

New Tracks II Factor Reference Guide

New Tracks II Case Criteria Assessment Tool Instructions and Disclaimer

Overview:

This assessment tool was developed to assist in identifying the length of time a case will take to achieve permanency at the time of shelter.

The tool is split into 4 different tracks that have been identified as:

- Track 1- Expedited Reunification/ Resolution
- Track 2- Standard Supervision
- Track 3- Intensive Judicial Supervision
- Track 4- Expedited TPR

Each track is split into 3 sections; case factors, child factors, and parental factors. The assessment tool is organized with the factors that impact permanency and child safety the least and ending with the factors that greatly impact a case and how quickly permanency is reached.

Completing the Tool

Prior to the Case Transfer Staffing (CTS), the court unit Child Protective Investigator (CPI) will initiate the tool and return to the assigned CPI with the shelter packet, and the tool will be brought to the CTS for completion. The Case Manager (CM) will also review the assessment tool and begin completing the tool in preparation for the transfer. Each party will utilize the Family Functioning Assessment, FSFN documentation and any other documentation that may be available. At the CTS, the CM and CPI will discuss the recommended track assessment and come to an agreement. If an agreement is undetermined, then a consult with the CM, CPI, and Office of the Attorney General (OAG) will be held within 2 business days of the Case Transfer Staffing.

The CM and CPI will complete the tool starting with Track 1 and place a check next to each factor that applies to a case, continuing through Tracks 2 and 3. Once the tool has been completed in full, determination of the appropriate track assignment will be made. The tool should be completed in its entirety even when one track may seem more appropriate than the others.

Track 4 (Expedited TPR) includes factors that are identified in Florida Statutes Chapter 39 and must meet specific grounds for Expedited TPR. If a case meets criteria, then a consult with the OAG must be held within 2 business days if this track is going to be explored.

Track Determination

Track 1 should be recommended if the only check marks on the Tool are in Track 1. However, extenuating circumstances may exist resulting in check marks in other Tracks in which Track 1 would still be the appropriate track. The extenuating circumstance may be singular in nature which led to the department's intervention. For an example, this may include a family who has not been associated with the Department previously and the incident that brought them into care was a singular event, and not an ongoing issue (i.e. one parent is Baker Acted for the first time without any prior mental health, receiving one checkmark under untreated mental health).

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Track Determination (continued)

If there are check marks in all three tracks, the CM and CPI should evaluate the factors that are present in Track 3. Since Track 3 contains the most comprehensive case factors and significant case concerns, if there are at least 2 factors selected, then the track recommendation should be Track 3, Intensive Supervision, meaning that the family needs more intensive case management and court supervision to ensure a safe and long term reunification. It should be noted that a discussion or consultation may be needed with all parties if there are any discrepancies in recommending a track assignment. Further, appropriate reasoning for Track 3 or Drug Court Recommendations should be provided on the cover page that is sent along with the assessment tool. If only one factor is selected in Track 3, the CM and CPI should weigh the Track 2 factors related to mental health, substance use, and/or domestic violence to determine if Track 2 or Track 3 is most appropriate. A discussion may be needed with all parties if there are any discrepancies in recommending a track assignment. Additionally, a case may be assigned to Track 3 if there are external factors not captured on this tool in which the Judge designates as significant and requiring intensive judicial oversight.

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CASE FACTORS

There are 8 overall case factors that, along with child factors and parental factors, could impact the track of a case

