

Tailored Dispositional Orders

Combined CHIPS & Youth Justice

Department of Children & Families
Children's Court Improvement Program



PowerPoint can be found in your folder.

**Additional resource materials can be accessed at the following
website under Training Materials:**

www.wiccuptraining.com/resources/



Meet Your Trainers

DCF

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Please note that the information contained in this presentation is not meant to be construed as legal advice.

Any guidance provided should not override a judge's decision and authority.

Questions are welcome; however, CCIP and DCF are unable to provide input on individual cases.

Thank you!

Agenda 9:00am-3:00pm

- I. Introductions
- II. Background of TDO Project
- III. Research Highlights
- IV. Break (10 mins)
- V. Youth Justice: YASI
- VI. CHIPS: Child Safety
- VII. Lunch (30 mins)
- VIII. Tailored Dispositional Orders
 - SMART Goals
 - Examples
- IX. Break (10 mins)
- X. Facilitated Discussion
- XI. Next Steps



Introductions & County Practice

CHIPS Practices in Your County

What is working well in your county?

What are some areas that need improvement?

YJ Practices in Your County

What is working well in your county?

What are some areas that need improvement?



Project Background

Typical Practices in Wisconsin

1

Most counties have a standardized list of conditions that are boilerplate.

2

Most conditions are service-orientated and not behaviorally focused.

3

Conditions are written in a checklist format.

4

Conditions were either a lengthy paragraph or split up into many bullet points under each condition.

Goals of the Project

1

Tailor the conditions to meet the needs of the individual parent/youth

2

Increase parent/youth participation and engagement

3

CHIPS: Reduce the number of open cases and improve time to reunification

4

Youth Justice: Reduce conditions and recidivism by matching services to needs

Project Phases

Youth Justice Pilot

DCF started a Judicial Workgroup in 2017 that focused on Tailored and Effective Youth Justice Court Orders. It was piloted in Monroe and Rock counties

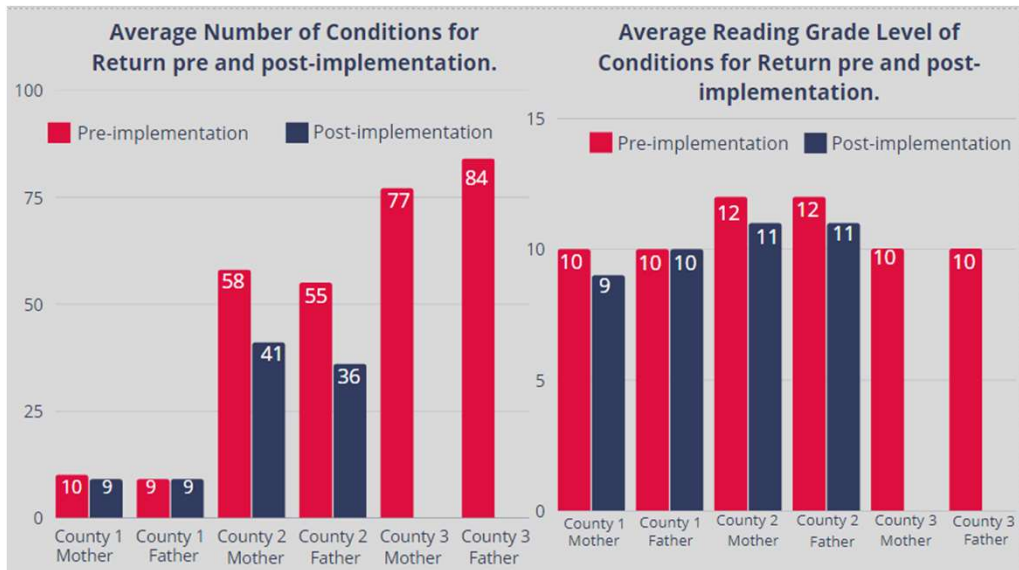
CHIPS Pilot

The Program Improvement Plan (PIP) involved the Tailored Dispositional Orders Project for CHIPS conditions. It was piloted in three counties - Barron, Manitowoc, and Waukesha

Tailored Dispositional Orders Project

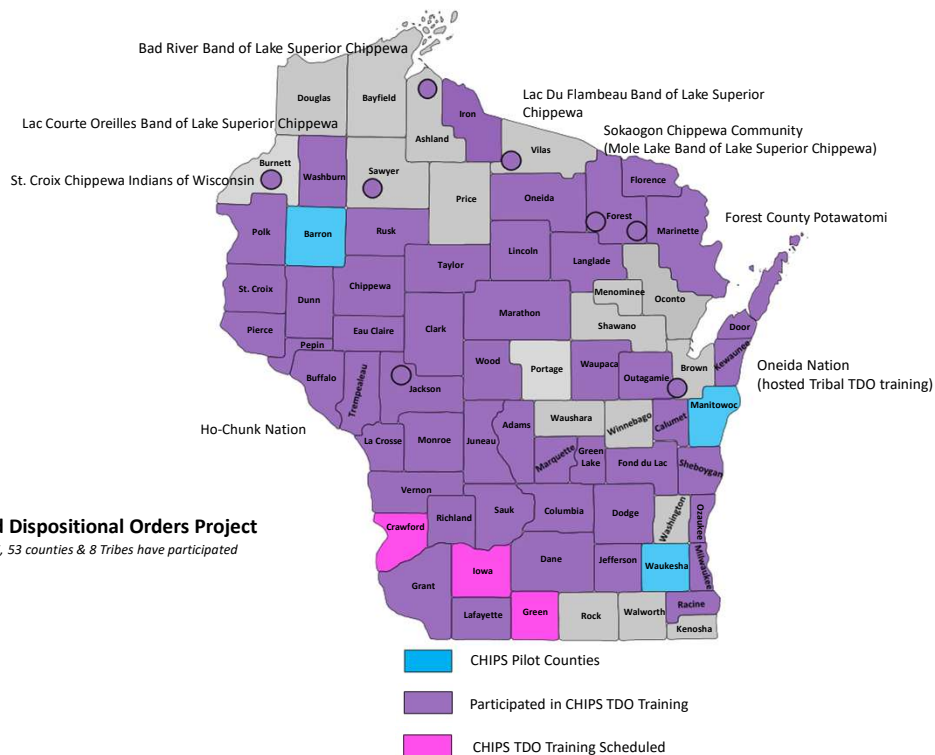
DCF and CCIP jointly are expanding the Tailored Dispositional Orders Project statewide and allowing counties to choose to work on CHIPS and/or Youth Justice conditions

