

Questions regarding proposed CHINS legislation

General Overview Questions:

1. What is the population to be served?
 - a. What age is to be served?
 - b. What are the defined categories that trigger a case?
2. Should certain categories have priority?
 - a. Should the money allocated go to a specific age range or category?
3. Who can file in the court system?
 - a. child, DSS, parent, truancy officer, police?
4. Is the legislation still too child focused?
 - a. If yes, can we envision a family requiring assistance category?
 - b. How would this new category be defined? Limited to certain families?

General Data Questions:

1. Does the MassCOURTS system ensure information tracking for this legislation?
 - a. If not is there another system in place that should be used to track information?
2. Do we need additional language to address confidentiality issues?
 - a. If additional language is needed what does that look like?
3. Is a data consortium/ advisory council needed to offer advice and comment to the Chief Justice, the Secretary and the Chief of Probation?
4. One of the goals of this legislation is to keep the juveniles' court records out of the CORI system, has this legislation successfully done this?

General Court Process Questions:

1. Duration of time that court process would take place?
2. In this legislation the existing CHINS sections were repealed and new ones added in an attempt to avoid confusion. Is this the best approach?
3. Is the statement that the court can trigger a C&P case unnecessary in this legislation?
4. If a family is referred to services and declines to participate what actions can the court take?

5. Should this new system also include families in need of services?
 - a. If yes, would they be adjudicated?
 - b. What would the disposition orders be?
6. The following areas of the legislation need to be reviewed and feedback is needed to ensure the process is following the correct judicial path:
 - a. preliminary inquiry process
 - b. evidentiary standards – when change of custody and adjudication
 - c. custody changes – emergency (limited then 72 hr. hearing), temporary (while waiting for adjudication hearing), placement on adjudication
7. What do other states do to enforce court orders?
8. Can we give the courts the power to order agencies to provide services with a statutory change?

Front End

1. Is additional detail on the truancy and runaway pilots needed?
 - a. If it is needed, what should it include?
 - b. Should specialized services for truancy cases be defined?
2. Should the intake tool be described in greater detail or should we name several tools to choose from?
3. How do families pay for services?
 - a. Do we need to give explicit authority for fee waiver?
 - b. Do we need more language around establishing the sliding scale?
4. Please confirm that the timeframe outline for the front end services (3 months with a 3 month extension) is the correct amount of time.
5. Does the language need to more specifically state which services will be provided by the program directly and which services will be referred?
6. Does the phrase “complex medical needs” in line 135, need to be defined?
7. How can the Rosie D community structures help us?
8. We need to examine carefully who is not eligible for services:
 - a. Should DYS kids be excluded, or not?
 - b. Should DSS kids in out of home placements be excluded?
 - c. Are the DSS kids’ needs covered by the Family Networks program?
9. In the list of minimum services, should the list included other programs?

- a. Example: recreational programs, mentoring, parent classes
10. Can children apply to be a part of this program without parental consent?
- a. What happens in a case where the parent opposes?
11. The front end has 3 levels of intensity: Should the language around the screening and assessment process be different for each level? If yes, what should be the differences?
- 1 no services offered just information
 - 2 case manager assigned to work with family, services offered
(either in house or referred)
 - 3 case management team works with family and case manager together to
implement a successful plan

Disposition meetings

What is the 'next step' after these various dispositions? Do we specify in this section (lines 249-258) when a family can go to court on the same facts? Should we?