OVERVIEW

Absent Without Legal Permission (AWOLP) is defined as a child who is placed with the Michigan Department of Health and Human Services (MDHHS) for care and supervision and who is absent from an approved placement without legal permission.

Note: For delinquent youth, see JJ4 410, Placement Decision Making Guidelines, for additional information.

NOTIFICATION

Immediately

Foster parents, relative/unrelated caregivers, parents, and/or residential facility staff must **immediately** notify law enforcement agencies (state police, local police, or the sheriff's department) and the supervising agency when a youth under their care fails to return at the expected time or leaves a home without permission.

Note: The supervising agency must establish procedures to implement this policy during non-working hours. The assigned caseworker must be notified on the next business day.

Upon notification, the supervising agency must **immediately** file a missing person report with the local law enforcement agency, classifying the youth as missing and endangered.

Upon notification, Placement Agency Foster Care (PAFC) providers must **immediately** notify the MDHHS monitoring worker of the child/youth's absence and within one business day must document the notification in the social work contacts in MiSACWIS.

Within 24-hours

Within 24 hours of the child's absence, the supervising agency must notify:

- The court of jurisdiction.
- The parents, if appropriate.
- Lawyer-guardian ad litem (LGAL).
- The National Center for Missing and Exploited Children (NCMEC) to inform the agency that the youth is missing and endangered. The phone number for the NCMEC's 24-hour call center is 1-800-THE-LOST (1-800-843-5678).

Within One Business Day

The supervising agency must take the following actions within one business day of the child's absence:

- Update MiSACWIS.
- Document action taken to locate the child in MiSACWIS.
- Complete the DHS-3198A, Unauthorized Leave Report to Court/Law Enforcement.
  - Send a copy of the DHS-3198A, Unauthorized Leave Report, to the court.
  - Send/take a copy of the DHS-3198A, Unauthorized Leave Report, to the local law enforcement agency to ensure that the child is entered on the Law Enforcement Information Network (LEIN) as missing and endangered.
  - Upload a copy of the DHS-3198A, Unauthorized Leave Report, and a current photo of the child to MiSACWIS.
- Complete the DHS-710, Clearance to Publish Children AWOLP on DHS Web, obtain required signatures, and forward to the Child Locator Centralized Unit; see *Criteria to Place a Child/Youth on the Child Locator Website*, in this item.
- Document the report to the NCMEC, as an AWOLP contact in the social work contacts in MiSACWIS.

PAFC Caseworkers

- Notify the MDHHS monitoring worker that a copy of the DHS-3198A, Unauthorized Leave Report, and a current photo of the child has been uploaded to MiSACWIS.

MDHHS Caseworkers and Monitoring Workers

- Confirm that the child has been classified as missing and endangered on LEIN.

Note: MDHHS monitoring workers have one day from the date of notification that the DHS-3198A has been uploaded, to confirm the child has been entered on LEIN.

- Obtain the NIC number from the law enforcement agency where the missing youth was reported missing. The NIC number is assigned by the National Crime Information Center (NCIC) to all records and is verification that the missing youth was entered into NCIC.

  Note: If local law enforcement refuses to place child on LEIN, the caseworker must document in MiSACWIS and forward information to the Child Locator Centralized Unit.

- Document all contacts in MiSACWIS.

DILIGENT SEARCH

Within Two Business Days

As soon as possible, but within two business days of the child's absence, the supervising agency must commence a diligent search for the child. Actions required are:

- Review all available information in the case file/MiSACWIS records to identify information on the potential location of child; for example, family members, unrelated caregivers, friends, known associates, churches, and/or a neighborhood center.
- Contact the school that the child last attended. Verify that the child is not in attendance and determine if there are friends/teachers of the child who may have information.
- Contact the local school district office(s) to determine if child has enrolled in a new school.
- Complete an internet search and/or search social networking sites; for the child, the child's parents, known relatives and/or acquaintances, if applicable.
- Document results of all contacts in MiSACWIS.
- Forward any new results of contacts to the court and law enforcement.

MDHHS Caseworkers Only

- Complete automated systems checks; for example, BRIDGES, Secretary of State and LEIN, to search for the child or known family members.

MDHHS Monitoring Worker Responsibilities

- As soon as possible, but within two business days of notification, the MDHHS monitoring worker or designee must commence a diligent search for the child by completing the following actions:
    - Complete automated systems checks; for example, BRIDGES, Secretary of State, and LEIN, to search for the child or known family members.
    - Review any additional MDHHS case files/MiSACWIS records to identify information on the potential location of child/youth; for example, family members, unrelated caregivers, friends, known associates, churches, and/or a neighborhood center. Forward any new information to the court, law enforcement and the supervising agency.

