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## OVERVIEW

Absent Without Legal Permission (AWOLP) is when a child/youth who is placed with the Michigan Department of Health and Human Services (MDHHS) for care and supervision is absent from an approved placement without legal permission. Reporting AWOLP to law enforcement and other agencies is required.

For delinquent child/youth; see [JJM 722-03A, Absent Without Legal Permission \(AWOLP\) & Escape](#).

Youth participating in Young Adult Voluntary Foster Care (YAVFC) who, without permission, fail to return to their paid provider, are considered AWOLP; see [FOM 722-16, Young Adult Voluntary Foster Care](#).

## NOTIFICATION AND DILIGENT SEARCH EFFORTS

### Immediately

Foster parents, relative/unrelated caregivers, parents, and/or residential facility staff must **immediately and no less than 24 hours** notify law enforcement agencies, state police, local police, or the sheriff's department, **and** the supervising agency when a child/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 case manager 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 child/youth as missing and endangered.

Upon notification, private child placing agency providers must **immediately** notify the MDHHS monitoring case manager of the child's/youth's absence and within one business day must document the notification in the social work contacts in the electronic case record.

### Within 24 hours

Within 24 hours of the supervising agency receiving information of the child's/youth'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). The phone number for the NCMEC's 24-hour call center is 1-800-THE-LOST (1-800-843-5678).
  - A photo must not be shared with NCMEC at initial contact. See *Child/Youth Locator* in this policy item for further information on publishing of photographs.
- Complete the [DHS-3198A, Unauthorized Leave Report to Court/Law Enforcement](#) and shall include where reasonably possible, the following:
  - A photo of the missing or abducted child/youth.
  - A description of the child's/youth's physical features, such as height, weight, sex, ethnicity, race, hair color, and eye color.
  - Endangerment information, such as the child's/youth's pregnancy status, prescription medications, suicidal tendencies, vulnerability to being sex trafficked, and other health or risk factors.
- Send a copy of the [DHS-3198A](#) and most recent photo of the child/youth, if possible, to the court.
- Provide a copy of the [DHS-3198A](#) and most recent photo of the child/youth, if possible, to the local law enforcement agency to ensure the child is entered on the Law Enforcement Information Network (LEIN) as missing and endangered by email, fax, or hand delivery.

Upload a copy of the [DHS-3198A](#) and most recent photo of the child/youth to the electronic case record.

**Within One  
Business Day*****Supervising Agency***

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

- Update the electronic case record with an AWOLP placement.
- Update the child's/youth's height, weight, sex, ethnicity, hair color, eye color, and any other physical features, such as tattoos, in the electronic case record.
- Document action taken to locate the child/youth in the electronic case record.
- Complete the [DHS-710, Clearance to Publish Children AWOLP on MDHHS Web and NCMEC 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 policy.
- Document the child's/youth's AWOLP status was reported to the NCMEC as a AWOLP contact in the social work contacts in the electronic case record.

***Private Child Placing Agency Case Managers***

The private child placing agency case manager must take the following actions within one business day of the child's/youth's absence:

- Inform the MDHHS monitoring case manager that a copy of the [DHS-3198A](#) and a current photo of the child/youth has been uploaded to the electronic case record.

***MDHHS Case Managers and Monitoring Case Managers***

The MDHHS case managers and monitoring case managers must take the following actions within one business day of being notified of the child's/youth's absence:

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

**Note:** MDHHS monitoring case managers have one business day from the date of notification that the [DHS-3198A](#) has been uploaded to confirm the child/youth has been entered on LEIN.

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

**Note:** If local law enforcement refuses to place a child/youth on LEIN, the case manager must document in the electronic case record and forward the information to the Child Locator Centralized Unit.

- Document all contacts in the electronic case record.

## Diligent Search Efforts

### *Within Two Business Days*

As soon as possible, but within two business days of being notified of the child's/youth's absence, the supervising agency must commence a diligent search for the child/youth. Required actions include:

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

***MDHHS Case Managers Only***

Complete automated systems checks, for example, BRIDGES and Secretary of State, for the child/youth and known family members.

