Services for Youth Exhibiting Wayward/Disobedient Behavior

Rhode Island Department of Children, Youth and Families

Policy: 900.0070

Effective Date: September 2, 2003 Version: 1

The Rhode Island Department of Children, Youth and Families, in compliance with Rhode Island General Law (RIGL) 14-1-11 and Department Policy 100.0190, Vision, Mission and Guiding Principles, is responsible for planning, developing, coordinating and monitoring a program that offers appropriate assessment and treatment services to families and children prior to the filing of a wayward/disobedient petition in Family Court.

The following provisions of RIGL 14-1-11 apply:

- No petition alleging that a child is wayward by virtue of disobedient behavior may be filed except upon proof offered in such petition that the child has been subjected to a needs assessment conducted at a facility approved by the Director of the Department of Children, Youth and Families, and that a treatment plan resulting from such an assessment has been unsuccessful.
- The Department of Children, Youth and Families is authorized and directed to promulgate rules and regulations that it deems necessary to implement the provisions and purposes of this section.

The Department's Mission supports this program:

- It is the mission of DCYF to assist families with their primary responsibility to raise their children to become productive members of society.
- We recognize our obligation to promote, safeguard and protect the overall well being of culturally diverse children, youth and families and the communities in which they live through a partnership with families, communities and government.

The Department has identified community based agencies that have the ability to provide appropriate services to families who are not involved with the Department in accordance with the provisions of RIGL 14-1-11. The police department in each city or town in Rhode Island shall be notified by the Department of an approved agency that will provide services to the families that are referred by that law enforcement agency. If the parents choose not to participate in this process, a wayward/disobedient petition will not be filed at this time. The assessment and service plan development will be provided at no cost to the family. Fee for subsequent services will be determined on an individual basis depending on the family's resources and insurance coverage. A DCYF liaison will work collaboratively with the community based providers and local law enforcement agencies in all cities and towns to ensure that effective and timely services are available to families and youth.

If the Department determines that it is necessary to file a petition alleging that a child in the custody of the Department is wayward/disobedient, the Department will provide the necessary documentation in compliance with the provisions of RIGL 14-1-11 and file the petition in Family Court. If the parents of a child, who is active with the Department in Family Services or Probation but has no legal status with the Department, believe it is necessary to pursue the filing of a wayward/disobedient petition in regard to their child, the Department will provide documentation to the parents that will enable them to pursue the filing of the petition with the police.

A uniform reporting form, DCYF #197, Documentation of Services (Filing Procedure for Wayward/Disobedient Charges in Family Court) is used to document that a child has been subjected to a needs assessment and that a treatment plan resulting from such an assessment

~~has been unsuccessful. The completed DCYF #197 provides justification for the filing of a wayward/disobedient petition.~~

~~**Related Procedure...**~~

~~**Services for Youth Exhibiting Wayward/Disobedient Behavior**~~

Services for Youth Exhibiting Wayward/Disobedient Behavior

Procedure from Policy 900.0070: Services for Youth Exhibiting Wayward/Disobedient Behavior

A. Children and Youth Not Involved with DCYF

1. When a parent or guardian wishes to file a complaint alleging that a child in his or her care, who is not active with the Department, is wayward by virtue of disobedient behavior, he or she contacts the local police department in the city or town in which he or she resides.
2. The local law enforcement agency shall, after reviewing the matter, immediately refer the family for community-based assessment and treatment services.
3. If the family is referred for community-based services, the law enforcement agency ensures that the following are completed:
   a. The parent or guardian must sign the DCYF #197, Documentation of Services (Filing Procedure for Wayward/Disobedient Charges in Family Court).
   b. The signed DCYF #197 is then given to the parent. .
   c. The parent/guardian must contact the designated agency for an initial screening/assessment and provide the community-based service provider approved by DCYF with the DCYF #197.
4. The community-based agency is not expected to seek out a referred family and shall service a family only after the parent or guardian makes contact.
5. If a parent or guardian fails to contact the designated community-based agency after being referred by a police department, it will be assumed that the parent or guardian no longer wishes to pursue the complaint.
6. It is the responsibility of the parent or guardian to initiate contact with the approved community-based agency and follow through with services. After the family initiates contact, the agency will do the following:
   a. Arrange an intake/assessment meeting with the family and child to take place within one week of parental request.
   b. Determine if there have been any prior interventions.
   c. Complete a current assessment of the family problems and develop a plan to assist the family's functioning.
   d. Engage the family in a course of treatment/intervention and/or refer them to a more appropriate agency. If the family is referred to another agency, the referring agency shall continue to monitor the case.
7. If a family has engaged in recent service delivery without success, the approved community-based agency must complete an assessment with full consideration of the family's previous treatment history. The approved agency will determine if there are any other services available in the community that may be effective in treating the family.
8. If the interventions of the approved community-based agency are successful, there shall be no need for further police involvement.
9. If however, after the approved agency has made sufficient contact and determined that the family issues require court involvement and/or the child is unresponsive to the service delivery, the agency shall:
   a. Document the intervention and make recommendations on the DCYF #197 to the parent(s) or guardian.
   b. Provide to the parent(s) the DCYF #197, which contains a summary report of interventions and recommendations.
   c. The parent(s) may choose to bring the DCYF #197 back to the police to pursue the filing of a wayward/disobedient petition.
   d. Maintain a confidential record in accordance with its agency policy.

B. ~~Children Active with DCYF in Family Services Unit or Probation Caseload~~

1. ~~Children with Legal Status~~
    a. ~~If it has been determined that a wayward/disobedient petition should be filed on a child who is active with the Department and has a legal status, the assigned worker shall after discussion with supervisor meet with legal counsel.~~
    b. ~~If legal counsel determines that the filing of the wayward/disobedient petition is appropriate, the assigned DCYF worker will prepare a summary of facts and document on the DCYF #197 that assessment and services have been attempted and have not been successful and the Department will file the petition in Family Court.~~
2. ~~Children with No Legal Status~~
    a. ~~If a parent wishes to file a wayward/disobedient petition and the Department concurs, the assigned DCYF worker will assist the parent by documenting on the DCYF #197 that assessment and services have been attempted and have not been successful.~~
    b. ~~Parents can take the completed DCYF #197 to their local police Department to pursue the filing of the wayward/disobedient petition.~~