

# CROSSOVER YOUTH PRACTICE MODEL

**JOINT PROTOCOL OF THE NEW YORK CITY FAMILY COURT, THE  
ADMINISTRATION FOR CHILDREN'S SERVICES, AND THE  
DEPARTMENT OF PROBATION**



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## I. OVERVIEW

### 1. MODEL MISSION

The Crossover Youth Practice Model (CYPM) is a multi-agency, cross-system practice model that aims to address the needs of youth involved in both child welfare and juvenile justice systems. Its core goal is to reduce further youth involvement in the juvenile justice system in a manner that is consistent with the needs and best interests of the youth and the need for the protection of the community.

The model is founded on the principles of information exchange, coordination, and collaboration between child welfare and juvenile justice professionals. It proposes a set of goals and guidelines for multiple agencies and stakeholders in both the child welfare and juvenile justice agencies at each point in the juvenile justice process, from arrest through the end of the juvenile justice case (including placement and aftercare services).

### 2. TARGET POPULATION

Crossover Youth—also known as dually-involved youth—are young people involved in both the child welfare and juvenile justice system. CYPM youth are defined as young people, ages 7 to 15, who have been arrested on a delinquency charge, while they or their family have an active case in the child welfare system. Specifically, the CYPM process targets youth ages 7 to 15, who have been arrested and fall into the following child welfare categories or “Crossover Youth Case Types”:

- Foster Care/Trial Discharge: Youth who are in the care and custody of the New York City Administration for Children’s Services (ACS) and placed through an agency contracted with ACS in a foster home or residential setting. This includes youth who are on trial discharge to their parent/ guardian at the time of arrest.
- Court-Ordered Supervision: Youth whose families have been under investigation by the Division of Child Protection (DCP) and are under court-ordered supervision by family court; or
- Preventive Services: Youth whose family has an open preventive child welfare case.

### 3. CORE COMPONENTS OF THE MODEL

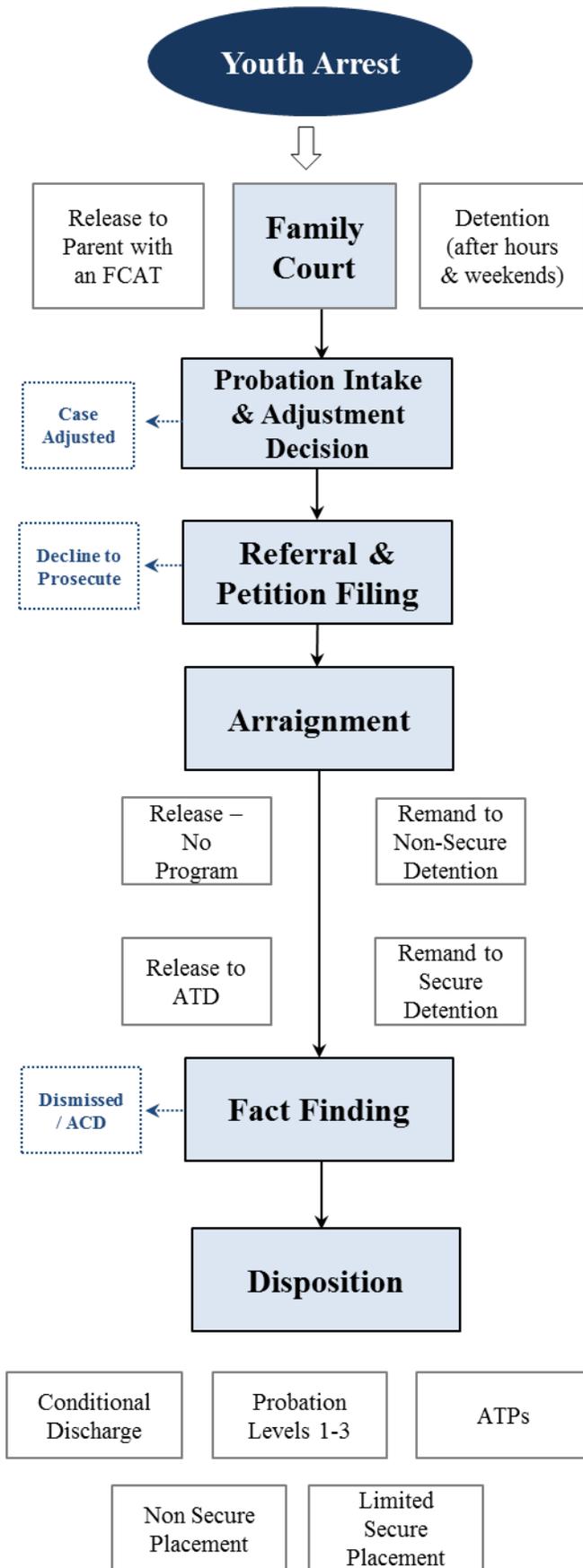
At its core, the CYPM model can be broken into seven unique areas of operation, embedded into various points in the juvenile justice process:

1. Identification. Identification of crossover youth ages 7 to 15 at point of arrest.
2. Notification. Notification of the crossover youth’s arrest to professionals across child welfare and juvenile justice agencies, as well as the attorneys who represent the youth and parents.
3. Pre-Filing Conference. A conference to convene child welfare and juvenile justice stakeholders, facilitate the sharing of information, coordinate youth services, and, if possible, divert the youth away from the court process.
4. Post-Filing Conference. For youth who have entered the court process, a conference to convene important child welfare and juvenile justice stakeholders, facilitate the sharing of information, coordinate youth services and, if possible, mitigate/reduce further youth involvement in the juvenile justice system.
5. Disposition Planning. The collection of information from various parties (preventive agencies, mental health providers, schools and other social service providers) to assist the New York City Department of

Probation (DOP) to develop disposition recommendations for the Investigation and Report (I&R), and to identify services to meet the needs of the youth.

6. Ongoing Collaboration/Planning and Discharge Planning. Coordinated management of the crossover case post-disposition to permanency and closure. The goal of this ongoing cross-agency effort is to achieve permanency and educational stability for youth. Moreover, child welfare and juvenile justice professionals will work together to formulate a plan for the youth's discharge of services (e.g., placement, alternative-to-placement, aftercare) and/or release to home.
7. Permanency and Educational Stability. Communication and planning among child welfare, juvenile justice, and other agencies, including the New York City Department of Education (DOE), so that permanency and educational stability goals are achieved.

## Foster Care & Trial Discharge



## Pre-Filing

### Identification | Confirm

- Confirm will identify Crossover Youth as part of the routine review of daily arrests

### Notification | Confirm

- Confirm will notify foster care case planner by phone and contact FPS and FCLS about the arrest
- Confirm will notify DOP intake officer and Detention (if detained) of the youth's crossover status
- When consent forms are signed, the parent's/child's attorneys will notify FCLS and Confirm that the youth and family will participate in CYPM

### CYPM Adjustment Conference

- If youth is eligible for adjustment, DOP will schedule an Adjustment Conference. Child welfare professionals will be invited to join by phone or in person
- Aim to prevent further penetration into the Juvenile Justice system and coordinate services across systems

## Post-Filing / Pre-Fact Finding

### CYPM Family Team Conference(s)

- If adjustment fails or the case is not eligible for adjustment, the foster care agency case planner will present the parents and child with consent forms
- If the forms are signed, the foster care agency case planner will schedule a CYPM FTC conference that includes juvenile justice professionals to develop a cohesive service plan
- Aim to provide coordinated services across systems, and expedite both the release of the child from detention (when public safety allows) and the appropriate resolution of the case

## Post-Fact Finding / Pre-Disposition

### Disposition Planning Conference

- DOP will include foster care agency in development of disposition recommendations
- Development of I&R and MHS, if ordered

## Post - Disposition

### Ongoing Joint Case Management

- Regular exchange of information between foster care agency and juvenile justice professionals with scheduled conferences as necessary
- For youth with dispositional services or in a placement setting, there will be regular exchange of information between the foster care agency and the juvenile justice agency, monitored by FPS to ensure appropriate child welfare plan in place
- Focus on reaching permanency and educational stability goals

## II. FOSTER CARE AND TRIAL DISCHARGE

The following section maps out the Crossover Youth Practice Model (CYPM) for youth who are in foster care or on trial discharge from foster care. For these youth, the specific process steps are:

1. Identification of Crossover Youth;
2. Initial Notification of Youth's Crossover Status;
3. Pre-Filing: CYPM Adjustment Conference;
4. Post-Filing, Pre-Fact Finding: Court Identification and Notification Process;
5. Post-Filing, Pre-Fact Finding: CYPM Family Team Conference;
6. Post-Fact Finding, Pre-Disposition: Disposition Planning; and
7. Post-Disposition: Ongoing Collaboration and Discharge Planning.

### 1. IDENTIFICATION OF CROSSOVER YOUTH

CYPM multi-agency coordination will begin with the identification of a crossover youth. The identification process is triggered by an arrest and is dependent on the existing identification practices of New York City Administration for Children's Services (ACS) Confirm unit. Every weekday, the Confirm unit receives and reviews 6 reports: one from the New York City Department of Probation (DOP) in each of the 5 boroughs and the one citywide list from ACS's Division of Youth and Family Justice (DYFJ) Detention. The DOP reports capture youth arrested who will be presented at Family Court for Probation Intake that day. The DYFJ Detention report contains youth arrested and dropped off at detention by the police during off-court hours.

ACS's Confirm will research each youth on these lists using Connections (CNNX) and the Welfare Management System (WMS) to determine his/her crossover status. Each crossover youth will be identified as one of 3 Crossover Case Types:

- Foster Care / Trial Discharge;
- Court-Ordered Supervision; or
- Preventive.

Confirm will gather the following information on each crossover youth.

- Youth's name;
- DOB;
- Gender;
- ACS case #;
- CIN #;
- Case planning agency;
- Case planner;
- If possible, the assigned Probation Officer; and
- If possible, the Detention status:
  - o Detained, or
  - o Paroled

Confirm will collect and track data on the CYPM youth. Confirm will serve as the central hub of information on the crossover case, collecting additional data about the case's progress and outcomes.

## 2. INITIAL NOTIFICATION OF YOUTH’S CROSSOVER STATUS

Once the youth has been identified as being in foster care or on trial discharge, Confirm will initiate a notification process that same day. The foster care agency and ACS’s Division of Family Court Legal Services (FCLS), following notification from Confirm, will contact additional parties to relay information about the youth’s arrest, as described below. The table below summarizes the parties responsible for notification and their corresponding agents.

TABLE 1. INITIAL NOTIFICATION TABLE FOR FOSTER CARE AND TRIAL DISCHARGE YOUTH

Notifications		
Confirm	Foster Care Agency	FCLS
DOP Intake Officer Foster Care Case Planner FPS FCLS For Detention cases: <ul style="list-style-type: none"> <li>• ACS MCCU</li> <li>• Corporation Counsel</li> </ul>	Youth’s family Foster Parent	Youth’s attorney Parent’s attorneys

Confirm will notify five primary parties about the **youth’s arrest, identifying information, and detention/parole details**:

1. Department of Probation Intake. Confirm will call the Intake Probation Officer (P.O.) to communicate the youth’s crossover status and provide the case planner’s contact information. Confirm will not provide any additional information about the youth or the family to the P.O. P.O. will provide Confirm with information about the arrest, including the arrest charges.
2. Foster Care Agency Case Planner. Confirm will call the foster care agency case planner and remind them to attend the youth’s court appearance that day. Confirm must reach someone by phone who can verify that an agency representative will be in court.
3. ACS Family Permanency Services (FPS). Confirm will contact FPS about the youth’s arrest.
4. ACS Family Court Legal Services (FCLS). Confirm will also contact FCLS about the youth’s arrest.
5. DYFJ Detention Movement Communication and Control Unit (MCCU) & Detention Managers. If the youth is detained, Confirm will contact MCCU to notify Detention of the youth’s crossover status.
6. Corporation Counsel. Confirm can notify Corporation Counsel that a youth is in foster care, but will not provide case planner information.

Following notification from Confirm, the foster care agency case planner will call the youth’s family to communicate the youth’s arrest, explain the process’s next steps, describe the ACS-DOP information sharing consent form that will be presented to them at Probation Intake, and advise that the youth and their parents consult their attorneys before signing the consent form.

Following notification from Confirm, FCLS will contact the youth's and parent's attorneys to relay information about the youth's arrest, describe the process's next steps, and explain the purpose of ACS-DOP information sharing consent form. This notification will take place during business hours, Monday-Friday 9AM-5PM.

A representative from the foster care agency, with specific knowledge of the youth and child welfare plan must attend court. FPS will monitor agency compliance.

### 3. PRE-FILING: CYPM ADJUSTMENT CONFERENCE

The first convening of stakeholders will take place before the filing of a petition initiating a delinquency case. A DOP Adjustment Conference will take place for youth deemed eligible for adjustment by the youth's P.O., in accordance with Section 308.1 of the New York State Family Court Act. No adjustment conference will be held for cases that DOP has deemed ineligible for adjustment. If the parent/guardian and youth sign consent forms, the P.O. will convene a CYPM Adjustment Conference, which includes the participation of child welfare professionals.

#### A. CONSENTS

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(See Appendix B: CYPM Consent Form)

The CYPM Adjustment conference cannot take place without the parent/guardian's and youth's consent. The P.O. will distribute the consent form at the intake interview and advise that the youth and their parent/guardian consult with counsel before signing the consent. This form will be used by ACS/ the foster care agency and DOP. In order for ACS and DOP to share information, the parent/guardian must consent and sign the form that govern information sharing, re-disclosure, and confidentiality. In the event a parent's rights have been terminated, the foster care agency attorney will make the decision regarding consent. For certain information to be shared, the youth will also need to sign a consent form. The signed consent forms will apply until a case is successfully adjusted or throughout the juvenile justice Delinquency case unless the parent/guardian or youth revoke consent.

The parent/guardian and youth should confer with counsel as soon as possible about their decision, and they may exercise their right to agree to or reject the information sharing provisions up until the start of the conference, when the parent/guardian, youth, and attorneys will have one last chance to discuss the consents. In order to begin the CYPM Adjustment Conference, a "CROSSOVER YOUTH CONSENT TO SHARE CONFIDENTIAL INFORMATION" Form (Appendix B) must be signed. 3-4 copies will be collected, one for ACS/Foster Care Agency, one for DOP, one for the parent, and one for the youth (when applicable).

In the event the parent/guardian and youth sign the consent form after DOP intake in the days before the CYPM Adjustment Conference, then the foster care agency case planner, who has direct contact with the family, will be responsible for collecting the signed consent forms.

If the parent/guardian and/or youth (when applicable) does not consent to information sharing, then a CYPM Adjustment Conference cannot take place. Child welfare participants at the meeting, in person and on the phone, will be asked to leave, and a routine DOP Adjustment Conference will be held.

#### B. SCHEDULING

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After the case has been deemed eligible for adjustment, the P.O. will call the parent/guardian/youth and select three mutually agreeable dates within the next two weeks. Within three business days, the P.O. shall make

telephone contact with the case planner identified by Confirm to schedule the conference. If there is not contact with the case planner within one business day, the P.O. should contact the Agency Supervisor or FPS. The P.O. should advise the case planner only that this youth has a case open for adjustment and that a CYPM Adjustment Conference may be held. The case planner should select one of the three dates previously agreed upon between the P.O. and the parent/guardian/youth. Once the date is selected, the case planner should notify FCLS via email. The attorneys for the child and parents having been notified of the arrest, should reach out to FCLS to ascertain the date of the conference. The conference will be held at the DOP office.