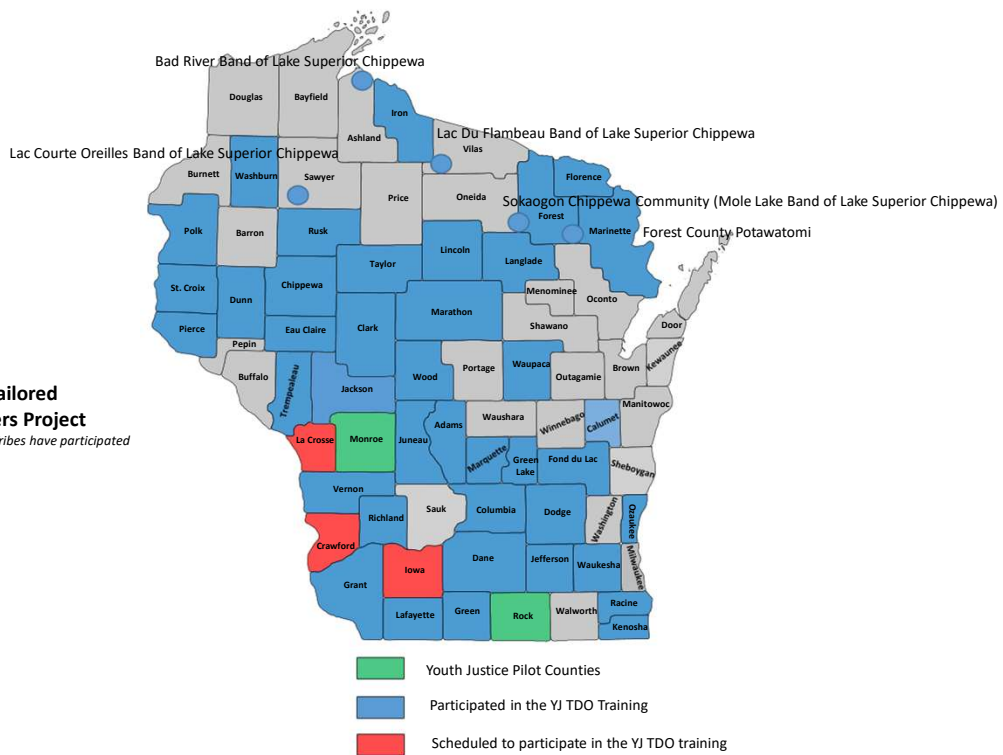
CHIPS Pilot County Results



CHIPS Tailored Dispositional Orders Project

As of Aug 1, 2026, 53 counties & 8 Tribes have participated





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graph TD; A[DCF Responsibilities] --- B[Prevention & Diversion]; A --- C[Assessment & Case Work]; A --- D[Post-Disposition];
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Prevention & Diversion

- Prevention
- School collaboration
- Mental health and well-being
- Diversion

Assessment & Case Work

- Assessment
- Engagement strategies
- Case planning
- Services
- Dual status youth

