

Agreement Between the Superior Court,
Metropolitan Police Department, the Corporation Counsel,
the LaShawn General Receivership on Behalf of the Child and
Family Services Agency of the Department of Human Services and
the Department of Human Services Youth Services Administration

I. PREAMBLE

The purpose of this Agreement is to expedite communication between the Superior Court and agencies responsible for locating and returning missing children who are the subjects of custody orders issued by judicial officers under D.C. Code § 16-2301(9) *et seq.* (i.e. neglected and abused children) and §§ 16-2309 *et seq.* (1981 & 1996 Supp.) (i.e., delinquent children).

II. GENERAL TERMS AND CONDITIONS

A. METROPOLITAN POLICE DEPARTMENT

1. The Metropolitan Police Department (hereafter MPD) will refer reports of missing or absconding children in the neglect system made by foster parents or group homes directly to the Abscondence Unit of the Child and Family Services Agency of the Department of Human Services (hereafter CFSA), managed by the LaShawn General Receivership (hereafter LGR). The MPD through its officers in the station houses shall attempt to locate children in coordination with the CFSA Abscondence Unit or assigned agency worker.

2. The MPD will refer to its Abscondence Unit reports from parents or from personnel of shelter and group homes of missing or absconding children under the jurisdiction of the Youth Services Administration of the Department of Human Services (hereafter YSA).

3. Currently, the Youth and Family Services Division of MPD has assigned two officers to the MPD Abscondence Unit whose working hours are 5 A.M. to 1 P.M. Monday to Friday. Effective the date this Agreement is signed, the Youth and Family Services Division of the MPD will assign at least four officers to the MPD Abscondence Unit on staggered shifts so that officers are more available to attempt to locate missing or absconding children. MPD will provide officers on duty with the Abscondence Unit with pagets to expedite communication with social workers, guardians, parents, caretakers, and other appropriate individuals. Following 60 days from the signing of this Agreement, MPD will reevaluate the number of officers allocated to executing custody orders and, if necessary, will request additional officers to be assigned to the Abscondence Unit

The outreach workers will work rotating schedules as follows:

Outreach Worker # 1	Monday-Friday	2 P.M.-10 P.M.
Outreach Worker # 2	Tuesday-Saturday	2 P.M.-10 P.M.
Outreach Worker # 3	Sunday-Thursday	2 P.M.-10 P.M.

The Outreach staff will be located at 2804 Martin Luther King Jr. Avenue, S.E., Washington, D.C., 20032, a 24-hour facility. The CFSA Abscondence Unit Outreach Workers will take an aggressive approach to locating missing and absconding children.

3. When a child under the supervision of CFSA is missing or absconding, vendors and foster parents shall notify the MPD and the social worker assigned to the case. Vendors and foster parents shall notify MPD within one hour of learning that the child is gone. Immediately after notifying MPD, vendors and foster parents shall notify the CFSA social worker assigned to the case or a supervisor during regular business hours (9 A.M. to 5 P.M.). Such social worker or supervisor shall notify the CFSA Abscondence Unit or its designee of the need to promptly complete and file a request for a custody order for the child.

On workdays after regular business hours and on weekends and holidays, vendors and foster parents shall directly notify the CFSA Abscondence Unit or its designee within one hour of learning that the child is gone. This paragraph also covers missing children under the supervision of Court Social Services Division (hereafter CSSD) when the child is in shelter care.

4. The CFSA Abscondence Unit Liaison Social Worker will be responsible, during regular business hours (see supra Section B.2.) for submitting requests for custody orders, based on reasonable grounds, to the Office of the Juvenile and Neglect Clerk of the Family Division (hereafter Juvenile/Neglect Clerk). The requests for custody orders shall be filed within one hour of notice to the CFSA Abscondence Unit Liaison Social Worker will be responsible for maintaining records of each request for a custody order filed with the Juvenile/Neglect Clerk. A copy of each request for a custody order shall also be sent contemporaneously to the Corporation Counsel by fax.

5. The Outreach staff will fax the request for a custody order to the Juvenile/Neglect Clerk by 7 A.M. the following business day, including Saturdays and holidays.

6. The CFSA Abscondence Unit will provide training to contractors, vendors, and foster parents pertaining to implementation of this Agreement.

