

<p>Milwaukee County Department of Health and Human Services Division of Youth and Family Services</p> <p>POLICY & PROCEDURE</p>	<p>Original Date Issued: 11/01/2015</p> <hr/> <p>Last Revision Date: 10/01/2018</p>	<p>Current Review Date: 09/03/2020</p> <p>Current Review By: MG/QA</p>	<p>Section: ON GOING</p>	<p>Policy No: 025</p>	<p>Pages: Page 1 of 14 (2 Attachments)</p>
<p><input checked="" type="checkbox"/> Division of Youth and Family Services (DYFS)</p> <p><input type="checkbox"/> Detention Center</p> <p><input type="checkbox"/> DYFS Services Network</p> <p><input type="checkbox"/> Purchase of Service Agencies</p>	<p>Current Effective Date: 09/01/2020</p>	<p>Subject: Court Reporting Policy</p>			

I. Policy

It is the policy and responsibility of Division of Youth and Family Services (“DYFS”) to complete Court Reports in a manner consistent with Wisconsin State Statutes § 938.331. Court reports must be complete with historical, behavioral, educational, and social factors that contribute to the youth’s overall state of being.

Milwaukee County has a county-wide goal to improve equitable service delivery and develop an organizational culture of equity. This means that we are working to ensure that every youth and family is provided care by knowledgeable staff with skills and resources to address racial and socio-economic disparities and inequities. Court reports are created with the intention of providing an equitable unbiased view of the youth. DYFS accomplishes this by using the evidence-based risk assessment tools and knowledge of human development as outlined in the Growth Focused Case Management Model to inform all court recommendations.

- Human Service Workers (HSW) shall prepare a Juvenile Program Management (JPM) generated court report for the use at all disposition hearings and the court report shall be e-filed no later than two (2) working days (48 hours) prior to the time of the hearing. It is the responsibility of counsel and/or other parties to seek access to any such reports prior to the day of the hearing.

II. The Courts and Risk Determination

The Youth Assessment Screening Instrument (YASI) determines the risk level of youth, which specifically assesses the likelihood of the youth to reoffend on the current alleged offense. YASI does not assess or determine the dangerousness of the youth. It is essential the HSW articulates this in court in its full context.

DYFS will provide recommendations for interventions to address the internal and external triggers that led to the delinquent behavior of the youth as identified in the YASI. These interventions will address dynamic risk factors specifically targeted to address positive youth growth and development.

III. Procedure – Preparation and Submission

A. Preparation

1. Family Involvement

Prior to a court hearing, HSW is required to discuss the content and recommendations in the court report with parents, youth over 10 years of age, and others directly affected by the recommendations, and shall allow the recommendations portion of the report to be read by such persons.

2. Plea Hearings

HSW must be prepared to verbalize results of YASI Pre-Screen and/or YASI Assessment results at or before the time of the Plea Hearing.

3. Delinquency Petitions

For Plea/Disposition Hearings, Dispositional Hearings, and Trials on pending Delinquency petitions, HSW is required to prepare and submit a written court report in cases where they believe that an adjudication/disposition will occur. Court reports shall be filed with the courts within 2 business days (48 hours) prior to the hearing.

4. Waiver Studies

HSW will prepare a Waiver Study in JPM on all youth that are subject to a waiver hearing no less than three (3) business days prior to the hearing.

B. Submission to Supervisors

1. HSW must submit the court reports to HSW Supervisor for review one week (five business days) before the disposition hearing.
2. HSW must submit the following to HSW Supervisor for review and editing:
 - Draft printed copy of the court report
 - Copy of the petition
 - Copy of the Feedback Wheel
 - Copy of the Behavioral Analysis
3. HSW Supervisor must review all materials submitted, including the dispositional matrix.
4. HSW Supervisor must ensure HSW fully understands – both in their verbal articulation and in the written documentation – the criminogenic and developmental needs of the youth, the goals set, and how the services implemented will address them.
5. HSW Supervisor must provide final approval by electronically signing and dating each court report.
6. After HSW Supervisor review and approval, HSW must keep a copy in youth file and e-file to the court.

