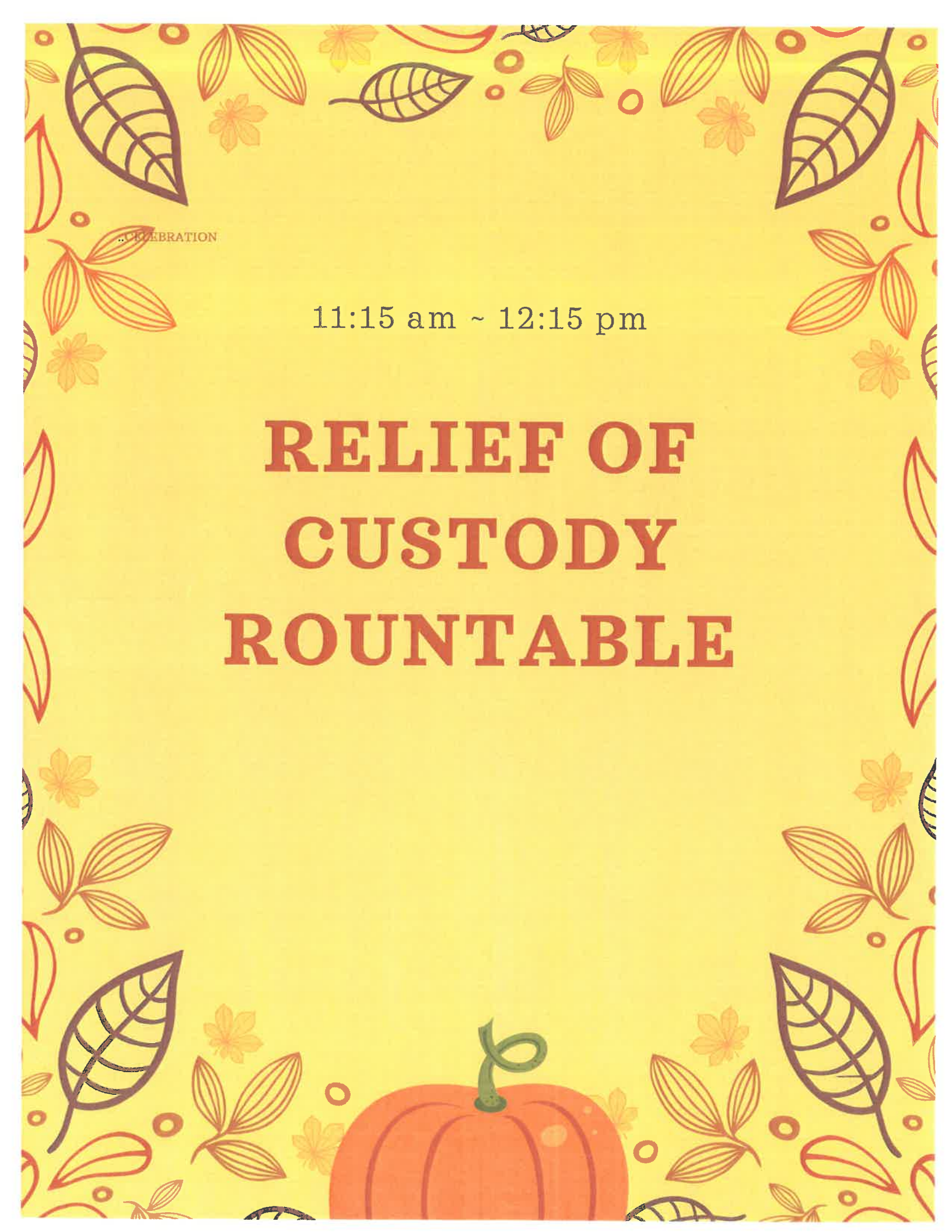


A decorative border surrounds the central text, featuring stylized autumn leaves in shades of brown and orange, along with small yellow flowers and circular motifs.