1. Case involves no prior abuse history
 - *There are no prior reports with the Department of Children and Families*
2. Case involves substance abuse*
 - *Substance use may include the recurrent use of alcohol and/or drugs that cause impairment in areas daily functioning, health, major responsibilities at work, home or school, relationships etc.*
 - *The substance use may be chronic or significant if the drug use is consistent over time, increasing in amount and frequency and use continues despite potential danger or consequences.*
3. Parent with untreated mental illness*
 - *Parent may be experiencing mental illness symptoms, furthermore affecting their thinking, emotional state, behavior and disrupting their ability to work or carry out other daily activities and engage in satisfying personal relationships.*
 - *May be significant when parent is experiencing a steady, and often rapid, decline in mental health over a period of time.*
 - *Mental health is 'untreated' when there is no documentation verifying parent has received treatment or an evaluation.*
4. Case involves drug related activities
 - *This refers to a parent, where at case onset, is being investigated for drug related charges through a law enforcement agency. i.e. trafficking, possession, paraphernalia, manufacturing, dealing, etc.*
5. Case involves child in care under age of 18 with a child
 - *This refers to a child who has been removed from their own parent(s) and also has a minor of their own that is a part of dependency proceedings.*
6. Case involves sexual abuse
 - *This refers to a parent who is being investigated by a law enforcement agency for verified allegations of sexual abuse, molestation, sexual battery.*
 - *This includes if the parent is involved in trafficking the child in regards to CSEC.*
 - *Verified for child on child.*
 - *Case may require immediate and intense services with frequent judicial oversight.*
7. Extreme trauma witnessed or experienced by child that requires immediate and intense services
 - *This refers to a child who has experienced trauma and whose reactions interfere with the child's daily life and ability function and interact with others.*
8. Case involves violent crime in which the child, sibling or parent is the alleged victim
 - *This refers to a case where a law enforcement agency is investigating a parent(s) for a crime that involve manslaughter, rape, robbery, or assault in which the child, sibling or parent is the alleged victim. These times of crimes would include serious bodily harm or death, sexual battery, or use of a weapon.*

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CHILD FACTORS

There are 9 child factors that, along with case factors and parental factors, could impact the track of a case

1. Child is under age 5
 - *This refers to children who are at risk of being abused, neglected, or abandoned due to their age and vulnerability.*
2. Child is placed in foster care which may include multiple placements and separation from siblings
 - *This refers to a child placed in foster care, or a child who has experienced multiple different placements in which he/she may not be co-placed with their sibling.*
3. Child is in an In-Home Placement
 - *This refers to cases where the child is only removed from one parent and is left in the care and custody of another biological parent. This would also refer to cases where the child is placed with a non-maltreating parent.*
4. Child has mental health issues*
 - *This refers to a child who has a diagnosed mental health disorder, which may or may not require medication, and may affect their thinking, emotional state, behavior and ability to carry out daily activities.*
 - *Significant mental health may include placement in a higher level of care (residential/ therapeutic), placement in a Baker Act facility at shelter or psychotropic medications ordered at shelter*
5. Paramour in home with child (no relation to child)
 - *This refers to a parent who has a paramour (significant other) that resides in the removal home and is not biologically related to the child.*
6. Child has serious and complex medical issues that meet criteria for CMAT
 - *This refers to children with special health care needs younger than 21 years of age who have chronic physical, developmental, behavioral, or emotional conditions and who also require health care and related services of a type or amount beyond that which is generally required by children.*
 - *i.e. Special feeding Techniques /Apnea Monitor / Pulse Oximeter / Complex Medications /Shunt Care &Monitoring/ Oxygen Administration / Skin &Wound Care/Suctioning/ Diabetic Care /Ventilator /Tracheostomy Care /Cast Care /Special monitoring/precautions (ex: seizure)*
7. Child needs placement in medical foster care
 - *This refers to a child who has been assessed by CMAT and is eligible for MFC placement.*
 - *To be eligible for a CMAT staffing, the child must be Medicaid eligible, be between the ages of 0-20 years of age, have a complex medical need of require health supervision and have medical documentation to support the need for long term care services.*
8. Child has history of SIPP residential treatment
 - *This refers to a child who has been placed in a Statewide Inpatient Psychiatric Program prior to the current removal episode.*
9. Child is verified to be a CSEC victim, or has FBI or Homeland Security involvement
 - *This refers to a child who has verified allegations of being involved in Commercial Sexual Exploitation of Children or the FBI/ Homeland Security is currently involved in an investigation.*

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PARENTAL FACTORS

There are 15 parental factors that, along with case factors and child factors, could impact the track of a case

