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| DCF | COMMONWEALTH OF MASSACHUSETTS ~ DEPARTMENT OF CHILDREN AND FAMILIES | |
| | Policy Name: CASE CLOSING POLICY | |
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CASE CLOSING POLICY

NOTE: Throughout this policy, the terms “child” and “children” are used as general and inclusive terms to mean child/youth/young adult.

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I. POLICY

Generally, case closing is the formal recognition that Department involvement is no longer needed. The necessary changes to meet and sustain child safety, permanency, and well-being have been achieved, and the child is safely able to live in a permanent setting (e.g. with parent(s), adoptive family, or guardian). Case closing activities must focus on child safety and well-being. In rare instances, cases may also close for other reasons.

This policy applies to closing a case that was opened: for family assessment and action planning following a protective intake response; due to a court order or referral; on a voluntary basis; or, as a Safe Haven case. *(NOTE: Protective cases are not opened until the 51B response is concluded, although the Department may end its involvement at that point.)*

Case Closing Recommendations are based on:

- A clinical assessment that documents that the reason(s) for initial and ongoing Department involvement have been addressed and that the parent(s)/caregiver(s) is able to provide for the child(ren)'s safety and well-being now and in the future; and
- A determination that the child(ren) is now residing in a safe, stable, permanent setting; and
- Contacts with collaterals (including other agencies that will continue to work with the family) and others in the family's network of support to confirm the sufficient progress made by the family in establishing and maintaining child safety and well-being; or
- The child and/or family are no longer eligible for service from the Department.

II. PROCEDURES

A. ROLES AND RESPONSIBILITIES

- **Social Worker**, in consultation with the Supervisor, identifies cases for closure, prepares the Case Closing Recommendation, and works with the family, child, their support network, and service providers to plan for case closure.
- **Supervisor** ensures that all case closing activities have been completed, reviews the Case Closing Recommendation, and forwards it to the Area Program Manager (APM).
- **Area Program Manager (APM)** reviews and approves the Case Closing Recommendation.
- **Area Director/Designee** ensures that cases are closed in accordance with Department policies and procedures.

B. PROCEDURES: CASE CLOSING RECOMMENDATION AND APPROVAL

Identify Reason for Closure

1. The Social Worker discusses with the family and consults with the Supervisor about case closure.

Generally, cases are recommended to the Area Program Manager (APM) for closure when Department involvement is no longer necessary to support and sustain child safety and well-being. The Social Worker and Supervisor, in discussion with the family/young adult, identify a case for closure for one of the following reasons:

(See next page)

CASE CLOSING REASONS

Permanency Achieved at Home

1. The **family has been stabilized** and the child(ren) is living safely at home.
2. The **child(ren) has been safely reunified with the family** for at least a 6 month period following out-of-home placement.
3. **Child Requiring Assistance custody has been dismissed** by the court, and no further Department involvement is needed.
4. The child or young adult has secured **services from another agency** for more than 30 calendar days and no longer needs Department involvement.
5. A **voluntary applicant** has withdrawn the application for services.

Permanency Achieved in Other Setting

6. The child(ren) has been **adopted**, i.e., child's adoption has been legalized.
7. The child(ren) has a **permanent legal guardian**, i.e., the guardianship has been legalized.
8. The child(ren) is in the **permanent custody of kin**.
9. **Parental rights have been terminated**, no other child lives with the parent(s) and Department involvement with the parent(s) is no longer needed.

Closing a Young Adult

10. The young adult who had chosen to **sustain connection** with the Department, is living successfully in the community, transition plan is complete, and a lifelong connection identified.
11. The **young adult has turned 22**, no extension has been granted, transition plan is complete, and a lifelong connection identified.
12. The young adult who has been in Department care or custody has reached age 18 or older, has **declined to sustain Department connection**, transition plan is completed, and a lifelong connection identified.
13. The young adult age 18 or older **does not meet/no longer meets the criteria** for a sustained Department connection, transition plan is completed, and a lifelong connection identified.

