

LEGAL ASPECTS OF CHILD PROTECTIVE SERVICES

COMPETENCIES

Skill Set #1: Ability to access the juvenile court to protect children from maltreatment and to assure permanency within legally established time frames

1. Aware of the importance of adhering to the provisions of federal and state statutes in child welfare casework
2. Knows legal protections afforded to families and children by juvenile court intervention and the potential detrimental consequences if legal procedures are not followed
3. Knows Ohio Revised Code and Ohio Administrative Code definitions for various forms of child maltreatment
4. Knows the unique role and responsibility of the juvenile court system in child protection
5. Knows legal rights of children, parents, and caregivers in court actions related to allegations of child maltreatment including parents' rights to due process, freedom from warrantless search and seizure, and equal protection under the law
6. Knows roles and responsibilities of all parties in child protection proceedings in the juvenile court
7. Understands the nature, purpose, and processes of juvenile court hearings and the associated casework responsibilities
8. Understands the nature and purpose of juvenile court dispositions for abused, neglected, and dependent children and the associated casework responsibilities
9. Understands types and degree of discretion afforded caseworkers and prosecutors when determining what kind of court action to file

10. Understands how personal bias and lack of cultural knowledge can influence a caseworker's judgment about what constitutes child maltreatment and contribute to disproportionality
11. Understands circumstances under which a case disposition of Permanent Planned Living Arrangement (PPLA) can be considered
12. Understands provisions of federal and state laws regarding reasonable efforts to prevent out-of-home placement of children
13. Understands family and case circumstances in which waiver of reasonable efforts may be considered and the necessary juvenile court processes for seeking a waiver
14. Knows how to collaborate with Court Appointed Special Advocacy (CASAs) and Guardians ad Litem (GALs) to serve the best interests of children in the court system
15. Can use Ohio Revised Code definitions to determine the type of child maltreatment in a family

Skill Set #2: Ability to gather, prepare, and document case information for court

1. Knows liabilities for children and families of poorly organized, incomplete, or inaccurate case documentation
2. Knows penalties and resulting agency and caseworker liability of submitting falsified documents, case notes, and case plans to the court
3. Knows applicable juvenile court rules of evidence for child protection cases
4. Knows the caseworker's responsibilities in locating and contacting absent biological parents and putative fathers for court actions
5. Knows what types of evidence must be gathered, documented, and maintained in family case records to support court proceedings

6. Knows the importance of documenting casework efforts to reunify families while concurrently developing and filing a supplemental case plan for permanence
7. Knows the importance of documenting efforts to protect parent's constitutional rights during casework activities
8. Understands how case documentation is used in legal proceedings, including custody hearings
9. Understands how inaccurate or insufficient case documentation contributes to agency liability
11. Understands how failure to follow case procedures required by statute and policy can result in the inadmissibility of evidence to the court
12. Knows how to collaborate with prosecuting attorneys to gather and prepare case documentation for filing and presentation to the juvenile court
15. Can apply rules of evidence in gathering and preparing documentation to submit to the juvenile court

Skill Set #3: Ability to testify in juvenile court hearings

1. Knows the importance of a calm and confident demeanor, professional physical appearance, and appropriate use of language when giving testimony in juvenile court hearings
2. Knows rules of evidence that apply to court testimony including rules of hearsay, exceptions to hearsay, and proper use of case notes
3. Knows how to apply rules of evidence to testimony and how to choose information that will support the case filing
4. Knows strategies to present concise descriptions of facts and to avoid presenting more detailed information than is warranted
5. Knows strategies to respond effectively to direct and cross-examination

6. Can present well-organized, relevant information during court testimony and cross-examination