...CELEBRATION

11:15 am ~ 12:15 pm

RELIEF OF CUSTODY ROUNTABLE



RELIEF OF CUSTODY

A Multi-Agency Presentation

VIRGINIA BEACH DEPARTMENT OF HUMAN SERVICES- STATEMENT ON RELIEF OF CUSTODY PETITIONS

- *It is the position of the Virginia Beach Department of Human Services ("VBDHS") that no family should be required to relinquish custody of their child in order to receive the full complement of services that the child would receive if in foster care. VBDHS offers case management for children with mental and behavioral health issues, and works with families to seek funding for services not covered by applicable insurance under the Children's Services Act and other government funded sources. A relief of custody is drastic measure and adds to a child's level of adverse childhood experiences. It should be use as a last resort and only where it is demonstrated that there is no other available option for the child and family.*
-
- Under Virginia law, a custodian has the right to file a petition for relief of custody of a child, which, if granted, would place the child in the custody of another person (relative or other interested party) or in foster care. It is the position of VBDHS, that such petitions should only be used as a last resort, and where it is clear that the parties have used all reasonable efforts to prevent the relief sought, where reasonable, and where the relief sought is in the best interests of the child.
- Prior to filing a relief of custody, custodians will be referred to VBDHS and a "prevention" case will be opened; this means custodians will be required to participate in services directly aimed at preventing the relief of custody. Such services may include, but are not limited to, family counseling, case management services, and temporary out of home placement though a parental agreement where custody remains with the current custodian.

VIRGINIA CODE

§ 16.1-278.3. Relief of care and custody.

A. Within 60 days of a hearing on a petition for relief of the care and custody of any child pursuant to § [16.1-277.02](#) at which the court found (i) good cause for the petitioner's desire to be relieved of a child's care and custody or (ii) that permanent relief of custody and termination of residual parental rights is in the best interest of the child, a dispositional hearing shall be held, if a final order disposing of the matter was not entered at the conclusion of the hearing on the petition held pursuant to § [16.1-277.02](#).

VIRGINIA CODE

- B. Notice of the dispositional hearing shall be provided to the local department of social services, the guardian ad litem for the child, the child if he is at least 12 years of age, and the child's parents, custodian or other person standing in loco parentis. However, if a parent's residual parental rights were terminated at the hearing on the petition held pursuant to [§ 16.1-277.02](#), no such notice of the hearing pursuant to this section shall be provided to the parent. The hearing shall be held and a dispositional order may be entered, although a parent, guardian, legal custodian or person standing in loco parentis fails to appear and is not represented by counsel, provided personal or substituted service was made on the person, or the court determines that the person cannot be found, after reasonable effort, or in the case of a person who is without the Commonwealth, the person cannot be found or his post office address cannot be ascertained after reasonable effort. However, in the case of a hearing to grant a petition for permanent relief of custody and terminate a parent's residual parental rights, notice to the parent whose rights may be affected shall be provided in accordance with the provisions of §§ [16.1-263](#) and [16.1-264](#).

VIRGINIA CODE

- C. The court may make any of the orders of disposition permitted in a case involving an abused or neglected child pursuant to [§ 16.1-278.2](#). Any such order transferring legal custody of the child shall be made in accordance with the provisions of subdivision A 5 of [§ 16.1-278.2](#) and shall be subject to the provisions of subsection D1. This order shall include, but need not be limited to, the following findings: (i) that there is no less drastic alternative to granting the requested relief; and (ii) that reasonable efforts have been made to prevent removal and that continued placement in the home would be contrary to the welfare of the child, if the order transfers legal custody of the child to a local board of social services. Any preliminary protective orders entered on behalf of the child shall be reviewed at the dispositional hearing and may be incorporated, as appropriate, in the dispositional order. If the child has been placed in foster care, at the dispositional hearing the court shall review the foster care plan for the child filed by the local board of social services or child welfare agency in accordance with [§ 16.1-281](#).

VIRGINIA CODE

- D. If the parent or other custodian seeks to be relieved permanently of the care and custody of any child and the court finds by clear and convincing evidence that termination of the parent's parental rights is in the best interest of the child, the court may terminate the parental rights of that parent. If the remaining parent has not petitioned for permanent relief of the care and custody of the child, the remaining parent's parental rights may be terminated in accordance with the provisions of [§ 16.1-283](#). Any order terminating parental rights shall be accompanied by an order (i) continuing or granting custody to a local board of social services or to a licensed child-placing agency or (ii) granting custody or guardianship to a person with a legitimate interest. Such an order continuing or granting custody to a local board of social services or to a licensed child-placing agency shall indicate whether that board or agency shall have the authority to place the child for adoption and consent thereto. Proceedings under this section shall be advanced on the docket so as to provide for their earliest practicable disposition. At any time subsequent to the transfer of legal custody of the child pursuant to this section, a birth parent or parents of the child and the pre-adoptive parent or parents may enter into a written post-adoption contact and communication agreement in accordance with the provisions of [§ 16.1-283.1](#) and Article 1.1 ([§ 63.2-1220.2](#) et seq.) of Chapter 12 of Title 63. 2. The court shall not require a written post-adoption contact and communication agreement as a precondition to entry of an order in any case involving the child.

