical of the child and angry with him for being hurt; leaving the hospital during examination or shortly after the child has been admitted; having unrealistic expectations of the child; and showing signs of fear of losing control. Some reactions that are common in neglecting parents are: an apathetic, futile approach to life; a pessimistic attitude; an impulse-ridden approach where actions are taken with very little thought for their consequences; a detachment from the children and their needs or problems; and preoccupation with themselves and with meeting their own basic needs.

Symptoms of abuse are revealed by children in various ways. In many cases, abused infants shut their eyes, turn their heads or bodies away, and cry irritably when approached by their parents. When children have been abused, they are often unduly afraid of their parents or unusually fearful generally. An abused child may be confined to the crib, playpen, or one room of the house for over-long periods of time while the siblings are allowed to have access to the entire house. The child who is often bruised, cut, or has skin abrasions, or who is notably passive or withdrawn, can be an abused child.

The following factors may indicate neglect: the child appears to be undernourished; the skin and hair show evidence of poor nutrition; the child shows evidence of overall poor care; the child is given inappropriate food, drink, or medicine; the child is dressed inappropriately for weather conditions; the child is often left alone or in the care of persons unable to give good care (i.e., young siblings, retarded baby-sitters, elderly relatives); and/or the child is left with friends, relatives, or paid baby-sitters with parents' failing to return at the promised time.

6. Decision About Providing Services

At the conclusion of the investigation, a decision regarding disposition must be made. This decision may be to withdraw, as no protective services are needed; or to provide ongoing casework services; or to initiate court action; or to make referral to another agency for services. The decision should be reached as promptly as possible. The parents should be helped to participate in the decision to the extent feasible. In any event, the parents are entitled to an explanation of the action taken and the reasons for the action.

At any stage of the intake process, the parents may come to recognize their inability to give proper care to their child and may request that the child be placed in foster care. This can be a responsible act for the parents and should serve as a part of the treatment plan for the family, with thoughtful and definite time limits set. The placement may serve as a bridge for the child to return to his own improved home situation or to go to a permanent home elsewhere.

The decision about accepting a child into foster care on a voluntary basis is a joint one between worker and the immediate supervisor. A definite goal should be set for the duration of this placement, as over-extended foster care can produce anxieties in children and is seldom a sound casework plan.

To give the Department the authority to place a child under these circumstances, the parent (s) who has legal custody or the guardian must sign a PSD-228, Agreement for Foster Care. (See Forms and Instructions.) A termination date for the placement should be discussed with the parents and agreed on if possible. The parents should clearly understand the purpose for the placement and what responsibilities they have for financial and emotional support of the child, visiting the child, working toward improving the home situation and planning for the child's return home or permanent placement elsewhere.

IV. Casework in Protective Services

A. Casework with Parents

1. Purpose

If the decision is made to leave the child in the home and offer casework services to the parents, the plan is focused on alleviating or modifying those factors which have precipitated abuse or neglect. Full participation of the parents, or parent surrogates, to the extent of their abilities is necessary in order to bring about change. The focus should be preventive, rehabilitative and non-punitive.

2. Understanding Parents Who Abuse Children

Abuse of children is not confined to people with a psychopathic personality or borderline socioeconomic status. While many parents who abuse their children are of limited intelligence and have mental illnesses, alcoholism, sexual promiscuity, unstable marriages, and/or criminal activities in their backgrounds, abuse also occurs among people with good education and stable financial and social background. The common denominators in abusive parents seem to be a defect in character structure which allows aggressive impulses to be expressed too freely and the presence of similar abusive treatment in their own childhood.

For an incident of child abuse to occur, there must be three elements present: 1) an adult who is capable of abuse; 2) a child who is a source of irritation; and 3) a crisis. The abuser, usually a parent, often manifests some of the following traits: impulsive personality, a low frustration level, immaturity, psychosis, alcoholism, drug addiction, hypersensitivity, and social isolation. Frequently the beaten child is the product of an unwanted pregnancy which began before marriage, too soon after marriage, or at some other time felt to be extremely inconvenient. The child may resemble a hated parent, ex-spouse, or other family member. Sometimes several children in one family are beaten; at other times, one child is singled out for attack while the other children are treated quite lovingly. The crisis element can be major, as in the desertion by a spouse or death of a parent; or minor, such as a pan overturned on the stove or when a newly mopped floor is muddied.

3. Understanding Parents Who Neglect Children

Rarely is neglect a willful, deliberate act by parents. Whereas abuse may be more often a response to psychological stresses, neglect seems to be more often a response to social stress. It is usually a symptom of the parents' inability to cope with their own personal and social problems. Their own inadequate life experiences as children and the stresses and strains of living in a complex and changing world have contributed to this inability. The most frequently identified factors in research on neglecting parents are family poverty and infantile characteristics in the parental personalities. Many neglecting

parents find themselves overwhelmed by the physical/emotional demands of parenthood. They often reject the parental role and seek to derive from their children the nurturing they did not receive as children themselves.

Many neglecting parents are apathetic, filled with feelings of inadequacy and futility that are deeply engrained in their personalities. Some are impulse-ridden and cannot consistently function in providing care and supervision for their children. The care they do provide is usually very erratic. Some neglecting parents have real mental limitations that cause them to need basic guidance in the day-to-day care of their children. Parents who have a long history of chronic neglect usually need long-term treatment.

Other neglecting parents may be those who are experiencing depression in reaction to a recent loss. These parents' history of neglect may be relatively short. A divorce, the death of a spouse, parent, or some other significant person, financial reversals, loss of employment are among the factors that can precipitate neglect in these cases. These parents usually have good prognosis for change when supportive casework services are used to assist them through the causative crisis. Relatively short-term treatment is usually sufficient.

4. Role of the Worker in Protective Services

The parents must be able to perceive the worker as someone who understands them and their life experiences if the worker is to help them. Often these parents have had hurtful and disappointing experiences with social institutions or agencies. Since the worker is seen as an authority figure, the worker cannot expect the parent to trust him immediately. The worker can begin to provide a structure that is supportive by focusing on the experiences and life circumstances that have meaning to the parent.

Many abusing and neglecting parents lack basic knowledge of good parenting. Their own parenting models have been defective. The worker must not be premature in giving suggestions, but should guide the parents toward accepting the changes that need to be made. Especially in the chronic, hard-core, multi-problem family, the worker will need to partialize problems and help select objectives in the beginning that can be attained successfully. Successes are important to encourage these parents who have had little positive reinforcement in their lives.

No casework service can substitute for the means to have adequate food, shelter, and clothing and to permit participation in community life. The worker must evaluate each case situation carefully to plan the delivery of tangible services that can best enable parents to create a more favorable environment for themselves and their children.

5. Goals in Working with Parents

The overall goal of working with abusive/neglecting parents is to help them remedy an abusive/neglectful pattern of child rearing by

rehabilitating them to a method of care which affords protection to the child and preserves family unity.

Individual case goals should be set with each family early in the treatment process. Long-range treatment goals and intermediate or short-term treatment goals should be part of the case plan. These goals will of necessity vary from case to case and will change as casework with the family progresses or the circumstances within the family change. The goals should be realistic. The parents should be involved in the setting of goals, as they will work only toward goals that have meaning to them.

6. Use of Authority

In providing protective services, the worker carries two kinds of authority—constituted and inherent. Constituted authority is that given by legal mandate through legislative acts. This kind of authority gives the Department the right and responsibility to intervene. Inherent authority is derived from the personal competence that comes with training and experience. This kind of authority affords the worker the skill for effective intervention. If change is not effected through these methods employed by the Department, the authority of the court must be invoked so that plans can be made for more adequate care of the child.

7. Termination of Services

Protective services should be terminated when the child is receiving care that meets at least his minimum needs and the have demonstrated their ability to continue to care for the child without the Department's services. The decision to terminate services is made primarily by the Department (worker and supervisor) based on a current review of the case. The parents should be involved in the decision-making process. Any other agencies or professional persons who have been involved in the provision of services should be included or made aware of the decision to terminate. Termination of protective services does not preclude the Department's continuing other services requested by parents, i.e., day care and/or counselling related to child rearing.

B. Direct Casework Services to Children

Although protective services are given primarily through work with the parents, direct help to the child should be provided as indicated, particularly where separation from the family is necessary. The parents should be helped to understand the worker's role in relation to the child.

The extent and type of work with the child will be determined by the age of the child, the nature of his problems, his capacity to understand, and the parents' willingness to permit direct help. Services to the child must be given with respect for and understanding of his parents; even though their behavior is damaging or harmful to the child. The child should be helped to ventilate any negative feelings

he may have for his parents. He should be encouraged to work through these emotions rather than repressing them.

V. Protective Services and the Court

The Department of Pensions and Security and courts having jurisdiction over juvenile matters have responsibility for protection of children when their parents are unable or unwilling to provide for them. In order to preserve the unity of the family whenever possible and to provide for the care and protection of children, it is important that the worker have a clear understanding of the responsibility of the court and of the Department.