C. Submission to Courts

1. Court reports must be e-filed within 48 hours (2 business days) prior to scheduled court hearing.
2. Court Reports must be emailed to the following email address: dyfsefile@milwaukeecountywi.gov
3. Exceptions are made for verbal court reports, when prior notice did not occur and when the recommendation is for an in-home placement. Wis. Stat. § 938.33(2). In all instances where a verbal court report is planned, the Section Manager must provide prior approval. However, a verbal court report will never be approved for out of home placements.
 - a. If a verbal court report is provided in court, a written court report must be submitted to the court within ten (10) business days of the hearing.

IV. Procedure – Delinquency Dispositional Hearing Court Report Content

The following information must be obtained and documented in the Delinquency Disposition Hearing Report to the Court:

A. Social History 938.33(1)(a)

Family History

This section identifies household members, relationship to youth, youth specific information, family dynamics, and parental supervision plan.

Information for this section can be gathered using the following:

- Intake Conference Assessment (ICA) - Family Dynamics section (example: Family stressors, family strengths)
- Case Planning Tool
- YASI Protective Factors
- Family Verbal Reports

Family History - Outlines pertinent objective information only:

(Reference ICA Form & Case Planning Tool)

- Identify household members and their relationships to youth
 - Mother/Father/Guardian information
 - Youth Siblings
 - Significant others living in the home listed
- Youth Residential History
- Youth/Family Service History
- Youth Interest and Activities (i.e. *YASI Protective Factors*)
- Peer Relationships (*including youth pro-social ties to community*)
- Youth Employment History
- Youth Drug/Alcohol Usage (*if applicable*)
- Youth Medical and Health History
- Youth Mental Health History
- Youth Current Medications (*if applicable*)
- Youth Motivation (*cite YASI incentive for change*)

Historical Information as reported by the parent/guardian:

- Family Strengths - Include YASI Assessment Results
- Explain youth compliance with parental rules
- Number of runaways for more than 24 hours (*from home and/or temporary placement*)
- Parental attitudes regarding youth maladaptive behavior
- Past Parental supervision
- Current parental supervision plan
- Parental report on youth compliance and sibling relationships

Social Service History

This section includes all past and present neglect, physical and/or sexual abuse substantiations by the Division of Milwaukee Child Protective Services. This information can be accessed from the *Child*

Welfare History Form used in the Intake process and maintained in the youth file. The following information should be included from that form:

- Total Number of SUBSTANTIATED findings specific to the Youth
- Reason for substantiation

Placement History

This section includes a list of dates and titles of prior youth residential history/placements, including both social services and DYFS placements to date. (*Reference ICA Form and Case Planning Tool*)

Legal History

This section includes youth past, present and pending offenses, date(s), offense(s), the outcome of the offense(s), and the current disposition of each offense.

B. Recommended Plan of Rehabilitation 938.33(1)(b)

Summary of Recommendation

This section summarizes youth plan, including recommendations regarding treatment, services needed, and placement. Utilize the YASI Assessment results to identify priority domains, targeted items, and how recommended services will address skills to be obtained by the youth. Collaborate with youth to identify services and supports that align with Long Term goal. These services should provide youth opportunities to engage in positive activities in efforts to replace maladaptive behaviors.

Identify in summary:

- Youth vision for the future and incentive for change (*Long Term Goal*)
- Youth strengths/protective factors
- YASI Priority Domains
- Skills needed to mitigate risk (*Short Term Goal/Targeted Items*)
- Services to address how youth will obtain new skills, including frequency, scope and duration (*Action Steps*)

Example: Youth is here today on [NAME ALLEGED OFFENSE]. The YASI Screening tool, which assesses risk to reoffend on the current offense, indicates youth is moderate risk to reoffend on this charge.

Youth acknowledges he can sometimes identify problems behaviors without generating appropriate solutions. Youth also acknowledges that he spends most of his free time with delinquent peers. (YASI Risk Factor Language from Orbis Software) These risk factors contributed to the internal thought process that brought this youth to the court today.