VIRGINIA CODE

- D1. Any order transferring custody of the child to a person with a legitimate interest pursuant to subsection C or D shall be entered only upon a finding, based upon a preponderance of the evidence, that such person is one who, after an investigation as directed by the court, (i) is found by the court to be willing and qualified to receive and care for the child; (ii) is willing to have a positive, continuous relationship with the child; (iii) is committed to providing a permanent, suitable home for the child; and (iv) is willing and has the ability to protect the child from abuse and neglect; and the order shall so state. The court's order transferring custody to a person with a legitimate interest should further provide for, as appropriate, any terms or conditions which would promote the child's interest and welfare; ongoing provision of social services to the child and the child's custodian; and court review of the child's placement.
- E. The local board or licensed child-placing agency to which authority is given to place the child for adoption and consent thereto after an order terminating parental rights is entered pursuant to this section shall file a written Adoption Progress Report with the juvenile court on the progress being made to place the child in an adoptive home. The report shall be filed with the court every six months from the date of the final order terminating parental rights until a final order of adoption is entered on behalf of the child in the circuit court. At the conclusion of the hearing at which termination of parental rights is ordered and authority is given to the local board or licensed child-placing agency to place the child for adoption, the juvenile court shall schedule a date by which the board or agency shall file the first Adoption Progress Report required by this section. A copy of the Adoption Progress Report shall be sent by the court to the guardian ad litem for the child. The court may schedule a hearing on the report with or without the request of a party.
- F. A dispositional order entered pursuant to this section is a final order from which an appeal may be taken in accordance with [§ 16.1-296](#).

TYPES OF CASES

- There are many types of cases in which a child came into foster care as a result of a relief of custody or court action that does not directly involve Child Protective Services. Here are a few examples:
 - 1. A Grandmother adopted three of her grand children 10 years ago in Norfolk. She resides in Virginia Beach. Now the children are acting out, defiant, using drugs, and stealing from her. The children may or may not be before the court/diversion. She contacts CPS intake to inquire about relief of custody and is referred to the VB Court Liaison.
 - 2. A child is before the court for a sex crime. They have completed their treatment but cannot return to the home because there are other children in the home.

TYPES OF CASES

- 3. Child was adopted out of state and the family is military, currently residing in Virginia Beach. The child is receiving case management services and has been in acute several times and is now in residential treatment. The adoptive family tells the case manager they do not want the child to return to their home.

REFERRAL PROCESS

- The process begins when the family is referred to the Court Liaison. This happens either via CPS Intake, CSU Intake, Juvenile Probation, a direct referral from the court, Case Management, etc.
- Court Liaison phones the client or meets with them face to face and does an assessment while explaining the court process and the service process. Jurisdiction is also determined (see legal section) If the client is interested in services prior to filing, they are referred to CMH for case management.
- If the client decides to file, a referral to sent to the Prevention Unit to open a case in most instances.