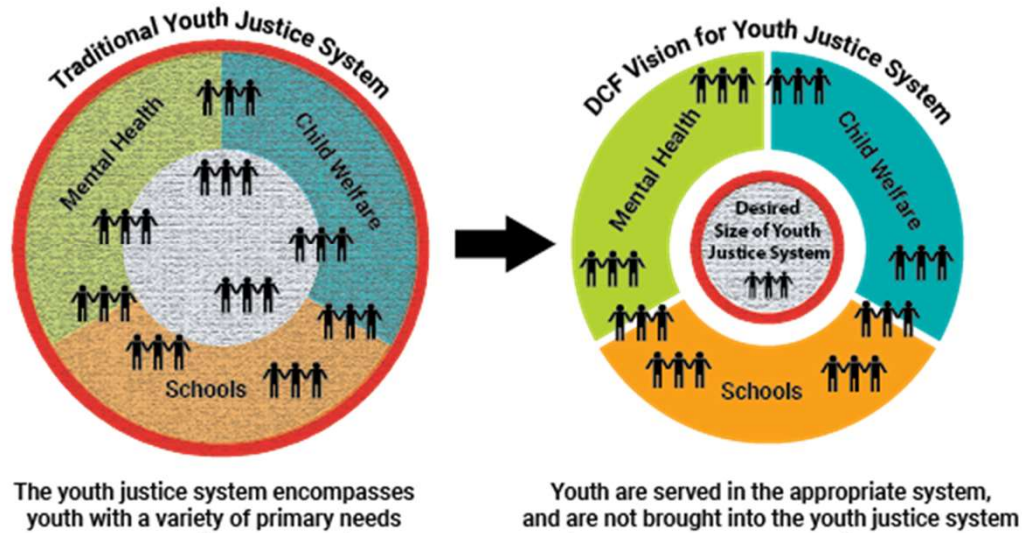
Post-Disposition

- Out of home placements (OHP)
- Detention
- Accountability
- Aftercare

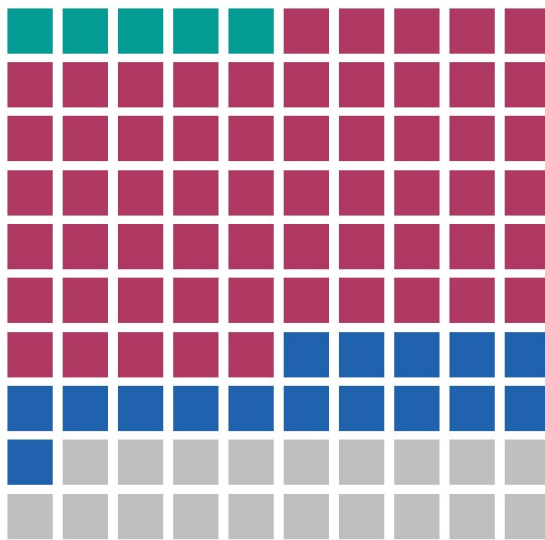
DCF Responsibilities

- Youth justice practice standards
- Data and outcomes
- Training
- Consultation and technical assistance

From Research to Practice



2024 Referred Youth with Prior CPS Referral(s) - Wisconsin

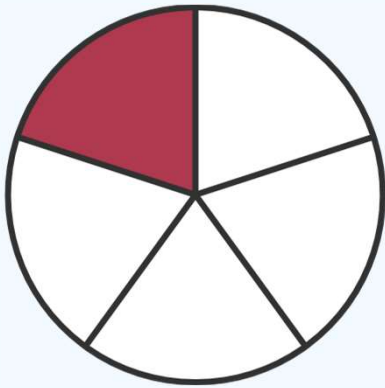


- Screened In Only (6%)
- Screened In & Screened Out (60%)
- Screened Out Only (16%)
- No Prior Referral (18%)

82%



Prior Out-of-Home Placements



1 out of 5 youth referred to the Youth Justice system were placed in out-of-home care prior to receiving their first Youth Justice referral



Youth Justice Conditions

YASI

Evidence-Based Practice Research

Severity of offense is not a strong indicator of the future pattern of offending; tested static and dynamic risk factors for offending are.

(Mulvey et al., 2010; Lipsey & Derzon, 1998).



Evidence-Based Practice Research

Research shows us that when predicting outcomes for individuals in the justice system, justice professionals “get it right” [*predicted risk/need accurately*] about 50% of the time when using only their professional judgement. **By using actuarial tools, or assessment tools like the YASI, we increase that accuracy to about 70-75%.**

(Bonta & Andrews, 2017; Oleson et al., 2012; Grove et al., 2000; Gendreau et al., 1996; Grove & Meehl, 1996; Andrews et al., 1990.)



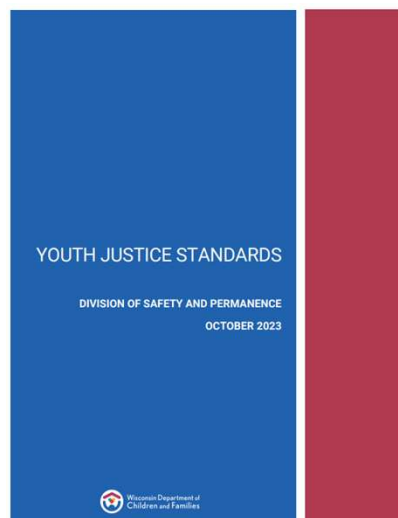
WI Youth Justice Standards

January 2023

Case Process & Documentation Standards

October 2023

YASI Standards



<https://dcf.wisconsin.gov/files/cwportal/policy/pdf/yj-standards.pdf>



What YASI & Risk Assessments **CAN** do

- **Estimate the likelihood that delinquency behavior will continue** without intervention
- **Guide case planning** by identifying and indicating areas that are best targets for intervention
- **Standardize data collection**
 - Identify frequent areas of need in a system/agency
 - Measure overall progress of youth on supervision
- **Provide common language between agencies**
- **Reduce costs through “right sizing”** use of intensive supervision, incarceration, and provision of services



What YASI & Risk Assessments **CANNOT** do

- **Act as a “One Size Fits All” Tool**
 - Assessments are validated to address specific issues
 - YASI not appropriate for:
 - Sexual offenses
 - Under age 10 delinquent acts
 - Truancy
- **Prescribe Outcomes** – results are intended to guide decision making, not dictate a specific course of action or legal decisions
- **Replace Mental Health Assessments or Psychological Evaluations**
- **Enable youth to avoid accountability**

Adapted from Vincent, Guy, & Grisso, 2012

Truancy Research

“...the most effective approaches to truancy include families, schools, and communities, working together to set and consistently enforce rules for attendance.”

(Eastman, et.all., 2007; USDE, et.all., 2021.)



Youth Justice Issue Brief

November 2021 | Issue Brief No. 3

Truancy

Regularly missing school has a significant impact on student achievement and positive youth development. A range of community, school, family, and student characteristics have been found to contribute to the problem of truancy – underscoring the need for collaborative, developmentally appropriate interventions that are matched to a youth's primary needs.

<https://dcf.wisconsin.gov/files/publications/pdf/5489.pdf>

“Several examinations of truancy interventions have found harsh sanctions – like out-of-home placement, denial of family welfare benefits, or sending police to the homes of students – are more likely to increase the incidence of truancy” (Eastman, et.all., 2007; National Research Council. 2013.; Weber, Josh. 2020.)