Other Closure Reasons

14. The **youngest child in the family turned 18**, and Department involvement with the parent(s) is no longer legally required.
15. **Whereabouts of family unknown** despite reasonable efforts to locate the family.
16. The family **declines Department involvement**, and the Department has determined that there is insufficient basis for legal action.
17. The Department is the receiving Interstate Compact on Placement of Children (ICPC) state, and the reason for the **ICPC request/referral is resolved**.
18. The **first response opening the case has been reversed**. See below, B. Case-Specific Closing Considerations, #8.
19. The only Department-involved **child in the family has died**; no further Department involvement is needed.
20. The family has **moved out-of-state**, and none of the family's children is in Department placement.
When a family in an open case moves out-of-state and the Department has concerns about risk to the child(ren), the Social Worker, in consultation with the Supervisor, shall file a report of child abuse or neglect with the child protective service agency in the new home state.

Update the Electronic Case Record

2. The Social Worker updates the electronic case record, including but not limited to:
 - demographic information (DOBs, address, relationships, preferred language, school enrollment, etc.);
 - medical and behavioral health information; and

- contact information for current contracted and community providers.
- Contact Collaterals**
3. The Social Worker:
 - contacts collaterals and community providers engaged with the family/young adult (including Department clinical specialists who may have been involved in case planning);
 - discusses the progress made toward the child(ren)'s safety, permanency, and well-being and the anticipated case closing; and
 - documents the discussions and information received in the electronic case record.
- Plan with Other State Agency**
4. When a child(ren), young adult or parent/caregiver is involved with or receiving services from another state agency, the Department notifies the state agency at least 30 calendar days in advance of the anticipated closing. The Social Worker participates in a collaborative planning process which may occur remotely or in person. A Case Closing Recommendation should be sent to the APM after the client has been open with the other state agency for at least 30 calendar days.
- Manage Service Referrals, Including Supportive Child Care**
5. The Social Worker arranges for all Department service referrals to be closed, unless an eligible consumer, family member, or young adult has requested a fair hearing prior to the date of closing. (See [Fair Hearing Office and Grievance Policy](#)). When needed, the Social Worker, in consultation with the Supervisor and with the approval of the APM, may request that Supportive Child Care continue for a transitional period following case closing.
- Prepare Family and Child(ren)/Youth/Young Adult**
6. The Social Worker meets and discusses with family members (and documents in the electronic case record):
 - the upcoming transition from formal involvement with the Department;
 - the transition plan for young adults age 18 and older (See Permanency Planning Policy);
 - the identification of a lifelong connection for young adults age 18 and older;
 - how and when contacts by the Social Worker and, as applicable, Department-provided services and court involvement will end;
 - the end of Department-provided services and how any future needs can be addressed by accessing formal and informal community supports; and
 - the rights of the parent(s)/guardian(s) and child or the young adult to appeal the case closing decision by requesting a fair hearing, if applicable.
- Provide Required Follow-Up Information**
7. At a minimum, the Social Worker provides the parent(s)/guardian(s) or young adult age 18 or older who has been in Department care or custody and whose case is closing:
 - A copy of the medical passport;
 - Educational records and transcripts; and
 - Personal photographs and letters from the Department's records.

The Social Worker also arranges for each youth whose case is closing at age 18 and each young adult whose case is closing, to receive the following documents that are not already in the youth/young adult's possession:

