



Practice Points

Delayed Investigative Conclusions

The purpose of this Practice Point is to clarify that staff may make a Preponderance of Evidence (POE) finding when the report has not been concluded within the delayed conclusion timeframes. The CD-198, CD-198A, CD-198B, and the CD-198C have been eliminated. Staff should utilize appropriate supervisory channels to address any issues in not receiving timely information from multi-disciplinary team members.

Conclusion Timeframes

Pursuant to Section 210.145, RSMo., the Division shall complete all investigations within forty-five (45) days, unless a **good cause** for the failure to complete the investigation is specifically documented in FACES.

Delayed Conclusions

Workers and Supervisors **must** document, in FACES, the good cause reason for a delayed conclusion on or before day forty-five (45) of the investigation. This documentation should be completed within a supervisory consult contact entry. All reports not completed within forty-five (45) days must be put in delayed conclusion status on the Delayed Conclusion screen in the Investigation/Assessment function in FACES.

Good cause for failure to complete an investigation shall include, **but not be limited** to:

- The necessity to obtain relevant reports of medical providers, medical examiners, psychological testing, law enforcement agencies, forensic testing, and analysis of relevant evidence by third parties which has not been completed and provided to the division
- The attorney general or the prosecuting or circuit attorney of the city or county in which a criminal investigation is pending certifies in writing to the division that there is a pending criminal investigation of the incident under investigation by the division and the issuing of a decision by the division will adversely impact the progress of the investigation, or
- The child victim, the subject of the investigation or another witness with information relevant to the investigation is unable or temporarily unwilling to provide complete information within the specified time frames due to illness, injury, unavailability, mental capacity, age, developmental disability, or other cause.

The following timelines should be utilized when there is good cause to delay the timely conclusion of an investigation:

- If the investigation involves a child fatality or near-fatality, it may remain open until the Division's investigation surrounding such death or near-fatal injury is completed.
- If the investigation involves sexual abuse, it should be completed no later than one hundred twenty days (120).
- All other investigations should be completed no later than ninety (90) days.

If there is good cause for failing to complete the investigation within the timeframes listed above, staff may still make a Preponderance of Evidence (POE) finding.

Significantly Delayed Preponderance of Evidence (POE) Investigations

A referral must be made to the Division of Legal Services (DLS) to request a legal opinion on whether a POE finding is appropriate when the investigation is six (6) or more months overdue.

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Issued: 02/16/18