7. Upon return of a child to CFSA by anyone, the CFSA Abscondence Unit Liaison Social Worker shall enter the appropriate comment into WALES. The CFSA Abscondence Unit Liaison Social Worker shall also provide notification to the

Juvenile/Neglect Clerk by fax and hard copy, as well as a fax to the Corporation Counsel, indicating that the child has been found (Ex. C).

8. The CFSA Abscondence Unit Liaison Social Worker will notify the attorney of record and the custodians after a child has been found.

9. CFSA will provide placement and other services to missing/absconding children who have been found when a child is brought to 625 H Street, N.E., Washington, D.C. 20002 after normal business hours (4:45 P.M. on weekdays and anytime on weekends and holidays). Intake will notify the Outreach team who will be responsible for providing a safe placement for the child. Once the Outreach worker has notified the assigned social worker for the child of a child's return, that assigned worker will coordinate continued services to the child.

10. Upon return of a child by anyone, if placement must be changed, the Corporation Counsel shall be informed by the CFSA Abscondence Unit Liaison Social Worker. The Corporation Counsel shall then notify the assigned Judge and request an emergency hearing. If the assigned judge is not available, the case shall be processed through the New Referrals courtroom (JM-10).

11. The CFSA Abscondence Unit as well as the LGR will maintain ongoing contact with all signatories to this Agreement to assure cooperation and compliance.

C. COURT SOCIAL SERVICES DIVISION (CSSD): Children in the Neglect and Abuse System.

1. CSSD will request and monitor the execution of custody orders issued for cases under its supervision when the child is residing at home or with a third-party custodian.

2. When a child under the supervision of CSSD who is in shelter care is missing or absconding, vendors and foster parents will notify the MPD and the CFSA social worker assigned to the case. Vendors and foster parents shall notify MPD within one hour of learning that the child is gone. Immediately after notifying MPD, they shall notify the CFSA social worker assigned to the case or a supervisor during regular business hours (9 A.M. to 5 P.M.). Such social worker or supervisor shall notify the CFSA Abscondence Unit or its designee of the need to promptly complete and file a request for a custody order for the child. Such social worker also will notify the CSSD worker assigned to the child of the child's absence.

On workdays after regular business hours and on weekends and holidays, vendors and foster parents shall directly notify the CFSA Abscondence Unit or its designee within one hour of learning that the child is gone.

3. The CFSA Abscondence Unit Liaison Social Worker will be responsible, during regular business hours (see *supra* Section B.2.) for submitting requests for custody orders based on reasonable grounds to the Juvenile/Neglect Clerk. Requests for custody orders shall be filed within one hour of notice to the CFSA Abscondence Unit that a child is missing. The CFSA Abscondence Unit Liaison Social Worker will be responsible for maintaining records of each request for a custody order filed with the Juvenile/Neglect Clerk. A copy of each request for a custody order shall also be sent contemporaneously to the Corporation Counsel by fax.

4. When a child under the supervision of CSSD, who is in third-party placement or protective supervision, is missing or absconding, caretakers shall notify the MPD and the CSSD Social Worker assigned to the case. Caretakers shall notify the MPD within one hour of learning that the child is gone. Immediately after notifying the MPD, they shall notify the CSSD worker assigned to the case or a supervisor during regular business hours (9 A.M. to 5 P.M.). The CSSD Social Worker shall, within one hour of notice of a missing or absconding child, file a request for a custody order, based on reasonable grounds, to the Juvenile/Neglect Clerk.

During the week, after regular business hours, after 3 P.M. on Saturday, and on Sundays, a caretaker reporting a missing or absconding child will notify CSSD Central Processing at 409 E Street, N.W., Washington, D.C. 20001. The phone number is (202) 508-1841 or 508-1961. On holidays from 8:00 A.M. to 10:30 A.M. and on Saturdays from 8 A.M. to 3 P.M., caretakers shall notify CSSD at the Intake Unit located at the Superior Court, 500 Indiana Avenue, N.W., Room 4206, Washington, D.C. 20001. The phone number is (202) 879-1294 or 879-1936. Within one hour of notice to CSSD that a child is missing or absconding, the CSSD representative at Central Processing shall, based on reasonable grounds, file a request for custody order with the Juvenile/Neglect Clerk.

5. When a child under the supervision of CSSD who is not in shelter care absconds or is missing, the probation officer assigned to the child's case will take an aggressive approach to locate the child.