A. The Court

In Alabama, under provisions of Act No. 1205, Acts of Alabama, 1975 Regular Session, the district court exercises juvenile court jurisdiction except in certain counties where the presiding circuit judge has established a family court division of the circuit court, pursuant to Act No. 388, Acts of Alabama, 1976 Regular Session. Act No. 1205 provides that the juvenile court shall have original jurisdiction in proceedings concerning any child who is in a situation subjecting him to physical, mental or emotional abuse, or is in clear and present danger of suffering lasting or permanent damage; or concerning any child who requires emergency medical treatment in order to preserve his life, prevent permanent physical impairment or deformity, or alleviate prolonged agonizing pain or where it is alleged that a child's rights are improperly denied or infringed in proceedings resulting in suspension, expulsion or exclusion from a public school. (See Act 1205, Section 5-108 (a), and (b) for other provisions for juvenile court jurisdiction. See also Section 5-109).

B. The Department

When parents are unable and/or unwilling to discharge their responsibilities for the child and casework services have failed to improve the standard of child care, the Department has a duty and responsibility to seek the protection of the court for a child. The Department supports its reasons for seeking court intervention by supplying specific, pertinent information to the court. (See Section V, Item E, page VII-24). After the decision of the court is made, the Department may have the responsibility to continue to work with the family in the framework of that decision.

C. The Law Enforcement Officer

Law enforcement officers are often involved in investigating abuse or neglect situations and sometimes may remove children prior to referral to the County Department pursuant to Act No. 1205, Article 5, Section 5-119 and Act No. 1124, Section 6. (See Section V, Item F, page VII-30).

These citations describe the function of the law enforcement officer in removing children from hazardous situations. Under provisions of Act No. 1205, only a law enforcement officer is identified as being authorized to take a dependent child into custody prior to a hearing.

(However, Act No. 1124, Section 6 provides that the child (ren) who meets the definition of an abused or neglected child (ren) as specified therein may be taken into protective custody by other authorized persons).

The worker may request a law enforcement officer to accompany him when making a home visit under dangerous conditions. There should be a close working relationship between the County Department staff and law enforcement officials responsible for handling investigations of dependent children. There should be a clear understanding of their respective responsibilities.

D. Use of Court Intervention in Dependency Situations

Court services are to be used when there is immediate danger of physical or emotional harm to the child; the parents are unwilling or unable to make necessary changes; the child is abandoned, left alone, or unsupervised; or the child is left in degrading situations where he is exploited or demoralized.

The Department must not seek a summary removal of a child in the absence of a showing of immediate or threatened harm to a child. (Summary removal is accepting care of a child pending a court hearing). The Department has a responsibility to request that the court order specify the conditions which result in the immediate or threatened harm to the child.

Early in the casework process with parents, they should be made aware of the fact that court intervention is possible and may become necessary if changes do not occur. The parents should be informed of any decision for court referral unless danger to the child's welfare might be expected to result from such advance knowledge by parents. Their reactions and feelings should be recognized and discussed. The anticipated court hearing should be handled positively with the parents. Some parents can begin to work on their problems more constructively as the court hearing approaches. Others may become quite hostile, of course, and the worker must be prepared to accept this hostility and try to help the parents work through negative feelings.

E. Court Procedures for the Dependent Child

1. The Making of the Complaint and the Preparation of the Petition by the Department

The decision of the Department to seek court intervention should be the joint decision of the worker and immediate supervisor. Cases are brought to the attention of the court having juvenile jurisdiction by making a complaint to the intake officer alleging facts sufficient to establish the jurisdiction of the court and the dependency of the child. The complaint is made when it is filed with the intake officer who immediately notes thereon the date and time of filing. The intake officer has the power to administer oaths for the purpose of verifying complaints. The complaint is verified when the person making the complaint takes the oath and signs it. (See Forms and Instructions: Department of Court Management, Form JU-2 1-77, Complaint [Information]).

The intake officer then conducts a preliminary inquiry based on the verified complaint to determine whether the child is in the jurisdiction of the court and whether the best interests of the child or of the public require that a petition be filed. A petition may be signed by any person who has knowledge of the facts alleged or is informed of them and believes that they are true. The petition is verified when the person who signs it also signs an affidavit swearing that the allegations are true. If it appears from the preliminary inquiry that the child is in the jurisdiction of the court, and judicial action appears necessary, the intake officer will file a petition. The Alabama Rules of Juvenile Procedure require that the filing of the petition shall occur within fourteen (14) days of receipt of the complaint, except when a child has been taken into custody prior to a hearing. In these cases, a petition must be filed and a hearing held within seventy-two (72) hours, Saturdays, Sundays and holidays included, to determine whether continued shelter care is required. (See Forms and Instructions: Department of Court Management, Form JU-6 1-77, Petition).

A "dependent child" as defined in Act No. 1205 includes a variety of conditions which constitute dependency. (See Section II, page VII-4). In any of these situation, when the Department seeks custody of a dependent child, staff has a responsibility to call to the attention of the court that the Department is under federal court order not to institute custody proceedings unless a guardian ad litem who is an attorney is appointed for the child. The following are additional procedures for bringing a complaint and petition to the intake officer in dependency cases:

a. Children Who Are Dependent Because of Abuse or Neglect

In making a complaint to the intake officer concerning these children and in preparing the petition, the Department has the responsibility to set forth in the allegations the specific facts which show that the child is being subjected to physical or emotional harm. Some examples of such facts might be: a child is left alone; a child has been badly beaten or sexually molested; a child's parents are drunk or incarcerated; a child has been left with a person other than a parent, responsible relative, or guardian beyond the time agreed upon for provision of care; or a child is being used for prostitution. In making such a complaint to the court and in preparing the petition, the Department also must include specific facts which support the statutory definition of a dependent child with regard to dependency as provided in Act No. 1205, Article 5, Section 5-101 (j), with the exception of paragraphs (4), (6), and (7). Section 5-101 (j) (4), (6), and (7) also define a dependent child using the same words which formerly appeared in the Alabama Code, Title 13, Section 350 (2). But a federal court has found these standards as appearing in Alabama Code, Title 13, Section 350 (2) to be unconstitutionally vague and has enjoined the Department from enforcing these standards. Therefore, under the present injunction, the County Department must not use these statutory definitions in wording a petition.

The complaint and the petition concerning a child who is dependent as defined in Act No. 1205 because of abuse or neglect for whom the Department is seeking termination of parental rights and permanent custody, must specify the facts which show that the child has been subjected to physical or emotional harm and also must specify that less drastic

measures than permanent removal have been unavailing. For example, the complaint and the petition must allege facts showing that efforts have been made to use relatives, day care, foster care, counseling services, and facts showing that such resources have failed to protect the child.

The Department must not seek the summary removal of these children in the absence of a showing of immediate or threatened physical or emotional harm to the children. The Department must request that the court order endorsed upon the summons granting summary removal specify the conditions which result in the immediate or threatened harm to the child. (See Section V, Item E, page VII-22). This court order and any other court order issued giving the Department custody should specify facts which support the definition of a "dependent child" as found in Act No. 1205, Section 5-101 (j), with the exception of paragraphs (4), (6), and (7).

b. Children Who Are Dependent Because of Being Destitute, Homeless, Abandoned, etc.

In making a complaint to the intake officer concerning these children and in preparing a petition, the Department has the responsibility to set forth in the allegations the specific facts which show the children to be dependent in accordance with the statutory definition of a "dependent child" as provided in Act No. 1205, Article 5, Section 5-101 (j), with the exception of paragraphs (4), (6), and (7). Some examples of such facts might be: a child whose parents are deceased, incarcerated or committed to a mental institution, and no responsible relative is available to provide care; a child who has been abandoned; a child who has been placed for care or adoption in violation of the law; or a child who, for any reason, is destitute, homeless, or dependent on the public for support. Any court order issued (including summary removal) giving the Department custody of these children should specify facts which support the definition of a "dependent child" as found in Act No. 1205, Article 5, Section 5-101 (j), with the exception of paragraphs (4), (6), and (7).

c. Children Who Are Dependent Because Their Custody is the Subject of Controversy

In making a complaint to the intake officer concerning these children and in preparing the petition, the Department has the responsibility to set forth in the allegations the specific facts which show the children to be the subject of a custody controversy in accordance with the statutory definition as provided in Act No. 1205, Article 5, Section 5-101 (j) (3). Some examples of such facts might be: a child's parent (s) is deceased or has deserted and several relatives are in conflict for the care and custody of the child; or a child's parents are separated and the care of the child is shifted from one parent to another amid controversy. Any court order issued (including summary removal) giving the Department custody of these children should specify facts which support the definition of a "dependent child" whose custody is the subject of controversy as found in Act No. 1205, Section 5-101 (j) (3).

(Recognition is given to the fact that the intake officer of the court may not wish to file the actual petition which the County Department

prepares and brings in with the complaint as described in the above Items a, b, and c. The County Department has the responsibility, however, to make sure that the intake officer includes on the petition filed the following essential elements in accordance with the policies and examples set forth in this chapter: the allegations; the request for temporary or permanent custody; the request for appointment of an attorney as guardian ad litem for the child, and the request for summonses to issue pursuant to law and rules of court, etc.).

