

## Frequently Asked Questions (FAQ)

### Residency Determination of Children for Child Protective Services Reports

**Please note:** This document is meant to be utilized as a guide, not to be interpreted as policy. All potential scenarios cannot be addressed here. Intake assignments may be based on other factors when the determination is made.

#### Example Situations – In-State Reports

1. **Question:** A new report is received indicating that a mother abused/neglected a child when the child was living IN the home with the mother. The court granted the maternal grandmother temporary custody, and the grandmother resides in a different county OR region. Who is assigned to investigate the report?

**Answer:** If the report is not a second incident, the report should be assigned to the county or region the child currently resides (with the grandmother).

2. **Question:** If a child is placed outside of their home of origin (including in out-of-home care (OOHC), relative, or fictive kin placement) and an allegation is received involving a parent, parent paramour, OR custodian, who was in a caretaking role prior to the child's removal, who is assigned to investigate the report?

**Answer:** The county of the ACTIVE SSW has case responsibility.

3. **Question:** There is an active investigation naming the parents as alleged perpetrators. During the investigation, the children were removed and placed with grandparents (in a different county) who were granted temporary custody. Within fifteen (15) working days of the first report, a second incident is received alleging a separate incident of abuse/neglect by the parents to these same children. Which county is assigned to investigate? What if TPR has occurred?

**Answer:** The worker assigned to investigate the original report would also investigate the second incident of abuse/neglect because they are already involved in assessing the family. This would be the same if TPR has occurred.

4. **Question:** There is an active investigation. During the investigation, the family moves to another county/region. A second incident is received. Which county/region investigates the second incident?

**Answer:** The county/region assigned to investigate the original incident is assigned to investigate the second incident because they are already involved in assessing the family. It would be counterproductive to involve a second worker and would be confusing to the family.

5. **Question:** Who is assigned to investigate when a child is placed in one county/region and makes allegations against a caretaker from a former placement in a different county/region? For example, a child is currently with a relative in Franklin County and states that their former foster parent or facility staff abused/neglected them when the child was previously placed in their home/facility in Laurel County. The child's biological parent resides in Fayette County. Which county/region is assigned to investigate?

**Answer:** If the allegations are against a relative or fictive kin placement, then the referral would be assigned to the county in which the child currently resides.

If the allegations are against a DCBS foster home or PCC foster home/facility staff, then this would be deemed a specialized investigation and assigned to the county in which the home/facility is located.

6. **Question:** Who receives case responsibility for a youth who is over age eighteen (18), has aged out, and has contacted the agency requesting to recommit?

**Answer:** The county where the youth was last committed assumes case responsibility. If it is later determined that the youth's placement will be in different county, the case may be transferred to best meet the needs of the youth.

7. **Question:** Who is assigned to investigate a report received on a child whose custodians share (50/50) joint custody?

**Answer:** The county where the child resided at the time of the incident investigates the report.

Best practice is to assign where CHFS will be offering services to the alleged perpetrator and family

8. **Question:** A mother and baby are committed to DCBS and reside together in an OOHC, relative, or fictive kin placement. The ongoing case is assigned to their county of origin. A new report with allegations naming the mother as the alleged perpetrator is received. Who investigates the new report?

**Answer:** The county where mother and baby currently reside

9. **Question:** A report is accepted in one county/region naming two (2) children in the household as victims, but there are also other children who live in another county/region who visit the perpetrator's home. For example, a sexual abuse report is accepted for children residing with their father in Kenton County. The father has custody of two (2) other children who reside in another county/region and visit the father's home each weekend. Is this one report for Kenton County or separate reports for each county/region?

**Answer:** This is one report for Kenton County with all four (4) children named as victims. Kenton County may request an onsite interview for the two (2) children residing in the other county/region. It would be counterproductive and have a direct impact on data to enter the same report twice and assign to two (2) different counties/regions.

Regarding case naming for this scenario: If the father is living with the mother of two children who are listed as alleged victims, the case name should be the father's name as he is the alleged perpetrator and where the incident occurred (where services would be offered). Any other children in the home who are identified as belonging to the father's paramour may be screened for threat of sexual abuse.

10. **Question:** When a mother gives birth as a state inmate at Kentucky Correctional Institute for Women (KCIW) and has an active DCBS case outside of Shelby County, who is assigned to investigate?

**Answer:** Reports are assigned based on inmate type, which is provided by KCIW at intake. If the mother is a local inmate (Shelby County) or a state inmate, the report will be assigned to Shelby County. If the mother is a HB 191 inmate, (i.e., she is incarcerated

elsewhere and transferred to KCIW for delivery), the report will be assigned to county/region she will be transferred back to after delivery.

### **Example Situations - Out-of-State Reports**

1. **Question:** How is an investigation handled when an incident occurs in Kentucky, the child lives in Kentucky, but the perpetrator lives out-of-state?

**Answer:** In general, where the incident occurs is not a factor to acceptance. If the children are present in KY and can be assessed the report can be assigned in the county where the child are located if it meets acceptance criteria. The utilization of critical thinking skills when making a determination is important.

2. **Question:** How is an investigation handled when the incident occurs in Kentucky, the alleged perpetrator lives in Kentucky, but the child lives in another state?

**Answer:** The report should be made to the state that readily assess and make contact with the children. If the children are not present in KY then the report should be made to the state where they can be located.

3. **Question:** How is a report handled when the incident occurs out-of-state, but both the alleged perpetrator and child live in Kentucky?

**Answer:** In general, where the incident occurred is not a factor in acceptance. If the report meets Kentucky's acceptance criteria, the allegations are investigated in Kentucky and in the county where the child resides. However, Kentucky cannot investigate if central intake (CI) has confirmed that the report was accepted on the same allegations in the other state.

4. **Question:** How is an investigation handled when an incident occurs out-of-state, the child lives in Kentucky, but the alleged perpetrator lives out-of-state?

**Answer:** In general, where the incident occurs is not a factor to acceptance. If the children are present in KY and can be assessed the report can be assigned in the county where the child are located if it meets acceptance criteria. The utilization of critical thinking skills when making a determination is important.

5. **Question:** A report is received alleging a victim of human trafficking was found in Kentucky, but the trafficking incident occurred, and alleged perpetrator lives out-of-state. Can Kentucky accept the report?

**Answer:** The incident cannot be investigated in Kentucky because it occurred outside of the state's jurisdiction. A report should be made to the appropriate state child welfare agency where the incident occurred and documented in TWIST. However, if law enforcement is involved and requests assistance, an LEA can be accepted to provide information on supportive services.

6. **Question:** A report is received and meets criteria regarding an incident that occurred in Kentucky, but all parties reside in another state full time. The parties were only visiting Kentucky short term, (i.e., weekend, driving through, etc.).

**Answer:** If the report meets acceptance criteria and all parties can be located within the state of Kentucky and are able to be assessed, the report can be accepted. If necessary, a new report can be made to the state the family resides in for further assessment and/or service provision.

**NOTE:** If an ongoing case is recommended once these reports have been investigated, a discussion must occur between the counties/regions involved to determine which county can best meet the needs of the child(ren). Please contact the director or assistant director of the Division of Service Regions (DSR) to mediate discussions and ensure that timely transitions occur.

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