1. Parent(s) was subject to dependency proceedings as a child within past 5 years
 - *This refers to a parent who was a minor in a previous dependency case and/or spent time in the custody of the Department of Children and Families as a child.*
2. Parental stressors
 - *This refers to a parent who may suffer from some or all of the following life experiences: Unemployment/ financial issues; recent divorce/separation or marriage; pregnancy or new children; new parental relationship(s); death of a close friend or family member.*
3. Parent has demonstrated an immediate motivation to begin services
 - *This refers to a parent who has actively engaged with services and demonstrates motivation and responsibility towards case plan tasks and referrals.*
4. Parent has history of mental health issues*
 - *This refers to a parent who has a diagnosed mental health disorder who has seen or currently sees a mental health professional on a consistent basis, takes medication or has taken medication in the past. This would also include a history of Baker Acts.*
 - *There is professional documentation verifying the mental health history and corresponding diagnosis.*
5. Parent(s) has history of substance abuse*
 - *This refers to a parent who has a history of maladaptive patterns of substance use leading to clinically significant impairment or distress manifested by one or more of the following, occurring within a 12-month period:*
 - *Recurrent substance use resulting in a failure to fulfill major role obligations at work, school, or home*
 - *Recurrent substance use in situations in which it is physically hazardous*
 - *Recurrent substance-related legal problems*
 - *Continued substance use despite persistent or recurrent social or interpersonal problems caused or exacerbated by the effects of the substance (DSM-IV)*
 - *The substance use may be chronic or significant if the drug use is consistent over time, increasing in amount and frequency and use continues despite potential danger or consequences.*
6. Case includes a history of domestic violence*
 - *This refers to a case where there have been persistent and long-lasting willful intimidation, physical assault, battery, sexual assault, and/or other abusive behavior as part of a systematic pattern of power and control perpetrated by one intimate partner against another. It can include physical violence, sexual violence, psychological violence, and emotional abuse.*
 - *Domestic Violence may be actively occurring and severe.*
7. An active order for protection has been issued by the Court at case initiation
 - *This refers to a parent who has one of the following in place at the time of removal: no contact order, peaceful contact order, stay aware order, move out order, restraining order, criminal no contact order, Chapter 39 injunction, criminal injunction, etc.*

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8. At least 1 prior removal episode
 - *This refers to a parent who has had a child removed from their custody in a previous dependency case.*
 - *The re-removal episode should not be within 12 months of the TPSJ. If so, then this would better fit under the intensive track.*
9. Parent(s) has criminal history
 - *This refers to a parent who has served 1 year or longer for a punishable offense on 3 or more occasions, or a parent who has a single 1st degree felony conviction or higher, of any kind.*
 - *This criminal history should be resolved prior to reunification proceedings.*
10. Parent (s) is currently incarcerated for a minimum of 6 months or more
 - *This refers to a parent who is currently incarcerated at the time of removal and has a sentence of 6 months or more.*
11. Complex paternity issues
 - *This refers to a case where there are multiple fathers or both legal and biological parents. This could also be defined as a case where the father(s) is unknown.*
12. Parent(s) suffers from chronic homelessness
 - *This refers to a parent who has been continuously homeless for a year or more or has had at least four episodes of homelessness.*
13. Parent has serious and complex medical issues that affect their ability to parent
 - *This refers to a parent who has medical complexities that would inhibit their ability to provide a child with their basic needs and supervision.*
 - *i.e. Tube Feedings (NG, G, J) / Special feeding Techniques /Apnea Monitor / Pulse Oximeter / Complex Medications /Shunt Care &Monitoring/ Oxygen Administration /Sterile Procedures /Skin &Wound Care/Suctioning/ Diabetic Care /Ventilator /Tracheostomy Care /Cast Care /Special monitoring/precautions (ex: seizure)*
14. Prior termination as to other children
 - *This refers to a parent who had their parental rights voluntarily terminated in a prior dependency case.*
15. Pending court actions that could impact permanency
 - *This refers to a parent who has pending criminal charges where they could be facing incarceration for an extended period of time.*

***If mental health, substance use and/or domestic violence** factors are actively occurring, significant, severe and suggest a need for more intensive judicial oversight, a recommendation for Track 3: Intensive Supervision or Drug Court may be made. Justification must be included on the cover page.

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EXPEDITED TPR FACTORS

There are 6 expedited TPR factors that could impact the track of a case.

1. Incarcerated parent(s) is a violent career criminal, habitual violent offender, or sexual predator
2. Parent(s) has engaged in egregious conduct or failed to prevent egregious conduct as defined in Ch. 39
3. Parent(s) have subjected their child, or another child, to aggravated child abuse, sexual batter, sexual abuse or chronic child abuse
4. Parent(s) have a prior involuntary TPR
5. The children have been removed 3 or more times from the parent(s) care
6. Parents(s) have engaged in chronic substance abuse and refused or failed to complete treatment within the prior 3 years.

****Consult with Attorney General within 2 business days of CTS if expedited TPR will be explored****