Youth Assessment & Screening Instrument

Focuses on the Principles of **Risk, Need, Responsivity (RNR)**

- Adapted from the Washington juvenile assessment model
- **Assesses risk** level for re-offense
- Identifies **dynamic need factors**
- Documents a variety of **responsivity factors**
(trauma, mental health concerns, motivations)
to guide individualized intervention approaches
- Uses **Motivational Interviewing (MI)** to inform both the assessment process and case planning
- Incorporates **validated strength scores** in case planning



Effective, Individualized Case Management Requires RNR Principles



YASI

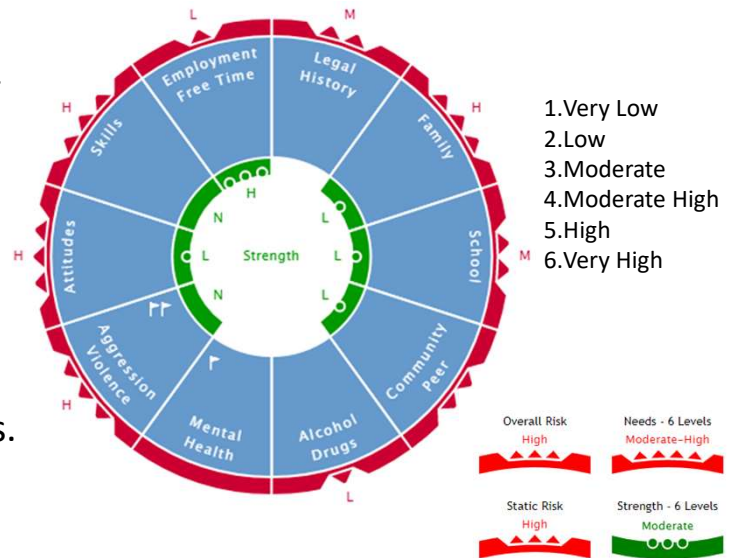
Legal History
Family
School
Community Peer
Alcohol and Drugs
Employment/Free Time
Skills
Attitudes
Aggression/Violence
Mental Health

YASI Prescreen and Full Assessment

YJ professionals complete **30** hours of initial training.

All YJPs required to complete annual Booster training.

YASI **Coaches** complete an additional 33 hours of training, totaling **63** hours.



Wisconsin YASI Prescreen Overall Risk Levels: CY 2025

7,037 Youth assessed with YASI Pre-Screen

36%
Low Risk of re-referral

41%
Moderate Risk of re-referral

24%
High Risk of re-referral



What Can Court Partners Expect?

“Improvable”

“Changeable”



**Dynamic Protective Score and
Dynamic Risk Score**

Dynamic Risk - To provide effective services and reduce recidivism, it is important to focus on the “changeable” risk factors. YASI focuses particular attention on dynamic elements. **The Dynamic risk factors reflect the youth’s “needs” for service or attention in particular problem areas.**

Dynamic Protective (Strengths) - Characteristics or resources that are likely to help reduce or “cushion” the negative impact of risk factors. The strengths assessment can help focus a case plan on **maintaining or boosting protective factors where they already exist or help develop new resources for youth who lack strengths.**



What Can Court Partners Expect?



**Identified Areas of Strength
with Description**



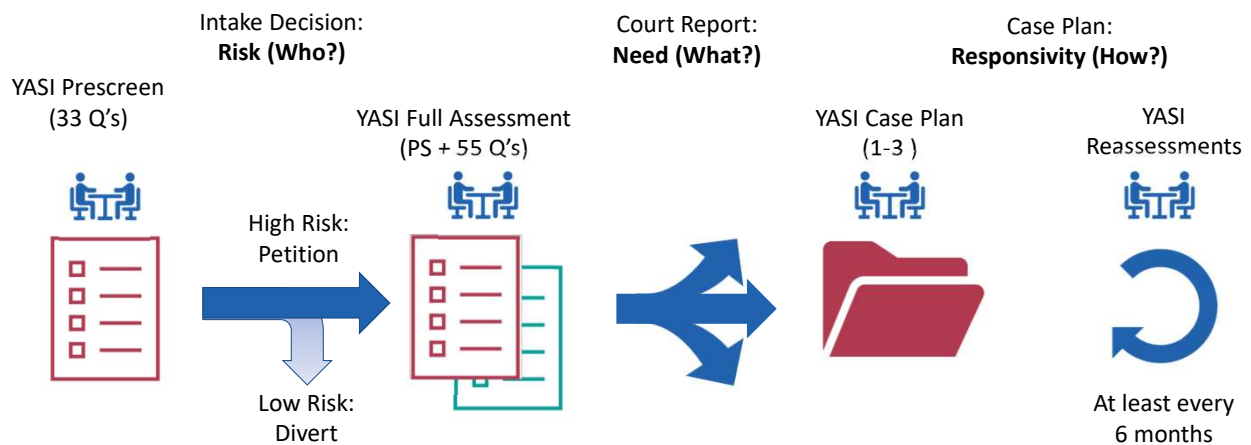
Responsivity Factors



Legal Process & Conditions



How and when will YASI be used?



