

13.9 Juvenile Justice Case Transfers Within and Between Regions

Application: To Department of Children's Services employees who work with Juvenile Justice youth.

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Glossary:

- ◆ Residence Verification
 - A visit to a client's home to verify that the youth and family live there.
- ◆ Home Investigation
 - A thorough investigation of a client's proposed home that is documented in written form.

Policy Statement:

DCS shall ensure that youth with an active custody, non-custody, or In-State Interstate Compact for Juveniles/ICJ case continues to receive services when a youth and/or family moves to a Tennessee location outside of the current service region/county of supervision.

Purpose:

To ensure a process for continuation of services and supervision when a Juvenile Justice transfer is deemed appropriate.

Procedures:

A. Transfer of Non-Custody Cases with Parents

1. If a request is received for a youth to reside in another area (in or out) of the region with their parent/legal custodian, the supervising Family Service Worker (FSW)/Juvenile Probation Officer (JPO) discusses the request with his/her Team Leader (TL).
2. If the request is justified and it is determined that continued supervision is needed, the Team Leader (TL) sends an email requesting that the TL responsible for that area have an JPO conduct a residence verification. The investigating JPO reports the

findings, via email, to the TL. The investigation region has ten (10) calendar days to inform the requesting region if the residence is verified or not.

3. The receiving JPO begins working with the youth and family, according to the youth's supervision level, immediately following the residence verification.
4. For youth moving out of state, the JPO is responsible for case supervision (via telephone, if necessary) until the case is accepted by the receiving state. Refer to the **Interstate Guide for Family Service Workers and Court Staff** for more information on ICJ requirements.

Note: Any conflicts or disagreements between the sending and receiving TLs regarding the appropriateness of the transfer are submitted to the Statewide Director, as applicable, for resolution.

B. Parent-Initiated Transfers to Other Individuals for Non-Custody Cases

1. If a request is received for a youth to reside in or out of the county/region with someone other than the parent/legal custodian, the supervising JPO discusses the request with the TL.
2. A Child and Family Team Meeting (CFTM) is held to discuss the request and determine approval.
3. If the request is justified, the supervising TL sends form ***CS-0862, Request for Home Verification-Juvenile Justice*** via email to the receiving TL. This investigation is conducted prior to the youth being given approval to move.
4. Upon receipt of the request:
 - ◆ The receiving TL assigns the home investigation to an JPO;
 - ◆ The assigned JPO documents the findings in TFACTS and at the bottom of the request on form ***CS-0862, Request for Home Verification-Juvenile Justice*** then sends it, via email, within ten (10) calendar days to the TL;
 - ◆ The TL then reviews the report and forwards it to the requesting TL.
5. The ***CS-0862, Request for Home Verification-Juvenile Justice*** form must include, but is not limited to verification of the following:
 - ◆ Willingness of the individual(s) to accept the youth into the home and work with DCS staff to include completing form ***CS-0559, Authorization for Release of Information and HIPAA Protected Health Information To and From the Department of Children's Services and Notification of Release***;
 - ◆ Suitability of the home, observed from the home visit, including sanitation, available space and a plan for supervision;
 - ◆ Financial ability of the individual(s) to provide for the youth;

- ♦ The ability/authority to address the medical needs of the youth and to enroll the youth in the appropriate school system. If this requires power of attorney or legal custody, the individual(s) agree to obtain it.
 - ♦ Other resources available based on the youth's needs.
6. If the new home is deemed satisfactory, see **Section F** for next steps.
 7. As soon as the case is accepted, the receiving JPO is responsible for supervision of the youth.
 8. The youth is on **High** supervision for the first thirty (30) days of the move to the home so that adjustment to the change can be monitored.
 9. If the home is deemed unsatisfactory and the youth is living in the home, the case **may not** be denied for supervision, however, the sending region must be notified as soon as possible. The sending region notifies the court that the proposed residence is not appropriate and requests a court review of the case. The youth is supervised as long as they are residing in the home. The JPO assists the youth and family with any needed services.

C. Court Involved Transfers of Non-Custody Cases with Individuals Other than Parent/ Caregiver

1. If the court requests DCS assistance in finding a home for a youth or the court gives custody of the youth to any individual other than the parent, the JPO requests an expedited home study be ordered by the court and notifies the TL.
2. The supervising TL sends the court order and form **CS-0862, Request for Home Verification-Juvenile Justice**, via email, to the receiving TL requesting a home investigation and non-custodial expedited placement assessment summary.
3. Upon receipt of the request:
 - ♦ The receiving TL assigns the home investigation to an JPO;
 - ♦ The assigned JPO documents the findings in TFACTS and on form **CS1005, Non-Custodial Expedited Placement Assessment Summary** and sends it, via email, within ten (10) calendar days to the TL;
 - ♦ The TL then reviews the report and forwards it to the requesting TL.
4. The form **CS-1005, Non-Custodial Expedited Placement Assessment Summary** must include, but is not limited to affirmation of the following:
 - ♦ Willingness of the individual(s) to accept the youth into the home and work with DCS staff.
 - ♦ Suitability of the home, observed from the home visit, including sanitation, available space and a plan for supervision;