2. The Summons

In accordance with provisions of Act No. 1205, Article 5, Section 5-117, after a petition alleging dependency has been filed by the intake officer, the court will direct the issuance of summonses. If a child is twelve (12) years of age or older, a summons will be directed to the child. Also, a summons will be directed to the parents, guardian, or other custodian, and such other persons as appear to the court to be proper, or necessary parties to the proceedings. Where the custodian is summoned, the parent or guardian or both will also be served with a summons. The summons will be served upon a party at least twenty-four (24) hours before the hearing. All adjudicatory hearings will be scheduled for the earliest practicable date with priority given those children in shelter care facilities.

A copy of the petition will be attached to each summons. The court may endorse upon the summons an order directing the parents, guardian, or other custodian having the custody or control of the child to bring the child to the hearing. If it appears from affidavit or sworn statement presented to the court that the child needs to be placed in shelter or other care, the court may endorse upon the summons an order that an officer serving the summons shall at once take the child into custody and take him to the place of shelter or other care designated by the court. The Department must never request summary removal in the absence of harm or threatened harm.

A party, other than the child, may waive service of summons in writing or by voluntary appearance at the hearing. If each party waives in writing or on the record at the hearing his right to notice, the hearing may be held before the scheduled date. In this event, each party must be given a copy of the petition at or before the hearing. The inability to serve any party does not deprive the court of jurisdiction to proceed. If a person summoned fails to appear, without reasonable cause, he may be held in contempt of court.

3. The Predisposition Study and Report

Act No. 1205, Article 5, Section 5-105 states that the court shall refer complaints and allegations of dependency that come to the court's attention to the County Department of Pensions and Security for investigations, reports, and recommendations.

Section 5-127 provides that after a petition alleging dependency has been filed by the intake officer, the court may direct that a predisposition

study and report concerning the child, his family, his environment, and other matters relevant to the need for treatment or disposition of the case be made by the Department to the court. Investigations should be thorough and should be completed as promptly as possible. The Department has responsibility to report the results of the investigation to the court and if requested, on forms furnished by the court. (See Forms and Instructions: Department of Court Management Forms in the "Social History Package"). The court report should be factual to show the evidence, or lack of evidence, to support the allegations. If the allegations are substantiated, then social information and recommendations should be contained in the report to enable the judge to make a disposition in the best interest of the child.

4. Court Hearing in Dependency Cases

Hearing under Act No. 1205, Section 5-128, for dependent children will be conducted by the court without a jury and separate from other proceedings. The general public will be excluded, and only the parties, their counsel, witnesses and other persons requested by a party will be admitted. The court may admit other persons it finds to have a proper interest in the case or in the work of the court.

The parties will be advised of their rights under the law in their first appearance at intake and before the court. They will be informed of the specific allegations in the petition and given an opportunity to admit or deny them.

If the allegations are denied, the court will proceed to hear evidence on the petition. The court will record its findings on whether or not the child is a dependent child. If the court finds that the allegations in the petition have not been established, it will dismiss the petition and order the child discharged from any shelter or foster care facility theretofore ordered in the proceeding.

If the court finds from clear and convincing evidence that the child is dependent and in need of care or supervision, the court may proceed immediately in the absence of an objection showing good cause, or at a postponed hearing, to make proper disposition of the case.

In the disposition phase of the hearing all relevant evidence, including oral and written reports, helpful in determining the questions presented, may be received by the court and used to the extent that the court finds valuable. The parties or their counsel, will be afforded an opportunity to examine and question written reports and to cross-examine individuals making reports.

The court may continue the disposition hearing for a reasonable period to receive more reports and other evidence bearing on the disposition. In this event, the court will make an appropriate order for the care of the child until the next hearing.

5. Legal Counsel in Hearing

Act No. 1205, Article 5, Section 5-124 provides that in dependency cases, the parents, guardian, or custodian shall be informed of their

right to be represented by counsel and, upon request, counsel shall be appointed when the parents are unable, for financial reasons, to retain their own. Section 5-124 further provides that the court shall also appoint counsel for the child in dependency cases when there is an adverse interest between parent and child; or where the parent is an unmarried minor; or is married, or has been married, and is under the age of 18 years; or when counsel is otherwise required in the interests of justice. However, pursuant to Act No. 1124 (1975) and a federal court decision, the Department will request that the child be represented by an attorney in every case where the Department is seeking custody.

a. Guardian Ad Litem for Children, Minor Parents and Parents Who are Mentally Incapacitated

One of the provisions of Act No. 1124 is that an attorney shall be appointed to represent the child in judicial proceedings involving an abused or neglected child. This attorney will represent the rights, interests, welfare and well-being of the child and serve as guardian ad litem for the child.

The Department of Pensions and Security is under federal court order not to institute custody proceedings unless a guardian ad litem who is an attorney is appointed for the child.

The County Department should bring these provisions to the attention of the court. The State Department will not authorize payment of guardian ad litem fees for every abused and neglected child, but may authorize payment for such fees up to \$35.00 in the following situations:

- a. every child for whom the Department files a petition for temporary or permanent or for whom the Department has indicated it is equipped to accept custody;
- b. minor parent (s); or
- c. parent (s) who is mentally incapacitated as determined by a court, licensed practicing physician, or a mental health clinic.

In these situations, such payment is to be authorized only when the judge has determined that the parents are not able to pay for such services.

In all these situations, the case record must contain a copy of the petition that is filed in the juvenile court and information to document that conditions outlined above exist. The record must also contain a copy of the court order.

The PSD-307, Request for Payment of Guardian Ad Litem Fees (Refer to Forms and Instructions), is to be used to request payment to the attorney serving as guardian ad litem. The following procedure is to be used:

Attach two copies of statement from each attorney, giving the following information: (a) the style of the case, (b) the court case number, (c) the identity of the person who was represented,

and (d) the mailing address of the attorney. The County Director must approve both copies.

Enter under "Title XX Cases" all payments for cases eligible for Title XX services. These payments should be broken down into "Child Abuse and Neglect" (cases involving an abused or neglected child) and "Other" (all other cases eligible for Title XX services). For example, a dependent child for whom the Department files a petition for custody when such child is eligible for Title XX services and is not an abused or neglected child should be entered in the column marked "Other".

Enter in the CWS column those cases not eligible for Title XX in which a guardian ad litem is appointed.

Submit the PSD-307, with the statements in duplicate from the attorney attached, no later than the tenth of each month. Keep a copy of the PSD-307 and copies of each attorney's statements for the file.

b. Legal Representation for County Departments

In judicial proceedings involving matters of custody relating to dependency, abuse, neglect or exploitation of children, the purchase of local legal services to represent the County Department may be authorized by the District Supervisor on a case-by-case basis. The District Supervisor will confirm approval in writing when consent has been given by telephone. County Directors in Calhoun, Jefferson, Madison, Mobile, Montgomery, Morgan and Tuscaloosa Counties may authorize purchase of legal representation without concurrence of Field Service.

Prior authorization from the Bureau of Family and Children's Services is required in every case involving termination of parental rights. When case material or letters concerning commitment of children to the State Department of Pensions and Security are sent to the Bureau of Family and Children's Services, the request for authorization of purchase of legal representation should be included in the material.

Upon authorization of purchase, Legal Services staff will be available to advise the attorney representing the County Department on any matters involved in that case. The County Director should explain that payment for any legal services rendered will be made on the basis of bills submitted. Such bills must be accompanied by an itemized statement of services rendered, detailing time spent and the hourly charge for such service. Such bills, prepared in triplicate, are to be routed by the attorney to the County Director who is to approve the statement after determining that the services have been provided. The County Director is to forward the statement to Legal Services, State Department of Pensions and Security. (Refer to Forms and Instructions: Sample Bill Form).

In all cases, a copy of the petition and court order should be sent to Legal Services with the statement from the attorney for payment. If the child provided legal services is eligible for Title XX services, type "Title XX" at the top of each statement submitted by the attorney.

Parents should always be informed of their right to legal counsel.

6. Privileged Communication in Hearing

Act No. 1124 provides that in any judicial proceeding resulting from a report pursuant to this Act, the doctrine of privileged communication, with the exception of the attorney-client privilege, shall not be a ground for excluding any evidence regarding a child's injuries or the cause of them. This means that even the usual privileged quality of communication between husband and wife has been abrogated in these instances.

7. Child's Preparation for Hearing

As discussed in Section V, Item E, 2, the child who is twelve years of age or older will receive a summons to appear before the court at the hearing. Also the court may require the parents, guardian, or other custodians of younger children to bring them to the hearing. The child who is old enough to understand should be prepared for court proceedings by the worker. Children should not be present at hearings when evidence that may damage their confidence in their parents is heard; or when evidence that is unsuitable for them to hear is presented. Act No. 1205, Article 5, Section 5-128 provides that if the court finds it is in the best interest of the child, his presence may be temporarily excluded from the hearings. Frequently, the judge may decide to hold a private interview with the child to obtain facts pertinent to the proceedings subject to provisions of the "case law" of Alabama. The child should be apprised of this possibility, and his reactions and feelings should be recognized and discussed.