- An original birth certificate;
 - Original Social Security card;
 - MassHealth card;
 - Medical records;
 - Driver's license or Massachusetts identification card, if eligible to obtain card;
 - Immigration documents, if any;
 - Health care proxy; and
 - The youth/young adult's most recent credit report available to the Department.
- Create Subsidy Case** 8. When an adoption or guardianship subsidy will be paid, the Social Worker creates the applicable subsidy case, and the Supervisor transfers the new subsidy case to the subsidy administrator in the Department's Central Office. (See [Adoption Subsidy Policy](#) and [Guardianship Subsidy Policy](#))
- When Family Moves Out-of-State, Report to Child Protective Services** 9. When concerns exist regarding the safety of and/or risk to the child, the Social Worker, in consultation with the Supervisor, must file a report of child abuse or neglect with the child protection agency in the new home state. This is documented in the electronic case record.
- Prepare Case Closing Recommendation** 10. The Social Worker prepares a Case Closing Recommendation in accordance with Appendix A, or if the case will be closed following an initial or updated Family Assessment and Action Plan (FAAP) with the recommendation of No Further Agency Involvement, the family assessment summary and clinical formulation section of the FAAP must address the information required by Appendix A and will substitute for the Case Closing Recommendation.
- Supervisor Submits Recommendation to APM** 11. The Supervisor reviews the Case Closing Recommendation and related case record materials, and within 7 working days, submits the case to the APM for case closing approval.
- APM Reviews Recommendation** 12. The APM reviews the Case Closing Recommendation and related case record materials, and within 7 working days, determines whether the Case Closing is approved:

| Case Closing Recommendation APPROVED | Case Closing Recommendation NOT Approved |
|--|--|
| <p>The Social Worker:</p> <ul style="list-style-type: none"> • receives an electronic notification of the APM's approval; and • sends the applicable notification letter to the family or young adult; and • enters the date the letter was sent in the electronic case record. <i>[NOTE: This step initiates the appeal time frame and sets the date when the electronic case record will close, as applicable.]</i> | <ul style="list-style-type: none"> • The APM specifies in the case record why closing was not approved and shall also identify additional activities or decisions that are required before the case may be closed. • Case management responsibility remains open with the Supervisor and Social Worker until the Case Closing Recommendation is approved by the APM. |

C. PROCEDURES: POST- APPROVAL ACTIVITIES

Notify the Family/ Young Adult, in Writing, of Case Closing/Right of Appeal

1. When the Social Worker receives the electronic notification that the APM has approved the Case Closing Recommendation, the Social Worker sends the applicable written notification to the family or young adult of the planned case closing, enters the date the letter was sent in the applicable section of the electronic case record, and places a copy in the case record. *[NOTE: This step initiates the appeal time frame and sets the date when the electronic case record will close, as applicable.]*

The written notification may be personalized but at a minimum shall include:

- the specific date formal Department involvement will end;
- the reason(s) the case is being closed;
- contact information for current service providers and supports;
- information on how to reconnect with the Department, if applicable; and
- the right of each family member or young adult who is a Department consumer to appeal the case closing decision through a fair hearing, if applicable. To prevent closing of the case, the request for a fair hearing must be received by the Department, as applicable:
 - within 14 calendar days after receipt of the written notification by the **family**; or
 - within 30 calendar days after receipt of the written notice by the **young adult**.

NOTE: Consumer parents do not have a right to appeal the case closure when the case is being closed in any of the following circumstances:

- (a) a court has terminated their parental rights;
- (b) a court has granted permanent custody or guardianship of the child(ren) to someone other than them or the Department; or
- (c) their youngest child is turning age 18.

If a parent appeals the termination of their parental rights through the court process, the Area Director/designee convenes a case conference with applicable staff to determine whether to continue providing services to the parent pending the outcome of the appeal.

(See [Permanency Planning Policy](#) and [Family Assessment and Action Planning Policy](#))

Can Not Locate Family/Young Adult

2. When a family/young adult cannot be located, the Social Worker shall send the applicable notification of case closing letter to the last known address both by regular and certified mail with return receipt requested. The date any return receipt is received is documented in the electronic case record, and the receipt is placed in the physical case record.

Appeal Period; Home Visit Not Required

3. **A home visit is not required during the appeal period.** Once the applicable 14 or 30 day period has concluded and no request for a fair hearing has been received by the Department, the case will automatically close. If a fair hearing is requested within the applicable

time period, the case must remain open until the fair hearing is resolved.

