

Protocol for Juvenile Justice Non-Custodial Supervision Program



Tennessee Department of Children's Services

Protocol for Juvenile Justice Non-Custodial Supervision Program

Supplemental to DCS Policies: [13.11, Trial Home Visit and Aftercare Requirements for Delinquent Youth](#) and [13.12, Probation Requirements for Delinquent Youth](#)

Introduction

The Protocol for Juvenile Justice Non-Custodial Supervision Program is designed to meet the needs of delinquent youth ordered on DCS supervision through the court as well as youth exiting custody. The non-custodial supervision program provides support and resources that assist youth and families with individualized areas of need, while monitoring the behavior and school attendance of youth on a consistent, on-going basis. The goal of these non-custodial supervision programs is to help youth abide by the requirements of probation while they remain in the home or aftercare as they transition into their community by becoming positive, participating members of society. Throughout this process, the youth, their family, and community safety concerns are considered paramount when determining next steps.

Case Documentation

All case activity, including face-to-face contacts and communication with the youth, family, and those associated with the case, are documented into the youth's electronic case file in the Electronic Records System, as per DCS policy [31.14, Case Documentation Requirements](#).

Non-Custodial Supervision

Non-custodial supervision programs are composed of the following elements:

1. Youth in the program are closely monitored by Juvenile Probation Officer (JPO)/ Juvenile Service Worker (JSW) with a summary of progress and adjustments noted and implemented.
2. Use of electronic monitors are available as an additional form of oversight within the program.
3. Collaboration with the mental health community partner occurs at least monthly with the flexibility to adjust quickly to the individual needs of the youth.
4. In an effort to provide another level of recidivism reduction, the Child and Family Team (CFT), when necessary, can convene to discuss the possibility of addressing mental health conditions or escalating behaviors that are not being successfully addressed.

Each of these elements is explored in greater detail within this protocol.

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TYPES OF NON-CUSTODIAL SUPERVISION

Probation/Judicial Diversion

Probation is to provide supervision and monitoring to youth, under the jurisdiction of the court, and ensure community safety as these youth comply with all requirements. Judicial diversion is used by the courts as an avenue for youth who are typically first-time or minor offenders. Cases can only be opened when there is an acceptance of guilt, a no-contest plea, or an adjudication exists. The JPO follows supervision and monitoring guidelines as established by the court order. Supervision responsibilities are the same for judicial diversion and probation cases.

Aftercare

Aftercare provides supervision and monitoring to youth, under the jurisdiction of the court, and to ensure community safety as these youth transition from custodial placement to family home and community.

Intensive Probation and Aftercare

The Juvenile Justice Intensive Probation and Aftercare Program is designed to meet the needs of high-risk delinquent youth ordered on DCS supervision through the court as well as youth exiting custody. Aftercare supervision is required to ensure that youth successfully transition into the community after the end of the THV. The period of supervision is based on the assessed needs of the youth and the family and the reduction of community risk. The Intensive Probation and Aftercare Program provides support and resources that assist youth and families with individualized areas of need, while monitoring the behavior and school attendance of youth on a consistent basis. The goal of this highly focused program is to help youth abide by the requirements of probation while they remain in the home or aftercare and transition into their community by becoming positive, participating members of society.

ICJ Supervision

ICJ Probation is used when youth who are under probation supervision originating from another state, are being supervised in Tennessee. Case requirements are the same as a probation case.

Note: Please refer to policy [13.3, Interstate Compact for Juveniles](#) for detailed information around procedures, timeframes, and forms submission.

Inactive Supervision

Inactive supervision is used only when the youth is in adult jail, or the youth resides in another state but is placed on probation in Tennessee. TL approval is required for Inactive Supervision and quarterly review of the case must be documented as a case consultation in Electronic Records System.

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INITIAL ENGAGEMENT

On the day a youth is placed on probation, the Court Liaison (CL), or the Juvenile Probation Officer (JPO) (as applicable in counties/regions), meets with the youth and parent/legal custodian to explain the requirements of probation, to provide information, and secure signatures on required documents.

1. Form [CS-0801, Probation Intake Referral](#) is completed and copies of the court order placing the youth on probation, petitions, prior records, and other pertinent information is gathered from the Juvenile Court Clerk's records office to open the case.
2. Youth and family receive a copy and sign the following forms. Once completed forms are uploaded into the youth's electronic case file:
 - ◆ [CS-0043, Rules of Probation/Aftercare \(submit to court\);](#)
 - ◆ [CS-0050, Case Intake Packet Documents and Native American Heritage Verification;](#)
 - ◆ [CS-0559, Authorization for Release of Information of HIPAA Protected Health Information](#) and
 - ◆ [CS-0789, TN Care Eligibility Form and Authorization for DCS to Release Information to TennCare](#)
3. When a monitor is required and the CL conducts the intake, he/she contacts the supervising JJ Team Leader (TL) to ensure a monitor is placed on the youth that day.
4. The case is entered into the Electronic Records System and a copy of the initial court order for probation is maintained in the electronic case file.