8. Results of the Hearing

At the conclusion of the hearing, the judge decides to either dismiss or sustain the petition. If the petition is sustained and the judge finds the child (ren) to be dependent, he will take further action. The judge may make any of the following orders of disposition to protect the welfare of the child (ren):

- a. Permit the child (ren) to remain with his parents, guardian, or other custodian subject to such conditions and limitations as the court may prescribe.
- b. Place the child under protective supervision or under the supervision of the Department. Protective supervision is a legal status created by court order following an adjudication of dependency whereby a child is permitted to remain in his home subject to supervision. Both types of supervision allows the child to remain in his own home without removing custody from the parents. When the child is under the supervision of the Department, periodic court reports are usually ordered by the court.
- c. Transfer legal custody to any of the following:
 - (1) The County Department provided the Department is equipped to care for the child. This gives the County Department authority to plan for the child's placement which could be with a relative, approved or licensed foster home, group home, or institution. The parents retain residual rights and responsibilities, i.e., right of reasonable visitation, right to consent to adoption, and responsibility for financial support. The County Department should request that the judge order parental support for the child placed in the Department's custody when feasible. (See Forms and Instructions: Department of Court Management Form SC-C-18 1-77 Order).

(2) A local public child-placing agency or private organization or facility willing and able to assume the education, care, and maintenance of the child. Such agency, organization, or facility must be licensed by the Department of Pensions and Security or otherwise authorized by law to receive and provide care for such child.

(3) A relative or any other individual who, after study by the Department of Pensions and Security, is found by the court to be qualified to receive and care for the child. This provides the relative or other individual with the protection of the court in caring for the child in their home. The judge may or may not order the parents to pay support.

d. In the case of any child, 14 years of age or older, when the court finds that the school officials have made a diligent effort to meet the child's educational needs, and after study, the court further finds that the child is not able to benefit appreciably from further schooling, the court may:

- (1) excuse the child from further compliance with any legal requirement of compulsory school attendance; and
- (2) authorize the child notwithstanding the provisions of any other law, to be employed in any occupation which is not legally hazardous for children under the age of 18.

e. Make such other order as the court in its discretion shall deem to be for the welfare and best interests of the child.

f. In appropriate cases, award permanent custody to the State Department of Pensions and Security or to a licensed child-placing agency with termination of parental rights and authorization to place for adoption. Termination of parental rights removes all residual rights and responsibilities of the parents. No child may be committed permanently to the State Department without prior clearance with and approval of the Bureau of Family and Children's Services.

Section 5-131 (b) of Act No. 1205 provides that no child found to be a dependent child, unless also found to be delinquent, shall be committed to or confined in an institution established for the care and rehabilitation of delinquent children or detention facility.

There is, however, no prohibition against placement of a child in need of supervision, a delinquent and a dependent child in the same residential or shelter facility (child care institution, foster family home, group home, shelter), if such a facility was not established for the care and rehabilitation of delinquent children. Examples are: Gateway, Methodist Children's Home (including shelter), or a foster home, King's Acres, etc.

The decision making concerning such placements, the selection of resources and the case planning for the child who is dependent should proceed in accordance with principles, practices and regulations outlined in Volume II, Chapter XI, Foster Care.

9. Long-term Placement Planning for Dependent Children in the Custody of the Department

For children who cannot be returned to their parents or placed for adoption, other long-term foster care arrangements must be made. Placement by the Department with relatives whose homes have been evaluated and approved may be the best plan for some children. If the relative does not reside in the County of the Department providing care for the child, the worker should request in writing from the County Department of Pensions and Security in the county where the relative lives an evaluation of the relative's home. The request should contain identifying information on the parents and child (ren); statement as to legal custody; reason for the child (ren's) removal from the home; degree of relationship and contacts the child has had with this relative; whether the relative has requested that his home be used; the approximate length of placement; social information on each child, including any health problems, emotional problems, and school adjustment; and any financial arrangements which have been made. Requests to another County Department in Alabama are sent directly to the other County Department.

Requests for evaluations on relatives who live out of state should contain the same information and should be sent in quadruplicate (original and three copies) to the Bureau of Family and Children's Services for review and forwarding through the appropriate channels. The Bureau of Family and Children's Services has the responsibility of approving the interstate placement of children to and from Alabama.

If no appropriate relative placement is possible, then long-term foster care must be arranged. (See Chapter XI, Foster Care, page XI-2, Selection of Appropriate Foster Care Resources).

F. Procedure for Taking Dependent Children into Custody Prior to a Hearing

A recent federal court order in Alabama prohibits summary removal of a child from its parent "in the absence of the danger of immediate or threatened harm to the child". Said Federal Court held: "Without danger of immediate harm or threatened harm to the child, the State's interest in protecting the child is not sufficient to justify a removal of the child prior to notice and a hearing".

Act No. 1205, Article 5, Section 5-119 (d) provides that a child may be taken into custody by a law enforcement officer having reasonable grounds to believe that the child is suffering from illness or injury or is in immediate danger from the child's surroundings and that the child's immediate removal from the surroundings is necessary for the protection of the health and safety of the child. Section 5-119 (f) provides that a child may be taken into custody by a law enforcement officer who has reasonable grounds to believe that the child has no parent, guardian, custodian, or other suitable person willing and able to provide supervision and care for the child. Section 5-119 (h) provides that a child may be taken into custody by a law enforcement officer pursuant to an order of the court directing that a child be taken into custody pending hearing

on allegations that the child is suffering from illness or injury or is in immediate danger from his surroundings is necessary for the protection of the health and safety of said child.

Under provisions of Act No. 1205, a child lawfully taken into custody shall immediately be released if such child's parent, guardian, custodian, or other suitable person is ascertained as being willing and able to provide supervision and care for the child. For example: a small child (ren) wandering the streets alone, or locked up in a parked car, or left in a department store or some other public place might be released in some instances which warrant no more than oral counsel and warning as provided for in the law.

A child lawfully taken into custody as an allegedly dependent child cannot be released, however, when the child has no parent, guardian, custodian or other suitable person able and willing to provide supervision and care for him; or the release of the child would present a serious threat of substantial harm to him. These conditions are the criteria for continuing shelter care until a shelter care hearing is held. The criteria must be substantiated by clear and convincing evidence in support of the decision not to release the child. Some conditions which would support the decision not to release the child are: a small child (ren) left at home alone for long periods of time; a child (ren) whose parent (s) has had a psychotic break and the child (ren) is in immediate danger; a child (ren) whose parents are drunk and abusing him; a child (ren) deprived of care due to the parents being jailed; a child (ren) left with a child care person beyond the agreement to give care, and the person is no longer willing to provide care; or a child (ren) who is physically or sexually abused.

A dependent child lawfully taken into custody who cannot be released, is brought to the intake office of the court or a place of shelter care designated by the court. The law enforcement officer taking the child into custody will, in the most expeditious manner possible, give notice of the action taken, together with a statement of the reasons for taking a child into custody, in writing to the intake office, to the court, to the parent, guardian, or other custodian of the child and to the Department of Pensions and Security. The need for shelter care will be reviewed by the intake office or the Department of Pensions and Security and the child will be released unless shelter care is required under the criteria cited as provided by Act No. 1205, Article 5, Section 5-121, or has been ordered by the court.

Each juvenile court shall by order designate the shelter care facility or facilities to which children shall be delivered when taken into custody. In districts where such shelter care facilities are unavailable for dependent children, the order shall specify that dependent children shall be brought to the Department of Pensions and Security for placement in licensed or approved foster care facilities. Copies of the order will be made available to all law enforcement agencies within the territorial jurisdiction of the court.

When a child is not released from shelter care, a petition shall be filed and a shelter care hearing held within seventy-two (72) hours, Saturdays, Sundays and holidays included, to determine whether continued

shelter care is required. Notice of the shelter care hearing, either oral or written stating the time, place and purpose of the hearing and the right to counsel, will be given to the parent, guardian or custodian if they can be found, and to the child if such child is over twelve years of age. The Department of Pensions and Security will be notified of every shelter care hearing concerning a dependent child. At the commencement of the shelter care hearing, the court shall advise the parties of their right to counsel and shall appoint counsel as required.

The shelter care hearing on the dependent child may result in the child's release by an order of the court placing the child in the custody of a parent, guardian, or custodian or any other person who the court deems proper. This placement may be under the supervision of an agency or organization agreeing to supervise the child. If no parent, guardian, or other custodian has been notified and none appeared or waived appearance at the hearing, upon the filing of an affidavit stating these facts, the court shall rehear the matter within twenty-four (24) hours, Saturdays, Sundays, and holidays included.

If a child meets the definition of an abused or neglected child as specified in Act No. 1124, the provisions of this Act in Section 6, Protective Custody, authorize a police officer, law enforcement official, designated employees of the Department of Pensions and Security, a person in charge of a hospital or similar institution, or a physician treating a child to take custody of the child when conditions are such as to present an imminent danger to the child's life or health. This action may be taken without the consent of the parents or guardian. Under these provisions, a physician or person in charge of a hospital may also keep such a child whether or not additional medical treatment is required.

