

POLICY

All juvenile justice residential placement referrals for juvenile justice youth under the care and supervision of DHS must be made by the assigned caseworker through the Juvenile Justice Assignment Unit (JJAU). This includes requests for juvenile justice residential placement and replacement of any youth with an open DHS delinquency case, including dual wards. Caseworkers seeking to place abuse/neglect wards under the care and supervision of DHS in juvenile justice residential placements must coordinate directly with the prospective placement and the Bureau of Children and Adult Licensing (BCAL) using the placement exception process.

PURPOSE

The purpose of the juvenile justice assignment process is to facilitate efficient and appropriate residential placements for delinquent youth and achieve the following objectives:

- Provide a timely placement that matches the needs of the youth and family with the capabilities of the provider.
- Comply with statutory requirements for making referrals to private agencies.
- Honor placement orders and recommendations in written court orders. The JJAU will give court placement recommendations or orders precedence over those resulting from structured decision-making.
- Conduct an orderly, objective referral process using structured decision-making unless otherwise directed by the court.
- Minimize the time a youth spends in detention awaiting placement while allowing residential providers time to evaluate and make decisions on referrals.
- Minimize referrals of lower peninsula youth to the upper peninsula (and vice versa) unless court-directed or worker-requested consistent with the best interests of the youth, family and/or public safety.
- Avoid retroactive referrals and unnecessary placement exception requests. A retroactive referral occurs when the youth is in the residential placement under DHS supervision, but the JJAU has not made a residential placement referral.

**PLACEMENT
PROVIDERS AND
BCAL**

Residential placement providers must use Juvenile Justice Online Technology (JJOLT) to submit and manage their placement grids, vacancy reporting and assignment/referrals. Providers must:

- Submit placement grids to BCAL via JJOLT.
- Modify placement grids based on feedback from BCAL.
- Review placement grids for accuracy when:
 - Program content or security level changes.
 - Payment rate changes.
 - Grid contract status changes (for example, non-contract to contract).
 - Title IV-E reimbursability status changes.
 - Twelve months has elapsed since the last review.
- Maintain a current vacancy count in JJOLT.

BCAL must review and approve placement grids and update provider status in JJOLT.

**STRUCTURED
DECISION-MAKING
(SDM) SCORING**

SDM scoring consists of two numerical scores that come from the 11 domains and characteristic checkboxes in the Strengths/Needs Assessment entered in JJOLT. For the Juvenile Justice Initial Service Plan, this assessment is built into the service plan. Scores displayed to the JJAU in JJOLT include:

- A primary domain matching score for the youth and provider.
- A secondary characteristic matching score for the youth and provider.

SDM scoring must be used to make residential placement referrals consistent with the objectives above. When a primary domain

scoring tie exists among private contracted providers with vacancies, the tie must be resolved using the secondary matching score.

When a tie remains among secondary matching scores, the JJAU may use any criteria it deems appropriate, including but not limited to inputs provided by the assigned caseworker and the court. The JJAU may also use the greatest duration since a referral was made to a residential provider as a tie-breaking criteria.

PLACEMENT PROGRESS

The assigned caseworker must use information from visits with the youth and treatment team and facility treatment plans to collaborate with the placement to ensure that a youth in placement is benefitting from treatment.

When a youth is not benefitting from treatment, the caseworker must meet with the residential treatment staff to resolve the issue. If the issue cannot be resolved, the caseworker must seek resolution with the BCAL licensing consultant for the placement.

If these efforts still do not resolve the issue, the caseworker must request a 30-day termination letter from the placement, provide copies to BCAL and the JJAU, request replacement of the youth by the JJAU, and modify the service plan as appropriate. The court must be advised of developments and, if the court ordered or recommended the placement, a new court order must be sought. This order may recommend or order a new placement by name, security level or type or may provide flexibility to allow the JJAU to determine a new placement. If the youth is title IV-E eligible, naming the ordered placement will result in loss of IV-E funds.

INDEPENDENT LIVING

Caseworkers seeking independent living services must coordinate with available local resources; JJAU does not make referrals for independent living. See FOM 722-3C, Older Youth: Discharge, Preparation and Placement.

INTERSTATE OPTIONS

If supervision by another state of a youth on probation or parole ordered by a Michigan court is sought under the provisions of the

Interstate Compact for Juveniles, see ICM 150, Interstate Parole/Probation Procedures, and contact the Michigan Interstate Compact Office.