Note: *If a youth is placed on probation to DCS and no DCS staff is present at the hearing, timeframes for case compliance begin on the day the paperwork is received and the family is contacted as soon as possible. Also, if the youth is adjudicated for a sex offense see the [Protocol for Tennessee Sex Offender Register](#) to determine if the youth needs to register with the Tennessee Bureau of Investigation.*

ASSESSMENT

Assessment is an ongoing process of collecting and evaluating information needed to make decisions in a timely, culturally competent manner, in keeping with the goals of community safety and family stability. The Child and Adolescent Needs and Strengths (CANS) assessment is administered and submitted within the first seven (7) business days of probation to help identify risks and needs of the youth. Services, supports, and supervision level is utilized to develop the Non-Custodial Family Permanency Plan. The JPO completes the following during the assessment process:

1. Meets with the youth and parents/ legal custodian(s) to discuss, explain, and provide an opportunity for questions regarding the rules of probation and permanency planning, which may

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include but are not limited to the following:

- ◆ Curfew
- ◆ Supervision requirements (including number of contacts)
- ◆ Prohibitions of alcohol/illegal drugs and weapons
- ◆ Mental health and substance abuse services (if needed)
- ◆ Individual, group, and family counseling services (if needed)
- ◆ Peer associations
- ◆ Community service work to include victim or community restitution.
- ◆ Youth enrollment in school or an education program
- ◆ Other services provided by DCS (Non-Custodial Family Permanency Plan, resource linkage, assessments, etc.)

Note: Attempts are made to locate and involve absent parents utilizing diligent search procedures outlined in DCS Policy [31.9, Conducting Diligent Searches](#). Diligent search efforts are documented in the Electronic Records System.

2. Gathers information by reviewing the Electronic Records System history, interviewing team members, contacting school personnel, identifying informal and formal supports, utilizing prior court records, and any available information, including past school information, to inform the ongoing assessment process.
3. Reviews available assessments such as alcohol/drug, mental health, or specific behavioral issues to assist with the provision of case management services.
4. A Child and Family Team Meeting (CFTM) is held in a sufficient time frame to ensure that the family's needs are met, strengths and needs are discussed, and appropriate services are in place to ensure community risks are minimized, and to assure a successful transition prior to closing the case. For specifics on the content addressed during the CFTM, refer to the [Child and Family Team Meeting Guide](#) and [Protocol for Juvenile Justice Family Permanency Plan](#).
5. Notifies the regional Education Specialists by immediately submitting [CS-0703 Adjudication Notification to Schools](#), after a youth is placed on probation for an applicable adjudicated delinquent offense, such as weapons or crime against person offenses. For a full list of applicable offenses and reporting requirements see DCS Policy [21.18, Notification to School Principals of Certain Delinquent Adjudications](#).
6. Obtains, completes, and uploads the following documentation into the youth's electronic case file:
 - ◆ A current photograph of the youth (updated annually or as needed to capture significant changes in the youth's appearance, such as a visible tattoo, scars, etc.)

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The JPO engages the Child and Family Team and completes informal and formal assessments to monitor the appropriate probation type and services.

SUPERVISION AND OTHER FORMS OF CONTACT

Initial Supervision Begins as Intensive Probation

On the day a youth is placed on probation, the Court Liaison (CL), or JPO (as applicable in counties/regions), meets with the youth and parent/legal custodian to explain the requirements of the intensive probation program, to provide information and secure signatures on required documents. (If no DCS staff is present at the hearing, timeframes for case compliance begin on the day the paperwork is received and the family is contacted as soon as possible. The case is entered into the Electronic Records System and a copy of the initial court order for probation is maintained in the electronic case file.

The JPO maintains contact with the youth, parents/legal custodians, school officials (when applicable) and service provider (when applicable) based on the level of probation. Frequency of contact and contact types are as follows:

Probation, Judicial Diversion, and ICJ Probation

- ◆ **Youth:** Monthly face-to-face visits with youth per current supervision level. A minimum of one (1) face-to-face visit a month in the home. **Note:** Youth are on high supervision until the CANS is completed to determine appropriate supervision level.
- ◆ **Parents/Legal Custodians:** A minimum of one (1) contact a month. Contact with parent may be waived when parent(s) is incarcerated and jail does not allow visits, parent(s) does not want contact, parental rights have been terminated, parent(s) is deceased or their whereabouts are unknown and diligent searches have been unsuccessful.
- ◆ **School:** A minimum of one (1) contact a month with school personnel if the youth's reason for supervision is due to school related issues, assessments determine the need for school contacts, or school contacts are ordered by the court. These contacts may be conducted by a face-to face visit, phone call, email, or electronic school portal. The JPO obtains information as applicable and will document it in case recordings. If school contact was not conducted, the JPO will document monthly in case recordings youth's educational track and reason no school contact was needed.
- ◆ **Service Provider:** A minimum of one (1) contact a month. If there is not a service provider working with the youth, the JPO is to note this in monthly case recordings. Service Provider is defined in this context as; professional providing therapeutic services either requested by DCS, being paid for by DCS funding, or required to be monitored by court order.