The CYPM Adjustment Conference will be scheduled even when the parent/guardian, youth, and attorneys have not yet made a decision on information consent. The meeting will only go forward if the parent/guardian, youth and attorneys have signed the consent forms. Once the meeting is scheduled and consent forms have been signed, child welfare participants—including ACS and the foster care agency—will attend the meeting, in-person, by phone, by teleconference. If attendance is not possible, child welfare participants may submit relevant information in writing after consulting a supervisor. If the consent forms are not signed, child welfare participants shall leave before the conference begins, and shall not transmit any information to DOP.

## C. PARTICIPANTS

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The P.O. will lead the Adjustment Conference. Participants include:

- Youth;
- Parent/guardian;
- Foster Parent
- Any supportive person brought to the conference by parent/guardian or youth;
- Attorneys or designees for youth and parents;
- Foster care agency case planner;
- ACS FCLS attorney or designee;
- Other ACS units, as appropriate;
- School representatives, as appropriate; and
- Other service providers (if applicable).

## D. GOALS

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To provide coordinated services across systems targeted to the needs of the youth, expedite the appropriate resolution of the case and prevent further penetration into the juvenile justice system, if possible.

## E. STRUCTURE

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There are four stages of a CYPM Adjustment Conference:

- i. Introduction
- ii. Issue Identification & Assessment
- iii. Contract Development
- iv. Closing

### *i. Introduction*

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The P.O. will lead the conference. The P.O. will begin the conference by asking each of the participants to introduce themselves and describe their role or relationship with the family, as well as make a positive statement about the youth.

### *ii. Ground Rules*

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The P.O. should next review the ground rules. These ground rules will help to ensure a respectful and safe environment for all participants. Additional ground rules to be read aloud by the P.O.:

- One person should speak at a time.
- Listen when other people are speaking.
- All participants will be treated with dignity and respect.
- Every participant will have the opportunity to speak and ask questions.
- All participants are encouraged to speak openly and honestly with each other.
- No side bar conversations.
- This is a safe space. Participants will treat each other safely during and after the conference.

### *iii. Issue Identification & Assessment*

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The P.O. shall state the issues and service needs that have been identified during intake. After the P.O. states each issue, the parties shall be invited to share any information that they have with respect to that issue, in the following order:

- Youth;
- Parent/guardian;
- Any supportive person brought by the parent/guardian or youth;
- ACS/foster care agency; and
- School representatives, as appropriate.

After all parties have had an opportunity to respond to the issue presented, and after determining the youth's needs with input from the young person and caregiver, the P.O. shall state the proposed conditions in the adjustment contract, if any, that will address that issue. If a service referral is required, the parties will decide who will make the referral and, if possible, identify the service provider. Each party should come to the conference with potential referral sources.

This procedure shall be repeated for each issue identified by the P.O. After the issues have been addressed, the P.O. shall invite the youth, parent/guardian, and ACS/foster care agency representative to raise any other issues that are relevant to the adjustment process. All participants should be mindful that this conference is meant to address the youth's behaviors that led to arrest, and the topics should be limited accordingly. The P.O. has the ultimate authority to determine the conditions of the adjustment contract.

### *iv. Closing*

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At the conclusion of the conference, the P.O. shall review the adjustment contract with the youth and the parent/guardian. Both the youth and the parent/guardian shall sign the contract. Only the P.O., the youth and the parent/guardian should receive a copy of the signed contract at the end of the conference.

## F. OUTCOME

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After a CYPM adjustment contract is signed, there are two possible outcomes:

- A successful adjustment where the youth complies with the terms of the adjustment contract and is diverted from the delinquency court process; or
- An unsuccessful adjustment where the youth does not comply with the terms of the adjustment contract, and the P.O. determines that that case should proceed to the referral phase.

### *i. Successful Adjustment*

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When a case is successfully adjusted after 60 days and up to 120 days and the youth is no longer involved in the juvenile justice system, then the youth is considered to have successfully exited the CYPM process. During the 60 day period, there will be ongoing collaboration between juvenile justice and child welfare professionals. While the child welfare case may continue, the youth no longer falls into the crossover youth case category.

For cases where consent forms were signed and a CYPM Adjustment Conference took place, the P.O. will notify Confirm of successful adjustments, via email, as Confirm will be tracking the outcomes for all CYPM cases.

### *ii. Referral Or Unsuccessful Adjustment*

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Youth whose cases were either deemed ineligible for adjustment, or youth for whom adjustment was unsuccessful, continue to move through the coordinated CYPM process. When an adjustment is not successful, the P.O. will contact the family and the foster care case planner to inform them of the unsuccessful adjustment. The foster care agency case planner will contact FCLS about the unsuccessful adjustment. FCLS will contact the youth's and parent's attorneys. The foster care agency case planner should remain in contact with juvenile justice professionals after learning of an unsuccessful adjustment.

For unsuccessful adjustments that are then referred to the Corporation Counsel for filing, DOP will generate a notification by indicating that the youth is a CYPM youth in the "Referral for Prosecution" form that is generated for every referred case.

At this stage, Corporation Counsel may decline to prosecute the case. In circumstances where Corporation Counsel declines prosecution, the delinquency matter is considered closed and the youth is considered to have exited the CYPM process.

## 4. POST-FILING, PRE-FACT FINDING: COURT IDENTIFICATION AND NOTIFICATION PROCESS

When Corporation Counsel decides to file a petition regarding a youth in foster care or on trial discharge, family court will screen each new filing to identify CYPM cases. Court staff will receive email notification of all delinquency petitions filed by Corporation Counsel each day, including pre-petitions. The court will screen this list

for any open child welfare cases to determine whether any youth fall under the CYPM foster care, trial discharge or court ordered supervision population.

If a child is identified as a foster care youth, the court will use a borough specific decision making process to assign cases to the appropriate judge. (See Appendix C: Bronx Judicial Decision Tree). Court staff will notify the legal representatives on the child welfare case by e-mail. The message will include the child's name, date of birth, docket number(s), pending court dates, and presiding judge. The message will indicate the child's crossover status and the court part in which the case will be heard that day. Each of the institutional organizations, the Law Department, FCLS, LAS and Bronx Defenders will identify a specific contact person to receive the notice. If the parent or youth is represented by another institutional provider or a Panel attorney, the individual attorney will receive notice.

**Note: Bronx Family Court will also be identifying Crossover cases which follow a different pathway than the CYPM target population.** The court will also be screening new child welfare petitions filed by FCLS to determine whether a youth in that family has any active Delinquency petitions. Court staff will also use the Judicial Decision Tree to assign these cases to the appropriate judge. (See Appendix C: Judicial Decision Tree).

## 5. POST-FILING, PRE-FACT FINDING: CYPM FAMILY TEAM CONFERENCE

Once Corporation Counsel has filed a petition regarding a youth in foster care or on trial discharge, a CYPM Family Team Conference will be held to plan for the court process, coordinate action steps, and address the youth's service needs. This conference will follow the protocol for Family Team Conferencing created by the Office of Family Permanency Team Conferencing (OFPTC). The foster care agency will coordinate all parties and contact FPS to facilitate the Family Team Conference.

### A. CONSENTS

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If consents were signed at the adjustment phase they remain valid, however, the youth may be appointed a new attorney for the delinquency case who may review the consent.

If the case was not eligible for adjustment, the consent form will be presented to the youth and parents.

The foster care agency case planner will explain the information sharing consent form and advise that the youth and their parents to consult their attorneys before signing the consent form. The parent/guardian and/or the youth, with counsel from their attorneys, will have until the start of the scheduled CYPM Family Team Conference to make the decision and sign the forms. 3-4 copies will be collected, one for ACS/Foster Care Agency, one for the juvenile justice professional, one for the parent, and one for the youth (when applicable). The signed consent form will govern the lifespan of the juvenile justice case, unless revoked by the parent/guardian and/or youth.

If the parent/guardian does not consent to information sharing, then a CYPM Family Team Conference cannot take place. Juvenile Justice professionals at the meeting, in person and on the phone, will be asked to leave, and a routine Family Team Conference will be held.

### B. SCHEDULING

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If adjustment is unsuccessful and a case is referred to Corporation Counsel and if consent for information sharing has been given, the P.O. will have emailed the foster care agency case planner to alert them that adjustment was

unsuccessful. If a youth is not eligible for adjustment, Confirm will call Corporation Counsel to find out when/if a case will be filed. With that information, Confirm will contact the foster care agency case planner, FPS specialist, FCLS designee, and other parties (*e.g.*, detention), if applicable, to notify them of the petition filing. For youth who are paroled on the delinquency petition, the foster care agency case planner will contact the participants to schedule a convenient date, time, and location for the CYPM Family Team Conference. For youth who are in detention, the foster care agency case planner will schedule the conference through FPS, and an FPS facilitator will lead the conference. The foster care agency case planner will note the youth’s detention status to understand whom to invite. Invitees that cannot attend the meeting in-person can join by phone, teleconference or through submission of relevant written material.

### C. PARTICIPANTS AND LOCATION

The CYPM Family Team Conference will be led by the FPS facilitator. Meeting participants and location, however, will depend on the youth’s detention/parole status. The following table summarizes the participants and location for each status type:

**TABLE 2. CYPM FAMILY TEAM CONFERENCE PARTICIPANTS FOR FOSTER CARE AND TRIAL DISCHARGE YOUTH**

Status of Youth	Location	Facilitator	Conference Participants
In Detention	Detention	FPS Facilitator	Youth Family/Guardian Foster Parent Foster care agency case planner Parent and Youth’s attorneys FCLS rep. DYFJ case worker/ manager
At home with DOP/ICM	Agency	FPS Facilitator	Youth Family/Guardian Foster Parent Foster care agency case planner Parent and Youth’s attorneys FCLS rep. P.O.
On Parole, at home without services	Agency	FPS Facilitator	Youth Family/Guardian Foster Parent Foster care agency case planner Parent and Youth’s attorneys FCLS rep.

## D. GOALS

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The goals of a CYPM Family Team Conference vary depending on whether a youth is detained or paroled to the community:

### *i. Detained Youth*

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At this stage of a case, a primary goal of the conference is to coordinate services to safely release youth who are remanded and do not pose a public safety risk. This includes the consideration of new or additional services for the youth or the family that could be put in place to effectuate a successful release from detention.

For detained foster care youth, the foster care agency case planner should contact the FPS specialist to convene a Family Team Conference in detention. The child welfare plan formulated at this meeting will then be communicated to FCLS, who will relay the information to the youth's and parent's attorneys if they are unable to attend the conference. If it is not possible to meet prior to the fact-finding, then FPS will communicate a clear child welfare plan to FCLS, who will pass it on to the youth's and parent's attorneys.

### *ii. Paroled Youth with DOP Intensive Case Management (ICM)*

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For paroled youth with DOP ICM, coordination of services between the ICM, ACS and any involved child welfare professional is the primary goal. This will provide support for the youth and family and encourage compliance with services.

### *iii. Paroled Youth in An ATD Program*

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For paroled youth in an ATD program, coordination of services between the ATD provider, the foster care agency and any involved child welfare professional is the primary goal. This will provide support for the youth and family and encourage compliance with services.

### *iv. Paroled Youth With No Services*

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A CYPM Family Team Conference will be held for this group if one has not already taken place. The goal of this conference will be to establish a service plan that meets the youth's needs and addresses both child welfare issues and supports the youth in complying with conditions of parole to avoid remand and prevent additional arrests.

## E. CONTENT

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There are five stages in a CYPM Family Team Conference:

- i. Introductions
- ii. Issue Identification
- iii. Development of a Coordinated Service Plan
- iv. Decision-Making and Plan Development
- v. Recap / Documentation

### *i. Introductions*

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The CYPM Family Team Conference facilitator will begin with a self-introduction and describe the purpose of the gathering. The facilitator will then ask participants to introduce themselves and describe their role or relationship with the youth and family, and provide a positive statement about the family and/or the youth. The facilitator will encourage participation from everyone and express a desire to work together to come up with the best possible plan for the youth—one that meets both child welfare and juvenile justice needs.

After introductions, the facilitator will establish ground rules for the conference. The ground rules will help ensure a respectful and safe environment for all participants.

After ground rules are established, the facilitator will address the issues of information privacy. The facilitator will explain to participants that after the Family Team Conference and, as appropriate, throughout the pendency of the case, relevant and shareable information will be shared with court stakeholders by the youth's attorney.

### *ii. Issue Identification*

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During this phase of the conference, the facilitator will lead a discussion addressing the core child welfare and juvenile delinquency issues concerning the youth. As necessary, this discussion will build on the identification of issues and solutions raised during earlier conferences including the CYPM Adjustment Conference, and any previous conferences held by the ACS on the child welfare case.

### *iii. Development of A Coordinated Service Plan*

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The discussion will explore potential solutions to each of the child welfare and juvenile delinquency issues identified in part two of the meeting (above). All parties, following the ground rules, will collaborate in identifying new strategies or building on existing service plans, to address the identified issues and achieve the specific goals identified for the youth.

### *iv. Decision Making and Plan Development*

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The purpose of the discussion will be to reach consensus among participants about the best approach going forward.

### *i. Recap / Documentation*

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The decisions, strategies and targets developed during this conference are based on a consensus decision with the foster care agency retaining final decision making authority, and they are documented in a plan by the conference facilitator. Copies of the services plan will be given to all parties present. To close the conference, the facilitator will verbally recap the agreed-upon approach.

## **F. COMMUNICATION WITH THE COURT**

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Any communication with other court practitioners, including Corporation Counsel and the Court, will be the responsibility of the youth's attorney and/or FCLS. Following the Family Team Conference and, as appropriate

throughout the pendency of the case, relevant and shareable information will be shared with court stakeholders by the youth's attorney. In the absence of a court order, no one other than the youth's delinquency attorney will share information with Corporation Counsel or the Court on the youth's delinquency case. When possible, FCLS will communicate with Corporation Counsel on behalf of the foster care agency case planner or provide advice for the case planner regarding what information they can share with Corp Counsel and the other court stakeholders.

Court appearances on the Delinquency case may be before the same judge as the child welfare case, depending upon the circumstances and determined by a judicial decision making process (See Appendix C). Judges will have a Crossover Youth Bench Card to help them to consider issues that may be unique to crossover youth.

## 6. POST-FACT FINDING, PRE-DISPOSITION: DISPOSITION PLANNING

Information exchange is key during the post-fact-finding, pre-disposition stage. If consents to share information have been signed, DOP takes the lead but includes child welfare partners, school and mental health providers in the development of disposition recommendations to avoid a youth's exit from the CYPM process without the necessary services. For foster care and trial discharge youth, child welfare partners include: the foster care agency case planner and ACS Family Permanency Services.

For CYPM Youth, DOP will call the youth's foster care agency case planner, school, and/or mental health provider to inform the development of the Youth Level of Service (YLS) and Investigation and Report (I&R). (If consent forms have not been signed or consent has been revoked, then ACS may only provide DOP with a written summary of services.) Additional follow-up with the mental health provider will be necessary if the Judge orders mental health services.

## 7. POST-DISPOSITION: ONGOING COLLABORATION AND DISCHARGE PLANNING

Both child welfare and juvenile justice parties will coordinate case management until a youth's exit from the juvenile justice system—discharge from the dispositional services aftercare. For youth whose delinquency case resulted in a period of probation, alternative-to-placement, or placement (all levels), collaboration between child welfare and juvenile justice parties will continue through the end of the probation, ATP, or placement period, including aftercare services.