- ◆ Character and reputation of the individual(s) being investigated to include an Internet Records Clearance and doing a thorough background check using the following forms:
 - ***CS-0559, Authorization for Release of Information and HIPAA Protected Health Information To and From the Department of Children's Services and Notification of Release;***
 - ***CS-0750, Background Criminal History- Expedited/Emergency Purpose Code X III Name Check;***
 - ***CS-0741 Database Search Results; and***
 - ***CS-0687, Background Check History and IV-E Eligibility Checklist.***

Note: Refer to DCS Policy [16.20, Expedited Custodial Placements](#), **Section B**, for full details of each form/check listed above.

- ◆ Financial ability of the individual(s) to provide for the youth;
 - ◆ The ability/authority to address the medical needs of the youth and to enroll the youth in the appropriate school system. If this requires power of attorney or legal custody, the individual(s) agree to obtain it.
 - ◆ Other resources available based on the youth's needs.
5. If the new home is deemed satisfactory, see **Section F** for next steps.
 6. As soon as the case is accepted, the receiving JPO is responsible for supervision of the youth.
 7. The youth is on **High** supervision for the first thirty (30) days of the move to the home so that adjustment to the change can be monitored.
 8. If the home is deemed unsatisfactory and the youth is living in the home, the case may not be denied for supervision; however, the sending region must be notified as soon as possible. The two Team Coordinators (TCs) work together to reach a resolution. The youth is supervised as long as they are residing in the home. The JPO assists the youth and family with any needed services.

D. Pass Through Cases

1. If a new probation/diversion case is opened for a youth who does not reside in the county of venue, the case is supervised by an JPO in the county of legal residence.
2. The TL in the county of case venue sends a request for residence verification and includes the initial probation/diversion intake paperwork, listed below, to the TL in the county of residence within 24-48 hours, or as soon as possible.
3. Initial Probation/Diversion paperwork includes:
 - ◆ Form ***CS-0801, Probation Intake Referral***;
 - ◆ A copy of the court order placing the youth on probation/diversion;

- ♦ The petition and other pertinent court information;
- 4. If the court liaison or JPO in the sending county is able to meet with the youth immediately after court, signatures are obtained from the youth and parents/legal custodians on forms ***CS-0043, Rules of Probation/Aftercare, CS-0158, Notification of Equal Access to Programs and Services and Grievance Procedures and CS-0559, Authorization for Release of Information of HIPAA Protected Health Information TO and FROM the Department of Children's Services and Notification of Release.*** This information is included and sent with the initial probation/diversion paperwork.
- 5. The receiving TL responds to the sending TL within 24 hours to verify that the request has been received.
- 6. The receiving county has 10 (ten) calendar days to complete the residence verification and submit findings to the sending county.
- 7. The receiving county is responsible for completing all required assessments, the Permanency Plan, TFACTS documentation and any other requirements in the case per DCS Policy ***13.12 Probation Requirements for Delinquent Youth.***
- 8. The receiving JPO begins working with the youth and family, according to the youth's supervision level, immediately following the residence verification.
- 9. If the receiving county is unable to locate the youth/family, the JPO notifies the sending county, as soon as possible, so that appropriate action may be taken to resolve the situation.
- 10. If a youth placed on Probation/Diversion resides outside of the state, the county of venue initiates the ICJ referral. See the ***Interstate Compact for Juveniles Guide for Family Service Workers and Court Staff*** for details.

Note: Any conflicts or disagreements between the sending and receiving TLs/TCs regarding the appropriateness of the transfer are submitted to the Statewide Director as applicable, for resolution.

E. Violation of Supervision

1. If a delinquent youth commits a violation of the established Rules of Probation/Aftercare while being supervised under a transfer agreement, the violation case is heard in the county of venue.
2. The JPO /TL makes a request to the court in the county of venue, to transfer jurisdiction to the court in the county of residence.
3. If the youth enters custody, the region supervising the case has responsibility for:
 - ♦ The placement episode;
 - ♦ Securing initial placement;

- ◆ Transportation to the initial placement;
 - ◆ Initial custody packet paperwork; and
 - ◆ The initial CANS assessment.
4. If county of court jurisdiction has not been transferred to the supervision county and a youth has violated and custody is being recommended, the supervising region and the county of venue JPO's work together and communicate all applicable information.