Long-Term Goal

Youth wants to go to college and open his own construction business.

Short Term Goal(s)

Youth agrees to increase his consequential thinking skills to assist in making better decisions around his peers.

Action Steps:

1. *Increase consequential thinking skills by attending JCIP group twice a week.*

2. *Hold team meeting with high school counselor to identify what he needs to do to graduate and report out on academic progress during monthly team meetings.*
3. *Explore the following activities in efforts to assist youth in moving toward his long term goal of owning a construction business.*
 - a. *Visit a college campus*
 - b. *Volunteer time at local construction company in efforts to learn about running a small business.*
 - c. *Identify community group tailored to young entrepreneurs.*

HSW will continue to reassess needs of youth and family, action steps may change over the course of supervision.

Supervision

Check Yes or No

Length of Supervision

This can be up to, but no more, than one year.

Placement

In-home or Out-of-home care.

Conditions of Supervision

In this section, list least restrictive conditions of supervision that are appropriate for the youth to follow while on probation. It should not be a standard set of conditions. Conditions should be specifically targeted to promote individual development and desistance from criminogenic behavior related to current offense.

C. Objectives of Plan & Individualized Goals 938.33(1)(d) & (1)(b)

Objectives

This section of the court report identifies how the youth came into the system specific to the charge(s). HSW must identify the YASI risk factors, internal thoughts, and triggers which lead to the offense.

When writing this section, it should be concise and clear. Any desired behavioral changes and academic, social, and vocational skills needed by the youth must be included.

To develop the objective, you should:

- Consult the behavioral analysis from the YASI to identify the behavior that brought the youth in front of the court.
- Identify YASI Risk Factors/ Targeted items. Copy and Paste Risk Factors/Targeted Items from Orbis Software.
- Identify Internal Triggers found in YASI Behavioral Analysis.

Example: Youth is here today on [NAME ALLEGED OFFENSE]. The YASI Screening tool, which assesses risk to reoffend on the current offense, indicates youth is moderate risk to reoffend on this charge.

Youth acknowledges he can sometimes identify problems behaviors without generating appropriate solutions. Youth also acknowledges that he spends most of his free time with delinquent peers. (YASI Risk

Factor Language) These risk factors contributed to the internal thought process that brought this youth to the court today.

Goals

A Long-Term Goal, Short-Term Goals, and Action Steps must be identified in this section. HSW must identify no more than one (1) goal for low risk youth and no more than three (3) goals for moderate and high-risk youth. For additional support, please reference DYFS Policy [019: Youth Assessment and Screening Instrument \(YASI\)](#) & [024 Case Planning](#).

A *Long-Term Goal* identifies a youth's incentive for change and/or vision for their future.

A *Short-Term Goal* identifies the skill to be learned to address the YASI Risk Factors and Targeted Items identified by the assessment.

Action Steps are small incremental actions which define "how" the Short-Term goal is achieved. Action steps include scope, duration, and frequency.

Example:

Long-Term Goal

Youth wants to go to college and open his own construction business.

Short Term Goal(s)

Youth agrees to increase his consequential thinking skills to assist in making better decisions around his peers.

Action Steps:

- 1. Increase consequential thinking skills by attending JCIP group twice a week.*
- 2. Hold team meeting with high school counselor to identify what he needs to do to graduate and report out academic progress during monthly team meetings.*
- 3. Explore the following activities in efforts to assist youth in moving toward his long term goal of owning a construction business.*
 - a. Visit a college campus*
 - b. Volunteer time at local construction company in efforts to learn about running a small business.*
 - c. Identify community group tailored to young entrepreneurs.*

HSWs will continue to reassess needs of the youth and family, action steps may change over the course of supervision.

Strengths of the Youth

This section identifies YASI protective factors for the youth and family. YASI Protective factors/strengths mitigate the effect of risk factors, resulting in reduced incidence of problem behavior. This area of the report is meant to highlight the positive aspects of the youth, which is the keystone of the DYFS vision and mission.