### A. GOALS

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Coordinated case planning for all crossover youth should be focused on change that reduces safety risks, increases parental protective capacities, and strengthens the youth's decision-making and self-monitoring behavior. Building on joint efforts during the earlier stages of the case, the assigned workers from both systems will work together on an ongoing basis to ensure that there is coordination in the recommendation and delivery of services to the youth.

### B. CASE RESPONSIBILITY

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Case responsibility will depend upon the youth's case type and disposition. The foster care agency case planner will lead coordination efforts with the applicable juvenile justice case managers. FPS will coordinate with the foster care agency to assist in planning for the youth.

For youth on probation, including youth who are in Alternative to Placement (ATP) programs (JJI, Echoes, AIM, PEAK or Esperanza), responsibility for coordinated case management will be assigned to the foster care agency case planner who will coordinate efforts with the assigned P.O. and the ATP provider. DOP will serve as a lead in monitoring behavior and probation court mandates.

For youth in secure, limited-secure, and non-secure placement, responsibility for coordinated case management will follow existing ACS protocols for minimum casework contact. While the youth is in juvenile justice placement, the foster care agency will maintain the case planning role for the case, and coordinate efforts with the placement provider workers. FPS will make sure that the foster care agency is in contact with placement case managers and is visiting the youth regularly. FPS will assist the agency in determining the child welfare plan that must be in place for every youth.

### C. FREQUENCY OF GATHERINGS AND INFORMATION EXCHANGE

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Foster care agency case planners should be in immediate communication with staff providing dispositional services—be it placement (secure, limited secure, and non-secure), alternative-to-placement, and/or probation. Case planners should be involved in the intake process for particular disposition services and maintain the required casework contact with the youth.

The frequency of ongoing information exchange among foster care and juvenile justice workers may depend on what services the court orders. However, to the extent possible, information exchange and coordinated planning should follow the existing routines of child welfare case management (see Appendix E). At minimum, at the post disposition stage of open crossover cases, juvenile justice and child welfare case managers should exchange information about the status of the case and the youth's progress every 30 days. The foster care agency case planner should initiate contact to exchange information via in person or phone conferences. They should be involved in every planning meeting, be aware of any incidents, and be closely involved in the discharge planning process.

In addition, formal gatherings to review progress should occur at a minimum:

- Prior to court hearings/appearances
- When there is a significant change in family dynamics
- When there is a major change in the youth's permanency goal or change in foster care placement or level of care
- At the request of a family member
- When the youth is going to be discharged from Probation, Placement or Aftercare.

### D. DISCHARGE PLANNING OR TERMINATION OF DISPOSITIONAL SERVICES

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Throughout the pendency of the case, the foster care agency and FPS will plan for the youth's transition from dispositional services (*e.g.*, placement, ATP, probation), including aftercare. This planning will culminate in a conference. The purpose of this conference is to prepare for the youth's transition into the community or the termination of a dispositional service, and to ensure that, if necessary, appropriate services and support systems are in place for the youth and family. The parent's and youth's attorneys should also be invited to this conference.

### *i. Permanency and Educational Stability*

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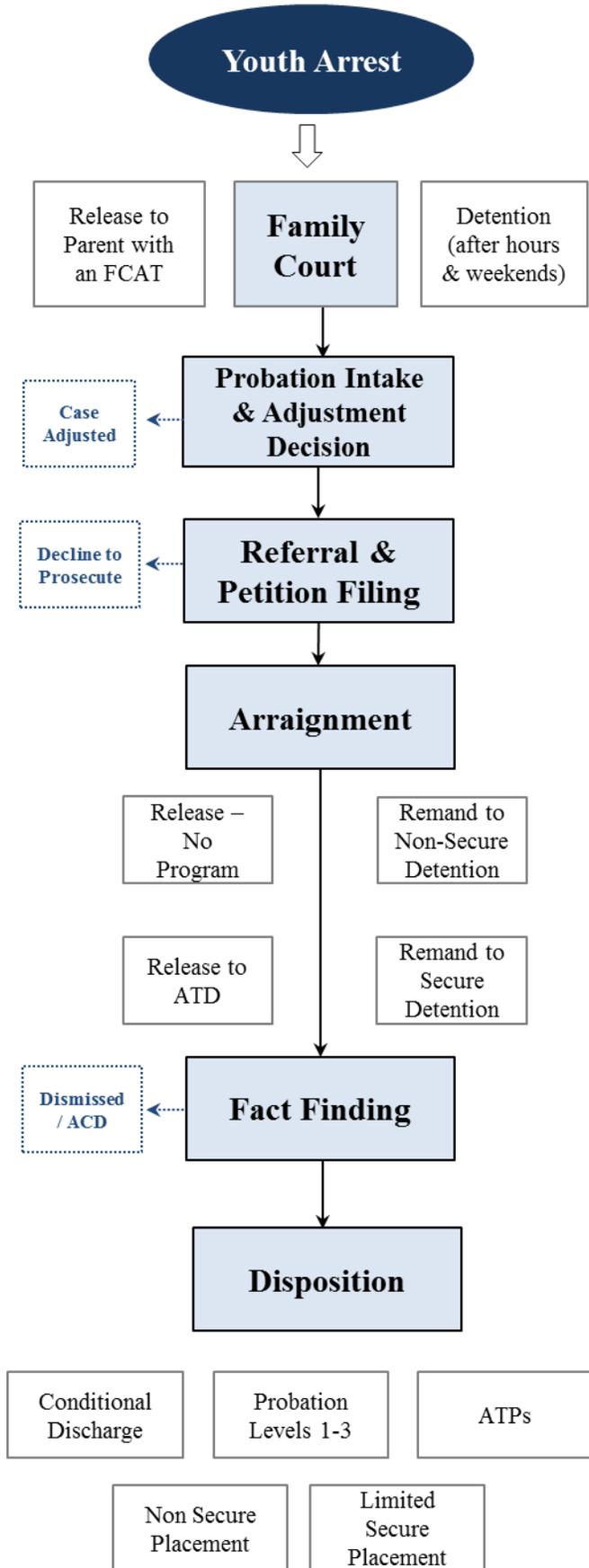
Permanency and educational stability are key case management goals for crossover youth. For youth on probation, including youth who are in Alternative to Placement (ATP) programs (JJI, Echoes, AIM, PEAK or Esperanza), the juvenile justice partner will collaborate with the foster care agency case planner and/or foster parent in order to maintain educational stability and prevent school disruptions during probation and after probation ends.

For youth in ACS contracted Non-Secure Placement (NSP), refer to the ACS policy Non-Secure Placement (NSP) Educational Transition Planning and Aftercare Services. This policy defines the roles and responsibilities of the NSP provider, the ACS Close to Home Permanency Planning Specialist (PPS) and Community Support Specialist (CSS), and the DOE transition counselor and coordinator in developing and monitoring the youth's educational plan while in placement, including transition to aftercare and completion of juvenile justice involvement. The foster care agency case planner should communicate with the appropriate juvenile justice and DOE staff as outlined under this policy to ensure an education plan that allows the youth to earn and retain the most credits, move at the end of semester where possible, and secure the most appropriate educational setting during placement.

For youth in Limited Secure Placement or Secure Placement, the foster care agency case planner should discuss the youth's education plan with the OCFS worker, the youth, and the family about locating a community school upon the youth's return to the community.

*\* Please note that ACS contracted Limited-Secure Placement will begin in 2015. For youth placed in ACS contracted Limited Secure Placement, please refer to the ACS policy in order to identify the LSP staff, ACS staff and DOE personnel for discussing educational issues.*

## Court Ordered Supervision



## Pre-Filing

### Identification | Confirm

- Confirm will identify Crossover Youth as part of the routine review of daily arrests

### Notification | Confirm

- Confirm will notify CPS, FSU and FCLS about the arrest
- CPS/FSU will call the youth's family to describe CYPM and the consent forms that will be presented to them at DOP Intake, and advise that the youth and their parents consult their attorneys before signing the forms

### CYPM Adjustment Conference

- If youth is eligible for adjustment, DOP will schedule an Adjustment Conference. Child welfare professionals will be invited to join by phone or in person
- Aim to prevent further penetration into the Juvenile Justice system and coordinate services across systems

## Post-Filing / Pre-Fact Finding

### CYPM Family Meeting(s)

- If adjustment fails or the case is not eligible for adjustment, CPS/FSU will present the parents and child with consent forms
- If the forms are signed, CPS/FSU will schedule a CYPM Family Meeting that includes juvenile justice professionals to develop a cohesive service plan
- Aim to provide coordinated services across systems, and expedite both the release of the child from detention (when public safety allows) and the appropriate resolution of the case

## Post-Fact Finding / Pre-Disposition

### Disposition Planning Conference

- DOP will include CPS/FSU in development of disposition recommendations
- Development of I&R and MHS, if ordered

## Post - Disposition

### Ongoing Joint Case Management

- Regular exchange of information between CPS/FSU and juvenile justice professionals with scheduled conferences as necessary
- For youth with dispositional services or in a placement setting, there will be regular exchange of information between the CPS/FSU and the juvenile justice agency
- Focus on reaching permanency and educational stability goals

### III. COURT-ORDERED SUPERVISION

The following section maps out the Crossover Youth Practice Model (CYPM) for youth who are under court-ordered supervision. For these youth, the specific process steps are:

1. Identification of Crossover Youth;
2. Initial Notification of Youth's Crossover Status;
3. Pre-Filing: CYPM Adjustment Conference;
4. Post-Filing, Pre-Fact Finding: Court Identification and Notification Process;
5. Post-Filing, Pre-Fact Finding: CYPM Family Meeting;
6. Post-Fact Finding, Pre-Disposition: Disposition Planning; and
7. Post-Disposition: Ongoing Collaboration and Discharge Planning.

#### 1. IDENTIFICATION OF CROSSOVER YOUTH

CYPM multi-agency coordination will begin with the identification of a crossover youth. The identification process is triggered by an arrest and is dependent on the existing identification practices of New York City Administration for Children's Services (ACS) Confirm unit. Every weekday, the Confirm unit receives and reviews 6 reports: one from the New York City Department of Probation (DOP) in each of the 5 boroughs and the one citywide list from ACS's Division of Youth and Family Justice (DYFJ) Detention. The DOP reports capture youth arrested who will be presented at Family Court for Probation Intake that day. The DYFJ Detention report contains youth arrested and dropped off at detention by the police during off-court hours.

ACS's Confirm will research each youth on these lists using Connections (CNNX) and the Welfare Management System (WMS) to determine his/her crossover status. Each crossover youth will be identified as one of 3 Crossover Case Types:

- Foster Care / Trial Discharge;
- Court-Ordered Supervision; or
- Preventive.

Confirm will gather the following information on each crossover youth.

- Youth's name;
- DOB;
- Gender;
- ACS case #;
- CIN #;
- Case planning agency;
- Case planner/worker; and
- Case manager.
- If possible, the Detention status:
  - o Detained, or
  - o Paroled

Confirm will collect and track data on the CYPM youth. Confirm will serve as the central hub of information on the crossover case, collecting additional data about the case's progress and outcomes.

## 2. INITIAL NOTIFICATION OF YOUTH’S CROSSOVER STATUS

Once the case is identified as court-ordered supervision, Confirm shall initiate the notification process. Without written consents, Confirm’s initial outreach will be to ACS divisions only. The DCP FSU/CPS and Family Court Legal Services (FCLS), following notification from Confirm, will contact additional parties to relay information about the youth’s arrest. The following table summarizes the parties responsible for notification and their corresponding agents.

TABLE 3. INITIAL NOTIFICATION TABLE FOR COURT-ORDERED SUPERVISION YOUTH

Notifications		
Confirm	DCP	FCLS
DCP FSU Preventive case planner DPS FCLS For detained youth, ACS MCCU	Youth’s family	Youth’s attorney Parent attorneys

If the arrested youth is under court-ordered supervision, Confirm will notify the following parties about the youth’s arrest, identifying information, and detention/parole details:

1. ACS DCP. Confirm will contact the Child Protective Specialist (CPS) and Supervisor responsible for the court-ordered supervision case.
2. ACS FSU. Confirm will also contact DCP’s Family Service Unit (FSU) about the youth’s arrest, including the FSU case manager, supervisor and Child Protective Manager (CPM).
3. Preventive Agency Case Planner. If the youth is receiving preventive services, Confirm will email the preventive agency case planner.
4. ACS DPS. If Preventive also, is involved, Confirm will email DPS.
5. ACS FCLS. Confirm will contact FCLS about the youth’s arrest.
6. ACS Detention. If youth is detained, Confirm will call MCCU to notify Detention of the youth’s crossover status.

Upon notification from Confirm on the first day of intake, DCP FSU/CPS will call the youth’s family to inform them of the youth’s arrest, explain the process’s next steps, describe the ACS-DOP information sharing consent form that will be presented to them at Probation Intake, and advise that the youth and their parents consult their attorneys before signing the consent.

Likewise, with notification from Confirm, FCLS will call the youth’s and parent’s attorneys about the youth’s arrest, describe the purpose of ACS-DOP information sharing, and inform them of the consents that will be presented to the parents at Probation Intake.

DOP asks families about ACS involvement and present the CYPM consent form. ACS Confirm will only confirm ACS involvement and share additional information with DOP or the juvenile justice professional if a consent form is provided.

### 3. PRE-FILING: CYPM ADJUSTMENT CONFERENCE

The first convening of stakeholders will take place before the filing of a petition initiating a delinquency case. A DOP Adjustment Conference will take place for youth deemed eligible for adjustment by the youth's Probation Intake Officer, in accordance with Section 308.1 of the New York Family Court Act. No Adjustment Conference will be held for cases that DOP have deemed ineligible for adjustment. If written consent forms are signed, DOP will convene a CYPM Adjustment Conference, which includes the participation of child welfare professionals.

#### A. CONSENTS

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The CYPM Adjustment Conference cannot take place without the parent/guardian's and, for certain information, the youth's consent. Whenever possible, the goal is to bring the family together with both ACS FSU and DOP. If a parent self-reports child welfare involvement, the DOP Intake/Adjustment Officer (P.O.) will explain and distribute the consent forms at the intake interview. FSU, having been notified by Confirm, will also reach out to the family to discuss CYPM and the signing of consents. In order for ACS and DOP to share information, the parents and the youth (when applicable) must consent and sign the appropriate form that govern information sharing, re-disclosure, and confidentiality. The signed consent forms will apply until a case is successfully adjusted or throughout the juvenile justice Delinquency case unless parents and/or youth revoke consent.

The parent/guardian and youth should confer with counsel about their decision as soon as possible. The parents and/or youth can employ their right to agree or reject the information sharing provisions up until the start of the conference, when the parent/guardian, youth, and attorneys have one last chance to dialogue. In order to begin the CYPM Adjustment Conference, a "CROSSOVER YOUTH CONSENT TO SHARE CONFIDENTIAL INFORMATION" Form (Appendix B) must be signed. 3-4 copies will be collected, one for ACS/DCP, one for DOP, one for the parent, and one for the youth (when applicable).

