


Category:

	Policy Title:	Legal Staffing Policy			
	Policy Number:	Admin. Policy 014	Version:	1	Effective Date:

Approved By: YFS Operations Team

Date: 02/16/2021

Overview

Description: The Department of Social Services-Youth & Family Services Division (DSS-YFS) Legal Staffing Policy seeks to provide instruction and guidance around the process by which Child Welfare Specialists across the Division will prepare for consultation with Mecklenburg County Attorneys assigned to YFS.

Purpose/Rationale: Mecklenburg County DSS-YFS is committed to strengthening families and communities to keep children safe and ensuring that best practice is adhered to on a continuous basis throughout the life of each case. Legal staffing is an essential part of the child welfare decision-making process. This policy aims to support Child Welfare Specialists to increase degree of readiness for legal staffing and enhance ability to present accurate and detailed information during court proceedings.

Applicability: Frontline, supervisory, and managerial staff from all child welfare service areas; Legal; Director and Deputy Director(s)

Definition(s):

Failure to Comply: Results in inability to provide appropriate and sound legal advice. This may result in a child remaining in an unsafe environment.


Policy

YFS Child Welfare Specialists must prepare for each legal staffing in accordance with the procedures outlined below. YFS Child Welfare Specialists must also confirm that all required participants (Supervisor; Senior Social Service Manager, if applicable) are available before coordinating a legal consultation and ensure timely arrival to the scheduled appointment.

For cases involving youth who have been abandoned, or otherwise placed in treatment or hospital facilities, Child Welfare Specialists must also complete the Clinical & Contractual Services (CCS) Division of DSS Consultancy Request Form as part of their preparation for legal staffing.

YFS Child Welfare Specialists must also reference the Juvenile Petition Checklist for Day and/or After Hours, when applicable.

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Procedure(s) that apply:

Please review the outlined action steps pertaining to protocol before and during legal staffing:

Legal Staffing Instructions:


- In preparation for legal staffings, YFS Child Welfare Specialists **must** complete the YFS Legal Staffing Form in its entirety with supervisor signature and submit to the legal department prior to staffing. It is **mandatory** for the assigned supervisor to accompany the Child Welfare Specialist to each legal staffing.
- When requesting a legal staffing, please email ALL legal assistants (**regardless of which district you are assigned.**) A legal assistant will put you in contact with an attorney, to staff, **after** the form is completed in its entirety, signed and submitted to the legal assistant. For all legal staffings, the legal assistants will provide a virtual link to the Child Welfare Specialists with a scheduled staffing time/date.

Escalation cases- If Child Welfare Specialist isn't satisfied with the outcome of a legal staffing, they should staff the concerns with their assigned supervisor or manager. If they want to staff with the managing attorney, then the supervisor/manager should reach out to the managing attorney. The managing attorney will make arrangements to staff the case. Please let the managing attorney know which attorney staffed the case.

Pre and Post Custody Joint Staffings:

- A staffing must occur between Pre and Post Custody workers upon receipt of a referral regarding a sibling and/or family member currently involved in post custody services with YFS.
- Pre and Post Custody workers and assigned Supervisors must complete a joint staffing before a case decision is made.
- If a decision cannot be agreed upon during the Pre and Post Custody staffing, the matter should be directed to the district Senior Social Services Managers (SSSM). The Pre and Post custody SSSMs will determine if Deputy Director involvement is needed.
- If a legal staffing is needed, Pre and Post Custody workers (including their Supervisors) must all attend the scheduled meeting.

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** Prior to staffing and before attending court, Child Welfare Specialists should be familiar with bench cards and checklists. Both should be utilized to prepare for any court hearing involving juvenile abuse, neglect and/or dependency.**

Form(s) that apply:

Clinical & Contractual Services Consultancy Request Form, YFS Legal Staffing Form, Juvenile Petition Checklist (for Day and After Hours) (Abuse/Neglect/Dependency), Bench cards for Abuse and Neglect Hearings, Nonsecure Custody Orders Checklist, Pre-Adjudication Checklist, Adjudication Checklist, Dispositional Findings and Options at Initial, Review, and Permanency Planning Checklist, Initial Disposition Checklist, Review Checklist, Permanency Planning Checklist, Termination of Parental Rights Hearing Checklist, Post-TPR Review Hearing Checklist

Reference(s):

North Carolina General statues 7B-302,7B-402
Gatowski, Sophia & Miller, Nancy & Rubin, Stephen & Escher, Patricia & Maze, Candice. (2016). The Enhanced Resources Guidelines: Improving Court Practice in Child Abuse and Neglect Cases. (Bench cards)
Hatcher, Kella & Mason, Janet & Rubin, John. (2020). Abuse, Neglect, Dependency, and Termination of Parental Rights Proceedings in North Carolina. (Checklists)

Contact(s):

Pre and Post-Custody Senior Social Services Managers
YFS Legal Team
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Policy History:

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