

## COMPLAINT DOCUMENTATION

The department is required to maintain documentation of the receipt and the disposition of all CPS complaints received and evaluated. The CPS Centralized Intake (CI) for abuse and neglect and local offices record and maintain complaint information using the Michigan Statewide Automated Child Welfare Information System (MiSACWIS).

### Assigned for CPS Field Investigation

The decision to assign the complaint for CPS investigation is made at CI. The complaint allegations must minimally meet the Child Protection Law definitions of child abuse and/or neglect to be appropriate for assignment. Four elements must be present in order to assign a complaint for investigation:

(1) Allegations of harm or threatened harm (2) to a child's health or welfare (3) through non-accidental or neglectful behavior (4) by a person responsible for the child's health and welfare.

### ***New Complaints on Assigned CPS Investigations or Open CPS Cases***

Careful attention must be given to documenting the intake dispositions of new complaints received on cases during a pending investigation or an open case. When a new complaint is received on a pending investigation or open case, the new allegations must be evaluated by the same standards as other complaints in order to determine the disposition of the complaint.

When the new complaint contains allegations which are essentially the same instance of child abuse and/or neglect and are:

- Already investigated, the complaint must be rejected under rejection reason already investigated; see PSM 712-7, Rejected Complaints.
- Currently being investigated, add the second reporting person on the initial complaint; see PSM 712-7, Multiple Reporting Persons.

If the complaint contains allegations other than those already assigned or investigated, and the new complaint does not meet the

criteria for assignment, the complaint must be rejected using rejection reasons listed in PSM 712-7. Though rejected, a copy of the new complaint must be forwarded to the CPS worker assigned the pending investigation or open case for their information and any necessary follow-up regarding the allegations.

When the new complaint contains allegations which are not essentially the same instance of child abuse and/or neglect already investigated or assigned for investigation, and which meet the criteria for assignment, the new complaint must be assigned for investigation. The same investigation procedures and requirements exist for the new investigation, including, but not limited to, commencement of investigation, complete interviews with all required individuals within the required time frames, completion of a safety and a risk assessment, and complete investigation of each new allegation.

See PSM 713-09, Completion of Field Investigation, for completing investigations on two separate complaints concurrently.

### **Transferred for Investigation**

1. The complaint contains allegations of child abuse/neglect as defined in the Michigan Child Protection Law, but the complaint is appropriately forwarded to another unit which has jurisdiction to investigate the complaint allegations. This other unit which has jurisdiction might be, but is not limited to, another county, another state, an American Indian Tribal Unit, the Bureau of Children and Adult Licensing, or law enforcement.

OR

2. The complaint does not contain allegations of child abuse/neglect as defined by the Michigan Child Protection Law, but the complaint is appropriate for handling by another agency (for example, law enforcement for complaints when the alleged perpetrator is not a person responsible for the child's health and welfare, DHS or private agency certification staff for an alleged licensing violation, etc.).

The name and phone number of the reporting person should be included in the written complaint transferred to the other unit/agency, if the other unit/agency is authorized to investigate allegations of abuse and neglect. The reporting person should be advised that the unit/agency responsible for the investigation might contact them.

**Rejected**

The decision has been made not to investigate and not to transfer elsewhere and the supervisor has approved the decision to reject the complaint.

One, and only one, of the rejection reasons in the list in PSM 712-7, Rejected Complaints, can be identified for each rejected complaint. If more than one reason applies to a given complaint, the one most compelling reason must be chosen.

**Withdraw  
Complaint**

Reporting person withdraws complaint before the investigation has begun based on new information and there is insufficient reason to proceed.

**Multiple Reporting  
Persons**

If a subsequent complaint is received that is **essentially the same** instance of child abuse and/or neglect already reported, the reporting person of the subsequent complaint should be added to MiSACWIS as an additional reporting person. Document the date and time of the subsequent complaint and any additional information provided.

***Investigation on Initial Complaint is Complete***

If the investigation on the initial complaint is complete, the subsequent complaint should be rejected using the rejection reason *Already Investigated*; see PSM 712-7, Rejected Complaints.

***Initial Complaint is Pending Investigation***

If an intake disposition has already been made on the complaint to assign the complaint for investigation and the investigation is pending, add the additional reporting person to the investigation.

***Initial Complaint was Rejected***

If an intake disposition has already been made on the complaint to reject the complaint, a supervisor should add the additional reporting person in MiSACWIS.

If the complaint has already been rejected and a source notification letter is required/requested, print the source notification letter; see PSM 712-9, Notifying Reporters.

### Confidential Complaint

A complaint regarding, but not limited to the following, may need to be kept confidential:

- DHS employee.
- Relative of a DHS employee.
- Prominent member of the community (judge, chief of police, etc.).
- A high-profile media case.

If a CPS complaint needs to be kept confidential (only the supervisor and assigned worker can access the complaint during the investigation), select the *Confidential Complaint* box.

### REGISTRATION AND CASE RECORD ESTABLISHMENT

CPS complaints assigned for investigation must be entered into MiSACWIS. CI must complete a **statewide** MiSACWIS search and central registry clearances on all complaints. Document the results as part of the Preliminary Investigation.

- The statewide MiSACWIS search must be done on all persons listed on the complaint. **Note:** MiSACWIS searches can be done for a specific county. To be considered a statewide search, the search must be done by not selecting a specific county.
- The central registry clearance must be done on all persons listed on the complaint who are age 18 or older.