**\* If consents are not signed, then a CYPM Adjustment Conference cannot take place, and a routine DOP Adjustment Conference will be held. The following sections outline the collaboration that can happen when consents are signed.\***

#### B. SCHEDULING

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After the case has been deemed eligible for adjustment, the P.O. will call the parent/guardian/youth and select three mutually agreeable dates within the next two weeks. Within three business days, the P.O. shall make telephone contact with the FSU/CPS identified by Confirm to schedule the conference. If there is not contact with FSU/CPS within one business day, the P.O. should contact the Supervisor or Case Planning Manager (CPM). During this contact, the P.O. shall not disclose any information about the youth's arrest. The P.O. should advise them only that this youth has a case open for adjustment and that a CYPM Adjustment Conference may be held. FSU/CPS should select one of the three dates previously agreed upon between the P.O. and the parent/guardian/youth. Once the date is selected, CPS/FSU must notify FCLS within one business day by phone and in writing, with the supervisor and CPM included in email communication. FCLS must make every effort to notify the youth's and parent's attorneys within two business days thereafter. The conference will be held at the Probation office.

An Adjustment Conference will be scheduled even when the parent/guardian, youth, and attorneys have not yet made a decision on information consent. Once the meeting is scheduled and consent forms have been signed, child welfare participants will attend the meeting in-person, by phone, or by teleconference. If attendance is not

possible, child welfare participants may submit relevant information in writing after consulting a supervisor. If consent forms are not signed, the child welfare participants will not participate in the conference and will not transmit any information to DOP.

## C. PARTICIPANTS

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The P.O. will lead the Adjustment Conference. Participants include:

- Youth;
- Parent/guardian;
- Any supportive person brought to the conference by parent/guardian or youth;
- Attorneys or designees for youth and parents;
- ACS DCP child welfare specialist and supervisor;
- ACS FCLS attorney or designee;
- Other ACS units, as appropriate;
- School representatives, as appropriate; and
- Other service providers (if applicable).

## D. GOALS

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To provide coordinated services across systems targeted to the needs of the youth, expedite the appropriate resolution of the case and prevent further penetration into the juvenile justice system, if possible.

## E. STRUCTURE

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There are four stages of a CYPM Adjustment Conference:

- i. Introduction
- ii. Issue Identification & Assessment
- iii. Contract Development
- iv. Closing

### *i. Introduction*

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The P.O. will lead the conference. The P.O. will begin the conference by asking each of the participants to introduce themselves and describe their role or relationship with the family, as well as make a positive statement about the youth.

The P.O. should then explain the conference and read the standard CYPM Adjustment Conference script attached in Appendix C.

### *ii. Ground Rules*

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The P.O. should next review the ground rules. These ground rules will help to ensure a respectful and safe environment for all participants.

Additional ground rules to be read aloud by the P.O.:

- One person should speak at a time.
- Listen when other people are speaking.
- All persons will be treated with dignity and respect.
- Every participant will have the opportunity to speak and ask questions.
- All participants are encouraged to speak openly and honestly with each other.
- No side bar conversations.
- This is a safe space. We will treat each other safely during and after the conference.

### *iii. Issue Identification & Assessment*

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The P.O. shall state the issues and service needs that have been identified during intake. After the P.O. states each issue, the parties shall be invited to share any information that they have with respect to that issue, in the following order:

- Youth;
- Parent/guardian;
- Any supportive person brought by the parent/guardian or youth;
- ACS; and
- School representatives, as appropriate.

After all parties have had an opportunity to respond to the issue presented, and after determining the youth's needs with input from the young person and caregiver, the P.O. shall state the proposed condition(s) in the adjustment contract, if any, that will address that issue. If a service referral is required, the parties will decide who will make the referral and, if possible, identify the service provider. Each party should come to the conference with potential referral sources.

This procedure shall be repeated for each issue identified by the P.O. After each of those issues has been addressed, the P.O. shall invite the youth, parent/guardian, and ACS representative to raise any other issues that are relevant to the adjustment process. All participants should be mindful that this conference is meant to address the youth's arrest, and the topics should be limited accordingly. The P.O. has ultimate authority to determine the conditions of the adjustment contract.

### *iv. Closing*

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At the conclusion of the conference, the P.O. shall review the adjustment contract with the youth and the parent/guardian. Both the youth and the parent/guardian shall sign the contract. Only the P.O., the youth and the parent/guardian should receive a copy of the signed contract at the end of the conference.

## F. OUTCOME

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After a CYPM adjustment contract is signed, there are two possible outcomes:

- A successful adjustment where the youth complies with the terms of the adjustment contract and is diverted from the delinquency court process; or
- An unsuccessful adjustment where the P.O. determines that that case should proceed to the referral phase.

### *i. Successful Adjustment*

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When a case is successfully adjusted after 60 days and up to 120 days and the youth is no longer involved in the juvenile justice system, the youth is considered to have successfully exited the CYPM process. While the child welfare case may continue, the youth no longer falls into the crossover youth case category.

For cases where consent forms were signed and a CYPM Adjustment Conference took place, the P.O. will contact Confirm of successful adjustments, as Confirm will be tracking the outcomes for all CYPM cases.

### *ii. Referral or Unsuccessful Adjustment*

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Youth whose cases were either deemed ineligible for adjustment, or youth for whom adjustment was unsuccessful will continue to move through the coordinated CYPM process. When an adjustment is not successful, the P.O. will contact the CPS and/or FSU case manager of the unsuccessful adjustment—again, only for cases where consent forms have been signed. CPS and/or FSU case manager will notify FCLS about the unsuccessful adjustment and FCLS will contact the youth's and parent's attorneys.

For unsuccessful adjustments that are then referred to the Corporation Counsel for filing, the Department of Probation will generate a notification by indicating that the youth is a CYPM youth in the "Referral for Prosecution" form that is generated for every referred case.

At this stage, Corporation Counsel may decline to prosecute the case. In circumstances where Corporation Counsel declines prosecution, the delinquency matter is considered closed and the youth is considered to have exited the CYPM process.

If parties reach a resolution at the post-referral pre-filing stage, Corporation Counsel could be approached with an agreement, and the case could be adjusted.

## 4. POST-FILING, PRE-FACT FINDING: COURT IDENTIFICATION AND NOTIFICATION PROCESS

When Corporation Counsel files a delinquency, family court will screen each new filing to identify CYPM cases. Court staff will receive email notification of all delinquency petitions filed by Corporation Counsel each day, including pre-petitions. The court will screen this list for any open child welfare cases to determine whether any youth fall under the CYPM foster care, trial discharge or court ordered supervision population.

If a child is identified as being under court ordered supervision, the court will use the Judicial Decision Tree to assign cases to the appropriate judge. (See Appendix C: Judicial Decision Tree.) Court staff will notify the legal representatives on the child welfare case by e-mail. The message will include the child's name, date of birth, docket number(s), pending court dates, and presiding judge. The message will indicate the child's crossover status and the court part in which the case will be heard that day. Each of the institutional organizations, the Law Department, FCLS, LAS and Bronx Defenders will identify a specific contact person to receive the notice. If the parent or youth is represented by a Panel attorney, the individual attorney will receive notice.

**Note: Bronx Family Court will also be identifying Crossover cases which follow a different pathway than the CYPM target population.** The court will also be screening new child welfare petitions filed by FCLS to determine whether a youth in that family has any active Delinquency petitions. Court staff will also use the Judicial Decision Tree to assign these cases to the appropriate judge. (See Appendix C: Judicial Decision Tree.)

## 5. POST-FILING, PRE-FACT FINDING: CYPM FAMILY MEETING

Once Corporation Counsel has filed a petition in the case of a youth under court-ordered supervision, a CYPM Family Meeting will be held to plan for the court process, coordinate action steps, and ensure that the youth's service needs are being met.

### A. CONSENTS

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If consents were signed at the adjustment phase they remain valid, however, the youth may be appointed a new attorney for the delinquency case who may review the consent.

If the case was not eligible for adjustment, the consent form will be presented to the youth and parents' attorneys. The CPS and/or FSU case manager will explain the information sharing consent form and advise that the youth and their parents to consult their attorneys before signing the consent form. The parent/guardian and/or the youth, with counsel from their attorneys, will have until the start of the scheduled CYPM Family Team Conference to make the decision and sign the form. 3-4 copies will be collected, one for ACS/DCP, one for the juvenile justice professional, one for the parent, and one for the youth (when applicable). The signed consent forms will govern the lifespan of the juvenile justice case, unless revoked by the parent/guardian and/or youth.

If the parent/guardian does not consent to information sharing, then a CYPM Family Meeting cannot take place. Juvenile Justice professionals at the meeting, in person and on the phone, will be asked to leave, and a routine Family Meeting will be held.

**\* If consents are not signed, then the CYPM Protocol does not apply. The following sections outline the collaboration that can happen when consents are signed.\***

### B. SCHEDULING

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If adjustment is unsuccessful and a case is referred to Corporation Counsel, the P.O. will have contacted the CPS and/or FSU case manager to alert them of an unsuccessful adjustment. If a youth is not eligible for adjustment, Confirm will call Corporation Counsel to find out when/if a case will be filed. With that information, Confirm will call the CPS and/or FSU case manager, CPS supervisor, FCLS designee, and other parties (*e.g.*, detention) to inform them of the petition filing. The FSU worker in DCP, who is the conference lead, will contact the meeting participants to schedule a convenient date, time, and location for the CYPM Family Meeting. FSU will note the youth's detention status to understand whom to invite. Invitees that cannot attend the meeting in-person can join by phone, teleconference, or through submission of relevant written material.

### C. PARTICIPANTS AND LOCATION

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The CYPM Family Meeting will be led by FSU. Meeting participants and location, however, will depend on the youth's detention/parole status. The following table that summarizes the participants and location for each status type:

TABLE 4. CYPM FAMILY MEETING PARTICIPANTS AND LOCATIONS FOR COS YOUTH

Status of Youth	Location	Facilitator	Conference Participants
In Detention	Detention Facility or Wherever Convenient	ACS Family Service Unit (FSU)	Youth, if possible Family/Guardian CPS and/or FSU case manager Preventive case planner if involved Youth and Parents' Attorneys FCLS rep. DYFJ case worker/ manager
At home with DOP/ICM	DCP Borough Office or Wherever Convenient	ACS Family Service Unit (FSU)	Youth Family/Guardian CPS and/or FSU Preventive case planner if involved Youth and Parents' Attorneys FCLS rep. ICM P.O.
At home with ATD	DCP Borough Office or Wherever Convenient	ACS Family Service Unit (FSU)	Youth Family/Guardian CPS and/or FSU case manager Preventive case planner if involved Youth and Parents' Attorneys FCLS rep. ATD case manager
On Parole, at home without Services	DCP Borough Office or Wherever Convenient	ACS Family Service Unit (FSU)	Youth Family/Guardian CPS and/or FSU case manager Preventive case planner if involved Youth and Parents' Attorneys FCLS rep.

*i. Detained Youth*

It is best practice for youth to attend the CYPM Family Meeting. However, because these Family Meetings will be held at a place most convenient to the family, it may be the case that the meeting location is outside the detention facility. In these cases, detained youth attendance is encouraged, but not mandatory.

*ii. Paroled Youth with DOP Intensive Case Management (ICM)*

CYPM Family Meetings will be held at a place most convenient to the family. Meeting locations are usually within the community and include the DCP borough office. For youth in a tier 3 ICM program, DOP's ICM staff will attend the CYPM Family Meeting if consent forms have been signed. Attendance will be preferably in person, but telephone or video conference is an alternative.

### *iii. Paroled Youth in An ATD Program*

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CYPM Family Meetings will be held at a place most convenient to the family. Meeting locations are usually within the community and include the DCP borough office. For youth in a tier 1 or 2 ATD program, ATD staff will be invited to attend the CYPM Family Meeting if consent forms have been signed.

### *iv. Paroled Youth with No Services*

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CYPM Family Meetings will be held at a place most convenient to the family. Meeting locations are usually within the community and include the DCP borough office. No juvenile justice professionals will attend since no services were ordered for the youth.

## D. GOALS

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The goals of a CYPM Family Meeting vary depending on whether a youth is detained or paroled to the community:

### *i. Detained Youth*

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Except in cases where a youth poses a serious public safety risk, the specific goal for detained cases is release. This includes the consideration of services that could be put in place to effectuate a release.

### *ii. Paroled Youth With DOP Intensive Case Management (ICM)*

---

For paroled youth with DOP ICM, coordination of services between the ICM, ACS and any involved child welfare professional is the primary goal. This will provide support for the youth and family and encourage compliance with services.

### *iii. Paroled Youth in An ATD Program*

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For paroled youth in an ATD program, coordination of services between the ATD provider, ACS and any involved child welfare professional is the primary goal. This will provide support for the youth and family and encourage compliance with services.

### *iv. Paroled Youth with No Services*

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A CYPM Family Meeting will be held for this group if one has not already taken place. The goal of this conference will be to establish a service plan that meets the youth's needs and addresses both child welfare issues and supports the youth in complying with conditions of parole to avoid remand and prevent additional arrests.

## E. CONTENT

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There are five stages of a CYPM Family Meeting:

- i. Introductions
- ii. Issue Identification

- iii. Development of Coordinated Solutions
- iv. Decision-Making and Development of a Plan
- v. Recap / Documentation

### *i. Introductions*

---

The CYPM Family Meeting facilitator (which, for court-ordered supervision cases, is FSU) will begin with a self-introduction and describe the purpose of the gathering. The facilitator will then ask participants to introduce themselves and describe their role or relationship with the youth and family, and provide a positive statement about the family and/or the youth. The Facilitator will encourage participation from everyone and express a desire to work together to come up with the best possible plan for the youth—one that meets both child welfare and juvenile justice needs.

After introductions, the facilitator will establish ground rules for the conference. The ground rules will help ensure a respectful and safe environment for all participants. (See Appendix E: Meeting Guidelines: Finding Solutions with the Family.)

After ground rules are established, the facilitator will address the issues of information privacy. The facilitator will explain to participants that after the Family Meeting and, as appropriate, throughout the pendency of the case, relevant and shareable information will be shared with court stakeholders by the youth’s attorney.

### *ii. Issue Identification*

---

During this phase of the conference, the facilitator will lead a discussion addressing the core child welfare and juvenile delinquency issues concerning the youth. As necessary, this discussion will build on the identification of issues and solutions raised during earlier conferences including the CYPM Adjustment Conference, and any previous conferences held by the ACS on the child welfare case.

### *iii. Development of A Coordinated Service Plan*

---

The discussion will explore potential solutions to each of the child welfare and juvenile delinquency issues identified in part two of the meeting (above). All parties, following the ground rules, will collaborate in identifying new strategies or building on existing service plans, to address the identified issues and achieve the specific goals identified for the youth.

### *iv. Decision Making And Plan Development*

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The purpose of the discussion will be to reach consensus among participants about the best approach going forward.

### *v. Recap / Documentation*

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The decisions, strategies and targets developed during this conference will be documented in a plan by the conference facilitator, using the existing Family Service Agreement Form that describes the conference and its outcomes. (See Appendix E: Meeting Guidelines: Finding Solutions with the Family.) Copies of the services plan

will be given to all parties present. To close the conference, the facilitator will verbally recap the agreed-upon approach.

## F. COMMUNICATION WITH THE COURT

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Any communication with other court practitioners, including Corporation Counsel and the Court, will be the responsibility of the youth's attorney and/or FCLS. Following the Family Meeting and, as appropriate throughout the pendency of the case, relevant and shareable information will be shared with court stakeholders by the youth's attorney. In the absence of a court order, no one other than the youth's delinquency attorney will share information with Corporation Counsel or the Court on the youth's delinquency case. When possible, FCLS will communicate with Corporation Counsel on behalf of the foster care agency case planner or provide advice for the case planner regarding what information they can share with Corp Counsel and the other court stakeholders.