C. PROCEDURES: CLOSING SPECIFIC CASES - The following chart identifies actions required before closing certain cases:

| CASE-SPECIFIC CLOSING CONSIDERATIONS | |
|---|---|
| 1. <i>Following Out-of-Home Placement</i> | <ul style="list-style-type: none">• The case must remain open for the first 6 months after a child(ren) returns home following placement.• The Area Director/designee must approve any recommendation to close the case before 6 months and document the decision, date, and reason(s) in the electronic case record. |
| 2. <i>After Adoption or Guardianship Legalization</i> | <ul style="list-style-type: none">• All post-legalization activities must be completed prior to closing.• For those children who will receive a Department subsidy, the subsidy case must have been created and transferred to the Central Office subsidy unit. <p><i>[NOTE: The Department does not seek legalization/finalization of an adoption or guardianship before a child has lived in the home of the adoptive parent(s) or guardian(s) for at least 6 months. (See Permanency Planning Policy, Adoption Subsidy Policy and Guardianship Subsidy Policy)]</i></p> |
| 3. <i>Youth Turning 18/Young Adult</i> | <ul style="list-style-type: none">• The final discharge and transition planning process must begin no later than 90 calendar days prior to closing.• The process must include notification of the youth's right to sustain or reapply for Department involvement. <p>(See Permanency Planning Policy)</p> |
| 4. <i>Other State Agency Involvement.</i> | <ul style="list-style-type: none">• The Department must notify the involved state agency prior to closing the case.• It must also engage in collaborative planning to support sustained child safety and family stability. <p><i>[NOTE: The decision to close a case with the Department does not require approval by another state agency, and this notice is a courtesy to allow for collaborative planning between agencies.]</i></p> |
| 5. <i>Cases with Special Restrictions.</i> | <ul style="list-style-type: none">• Department cases of young adults who have disabilities will not be closed when there is a "688" referral in process (transition planning services for young adults). (See MGL c. 71B, §§ 21A-21C)• The Department will not close the cases of youth/young adults who have an open immigration referral. |
| 6. <i>Cases that Cross State Lines.</i> | <ul style="list-style-type: none">• For families/child(ren) who move out-of-state, the Social Worker, in consultation with the Supervisor, shall file a report with the other state's child protective service agency, if indicated (i.e., concerns remain about child safety or future risk).• When a child(ren) in DCF custody is placed in another state under the ICPC (Interstate Compact on the Placement of Children), the Department cannot end its custody or close its case without the agreement of the other state. |
| 7. <i>When a Family Cannot Be Located or Declines Department Involvement/Services.</i> | <ul style="list-style-type: none">• The Department must make reasonable casework efforts to locate or engage a family before recommending case closure (see Family Assessment and Action Planning Policy; In-Home Casework Policy; and Permanency Planning Policy).• The Supervisor ensures reasonable casework efforts have been made and documented before submitting a Case Closing Recommendation.• The APM verifies that the reasonable casework efforts made to locate or engage a family are documented before approving a Case Closing Recommendation. |
| 8. <i>After a Reversal of the First Response Opening the Case.</i> | |

- The Department may close the case without completing the Family Assessment and Action Plan (FAAP), as long as the reversal occurs before the FAAP is due.
- The response decision which opened the family's case must be reversed for all allegations and on all identified perpetrators.

D. PROCEDURES: CLOSING COURT-INVOLVED CASES

Arrange for Dismissal/Closure of Court Case

1. In seeking case closure for a case involving a court-involved family, the Social Worker begins the closing process by asking the assigned Department Attorney to file the necessary motion(s) to return custody of the child(ren) to the parent(s) when the child(ren) has been reunified with a parent. This also applies to child(ren) in Department custody who have been detained by or committed to the Department of Youth Services (DYS).

The Department Attorney may also request dismissal of the court case at the same time, if appropriate, or at a later date.