If an employee of the Department (county director, supervisor or worker) takes a child into protective custody for emergency placement, the facts and reasons for the necessity of this action must be carefully documented in the case record, and there must be indicated at least threatened substantial harm to that child. Protective custody by the Department of Pensions and Security is to be used only in emergent situations in which a law enforcement officer cannot be reached to take a child into custody and the delay would put the child's life in immediate and imminent danger.

The County Department of Pensions and Security and the court having jurisdiction over juveniles must be notified immediately of any child taken into protective custody by any of the other persons designated in Act No. 1124 so that child-protective proceedings may be initiated. Protective custody is not to exceed seventy-two (72) hours. No person holding protective custody of a child has legal sanction to do so after seventy-two (72) hours have passed unless a temporary custody order has been issued by the court of competent jurisdiction. Act No. 1124 also provides that the director of the County Department of Pensions and Security give or cause to be given effective consent for medical, dental, health and hospital services for any neglected or abused child during this seventy-two (72) hour period of protective custody. Under Act No. 1205, Article 5, Section 5-123, a petition must be filed and a hearing held within 72 hours, Saturdays, Sundays and holidays included to determine whether continued shelter care is required. If needed after the shelter care hearing, a hearing on the merits should be held by the court as soon as possible.

VI. Protective Services and the Community

To provide effective services to abused and neglected children, the Department should utilize existing community services and mobilize all other potential resources.

A. Use of Existing Community Services

Many community services are available to supplement and support the Department's services plan for the family. Examples are:

1. Day care for children provides stimulating care for children where both parents must work to relieve economic stress. Some families will qualify for payment of day care by the Department. (Refer to Chapter I, Services and Eligibility, for policies and procedures concerning applications for these services.) Local resources should be sought for those families who do not qualify for payments by the Department but need assistance in meeting this need.
2. Mental health facilities and/or Family Service agencies provide help to parents and children with emotional problems or mental limitations. Some families may qualify for purchase of Title XX services by the Department from these facilities. (Refer to Chapter I, Services and Eligibility.)
3. Public health agencies provide services to prevent illness and to protect from unwanted pregnancies and social diseases. Maternity clinics are usually available for the expectant mother (married or unmarried) who cannot afford private pre-natal care. A mid-wife program is sponsored by the Health Department for inexpensive delivery of infants in families who cannot afford private hospitals and physicians. Well-baby clinics provide examinations and immunizations.
4. Auburn University Extension Services provide help to low income families to improve knowledge about good nutrition. The 4-H Clubs have D.O.T. (Diet is Our Thing), an organization that works with disadvantaged youth. For adults, there is EFNEP (Expanded Food and Nutritional Education Program). This program teaches good food preparation, wise food buying, and effective use of food stamps.
5. Vocational Rehabilitation offers a wide range of services to parents and older teenagers who have physical or mental disabilities. Vocational Rehabilitation sometimes can do physical and dental restoration and vocational training or retraining. (Refer in this Manual to Employment Services for procedures for making referrals to Vocational Rehabilitation. Also refer to Form PSD-288 - Referral to Vocational Rehabilitation Services in the Section on Forms and Instructions.)
6. Employment Service provides a range of manpower services, including employment counseling, testing, vocational training, job development, and placement. (Refer in this Manual to Employment Services and Work Incentive (WIN) Program.)

7. Crippled Children Services covers a broad range of handicapping conditions that can be treated in children.
8. Other programs of the Department may be a resource for eligible families, such as food stamps and public assistance in the form of ADC and State Supplementation (SUP). Protective Services workers should refer persons who may be eligible to food stamp office or to the eligibility unit.
9. Medicaid is administered by the Medical Services Administration and is available to recipients of ADC, State Supplementation (SUP), and Supplemental Security Income (SSI). The eligibility staff of the County Department has responsibility for determining Medicaid eligibility.
10. Retirement, Survivors, and Disability Insurance (RSDI) and Supplemental Security Income (SSI) is administered by the Social Security Administration, and may be a financial resource to individuals who are eligible. Some physically and mentally impaired children may qualify for benefits under SSI. Protective Services workers should refer individuals who may be eligible to the Social Security office.

B. Responsibility to Educate the Community about Abuse and Neglect

The County Department of Pensions and Security has a responsibility to educate the community about the problem of child abuse and neglect and to make the public aware of the Department's role in providing protective services. This can be done in several ways: addressing civic clubs, churches, parent-teacher groups, school classes; distributing posters and pamphlets made available through the Bureau of Family and Children's Services; appearing on television programs and granting interviews to newspaper reporters; and securing public service announcement time over radio and television media.

C. Responsibility to Cooperate with other Agencies in Preventing and Treating Abuse and Neglect

The protection of children is a multi-disciplinary concern and cannot be left entirely to any one agency. Law enforcement, the courts, mental health agencies, physicians (especially pediatricians), schools, day care centers, public health agencies, as well as the Department of Pensions and Security, will have occasion to observe instances of child abuse and neglect. These groups can do much to prevent, discover, and treat abuse and neglect. The Department's main function in some cases may be that of coordinator of the services of many disciplines to effect changes in these cases.

D. Use of Homemakers

Homemaker services for children is not now available on a statewide basis. When available, homemakers are used in protective services to strengthen, support, supplement, and/or restore parental capacity to care for children, allowing children to remain in their own homes.

Homemaker services is an adjunct and supplementary service to protective casework. If a parent is absent or disabled, the homemaker fulfills the duties of a parent substitute, such as organizing the household, washing, ironing, getting the children off to school, mending clothing, and preparing meals. In some situations when the parent is neither absent nor disabled, the homemaker may be used to teach parents to develop homemaking and parenting skills. While in the home, the homemaker also observes family interaction and can provide the worker with valuable diagnostic feedback.

E. Development of Other Community Resources

Since child abuse and neglect are multi-faceted problems, the existing community services may not adequately meet the needs of protective services families. The County Department should foster interest and support for the development of new resources designed to provide treatment for abusive and/or neglecting parents. Some examples of such resources are:

1. Parents Anonymous is part of the self-help group movement, patterned after Alcoholic Anonymous, and is proving to be effective in dealing with child abuse and neglect through the helper-therapy principle.
2. Crisis Nursery Centers offer temporary care for children during stressful conditions which otherwise might lead to a child's abuse or neglect. If such centers are in operation, they must meet licensing requirements as set forth in the Minimum Standards for Day Care Centers, Principles, Regulations and Procedures, 1974 prescribed by the Department.
3. The Lay Therapy program originated in Denver and is based on the concept that volunteers who are well motivated and trained by agencies can be effective therapists to abusing and neglecting parents by giving the parents time, attention, and understanding.

The type of community resource potential will vary from county to county. The County Department does have a responsibility to develop and mobilize the resources of the community to help protect children.

VII. Instructions for Completing Forms Referred to in this Chapter Which Are Located in the Forms and Instructions Section of the Family and Children's Services Manual

A. PSD-159, (Revised 1976), Report On Suspected Case Of Child Abuse/Neglect

This form has been prepared for the use of anyone having reason to suspect that a child is being abused or neglected. Persons making reports of abuse/neglect should be asked to complete and sign this form in duplicate. If they refuse, the County Department has responsibility for completing the form in duplicate with as much information as has been secured. One copy of the form should be retained in the County Department as part of the county registry and the original submitted to the Bureau of Family and Children's Services to be entered in the Central Registry. This form should be prepared and transmitted to the Central Registry immediately upon receiving the report. Any type of written statement obtained from the person making the report is to be attached.

B. PSD-228, An Agreement For Foster Care

This form when signed by the child's parent (s) or guardian who has legal custody gives the Department the authority to place the child in a licensed or approved child care facility. The agreement includes the amount of money to be contributed by the parent (s) or guardian for the child's care. By signing this form, the parents also give permission for the child to receive medical treatment, including emergency surgery while in foster care. Complete in duplicate with one copy to parent (s).

C. PSD-317, County Registry Card

This card will be prepared on each child for whom there is a report of abuse/neglect received in the County Department and will be filed in alphabetical order in a separate card file set up for this purpose. The first report on a child will be so designated by writing "First" in the upper right hand corner of the card. If subsequent reports of other incidents are received on the same child, an additional card for each incident shall be prepared and attached to the back of the first card. The back of this card has been prepared for the purpose of recording the names, identifying data, dates, and circumstances of any person requesting or receiving information from the county registry. Information can be disclosed only to authorized persons designated in Act No. 1124. When an inquiry is made into an incident of abuse/neglect, the information will be so noted on the back of this card along with confirmation of the identity of the inquirer.

D. Sample Bill Form for Attorneys Representing the Department

This sample form has been prepared for use by the designated attorney who has represented the County Department in a court proceeding to submit a bill for legal services. Such bills, prepared in triplicate, are routed by the attorney to the County Director who approves the statement after determining that the services have been provided. The County Director then forwards the statement to Legal Services, State Department of Pensions and Security.

