
**SPECIAL CASE
SITUATIONS
OVERVIEW**

Several child abuse/neglect (CA/N) complaint situations involve specialized case handling procedures or requirements from the point of receipt of the complaint to the closing of the case. PSM 716 items identify and provide the policy and procedures for these cases.

**CASE INVOLVING
AN AMERICAN
INDIAN CHILD**

Special practices and procedures must be followed when an American Indian child is the subject of a CA/N investigation. Identification of a case involving an American Indian child at the earliest point of contact is of utmost importance.

See NAA 100 - NAA 615 for policy, procedures and definitions governing the department's handling of CA/N investigations involving children and families of American Indian heritage. These items must be consulted whenever there is reason to believe a child may be of American Indian heritage.

**American Indian
Heritage Inquiry**

In every investigation of alleged child abuse or neglect, the family must be asked whether the child is known to have American Indian heritage. This inquiry must be documented in the case record and appropriate action taken. (See PSM 713-01, CPS Investigation-General Instructions And Checklist and NAA 200, Identification Of An Indian Child for more information on determining American Indian heritage.)

**American Indian
Child ON
Reservation**

A complaint of suspected child abuse or neglect of an American Indian child **who resides or is domiciled on lands within exclusive jurisdiction of the tribe** must not to be investigated by the department unless a special written agreement exists between the tribe and the department for responding to after hours and weekend emergencies. These agreements now exist between the department and the Sault Ste. Marie Tribe of Chippewa Indians, the

Keweenaw Bay Indian Community, Hannahville Indian Community, Bay Mills Indian Community and the Grand Traverse Band of Ottawa and Chippewa Indians.

(See NAA 233, Children's Protective Services Investigation and TAM 100-130, Tribal After-Hours Agreements for more information on Children's Protective Services investigations and current tribal after-hours agreements.)

American Indian Child OFF Reservation

A complaint of suspected child abuse or neglect involving an American Indian child **who resides off the reservation** requires that the worker take affirmative steps to determine at this initial stage whether an American Indian child is involved. (See NAA 200, Identification of An Indian Child for more information on taking affirmative steps.)

Removal of an American Indian Child

If petitioning the court for the removal of an American Indian child, the department must document that **active efforts** have been made to provide remedial and rehabilitative services designed to prevent the breakup of the American Indian family and that these efforts have proved unsuccessful. See NAA 240, Non-Emergency Placement for more information on active efforts.

Exception: If the American Indian child is in danger of imminent physical damage or harm, the department must provide emergency intervention to ensure the child's safety, including emergency placement. (See NAA 235, Emergency Placement for more information.)

When foster care placement is necessary, and indications exist that the child may be American Indian, that child must be treated as an American Indian child until determined otherwise.

(See NAA 100 through NAA 615 for more information on out-of-home placements for American Indian children.)