F. Youth in DCS Custody

1. If it is necessary to transfer a case while a youth is in custody, a Child and Family Team Meeting (CFTM) must be convened between the sending Juvenile Service Worker (JSW), receiving JSW, and the Residential Case Manager (RCM) which is documented in TFACTS.
2. The sending JSW completes form ***CS-0638, Juvenile Justice Case Transfer Checklist*** and sends it to the receiving FSW.
3. As soon as the new residence is verified, the case is accepted and the receiving JSW begins contact with the youth, family and RCM.
4. The sending JSW promptly provides the RCM with the family's new address, telephone number and contact information for the youth's new JSW, which is also documented in TFACTS.

G. Transfer Requirements for the Region and YDC Requirements for the Region

1. The case is transferred when both the receiving TL and sending TL are in agreement with the transfer. If the transfer is disputed by the receiving TL, the two TCs work together to reach a resolution.
2. The TL and JSW/JPO from the sending region/county are responsible for ensuring that ALL casework is completed and fully documented in the electronic case in TFACTS prior to transferring the case.
3. Once the sending TL receives confirmation from the receiving TL that the case has been accepted, the sending TL provides his/her TC and Field Customer Care Representative (FCCR) with the case transfer approval.
4. The receiving FCCR is responsible for updating the "Organization" field in TFACTS.
5. The receiving TL is responsible for changing the case assignments in TFACTS.
6. Refer to the DCS Policies listed below for casework specific time frames. The receiving TL and JSW/JPO have **ten (10) working days from the date of the transfer request to complete all required case work documentation:**

- ♦ [16.31 Permanency Planning for Children/Youth in the Department of Children's Services Custody](#)
 - ♦ [31.14, Documentation of TFACTS Case Recordings](#)
 - ♦ [31.1, Family Permanency Plans](#)
 - ♦ [31.9, Conducting Diligent Searches](#)
7. The sending FSW/JSW/JPO collaborates with the receiving FSW/JSW/JPO to set up the Transfer/Transition Meeting and each party documents that it was scheduled and completed.
 8. If applicable, form [CS-0476, Child Welfare Benefits Determination Notification of Change of Circumstances](#), is sent to the child welfare benefits worker.

Requirements for a YDC

1. The RCM and Supervisor are responsible for ensuring ALL casework is completed and fully documented in the electronic case file in TFACTS prior to transferring the case for all transfers. Case file transfer is to occur at the time of transfer or, at the latest, within 72-hours after the transfer has occurred.
2. For youth who are being temporarily transferred from a YDC to another agency for potential placement/treatment overnight or longer, copies of the following case file documents are provided:
 - ♦ Transfer summary supporting the reason or cause of the temporary transfer;
 - ♦ Commitment order;
 - ♦ Form **CS-0060, Facility Face Sheet**
 - ♦ Permanency Plan/Individual Program Plan;
 - ♦ Medical Summary; and
 - ♦ Any other documents or records needed by the receiving facility or agency to treat, evaluate or to provide service.
3. For youth who are being permanently transferred from a YDC to a contract provider, the case file documents listed in form **CS-1143, Juvenile Justice Youth Placement Referral Checklist** are provided to the Placement Services Division during the referral process.
4. Once the transfer takes place, the hard case file is maintained at the YDC until it reaches the retention time for destruction. For more information on retention times see Chapter 33 - DCS Records Disposition Authority Policies.
 - a) Medical and Master files are stored together.
 - b) If space becomes an issue, the files can be documented and transported to the State Records Center for storage in accordance with the DCS Records Management Procedures.

H. Transfer Disagreements

Any conflicts or disagreements between the sending and receiving TCs regarding the appropriateness of the transfer is submitted to the Juvenile Justice (JJ) Statewide Director as applicable, for resolution.

I. Reasons for Non-Transfer

Supervision **may not** be transferred if a youth on probation or aftercare enters a public or private residential treatment program located in another region.

Forms:

[CS-0043, Rules of Probation/Aftercare](#)

[CS-0060, Facility Face Sheet](#)

[CS-0158, Notification of Equal Access to Programs and Services and Grievance Procedures](#)

[CS-0559, Authorization for Release of Information and HIPAA Protected Health Information To and From the Department of Children's Services and Notification of Release](#)

[CS-0476, Child Welfare Benefits Determination Notification of Change of Circumstances CS-0638, Juvenile Justice Case Transfer Checklist](#)

[CS-0801, Probation Intake Referral](#)

[CS-0862, Request for Home Verification-Juvenile Justice](#)

[CS-1005, Non-Custodial Expedited Placement Assessment Summary](#)

[CS-1143, Juvenile Justice Youth Placement Referral Checklist](#)

Collateral Documents:

DCS Policy [13.12 Probation Requirements for Delinquent Youth](#)

DCS Policy [16.20 Expedited Custodial Placements](#)

DCS Policy [16.31 Permanency Planning for Children/Youth in the Department of Children's Services Custody](#)

DCS Policy [31.1 Family Permanency Plans](#)

DCS Policy [31.9 Conducting Diligent Searches](#)

**Interstate Compact for Juveniles Overview and Guide for Family Service
Workers**