Example:

Incentive for Change

Youth indicates he has done well in school in the past and his vision for his future is to go to college and open his own business.

Protective Factors

The youth can identify a hobby or activity that would be highly motivating. Youth is close to a female sibling, and youth has some family support network.

YASI Factors/Domains

The following information will pre-fill in this section:

National youth crime research has identified ten domains as being significantly correlated to delinquency recidivism. If a YASI domain is flagged as a high or moderate need by the YASI Assessment, it may be selected as the focus of the objectives/goals for this youth.

While there may be additional domains which reflect high or moderate needs, the priority domains selected are the following:

YASI Priority Domains

- Select 1-3 YASI Priority Domains
- Reference YASI Case Plan Short Term Goal(s) and Appropriate Action Steps
- Provide desired behavioral change and recommended treatment in text box. *(Copy and paste from Recommendation section: Short term goal, action steps)*

Example:

Priority Domain

Skills

Short Term Goal(s) - Desired Behavioral Change

Youth agrees to increase his consequential thinking skills to assist in making better decisions around his peers.

Action Steps – Recommended Treatment

- 1. Increase his consequential thinking skills by attending JCIP group twice a week.*
- 2. Hold team meeting with high school counselor to identify what he needs to do to graduate and report out during monthly team meetings.*

D. Services to Address Needs 938.33(1)(b) & (1)(c)

Case Management Necessary

Check Yes or No

Case Manager/HSW

Your name will pre-fill in this section.

Is a Coordinated Service Plan or Care Necessary

Check Yes or No

How is this the most effective means available to accomplish the objectives

This section addresses how the YASI Actions Steps/identified services are the most effective means to accomplish the youth plan. Explain why lesser restrictive alternatives are not available. This section includes discussion regarding risk factors/targeted items from the YASI being addressed in relation to

the offense. Be specific with reasoning. (*Copy and paste from Recommendation section: Risk factors/targeted items, long term goal, short term goal(s), and action steps.*)

Example:

Youth acknowledges he can sometimes identify problems behaviors without generating appropriate solutions. Youth also acknowledges that he spends most of his free time with delinquent peers. (YASI Risk Factor Language) These risk factors contributed to the internal thought process that brought this youth to the court today. The most effective means/resources to accomplish this plan are listed in the action steps below. Less restrictive alternatives are not appropriate at this time. Please refer to Out of Home Placement section of this report for further explanation.

Long-Term Goal

Youth wants to go to college and open his own business.

Short Term Goal(s)

Youth agrees to increase his consequential thinking skills to assist in making better decisions around his peers.

Action Steps:

1. *Increase consequential thinking skills by attending JCIP group twice a week.*
2. *Hold team meeting with high school counselor to identify what he needs to do to graduate and report out academic progress during monthly team meetings.*
3. *Explore the following activities in efforts to assist youth in moving toward his long-term goal of owning a construction business.*
 - a. *Visit a college campus*
 - b. *Volunteer time at local construction company in efforts to learn about running a small business.*
 - c. *Identify community group tailored to young entrepreneurs.*

E. Education Services 938.33(1)(e)

Is youth currently in school

Check Yes or No

Current or Last School

Name of school and address

Was school staff consulted for the educational plan, If no, why not

Check Yes or No. If "No," is selected, explain why contact was not possible with the current or last school youth attended.

Educational Plan

Explain if youth has an Individual Education Plan (IEP).

Please include the following information:

- Youth School History
- Youth School Attendance
- Youth School Behavior
- Youth age/grade IEP began with Identified Disability

- Youth accommodations made by school

F. Services Recommended for Parent/Guardian/Legal Custodian 938.33(1)(f)

If services are recommended for parent/guardian, the HSW *must communicate* this to the parent/guardian before the court report is submitted. Parent or Guardian might not be willing to participate in services at this time, or services might not be needed.