E. Department of Court Management Form JU-2 1-77
Complaint (Information)

This form is used (and furnished) by the juvenile court for the use of a person alleging a condition of dependency, delinquency, or child in need of supervision. When used in a dependency matter, this form must contain facts sufficient to establish the jurisdiction of the court, and the dependency of the child. The intake officer of the court will receive and examine the complaint to determine if a petition should be filed.

F. Department of Court Management Form JU-6 1-77
Petition

This form is used (and furnished) by the juvenile court to formally petition for court intervention in behalf of a child. In completing a petition for a child in foster care, the child's address should be given as the address of the County Department. In petitioning for temporary or permanent custody of a child, the Department must request that the court appoint a guardian ad litem, who is an attorney, to represent the child. The petition also must state facts which support the statutory definition of a dependent child. If immediate removal is being asked, facts which show that the child is being subjected to danger of immediate harm or threatened harm must be stated in the space allocated on the petition form. In petitioning for the removal of a child from parental custody in any circumstances, the Department must state facts showing that the child is being subjected to physical or emotional harm. Supplemental sheets for attachment to this form will be necessary to contain the information required to comply with the 1976 Federal Court Orders from the Middle District of Alabama to the Department of Pensions and Security.

Further Instructions for Preparing the Petition

When the County Department makes the complaint to the intake officer, the worker making the complaint must be sure that the petition filed by the intake officer consists of the following:

(1) Page 1 of the Petition will be the form furnished by the Department of Court Management, JU-6 1-77. In setting out the facts showing that the child is dependent, state facts which show that the child is destitute, homeless, or is dependent on the public for support; or who is without a parent or guardian able to provide for his support, training and education; or whose custody is the subject of controversy; or other facts as defined in Act No. 1205, Section 101 (j), with the exception of paragraphs (4), (6), and (7).

Also on page 1, state facts showing that the said child is in immediate or threatened danger of physical or emotional harm.

(2) PSD-323. Page 2. Temporary Custody Petition

PSD-323 will be attached to the Department of Court Management Form JU-6 1-77 when the County Department is petitioning the court for temporary custody of a child. The title of the petitioner will be supplied in the space

provided, i.e., County Director, Social Worker I, Casework Reviewer, etc. The affidavit will also be signed by the petitioner. The PSD-323 contains the elements required to comply with the Federal Court Order.

(3) When the Department is asking that permanent custody of a child be awarded to the State Department of Pensions and Security, the petition must allege facts which show that the child is dependent; or allege facts which show that the child is being subjected to physical or emotional harm or threatened harm and that less drastic measures than termination of parental rights would be unavailing.

(4) PSD-324. Page 2, Permanent Custody Petition

PSD-324 will be attached to the Department of Court Management Form JU-6 1-77 when the County Department is petitioning the court for permanent custody of a child. The title of the petitioner will be supplied in the space provided. The affidavit will also be signed by the petitioner. The PSD-324 contains the elements required to comply with the Federal Court Order.

G. Department of Court Management Form, JU-7 1-77
Preadjudication Removal Order

This form may be used by the court to order the removal of a child prior to a hearing. In Part I, if the County Department is seeking the summary removal of a child, it is the responsibility of the Department to request that facts be stated showing the danger of immediate or threatened harm to the child. In Part V, there is space provided for the signature of the person who receives custody of the child.

H. Department of Court Management Form, JU-8 1-77
Juvenile Court Summons

This form is used by the court to notify persons of their responsibility to attend a court hearing at the time and place specified. This form may be used by the court to endorse an order for the immediate pick-up of a child by a law enforcement officer or an order directing parents, guardian, or other custodian to bring a child to a court hearing. (When the endorsement order pertains to a summary removal requested by the County Department, it is the responsibility of the Department to request that facts be stated in the wording of the order showing the danger of immediate or threatened harm to the child). A copy of the petition will be attached to each summons.

I. Department of Court Management Form, SC-G-18 1-77
Order

When the County Department is seeking custody of a child, the Department has a responsibility to request that this order when issued by the court contain information needed to satisfy the stipulations of the 1976 Federal Court Orders to the Department. The following should be made a part of the court order: 1) a statement as to the presence of an attorney who represented the child as guardian ad litem; 2) that summons was issued

pursuant to law and rules of the court; 3) facts which show that the child is being subjected to physical or emotional harm or threatened harm, or facts which show that the child is destitute, homeless, or is dependent on the public for support, or is without parent or guardian able to provide for his support, training and education or whose custody is the subject of controversy. In an order granting permanent custody of a child to the Department, there should be added also facts which show that less drastic measures than termination of parental rights have been unavailing.

J. Department of Court Management "Social History Package"

The "Social History Package" is composed of seven (7) forms: Information Sheet (Form JU-12-A 1-77); Legal Information (Form JU-12-B 1-77); School Information (Form JU-12-C 1-77); Profile of Youth (Form JU-12-D 1-77); Family Home Information (Form JU-12-E 1-77); Medical Information (Form JU-12-F 1-77); and Summary-Recommendations (Form JU-12-G 1-77). The court may request that the court report of the investigation made by the Department be prepared on these forms furnished by the court.

STATE OF ALABAMA
DEPARTMENT OF PENSIONS AND SECURITY
REPORT ON SUSPECTED CASE OF CHILD ABUSE/NEGLECT

According To Act No. 563, Acts of Alabama 1965, As Amended By Act No. 725,
Regular Session 1967 And Act No. 1124, Regular Session 1975, A Written
Report Is Required By Statute. Persons Reporting Are Requested To Fill
Out In Duplicate As Much Information As Is Known To Them.

County _____
Case No. _____

Name of Abused/Neglected Child _____ Date of Birth _____
Address _____ Sex _____
Race _____

Name of Parents or Guardians _____ Date of Birth _____
(Name) _____
(Address) _____ Telephone No. _____
(Name) _____ Date of Birth _____
(Address) _____ Telephone No. _____

Alleged Perpetrator(s) _____ Date of Birth _____
Address _____ Sex _____ Race _____
Relation to Victim _____

Check Appropriate:
Abuse _____ Neglect _____ Date _____ Time _____ Place _____

Description of Incident _____

Results of Incident (Child's Physical Condition, Extent of Injury, Etc.) _____

If You Have Knowledge of Previous Abuse/Neglect of This Child or Alleged
Perpetrator of Injury, Describe _____

Case Reported to Police _____ Sheriff _____ DPS _____ Other _____

Signature of Person Submitting Report _____

Title or Agency _____

Date Report Received by County Department of Pensions and Security _____

County Department of Pensions and Security

Date Submitted State DPS

Explanation of Certain Provisions of the Child Abuse and
Neglect Reporting Law

The 1975 Regular Session of the Alabama Legislature has made considerable changes in the reporting of child abuse and neglect by the passage of Act No. 1124, which amended and reenacted the former Child Abuse Reporting Act. The purpose of Act No. 1124 is to protect children whose health and welfare may be adversely affected through abuse and neglect, by providing for the reporting of such cases to duly constituted authorities.

Certain key definitions have been provided for in the Act. Abuse has been defined as harm or threatened harm to a child's health or welfare which can occur through non-accidental physical or mental injury, sexual abuse, or attempted sexual abuse. Neglect has been defined as negligent treatment or maltreatment of a child, including the failure to provide adequate food, medical treatment, clothing, or shelter. However, a special exception has been made for a parent or guardian legitimately practicing his religious beliefs in the provision of medical treatment for a child. A child has been defined as a person under the age of 18 years.

Certain persons and institutions are required by law to report known or suspected child abuse or neglect under a penalty of a misdemeanor fine or sentence. Those who are required by law to report are: hospitals, clinics, sanitariums, doctors, physicians, surgeons, medical examiners, coroners, dentists, osteopaths, optometrists, chiropractors, podiatrists, nurses, school teachers and officials, peace officers, law enforcement officials, pharmacists, social workers, day care workers or employees, mental health professionals, or any other person called upon to render aid or medical assistance to a known or suspected victim of child abuse or neglect.

Besides those persons who are required by law to report child abuse and neglect, any person may make such report, if such person has reasonable cause to suspect that a child is being abused or neglected.

The initial report should be made orally, either in person or by phone, normally to your local chief of police (if in a city), county sheriff (in rural areas), or your local County Department of Pensions and Security. In addition, a written report will be made on the reverse side of this form containing all of the prescribed information that is known.

The law also contains immunity provisions so that any person participating in the good faith making of a report pursuant to the Act is immune from any civil or criminal liability that might otherwise be incurred or imposed.

The Act further provides that all reports of child abuse and neglect, investigative reports by the Department of Pensions and Security, and certain other records of child abuse and neglect are to be considered confidential under penalty of criminal law. However, disclosure of certain information contained in the reports and records is permitted to individuals, such as physicians or law enforcement officials, under rules and regulations established by the Department of Pensions and Security. The Act explains the various duties of the Department of Pensions and Security in following up a report of child abuse or neglect. It contains provisions for protective custody when the child's life or health is in imminent danger. The Act also provides for the appointment of attorneys to serve as guardians ad litem for abused or neglected children when they are involved in judicial proceedings, and changes certain evidentiary requirements concerning the doctrine of privileged communication in court proceedings.