Note: *The above number of contacts are also required for youth who have been placed in a non-*

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custodial residential placement. A home visit is only required prior to the youth returning from a non-custodial placement to assess the safety of the home and develop supervision plans with the parent/legal custodian. All youth in non-custodial placements are under this probation type.

Intensive Probation

- ◆ **Youth:** A minimum of three (3) face-to-face visits within the same calendar month, with at least one (1) of the visits being in the home.
- ◆ **Parents/Legal Custodians:** A minimum of two (2) contacts a month. Contact with parent may be waived when parent(s) is incarcerated and jail does not allow visits, parent(s) does not want contact, parental rights have been terminated, or parent(s) is deceased or their whereabouts are unknown and diligent searches have been unsuccessful.
- ◆ **School:** A minimum of one (1) contact a month with school personnel if the youth's reason for supervision is due to school related issues, assessments determine the need for school contacts, or school contacts are ordered by the court. These contacts may be conducted by a face-to face visit, phone call, email, or electronic school portal. The JPO obtains information as applicable and will document it in case recordings. If school contact was not conducted, the JPO will document monthly in case recordings youth's educational track and reason no school contact was needed.
- ◆ **Service Provider:** A minimum of one (1) contact a month. If there is not a service provider working with the youth, the JPO is to note this in monthly case recordings. Service Provider is defined in this context as; professional providing therapeutic services either requested by DCS, being paid for by DCS funding, or required to be monitored by court order.
- ◆ **Exception:** A minimum of one (1) face-to-face visit is required during the same month a case is closed.

Note: *When a youth enters the intensive probation program after the 15th of the month, the JPO is required to conduct a minimum of two (2) face-to-face visits for that month. When a youth exits the program within the first five (5) days of the month, the JPO is required to conduct a minimum of one (1) face-to-face visit for that month.*

The JPO must conduct at least one (1) of the required face-to-face contacts in the home with the youth. Additional contacts (phone call or text) are conducted as needed. These contact guidelines are the minimum. Number of contacts may be increased if youth demonstrate a need for additional supervision.

The Intensive Probation program may be completed by the youth within four (4) months. At the completion of the program, the youth is then transitioned to probation if necessary.

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INTENSIVE PROBATION

Youth may be placed into the intensive probation program for the following reasons:

- 1) Youth are unsuccessful on probation and referred by their CFT,
- 2) Youth are placed under DCS supervision who need a higher level of service than probation, as an option to avoid placement into custody, or
- 3) As deemed necessary by their CFT, with the approval of the Team Coordinator (TC)

From Probation to Intensive Probation

Prior to transitioning a youth from probation to the intensive probation program, a Prevention CFTM is held to determine if other services or steps can be taken to successfully keep youth on probation for an agreed upon review period. If the youth continues to display behavioral issues, a Transition CFTM is scheduled to discuss and plan for the youth to transition from probation to intensive probation. Increased supervision may begin immediately in emergency situations depending on the needs of the youth. Once the recommendation has been made for intensive probation services, the following is implemented:

- ◆ Revision of [CS-0043, Rules of Probation/Aftercare](#) to reflect the stricter requirements; and
- ◆ If the youth is transferred to a different JPO and/or team, the current JPO/team follows DCS Policy [13.9, Juvenile Justice Case Transfers Within and Between Regions](#) and ensures all documents are uploaded into the Electronic Records System and an overview of all completed work is given to the new JPO and/or team.

Intensive Probation Exclusion Criteria – Non-Custodial Facility Placements

Youth in non-custodial residential placements are placed on probation. If a CFT recommends a non-custodial residential placement for a youth receiving intensive probation services, the youth is transferred to probation. After the youth completes the non-custodial placement, a release CFTM is held to determine if the youth should remain on probation, transition back into intensive probation, or be released from probation. If the CFT determines intensive probation services are needed, the youth may be returned to the program.

Once a youth has demonstrated success within the probationary period or upon completion of a probationary period, a youth may have the opportunity to reengage within their community through a trial home visit.

TRIAL HOME VISIT

A Trial Home Visit (THV) is a critical time in reconnecting youth with their family and community. All preparation for the trial home visit to begin is completed timely, including law enforcement notification. The youth remains in DCS custody while on THV. Supervision begins for THV the day

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youth is placed back into the community. Youth must be seen a minimum of three times during 30-day THV.

Within one (1) business day after the start of the THV, the JSW:

- ◆ Verifies the required notification documentation has been submitted to the school principal advising of the youth's return to the community if a youth is adjudicated for certain delinquent adjudications. See DCS Policy [21.18, Notification to School Principals of Certain Delinquent Adjudications](#) for specific requirements.
- ◆ Checks the electronic monitor for youth, if required to wear one, to ensure it is activated and working properly. See DCS Policy [13.5, Electronic Monitoring for Youth](#).
- ◆ Youth who score Moderate, High, or Very High on [CS-1210, Juvenile Justice Community Risk Tool](#) are required to remain on the monitor throughout Trial Home Visit and Aftercare services.
- ◆ Youth who are low risk are not required to wear an electronic monitor unless the Child and Family Team (CFT) or the court requires a monitor. When the CFT requires a monitor for low-risk youth, the monitor may be removed at any time after the THV by the team.