Services Recommended for Parent/Guardian/Legal Custodian

Check all that apply:

- Anger Management
- Family Counseling
- Individual Counseling
- Mental Health
- Other
- Parent Advocacy

Availability of Services

Please provide the following information:

- Are services available in the DYFS or Wraparound Network
- Name of Agency or Program (*Services may also be provided through DMCPs*)
- If services are being recommended but are not available, you should note that the programs are unavailable and for what reason.

Funding for Services

Youth's private insurance is the first funding source for recommended services. If services are not covered by the youth's insurance or youth does not have insurance, either DYFS or Wraparound Milwaukee would fund needed services.

G. Recommended Placement for Youth 938.33(2)(4)

Placement options are prefilled in JPM. Each placement option must include why the placement is, or is not, appropriate. The HSW is demonstrating, not only why the recommended placement is appropriate, but why the other options are not appropriate. This will assist the HSW and other judicial parties, come to a resolution in court, if disagreements occur.

The placement options listed in JPM are as follows:

- Home Placement
- Home of a Relative other than Parent
- Home of Guardian
- Foster Home
Provide name of the agency providing supervision to the foster home in addition to the name, address, and contact phone for the foster care provider. If the information is not available at the time of completion of this dispositional report, the information must be provided within 21 calendar days of the court order.
- Group Home
- Independent Living Arrangement
- Residential Care Center for Youth (*RTC, Bakari*)
- Short Term Detention as a Disposition (*MCAP*)

- Correctional Placement (*Lincoln Hills, Copper Lake*)

When selecting the recommended placement, the HSW must include all the reasons why this is the appropriate placement. This should be more than simply “the youth’s needs are being met in this placement.”

Possible reasons could be but not limited to:

- Insufficient supervision, care, or services
- Youth is on a CHIPS order
- Community safety is not compromised
- Youth needs will not be met by programming
- Placement is too restrictive/or not restrictive enough
- Cognitive/Developmental needs of youth are best met by *XXX*
- Mental Health needs are best met by *XXX*
- Educational needs are not met by placement or programming
- Medical condition requires intensive oversight
- Developmental needs of youth are not met by *XXX*
- Severity of offense does not rise to a level requiring out of home care

H. Out-of-Home Placements 938.33(4) & 938.355 (2d)(b)

DYFS must demonstrate that reasonable efforts have been made to prevent the removal of the youth from their home.

Is a foster home, group home, non-secured residential care center, relative home, home of guardian, or supervised independent living arrangement recommended

Check Yes or No - If yes, check the box for a permanency plan.

Also, see Attached Permanency Plan, pursuant to 938.38

HSW must submit a Perm Plan if youth has been out of the home close to 60 days.

Reasonable Efforts

This information will pre-fill (1-5). If any of the pre-filled conditions are checked, the court does not have to find reasonable efforts.

(1) The parent has subjected the youth to aggravated circumstances, as evidenced by a final judgement of conviction

(2) The parent has committed, has aided, or abetted the commission of, or has solicited, conspired, or attempted to commit, a violation of §§ 940.01, 940.02, 940.03, or 940.05 or a violation of the law of any other state or federal law, if that violation would be a violation of §§. 940.01, 940.02, 940.03, or 940.05 if committed in this state, as evidenced by a final judgment of conviction, and that the victim of that violation is a child of the parent.

(3) The parent has committed a violation of § 940.19(3), 1999 stats., or §§ 940.19 (2), (4), or (5), 940.225(1) or (2), 948.02(1) or (2), 948.025, 948.03(2)(a), (3) (a), or (5)(a)1.,2., or 3., or 948.085 or a violation of the law of any other state

or federal law, if that violation would be a violation of §§ 940.19(2), (4), or (5), 940.225(1) or (2), 948.02(1) or (2), 948.025, or 948.03(2)(a), (3)(a), or (5)(a)1., 2., or 3. if committed in this state, as evidenced by a final judgment of conviction, and that the violation resulted in great bodily harm, as defined in § 939.22(14), or in substantial bodily harm, as defined in § 939.22(38), to the youth or another child of the parent.