Dispositional Structure Matters

Bifurcated (adjudication & disposition separate)	Non-Bifurcated (adjudication & disposition together)
• Time to complete YASI full assessment prior to adjudication • Time to match service recommendations to identified youth needs prior to disposition • Youth and family are aware of services that will likely be ordered – assists with engagement	• Insufficient time to complete YASI full assessment prior to adjudication ◦ May have time if youth admits responsibility, but potential for due process violations • Less time to match service recommendations to identified youth needs prior to disposition



Dispositional Structure Matters

938.30(6)(a) If a petition is not contested, the court, subject to s. 938.299 (10), shall set a date for the dispositional hearing which allows reasonable time for the parties to prepare but is no more than 10 days from the plea hearing for a juvenile who is held in secure custody and no more than 30 days from the plea hearing for a juvenile who is not held in secure custody. Subject to s. 938.299 (10), if all parties consent, the court may proceed immediately with the dispositional hearing. If a citation is not contested, the court may proceed immediately to enter a dispositional order.

938.31(7)(a) At the close of the fact-finding hearing, the court, subject to s. 938.299 (10), shall set a date for the dispositional hearing that allows a reasonable time for the parties to prepare but is no more than 10 days after the fact-finding hearing for a juvenile in secure custody and no more than 30 days after the fact-finding hearing for a juvenile not held in secure custody. Subject to s. 938.299 (10), if all parties consent, the court may immediately proceed with a dispositional hearing.

938.32(5) Recusal from subsequent proceedings. A court which, under this section, elicits or examines information or material about a juvenile which would be inadmissible in a hearing on the allegations of the petition may not, over objections of one of the parties, participate in any subsequent proceedings if any of the following applies:

938.33(1) Report required. Before the disposition of a juvenile adjudged to be delinquent or in need of protection or services, the court shall designate an agency, as defined in s. 938.38 (1) (a), to submit a report that contains all of the following:



Youth Justice Disposition Report

Structure

Demographic Information

- Youth legal/social history
 - Relevant CPS or YJ involvement & Placement history
 - Space and guidance for long-form narrative
- YASI Information
- Recommendations

Counties and Court Officials Involved in 2024 Template Design



Youth Justice Dispositional Court Report		
Judge Jenna Dunlap	Hearing Date 06/01/2023	County Person ID 9243487
County Dane County Circuit Court,Dane County	Court Number(s) 23JV77	Case Type Delinquency
Prosecutor/Corp Counsel	Youth Legal Counsel	
Youth		
Name Kennedy, Katie	Chosen Name	Pronouns She/Her/Hers
Birth Date 07/01/2010	Age 14	
Address Hillside Ave, Madison, WI 53705	Telephone Number (608) 123-9876	
Primary Language: English	Interpreter Required? No	
Parent 1 ☐ Unknown ☐ Deceased ☐ TPR		
Name Kennedy, Mom		
Birth Date 01/01/1990	Address Hillside Ave, Madison, WI 53705	Telephone Number (608) 789-1234
Marital Status:	Parental Type: Birth	
Primary Language: English	Interpreter Required? No	
Parent 2 ☐ Unknown ☐ Deceased ☐ TPR		
Name Kennedy, Dad		
Birth Date 01/01/1980	Address	Telephone Number (608) 456-3210
Marital Status:	Parental Type: Presumptive	
(R, 07/2023)		
Page 1 of 9		

1. Youth Dynamic Strength & Need Score

Youth's Strength - Protective Score: **Moderate**

Youth's Need - Risk for Re-referral Score: **High**

2. Identified Area(s) of Strength

Domain: **Family**

Strength: Youth is close to a male sibling.

Description: Katie has a good relationship with her 12-year-old brother, Sean.

Domain: **Community & Peers**

Strength: Youth has a peer with positive pro-social influence.

Description:

Katie spends time with her friend Hillary, who is a good student and has a positive influence on Katie.

3. Priority Need Area(s)

These Priorities may evolve, subject to consultation with the youth and family, as the youth makes progress in their case. In best practice, the youth works on one, two, or at most three needs at once in order to focus on highest-priority areas and maximize their likelihood of success.

Domain: **Attitude**

Case Manager Insights: Katie has several thoughts that could have contributed to the fight between her and her mom. Katie stated, "her mom shouldn't be able to tell her what to do and should focus on her own life." Katie also stated she did not understand why this was a police matter, it should have been kept within the family. Katie struggled in this incident with connecting her thoughts to her behavior.

Target of behavior change: Katie had a thought during this offense that her mother shouldn't be able to tell her what to do. This thought contributed to the fight between Katie and her mom.

Identified goal: Katie will learn the connection between her thoughts about mom's authority and Katie's behaviors, so Katie can gain Mom's respect.

4. Responsivity Factors

Important factors to be considered at disposition and case planning for tailoring interventions and services to Youth's learning style, social functioning, motivation, and cognitive abilities. Common responsivity factors may also include mental health, hobbies or career interests, long-term and/or opportunities for growth, important relationships, cultural context, etc.

-Katie was placed in foster care on three occasions. Katie lived with her biological parents until the age of six when she was removed from the home due to neglect. Katie was removed and returned two additional times due to substantiated physical abuse by father

- Katie's biological parents both have a history of drug use. Katie's mother has a history of drug and alcohol use and has difficulty keeping permanent employment and is currently not employed. However, mom was sober on the day of this offense and it was not a contributing factor.

-Katie's mother remarried when Katie was ten. Her stepfather Bill has served time in prison for selling drugs and is currently unemployed. Bill would like Katie to move out, but thinks it is Katie's mother's problem to deal with Katie.

- Katie's father served time for drug charges and did not return to the home. Katie has had no contact with her biological father since the age of eight.

-Katie has an older sister, Darlene, who left home after mom remarried. Katie and Darlene had a close relationship when they were younger, but Katie hasn't seen Darlene in over two years and doesn't know where Darlene currently resides. Katie wants to be independent, to be respected by and have a different relationship with her mother, and to gain greater control over her life.