Note: *If the youth is adjudicated for a sex offense see the [Protocol for Tennessee Sex Offender Registry](#) to determine if the youth needs to register with the Tennessee Bureau of Investigation.*

During the first thirty (30) days of the THV, the JSW conducts three (3) face-to-face visits with the youth. The JSW is required to conduct at least one (1) of these visits in the home with the youth and family. During the first visit with the youth and family, the JSW reviews DCS form [CS-0043, Rules of Probation/Aftercare](#) and the Family Permanency Plan developed from the results of the CANS assessment. The JSW also completes referrals for identified services and ensures the following occurs:

- ◆ Explains to the youth and family how the process works and assists the youth and family as needed.
- ◆ Obtains confirmation from service providers when the service has been started.
- ◆ Verifies monthly through the family and provider that the service is appropriate and satisfactory.
- ◆ Responds immediately to any concerns that develop in the delivery of the service or with the person receiving the service.
- ◆ Documents all contacts with providing services to the youth and family in the youth's electronic case file in the Electronic Records System.

The JSW assesses the youth and family continually by collecting and evaluating information needed to make decisions in a timely, culturally competent manner in keeping with the goals of community safety and family stability. This allows the most appropriate interventions and services that support

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strengths, reduce risks, and achieve established desired outcomes to be identified. If the THV is successful, the youth is automatically placed on aftercare and is released from DCS's legal custody at the end of thirty (30) days, unless otherwise ordered by the court. The Team Leader is responsible for opening the Aftercare case and assigning it to the appropriate JSW.

Note: *In the event a youth is released from DCS physical custody and is not being supervised on Aftercare, the JSW submits the original signed form [CS-0046, Juvenile Justice Case Closure-Discharge](#) with the release from custody documents. Refer to the case closure section of this protocol for detailed information on supervision expectations, violations, case process, criteria notifications, and required procedures for case closures.*

AFTERCARE

Once the youth completes the thirty (30) day THV, DCS's legal custody of the youth terminates and the youth may transition to Aftercare. The Team Leader (TL) is responsible for opening the Aftercare case and assigning it to the appropriate JSW. Aftercare supervision is required to ensure that the youth continues to successfully transition into the community after the end of the THV. There are two (2) types of aftercare: aftercare and intensive aftercare. The JSW and Child and Family Team utilize their overall assessment of the case and the Child and Adolescent Needs and Strengths (CANS) assessment to determine appropriate services and type of aftercare for youth.

From Trial Home Visit to Intensive Aftercare

Most youth transitioning into the intensive aftercare program already have an electronic monitor; however, in cases where a monitor was not required during the THV, one is placed on the youth the day he/she enters the intensive aftercare program.

The Intensive Aftercare program may be completed by the youth within three (3) months. If the period of supervision needs to be extended due to noncompliance or to meet the needs of the youth/family, the CFTM convenes to determine if the youth should transition to aftercare or remain on intensive aftercare.

A youth may be placed into the intensive aftercare program if referred by their CFT for the following reasons:

- 1) Youth is exiting a hardware secure facility, has just had a lengthy episode, or has had multiple episodes.
- 2) Youth is struggling and being noncompliant on Trial Home Visit (THV), or
- 3) Youth is unsuccessful on aftercare.

A youth who struggles during the THV may be recommended to participate in the intensive aftercare program during a Transition CFTM held prior to the end of the THV. The purpose of the Transition CFTM is to prepare the youth/family to go directly into the intensive aftercare program.

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From Aftercare to Intensive Aftercare

Prior to transitioning a youth from aftercare to the intensive aftercare program, a Prevention CFTM is held to determine if other services or steps can be taken to successfully keep youth on aftercare, and a review is scheduled to access progress. If the youth is unsuccessful during the review period, a Transition CFTM is held within seven (7) days to discuss and plan for the youth to transition from aftercare to intensive aftercare. In emergency situations, increased supervision may begin immediately based on the needs of the youth. Once the recommendation has been made for intensive services, the following is implemented:

- ◆ A revision of [CS-0043, Rules of Probation/Aftercare](#) is made to reflect the stricter requirements; and
- ◆ If the youth is transferred to a different JSW and/or team, the current JSW/team follows DCS Policy [13.9, Juvenile Justice Case Transfers Within and Between Regions](#) and ensures all documents are uploaded into the Electronic Records System and an overview of all completed work is given to the new JSW and/or team.