Court appearances on the Delinquency case may be before the same judge as the child welfare case, depending upon the circumstances and determined by the Court Decision Tree (See Appendix C: Judicial Decision Tree.) Judges will have a Crossover Youth Bench Card to help them to consider issues that may be unique to crossover youth.

## 6. POST-FACT FINDING, PRE-DISPOSITION: DISPOSITION PLANNING

Information exchange is key during the post-fact finding, pre-disposition stage. If consents to share information have been signed, DOP takes the lead but includes child welfare partners in the development of disposition recommendations in order to avoid a youth's exit from the CYPM process without the necessary services. For youth on court-ordered supervision, child welfare partners include: DCP, FSU, the Preventive Agency, and Division of Preventive Services (DPS), as applicable, as well as the youth's school and mental health providers.

For CYPM youth, DOP will call the youth's DCP case worker, FSU case worker, and the preventive agency case planner, as well as the school and mental health providers to inform the development of the Youth Level of Service (YLS) and Investigation and Report (I&R). (If no consents forms have been signed, or consent has been revoked, then ACS may only provide DOP with a written summary of services for the youth.) Additional follow-up with the mental health provider will be necessary if the Judge orders mental health services.

## 7. POST-DISPOSITION: ONGOING COLLABORATION AND DISCHARGE PLANNING

Both child welfare and juvenile justice parties will coordinate case management until a youth's exit from the juvenile justice system, including discharge from the dispositional services and/or aftercare. For youth whose delinquency case resulted in a period of probation, alternative-to-placement, or placement (all levels), collaboration between child welfare and juvenile justice parties will continue through the end of the probation, ATP, or placement period, including aftercare services. At minimum collaboration should include monthly phone contact and invitations to all family meetings pertaining to the youth's service plan.

## A. GOALS

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Coordinated case planning for all crossover youth should be focused on change that reduces safety risks, increases parental protective capacities, and strengthens the youth's decision-making and self-monitoring behavior. Building on joint efforts during the earlier stages of the case, the assigned case workers from both systems will

work together on an ongoing basis to ensure that there is coordination in the recommendation and delivery of services to the youth.

## B. CASE RESPONSIBILITY

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If consent forms have been signed, FSU will take case monitoring lead during the pendency of the case from dispositional services to release and aftercare. FSU will liaise with juvenile justice professionals, including placement providers, ATP providers and DOP (dependent on the youth's disposition), to regularly collect information. FSU will maintain at minimum monthly contact with all providers. FSU will call for family meetings if there are concerns about the youth's juvenile justice service plan and/or if there are concerns about the stability of the family. Case monitoring responsibilities depend upon the youth's case type and disposition. The child welfare case manager in the FSU will lead coordination efforts with the applicable juvenile justice case managers.

For youth with community-based dispositions (*e.g.*, probation, ATP), FSU will make contact with the family as often as needed both in and out of the home environment a minimum of twice per month. For youth on probation, ACS will serve as a lead on case management and service planning, while DOP will serve as a lead in monitoring behavior and probation court mandates. However, ACS and DOP will maintain open communication at a minimum of once every 30 days.

For youth in secure, limited-secure, and non-secure placement, responsibility for coordinated case management will follow existing ACS protocols for minimum casework contact. While the youth is in placement, FSU will be involved with the facilities/entities in concurrent planning for the youth. FSU will maintain contact with service providers throughout the life of the juvenile justice case.

## C. FREQUENCY OF GATHERINGS AND INFORMATION EXCHANGE

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To the extent possible, information exchange and coordinated planning should follow the existing routines of child welfare case management unless a court order dictates more frequent communication. At minimum, at the post disposition stage of open CYPM cases, juvenile justice and child welfare case managers should exchange information about the status of the case and the youth's progress every 30 days. This exchange should occur during a scheduled case management conference or by phone.

In addition, family meetings to review progress will be convened:

- Prior to all court hearings/appearances
- When there is a significant change in family dynamics
- Prior to the end of court ordered supervision, if there is a request to extend court ordered supervision, and if there are safety concerns that may lead to a request for a remand of the youth.
- At the request of a family member
- When the youth is going to be discharged from Probation, Placement or Aftercare.

FSU should be in ongoing communication with staff providing dispositional services—be it placement (secure, limited secure, and non-secure), alternative-to-placement, and/or probation. FSU should maintain the required casework contact with the youth and collaborate with the placement provider's intake process. They should also be involved in every planning meeting, be aware of any incidents, and be closely involved in the discharge planning process.

## D. DISCHARGE PLANNING OR TERMINATION OF DISPOSITIONAL SERVICES

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Throughout the pendency of the case, FSU or the preventive agency case planner will plan for the youth's transition from dispositional services (*e.g.*, placement, ATP, probation), including placement aftercare. This planning will culminate in a conference. The purpose of this conference is to prepare for the youth's transition into the community or the termination of a dispositional service, and to ensure that, if necessary, appropriate services and support systems are in place for the youth and family. The parent's and youth's attorneys should also be invited to this conference.

### *i. Permanency and Educational Stability*

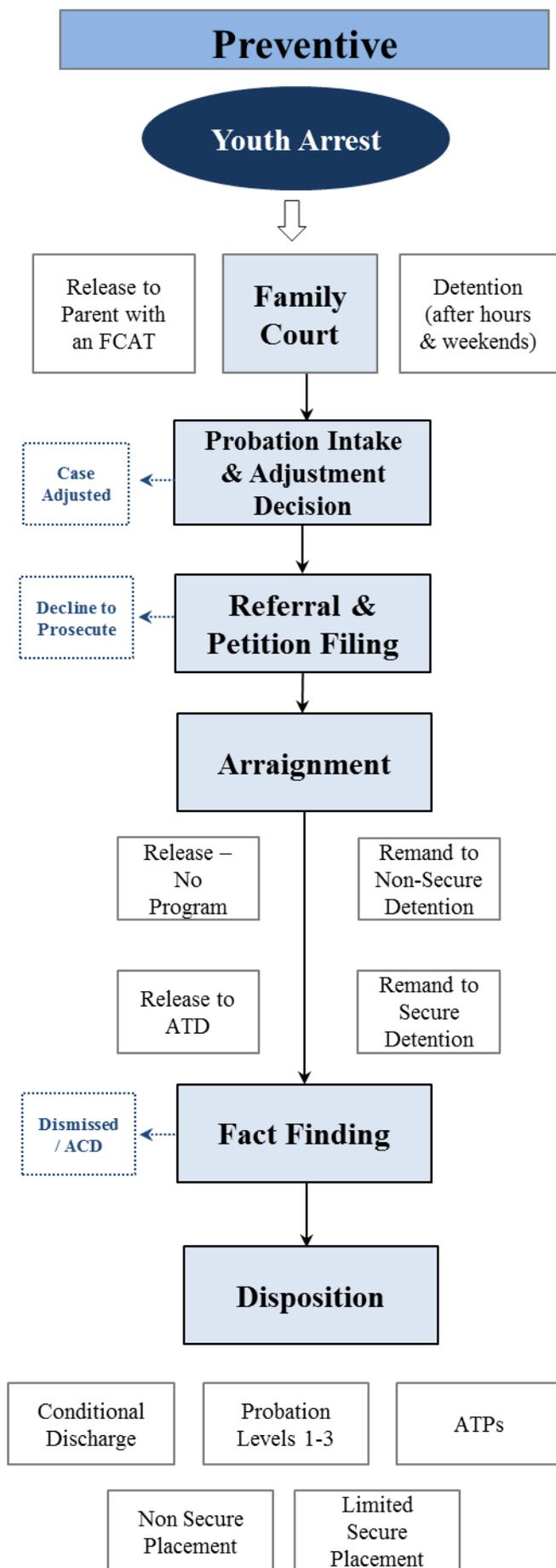
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Permanency and educational stability are key case management goals for crossover youth. For youth on probation, including youth who are in Alternative to Placement (ATP) programs (JJI, Echoes, AIM, PEAK or Esperanza), the juvenile justice partner will collaborate with the parent/guardian and FSU case manager in order to maintain educational stability and prevent school disruptions during probation and after probation ends.

For youth in ACS contracted Non-Secure Placement (NSP), refer to the ACS policy Non-Secure Placement (NSP) Educational Transition Planning and Aftercare Services. This policy defines the roles and responsibilities of the NSP provider, the ACS Close to Home Permanency Planning Specialist (PPS) and Community Support Specialist (CSS), and the DOE transition counselor and coordinator in developing and monitoring the youth's educational plan while in placement, including transition to aftercare and completion of juvenile justice involvement. The placement provider and DOE staff, as outlined under this policy should communicate and collaborate with the parent/guardian and FSU case manager to ensure an education plan that allows the youth to earn and retain the most credits, move at the end of semester where possible, and secure the most appropriate educational setting during placement.

For youth in Limited Secure Placement or Secure Placement, the OCFS worker should discuss the youth's education plan with the youth, the parent/guardian, and FSU case manager about locating a community school upon the youth's return to the community.

*\* Please note that ACS contracted Limited-Secure Placement will begin in 2015. For youth placed in ACS contracted Limited Secure Placement, please refer to the ACS policy in order to identify the LSP staff, ACS staff and DOE personnel for discussing educational issues.*



Pre-Filing
<p><b>Identification   Confirm</b></p> <ul style="list-style-type: none"> <li>Confirm will identify Crossover Youth as part of the routine review of daily arrests</li> </ul>
<p><b>Notification   Confirm</b></p> <ul style="list-style-type: none"> <li>Confirm will notify DCP/CPS (if involved), preventive agency case planner, and FSS about youth's arrest</li> <li>The preventive agency will call the youth's family to inquire about the youth's arrest and describe CYPM and the consent forms</li> </ul>
<p><b>Adjustment and/or ERC Conference</b></p> <ul style="list-style-type: none"> <li>For youth deemed eligible for adjustment, DOP will schedule an Adjustment Conference</li> <li>The preventive agency will assess the need for an ERC and schedule one if necessary</li> <li>If consents are signed, DOP/preventive agency will be invited to attend the other's conferences</li> <li>Aim to facilitate collaboration and information sharing and to prevent further penetration into either system</li> </ul>
Post-Filing / Pre-Fact Finding
<p><b>Possible ERC</b></p> <ul style="list-style-type: none"> <li>If adjustment fails or the case is not eligible for adjustment, the preventive agency will assess the need for an ERC if one has not already take place</li> <li>Aim to facilitate the exchange of information between juvenile justice professionals and the preventive agency and to develop a coordinated service plan</li> <li>Aim to expedite both the release of the child from detention (when public safety allows) and the appropriate resolution of the case</li> </ul>
Post-Fact Finding / Pre-Disposition
<p><b>Disposition Planning Conference</b></p> <ul style="list-style-type: none"> <li>DOP will include the preventive agency in development of disposition recommendations</li> <li>Development of I&amp;R and MHS, if ordered</li> </ul>
Post - Disposition
<p><b>Ongoing Joint Case Management</b></p> <ul style="list-style-type: none"> <li>Regular exchange of information between the preventive agency and juvenile justice professionals with scheduled conferences as necessary</li> <li>For youth with dispositional services or in a placement setting, there will be regular exchange of information between the preventive agency and the juvenile justice agency</li> <li>Focus on reaching permanency and educational stability goals</li> </ul>

## IV. PREVENTIVE

The following section maps out the Crossover Youth Practice Model (CYPM) for youth whose families are receiving preventive services through a preventive agency. For youth receiving preventive services, the specific process steps are:

1. Identification of Crossover Youth;
2. Initial Notification of Youth's Crossover Status;
3. Pre-Filing: Adjustment and/or Possible Elevated Risk Conferences;
4. Post-Filing, Pre-Fact Finding: Possible Elevated Risk Conference;
5. Post-Fact Finding, Pre-Disposition: Disposition Planning; and
6. Post-Disposition: Ongoing Collaboration and Discharge Planning.

*Note:* The preventive agency may request an ERC at any time during the course of its work with the family, and therefore, any time during the CYPM timeline. After the preventive agency has been notified that a youth whose family they are providing services to has been arrested and identified as a Crossover Youth, the provider will assess whether or not an ERC is warranted. When the preventive agency determines that an ERC is not warranted, the preventive agency will provide a written explanation of their decision to DPS.

### 1. IDENTIFICATION OF CROSSOVER YOUTH

CYPM multi-agency coordination begins with the identification of a crossover youth. The identification process is triggered by an arrest and is dependent on the existing identification practices of ACS's Confirm unit. Every weekday, in accordance with Confirm's goals and guidelines, the Confirm unit receives and reviews 6 reports: one from the New York City Department of Probation (DOP) in each of the 5 boroughs and the one citywide list from ACS's DYFJ Detention. The DOP reports capture youth arrested who will be presented at Family Court for Probation Intake that day. The DYFJ Detention report contains youth arrested and dropped off at detention by the police during off-court hours.

ACS's Confirm will research each youth on these lists using Connections (CNNX) and the Welfare Management System (WMS) to determine his/her crossover status. Each crossover youth will be identified as one of 3 Crossover Case Types:

- Foster Care / Trial Discharge;
- Court-Ordered Supervision; or
- Preventive.

Confirm will gather the following information on each crossover youth.

- Youth's name;
- DOB;
- Gender;
- ACS case #;
- CIN #;
- Case planning agency; and
- Case planner/worker.
- If possible, the Detention status:

- Detained, or
- Paroled

Confirm will collect and track data on the CYPM youth. Moreover, Confirm will serve as the central hub of information on the crossover case, collecting additional data about the case’s progress and outcomes from stakeholders as the case passes through subsequent points in the juvenile justice process.

## 2. INITIAL NOTIFICATION OF YOUTH’S CROSSOVER STATUS

Once it is determined that the youth’s family is receiving preventive services, Confirm shall initiate a notification process. **Without written consents, Confirm’s initial outreach will be to child welfare partners only.** The following table summarizes the parties responsible for notification.

TABLE 5. INITIAL NOTIFICATION TABLE FOR CROSSOVER YOUTH RECEIVING PREVENTIVE SERVICES

Notifications		
Confirm	DPS	Preventive Agency
DPS Preventive case planner CPS or DCP, if involved	Preventive Agency Director	Youth’s Family PFTC

If the arrested youth has an open preventive case, Confirm will email the following parties about **the youth’s arrest, identifying information, and detention/parole details:**

1. **ACS Division of Preventive Services.** Confirm will contact Division of Preventive Services (DPS) about the youth’s arrest. DPS, once notified, will trigger its Critical Incident Protocol and notify the preventive agency’s director and/or supervisor about the youth’s arrest. If the preventive agency determines that an ERC is necessary, the preventive agency will contact Preventive Family Team Conferencing and request that an ERC be scheduled. If it is determined that a youth’s arrest does not require an ERC, the preventive agency will provide an explanation of their reasoning for this determination to DPS.
2. **Preventive Agency.** Upon notification, the preventive agency will contact the parent to inquire about the youth’s arrest and ask if an adjustment conference has been scheduled. The preventive agency case planner will explain the purpose of ACS-DOP information sharing and the goals of the CYPM and determine whether an ERC is warranted. If it is determined that an ERC is necessary, the preventive agency case planner will schedule an ERC within two business days of notification and ask the parent if he/she would like to invite the P.O. to the ERC. If the parent provides written consent, the preventive agency will notify DOP of the youth’s crossover status and provide P.O. with copies of the parental consent form and conference information (date, time, location and dial-in). If consent forms are not signed but the parent wants DOP to attend the ERC, the parent will call the P.O. with the date, time, location and dial-in information. If the youth is detained and consents are signed, the preventive agency will notify Detention of the youth’s crossover status.
3. **ACS Division of Child Protection.** For cases where a child protection specialist is involved, Confirm will notify DCP.

