**DEPARTMENT OF SOCIAL SERVICES**
744 P Street, Sacramento, California 95814

August 2, 2004

ALL COUNTY INFORMATION NOTICE No. I-37-04

TO:     ALL COUNTY WELFARE DIRECTORS
        ALL PUBLIC ADOPTION AGENCIES
        ALL CDSS ADOPTIONS DISTRICT OFFICES

| REASON FOR THIS TRANSMITTAL |
| --- |
| [  ] State Law Change |
| [  ] Federal Law or Regulation Change |
| [  ] Court Order |
| [  ] Clarification Requested by One or More Counties |
| [ X ] Initiated by CDSS |

SUBJECT:  CWS/CMS Procedures for Referrals on Previously Adopted Children

The purpose of this All County Information Notice is to provide guidance to Counties regarding their documentation of instances of neglect or abuse of adopted children (i.e., former child welfare clients), within the current structure of the CWS/CMS data system.  Attempts to merge the child's original client notebook with the new referral result in overwriting the original data.

When the CWS/CMS system was originally designed, the case record confidentiality of an adopted child was inviolate.  Counties requested and received a case documentation system that would protect an adopted child from being identified as a previous client or linked with his or her birth family.  Although adoption case record confidentiality requirements have been somewhat moderated by changes in statute, case law, and State policy, the CWS/CMS application has not.  The system is not set up to handle such client record merges even though such a merge might facilitate more effective service delivery.  Performing these type of client merges will therefore damage existing data records.

When the proposed Expanded Adoption System is developed, these issues will be fully explored and a system developed that will better address the need for social workers to have access to all relevant case history on an adopted child who is referred to a county Child Welfare Department.  Until that time, the attached instructions clarify how the CWS/CMS is set up to handle these situations and will hopefully reduce case documentation errors.

Questions about the adoption policy issues in this letter should be directed to Karen Gunderson at (916) 657-1858 or karen.gunderson@dss.ca.gov.

Sincerely,
Original Document Signed By PATRICIA AGUIAR

PATRICIA AGUIAR, Chief
Child and Youth Permanency Branch

Attachment

c:  CWDA
    CWS/CMS Project, HHSDC

# Child Welfare Services/Case Management System

California Health and Human Services Agency Data Center
3775 North Freeway Boulevard, Suite 200
Sacramento, California 95834
(916) 263-1100

## Procedure for documenting the referral/case history of an adopted child (former CWS client) in CWS/CMS.

Given the current structure of the CWS/CMS data system, the following guidelines are intended to assist counties in the documentation of instances of neglect or abuse of adopted children who have a CWS history.

When a referral on an adopted child arrives and the child's birth name is known, the inclination is to attach a client notebook (located through a search on the birth name) to the newly generated referral. However, counties need to be aware that when parental rights termination data appears on the client abstract, more evaluation is needed.

If a child's adoption through the child welfare system is final, the CWS/CMS data structure allows the creation of a new client notebook. This new notebook will bear the child's adopted name and will be related to the child's adopted family. In essence, the first referral after finalization of the adoption is a referral on a "new" child client, who is not yet known to the system. The attachment of the new notebook to the existing case under the child's birth name will create technical problems. Specifically, if the client notebook listed under the child's birth name is attached to the notebook on the adopted child, all birth history will be carried over and will be accessible to any worker with a direct or indirect assignment to this new referral. Adoption privilege will no longer be necessary to gain access. Furthermore, if the child's name was changed because of the adoption, and a corresponding name change is made in the client notebook, this name change will carry over and will be displayed in every case or referral ever opened on this child – as far back as the original referral. In short, the child's birth identity within CWS/CMS is lost.

To avoid problems of overwriting and access, counties should adhere to the following procedures upon receipt of a referral on an adopted child:

1. Perform a search for the child by using only the child's legal name, even if the birth name is different and known to the user.

2. Create a new client notebook to be attached to the referral if the child is not found in the database under the adopted name. Procedures for associating that child to his adopted parents and siblings remain the same as for any other child.

3. Evaluate the information on an abstract retrieved through a search if the birth name and adopted name are the same. If the ID page of the client abstract indicates that parental rights have been terminated, this client abstract should <u>not</u> be used for the incoming referral.

If there is no parental rights termination data on the ID page, and the user has reason to believe the child has been adopted, the referral and case history associated with this client abstract should be thoroughly evaluated. The dates of any referrals or cases, as well as the client relationships documented in the abstract must be reviewed to be sure this particular abstract relates to the child in his post-adoptive status. If history is associated to the client that resulted from pre-adoptive events, then this client should be considered the birth child in the abstract. In such case, another client notebook that reflects the child's post-adoptive status should be sought or created.

If you have any questions, please contact Penny Liles with the CWS/CMS Project Office at 916-263-1131 or pliles@hhsdc.ca.gov.