

## DEPARTMENT OF SOCIAL SERVICES

## CHILDREN'S DIVISION

P. O. BOX 88

JEFFERSON CITY, MISSOURI

April 25, 2016

## M E M O R A N D U M

**What's Inside:**Court Adjudication Central Registry  
(CACR) screen

TO: REGIONAL DIRECTORS, FIELD SUPPORT MANAGERS,  
CIRCUIT MANAGERS AND SUPERVISORS

FROM: TIM DECKER, DIRECTOR

SUBJECT: COURT ADJUDICATION CENTRAL REGISTRY

## DISCUSSION:

This memorandum introduces the addition of the Court Adjudication Central Registry (CACR) screen in FACES. Procedures for placing an individual on the registry for court adjudication outside of the normal hotline process and subsequent appeal rights are also outlined.

Pursuant to [Section 210.110\(3\), RSMo.](#), there are three (3) reasons an individual's name can be placed on the Central Registry:

1. The Division substantiates a child abuse/neglect investigation which reaches a final determination
2. A court has substantiated through court adjudication that the individual has committed child abuse or neglect, or
3. A person has pled guilty or has been found guilty of certain crimes.

Applying a court adjudicated finding is a legal interpretation. When staff receive notice that a court has substantiated abuse/neglect or an individual has pled guilty or was found guilty of a crime **against a child**, a referral **must** be made to the Division of Legal Services (DLS) through appropriate supervisory channels. Only DLS can determine whether a finding of 'Court Adjudicated' may be made.

There are now two ways for an individual to be placed on the Central Registry once DLS determines a 'Court Adjudicated' conclusion may be made:

1. The Division has found a Preponderance of Evidence (POE) through a child abuse/neglect investigation,

2. The individual meets Court Adjudication criteria for situations that do not have a corresponding child abuse/neglect hotline and are placed on the Central Registry through the CACR screen in FACES.

### **Central Registry for Court Adjudication without a CA/N Report**

There are times when a court adjudicates child abuse or neglect, or an individual pleads or is found guilty of a crime in which there is no corresponding child abuse/neglect investigation finding. The primary reason this occurs is when an individual did not have care, custody, or control.

There may be rare occasions when a court adjudicates an allegation that was not included in the Children's Division's child abuse/neglect investigation. **Note:** if this occurs prior to the conclusion of a hotline, staff should add the court's allegation to their CA/N report.

There are also times when a petition for removal was filed during a Family Assessment. **Note:** if this occurs prior to the report conclusion, staff should upgrade the CA/N report to an investigation.

The CACR screen has been added to the General Functions Homepage in FACES. This screen will allow the Division to place individuals on the Central Registry in situations in which the Division does not have a corresponding preponderance of the evidence (POE) determination.

### **FACES Entry for 'Court Adjudicated' Conclusions**

When staff is made aware of a situation they believe meets court adjudication criteria, they should make a referral to DLS through appropriate supervisory channels. Upon confirmation by DLS, the legal opinion should be forwarded to the CA/N Program Development Specialist (PDS). The CA/N PDS will either update the individual conclusion screen in FACES, or enter the individual on the CACR screen. The CA/N PDS will then provide any necessary further instruction to staff.

When an individual has been placed on the Central Registry due to court adjudication with no corresponding CA/N report, they will appear under the Court Adjudicated Central Registry (CACR) heading on the Call/Case Prior History Search. They will also appear in the Prior History with CD section of the Child Abuse/Neglect Investigation/Family Assessment Summary (CPS-1) and in the priors on the CA/N1 on any subsequent CA/N reports.

### **Appeal of Court Adjudication Determination**

The individual has the right to appeal being placed on the Central Registry when there has been no corresponding hotline. The CA/N PDS will provide notification to the individual of the decision to place them on the CACR utilizing the Court Adjudication Central Registry disposition letter (CS-21h) and will ensure the administrative review is completed, if requested. If the administrative review upholds the placement of the individual on the Central Registry, the determination is final. The individual remains on the Central Registry unless they provide documentation their court adjudication, guilty plea, or conviction is overturned on appeal.

This **does not** apply to 'Court Adjudicated' conclusions on an investigation, as the alleged perpetrator's rights to appeal are denied at the point this conclusion is entered. If the perpetrator has requested an administrative review, once the investigation conclusion is changed to 'Court Adjudicated' the Administrative Review Ineligibility Letter (CS-21e) should be sent to the perpetrator notifying them they are no longer eligible for further administrative review.

<b>NECESSARY ACTION</b>	
<ol style="list-style-type: none"> <li>1. Review this memorandum with all Children's Division staff.</li> <li>2. Review revised Child Welfare Manual chapters as indicated below.</li> <li>3. All questions should be cleared through normal supervisory channels and directed to:</li> </ol>	
<b>PDS CONTACT</b> Kara Wilcox-Bauer 573-526-9707 <a href="mailto:Kara.B.Wilcox-Bauer@dss.mo.gov">Kara.B.Wilcox-Bauer@dss.mo.gov</a>	<b>PROGRAM MANAGER</b> Christy Collins 573-751-9603 <a href="mailto:Christy.M.Collins@dss.mo.gov">Christy.M.Collins@dss.mo.gov</a>
<b>CHILD WELFARE MANUAL REVISIONS</b> <a href="#">Section 2, Chapter 4.1.8.7, Court Adjudicated</a>	
<b>FORMS AND INSTRUCTIONS</b> Court Adjudicated Central Registry Disposition Letter (CS-21h) Court Adjudicated Central Registry Administrative Review Disposition Letter (CS-21i)	
<b>REFERENCE DOCUMENTS AND RESOURCES</b> Three Pathways to the Central Registry Flow Chart	
<b>RELATED STATUTE</b> <a href="#">Section 210.110(3), RSMo.</a>	
<b>ADMINISTRATIVE RULE</b> N/A	
<b>COUNCIL ON ACCREDITATION (COA) STANDARDS</b> N/A	
<b>CHILD AND FAMILY SERVICES REVIEW (CFSR)</b> N/A	
<b>PROTECTIVE FACTORS</b> N/A	
<b>FACES REQUIREMENTS</b> Court Adjudicated Central Registry (CACR) screen	