DOP asks families about ACS involvement and present the CYPM consent form. ACS Confirm will only confirm ACS involvement and share additional information with DOP or the juvenile justice professional if a consent form is provided

### 3. PRE-FILING: ADJUSTMENT AND/OR POSSIBLE ELEVATED RISK CONFERENCES

Before the petition is filed and the start of a delinquency case, a DOP Adjustment Conference will take place for youth deemed eligible for adjustment by the youth's DOP Intake Officer, in accordance with Section 308.1 of the New York Family Court Act. No Adjustment Conference will be held for cases that DOP have deemed ineligible for adjustment. After being notified of an arrest, the preventive agency will assess whether an ERC is warranted, and an ERC may take place in addition to or instead of a DOP Adjustment Conference.

Whenever possible, the goal is to bring the family together with both DOP and ACS and prevent further penetration into either system, if possible. If consent forms have been signed by the youth and parents, the preventive case planner can be invited to the DOP Adjustment Conference. If an ERC is deemed necessary by the preventive agency and consent forms have been signed by the youth and parents, the P.O. will join the ERC in person or by phone. Regardless of whether both conferences are held and the order they take place, the preventive agency and DOP will collaborate to provide coordinated services across systems targeted to the needs of the youth, expedite the appropriate resolution of the case through sharing and collaboration and prevent further penetration into the juvenile justice system, if possible.

If the preventive agency acquires consents and if DOP has parental consent after an Adjustment Conference, then both agencies will share copies of the consents. The preventive agency case planner will learn about the outcomes of the DOP Adjustment Conference, including the services mandated in the youth's adjustment contract – if one was issued. Provided consent is given, the preventive agency case planner and the P.O. will share information and collaborate to align services in the youth's Family Service Plan and adjustment contract. If the Adjustment Conference takes place before the ERC, the preventive agency case planner will follow up with the family to obtain consent and get information about the outcomes of the DOP Adjustment conference.

#### A. CONSENTS

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The parent/guardian and, for certain information, the youth must sign consent forms for cross-agency coordination, collaboration and participation in the DOP Adjustment and/or ERC targeted to the needs of the youth and to expedite the appropriate resolution of the case.

In addition to the preventive agency's efforts to obtain parental consent, the P.O. during the intake interview—in cases where the youth/family self-report current participation in preventive services—will explain and distribute the CYPM consent forms that govern the preventive agency-DOP information sharing, re-disclosure, and confidentiality. The parents and youth (when applicable) must consent and sign three to four sets of these forms—one for each agency—for the preventive agency and DOP to share information, one for the parent/guardian and one for the youth (if applicable). Each of the individuals who executed a consent form shall receive a signed copy of what was signed. The signed consent forms will apply until a case is successfully adjusted or throughout the juvenile justice Delinquency case unless the parents or youth revoke consent.

The parent/guardian and youth will have until the first scheduled conference to make a decision regarding consent. The decision to share information across agencies will remain with the family. The family will have up until the Adjustment Conference or the ERC to make a decision and sign the forms.

In the event that the parent/guardian and youth sign the consent forms in the days before the ERC or the Adjustment Conference, then the preventive agency, which has the closest contact to the youth's family, will be responsible for collecting the signed consent forms.

Please see Appendix B for the consent form that needs to be signed. This form will be used by ACS, the preventive agency and DOP.

**\* If consents are not signed, then a CYPM Adjustment Conference cannot take place, and a routine DOP Adjustment Conference will be held. The following sections outline the collaboration that can happen when consents are signed.\***

## B. SCHEDULING

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After the case has been deemed eligible for adjustment, the P.O. will call the parent/guardian/youth and select three mutually agreeable dates within the next two weeks. The conference will be held at the probation office. If youth and parents have provided written consent, the preventive agency may attend the DOP Adjustment Conference by phone or in person. If consents are signed after the conference, DOP and the preventive agency will be able to share information by phone to collaborate and avoid duplication of services.

If needed, an ERC must be requested by the preventive agency within two business days of notification of the arrest – and should be held within five business days from the time of the request. The preventive agency will be responsible for working with the family and DPS to quickly schedule an ERC at a time that is suitable for all parties. Once the details (date, time, location, participants and dial-in information) of the conference are finalized, the preventive agency and DPS will relay that information by email to other conference participants, and to the P.O.

The ERC will take place at the preventive agency. It is best practice to have the youth in attendance, though that may not be possible for detained youth. Participants who cannot attend the meeting in person, including youth who are detained, can participate by phone, teleconference, or through submission of relevant written material. DOP may attend the ERC by phone or in person, so that there will be an opportunity to share information, collaborate and avoid duplication of services.

## C. PARTICIPANTS

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The P.O. will lead the Adjustment Conference. Participants include:

- Youth;
- Parent/guardian;
- Any supportive person brought to the conference by parent/guardian or youth;
- The preventive agency case planner and supervisor (if consent is acquired);
- ACS DCP child welfare specialist and supervisor (if involved and consent is acquired);
- School representatives, as appropriate; and
- Other service providers (if applicable).

The DPS conference facilitator will lead the ERC. Participants include:

- Youth;
- Parent/guardian;
- Any supportive person brought to the conference by the parents/guardian or youth;
- The preventive agency case planner and supervisor;
- Intake P.O. (if consent is acquired);
- ACS DCP child welfare specialist and supervisor (if involved);
- School representatives, as appropriate; and
- Other service providers (if applicable).

Participation may be in person, by phone, teleconference, or through submission of relevant written documentation.

#### D. GOALS

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To provide coordinated services across systems targeted to the needs of the youth, expedite the appropriate resolution of the case through sharing and collaboration, and prevent further penetration into the juvenile justice system, if possible.

#### E. STRUCTURE

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There are four stages of a DOP Adjustment Conference:

- i. Introduction
- ii. Issue Identification & Assessment
- iii. Contract Development
- iv. Closing

The ERC conference will follow the existing Preventive Family Team ERC Conferencing Protocol, which contains the following six stages:

- i. Setting the Stage for Collaboration;
- ii. Identifying the Situation and Discussion;
- iii. Assessing the Situation and Discussion;
- iv. Brainstorming of Ideas and Interventions;
- v. Decision-Making, Plan Development, and Consensus;
- vi. Recap/Evaluation/Closing

#### F. ERC OUTCOME

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At the end of the conference, the family can consent to sharing the completed Family Team Conferencing Agreement Form with DOP.

#### G. ADJUSTMENT OUTCOME

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After an adjustment contract is signed, there are two possible outcomes:

- A successful adjustment where the youth complies with the terms of the adjustment contract and is diverted from the delinquency court process; or
- An unsuccessful adjustment where the P.O. determines that that case should proceed to the referral phase.

### *i. Successful Adjustment*

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When a case is successfully adjusted after 60-days and the youth is no longer involved in the juvenile justice system, the youth is considered to have successfully exited the CYPM process. While the child welfare case may continue, the youth no longer falls into the crossover youth case category.

For cases where consent forms were signed and a CYPM Adjustment Conference took place, the P.O. will email Confirm of successful adjustments, as Confirm will be tracking the outcomes for all CYPM cases.

### *ii. Referral Or Unsuccessful Adjustment*

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Youth whose cases were either deemed ineligible for adjustment, or youth for whom adjustment was unsuccessful, continue to move through the coordinated CYPM process. When an adjustment is not successful, the P.O. will notify the preventive case planner of the unsuccessful adjustment—again, only for cases where consent forms have been signed. The case planner will then notify DPS about the unsuccessful adjustment.

For unsuccessful adjustments that are then referred to the Corporation Counsel for filing, DOP will generate a notification by indicating that the youth is a CYPM youth in the “Referral for Prosecution” form that is generated for every referred case.

At this stage, Corporation Counsel may decline to prosecute the case. In circumstances where Corporation Counsel declines prosecution, the delinquency matter is considered closed and the youth is considered to have exited the CYPM process.

## 4. POST-FILING, PRE-FACT FINDING: POSSIBLE ELEVATED RISK CONFERENCE

When Corporation Counsel has filed a petition against the youth, the preventive agency should again assess whether an ERC is warranted (if one has not already taken place), to plan for the court process, coordinate action steps and coordinate the youth’s service needs.

### A. CONSENTS

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If consents were signed at the adjustment phase they remain valid, however, the youth may be appointed a new attorney for the delinquency case who may review the consent.

If the case was not eligible for adjustment, the consent form will be presented to the youth and parents.

The preventive agency case planner will explain the information sharing consent form and advise that the youth and their parents to consult their attorneys before signing the consent form. The parent/guardian and youth (with counsel from their attorneys if they have one) will have until moments before the scheduled ERC to make the

decision and sign the form. Copies of signed consent forms must be provided to all parties, including the parent and youth (if applicable). The signed consent forms will govern the lifespan of the juvenile justice case, unless revoked by the parent/guardian and youth.

If the parent/guardian does not consent to information sharing, then a CYPM ERC cannot take place. Juvenile Justice professionals at the meeting, in person and on the phone, will be asked to leave, and a routine ERC will be held.

**\* If consents are not signed, then the CYPM Protocol does not apply. The following sections outline the collaboration that can happen when consents are signed.\***

## B. SCHEDULING

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If an ERC is scheduled for a date post-adjustment or post-filing, then the meeting will still be held at the preventive agency, but with a different set of participants, goals and follow-up actions depending on the youth’s detention/service status.

*Note:* ERC’s are conducted in a supportive social work environment and although they are not legal proceedings, the parent/guardian and youth may invite their attorney.

## C. PARTICIPANTS AND LOCATION

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The DPS Conference Facilitator will lead the ERC. The meeting will be held at the preventive agency. Meeting participants, however, will depend on the youth’s detention/parole status. Below is a table that summarizes the participants for each status type:

**TABLE 6. ELEVATED RISK CONFERENCE PARTICIPANTS (POST-FILING)**

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Status of Youth	Facilitator	Conference Participants
<b>In Detention</b>	DPS Conference Facilitator	Youth may not be able to participate * Family/ Guardian DYFJ case manager PPRS and other Service providers
<b>At home with DOP/ICM</b>	DPS Conference Facilitator	Youth Family/ Guardian P.O. PPRS and other service providers
<b>At home with ATD</b>	DPS Conference Facilitator	Youth Family/ Guardian ATD case manager PPRS Service providers
<b>On parole, at home without Services</b>	DPS Conference Facilitator	Youth Family/ Guardian PPRS and other service providers

\*It is best practice for youth to attend all crossover youth conferences, including the ERC. In cases where youth is detained, an effort to have the youth participate by telephone or teleconference should be made, whenever possible. If the youth cannot participate, the outcome of the ERC will be communicated to the youth by the DYFJ detention case manager, immediately after the conference.

## D. GOALS

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The goals of an ERC that occurs post-filing will vary depending on whether a youth is detained or paroled to the community:

### *i. Detained Youth*

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Except in cases where a youth poses a serious public safety risk, the specific goal for detained cases is release. This includes the consideration of services that could be put in place to effectuate a release.

### *ii. Paroled Youth With Dop Intensive Case Management (Icm)*

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For paroled youth with DOP ICM, coordination of services between the ICM, ACS and any involved child welfare professional is the primary goal. This will provide support for the youth and family and encourage compliance with services.

### *iii. Paroled Youth In An Atd Program*

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For paroled youth in an ATD program, coordination of services between the ATD provider, the preventive agency and any involved child welfare professional is the primary goal. This will provide support for the youth and family and encourage compliance with services.

### *iv. Paroled Youth With No Services*

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The broad goal is to reduce further youth involvement in the juvenile justice system and provide coordinated services across systems, thereby potentially expediting the removal of the youth from detention when public safety does not require ongoing detention and the appropriate resolution of the case.

## E. STRUCTURE

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Please refer to section III.3.E above for a detailed description of the conference content.

## F. COMMUNICATION WITH THE COURT

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A Family Team Conferencing Agreement Form will be the documented outcome of the ERC. If the ERC takes place post-filing, after the start of the delinquency case, the Family Team Conference Agreement Form will be relayed to the parent's attorney and youth's delinquency attorney.

Any communication with other court practitioners, including Corporation Counsel and the Court, will be the responsibility of the youth's attorney. Following the ERC and, as appropriate, throughout the pendency of the case, relevant and shareable information will be shared with court stakeholders by the youth's attorney. In the absence

of a court order or subpoena, no one other than the youth's attorney will share information with Corporation Counsel on the youth's delinquency case.

## 5. POST-FACT FINDING, PRE-DISPOSITION: DISPOSITION PLANNING

Information exchange is key during the post-fact finding, pre-disposition stage. DOP will take the lead but include child welfare partners in the development of disposition recommendations in order to avoid a youth's exit from the CYPM process without the necessary services. For youth receiving active preventive services, child welfare partners include: preventive providers, CPS and/or FSU (if applicable), as well as the youth's school and mental health providers.

DOP will call the youth's preventive agency case planner, DPS conference facilitator (if applicable), as well as the school and mental health providers to inform the development of the Youth Level of Service (YLS) and Investigation and Report (I&R). (If no consent forms have been signed or consent has been revoked, then ACS shall not provide any information to DOP regarding the preventive case.) Additional follow-up with the mental health provider will be necessary if the Judge orders mental health services.

## 6. POST-DISPOSITION: ONGOING COLLABORATION AND DISCHARGE PLANNING

Both child welfare and juvenile justice players will coordinate case management until a youth's exit from the juvenile justice system, including discharge from placement services and/or aftercare. For youth whose delinquency case resulted in a period of probation, alternative-to-placement, or placement (all levels), collaboration between child welfare and juvenile justice players will continue through the end of the probation, ATP, or placement period, including aftercare services.

### A. GOAL

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The primary goal of CYPM is to bring information together across systems and use interagency discussions of shared information to develop a coordinated plan for the youth. Coordinated case planning for all crossover youth should be focused on change that reduces safety risks, increases parental protective capacities, and increases the youth's decision-making and self-monitoring behavior. Building on joint efforts during the earlier stages of the case, the assigned case managers from both systems will work together on an ongoing basis to ensure that there is coordination in the recommendation and delivery of services to the youth.

### B. CASE RESPONSIBILITY

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The preventive agency case planner will liaise with juvenile justice parties including placement providers, ATP providers and DOP, dependent on the youth's disposition, to regularly collect information, assuming consents or court order. Case monitoring responsibilities will depend on the youth's case type and disposition. The preventive agency case planner will spearhead coordination efforts with the applicable juvenile justice case workers.

For youth with community-based dispositions (*e.g.*, probation, ATP), the preventive agency case planner will communicate with the youth, family, and relevant juvenile justice workers at least twice per month, with a minimum of one contact in the home. For youth on probation, the preventive agency will focus on case management and service planning, while DOP will serve as a lead in monitoring behavior and probation court

mandates. However, the preventive agency case planner and DOP will maintain open communication at a minimum once every 30 days.

For youth in secure, limited-secure, and non-secure placement, responsibility for coordinated case management will follow existing protocols. While the youth is in placement, the preventive agency case planner will be involved with the facilities/entities in concurrent planning for the youth. The case planner will maintain contact with service providers throughout the life of the juvenile justice case.

