

## DEPARTMENT OF SOCIAL SERVICES

## CHILDREN'S DIVISION

P. O. BOX 88

JEFFERSON CITY, MISSOURI

May 27, 2010

## M E M O R A N D U M

**What's Inside:**  
Reaching a Conclusion in  
a Child Abuse/Neglect  
Investigation

TO: REGIONAL EXECUTIVE STAFF, CIRCUIT MANAGERS, AND  
CHILDREN'S DIVISION STAFF

FROM: PAULA NEESE, DIRECTOR

SUBJECT: REACHING A CONCLUSION IN A CHILD ABUSE/NEGLECT  
INVESTIGATION

## DISCUSSION:

The purpose of this memorandum is to inform staff that updates have been made to the Child Welfare Manual to reflect the legal aspects of reaching a conclusion in a Child Abuse/Neglect (CA/N) Investigation. These revisions have been made in accordance with Missouri statute, case law, and the recently completed statewide legal aspects training.

The revisions to [Section 2 Chapter 4.1.8 Reaching a Conclusion](#) include the following:

- Clarifications regarding the types of conclusions which may result from a CA/N Investigation;
- Legal definitions which include:
  - child abuse and child neglect
  - the definition of care, custody and control
  - a description of the legal elements of child abuse and neglect, and
  - the legal definition and application of the Preponderance of Evidence (POE) standard;
- A standardized conclusion framework which has been developed for use in **all** CA/N Investigation conclusions in which the Division enters a preliminary determination of child abuse or child neglect by a POE;
- An outline of steps to be taken prior to concluding a reported concern as "located out of state"; and,
- Clarification regarding court adjudication, and the application of a court adjudicated finding to a CA/N Investigation.

Effective the date of this memorandum, staff must use the standardized conclusion outlined in policy for all CA/N Investigations in which staff are entering a preliminary determination of child abuse or child neglect by a POE. Staff should also include other

pertinent information in the CA/N Investigation conclusion in addition to the prescribed statement of facts in an effort to summarize the family’s identified strengths, needs, level of risk, etc. However, the standardized conclusion is the only portion of the conclusion that should be documented on the CA/N Disposition Form Letter for Parents, Non-Custodial Parents, and Alleged Perpetrators (CS-21).

<b>NECESSARY ACTION</b>	
<ol style="list-style-type: none"> <li>1. Review this memorandum with all Children’s Division staff.</li> <li>2. Review revised Child Welfare Manual chapters as indicated below.</li> <li>3. All questions should be cleared through normal supervisory channels and directed to:</li> </ol>	
<b>PDS CONTACT</b> Scott B. Montgomery, PDS 573-526-5408 <a href="mailto:Scott.B.Montgomery@dss.mo.gov">Scott.B.Montgomery@dss.mo.gov</a>	<b>PROGRAM MANAGER</b> Dena Driver 573-751-3171 <a href="mailto:Dena.D.Driver@dss.mo.gov">Dena.D.Driver@dss.mo.gov</a>
<b>CHILD WELFARE MANUAL REVISIONS</b> <a href="#">Section 2 Chapter 4.1.8 Reaching a Conclusion</a>	
<b>FORMS AND INSTRUCTIONS</b>	
N/A	
<b>REFERENCE DOCUMENTS AND RESOURCES</b>	
N/A	
<b>RELATED STATUTE</b>	
§210.110 RSMo; §210.165 RSMo; State of Missouri v. Moran, WD 69397 (MoApp.W.D. 2009)	
<b>ADMINISTRATIVE RULE</b>	
N/A	
<b>COUNCIL ON ACCREDITATION (COA) STANDARDS</b>	
<b>CHILD AND FAMILY SERVICES REVIEW (CFSR)</b>	
N/A	
<b>PROTECTIVE FACTORS</b>	
Parental Resilience - N/A Social Connections - N/A Knowledge of Parenting and Child Development - N/A Concrete Support in Times of Need - N/A Social and Emotional Competence of Children - N/A	
<b>FACES REQUIREMENTS</b>	
N/A	