SUPERVISION DURING AFTERCARE

Aftercare

- ◆ **Youth:** Monthly face-to-face visits with youth per supervision level. A minimum of one (1) face-to-face visit a month in the home. The face-to-face visit conducted by the JSW while the youth was under the THV episode does count towards this minimum requirement.
- ◆ **Parents/Legal Custodians:** A minimum of one (1) contact a month. This number of visits will be conducted except when parent(s) is incarcerated and jail does not allow visits, parent(s) does not want contact, parental rights have been terminated, or parent(s) is deceased or their whereabouts are unknown and diligent searches have been unsuccessful.
- ◆ **School:** A minimum of one (1) contact a month with school personnel if the youth's reason for supervision is due to school related issues, assessments determine the need for school contacts, or school contacts are ordered by the court. These contacts may be conducted by a face-to-face visit, phone call, email, or electronic school portal. The JPO obtains information as applicable and will document it in case recordings. If school contact was not conducted, the JPO will document monthly in case recordings youth's educational track and reason no school contact was needed.
- ◆ **Service Provider:** A minimum of one (1) contact a month. If there is not a service provider working with the youth the JPO is to note it in monthly case recordings. Service Provider is defined in this context as a professional providing therapeutic services either requested by DCS, being paid for by DCS funding, or required to be monitored by court order.

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Intensive Aftercare

- ◆ **Youth:** A minimum of three (3) face-to-face visits within the same calendar month, with at least one (1) of the visits being in the home. Face-to-face visits conducted by the JSW while the youth was under the THV episode does count towards this minimum requirement.
- ◆ **Parents/Legal Custodians:** A minimum of two (2) contacts a month. These number of visits will be conducted except when parent(s) is incarcerated and jail does not allow visits, parent(s) does not want contact, parental rights have been terminated, or parent(s) is deceased or their whereabouts are unknown and diligent searches have been unsuccessful.
- ◆ **School:** A minimum of one (1) contact a month with school personnel if the youth's reason for supervision is due to school related issues, assessments determine the need for school contacts, or school contacts are ordered by the court. These contacts may be conducted by a face-to-face visit, phone call, email, or electronic school portal. The JPO obtains information as applicable and will document it in case recordings. If school contact was not conducted, the JPO will document monthly in case recordings youth's educational track and reason no school contact was needed.
- ◆ **Service Provider:** A minimum of one (1) contact a month. If there is not a service provider working with the youth the JPO is to note this in monthly case recordings. Service Provider is defined in this context as; professional providing therapeutic services either requested by DCS, being paid for by DCS funding, or required to be monitored by court order.
- ◆ **Special Contact Considerations for Youth on Intensive Aftercare:** When a youth enters the intensive aftercare program after the 15th of the month, the JSW is required to conduct a minimum of two (2) face-to-face visits for that month.
- ◆ **Monitor Requirement:** Youth under intensive aftercare are required to wear an electronic monitor as an additional form of surveillance and supervision within the program until release.
- ◆ The Intensive Aftercare program may be completed by the youth within three (3) months.
- ◆ Exception: A minimum of one (1) face-to-face visit is required during the same month a case is closed.
- ◆ The JSW must conduct at least one (1) of the required face-to-face contacts in the home with the youth. Additional contacts (phone call or text) are conducted as needed. These contact guidelines are the minimum. Number of contacts may be increased if the youth demonstrates a need for additional supervision.
- ◆ Face-to-face visits with youth are purposefully conducted at different intervals throughout the month. The purpose of a home visit and face-to-face contact is to assess risk and needs in the home by observation. The assessment includes all members of the household including other

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youth/children who live in the home.

- ◆ The JPO regularly monitors payment of court costs, fines, and restitution, and reports non-payment to the court. JPO's are not involved in the determination or collection of restitution, court costs, or fines. Failure to pay or timely pay any financial obligations or restitution cannot be the sole basis for continued supervision.

The JSW is responsible for conducting the required number of face-to-face visits as determined by the type of aftercare the youth is under. The JSW:

- a) Maintains regular contact with the youth and family by providing case management services with supervision incorporated into the plan as a formal support system.
- b) Encourages the family to include family and friends on the youth's team to strengthen their informal support system.
 - ◆ See DCS Policy [31.8, Parent/Caregiver Engagement and Support, Engaging Parents and Other Involved Adults: Frequently Asked Questions \(FAQs\)](#), and [Parent Engagement and Support Work Aid](#) for detailed requirements on parent/legal custodian contacts.
- c) Has the following acceptable reasons for non-contact:
 - ◆ Parent/legal custodian is incarcerated and does not want contact, or the jail won't allow visits.
 - ◆ Parent/legal custodian states they do not want contact.
 - ◆ Parental rights have been terminated.
 - ◆ Parent/legal custodian is deceased, or
 - ◆ Parent's/legal custodian's whereabouts are unknown with unsuccessful diligent search results.

Note: Refer to DCS Policy [31.9, Conducting Diligent Searches](#) and [Diligent Search Manual](#) regarding the required concerted efforts to engage parents/legal custodians (including non-custodial parents).

- d) Requests a waiver of the required home visit contacts in the interest of personal safety when necessary. Ongoing safety assessments are completed by the JSW and TL every three (3) months to determine if the waiver is still warranted which is documented in the Electronic Records System by the TL within the case consultations. The JSW documents the safety reasons for not visiting the home monthly as a case recording in the Electronic Records System.
- e) Documents any court ordered community service work activity on form [CS-0807 Community Service Work Activity Report](#) and uploads a copy into the youth's electronic case file in the Electronic Records System. The JSW regularly monitors payment of court

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costs, fines, and restitution, and reports non-payment to the court. The JSW is not involved in the determination of, or collection of restitution, court costs, or fines. Restitution collection for ICJ cases under supervision in Tennessee is monitored by the sending state. Failure to pay or timely pay any financial obligations or restitution cannot be the sole basis for continued supervision.