6. CSSD will be responsible for maintaining a record of each request for a custody order that is filed.

7. Upon return of a child by anyone, if the placement must be changed, the probation officer shall notify the assigned Judge and request an emergency hearing. If the assigned Judge is not available, the case shall be processed through the New Referrals courtroom (JM-10).

8. CSSD will maintain ongoing contact with all signatories to this Agreement to assure cooperation and compliance.

D. CSSD: Children in the Juvenile Delinquency System.

1. CSSD will request and monitor the execution of custody orders issued in juvenile delinquency cases under its supervision when the child is (a) residing at home; (b) with a third-party custodian; or (c) on home detention. YSA shall request and monitor the execution of the custody orders for missing and absconding children under the supervision of CSSD who are in shelter care or in detention. (see *infra* Part II.E.).

2. When a child under the supervision of CSSD, who is (a) at home; (b) with a third-party custodian; or (c) on home detention is missing or absconding, caretakers shall notify the MPD and the CSSD Social Worker assigned to the case. Caretakers shall notify the MPD within one hour of learning that the child is gone. Immediately after notifying the MPD, they shall notify the CSSD worker assigned to the case or a supervisor during regular business hours (9 A.M. to 5 P.M.). The CSSD Social Worker shall, within one hour of notice of a missing or absconding child, file a request for custody order, based on reasonable grounds, to the Juvenile/Neglect Clerk.

During the week, after regular business hours, after 3 P.M. on Saturday, and on Sundays, a caretaker reporting a missing or absconding child will notify CSSD Central Processing at 409 E Street, N.W., Washington, D.C. 20001. The phone number is (202) 508-1841 or 508-1961. On holidays from 8 A.M. to 10:30 A.M. and on Saturdays from 8 A.M. to 3 P.M., caretakers shall notify CSSD at the Intake Unit located at the Superior Court, 500 Indiana Avenue, N.W., Room 4206, Washington, D.C. 20001. The phone number is (202) 879-1294 or 789-1936. Within one hour of notice to CSSD that a child is missing or absconding, the CSSD representative at Central Processing or the Intake Unit Probation Officer shall, based on reasonable grounds, file a request for custody order with the Juvenile/Neglect Clerk.

3. When a child under the supervision of CSSD who is not in shelter care or detention absconds or is missing, the probation officer assigned to the child's case will take an aggressive approach to locate the child.

4. CSSD will be responsible for maintaining a record of each request for a custody order that it files.

5. Upon returning of a child by anyone, the clerk's office shall notify the assigned Judge and request an emergency hearing. If the assigned Judge is not available, the case shall be processed through the New Referrals courtroom (JM-10).

6. CSSD will maintain ongoing contact with all signatories to the Agreement to assure cooperation and compliance.

E. YOUTH SERVICES ADMINISTRATION: Children in the Juvenile Delinquency System and Children in Need of Supervision.

1. Effective the date of signing this Agreement, YSA will be responsible for filing requests for custody orders based on reasonable grounds and for monitoring the timely execution of those orders. The telephone number of the YSA facility requesting the custody will be indicated on the custody order.

2. When a youth assigned to shelter care, a group home, or a foster care placement is missing, a facility staff person shall notify MPD immediately. Within one hour after notice to MPD, a facility staff person shall file by fax a request for a custody order based on reasonable grounds with the Juvenile/Neglect Clerk at (202) 879-0099 or 737-0807. Subsequent to this action, a facility staff person also shall fax a copy of the request for a custody order to the Chief of the Diversion Division (hereafter CDD) or a designee at (202) 724-5067 and to the Corporation Counsel or designee at (202) 727-3745. This procedure will be followed during working hours (8 A.M. to 4:45 P.M.) Monday through Friday.

After working hours and on weekends and holidays, the facility staff person shall follow the same procedure described in the preceding paragraph except that in addition the facility staff person shall report the request for a custody order to the staff person on duty at the Stanton Group Home by telephone at (202) 645-4233.

3. When the youth is in detention, and it is ascertained that the youth is missing, the superintendent or Officer of the Day immediately shall notify MPD and police departments in other jurisdictions in accord with existing memoranda of understanding between such departments and YSA, and then shall promptly file a request for a custody order with the Juvenile/Neglect Clerk. (Ex. B).