If you desire more specific information on the content of Act No. 1124, you may contact your local probate judge, sheriff, a lawyer, or clerk or register of your circuit court, or the local County Department of Pensions and Security to review a copy of the Act.

PSD-317 Report on Suspected Child Abuse/Neglect

Suspected Abused/Neglected Child

Name _____ Birth Date _____ Sex _____ Race _____
Address _____
Father _____ Mother _____
Address _____ Address _____
Date Report Received by County DPS _____
Date PSD-159 Sent to Central Registry _____
Disposition _____
Date Report of Investigation Sent to Central Registry _____

FRONT

Inquiries Received on this Incident:

Name _____ Date of Request _____

Address _____ Relationship or Professional Status _____

Nature of Request _____ Information Released _____ Information Not Released _____

Identity of Status of Inquirer Confirmed: Yes ___ No ___ How _____

Name _____ Date of Request _____

Address _____ Relationship or Professional Status _____

Nature of Request _____ Information Released _____ Information Not Released _____

Identity of Status of Inquirer Confirmed: Yes ___ No ___ How _____

BACK

Sample Copy of PSD-

A 5" x 8" card

Revised 9/76

(1) Sample Bill Form for Attorneys Representing the Department

SAMPLE FORM

Smith, Smith & Smith
Attorneys at Law
Smith, Alabama

RE: Legal services in the matter of _____ (Date) _____
Jane Doe
In the Juvenile/Circuit Court _____ \$ _____
of Baker County.

Court Case No. 28,268

Dept. of Pensions and Security
Case No. 5123

I, Frank Smith, do certify that the foregoing bill rendered, represents the amount I am claiming for legal services in the above matter, and that such statement is true and correct and that payment thereof has not been previously requested by me. I further certify that the accompanying itemized statement of services rendered detailing time spent and the hourly charge for each service is true and correct.

Frank Smith

Subscribed and sworn to before me this the ____ day of _____,
19____.

Notary Public

Approved, Director
Baker County Department of
Pensions and Security

(NOTE: A bill in substantially the above form is submitted in triplicate to the Director of the County Department of Pensions and Security.)

(2) Sample Bill Form for Attorneys Representing the Department

S A M P L E
Itemized Statement

Smith, Smith & Smith
Attorneys at Law
Smith, Alabama

RE: Legal services in the matter of _____ (Date) _____
Jane Doe
In the Juvenile/Circuit Court
of Baker County.

Court Case No. 28,268

Dept. of Pensions and Security
Case No. 5123

Interviewing witnesses, client, and preparation out
of office.

8 hours at \$XX.xx per hour \$XXX.xx

Preparation and research in office.

3 hours at \$XX.xx per hour XX.xx

Trial of case in _____ Court.

3 hours at \$XX.xx per hour XXX.xx

TOTAL \$XXX.xx

I hereby certify that the above itemized statement is true
and correct and that payment thereof has not been previously
requested by me.

Sworn to and subscribed to before me this the _____ day of _____,
19____.

Notary Public

Approved, Director
Baker County Department of
Pensions and Security

Attorney's Name	Title XX Cases		CWS	Total Amount
	Child Abuse & Neglect	Others		
Total Amount of Payments				

INSTRUCTIONS: Attach 2 copies of statement from each attorney, having the following information; (a) The style of the case, (b) the court case number, (c) the identity of the person who was represented, and (d) the mailing address of the attorney. The county director must approve both copies.

Enter under "Title XX Cases", all payment for cases eligible for Title XX services. These payments should be broken down into "Child Abuse & Neglect" (cases involving an abused or neglected child) and "Other" (all other cases eligible for Title XX services). For example, a dependent child for whom the Department files a petition for custody when such child is eligible for Title XX services and is not an abused or neglected child should be entered in column marked "Other".

Enter in the CWS column only those cases not eligible for Title XX in which a guardian ad litem is appointed.

Prepared by: _____

Name of County

S A M P L E
Itemized Statement

Smith, Smith & Smith
Attorneys at Law
Smith, Alabama

RE: Legal services in the matter of _____ (Date) _____
Jane Doe
In the Juvenile/Circuit Court
of Baker County.

Court Case No. 28,268

Dept. of Pensions and Security
Case No. 5123

1. Initial interview with representative of D.P.S. 6/24/75	1 hour
Review of file and preparation of amendment to petition 7/20/75	1 hour
Appearance in _____ County Court 7/23/75	1 hour
Telephone conference 7/24/75	25 minutes
Interview with case worker 7/30/75	1 hour
Conference with Judge	50 minutes
Obtaining records from Probate Office 12/12/75	25 minutes
Interview with case worker 12/15/75	1 hour
Review of case 12/15/75	1 hour
Trial preparation 12/15/75	1 hour
Trial preparation 12/16/75	2 hours 50 minutes
Representation at Permanent Custody Hearing 1/19/75	1 hour 50 minutes
	<hr/>
	TOTAL 12 hours

TOTAL BALANCE DUE:
12 hours at \$XX.xx per hour \$XXX.xx

I hereby certify that the above itemized statement is true
and correct and that payment thereof has not been previously
requested by me.

Sworn to and subscribed to before me this the ____ day of _____,
19____.

Notary Public

Approved, Director
Baker County Department of
Pensions and Security

COMPLAINT (INFORMATION)

Case Number

JU _____
ID, YR _____
Number _____

IN THE JUVENILE COURT OF _____ COUNTY

In the Matter of _____, DOB _____

Address _____ Phone _____

Sex _____ Race _____ School _____ Grade _____

Parent/Guardian _____

Address _____

Alleged Violation/Matter _____

I agree to sign a formal petition and testify in court if necessary to substantiate the complaint.

Complainant _____

Title _____ Department _____

Address _____

Facts of matter include time, date, place, co-defendants, victim, approximate value of property taken or damaged, amount recovered and description of alleged delinquent behavior. (Note: If this information is recorded on a similar report, attach report in lieu of completing this section.)

Date

Time of Filing

Intake Officer

ACTION TAKEN

Referred to _____

INFORMAL ADJUSTMENT

Case Number

Form JU-4 1-77

JU _____
10 YR _____
Number _____

IN THE JUVENILE COURT OF _____ COUNTY
In The Matter Of _____

A complaint concerning the above juvenile has been filed and an informal adjustment of this matter is hereby agreed to, subject to the following terms, conditions, and understanding.

1. That this court has jurisdiction to consider this matter.
2. That the juvenile and his parents or custodian have been advised of their rights.

This agreement will be in force until _____ unless sooner terminated.

It is further understood that the parents or guardian and the juvenile will be notified upon termination or dismissal of this agreement.

Agreed

Child _____

Parent _____

Recommended and Agreed

Date _____

Intake Officer _____

**Note to Intake Officer: In using this agreement, you must explain Rule 15 the Alabama Rules of Juvenile Procedure in full and satisfy yourself that all conditions of said Rule are understood by all parties.

PETITION

IN THE JUVENILE COURT OF _____ COUNTY

In the Matter of: _____, a child under the age of _____.
My name is _____ I am over 19 years of age.
My address is _____
My occupation is _____

Child's Name _____
Child's Address _____

Child's Father _____
Address _____

Child's Mother _____
Address _____

Child's Guardian or Physical Custodian _____
Address _____

Guardianship, custody, control and supervision of the child is vested _____

The said child is Delinquent, Dependant, In need of supervision
in that _____

The said child is also in immediate or threatened danger of physical and/or emotional harm in that _____

and he should be removed immediately.

Affidavit Attached

I swear that I am informed and believe and state upon such information, knowledge, and belief, that the above
allegations and facts are true.

Date

Signature

Intake Officer

WHEREFORE, the Petitioner prays that the court appoint a Guardian ad Litem, who is an attorney, to represent the said child; and that summons issue pursuant to law and rules of court to the said child and to the said parents, guardian, or other custodian, and such other persons as appear to the court to be proper or necessary parties to the proceedings, requiring them to appear personally before the court at the time fixed to answer or testify as to the allegations herein.

The Petitioner prays that the court grant temporary custody of the said child to the _____ County Department of Pensions and Security and that the court grant such additional relief as the needs of justice may require for the best interests of the said child.

Dated this _____ day of _____, 19____.

_____ as _____
Petitioner Title

_____ County Department of Pensions
and Security

I swear that I am informed and believe and state upon such information, knowledge, and belief, that the above allegations and facts are true.

Petitioner

Sworn to and subscribed before me this _____ day of _____ 19____.

Intake Officer

WHEREFORE, the Petitioner prays that the court appoint a Guardian ad Litem, who is an attorney, to represent the said child; and that summons issue pursuant to law and rules of court to the said child and to the said parents, guardian, or other custodian, and such other persons as appear to the court to be proper or necessary parties to the proceedings, requiring them to appear personally before the court at the time fixed to answer or testify as to the allegations herein.

The Petitioner prays that after the final hearing in this cause the court will terminate permanently any and all rights of the parents of the said child in and to his custody and grant permanent custody of the said child to the Department of Pensions and Security of the State of Alabama, and that the Department of Pensions and Security of the State of Alabama be authorized to place the said child for adoption or make other permanent plans for said child. The Petitioner further prays that the court grant such additional relief as the needs of justice may require for the best interests of said child.