After a minimum of sixty (60) days on aftercare, if the youth remains under aftercare supervision and the team desires to have the electronic monitor removed, the Child and Family Team (CFT) will reassess the need for the monitor. If the monitor is court ordered it may not be removed without permission of the court.

Home Visits

Home visits and face-to-face contacts are conducted to assess risk, view the youth's living environment, and ensure there are no safety concerns in the home by observation. The assessment includes all members of the household including other children/youth who live in the home. Face-to-face visits are purposefully conducted at different intervals throughout the month. Home visits are conducted with the youth and parent(s)/legal custodian(s). The JPO/JSW may contact the youth and parent(s)/legal custodian(s) before a home visit or arrive unannounced.

- ◆ The JPO/JSW informs the supervisor of the time and place for all home visits and contacts the supervisor via text or phone call upon arrival and when departing the youth's home.
- ◆ The JPO/JSW obtains consent from parent/legal custodian prior to entering the home.
- ◆ The parent/legal custodian or other adult approved by the parent/legal custodian must be present during a home visit with the youth.
- ◆ The JPO/JSW always carries a cell phone and determines who is inside before entering the home.
- ◆ Any time the parent(s)/legal custodian(s) leave the home, the JPO/JSW always ends the home visit unless another approved adult is still present.
- ◆ Upon arrival, the JPO/JSW looks closely for any safety concerns outside the property and when first entering the home.
- ◆ Although the JPO/JSW meets with the youth in private, he/she is never left alone in the home with the youth.
- ◆ The JPO/JSW documents the results of all home visits and/or attempts in the Electronic Records System.

Electronic Monitoring

Electronic monitoring is an oversight tool that requires a youth to wear an electronic device equipped with GPS. The device enables an Electronic Monitoring Unit (EMU) and JPO/JSW to monitor and verify a youth's movement, school or work attendance and the meeting of established

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curfew at all times. The JPO/JSW applies electronic monitors the day a youth is required to wear one to ensure that it is activated and working properly. Daily curfew checks are conducted for youth in the program by using a GPS system that promotes community safety and electronically monitors if youth is complying with supervision rules. The EMU or JPO/JSW contacts law enforcement for assistance when the youth cannot be located or if the JPO/JSW feels unsafe going to the home/ location. Since electronic monitoring and curfew checks are a part of the program, it is important that monitoring requirements and the importance of collaboration with the EMU team and law enforcement are clearly explained to the family for purposes of future engagement and maintaining trust. See DCS Policy [13.5, Electronic Monitoring for Youth](#) and [Guide for Supervising Youth on Electronic Monitors and Responding to Alerts](#) for more information.

Room Searches

Room Searches are performed as a graduated sanction when the JPO/JSW suspects the youth is in possession of illegal items. Refer to DCS Policy [31.4, Search Procedures](#) for more detailed information on searches and the handling of illegal contraband. **Room searches are performed by the JPO/JSW only in the presence of law enforcement.**

The JPO/JSW:

- ◆ Conducts a search of a youth's bedroom, vehicle, and/or personal property (including electronic devices) when possession or use of illegal contraband is suspected.
- ◆ Ensures the parent/legal custodian is present in the room for the entire time a room search is being conducted (youth does not have to be present).
- ◆ Ensures the youth or parent/legal custodian do not assist in the search.
- ◆ Must wear his/her protective gloves while conducting the room search.
- ◆ Presents the signed copy of the rules of probation/aftercare with the consent to room searches and permanency plan to the parent/legal custodian if he/she objects to a room search:
 - If the parent/legal custodian continues to refuse the search, the JPO/JSW leaves the residence immediately and contacts his/her supervisor.
 - If unable to reach supervisor, the JPO/JSW leaves the premises and reports the incident when able to reach the supervisor.
 - Schedules a CFTM to discuss concerns of the youth and parent/legal custodian as well as explains the requirements of room searches in order to remain in the program.
- ◆ Ensures the following occurs when illegal contraband is found:
 - Immediately contacts supervisor

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- Allows law enforcement to take possession of the illegal contraband
- Never takes possession or transports any illegal contraband found, and
- Files a violation of aftercare/probation

Drug and Alcohol Screenings

Youth suspected of using drugs/alcohol or youth with a history of drug/alcohol use or abuse are subject to drug and/or alcohol screens. Drug and/or alcohol screens are conducted to make sure the youth is drug and alcohol free and is of no risk to themselves or the community. When applicable, drug and/or alcohol screens are administered two (2) times a month. These guidelines are the minimum and the number of drug screenings may be increased if the youth demonstrates a need for increased supervision. Refer to DCS Policy [18.10, Substance Abuse Screening and Services for Delinquent Youth](#) for more information on drug/alcohol screening.