### C. FREQUENCY OF GATHERINGS AND INFORMATION EXCHANGE

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The frequency of information exchange among child welfare and juvenile justice workers will depend on the court order. However, to the extent possible, information exchange and coordinated planning should follow the existing routines of child welfare case management (see Appendix E). At minimum, at the post disposition stage of open crossover cases, juvenile justice and child welfare workers should exchange information about the status of the case and the youth's progress every 30 days. This exchange should occur during a scheduled case management conference or by phone.

In addition, formal gatherings to review progress should occur at a minimum:

- Prior to court hearings/appearances
- When there is a significant change in family dynamics
- When there is a major change in the youth's status
- At the request of a family member
- When the youth is going to be discharged from Probation, Placement or Aftercare.

The preventive agency should be in immediate communication with the juvenile justice agency providing dispositional services—be it placement (secure, limited secure, and non-secure), alternative-to-placement, and/or probation. The preventive agency should be involved in the intake process of the disposition services and maintain the required casework contact with the youth. They should also be involved in every planning meeting, be aware of any incidents, and be closely involved in the discharge planning process. The juvenile justice provider agency will maintain their required contacts and responsibilities.

### D. DISCHARGE PLANNING OR TERMINATION OF DISPOSITIONAL SERVICES

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Throughout the pendency of the case, the preventive agency will plan for the youth's transition from dispositional services (e.g., placement, ATP, probation), including aftercare. This planning will culminate in a conference. The purpose of this conference is to prepare for the youth's transition into the community or the termination of a dispositional service, and to ensure that, if necessary, appropriate services and support systems are in place for the youth and family. The youth and family will determine who should be invited to this conference.

#### *i. Permanency and Educational Stability*

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Permanency and educational stability are key case management goals for crossover youth. For youth on probation, including youth who are in Alternative to Placement (ATP) programs (JJI, Echoes, AIM, PEAK or Esperanza), the juvenile justice partner will collaborate with the parent/guardian and the preventive agency case planner in order to maintain educational stability and prevent school disruptions during probation and after probation ends.

For youth in ACS contracted Non-Secure Placement (NSP), refer to the ACS policy Non-Secure Placement (NSP) Educational Transition Planning and Aftercare Services. This policy defines the roles and responsibilities of the NSP provider, the ACS Close to Home Permanency Planning Specialist (PPS) and Community Support Specialist (CSS), and the DOE transition counselor and coordinator in developing and monitoring the youth's educational plan while in placement, including transition to aftercare and completion of juvenile justice involvement. The placement provider and DOE staff, as outlined under this policy should communicate and collaborate with the parent/guardian and the preventive agency case planner to ensure an education plan that allows the youth to earn and retain the most credits, move at the end of semester where possible, and secure the most appropriate educational setting during placement.

For youth in Limited Secure Placement or Secure Placement, the OCFS worker should discuss the youth's education plan with the youth, parent/guardian and the preventive agency case planner about locating a community school upon the youth's return to the community.

*\* Please note that ACS contracted Limited-Secure Placement will begin in 2015. For youth placed in ACS contracted Limited Secure Placement, please refer to the ACS policy in order to identify the LSP staff, ACS staff and DOE personnel for discussing educational issues.*

## APPENDIX A: GLOSSARY OF CHILD WELFARE AND JUVENILE JUSTICE TERMS

### 18B PANEL ATTORNEY

An attorney who is chosen from a list of attorneys approved the Appellate Division of the Supreme Court to represent indigent adults and/or children in certain family court proceedings.

### ADJOURNMENT

An order to postpone court activity to another specific date.

### ADJOURNMENT IN CONTEMPLATION OF DISMISSAL (ACD)

Upon agreement of the court and all parties, an adjournment of the proceedings with specified conditions before a finding is made. The proceedings are adjourned for a period not to exceed 6 months for a delinquency case and up to one year for a child protective case. The matter is automatically dismissed at the end of the period unless some occurrence during the adjournment necessitates the matter be reconsidered by the court, e.g. violation of the conditions of the ACD. If the court determines after a hearing that a violation of the ACD has occurred, the original matter is restored to the court's calendar and proceeds to fact-finding.

### ADJUDICATION

A case has been adjudicated when the court has made a final decision about the allegations in the petition. The adjudication of a child as a juvenile delinquent or a person in need of supervision (PINS) can only be made if the child is found: 1) to have committed the acts alleged in the petition, and 2) to need supervision, treatment or confinement as a juvenile delinquent or to need supervision or treatment as a PINS.

### ADJUSTMENT

The process by which the intake probation department may divert cases from court prior to the filing of a petition. The out-of-court resolution may involve referral to community services.

### ADJUSTMENT CONFERENCE

A conference held by the intake probation department, with the participation of the youth and parent/guardian, to decide whether or not to divert the case from court prior to the filing of a petition.

### ADMINISTRATION FOR CHILDREN'S SERVICES (ACS)

The New York City agency responsible for planning, provision and oversight of child welfare services, including protective services, purchased preventive services, early childhood education and foster care placement.

### AFTERCARE SERVICES

Supervision provided to young people after their release from placement or remand.

## ALTERNATIVE TO DETENTION (ATD)

Mandated community based services and supervision issued to respondents by the court in lieu of juvenile detention.

## ALTERNATIVE TO PLACEMENT (ATP)

Mandated community based services and supervision issued as a dispositional alternative to juvenile justice placement.

## ARRAIGNMENT (INITIAL COURT APPEARANCE)

The initial court appearance by the respondent; in family court referred to as the intake court hearing.

## ATTORNEY FOR CHILD

An attorney admitted to practice law in the state of New York and designated under the Family Court Act to represent minors in child welfare and delinquency cases.

## CONDITIONAL DISCHARGE

A release without probation or placement but with specified conditions for a period of up to one year.

## CONFIRM

A unit within the Administration of Children's Services responsible for the identification and support of crossover youth. Confirm is responsible for identifying crossover youth—*i.e.*, youth who have been arrested *and* are in active foster care status, on trial discharge, under court supervision, or are the subject of a preventive case. Confirm then makes notifications to the appropriate ACS divisions and caseworkers, and tracks the movement of crossover youth through the system, facilitating communication between juvenile justice and child welfare parties, as necessary.

## CONNECTIONS (CNNX)

The system of record for child welfare services, including protective, preventive, foster care, adoption, and non-secure placement services in New York State.

## CORPORATION COUNSEL (LAW DEPARTMENT)

The City attorney's office that prosecutes delinquency cases. The New York City Law Department is responsible for all of the legal affairs of the City. It represents the City, the Mayor, other elected officials, and the City's many agencies in all affirmative and defensive civil litigation as well as juvenile delinquency prosecutions brought in Family Court and Administrative Code enforcement proceedings brought in Criminal Court.

## COURT-ORDERED SUPERVISION

An order from the Family Court on a Child Abuse or Neglect Proceeding requiring the Administration for Children's Services to monitor the family at home, usually for a period of twelve months.

## CROSSOVER YOUTH

Youth dually involved in both the child welfare and juvenile justice systems. In New York City, crossover youth for the purposes of the Crossover Youth Practice Model, will be defined as young people, ages 7 to 15, who have been arrested on a delinquency charge, while they have an active foster care, child protection or preventive case in the child welfare system.

## CROSSOVER YOUTH PRACTICE MODEL

A practice model that describes the specific practices that need to be in place within a jurisdiction in order to reduce the number of youth who cross over between the child welfare and juvenile justice systems, the number of youth entering and reentering care, and the length of stay in out of home care. The model stresses coordination and information sharing between child welfare and juvenile justice systems and actors. The Crossover Youth Practice Model was developed by Georgetown University's Center for Juvenile Justice Reform in collaboration with Casey Family Programs.

## DEPARTMENT OF PROBATION (DOP)

The NYC Department of Probation is the New York City agency that assists in administering the law. In family court, DOP is comprised of three units: 1) Intake, which is responsible for the adjustment process, 2) Investigation, which is responsible for preparing I&Rs), and 3) Supervision, which is responsible for the ongoing supervision pursuant to court orders.

## DETENTION

Temporary confinement by a public authority; youth charged with juvenile delinquent acts may be held pending disposition in secure detention or non-secure detention facilities operated by the Administration for Children's Services (ACS) or an agency contracted by ACS to provide detention services.

## DISMISSAL

Action by the judge that removes a given case from the court prior to any adjudication.

## DISPOSITION

The court decision, once a finding of fact has been made in a case.

## DISPOSITIONAL HEARING

A hearing held after a finding of fact is made by the court that the respondent(s) has committed an act, or acts, alleged in the petition. In a delinquency case, at a dispositional hearing, the judge makes a decision on the required

level of supervision, treatment or confinement for the youth. Similar to “sentencing” in an adult criminal case. In a Child Abuse or Neglect case, at a dispositional hearing the judge makes a decision about what is in the best interest of the child and whether placement of the child in foster care is warranted. The court may also order services to address the issues that brought the case to Family Court.

#### DIVISION OF CHILD PROTECTION (DCP)

A division of the Administration for Children’s Services charged with investigating all allegations of child abuse and maltreatment. The Division administers investigative units, case management services, and links families to preventive services in their communities.

#### DIVISION OF PREVENTIVE SERVICES (DPS)

Formerly, the Division of Family Support Services (FSS), DPS provides Preventive Services and support to families throughout New York City, through a network of community-based, non-profit organizations and family home care services. These services are designed to strengthen and stabilize families, prevent the need for out of home care, expedite permanency and prevent the replacement of children into foster care. In addition, the division provides policy guidance to Children’s Services’ staff and preventive provider agencies working with children and youth with a variety of educational, medical, mental health and developmental challenges.

#### DIVISION OF YOUTH AND FAMILY JUSTICE (DYFJ)

A division of the Administration for Children’s Services that oversees services and programs at every stage of the juvenile justice process. DYFJ provides therapeutic treatment, custodial care, health care, reentry and educational services to youth involved in the juvenile justice system in New York City.

#### ELEVATED RISK CONFERENCE (ERC)

Conferences available for all preventive cases that are designed to prevent potential harm to children when a family situation or event poses an increased risk to the safety or stability of the child. These conferences are typically facilitated by specialists from Children’s Services Division of Preventive Services (DPS).

#### FACT FINDING (TRIAL)

A hearing to determine whether the respondent or respondents committed the acts alleged in the petition.

#### FAMILY COURT

The New York State court that deals with the problems of children and families. It has jurisdiction to hear cases including abuse and neglect of children, adoption, custody and visitation, family offenses including abuse of spouses and other family members, youth who may have committed crimes or are in need of supervision, support, and foster care review.

#### FAMILY COURT LEGAL SERVICES (FCLS)

The legal division at Children's Services comprising of attorneys and other social service and support staff responsible for representing the Administration for Children's Services in Family Court.

### FAMILY PERMANENCY SERVICES (FPS)

The Children's Services division that oversees all children in out of home care. Office includes: Office of Family Permanency Team Conferencing; Office of Youth Development; Office of Adoption Services; Office of Parent Support and Recruitment, and the FPS Shared Response Team.

### FAMILY SERVICE UNIT (FSU)

The unit within the Administration for Children's Services Division of Child Protection, that administers case management services in cases when a New York State Family Court Judge orders court ordered supervision for a family.

### FAMILY TEAM CONFERENCE (FTC)

Family Team Conferences represent a process for engaging family, community members, foster parents and relative caregivers in critical decisions related to safety, placement (preservation), child well-being and permanence. All the participants in the meetings are engaged in an honest, open discussion about the safety, well-being and permanency of children. The entire team arrives at a decision; therefore, the child and family are provided a more comprehensive continuum of support. Weaving together the family's expertise and the knowledge of professionals produces a partnership that designs more effective plans and services and offers the family a continuing network of support.

### FINDING

A legal determination made by the judge as to whether the attorney who brought the case to court has proven the allegations based upon the required quantum of evidence and/or admissions.

### FOSTER CARE- CHILD WELFARE

Court ordered (pursuant to Family Court Act Article 10-C) or voluntary placement (pursuant to Social Services Law Section 384-a) outside of the home with the Administration for Children's Services provided in a variety of settings along a continuum of care. Placement is provided by and monitored by a foster care agency contracted with ACS. It is typically a "foster family," the child's relatives, or a group home. A relative who is a foster parent is often called a "kinship" foster parent. Foster families receive foster care funds to help care for the child. ACS and/or the foster care agency have custody of the child, but the parent continues to have legal rights to make some decisions about the child's welfare. Types of foster care placements:

- Kinship Foster Home
- Foster Boarding Home
- Group Home or Residence
- Rapid Intervention Center
- Residential Treatment Center

## GUARDIANSHIP (GUARDIAN)

The formal legal arrangement that grants an adult the right to act on behalf of a child.

## INTENSIVE COMMUNITY MONITORING (ICM)

A tier of community monitoring by the NYC Department of Probation that engages parents and guardians.

## INVESTIGATION & REPORT (I&R)

For a delinquency case, the report made by DOP after a finding of fact, pursuant to a court order and used to assist the judge at disposition. The report may include such things as previous conduct, family situation, psychological and psychiatric reports, school records and previous social assistance by other agencies. The report indicates DOP's assessment of the respondent and determination of the likelihood of rehabilitation and may include an exploration of treatment plans within the community and/or placement resources.

## JUVENILE DELINQUENT (JD)

A person at least seven years of age and less than sixteen years of age who commits an act that if done by an adult would constitute a crime. Defined in Article 3 of the Family Court Act.

## LAW GUARDIAN

See *Attorney for Child*

## LEGAL AID SOCIETY

A private, not-for-profit, legal services organization that provides representation to New Yorkers. The Legal Aid Society's Juvenile Rights Practice represents 90 percent of children who appear before the Family Court in New York City on child protective, termination of parental rights, PINS (person in need of supervision) and juvenile delinquency petitions.

## MENTAL HEALTH STUDY (MHS)

A comprehensive assessment conducted at a Family Court clinic by a psychologist and/or psychiatrist after finding of fact and pursuant to a judicial order; used to assist the judge at disposition. In some orders, an alternate term, FET (Full Evaluation & Testing), is used. "MHS" is also sometimes used to refer to Family Court Mental Health Services (FCMHS), the NYC Health & Hospitals program which runs the court clinics in the Bronx, Brooklyn, Manhattan, and Queens. In Staten Island, evaluations are provided by a separate NYS Office of Mental Health program.

## MOVEMENT CONTROL AND COMMUNICATIONS UNIT (MCCU)

A unit within the Division of Youth and Family Justice Detention Services, responsible for tracking and monitoring, in real time, the census and movement of youth in the secure and non-secure detention systems.

## NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES (OCFS)

The state agency responsible for regulating and monitoring child welfare and juvenile justice services in New York State. Directly provides Limited Secure and Secure placement.

## PAROLE

To release the respondent to the custody of parent, legally responsible person or other adult.

## PENAL LAW

The statute that defines behavior that, when engaged in by an adult and certain juveniles, is prosecuted in criminal court and is punishable by imprisonment, fine or probation.

## PERMANENCY PLANNING HEARING

A hearing involving a child in child welfare foster care or NSP, court ordered or voluntary, to establish time frames for the return of the child to his/her home or other permanency plans, including adoption. A PPH is held at least once every six months and reviews the efforts and planning made by the Administration of Children's Services and foster care agencies to provide a permanent home for children either by returning them to their parent, or if that is not possible, through adoption or some other permanent arrangement such as guardianship or legal custody.

## PETITION

The formal court document or pleading which initiates a proceeding in family court, setting forth the alleged grounds for the court to take jurisdiction of the case.