RELIEF OF CUSTODY FROM THE LEGAL PERSPECTIVE OF THE AGENCY

***Christianna Dougherty-Cunningham/Rachel F. Evans, Associate City
Attorneys**

Office of the Virginia Beach City Attorney

RELIEF OF CUSTODY FROM A STATUTORY PERSPECTIVE

- § 16.1-277.02. Petition for relief of care and custody
- A. Requests for petitions for relief of the care and custody of a child shall be referred initially to the local department of social services for investigation and the provision of services, if appropriate, in accordance with the provisions of § 63.2-319 or Chapter 15 (§ 63.2-1500 et seq.) of Title 63.2. Upon the filing of a petition for relief of a child's care and custody pursuant to subdivision A 4 of § 16.1-241, the court shall appoint a guardian ad litem to represent the child in accordance with the provisions of § 16.1-266, and shall schedule the matter for a hearing on the petition. Such hearing on the petition may include partial or final disposition of the matter. The court shall provide notice of the hearing and a copy of the petition to the following, each of whom shall be a party entitled to participate in the proceeding:
 - 1. The child, if he is 12 years of age or older;
 - 2. The guardian ad litem for the child;
 - 3. The child's parents, custodian or other person standing in loco parentis to the child.
 - 4. The local board of social services. Upon receiving notice of the hearing pursuant to this section, the local board of social services shall investigate the matter and provide services, as appropriate, in accordance with the provisions of § 63.2-319 or Chapter 15 (§ 63.2-1500 et seq.) of Title 63.2.

REFERRAL TO THE LOCAL DEPARTMENT

Why is ROC necessary? What is the reason?

Is there a lesser restrictive alternative?

What services and treatment have been provided to the family and by whom prior to the filing of the ROC?

Diligent search for relatives and fictive kin

Family Partnership Meeting

Agency investigation is mandatory and cannot be "delegated to another agency or the GAL"



Out of home placement?



Residential Treatment?



Intensive In-home Services?



Total severance of legal ties?

**WHAT IS THE
PETITIONER REALLY
TRYING TO
ACCOMPLISH?**

ROC V. PARENTAL AGREEMENT (“PA”)

Relief of Custody

- Child is placed in foster care
- Court reviews must take place on federally mandated timeline
- BIO-Parents will pay child support to the state
- Parents/caretakers/Former Guardians are expected to **work** the Foster Care Service Plan Unless and Until Parental Rights are terminated and/or Goal Change occurs
- 15/22 month rule applies

Parental Agreement

- Child is not in foster care; custody remains with guardian/parent
- No Court involvement
- A Sliding Scale Co-Payment is borne by parent/guardian
- Child can receive almost all services child could receive in foster care through PA-even RTC and VRTC
- “Return to home” must be goal w/in 6-12 months
- Parents/former guardians must participate in treatment plan and all meetings
- ROC still an option if PA fails

OTHER OPTIONS

- Relative Placement w/ Services through C&Y (or prevention)
- Fictive Kin Placement with Services through C & Y (or prevention)
- Straight RTC through FAPT and C&Y
- VRTC through FAPT and C&Y
- Case Management through C&Y

"DISPOSITIONAL ORDER"

DISPOSITIONAL ORDER

UNDERLYING PETITION

Court Case No. _____

FOR UNDERLYING PETITION,

FOSTER CARE PLAN

FOSTER CARE PLAN

Commonwealth of Virginia

Code §§ 16.1-277.01, 16.1-277.02, 16.1-278.2, 16.1-278.3,

16.1-281, 20-124.5, 63.2-912

Agency Case No. _____

DATE OF HEARING

☐ Circuit Court

☐ Juvenile and Domestic Relations District Court

USING THIS FORM:

Use this form to dispose of the underlying petition in certain case types and foster care plans filed pursuant to Virginia Code § 16.1-281.

Indicate case type(s) of this child's case by checking applicable box(es): ☐ Abuse, Neglect, or At Risk of Abuse or Neglect

☐ Approval of Entrustment Agreement ☐ Relief of Custody ☐ Foster Care Plan.

Complete pages 1-2, which document general information about the child's case.

The sections outlined individually on three separate pages labeled Page A, Page B and Page C relate to the underlying petition. Complete only one of these pages per case, as appropriate.

Complete pages 3-5 if a hearing is held to review a foster care plan filed pursuant to Virginia Code § 16.1-281.

Date and signature lines for entry of the order by the judge should be completed on Page A, B or C; if used to dispose of an underlying petition, and on page 5 to dispose of a foster care plan, as appropriate.

The last page of the order, Page 6, is used to serve the order, if necessary.

1112

NAME OF CHILD

DATE OF BIRTH

Relief of custody:

☐ Based upon evidence presented upon adjudication of the petition filed pursuant to Virginia Code § 16.1-241 seeking relief of custody, **THE COURT FINDS:**

☐ by a preponderance of the evidence, there is good cause for the petitioner's desire to be relieved temporarily of custody;

☐ by clear and convincing evidence, granting the petition for permanent relief of custody is in the best interest of the child.