Dated this _____ day of _____, 19____.

_____ as _____,
Petitioner Title

_____ County Department of Pensions
and Security

I swear that I am informed and believe and state upon such information, knowledge, and belief, that the above allegations and facts are true.

Petitioner

Sworn to and subscribed before me this _____ day of _____, 19____.

Intake Officer

PREADJUDICATION REMOVAL ORDER

Case Number

Form JU-7 1-77

JU
ID YR Number

IN THE JUVENILE COURT OF _____ COUNTY

Part I In the Matter of: _____, a child.

To Any Law Enforcement Officer of the State of Alabama:

It appearing to the court that the welfare of _____ requires his
custody be immediately assumed by the state in that:

It is ordered that the serving officer take the juvenile into immediate custody and deliver him/her to _____

Date

Judge

Part II

TO THE PARENT/GUARDIAN

The officer serving this order **MUST** provide you with your rights, a copy of the petition, and this order. To question this Order of Removal you must appear at the hearing. The hearing will be held

Date

Place

Part III

CHILD DESCRIPTION

Sex _____ Height _____ Age _____ Eyes _____

Race _____ Weight _____ Hair _____ Marks _____

Address _____

OFFICER EXECUTION

I certify that I have executed this order by placing the above named child into the custody of the State.

Date

Officer

** NOTICE: At the time of removal you must provide the parents or guardian a copy of this Order, their rights, and a copy of the petition.

Part IV

I acknowledge that I received a copy of this order.

Date

Signature of Parent/Guardian

Part V

I certify that I have received custody of the above named child.

Date

Signature

JUVENILE COURT SUMMONS

Case Number

Form JU-8 1-77

JU
ID YR Number

IN THE JUVENILE COURT OF _____ COUNTY

In The Matter Of _____

YOU ARE TO APPEAR

Date: _____

Time: _____ AM/PM

Room: _____

Address: _____

Date _____ Issued By _____

Endorsements (Orders To Parents or for Pickup) [Act 1205, 5-117(C) and (D)]

TO ANY LAW ENFORCEMENT OFFICER: You are ordered to serve the above summons as directed.

A copy of this summons was served to the person named above by _____

on _____
Date

Signed _____

NOTIFICATION OF DETENTION

Case Number

JU _____
ID YR _____
Number _____

IN THE JUVENILE COURT OF _____
In The Matter Of _____

COUNTY _____

This is official notice that your child is presently in detention. Your child has the right to a hearing to determine whether he should be detained. Below is a list of your child's rights as explained to him. If you wish to have an attorney to represent your child and cannot afford one, contact the Juvenile Court and the court will arrange to appoint an attorney to represent your child.

Place of Detention: _____
Offense Charged: _____
Reason For Detention: _____

Your child's detention hearing will be held at the time and place named below. To question the detention, you must appear then.

Date: _____
Time: _____
Room: _____
Address: _____

Date _____ Issued By _____

Your child has been provided with a copy of the following rights and has had them explained to him.

1. You have the right to counsel.
2. If you are unable to pay a lawyer and if your parents or guardian have not provided a lawyer, one can be provided at no charge.
3. You are not required to say anything and, anything you say may be used against you.
4. Right to communicate with counsel, parents, and guardians. Reasonable means will be provided to do so.
5. If you are placed in detention:
 - a. You will be fully informed of the reasons for your detention
 - b. You will have a detention hearing within 72 hours
 - c. Your parents will be notified of your detention

CONSENT DECREE

Case Number

JU _____
ID YR Number

IN THE JUVENILE COURT OF _____ COUNTY
In The Matter Of _____

It is hereby ordered that these proceedings are suspended and the child continued under supervision under these terms and conditions.

This decree will be in force for six (6) months, unless the child is discharged sooner by this court.

Date _____

Judge _____

Agreed

Parent/Guardian _____

Juvenile _____

Parent/Guardian _____

Consent Decree extended

Child discharged

Date _____

Judge _____

INFORMATION SHEET (SOCIAL HISTORY SERIAL)

Case Number

JU _____
ID YR Number

Form JU-12-A 1 77

Part I CHILD INFORMATION IN THE JUVENILE COURT OF

COUNTY

In the Matter of:

Name Last First Middle Nickname or Alias

Address

Lives with Relationship Phone

DPOB: Eyes Hair Age Verified By Sex Race

Height Weight Religion SSAN

Description of Child: (Distinguishing Features)

Part II COMPLAINT INFORMATION

Complainant's Name Address Phone

Allegation: Matter Date Place

Arrest Data: Officer(s) Agency Date Place

Category Delinquent Dependant CHINS

Describe the offense or reason for referral. (Briefly outline specific pertinent facts, value stolen, victims, accomplices, etc., or dependency circumstances.)

Referral (To) (From) another agency:

Part III MEDICAL INFORMATION Hospital Plan
Medicaid No.
Medical Alerts (On medication at present, current illness, injury, etc.)

Family Doctor Phone

Part IV PARENT/GUARDIAN INFORMATION

Relationship Name Address Employer Ph. #Bus./Home SSAN

Siblings Name Age Location Court Record

Part V INTAKE PROCESSING

Child's Remarks

See attached sheet

Child Released To

P.O./Intake

LEGAL INFORMATION
(Social History Serial)

Case Number

Form JU-12B 1/77

ID YR Number

IN THE JUVENILE COURT OF _____ COUNTY

In the Matter of: _____

Part I
PRIOR COURT RECORD:

Date	Offense/Matter	Disposition

Part II
Additional Information:
Child and Parent's Attitudes Toward Offense: _____

Part III
Summary of final investigation results on present offenses (Police Reporters, etc.)

Date

Investigating Officer

SCHOOL INFORMATION (SOCIAL HISTORY SERIAL)

Case Number

JU _____
ID YR Number

IN THE JUVENILE COURT OF _____

COUNTY.

Date _____

In The Matter of _____

Nickname _____

School: _____

Grade _____

Schools Previously Attended: _____

Grades Repeated _____

Achievement Level: _____

Test Given
Results: _____

Date _____

Academic Record:

Record
attached.
Report card,
etc.

Subject	Current Year						Subject	Last Year					
	1	2	3	4	5	6		1	2	3	4	5	6
1.							1.						
2.							2.						
3.							3.						
4.							4.						
5.							5.						
6.							6.						

Attendance:

Required Days: _____
Days Present: _____
Excused Absences: _____

Conduct Reports
Behavior, Attitude
towards School &
persons in
authority

Extracurricular
Activities:

School Officials
Contacted:

Phone:

Date _____

School Official

Date _____

Investigating Officer

PROFILE OF YOUTH (SOCIAL HISTORY SERIAL)

Case Number

JU _____
ID YR Number

IN THE JUVENILE COURT OF _____ COUNTY

In the Matter of: _____

A profile of youth should include comments about physical appearance; self-image (how the child sees himself); general attitude towards authority, parents; school and police; peer relationships; strengths and weaknesses and attributes the child has that could help him through problems; employment history (full and parttime); interests, hobbies and activities; special placements (i.e. special education, foster homes, vocational rehabilitation, etc. Describe programs and adjustment, length of stay, reasons for removal); other pertinent comments or analysis.

Date

Investigating Officer

FAMILY-HOME INFORMATION (SOCIAL HISTORY SERIAL)

Case Number

JU _____
ID YR Number

IN THE JUVENILE COURT OF _____ COUNTY

In the Matter of _____ Age _____ Sibling Rank By Birth: _____

Description of Home:

Family Information: Comment on all pertinent information about the child's family; income; parents marital status and marital history; medical problems; recurring illnesses, mental or physical; family activities, general relationships among parents, child, child's siblings, etc.

Other agencies working with family or individual member: (Past or present)

Date

Investigating Officer

**MEDICAL INFORMATION
(SOCIAL HISTORY SERIAL)**

Case Number

Form JU-12'F 1-77

JU _____
ID YR Number

IN THE JUVENILE COURT OF _____ COUNTY

In the Matter of _____

HEALTH HISTORY:

Physical (List diseases/physical handicaps, surgical history)

Last Physical Exam: (Date, doctor, results)

Name of Family Doctor:

Psychiatric History:

Immunizations—Childhood diseases:

Other Comments: (Immediate problems, current treatment, habits, diet and other factors detrimental to health, medical complaints and problems)

Date _____

Investigating Officer _____

SUMMARY—RECOMMENDATIONS (SOCIAL HISTORY SERIAL)

Case Number

JU _____
ID YR Number

IN THE JUVENILE COURT OF _____ COUNTY

In the Matter of: _____

Needs Assessment and Treatment Priorities: (Specific areas or target behavior: i.e. cursing, constant fighting)

Recommendations:

Referral resources that are indicated:

Other Comments:

Date

Signature

State of Alabama
Supreme Court
Dept. of Court Mgmt.

ORDER

Case Number

Form SC-C-18 1-77

ID YR Number

IN THE _____ COURT OF _____ COUNTY

Plaintiff _____ vs Defendant _____

In The Matter Of: _____

Date _____