***MDHHS Monitoring Case Manager Responsibilities***

As soon as possible, but within two business days of notification of the child's/youth's absence, the MDHHS monitoring case manager or designee must commence a diligent search for the child/youth by completing the following actions:

- Complete automated systems checks, for example, BRIDGES and Secretary of State, to search for the child/youth or known family members.
- Review any additional MDHHS electronic case 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 latest information to the court, law enforcement, and the supervising agency.

***Diligent Search Checklist***

Case managers may use the [DHS-991, Diligent Search Checklist](#), as a guide for the search. If the [DHS-991](#) is used, the case manager must upload the completed form to the electronic case record.

***Ongoing Diligent Search***

At a minimum, the assigned case manager and, if applicable, the MDHHS monitoring case manager must complete a diligent search every calendar month until the child/youth is located. The assigned case manager must document all efforts to locate a child/youth and any child/youth-initiated contacts in the case service plan. Monthly diligent search efforts must include the following:

- Contact with law enforcement.
- Contact with NCMEC.

The case manager must continue to notify law enforcement of any latest information to aid in their efforts to locate the child/youth.

**CHILD/YOUTH  
LOCATOR  
CENTRALIZED UNIT**

The Child Locator Centralized Unit will:

- Receive an email notification generated by the electronic case management system the child/youth is missing and/or exploited.
- Review the electronic case record for completeness.
- Notify local office via reply email of determination or need for additional information.
- Determine if the child's/youth's information will be placed on the Child Locator Website.

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

In order to place a child's/youth's information on the Child Locator Website, the assigned case manager must complete the [DHS-710](#) and obtain the required signatures. The chart below summarizes the required signatures by legal status:

Legal Status	Authorized to Consent to Publication
1974 PA 150 - Delinquent	Legal parent/guardian 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.
Permanent Court Ward	Court of jurisdiction.
State Ward	Michigan Children's Institute (MCI) Superintendent.
Temporary Court Ward/ Delinquent Court Ward 400.55(h)	Legal parent/guardian 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.

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

Older Youth and Education Program Office  
235 S. Grand Ave., Suite 514  
Lansing, MI 48909  
Email: [MDHHS-ChildLocatorUnit@michigan.gov](mailto:MDHHS-ChildLocatorUnit@michigan.gov)

To determine where reasonably possible, the child locator analyst, in conjunction with the supervising agency will utilize the [DHS-710](#) and [DHS-3198A](#) to assess the child's/youth's photograph being shared with NCMEC and to assess the child's/youth's placement on the child locator website. Not all children/youth who AWOLP will be placed on the Child Locator Website. In general, the following children/youth will not be placed on the website:

- Child/youth aged 18 years and older.
- Child/youth aged 17 and the placement is known but not approved, such as a biological parent or unapproved relative.

- Child/youth with an open juvenile justice case.

**Note:** Circumstances may allow exceptions. The case manager and supervisor would request an exception to the Child Locator Unit.

## WHEN A CHILD/YOUTH IS LOCATED

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

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

**Note:** The case manager must provide information pertaining the child's/youth recovery and circumstances related to the recovery.

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

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

### Return from AWOLP Conversation Guide

Case managers may utilize the [DHS-5333, Conversation Guide on Return from AWOLP](#), during the discussion with the child/youth.

If it is suspected that the child/youth was a victim of human trafficking, the case manager must immediately contact Centralized Intake at 1-855-444-3911, for a complete investigation; see [SRM 300, Human Trafficking of Children](#).

### Documentation

This conversation must be documented in the social work contacts in the electronic case record with the purpose categorized as



*Interview w/(child/youth) on Return from AWOLP.* Specific details of the conversation should be documented in the *Additional Narrative* section of the social work contact.

### Child/Youth Returning to Placement on the Same Day

When a child/youth is located or returns to placement the same day the child/youth went AWOLP, placement in the electronic case record is not updated. For these situations, the incident should be documented as a social work contact, including the conversation that is required with the child/youth on their return from AWOLP.

In the event the case manager already entered AWOLP placement in the electronic case record, the supervisor must change the placement status to Created in Error.

## 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, 42 USC 671(a)(35)(A)(i-iv)***

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, P.L. 110-457***

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 induced to perform the act is under 18 years old.

**POLICY CONTACT**

Questions about this policy item may be directed to the [Child Locator Mailbox \(MDHHS-ChildLocatorUnit@michigan.gov\)](mailto:MDHHS-ChildLocatorUnit@michigan.gov).