



CDSS

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STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES

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EDMUND G. BROWN JR.
GOVERNOR

October 22, 2015

ALL COUNTY INFORMATION NOTICE NO. I-83-15

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

TO: ALL COUNTY WELFARE DIRECTORS
 ALL CHILD WELFARE SERVICES PROGRAM MANAGERS
 ALL COUNTY CHIEF PROBATION OFFICERS
 ALL TITLE IV-E AGREEMENT TRIBES
 ALL ELIGIBILITY SUPERVISORS
 ALL FOSTER CARE MANAGERS
 ALL COUNTY CHILD WELFARE SERVICES/CASE
 MANAGEMENT SYSTEM (CWS/CMS) SINGLE POINTS OF
 CONTACT

SUBJECT: RECORDING OF PROBATE COURT REQUESTS

REFERENCES: MANUAL OF POLICIES AND PROCEDURES DIVISION 31
 SECTION 31-082 THROUGH 31-090; PROBATE CODE 1513;
 COUNTY FISCAL LETTER 12/13-17, DATED OCTOBER 8, 2012;
 ALL COUNTY INFORMATION NOTICE I-13-09; DATED FEBRUARY
 10, 2009; ALL COUNTY INFORMATION NOTICE I-52-14; DATED
 SEPTEMBER 9, 2014

The purpose of this All County Information Notice (ACIN) is to provide instructions regarding the documentation of probate court requests in the Child Welfare Services/Case Management System (CWS/CMS). The California Department of Social Services (CDSS) recognizes that guidance is needed to ensure consistent documentation regarding probate court requests for nonrelative home study assessments required by Probate Code 1513(a) and probate court referrals for investigation as described in Probate Code 1513(b). The probate court can request that a child welfare services (CWS) agency assess a nonrelative home to ensure the health

and safety of the home for the child. In addition, the probate court can request that a CWS agency investigate suspected child abuse and/or neglect initiating from a probate case.

The state uses the "Referrals by Time to Investigation" measure as a means to determine the percentage of child abuse and/or neglect referrals that have received a timely (e.g. immediately or within 10 days) in-person investigation. A CWS agency's performance may be impacted due to probate court requests entered in CWS/CMS as a referral. Therefore it is important that CWS agencies record probate court requests accurately. The CDSS released ACIN No. I-52-14 to provide guidance regarding best practices to respond to investigations timely, and noted that future instructions regarding the documentation of probate requests would be provided.

Recording Probate Court Requests with Child Abuse and/or Neglect Allegations:

Probate court requests for investigation as described in Probate Code 1513(b) should be documented in CWS/CMS and treated as any child abuse and/or neglect referral to meet the immediate or ten day response time of investigation. When a child and/or family is referred to CWS per Probate Code 1513(b), because there are concerns of abuse and/or neglect, then the CWS agency will open a referral for investigation and respond within the timeframes required by Welfare and Institutions Code (WIC) 16501(f). Please refer to ACIN I-13-09: Documentation of Referrals in CWS/CMS for detailed instructions.

Recording Probate Court Requests without Child Abuse and/or Neglect Allegations:

Probate court requests for nonrelative home study assessments that do not include allegations of suspected child abuse and/or neglect should not be entered into CWS/CMS. The CWS/CMS was established to automate case management, services planning, and information gathering functions specific to CWS. The Manual of Policies and Procedures (MPP) Division 31 Section 31-082 through 31-090 identify CWS cases as emergency response, family maintenance, family reunification, or permanent placement services. In addition to creating data inaccuracies in CWS/CMS, entering nonrelative home study assessments requested by the probate court when there is no allegation of child abuse or neglect establishes an unwarranted case history for a child and family in CWS/CMS. The CDSS encourages CWS agencies to develop policies and practices to track and monitor probate court requests that are not entered in CWS/CMS for the purposes of reimbursement and claiming per the County Welfare Department County Expense Claim Time Study and Claiming Instructions in County Fiscal Letter (CFL) 12/13-17.

Time Study Claiming for Probate Court Relative Assessment Activities:

The County Welfare Department County Expense Claim Time Study Instructions per CFL 12/13-17 instruct CWS agencies to capture probate court requests and activities using the program code 8641 – Non-Related Legal Guardian Probate Court. This program code includes activities such as developing and updating written assessments and case plans, and conducting caseworker visits. Probate court requests for nonrelative home study assessments should be reported using this program code for the county expense claim time study.

References:

ACIN I-13-09: Documentation of Referrals in CWS/CMS

This ACIN informed counties of existing policies and procedures regarding the investigation and documentation of child abuse and neglect reports in the CWS/CMS application.

<http://www.dss.cahwnet.gov/lettersnotices/entres/getinfo/acin/2009/I-13-09.pdf>

ACIN I-52-14: Best Practices for Timely Investigation of Child Abuse and/or Neglect Immediate/Ten Day Referrals

http://www.dss.cahwnet.gov/lettersnotices/EntRes/getinfo/acin/2014/I-52_14.pdf

CFL 12/13-17: County Welfare Department County Expense Claim Time Study and Claiming Instructions pages 7-8

http://www.dss.cahwnet.gov/lettersnotices/entres/getinfo/cfl/2012-13/12-13_17.pdf

If you have any questions or need further information, please contact the Child Welfare Policy and Program Development Bureau at (916) 651-6160.

Sincerely,

Original Document Signed By:

KEVIN GAINES, Chief
Child Protection and Family Support Branch

c: CWDA