If the motion(s) is granted, the Social Worker proceeds with case closing activities in accordance with this policy. If the motion(s) is not granted, the Department's case must remain open until the court returns custody of the child(ren) to the parent(s) and the court case is dismissed or closed.

NOTE – Court Dismisses Case: If a court acts on its own to dismiss the case that is before it, the Social Worker, in consultation with the Supervisor, may determine that Department involvement is still necessary to support and sustain child safety, permanency, and well-being and not pursue closing of the Department's case.

NOTE – Cases Involving TPR, Guardianship or Third Party Custody: A family's case may be closed after either a voluntary or involuntary termination of parental rights (TPR), a permanent guardianship is allowed or upon the court granting permanent custody to a third party and for which the appeal period has passed, even if a child(ren) is open in a different case (e.g., child's adoption case), as long as no other child(ren) lives in the home of the parent(s).

Arrange for Dismissal/Closure of Court Case When Child Resides Out-of-State

2. When the Department has placed a child in its custody in another state under the Interstate Compact on the Placement of Children (ICPC), the Department cannot end its custody or close its case without the agreement of the other state. When a child's permanency plan is either adoption or guardianship and the permanent placement is outside of Massachusetts, the Department must seek agreement with the child protection agency in the state where the child is residing before the adoption or guardianship may be legalized. Once agreement is reached, the adoption or guardianship can be legalized, and the Department may close its case in accordance with this policy.

Appendix A – Case Closing Recommendation

The Case Closing Recommendation is a clinical formulation derived from the updated Family Assessment and Action Plan, and contact with collaterals, family members, and other service providers. The Recommendation provides a written summary of: why the case is ready to be closed; the progress made to address the reason(s) the case has remained opened; and how the safety, permanency, and well-being of the child(ren) will be sustained over time after closing. The Case Closing Recommendation has the following sections:

1. Family Functioning and Parental/Caregiver Capacities

- Summarize the progress made to address the reason(s) the Department became and/or stayed involved and why the case is ready to close.
- Describe the parent(s)/caregiver(s) ability to maintain child(ren)'s safety and well-being, including the assistance, supports, and any safety plan that will be in place, as applicable.
- Describe the parent(s)/caregiver(s) reactions to case closing.

2. Child Safety, Permanency, and Well-Being

- Describe the child(ren)'s current functioning including: legal status; where they are living and with whom; connections to family, including siblings and grandparents; visibility in the community; current school; child care; work status; relationships with peers, if relevant; and physical, social, and emotional health.
- Summarize the services and supports in place to sustain child safety and well-being.
- Describe child(ren)'s reactions to case closing.

3. Contact with Family Members (if applicable), Service Providers, and Other Collaterals

- List those consulted and the service/support they provide, summarize contacts with them, and describe the impact of the Department's case closing on their continued availability to support the safety and well-being of the child/young adult.

4. Additional Information for Case-Specific Situations

The chart below identifies sources to consult about additional actions and information that must be addressed in the case practice and Case Closing Recommendation for certain cases:

| Specific Case Situation | Sources to Consult Re: Specific Actions and Information to be Addressed |
|--|---|
| Adoptive Placement is Approaching Legalization | Permanency Planning Policy , Section I – Adoption Legalization |
| Placement with Legal Guardian(s) is Approaching Legalization | Permanency Planning Policy , Section I – Achieving Permanency through Guardianship, “Guardianship Legalization” |
| Young Adult is Transitioning to Living Independently in the Community | Permanency Planning Policy , Section I – Permanency Planning for Youth in Department Placements |
| Youth/Young Adult Determined by Court to be Incapacitated | Permanency Planning Policy , Section I – Permanency Planning for Youth in Department Placements, “Sustaining Department Connection with Young Adults, C. Procedures: Planning for Sustained Department Connection” <i>[NOTE: The Social Worker/Supervisor must consult with the Department Attorney before requesting that the Department become the guardian for an incapacitated youth/young adult.]</i> |

Appendix B – What Happens When DCF Closes a Case