If a residential institutional placement in another state is sought under the Interstate Compact on the Placement of Children (ICPC), follow JJAU processes to seek placement in Michigan first and concurrently refer to ICM 140, Interstate Residential Care Procedures. All suitable juvenile justice residential placements in Michigan must be exhausted (referred to and declined) as a prerequisite to referral of a youth under DHS supervision to a residential institution in another state under ICPC. Delinquent youth must have a hearing in the Michigan court and the court must make ICPC Article VI findings as a prerequisite to referral out of state. The placement in the receiving state must be licensed in its own state and meet BCAL standards for licensing in Michigan. The facility must have a DHS-approved rate of payment prior to any placement.

ESCAPES/REMOVAL

In cases in which a youth escapes or is removed from a placement for five calendar days or less, the youth may be placed back in the original placement without making a new referral to the JJAU.

If a youth escapes or is removed from a placement for more than five calendar days, the caseworker must contact the JJAU for re-placement unless all of the following conditions are met:

- The placement will accept the return of the youth.
- The court is informed and will accept return of the youth to the original placement.
- The worker has evaluated the circumstances relating to the escape/removal and believes return to the original placement is appropriate and in the best interest of the youth; see JR5 501, Escape Response.

CO-LOCATED PROGRAMS

Youth must not be moved from one placement to another without going through the JJAU placement process. This includes instances when the placement agency operates more than one program type within the same campus/area that involves a change in rate, security level or program type (for example, juvenile justice

to abuse/neglect or secure to non-secure). Absent a court order that directs continued placement at the same campus, referral to the JJAU based on SDM scoring applies and the subsequent placement may result in placement with a different placement agency at a different location. The assigned caseworker may seek a court order to keep the youth at the same location but the referral must still be processed through the JJAU.

Detention

A youth must not be moved from detention to a treatment program without going through the JJAU placement process. Based on the contents of the detention court order, a new court order may be required to end the period of detention, direct the youth to a specific program or allow the JJAU to refer the youth to a treatment program using SDM.

ABUSE/NEGLECT CASES

When the assigned caseworker seeks a juvenile justice placement for an abuse/neglect ward, the caseworker must coordinate with the placement provider and BCAL to complete a DHS-396, Residential Placement Exception Request (PER). Involvement of the JJAU is only required when the abuse/neglect ward is a dual ward who has been committed or referred to DHS for care and supervision of the delinquency case.

The PER must be processed in accordance with directives from BCAL and the applicable business service center. For dual wards, the caseworker must provide the PER to the JJAU once the placement accepts the referral. Even though the JJAU may receive acceptance of the placement by the provider, the assigned caseworker must not place the youth until notified that BCAL has approved the PER. The caseworker must prepare all PERs and extensions.

DIRECT COURT PLACEMENTS

Facilities must report any direct court placements to the JJAU. A direct court placement occurs when the court orders a youth into a specific placement without committing the youth to DHS or referring the youth to DHS for care and supervision. There is no open DHS delinquency case and the court retains full control of the case through its own probation officer. No county DHS caseworker is

involved since the court never refers or commits the youth to DHS. In the event that a court makes a direct court placement to a juvenile justice facility, the facility must take the following immediate actions:

- Provide the court order and facility admission documentation to the JJAU.
- Coordinate with the court to schedule and conduct youth admission.
- Coordinate with the JJAU to start the care management track which supports writing residential treatment plans in JJOLT.
- Close the care management track when the placement has ended.

The JJAU must take the following actions:

- Review the order to verify the direct court placement.
- Create a JJAU administrative record (paper file).
- Assist the facility as needed to ensure the care management track is opened correctly in JJOLT.

DHS SUPERVISED JUVENILE JUSTICE CASES

All youth requiring residential treatment who have been referred or committed to DHS for supervision must be referred to the JJAU for residential placement, even if the court has ordered a specific placement.

Referral Steps

The caseworker must review the funding source for the placement with his or her child welfare funding specialist and ensure that the planned security level is consistent with the funding source. Normally secure placements are not title IV-E reimbursable.

The caseworker must begin the referral with a memorandum or email to the JJAU that clearly describes the reason for the placement, youth legal status, if the placement is an initial placement or replacement, if the court has directed a placement, and the funding source.

**JJAU Referral
Packet**

The assigned caseworker must provide a placement referral packet to the JJAU. All documents must be legible. Court orders and support documents may be scanned into the JJOLT record as one or more PDF files. Alternatively, they may be sent to JJAU@michigan.gov via email as one or more PDF files. In an emergency, they may be faxed if the JJAU is contacted ahead of sending the fax. Staff must limit fax transmissions to 25 pages per fax and verify receipt prior to sending subsequent transmissions.