-She wants to be a role model for her younger brother, graduate from high school, and teach gymnastics. Coordinating with her school counselor could help her achieve these incentives.

Conditions

☒ See Attached

The department recommends that the Youth be placed under formal supervision until 06/01/2024.

The Youth will partner with their case manager to develop a case plan that identifies goals and action steps, such as participating in services identified above, to address their assessed strengths and needs. If any other individualized conditions are recommended to support community safety and provide opportunities to repair any harm, they are listed below.

How YASI and YJ Court Report Inform “Tailored Dispositional Orders”



Research on Tailored Conditions

When there are a large number of conditions, they become meaningless, unsuitable, overwhelming, and less likely to be enforced.

We are successful when...

- Conditions are tailored to the youth's identified needs and strengths, they are enforceable, and written in a way that is easily understood by youth.
- Buy-in from youth/families; drafting conditions and case plan should be a collaborative process.
- Stay focused on the essentials and priorities!

Tailoring Youth Justice Conditions

The National Council of Juvenile and Family Court Judges (NCJFCJ) issued a 2017 resolution regarding tailoring Youth Justice conditions.

Too many juvenile courts and juvenile probation departments impose conditions of probation that are not individualized, have too many requirements, and lead to unnecessary detention or incarceration for technical violations.



Youth Justice Best Practices Research

A more holistic understanding of youth paves the way for targeted, developmentally informed service delivery.

Dispositions based on risk level and needs are more likely to be effective.

When services are matched to youth's level of risk, strengths and criminogenic needs, chance of re-offense decreases.

(Peterson-Badali, Skilling, & Haqanee, 2014).

Overly broad and unclear orders that are not tailored to the strengths, interests, and challenges of an individual youth **can result in significant numbers failing on probation**, ultimately leading to costly and unnecessary out-of-home placement (NJDC, 2016).

Post- Disposition



A Few Notes about Case Plans

- **Case plans should be tailored to individual youth, rooted in RNR**
- **YASI case plan does not include punitive services** (electronic monitoring, fines, out of placement)
 - Use of YASI does not preclude their use *when necessary for public safety*
 - YASI case plan is not the same as a court order
- **Service matrix classifies services already available** in the community by domain and risk level
 - Creation of matrix can only *highlight* service gaps, will not fill them
 - Community's **ability to service match is only as good as the array of services available**



Matching Services to Needs Using a Service Matrix

EXAMPLE

Aggression/Violence Domain

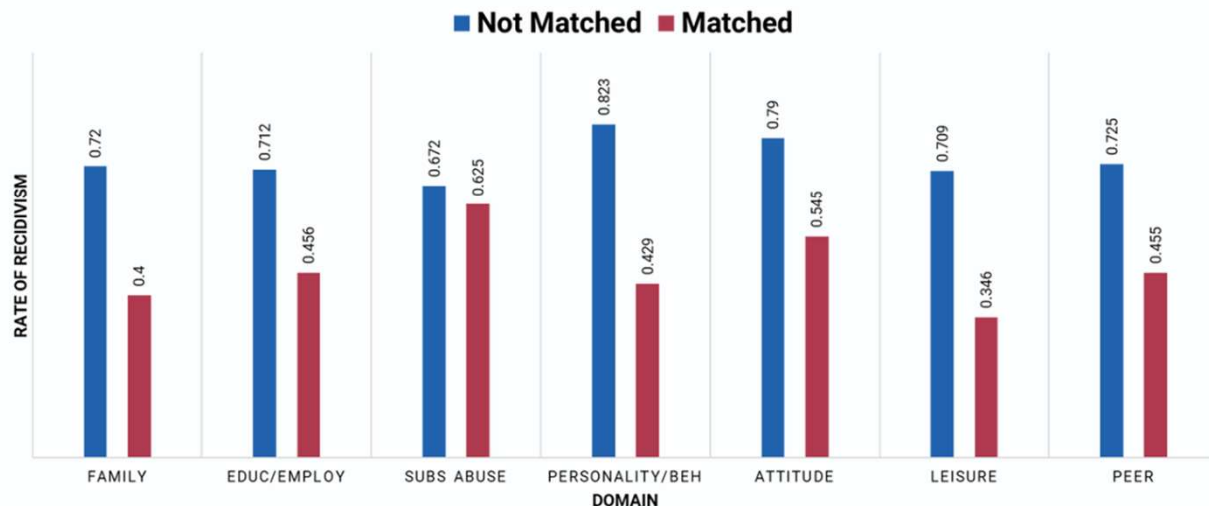
Risk Level	General Recommendation	Services and Providers	Description of Services
Low	- Family Group Counseling - Promote family engagement	Completed by Human Service Agency	
Moderate	- MH Assessment Encouraged - Other <u>Txs</u>: FFT, ART, CBT	Completed by Human Service Agency	
High	- Day Treatment - Outpatient treatment or Groups - RCC Treatment Program	Completed by Human Service Agency	



County service matrices are not prescriptive. They are intended to serve as a guide for human service professionals in matching services to a youth's individually identified need(s).

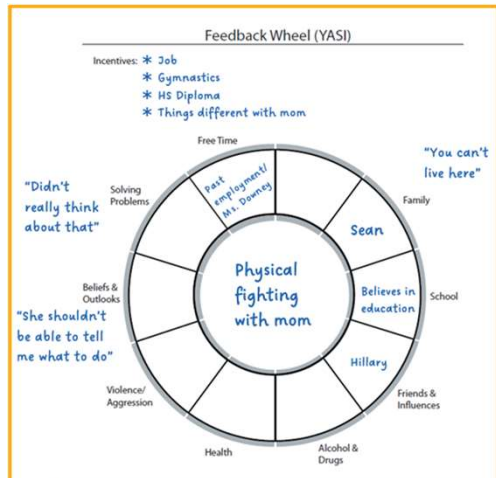


Service to Need Matching: Recidivism Rates for Not Matched vs Matched



Source: Peterson-Badali, Skilling, Haqanee (2014)

Development of a YASI Case Plan



Case plans are developed via collaborative process with youth

What do we want to address?