4. YSA will provide training to contractors, vendors, and foster parents pertaining to implementation of this Agreement.

5. Upon return of a child to YSA by anyone, YSA shall notify the Juvenile/Neglect Clerk. YSA will immediately file a Request for Withdrawal of Custody Order (Ex.C).

6. When a juvenile or child in need of supervision is apprehended on a custody order by MPD, the child shall be taken, unless the Order says otherwise, to the Central Processing Unit at 409 E Street, N.W., Washington, D.C. 20001 (a) after 3 P.M. until 6 A.M. on weekdays; (b) after 2:30 P.M. on Saturdays until 6 A.M. on Monday; or (c) after 10:30 A.M. on holidays until the following morning. The child shall be taken to the Juvenile Cell Block at 500 Indiana Avenue, N.W., Washington, D.C. 20001 from 6 A.M. until 3 P.M. Monday through Friday and from 6 A.M. until 2:30 P.M. on Saturdays, and on holidays from 6 A.M. until 10:30 A.M. The Office of the Clerk of the Superior Court

shall notify the assigned Judge and request an emergency hearing. If the assigned Judge is not available, the case shall be processed through the New Referrals Courtroom (JM-10).

F. CORPORATION COUNSEL

1. The Corporation Counsel shall continue to provide a means for law enforcement officers, CFSA workers, and other individuals to request pre-petition custody orders upon sworn affidavit.

2. The Corporation Counsel may request post-petition custody orders on reasonable grounds, for children who are missing or in abscondence (without an affidavit).

3. The Child Abuse and Neglect Section of the Corporation Counsel's Office, located at 1 Judiciary Square, N.W., Room 6N50, Washington, D.C. 20001 (Telephone: (202) 727-4865/Fax: 727-3737) shall receive facsimile copies of requests for custody orders issued in neglect cases.

The Juvenile Section of the Corporation Counsel's Office, located at 451 Indiana Avenue, N.W., Room 220, Washington, D.C. 20001 (Telephone (202) 727-4868/Fax 727-3745) shall receive facsimile copies of requests for custody orders issued in delinquency cases in which respondents are alleged to be persons in need of supervision.

4. The Corporation Counsel shall make every effort to provide timely representation at unscheduled hearings precipitated by a child's presentment to court following the execution of a custody order.

G. SUPERIOR COURT, FAMILY DIVISION, JUVENILE, AND NEGLECT CLERK'S OFFICE

1. Upon receipt of a request for the issuance of a custody order made by any signatory to this Agreement, the Juvenile/Neglect Clerk will pull the case jacket, make the appropriate jacket entry and submit the Request, a Custody Order and the case jacket to the judicial officer assigned to the case, or in the absence of a particular judicial officer, to Judge-In-Chambers (Room 4220). Requests for the issuance of a custody order received on a Saturday or holiday shall be submitted to the judicial officer in New Referral Court (JM-10). The Juvenile/Neglect Clerk shall submit directly to Judge-In Chambers any requests for a pre-petition custody order made by the Corporation Counsel.

2. In extraordinary cases, where the agency responsible for the child or a police officer wishes to obtain a custody order outside of regular business hours, that agency or police officer may, through the Mayor's Command Center, request a custody order from the Emergency Judge. If the Emergency Judge signs the custody order, that judge shall provide a copy to the Judge-In-Chambers, on the next business day.

3. Upon receipt of a custody order signed by a judicial officer, the Juvenile/Neglect Clerk in Room 4310 shall enter into WALES all pertinent information pertaining to the custody order and file the case jacket in the appropriate secure file cabinet.
4. In cases where the custody order originates from the judicial officer without a request by CFSA, CSSD, or YSA, the Juvenile/Neglect Clerk shall notify by facsimile the agency responsible for the child and shall make the appropriate entry into WALES.
5. Upon receipt of a Request to Quash/Withdraw a custody order, the Juvenile/Neglect Clerk shall promptly pull the case jacket, make the appropriate jacket entry, and submit the Request and case jacket to the responsible judicial officer.
6. Upon receipt of a case jacket from the judicial officer, the Juvenile/Neglect Clerk shall check for appropriate entries pertaining to the withdrawal/quashing of the custody order and the appropriate entry into WALES. The Juvenile/Neglect Clerk shall notify by facsimile the agency responsible for the child and shall notify all parties and counsel. If the responsible judicial officer requires a hearing in connection with quashing the custody order, the Juvenile/Neglect Clerk shall notify all parties and counsel of the date, time, and location of the hearing.
7. All facsimile transmissions pertinent to the request for issuance or withdrawal/quashing of a custody order shall be faxed to the attention of the Juvenile/Neglect Clerk. The fax number is (202) 879-0099; the back-up fax number is (202) 737-0807 in case of a break-down in the original number; for other information pertaining to a custody order the telephone number is (202) 879-1319, and the back-up phone number is (202) 879-1633.
8. The Juvenile/Neglect Clerk shall work with all signatories to this Agreement to perform a monthly audit on cases for which each signatory to this Agreement is responsible.