The caseworker must enter as much of the referral contents in JJOLT as possible, either as a form in JJOLT or as scanned material. JJAU referrals consist of three types of documents:

- Core plans and assessments entered directly into data fields in JJOLT. These establish the youth's strengths/needs, risk and security level and feed SDM for security level and placement scoring. These include:
 - Juvenile justice service plans.
 - Risk assessments.
 - Strengths/needs assessments.
- Delinquency court orders that document offenses and referral or commitment to DHS that provide DHS with the authority to place the youth.
 - Orders documenting adjudication or conviction. The most severe offense (lowest DHS offense code) is used with risk level to set the security level (secure or non-secure) for the youth. Offenses and their disposition(s) must be entered in the JJOLT Offense History.
 - Orders documenting disposition including commitment or referral of the youth to DHS (adjudication orders may be combined with disposition).
- Informational support documents including:
 - Face sheet.
 - Medical examination.
 - Immunization record.
 - Medical passport.
 - Psychological/psychiatric examination.
 - Birth certificate.

- Social Security card or documentation.
- Available petitions, police reports and victim impact statements.

When documents are not immediately available, the caseworker must notify the JJAU and provide them as soon as available. A risk level and strengths/needs values are mandatory for the JJAU assignment module to function.

Caseworkers must only provide residential treatment plans, detention reports, foster care court orders, and foster care service plans when deemed crucial for placement decisions. In such cases, the caseworker must condense crucial information into a brief one-to-two-page summary or the cover letter with key issues highlighted or addressed via telephone call with the JJAU.

The assigned caseworker must forward the following information directly to the placement provider by the scheduled admission date:

- DHS-3762, Consent to Emergency Treatment, signed by the caseworker.
- Photocopy of the active MI Health card (Medicaid) or the recipient ID number of the youth if the card is not available.
- Victim's rights information including name, address, telephone number, date of birth, and what victim's rights information has been requested.
- DHS-3600, Individual Services Agreement.
- DHS-2840, Prescription Information, or a written explanation from the prescribing physician for the youth which includes the dosage and purpose.

The caseworker must forward the following information directly to the placement agency within 30 calendar days of the youth's admission:

- Cumulative education records, including special education records and records of the last school attended, to assist the facility in development of an appropriate educational treatment plan.
- Photocopy of the DHS-62, Delinquent Youth DNA (Deoxyribonucleic Acid) Profile Verification (as applicable based on offense).

**PLACEMENT
DELAYS**

In the event of placement delays when a court has recommended or ordered placement at a specific facility, the JJAU must request the worker notify the court of the delay. The court may wait or direct a new referral.

**CONTRACT AGENCY
CASE REJECTION**

When a contract agency claims that the referral does not match admission criteria, the agency may return the case to the JJAU within three working days of receipt of the placement request packet. The reason for the return must be based on an assessment by the agency of the youth's strengths and needs which do not match those described by DHS.

The JJAU must review the case file's accuracy with the caseworker and decide whether to dispute the agency's view. If the agency's determination is supported, the JJAU must make a new referral.

If the JJAU believes the case was appropriately assigned, the agency must be informed. The agency then has the option of accepting or rejecting the referral.

The JJAU must conduct a semi-annual review of contract agency placement rejections. An agency that repeatedly refuses placement referrals whose treatment needs match the admission grid may be requested to revise its admission grid.

**PLACEMENT
REQUEST
WITHDRAWALS**

The JJAU must document the reason a placement request is withdrawn in the comments section of the JJAU information screen in JJOLT.

**EXCEPTION
REQUESTS**

The JJAU must send exception requests to BCAL for the following:

- When a youth's age is outside of the admission criteria grid.

- When the placement will cause the facility to exceed contracted bed capacity.
- When a juvenile justice youth will be placed in an abuse/neglect program.
- When a youth will be placed in a non-contracted program.

BCAL must notify the JJAU of its decision.

Assigned caseworkers must submit requests for extensions of juvenile justice exception requests at least every six months. Extension requests must be accompanied by the most recent facility-updated treatment plan.

TRANSPORT OF YOUTH FOR ADMISSION

When notified of an approved placement, the assigned caseworker must contact the admitting agency and arrange for transportation of the youth to the residential site; see JJ2 275, Transport and Youth's Meal Reimbursement. If a provider wants to interview a youth prior to the provider's acceptance, it is the provider's responsibility to travel to the youth's current placement to interview the youth.

LEGAL BASIS

The Social Welfare Act, 1939 PA 280, as amended, MCL 400.115a(1) and 400.115o et seq.

The Interstate Compact on Juveniles Act, 2003 PA 56, as amended, MCL 3.691 et seq.

The Social Security Number Privacy Act, 2004 PA 454, as amended, MCL 445.81 et seq.

The Interstate Compact on the Placement of Children, 1984 PA 114, as amended, MCL 3.71 et seq.