## PLACEMENT

In a Delinquency case, transfer of custody to an agency or individual for the purpose of providing out of home care for an initial period not to exceed 12 months for misdemeanor findings and not to exceed 18 months for felony findings. In a child protective case, the term placement is often used to refer to foster care placement (see *Foster Care- Child Welfare*)

## PREVENTIVE CASE

Preventive cases are designed to ensure that children remain in the home and are prevented from entering foster care. An ACS caseworker might recommend preventive services as a result of a child protective investigation.

## PURCHASED PREVENTIVE REHABILITATIVE SERVICES (PPRS)

A continuum of services provided by a network of community-based, non-profit organizations and family home care agencies under contract with the New York City Administration for Children's Services (ACS) and overseen by the Division of Preventive Services (DPS). These services are designed to strengthen and stabilize families, prevent the need for out of home care, expedite permanency and prevent the replacement of children into foster care.

## PREVENTIVE SERVICES (PREVENTIVE SERVICES AGENCY/PROVIDER)

Community-based, family-oriented supportive and rehabilitative services whose goal is to prevent placement of children or facilitate the reunification of families. Services include counseling, parenting skills training, and substance abuse treatment.

## PROBATION

Dispositional order on a JD case that allows for the youth to remain in the community with supervision by the Department of Probation (DOP), which may include specified conditions for an initial period not to exceed two years.

## PROBATION INTAKE

The probation intake process is triggered by the arrest of a young person under the age of 16. After an arrest, every young person is interviewed by an intake officer from DOP about the circumstances of the arrest, their school attendance, their living situation, etc. The intake officer also interviews the arresting officer, the complainant/victim of the arrest (when available), and the parents or caretakers of the young person. Based on information gathered during this intake process, DOP determines whether the case should be referred for formal court proceedings or held open for adjustment services.

## REFERRAL FOR PROSECUTION

A recommendation stemming from the Probation Intake process, that a case should be reviewed by the Corporation Counsel for prosecution. Cases that are not adjusted by DOP are forwarded to Corporation Counsel.

## REMAND

In a delinquency case, a temporary placement order by the judge that a child be kept at a detention facility while awaiting a hearing. Occurs when the judge determines that there is probability that respondent will not appear in court and/or there is serious risk that other acts may be committed. In a child protective case, a temporary placement order by the judge that a child be kept in ACS custody, i.e. in foster care. Occurs when the judge determines there is a probability that the child would be in imminent risk if left with the parent.

## RESPONDENT

The person against whom the petition is brought.

## TRIAL DISCHARGE

After a time spent in foster care, a youth may be permitted to return home on a trial discharge, a period that typically lasts three months during which the child legally remains in foster care, and case planners monitor the family to ensure that the child is safe and that the conditions of a discharge plan are being followed. The court may intervene and extend the amount of time a youth is on trial discharge. After the completion of a successful trial discharge, a final discharge can occur and the youth is no longer in foster care and the parent is no longer under the supervision of ACS or the foster care agency.

## CROSSOVER YOUTH CONSENT TO SHARE CONFIDENTIAL INFORMATION:

*This form is designed to be used by agencies that collaborate with one another to plan, coordinate and deliver services to crossover youth<sup>1</sup> and their families.*

**Please read this consent form carefully and, if you have a lawyer, consult with him/her before signing. Your child should also consult with his/her attorney(s) before signing this form.**

You are being asked to sign this form because your child was recently arrested and your family has an open child welfare case. To decide the most appropriate services for your child as s/he goes through the court process, child welfare and juvenile justice would like to discuss how the systems can work together to coordinate services.

Information sharing between agencies cannot happen without your consent. If your child consented to certain treatment including mental health, substance abuse or alcohol treatment, only your child can consent to the release of this treatment information. If you (or your child) choose not to sign this form, it will not affect your child's delinquency case. The delinquency case will go forward, but there will not be ongoing communication between providers unless ordered by the court.

### **PART 1: WHY THE INFORMATION IS BEING SHARED**

The sharing of this information is intended to help coordinate between the different agencies serving the child and family and to identify the most appropriate course of action. The goal is to make sure that the services and tasks will meet the child's needs and are not conflicting with referrals that have already been made. The information will be shared to coordinate services for the youth being discussed.

### **PART 2: WHO CAN RECEIVE THE INFORMATION**

I agree that information will be shared and discussed among the NYC Department of Probation (DOP), the NYC Administration for Children's Services (ACS), the foster care and/or preventive services agencies listed here, any Alternative to Detention program, Alternative to Placement Program, or Secure, Limited Secure, and Non Secure Placement provider, DYFJ Detention and any other persons listed here (all individuals, parties, programs and/or agencies, except for DOP and ACS, must be specified here):

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<sup>1</sup> "Crossover youth" means a youth who is involved in both the child welfare and juvenile justice systems.

**PART 3: WHAT INFORMATION CAN BE SHARED**

**JUVENILE JUSTICE INFORMATION**

The following information about my child’s delinquency case may be shared with ACS and the agencies and persons named above (*check all that apply*):

- Facts surrounding my child’s most recent arrest, if relevant
- My child’s education records (select applicable records)
  - School enrollment history
  - Attendance record
  - Academic record
  - Special education classification, if applicable
  - Other:
- Compliance with probation, ATD compliance/attendance, or ATP compliance/attendance
- Other information, specified here:

**ACS & FOSTER CARE/PREVENTIVE AGENCY INFORMATION**

During the juvenile delinquency case, ACS and the foster care/preventive agencies may share the following information about my child with DOP and the agencies and persons specified in Part 2 above (*check all that apply*):

- Indicated SCR reports involving this child (except that any information regarding the source of the report shall be redacted)
- Foster care information, including:
  - Service plan
  - Participation in Services (excluding information relating to parties other than myself and my child)
  - Permanency and planning goal
  - Child's current and prior placement history
  - Court dates and procedural history of child welfare case
  - Allegations, findings, dispositional orders and other orders
- Information about preventive services being provided (excluding information relating to

parties other than myself and my child), including (*write in services*):

- My child's education records (*select applicable records*):
  - School enrollment history
  - Attendance record
  - Academic record
  - Special education classification, if applicable
  - Other
- My child's mental health information, including diagnosis, current treatment information, medications. (*If the child consented to the mental health treatment, only the child can consent to the release of mental health treatment information.*)
- My child's substance abuse or alcohol treatment information, including diagnosis, current treatment information, medications. (*If the child consented to the substance abuse or alcohol treatment, only the child can consent to the release of substance abuse or alcohol treatment information.*)

#### **OTHER AGENCIES WITH INFORMATION TO SHARE**

The other agencies specified in Part 2 above who are involved in the delinquency case may share the following information about my child with DOP, ACS and the foster care/preventive agencies and other meeting participants named above (*check all that apply and specify the agency permitted to share the information*):

- Department of Education: Education records, specified here:
- Mental health services provider: Mental health information about my child including diagnosis, current treatment information, medications. (*If the child consented to the mental health treatment, only the child can consent to the release of mental health treatment information.*)
- Substance abuse or treatment provider: My child's substance abuse or alcohol treatment information including diagnosis, current treatment information, medications. (*If the child consented to the substance abuse or alcohol treatment, only the child can consent to the release of substance abuse or alcohol treatment information.*)
- Other information, specified here (include name of agency/organization providing information):

#### **PART 4: HOW THE INFORMATION CAN BE USED**

The information to be shared is limited in the following ways:

*(Fill this part in if, for example, the information should be limited to certain time periods or certain services. If no such limitations are needed, indicate "no limitations".)*

### **PART 5: WHEN DOES CONSENT END**

**This consent ends when the Delinquency case is dismissed by the Court or upon the completion of dispositional services.**

I understand that I can terminate this consent at any time by completing the attached form and mailing it to the address provided. I also understand that records shared before this consent is terminated may not be returned.

### **PART 6: RE-DISCLOSURE**

I agree that my child will participate in the following services and activities:

To put this plan into place, I agree that information may be shared with the following persons/agencies:

The following information shall not be shared: *(Child welfare personnel cannot guarantee that information shared will remain confidential. ACS cannot limit re-disclosure that may be permitted by law or contract.)*

### **PART 7: CONSENT**

**I understand that state and federal law prohibit persons that receive child welfare, mental health, alcohol or drug abuse, and education records from re-disclosing those records without permission. I also understand that information will only be shared as described in this form.**

**Any information that the child him/herself has the right to keep confidential under Federal and State law and regulations will not be shared without the child's written consent. (Examples are records related to sexual and reproductive health, HIV and AIDS-related information.) The child should consult with his/her attorney before consenting.**

**\*Child welfare personnel cannot guarantee that information shared will remain confidential. ACS**

cannot limit disclosure that may be required by law or contract. Information from this meeting will be documented in the case record, and it may be used for case planning, in subsequent court proceedings, and in the investigation of a new allegation of abuse or maltreatment should such information arise.

Parent/Guardian			
Relationship to child			
Child's name			
Child's date of birth			
Signature of Parent/ Guardian		Date	
Signature of Child <i>(If your child consented to certain treatment including mental health, substance abuse or alcohol treatment, only your child can consent to the release of this treatment information.)</i>		Date	

## IMPORTANT CROSSOVER CONTACTS

Probation Officer		Phone	
Probation Supervisor		Phone	
ACS/Agency Contacts		Phone	
Other Contacts		Phone	

## TERMINATION OF CONSENT

*Should only be completed when parent or child is withdrawing consent*

By signing this form I am saying that I no longer want ACS, any ACS contracted Agency and the Department of Probation to share information with each other regarding my child's criminal case or my child welfare case.

If your child consented to the sharing of certain treatment information, including mental health, substance abuse or alcohol treatment, only your child can terminate consent to share this information.

This information should be mailed to:

Name

Contact Information

Name

Contact Information

**BY SIGNING THIS FORM I AM TERMINATING MY CONSENT TO SHARE THE FOLLOWING INFORMATION, EXCEPT WHEN DISCLOSURE IS PERMITTED BY LAW:**

**JUVENILE JUSTICE INFORMATION**

- Facts surrounding my child's most recent arrest
- My child's education records (select applicable records)
  - School enrollment history
  - Attendance record
  - Academic record
  - Special education classification
  - Other:
- Compliance with probation, ATD compliance/attendance, or ATP compliance/attendance
- Other information, specified here:

**ACS & FOSTER CARE/PREVENTIVE AGENCY INFORMATION**

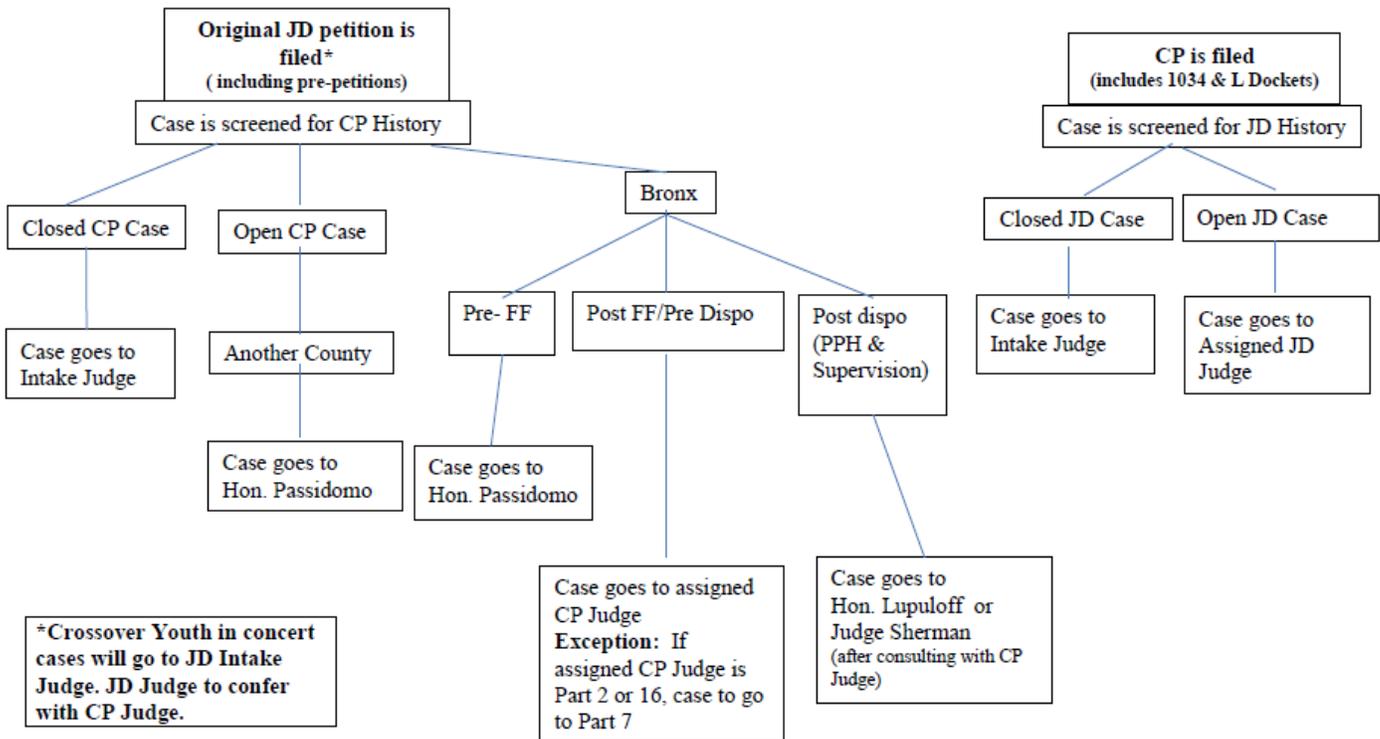
- Indicated SCR reports involving this child
- Foster care information, including:
  - Service plan
  - Service participation (excluding information relating to parties other than myself and my child)
  - Permanency and planning goal
  - Child's current and prior placement history
  - Court dates and procedural history of child welfare case
  - Petitions, findings, dispositional orders and other orders
  - All of the above
- Information about preventive services being provided to my family that involve my child,:
- My child's education records (*select applicable records*):
  - School enrollment history

<input type="checkbox"/> Attendance record <input type="checkbox"/> Academic record <input type="checkbox"/> Special education classification <input type="checkbox"/> Other: <input type="checkbox"/> All of the above			
<input type="checkbox"/> My child's mental health information, including diagnosis, current treatment information, medications. <i>(If the child consented to the sharing of mental health treatment information, only the child can terminate consent to share this information.)</i>			
<input type="checkbox"/> My child's substance abuse or alcohol treatment information, including diagnosis, current treatment information, medications. <i>(If the child consented to the sharing of substance abuse or alcohol treatment information, only the child can terminate consent to share this information.)</i>			
Parent/Guardian name			
Relationship to child			
Child's name			
Child's date of birth			
Signature of Parent/Guardian		Date	
Signature of Child <i>(If your child consented to sharing certain treatment information, including mental health, substance abuse or alcohol treatment, only your child can terminate consent to share this treatment information.)</i>			

APPENDIX C: CYPM JUDICIAL FLOW

C.1 BRONX FAMILY COURT

### Crossover Youth Practice Model Bronx Family Court Decision Tree



April 11, 2014

Figure 1: Bronx CYPM Decision Tree: Draft April 2014

**APPENDIX D: CASEWORK CONTACT FOR FAMILIES WITH CHILDREN IN FOSTER CARE**

Separate Attachment

**APPENDIX E: MEETING GUIDELINES: FINDING SOLUTIONS WITH FAMILIES**

Separate Attachment