- Prioritize up to 3 targets to work on
 - Matched to specific items on YASI
 - Connected to incident that brought youth to Youth Justice

How do we plan to address?

- Set a goal for each identified target
- Identify action steps needed to achieve goals
 - Steps should follow the SMART criteria (Spe, Measurable, Attainable, Realistic, Time-bound)

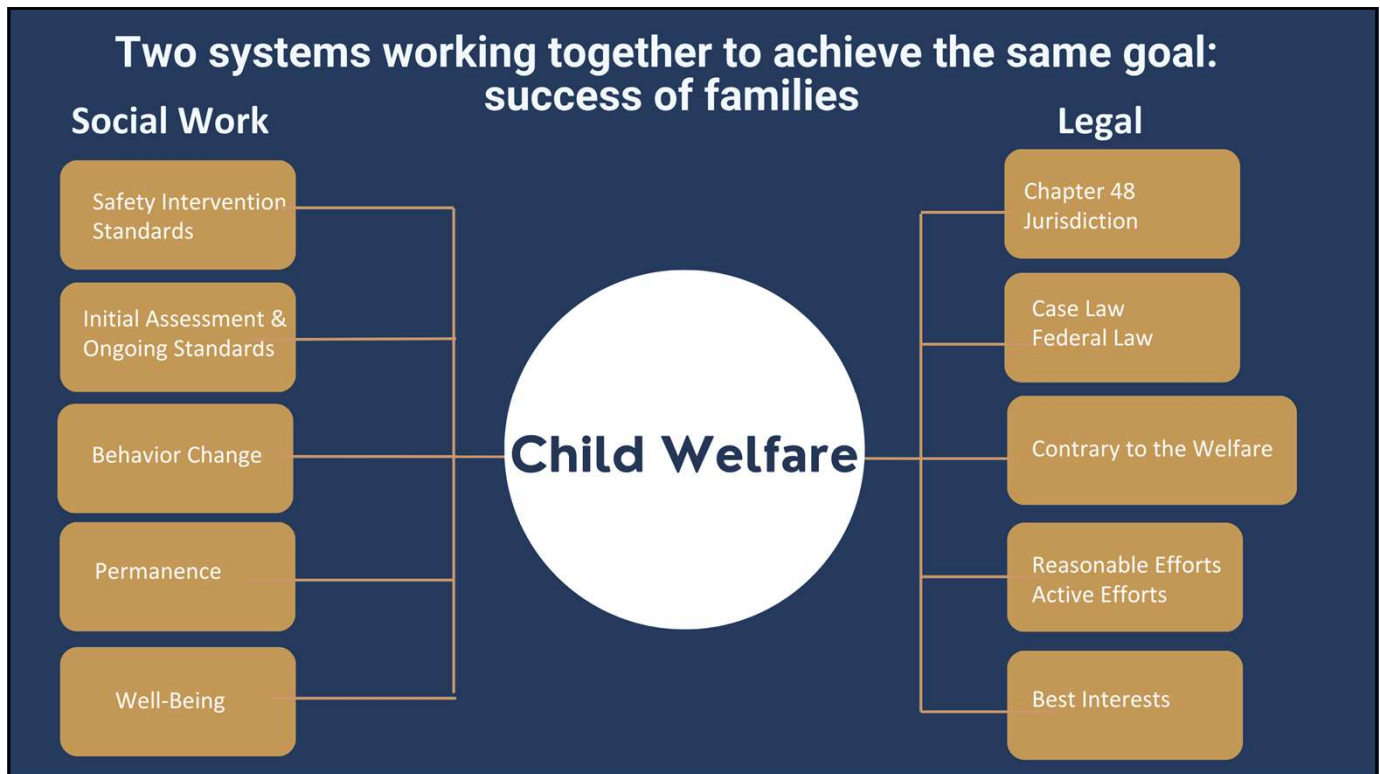
How do we know it's working?

- Add/adjust action steps as needed
- Regular reassessment



CHIPS Conditions

Child Safety



CHILD SAFETY ASSESSMENT



PRESENT / IMPENDING DANGER

Danger that is either occurring or will occur in the near future.

VULNERABLE CHILD

A child is vulnerable when they lack the capacity to self-protect.

DIMINISHED PARENTAL PROTECTIVE CAPACITIES

How does the parent think, act, and feel towards the child?

Basic Safety Equation

PRESENT DANGER

Benchmark B1

OR

IMPENDING DANGER

Benchmark B2



VULNERABLE CHILD

Benchmark C

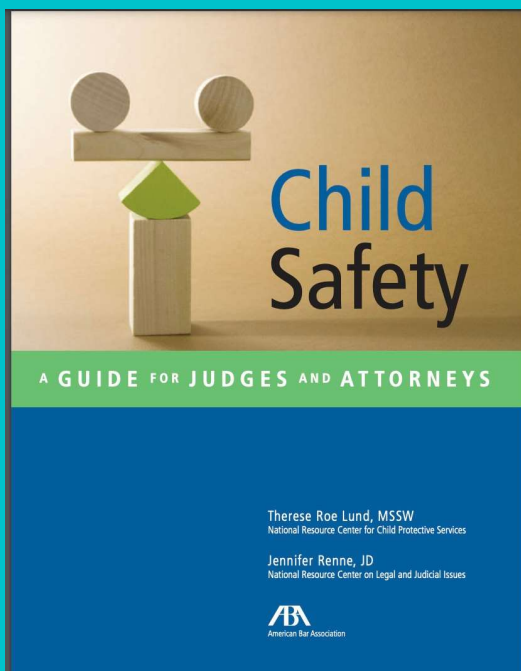


**DIMINISHED PARENTAL
PROTECTIVE
CAPACITIES**

Benchmark D



UNSAFE CHILD



The American Bar Association created Child Safety Decision-Making benchcards to educate our judicial and legal partners about safety.