(4) The parent has committed a violation of § 948.051 or a violation of the law of any other state or federal law, if that violation would be a violation of § 948.051 if committed in this state, as evidenced by a final judgment of conviction, and that the victim of that violation is a child of the parent.

(5) The parental rights of the parent to another child have been involuntarily terminated, as evidenced by a final order of a court of competent jurisdiction terminating those parental rights.

Does DYFS have reason to believe any of the above condition apply

Check Yes or No,

If "Yes" is selected HSW must explain what conditions apply and why.

Continued placement in the home is contrary to the youth's welfare, because

Write "n/a" if it is not applicable (i.e., youth is remaining in the home or DYFS does not have to demonstrate reasonable efforts).

The HSW must demonstrate that reasonable efforts have been made to prevent the removal of the youth. The HSW must also ensure that the health and safety of the youth are the paramount concerns. If a youth is on a CHIPS order and is already removed from the home, explain why the youth was removed. The HSW must explain that the youth is not able to return home due to the CHIPS order in place. Depending on the situation DYFS would be asking the court to order placement under the CHIPS order if appropriate.

Siblings

Does the youth have sibling(s)

Check Yes or No

If Yes, are the sibling(s) placed together

Check Yes or No

If No, explain the sibling(s) placement situation

Are the siblings in the home or are they also on a CHIPS order?

If No, should the siblings remain together in one placement

Check Yes or No

If No, why would joint placement be contrary to the safety or well-being of the youth or any sibling(s)

Explain the specific reasons to recommend the siblings should not be placed together. There must be specific information for the court to show that joint placement would be contrary to the safety or well-being of the youth or any of the siblings.

Efforts DYFS has made to enable the sibling group to remain together

DYFS needs to demonstrate that if the siblings are not together, that DYFS made reasonable efforts to maintain the sibling group. This includes specific information, such as whether the siblings are not together, how will DYFS provide for frequent visitation or other ongoing interactions when safe and appropriate.

Child Support

The following statement will pre-fill:

DYFS is not pursuing child support at this time.

✚ If there are questions about this section, please consult with your Supervisor.

I. Residential or Correctional Placement 938.34(4m) & 938.33(3)

The Court can place the youth under the supervision of the department of corrections in a juvenile correctional facility or under the supervision of the county department in a secured residential care center for children and youth identified by the county department if all the following apply:

(1) ***Has the youth been found to be delinquent for the commission of an act that would be punishable by a sentence of 6 months or more if committed by an adult***
Check Yes or No

(2) ***Has the youth been found to be a danger to the public and to need restrictive custodial treatment***
Check Yes or No or Not Yet Determined by Court

Explanation of Yes or No:

If Yes or No is selected, explain the source of the information. If any of the boxes in Section VIII are checked yes, this answer should be yes and explain why the youth meets the criteria. Explain if youth needs a secure setting, such as MCAP.

If the Court determines that any of the following applies, but that placement in the Serious Juvenile Offender Program (SJOP) under sub. (4h) is not appropriate, that determination shall be prima facie evidence that the youth is a danger to the public and in need of restrictive custodial treatment under this subsection:

A) ***The youth has committed a delinquent act that would be a felony under 940.01, 940.02, 940.03, 940.05, 940.19(2)-(6), 940.21, 940.225(1), 940.31, 941.20(3), 943.23(1g), 943.32(2), 947.013(1t), (1v), or (1x), 948.02(1) or (2), 948.025, 948.03, or 948.085(2) if committed by an adult (Please refer to Attachment A: Statutory References for ...Serious Juvenile Offender Program)***
Check Yes or No

B) ***The youth has possessed, used, or threatened to use a handgun -175.35(1)(b), short-barreled rifle -941.28(1)(b), or short-barreled shotgun -941.28(1)(c), while committing a delinquent act that would be a felony under Wisconsin State Chapter 940 if committed by an adult***
Check Yes or No

C) ***The youth has possessed or gone armed with a short-barreled rifle or short barreled shotgun in violation of §941.28 or has possessed or gone armed with a handgun in violation of 948.60***
Check Yes or No

Less Restrictive Alternatives to Correctional Placement Available

Explain what type of out of home placement, if any, is appropriate for youth and if youth has been accepted into the recommended placement.