School Contacts

During the first thirty (30) days of the THV, the JSW contacts the school (via a visit, phone call or email) to assess school compliance and determine if there are any behavior issues, truancy problems, or any type of decline in academic performance.

After first 30 days, a minimum of one (1) contact a month with school personnel if the youth's reason for supervision is due to school related issues, assessments determine the need for school contacts, or school contacts are ordered by the court. These contacts may be conducted by a face-to face visit, phone call, email, or electronic school portal. The JPO obtains information as applicable and will document it in case recordings. If school contact was not conducted, the JPO will document youth's educational track monthly and the reason no school contact was needed in case recordings.

Service Provider Contacts

Service Provider is defined in this context as a professional providing therapeutic services either requested by DCS, being paid for by DCS funding, or required to be monitored by court order.

For youth who need provider services, the JPO/JSW coordinates the delivery of services identified and obtains confirmation from service providers when the service has been started. On-going verification is obtained from the family and provider that the service is appropriate and satisfactory. The JPO/JSW maintains monthly contact with service providers which may include receiving progress reports, and documents contacts into the Electronic Records System. The JPO/JSW responds immediately to any concerns, complaints, or problems presented by the service provider, youth, or family.

- ◆ If there are no service providers working with the youth, the JPO/JSW is to note this in monthly case recordings.

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GRADUATED BEHAVIOR RESPONSE

DCS supports a culture in which positive and negative behaviors of youth are acknowledged and addressed by using a behavior response system. This system includes the following:

- ◆ Use of positive incentives and reinforcements to encourage and support positive behavior, positive changes, and compliance with court ordered conditions of supervision;
- ◆ Use of a continuum of early and clear sanctions and interventions to hold youth accountable as well as prevent further delinquent actions;
- ◆ Target individual youth's risk and needs to determine which incentives will be effective; and
- ◆ Promotes principles of personal responsibility and accountability for law violations.

VIOLATION OF INTENSIVE AND AFTERCARE PROGRAM DETERMINATION

- ◆ Violations are based on the conditions outlined in the Rules of Probation/Aftercare, Family Permanency Plan, and by any special conditions ordered by the court. Violations may indicate that the permanency plan and/or program is not adequate to meet the youth's needs. A youth can only be returned to DCS custody while on THV or aftercare by order of the court. This would start a new custodial episode and there would need to be a new commitment order.
- ◆ If a youth fails to abide by the Rules of Aftercare during the thirty (30) day THV or commits a serious violation while on THV, a CFTM is held to review the alleged violation, identify any needs or services, and develop a plan for the team to implement or present to the court.
- ◆ A youth may only be removed from the home and returned to physical custody of the department during a THV for the following reasons:
 - a) The youth has run away and cannot be located after diligent efforts to locate the youth or
 - b) A new petition has been filed alleging the youth has committed a new delinquent offense, unrelated to the original petition.
- ◆ During aftercare, a youth may only be removed from the home by the court and returned to the physical custody of the department for the following reasons:
 - a) The youth is adjudicated delinquent for a new offense eligible for commitment to DCS custody.
 - b) Clear and convincing evidence exists that the child is in imminent risk of danger to the child's health or safety and needs specific treatment or services only available if placed in DCS custody.

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- ◆ In the event new delinquent acts are alleged or other serious violations occur, the JSW follows DCS Policy [13.6, Response System for Violations and Positive Behavior](#) and documents each violation into the Quick Actions tab in the Electronic Records System which addresses the following:
 - a) The history of supervision
 - b) The nature of the violation, and
 - c) Recommendation of the CFT
- ◆ If the recommendation from the CFT is that the THV will be disrupted and all requirements have been fulfilled in DCS Policy [13.6, Response System for Violations and Positive Behavior](#), the Team Coordinator (TC) and Statewide Director must review and approve the decision prior to presenting the violation to the court.
- ◆ When an alleged violation of Probation or Aftercare occurs, the JPO/JSW assesses what happened by gathering reports from the family, school personnel, employer, the youth, police reports, and any other written evidence such as petitions or records from the school.
- ◆ When minor violations are confirmed, the JPO/JSW considers corrective actions that may enhance the youth's adjustment and confers with the team leader and/or other team members regarding alternatives to revocation. These alternatives include, but are not limited to:
 - a) A CFTM
 - b) Coaching and intervention by the JPO/JSW
 - c) Imposition of special conditions of supervision
 - d) Increasing the intensity of supervision
 - e) Involvement with a community or self-help organization
 - f) Referral for psychological assessment; and
 - g) Aiding and encouraging parents/guardians to fulfill their role as primary caretakers
- ◆ When major violations are confirmed, the JPO/JSW holds a CFTM to explore alternatives to custody prior to filing a violation petition. See DCS Policy [13.6, Response System for Violations and Positive Behavior](#) for requirements on filing violations for when new delinquent acts are alleged, or other major violations occur.

RELEASE FROM PROBATION AFTERCARE

The JPO/JSW and supervisor evaluate each case at its conclusion to determine if the youth has completed the program and all responsibilities and outcomes on the Family Permanency Plan.