Diligent Search Checklist

Caseworkers may use the DHS-991, Diligent Search Checklist, as a guide for the search. If the DHS-991, Diligent Search Checklist, is used, the caseworker must upload the completed form to MiSACWIS.

Ongoing AWOLP Diligent Search

At a minimum, the assigned caseworker and (if applicable) the MDHHS monitoring worker must repeat a diligent search every calendar month until the child is located. The assigned caseworker must document all efforts to locate a child and any child-initiated contacts in the case service plan.

The caseworker must continue to notify law enforcement of any new information to aid in their efforts to locate the youth.

CHILD LOCATOR CENTRALIZED UNIT

The Child Locator Centralized Unit will:

- Receive an email notification generated by MiSACWIS that the child is AWOLP.
- Review the electronic case file for completeness.
- Notify local office via reply email of determination or need for additional information.
- Determine if the child/youth's information will be placed on the Child Locator Web site.

Criteria to Place a Child/Youth on the Child Locator Website

In order to place a child/youth's information on the Child Locator Website, the assigned caseworker must complete the DHS-710, Clearance to Publish Children AWOLP on DHS Web, and obtain the required signatures. The chart below summarizes the required signatures by legal status:

Legal Status	Authorized to Consent to Publication
Temporary Court Ward	Legal parent/guardian. **Note:** If a legal parent is unable to be located or unwilling to sign, the court of jurisdiction must be petitioned for authority to publish identifying information.
State Ward	Michigan Children's Institute (MCI) Superintendent.
Permanent Court Ward	Court of jurisdiction.

Once completed, the form must be forwarded to the Child Locator Centralized Unit at the following address:

Child Locator Analyst
Education and Youth Unit
235 S. Grand Ave., Suite 514

Lansing, MI 48909
Fax: 517-335-7789

Not all children who are AWOLP will be placed on the Child Locator Website. In general, the following children/youth will not be placed on the website:

- Youth age 18 years and older.
- Youth age 17 and the placement is known but not approved.
- Child with an open juvenile justice case.

Note: Circumstances may allow exceptions.

WHEN AN AWOLP YOUTH IS LOCATED

As soon as possible, but no later than one business day after locating the youth, the supervising agency must take the following actions:

- Notify the NCMEC that the child has been located.
- Notify local enforcement that the child has been located.

As soon as possible, but no later than five business days after locating the youth, the supervising agency must meet with the youth to determine the following:

- The primary factors that contributed to the youth running away.
- The ways in which the youth's placement should respond to those factors.
- The youth's activities while AWOLP, including if the youth was a victim of sex trafficking.

Return from AWOLP Conversation Guide

Caseworkers may utilize the DHS-5333, Conversation Guide on Return from AWOLP, during the discussion with the youth.

If it is suspected that the youth was a victim of human trafficking, the caseworker must immediately contact Centralized Intake at 1-855-444-3911, for a complete investigation.

Documentation

This conversation must be documented in the social work contacts in MiSACWIS, with the purpose categorized as *Interview w/youth*

on Return from AWOLP. Specific details of the conversation should be documented in the *Additional Narrative* section of the social work contact.

LEGAL BASE

Federal

Suzanne Lyall Campus Safety Act, P.L.101-647

Requires law enforcement to notify the National Crime Information Center (NCIC) any time a person under age 21 is reported missing.

The Adam Walsh Child Protection and Safety Act of 2006, P.L. 109-248

Prohibits a state law enforcement agency from removing a missing person from its law enforcement data system or the National Crime Information Center computer database based solely on the age of such person.

The Preventing Sex Trafficking and Strengthening Families Act, P.L. 113-183

States must develop and implement plans to expeditiously locate any child missing from foster care; determine the primary factors that contribute to the child's running away or being absent from foster care; determine the child's experiences while absent from foster care, including screening whether the child was a victim of sex trafficking. The supervising agency must report within 24 hours of receiving information on missing or abducted children to the law enforcement authorities and the National Center for Missing and Exploited Children.

Trafficking Victims' Protection Act

A sex trafficking victim is defined as an individual subject to the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purposes of a commercial sex act or who is a victim of a severe form of trafficking in persons in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induces to perform the act is under 18 years old.

POLICY CONTACT

Questions about this policy item may be directed to the Child Welfare Policy Mailbox.