

DEPARTMENT OF SOCIAL SERVICES
CHILDREN'S DIVISION
P. O. BOX 88 JEFFERSON CITY, MISSOURI

September 3, 2021

M E M O R A N D U M

TO: CHILDREN'S DIVISION
FROM: JOAN ROGERS, INTERIM DIRECTOR
SUBJECT: LEGAL ASPECTS (LA) TRAINING CURRICULUM

In response to the September 2019 Task Force on Child Safety recommendationsⁱ the Legal Aspects Training team has developed the following Two-day classes: Legal Aspects of Investigations, Legal Aspects of Foster Care and Adoption, Legal Aspects of Investigation for Supervisors, Legal Aspects of Foster Care and Adoption for Supervisors, and Legal Aspects 360 for Circuit Managers. The LA team also developed courses for the elearning library to serve as resources for the workforce and prerequisite courses for the two-day instructor led courses. The library of elearning courses can be found on the Employee Learning Center by searching for "Legal Aspects" courses.

Curriculum requirements:

- All Associate and Social Service Specialists, who are not supervisors, and Program Development Specialists:
 - Shall complete the Legal Aspects (LA) foundational course in their program line within six (6) months of employment. After initial completion, the LA foundational course in their program line should be repeated once every seven (7) years.
 - After completion of the foundational LA course, they shall complete three (3) hours of LA training each year thereafter.
- Program Development Specialists, Supervisors, and those in a supervisory role for Associate/Social Service Specialists:
 - Shall complete the LA/FCAD class for Supervisors, in the appropriate discipline, within six (6) months of promotion or transfer to a supervisory role. After initial program completion, supervisors should then repeat the class every seven (7) years thereafter.
 - After completion of the supervisory LA course, they shall complete three (3) hours of LA training each year thereafter.
- Circuit Managers:
 - Shall complete LA360 within a year of becoming Circuit Manager, then once every seven (7) years after initial completion.
 - After completion of LA360 course, Circuit Managers shall complete three (3) hours of LA training each year thereafter.

Foundational LA Courses based on program line:

CD000153 LA Investigations
CD000171 LA Foster Care and Adoption
CD000657 LA Investigations for Supervisors (LDR credit)
CD000658 LA Foster Care and Adoption for Supervisors (LDR credit)
CD000604 LA360 (LDR credit)

Yearly LA Course Requirements: The Legal Aspects team and training team will identify the courses that will count towards the yearly LA requirements and workers will be able to find these on the ELC. Below is a list of classes that currently have LA training credit. (Please note: most classes that have Legal Aspects Credit will qualify for 210 credit):

CD000652 LA Constitutional Law
CD000653 LA Understanding Burdens of Proof and Standards of Evidence
CD000630 LA Relatives and Other Placements
CD000633 LA Concurrent Planning
CD000634 LA Understanding ICWA
CD000629 LA What You Need to Know Before You Go to Court
CD000625 LA Top 10 Tips for Testifying
CD000624 LA Courtroom Etiquette
CD000618 LA Understanding Protective Custody
CD000663 LA Understanding Criminal History
CD000700 Navigating TAPA's
CD000693 Medical Marijuana

Courses currently being developed for LA credit:

Legal Aspects 2021 Legal Update – to be released fall 2021
Legal Aspects of CANRB Processes – to be released fall 2021
Legal Aspects of Adult Guardianships and Conservatorships – to be released fall 2021

Requesting Legal Aspects Credit:

If you believe a course should be awarded LA training credit please submit the course objectives to the LA training team to request credit.

Legal Aspects Training Team Focus:

The Legal Aspects Training team has offered a significant number of LA foundational and supervisory courses since September 2019 in an effort to ensure our teams have a solid, legal basis for their work. The LA team will continue to offer LA foundational courses with an emphasis on reaching CWPT cohorts six months after employment with the Division. The LA team will continue to develop online classes to meet the ongoing legal aspects needs of the Division. The Legal Aspects intranet site is to be a resource library for workers' legal aspects needs. The link is: <https://dssintranet.mo.gov/dss-childrens-division/professional-development->

[and-training/legal-aspects-training/](#). The site contains a list of classes and prerequisites and all of the reference materials for the LA courses.

Legal Aspects Questions:

The LA team is working to develop specific email for workers to reach out with legal aspects questions. We will announce this email in our next LA Newsletter. Please be on the lookout for the newsletter this fall.

Questions about LA courses on your training plan:

If a course is added to your plan and you do not believe that it should be there, contact the ELC and/or the Legal Aspects Trainer. Helpful emails: Ramona.harris@dss.mo.gov (training technician) Karen.bickel@dss.mo.gov (Legal Aspects Trainer)

If you have more than one program area, please staff with your supervisor to determine which basic two-day course would be most beneficial and then contact a training technician for a waiver of the other basic course.

Legal Aspects courses will remain virtual at least until January 2022. This allows us to train more workers at a time and alleviates the need for workers to travel from their home base. However, with all virtual training events, attention and participation is paramount. The LA team appreciates all who provide in-class feedback, thoughtful questions, and helpful comments.

Thank you.

NECESSARY ACTION 1. Review this memorandum with all Children’s Division staff. 2. All questions should be cleared through normal supervisory channels and directed to:	
Legal Aspects Trainer Karen Bickel Karen.bickel@dss.mo.gov	Legal Aspects Supervisor Ellen Haynes Ellen.k.haynes@dss.mo.gov
CHILD WELFARE MANUAL REVISIONS N/A	
FORMS AND INSTRUCTIONS N/A	
REFERENCE DOCUMENTS AND RESOURCES N/A	

RECOMMENDATIONS – LEGAL ASPECTS TRAINING:

Understanding laws governing child welfare practice and how they relate to the work of CD is essential. Legal Aspects training is required within the first year of being hired; however, there are child welfare workers who are not receiving complete Legal Aspects training for more than a year after beginning field work. Lack of training in this specific area leads to problems with the quality of referrals made to the juvenile office and directly impacts the ability to establish a legally sufficient case for a child to be placed in alternative care. Data from the Office of State Court Administrator supports concerns regarding the number of referrals rejected due to legal insufficiency.

The Task Force makes the following recommendations regarding Legal Aspects training:

- 1. A team of full time attorneys should be formed to provide Legal Aspects training and be available to answer legal questions from Children’s Division field staff on a 24/7 basis**
- 2. Children’s Division workers should receive Legal Aspects training within the first six months of employment**
- 3. A standardized curriculum for initial Legal Aspects training should be utilized**
- 4. Legal Aspects curriculum should be enhanced in the following areas:**
 - a. Juvenile Officer referral form**
 - b. Legal sufficiency**
 - c. Courtroom skills and decorum**
 - d. Understanding criminal history**
- 5. After the first year, additional Legal Aspects training should address trends in concerns identified by legal training team, policy updates, statutory changes and court rulings**