☐ A separate ORDER FOR VOLUNTARY TERMINATION OF PARENTAL RIGHTS is attached and incorporated in this order.

Upon disposition of the petition, **THE COURT ORDERS:**

1. ☐ Relief of custody is granted.

2. ☐ For partial disposition, temporary custody of the child is transferred to _____

3. ☐ For final disposition, custody of the child is transferred to _____

_____ PUBLIC OR PRIVATE CHILD-PLACING AGENCY OR FOSTER CARE

Each non-agency party intending a change of address shall give 30 days advance written notice of such change of address to the court and other party, pursuant to Virginia Code § 20-124.5. This notice shall contain the child's full name, the case number of this case, the party's new telephone number and new street address and, if different, the party's new mailing address. The notice shall be mailed by first-class or delivered to this court and to the other party.

4. ☐ A hearing shall be held on _____ at _____

DATE TIME

☐ for final disposition of the petition

☐ for the purpose of reviewing and approving a foster care plan, which shall be filed in accordance with Virginia Code § 16.1-281 by the public or private child-placing agency having placement responsibility for the child by _____

DATE

5. ☐ As this order, whether temporary or final, transfers legal custody of the child to a person with a legitimate interest, district court form DC-559, SUPPLEMENT TO ORDER TRANSFERRING CUSTODY, is attached and incorporated in this order.

6. ☐ The court has reviewed the preliminary protective order entered in this case on _____

DATE

and ☐ the order is dissolved or ☐ a final CHILD PROTECTIVE ORDER - ABUSE AND NEGLECT, district court form DC-532, is attached and incorporated in this order.

ADD'L PROVISIONS....

DATE: _____ IS CURRENTLY AND PERMANENTLY IN THE CARE OF:

7. [] The [] parent [] parent [] parents
[] guardian

shall provide the names and contact information for all persons with a legitimate interest to the local department of social services.

As this order transfers custody of the child, even temporarily, THE COURT FURTHER FINDS:

1. That there is no less drastic alternative than transfer of legal custody as provided in this order.

2. [] As custody of the child is transferred to a local board of social services, that:

a. [] Continued placement in the home would be contrary to the welfare of the child, based upon:
[] the facts contained in the following document(s), which is (are) incorporated by reference:
[] sustained petition. [] entrustment agreement.
[] affidavit. [] department of social services report.

[] the following facts:

AND

b. [] Reasonable efforts [] have been made [] have not been made to prevent removal of the child from the home, based upon:

[] the facts contained in the following document(s), which is (are) incorporated by reference:

[] sustained petition. [] entrustment agreement.
[] affidavit. [] department of social services report.

[] the following facts:

OR

[] Reasonable efforts to prevent removal of the child from his or her home are not required pursuant to Virginia Code § 16.1-278.2 A 5.

[] Other:

DATE

JUDGE

QUESTION?????

CASE MANAGEMENT SERVICES

KELLY J. DOOLAN, PH.D., LPC, LMFT

**PROGRAM MANAGER: CASE MANAGEMENT,
INTENSIVE CARE COORDINATION AND JUVENILE
RESTORATION**

CASE MANAGEMENT SERVICES

- **Mental Health Case Management:** Service Definition - mental health case management is defined as a service to assist individuals, eligible under the State Plan who reside in a community setting, in gaining access to needed medical, social, educational, and other services. If an individual has co-occurring mental health and substance use disorders, the case manager may include activities to address both the mental health and substance use disorders, as long as the treatment for the substance abuse condition is intended to positively impact the mental health condition.
- **Population:** The following Department of Behavioral Health and Developmental Services definitions are referred to in the discussion of the appropriate populations for Mental Health Case Management services.

POPULATION DEFINITION

- **Serious Mental Illness (SMI)** - Adults, 18 years of age or older, who have severe and persistent mental or emotional disorders that seriously impair their functioning in such primary aspects of daily living as personal relations, self-care skills, living arrangements, or employment.
 - The population is defined along three dimensions: diagnosis, level of disability, and duration of illness.
- **Serious Emotional Disturbance (SED)** - Serious emotional disturbance in children ages birth through 17 is defined as a serious mental health problem that can be diagnosed under the DSM, or the child must exhibit all of the following:
 - a. Problems in personality development and social functioning that have been exhibited over at least one year's time; and
 - b. Problems that are significantly disabling based upon the social functioning of most children that age; and
 - c. Problems that have become more disabling over time; and d. Service needs that require significant intervention by more than one agency.
 - Children diagnosed with Serious Emotional Disturbance and a co-occurring substance abuse or developmental disability diagnosis are also eligible for Case Management for Serious Emotional Disturbance.