Birthdates for all case members must be estimated at intake, if not known.

Local offices should not establish more than one CPS case record for a family. If more than one CPS case record exists in a local office, the records must be combined when a new CPS complaint is

received. CPS family history information (copies) from all other local offices must be obtained from the other local offices and incorporated into the case record.

**Note:** If more than one family is residing in a home and there are allegations of abuse and/or neglect regarding both families, a separate complaint should be generated for each family.

Regardless of who is alleged to have perpetrated abuse or neglect, registration of all CPS cases must be made in the parent's or legal guardian's name if the child **resides** with the parent or legal guardian.

**Registration of  
CPS Complaints  
While a Child is in  
Out-Of-Home  
Placement  
(Including  
Voluntary  
Placement)**

When CPS receives CA/N allegations against a child's parent (or other previous caretakers), and the alleged child victim is currently residing in an out-of-home placement (court-ordered out-of-home placement or voluntary arrangement made by the parent), the following steps must be taken to register the case:

- If the alleged incident occurred at a parent's (or other caretaker's) home, during a visit, or prior to the child entering out-of-home placement, enter the alleged perpetrator as the primary caregiver in MiSACWIS with that person's address as the case address.
  - List the alleged child victim as a non-household member.
  - List the non-household address as the address where the alleged child victim is currently residing.
  - The risk assessment must be completed as if the alleged child victim was still in the alleged perpetrator's home.
- If the alleged perpetrator of the CA/N is the foster parent or current caregiver, the case must be registered in name of the foster parent or current caregiver.

## Non-Household Members

Non-household members should only be added to a case when the non-household member is a person responsible for the health and welfare of the child and does not reside in the household or in the situation described above in the Registration of CPS Complaints While a Child is in Out-Of-Home Placement Or Other Voluntary Placement section. Persons who should be listed as a non-household member, include but are not limited to:

- The non-custodial parent.
- Other members of the non-custodial parent's home; for example: the spouse, children, etc.
- A nonparent adult who does not reside in the home.

Other persons important to the case but who are not persons responsible for the health and welfare of the child should not be listed as non-household members. These persons may be grandparents, other relatives, etc. These persons may be resources/support for the family and/or possible placements for a child if out-of-home placement is necessary. Names, contact information and social work contacts for these persons must be documented.

## CASE RECORD ORGANIZATION

Complaints received after the implementation of MiSACWIS do not require a paper case record. All the case record information will be stored electronically in MiSACWIS. Any documents received from external sources (such as medical reports, police reports, etc.) should be scanned into MiSACWIS as an electronic file. Local offices must keep original copies of documents received from external sources in a paper case record organized chronologically if they are not scanned into MiSACWIS.

**Exception:** Local offices must keep all original court orders.

For cases existing prior to MiSACWIS implementation, the CPS case file must be organized as follows:

## Investigative Documents Packet

- Referral [Complaint] Report.

- DHS-3200, Report of Actual or Suspected Child Abuse or Neglect.
- Investigative Report face sheet.
- DHS-154, Investigation Report.
- Initial Safety Assessment .
- DHS-140, CPS Exception Documentation.
- Evidentiary documents.
- Pictures.
- Tapes/discs.
- DHS 860, CPS Support Person Letter.
- Investigation checklist.
- Complaints rejected for investigation by CPS.
- Written permission to view buttocks; see PSM 713-03, Face-to-Face Contact, Visual Assessment section.

### Services Packet

- Needs and Strengths Assessment comments.
- Service Agreement.
- DHS-152, Updated Services Plan/Closing Report.
- Risk Assessment/Re-Assessment.
- Safety Reassessment.
- Needs and Strengths Assessment/Re-Assessment.
- DHS-123, Community Resource Referral Letter.

### Forms Packet

DHS-93, Examination/Authorization/Invoice for Services.

### Legal Packet

- Petitions.
- Court orders.
- Summons/subpoenas.
- Family Division of Circuit Court forms.

- Other legal documents, including consents to release information.
- Information from friend of the court.
- Administrative hearing documents.

#### **Law Enforcement Packet**

- Police reports.
- DHS-269, Criminal History Information Request.
- Other law enforcement documents.

#### **Medical/School Reports Packet**

- Medical reports.
- Psychological and psychiatric evaluations.
- School reports.
- Individual Educational Planning (IEP) report.

#### **Purchase of Service Referrals/Reports Package**

- Service referrals.
- Homemaker reports.
- Parent Aide reports.
- Families First reports.
- Other provider reports.
- Counseling reports.
- Substance abuse assessment and treatment reports.
- Drug screening reports.

#### **General Correspondence Packet**

- Letters.
- Reporting person notification letter.
- Perpetrator notification letter.
- Other correspondence, including fax and email.
- Miscellaneous.

Records originating from separate complaints must be consolidated with each other in chronological order, arranged as indicated above, as much as possible in a single case file. The files must be maintained in the local office where the family lives and are only to

be transferred when the family moves; see PSM 716-2, When Families in CPS Cases Move or Visit out of County.

### CPS Case Record Retention

The Child Protection Law (MCL 722.628(11)) requires that all CPS complaints and case file information on cases which have **not** been entered on central registry, including intake, investigation, and services case records, must be retained for 10 years from the date of receipt of the complaint or until the child about whom the complaint is made reaches 18 years of age, whichever is later.

CPS case file information on cases which **have** been entered on central registry must be retained until DHS receives reliable information that the perpetrator of the abuse or neglect is dead.