

DEPARTMENT OF SOCIAL SERVICES

CHILDREN'S DIVISION

P.O. BOX 88

JEFFERSON CITY, MISSOURI

September 12, 2013

<p>What's Inside: Revised De Novo Judicial Review Policy and Procedures</p>
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MEMORANDUM

TO: REGIONAL EXECUTIVE STAFF, CIRCUIT MANAGERS AND CHILDREN'S DIVISION STAFF

FROM: CANDACE A. SHIVELY, DIRECTOR

SUBJECT: REVISED DE NOVO JUDICIAL REVIEW POLICY AND PROCEDURES

DISCUSSION:

The purpose of this memorandum is to inform staff revisions have been made to the De Novo Judicial Review policy and procedures in the Child Welfare Manual. These revisions were made to enhance the Division's capacity to ensure the Central Registry reflects the Court's ruling specific to Circuit and/or Appellate Court trials.

De novo judicial reviews occur when an alleged perpetrator disagrees with the Child Abuse and Neglect Review Board's (CANRB) decision to uphold the Division's finding and files the matter in Circuit Court. The Division receives notice in the form of a summons and a copy of the petition from the Circuit Court. Division staff should immediately notify the Division of Legal Services (DLS) through appropriate supervisory channels, and provide DLS with a copy of the complete record.

De novo judicial reviews are subject to appeal. The Regional Director/Designee or OHI Unit Manager may review the case and determine whether or not the agency should contest the finding of the court. If it is determined the Division should contest the decision, the Regional Director/Designee or OHI Unit Manager should refer the case to the Division Director's Office, who will review and, if appropriate, refer the matter to DLS.

It is imperative staff update FACES upon verification from DLS when a Court's ruling or a stipulated agreement is applicable to the Division's CA/N Investigation. The procedures for updating FACES are outlined in [Section 2 Chapter 4.5.3](#) of the Child Welfare Manual.

NECESSARY ACTIONS:

1. Review this memorandum with all Children’s Division staff.
2. Review revised Child Welfare Manual chapters as indicated below.
3. All questions should be cleared through normal supervisory channels and directed to:

PDS CONTACT

Scott B. Montgomery, MSW
573-526-5408
Scott.B.Montgomery@dss.mo.gov

UNIT MANAGER

Christy Collins, MS
573-751-9603
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CHILD WELFARE MANUAL REVISIONS

[Section 2.4.5.3 De Novo Judicial Review](#)

FORMS AND INSTRUCTIONS

N/A

REFERENCE DOCUMENTS AND RESOURCES

N/A

RELATED STATUTE

N/A

ADMINISTRATIVE RULE

N/A

COUNCIL ON ACCREDITATION (COA) STANDARDS

N/A

CHILD AND FAMILY SERVICES REVIEW (CFSR)

N/A

PROTECTIVE FACTORS –N/A

Parental Resilience
Social Connections
Knowledge of Parenting and Child Development
Concrete Support in Times of Need
Social and Emotional Competence of Children

FACES REQUIREMENTS

N/A