POPULATION DEFINITION

- **At Risk of Serious Emotional Disturbance** Children aged birth through seven are considered at risk of developing serious emotional disturbances if they meet at least one of the following criteria:
 - a. The child exhibits behavior or maturity that is significantly different from most children of that age and which is not primarily the result of developmental disabilities; or
 - b. Parents, or persons responsible for the child's care, have predisposing factors themselves that could result in the child developing serious emotional or behavioral problems (e.g., inadequate parenting skills, substance abuse, mental illness, or other emotional difficulties, etc.); or
 - c. The child has experienced physical or psychological stressors that have put him or her at risk for serious emotional or behavioral problems (e.g., living in poverty, parental neglect, physical or emotional abuse, etc.).

SERVICE REQUIREMENTS

- The following services and activities must be provided:
- Assessment and planning services, to include developing an ISP/TP and referral to other services.
- An assessment must be completed by a qualified mental health case manager to determine the need for services.
- Mandatory monthly case management contact, activity, or communication relevant to the ISP.
- Linking the individual to needed services and supports specified in the ISP.
- Assisting the individual directly for the purpose of locating, developing or obtaining needed services and resources;
- Coordinating services and service planning with other agencies and providers involved with the individual.
- Enhancing community integration by contacting other entities to arrange community access and involvement including opportunities to learn community living skills, and use vocational, civic, and recreational services.

SERVICE REQUIREMENTS

- Making collateral contacts (non-therapy), with significant others to promote implementation of the service plan and community adjustment.
- Following up and monitoring to assess ongoing progress and ensuring services are delivered.
- Monitoring service delivery as needed through contacts with service providers as well as periodic site visits and home visits.
- Education and counseling, which guide the individual and develop a supportive relationship that promotes the service plan.
 - Counseling, in this context, is not psychological counseling, examination, or therapy. The case management counseling is defined as problem-solving activities designed to promote community adjustment and to enhance an individual's functional capacity in the community.

REFERRAL TO CYBH CASE MANAGEMENT

- COVID Pandemic operations adjustment
 - Office hours: Mon - Thurs 8:00 – 7pm; Friday 8:00 – 5pm
 - Office is open for drop off/pick up of paperwork/scripts M-F 8am – 5pm
 - Arrangements made for special circumstance for pick outside of this time
 - Skeleton staff to include 1 supervisor, 1 CM, 1 OP and 1 front office staff
 - Psychiatrist available Monday and Wednesday 8:30m- 7pm, Nurse available M- Th
 - All appointments are conducted via telehealth
- Contact CYBH front office to schedule intake assessment
 - 385-0850
 - Front office staff with send (or arrange for pick up) intake documents to guardian for completing, can be scanned and emailed or dropped off at office
 - Intake scheduled via telehealth session with assigned CM (telephonic, zoom, webex)

FUNDING SOURCES

- **Funding for CM**

- Medicaid – primary source of funding
- Self pay – if a family does not have Medicaid, they can elect to pay the cost out of pocket \$330.00/month
 - Sliding scale – may qualify for reduced payment, appt w/fee clerk to determine amount
 - Fee appeal/hardship – is available if the family is unable to cover the cost of the service

- **Funding for referral services:**

- Medicaid – covers IIHS, ABA, psychological testing
- FAPT/CSA- an array of services to include virtual residential (parent coaching, mentoring), ICC, RTC, MST, partial hospitalization
- CIF- can cover short term IIHS, parent coaching and mentoring. However, limited to Compass Youth as vendor