H. CLERK OF THE COURT

1. All courtroom clerks are responsible for notifying the Juvenile/Neglect Clerk by promptly delivering the jacket directly to Room 4310 whenever a judicial officer issues a custody order. The courtroom clerk shall deliver the jacket by the end of the same day on which the custody order is issued.
2. The Clerk of the Court shall train courtroom clerks to follow this procedure.

I. OVERSIGHT

The representatives of the signatories to this Agreement will meet no later than 120 days after the date this Agreement is signed to determine whether any revisions should be made.

SIGNATURES:

SUPERIOR COURT

By: Eugene N. Hamilton
CHIEF JUDGE EUGENE N. HAMILTON

By: Ulysses B. Hammond
ULYSSES B. HAMMOND, ESQUIRE
EXECUTIVE OFFICER

CORPORATION COUNSEL

By: Jolene Robinson
JOLANNE ROBINSON, ESQUIRE
INTERIM CORPORATION COUNSEL

METROPOLITAN POLICE DEPARTMENT

By: Larry D. Soulsby
POLICE CHIEF LARRY D. SOULSBY

LASHAWN GENERAL RECEIVERSHIP
on behalf of the Child and Family Services Agency

By: Jerome Miller
DR. JEROME MILLER

DEPARTMENT OF HUMAN SERVICES YOUTH SERVICES
ADMINISTRATION

By: Wayne Casey
WAYNE CASEY, INTERIM DIRECTOR OF DHS

4. Upon locating a missing or absconding child in the Abuse and Neglect system, the police will take that child to 625 H Street, N.E., Washington, D.C. 20002. Juvenile delinquents apprehended on custody orders shall be processed pursuant to Section II.E.6. of this Agreement.
5. MPD will provide a data processing format allowing the Family Division of the Superior Court to enter neglect custody orders on a daily basis into the Washington Area Law Enforcement System (hereafter WALES).
6. When WALES is down, police dispatchers will check the hard copy printout on children for whom custody orders have been issued in response to inquiries from officers as to whether a custody order has been issued for a particular child. Daily printouts will be provided to police dispatchers by the MPD Information Services Division.
7. MPD will supply a WALES terminal to the CFSA Abscondence Unit. MPD will allow personnel in the CFSA Abscondence Unit to enter into WALES the appropriate command (e.g., "served") indicating that a particular child for whom a custody order has been issued has been found.
8. MPD will provide three WALES terminals for the Superior Court. These terminals are to be located: (1) in Room 4310, (2) at the Quality Control Office located in Room JM 400, and (3) in the Liason Office of YSA located behind JM-4.
9. MPD will provide two WALES terminals to the Corporation Counsel or designee (hereafter Corporation Counsel).
10. MPD will maintain ongoing contact with all signatories to this Agreement to assure cooperation and compliance.

B. CFSA ABSCONDENCE UNIT

1. Effective the date of signing this Agreement, LGR on behalf of CFSA will create a CFSA Abscondence Unit to which it will assign five full-time staff persons responsible for filing requests for custody orders, based on reasonable grounds (Ex. A), and to work in conjunction with the MPD's Youth and Family Services Division to ensure the timely execution of those orders.
2. The CFSA Abscondence Unit will consist of a CFSA Liaison Social Worker, and a team consisting of four outreach workers, one of whom will serve as Coordinator. The CFSA Liaison Social Worker will work from 9 A.M. to 5:30 P.M., Monday through Friday and will be located at 609 H Street, N.E., Washington, D.C. 20002. The telephone number is (202) 724-4433, the fax number is (202) 727-9400. The Outreach Team Coordinator will work a flexible shift Monday through Friday, two days a week from 10 A.M. to 6 P.M. and three days a week 1 P.M. to 9 P.M.