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A CFTM is held with sufficient time to ensure that the family's needs are met, strengths and needs are discussed, appropriate services are in place to ensure community risks are minimized, and to ensure a successful transition. A recommendation to release youth from probation is presented to the court with justification for approval to close the case. For specifics on the content addressed during the CFTM, refer to the [Child and Family Team Meeting Guide](#).

Case Closure

Notification of case closure is completed by the JPO and sent to all collaborating service providers using DCS form [CS-1126, Notification to Service Provider of a DCS Case Closure](#) prior to closing all cases, including youth exiting residential care who will not be supervised on Aftercare (e.g. determinate commitments, age of majority, etc.) and youth on inactive supervision.

Criteria and Procedures

1. In making the decision to recommend a youth for case closure, the following criteria is used:
 - a) The youth has been under supervision for at least two (2) months and has met requirements established by the court, DCS or the sending state, and successfully achieved all responsibilities and outcomes on the Family Permanency Plan.
 - b) If the youth has met all permanency plan objectives and the only outstanding requirement is that the youth owes restitution/court costs, the case is closed unless prohibited by court. This includes youth under ICJ supervision. ICJ rules do not permit supervision for the sole purpose of collecting restitution. The JPO explains to the youth and family that restitution payments are still owed and the consequences for non-payment. If the court prohibits case closure, the JPO notifies supervisor and DCS legal for direction on how to proceed.

***Note:** Failure to pay or timely pay any financial obligation or restitution cannot be the only reason for continued supervision of a youth. If the court prohibits case closure, the JPO notifies supervisor and DCS legal for direction on how to proceed.*
 - c) The youth moves out of state and the Tennessee court of jurisdiction does not refer the youth for services through the Interstate Compact for Juveniles.

***Note:** When the JPO determines a youth supervised in Tennessee from another state has met criteria for case closure, refer to DCS Policy [13.3, Interstate Compact for Juveniles](#).*
 - d) The youth, regardless of age, has been transferred to adult court and has been convicted and sentenced as an adult.

Cases **must** be closed when:

- ◆ a youth have reached their 19th birthday or the age of majority in the sending state for ICJ cases or
- ◆ it is ordered by the committing court or

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- ◆ a youth has reached the maximum timeframe allowed and no extension has been requested.
- 2. The JPO gives youth written information regarding how to access community services and provides the JPO's contact information for assistance after the case is closed. JPO will assist the family if needed with coordination of services before closing the case. JPO documents information given and any coordination of services in the Electronic Records System case recordings.
- 3. When the JPO determines that a youth meets the criteria for case closure, the JPO establishes a projected closure date within the six (6) month period allowed for probation. This date is set to provide at least fifteen (15) days written notice to the court of jurisdiction for youth supervised in Tennessee. If the case closure date is projected to go past the six (6) month period, a CFTM is held at least 45 days prior and court approval is obtained to extend supervision. See the full extension requirements outlined in the [Disposition Options](#).

Note: *The period of supervision is based on the court order, the strengths and needs of the youth/family, and the risk the youth poses to the community. For the period of supervision to extend past six (6) months for youth adjudicated delinquent, a CFTM is held at least 45 days prior and court approval to extend is obtained prior to the expiration of the six (6) month period. See the full extension requirements outlined in the [Disposition Options](#).*

- 4. The JPO prepares a comprehensive case closing summary. The purpose of the summary is to document the history of the case while the youth and family received services from DCS. The case closure summary includes, but is not limited to, the following:
 - a) The degree to which Family Permanency Plan goals were or were not achieved including significant progress, events, and successes
 - b) Any unmet needs and an explanation of why they were not met
 - c) Events taking place during the case that support the recommendation for case closure
 - d) Community resources utilized during the case
 - e) Support and cooperation of the youth's parents/legal custodian
 - f) The completion of court-ordered conditions
 - g) The JPO's assessment of the reasons for the success or failure of the plan
 - h) Other significant information
- 5. The summary is documented on form [CS-0046, Juvenile Justice Case Closure- Discharge](#) and submitted to the court of jurisdiction for approval.
 - When the judge signs the case closure form, a probation case may be closed and a copy of the signed case closure form is given to the court of jurisdiction and the youth/family.

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6. For ICJ cases, [ICJ Form, IX Quarterly Progress, Violation or Absconder Report](#) is completed with case closure recommendation and sent to the ICJ office to request permission for case closure from the sending state. The case remains open until permission to close is given by the ICJ office.
7. While serving youth and families through targeted case management, it is important that open case services are closed in the Electronic Records System within 72 hours of closing the case. Procedures for closing out a case are as follows:
 - a) Ensure the last face-to-face visit is conducted with the youth within the same calendar month the case closes and documentation of the visit is recorded in the Electronic Records System.
 - b) Close case services
 - ◆ On rare occasions when services are still needed, a court request may be made to wait until the end of the month to close case
 - c) Close probation case
 - d) Close the family case if no other children are involved

Note: See the [Case Closure Protocol](#) for additional requirements after case closure and for the Case Closing Essential Documents List documented within the Protocol.