COMPREHENSIVE SERVICES ACT

Dayna Bandy, ACSW, LCSW

CSA Coordinator

Virginia Beach Department of Human Services

CHILDREN'S SERVICES ACT

- The Children's Services Act (CSA) is a law enacted in 1993 by the state executive council to establish a single state pool of funds to support services for eligible youth and their families. State funds, combined with local community funds, are managed by local interagency teams called Community Policy Management Team (CPMT) and the Family Assessment Planning Teams (FAPT) manage receipts and expenditures of funds, plans and oversee services to youth in accordance with CSA policy and the statutes noted in COV § 2.2-5206, as well as COV § 2.2-5208
- **Four Core Stakeholder**
 - ✓ Social Services – Foster Care or Child Protective Services Ongoing
 - ✓ Court Services Unit for the Virginia Beach Juvenile Court
 - ✓ Virginia Beach Public Schools – Special Education Services
 - ✓ Children's Behavioral Health Services for Mental Health and Individuals with Disabilities

ELIGIBLE POPULATION SERVED

- Foster Children
- Children At-Risk of Foster Care (Foster Care Prevention)
- Children with Serious Emotional or Behavioral Issues, are at Risk of Out-of-Home Placement, at Risk to Themselves or Others – (Children in Need of Services – CHINS)
- Children who cannot be educated in public schools and require a private day or residential education setting

CHINS

Children In Need of Services- CHINS

Children/youth in this category, eligibility is determined based on a

- Court Order CHINS- Children In Need of Supervision,
- FAPT determined CHINS, Children In Need of Services.

In accordance with the Interagency Guidelines for "Specific Foster Care Services for Children in Need of Services (CHINS)" funded through the Children's Services Act (CSA) eligibility can be determined by FAPT using the CHINS checklist

The youth must meet all 4 four (4) Criteria on the checklist to meet eligibility for CSA funding. CHINS checklist is generally completed on those youth typically referred by the local court service unit or the community services board.

- ☐ CHINS determined by Court Order (Requires a CSA Parent Agreement between Parent and CPMT Director of CSU or Agency providing case management)
- ☐ CHINS determined by FAPT (Requires CHINS Checklist and if out of home placement a CSA Parent Agreement between Parent and CPMT Agency Director or Designee who provides case management/case support)

RELIEF OF CUSTODY/PARENTAL AGREEMENT

- Parental Agreements give legal authority for CSA funds to be used to place a youth in a state approved home or licensed facility.
- Under a Parental Agreement CSA can fund out of home placements while the guardians maintain legal custody of the youth
- Parental Agreements are made between the guardian and our stakeholders (CSU and/or CSB). Schools and DSS are not able to enter into a parental agreement
- Guardians are assessed for a parental copayment as determined in accordance with CPMT policies and procedures
- Guardians agree to apply for Medicaid, FAMIS, and/or other public or private funding and resources, as applicable, to assist in paying for services provided.
- Guardians also agree to **actively and consistently** participate in all aspects of assessment, planning, and implementation of services throughout the time this agreement is in effect. This includes participating in FAPT meetings

RELIEF OF CUSTODY/PARENTAL AGREEMENT

- The act of filing for relief of custody may jeopardize that youths eligibility to utilize CSA funds as it may immediately nullify the conditions needed for Criterion 4 of the CHINS checklist, thus making the child ineligible for sum-sufficiency.

Criterion 4 (Check One)

The goal of the family ☐ is / ☐ is not to maintain the child at home (for foster care prevention services) or return the child home as soon as appropriate (for parental agreements).

Briefly summarize the facts, including sources and dates of information that the Team used to reach its conclusion:



Recommendation of Team: Child may more appropriately be served through another route.

☐

This child should be referred to the local Department of Social Services.

☐

This child should be referred for evaluation for inpatient psychiatric treatment.

☐

Other:

Conclusion of Team (Check only one)

☐

There are not sufficient facts that this child meets all 4 of the above criteria required for CSA funding.

☐

There are sufficient facts that this child meets all 4 of the above criteria required for CSA funding.

Engaging, empowering,
and Equipping Families

FOSTER CARE PREVENTION-FAMILY SUPPORT SERVICES

PAMELA POINDEXTER, MSW
HUMAN SERVICES DEPARTMENT SUPERVISOR

RELIEF OF CUSTODY

Referrals received from Court, Court Liaison, community providers, and walk-ins

Ideally, referrals are received prior to petition being filed

Families are referred to the Foster Care Prevention/Family Support Team

What is the agency's perspective?

LOCAL AGENCY PERSPECTIVE

- The goal of prevention services is to strengthen families by ensuring the safety, permanency, and well-being of their children.