Appropriateness of Less Restrictive Alternatives

Describe why each of the less restrictive alternatives are not appropriate for this youth. Answers can be copied and pasted from section VII and VIII, if appropriate.

J. Serious Juvenile Offender Program 938.34(4h) & 938.33 (3r)

The Court may place the youth in the serious juvenile offender program under §938.538, if one of the below applies. The Court may also note the only other disposition appropriate for the youth is placement in a juvenile correctional facility. For recommended placement, see below in Sections VII – X.

(1) *Is the youth over 14 years of age and has been adjudicated delinquent for committing or conspiring to commit a violation of 939.31(1)(a), 940.03, 940.06, 940.21, 940.225(1), 940.305, 940.31, 941.327(2)(b)4., 943.10(2), 943.23(1g), 943.32(2), 948.02(1), 948.025(1), or 948.30(2), or attempting a violation of 943.32(2)*
Check Yes or No

(2) *Is the youth over 10 years of age and has been adjudicated delinquent for attempting or committing a violation of 940.01 or for committing a violation of 940.02 or 940.05*
Check Yes or No

If either answer above is yes, is the youth suitable for the Serious Juvenile Offender Program
Explain why the youth should be ordered to the Department of Corrections on an SJO order.

K. Type 2 Residential Care Center 938.34(4d)

If all the following apply, the Court can place the youth in a Type 2 Residential Care Center, under the supervision of the county department:

(1) *Has the youth been found to be delinquent for the commission of an act that would be punishable by a sentence of 6 months or more if committed by an adult- Check Yes or No*

(2) *Has the youth been found to be a danger to the public and to need restrictive custodial treatment- Check Yes or No or Not Yet Determined by Court*

Explanation of Yes or No

Explain why or why not a youth would be appropriate for a residential care center.

L. Native American Youth 938.33(4m)(dm) & 938.335(3j)

Efforts undertaken to determine whether the youth is a Native American youth

Explain what efforts were taken to determine if youth is Native American. This must be done in every case.

Is the youth subject to the Indian Child Welfare Act.

Check Yes or No

If YES:

Is the Native American youth removed from the parent(s)' home or the home of a Native American Custodian

Check Yes or No

Would continued custody of the youth by the parent(s) be likely to result in serious emotional or physical damage to the youth

Check Yes or No

If YES: Provide explanation

Active Efforts to Maintain Youth in the Home

Youth would remain in the home unless youth was under a CHIPS order or criminal behavior could not be controlled in the home and a higher level of care was needed. If the youth is subject to the Native American Child Welfare Act, please demonstrate that active efforts have been made to maintain the youth in the home. Every element of active efforts must be addressed and described by HSW. *(Please refer to Attachment B: Indian Child Welfare Act-Active Efforts)*

M. Effect on Victim 938.331

Would this act constitute a felony if committed by an adult

Check Yes or No

If this act would not constitute a felony, but the victim suffered bodily harm, involved theft or damage to property

Check Yes or No

Victim Impact Statement Attached

Check Yes or No

Efforts by DYFS to determine the economic, physical, and psychological effects of the delinquent act on the victim

It is the responsibility of the HSW to attempt victim contact in efforts to determine the economic, physical, and psychological effect of the delinquent act. The HSW preparing the court report may ask any appropriate person (to include but not limited to the following: victim, identified family or victim representative, attorney, service provider, etc.) for information to be able to complete this section. The HSW must make and document diligent efforts to contact the victim.

N. Referrals

This section will pre-fill with the following statement:

DYFS will make appropriate referrals, including but not limited to those listed above to elicit the desired behavior changes and reduce the risk factors that contribute to the delinquent behavior. Should additional needs be identified during supervision, other appropriate referrals to services will be made.

Reviewed & Approved By:


Mark Mertens, Division Administrator