- Primary objectives are to prevent abuse, neglect and family separation. Services are provided with the goal of family stabilization.



AGENCY PRACTICE MODEL

The Virginia Children's Practice Model embraces family engagement and acknowledges that all children deserve to be safe and reared by their families whenever possible. It recognizes the following:

- Families are experts on themselves and all families have strengths
- Families should be treated with respect and have the right to say what happens with them
- It is our role to help support and strengthen a family's capacity to provide care of their children in the context of their own communities
- All children deserve permanent families and permanent connections
- Children should have family settings and that out of home placements should be temporary and pursued when no capable kinship connections exist
- Families deserve to interact with skilled and trained professionals who work collaboratively with community providers and stakeholders to support children and families
- Agencies must collect and track outcome data for the purpose of continuous quality improvement and data driven informed practice approaches

WHAT CAN A FAMILY EXPECT FROM THE LOCAL AGENCY?

- Family assessment
- Service referrals
- Relative search
- Collaboration with community providers
- Family Partnership Meeting (FPM)
- Team Consultation Meeting (TCM)

OVERVIEW OF FOSTER CARE PREVENTION AND FAMILY SUPPORT

- Family Strengths
- Linkage to Services
- Community Partnerships
- Trauma Informed Care
- Equal Access
- Exploration of Relatives and Family Supports

COURT SERVICE UNIT

Katie McCurdy
Intake Supervisor
Virginia Beach Court Service Unit

IMPORTANT JUVENILE INTAKE OPERATIONAL INFORMATION

- Intake Hours 8-3:30 Monday through Friday
- Intake stops taking Preliminary Protective Orders at 1:00 as that is the latest they can currently be added on Monday through Friday.
- Intake can be reached for questions at 757-385-4361
- Intake Supervisor is Katie McCurdy and she can be reached at 757-385-4361

CHINS

- When someone comes to file a CHINS runaway Juvenile Intake will request the police report number and when the runaway has been reported to the police. In addition Juvenile Intake will need to know the runaway history.
- Child in Need of Services- The Virginia Code requires that all community resources be exhausted prior to filing a CHINS complaint. Juvenile Intake will request a copy of a letter on letterhead from the service provider showing that the youth has missed 2 appointments. The youth will need to know of the appointments and the parent has still kept the appointments. This information needs to be documented in the letter provided to Intake.

FILING PETITIONS

- Juvenile Intake is not able to provide anyone with any demographic information. The petitioner will need to have all the information of the petitioner/Juvenile which they would like to file the petition against.
- Juvenile Name (First and Last and if possible Middle)
- Date of Birth of Juvenile
- Juvenile Address
- Juvenile's Mother and Father names and their addresses and Dates of Birth
- If the petition does not have this information they will need to make a report with the Virginia Beach Police Department.
- If it is a Felony Offense even with the above listed information a report will need to be made with the Virginia Beach Police Department as all Felony Offenses have to be filed through the Virginia Beach Police Department.

DIVERSION

- All criminal matters/truancy matters are screened to determine if they are eligible for Diversion with Juvenile Intake.

MISC

- GUARDIAN AD LITEM

- *Upon the filing of a petition for a relief of custody, the court will appoint a GAL for the child. A GAL? Guardian ad litem (GAL) means “guardian for the suit.” A guardian ad litem in Virginia is an attorney appointed by a judge to assist the court in determining the circumstances of a matter before the court. It is the responsibility of the guardian ad litem to provide independent recommendations to the court about the child’s best interests, which can be different from advocating for what the child wants, and to bring balance to the decision-making process. The GAL may conduct interviews and investigations, make reports to the court, and participate in court hearings, teaming, family partnership meetings, or mediation sessions. The GAL has the right to talk to the child’s medical providers, mental health providers, teachers, and any other person or child (such as a sibling) who may have information relevant to the proceeding.*

- Filing child support petitions if the ROC is granted.

- In the event the petition is granted, DHS, must file a petition for child support against the biological or adopted parents. This is a separate case which will be transferred to the Division of Child Support Enforcement Docket (“DCSE”). Child support is based upon statutory guidelines.

CONCLUSION

-Questions?

...CELEBRATION

12:45pm ~ 1pm