BENCHMARK B2

Impending Danger Threats

A foreseeable state of danger in which a family behavior, attitude, motive, emotion or situation that can be anticipated to have severe effects on a child at any time in the near future and requires safety intervention.

- Specific and Observable
 - Imminent
 - Out-of-control
 - Severe consequences
- No adult in the home will perform parental duties and responsibilities.
 - One or both parents/caregivers are violent.
 - One or both parents/caregivers' behavior is dangerously impulsive or they will not/cannot control their behavior.
 - One or both parents/caregivers have extremely negative perceptions of the child.
 - Family does not have or use resources necessary to assure the child's basic needs.
 - One or both parents/caregivers fear they will maltreat the child and/or request placement.
 - One or both parents/caregivers lack parenting knowledge, skills or motivation necessary to assure the child's basic needs are met.
 - One or both parents/caregivers intend(ed) to seriously hurt the child.
 - The child has exceptional needs, which the parents/caregivers cannot or will not meet.
 - Living arrangements seriously endanger the child's health.
 - The child is profoundly fearful of the home situation or people within the home.

Present Danger

An immediate, significant, and clearly observable family condition that is occurring or in process of occurring at the point of contact with a family and will likely result in severe harm to a child.

23 CPS EMERGENCIES

BENCHCARD B1

First responder judgment
Assessed on the scene
Limited face value information



CPS RESPONSE

Protective Plan - an immediate, short-term action that protects a child from present danger threats in order to gather more information to determine if impending danger threats exist.

Temporary Physical Custody (TPC) - child is taken into custody and a hearing is held within 48 hours.

Present Danger - Benchcard B1

BENCHCARD B1

Present Danger Threats

An immediate, significant and clearly observable family condition that is actively occurring or "in process" of occurring at the point of contact with a family and will likely result in severe harm to a child.

Present Danger Threats – Maltreatment

The child is currently being maltreated at the time of the report or contact

This child is being maltreated at the time the report is being made, maltreatment has occurred the same day as the contact, or maltreatment is in process at the time of contact.

Severe to extreme maltreatment of the child is suspected, observed, or confirmed

This includes severe or extreme forms of maltreatment and can include severe injuries, serious unmet health needs, cruel treatment, and psychological torture.

The child has multiple or different kinds of injuries
This generally refers to different kinds of injuries, such as bruising and burns, but it is acceptable to consider one type of injury on different parts of the body.

The child has injuries to the face or head
This includes physical injury to the face or head of the child alleged to be the result of maltreatment.

The child has unexplained injuries
This refers to a serious injury which parents/caregivers and others cannot or will not explain. It includes circumstances where the injury is known to be non-accidental and maltreatment is unknown.

The maltreatment demonstrates bizarre cruelty
This includes such things as locking up children, torture, extreme emotional abuse, etc.

The maltreatment of several victims is suspected, observed, or confirmed
This refers to the identification of more than one child currently being maltreated by the same caregiver.

The maltreatment appears premeditated
The maltreatment appears to be the result of a deliberate, preconceived plan or intent.

Dangerous (life threatening) living arrangements are present
This is based on specific information indicating that a child's living situation is an immediate threat to his/her safety. This includes serious health and safety hazards, accessible weapons, unsafe heating or wiring, etc.

Present Danger Threats – Child

Parent's viewpoint of child is bizarre
This refers to an extreme viewpoint that could be dangerous for the child, not just a negative attitude toward the child. The parent's perception or viewpoint toward the child is so skewed and distorted that it poses an immediate danger to that child.

Child is unsupervised and unable to care for self
This applies if the child is without care. This includes circumstances where an older child is left to supervise younger children and is incapable of doing so.

Child needs medical attention
This applies to a child of any age. To be a present danger threat of harm, the medical care required must be significant enough that its absence could seriously affect the child's health and well-being. Lack of routine medical care is not a present danger threat.

The child is profoundly fearful of the home situation or people within the home
"Home situation" includes specific family members and/or other conditions in the living arrangement. "People within the home" refers to those who either live in the home or frequent the home so often that a child routinely and reasonably expects that the person may be there or show up.

The child's fear must be obvious, extreme, and related to some perceived danger that the child feels or experiences. This threat can also be present for a child who does not verbally express fear but their behavior and emotion clearly and vividly demonstrate fear.

BENCHCARD B1

Present Danger Threats

Present Danger Threats – Parent

Parent is intoxicated (alcohol or other drugs) now or is consistently under the influence

This refers to a parent who is intoxicated or under the influence of drugs much of the time and this impacts their ability to care for the child.

Parent is out of control (mental illness or other significant lack of control)

This can include unusual or dangerous behavior, mental or emotional distress where a parent cannot manage their behaviors in order to meet their parenting responsibilities related to providing basic, necessary care and supervision.

Parent is demonstrating bizarre behaviors

This will require interpretation of the reported information and may include unpredictable, incoherent, outrageous, or totally inappropriate behavior.

Parent is unable or unwilling to perform basic care

This only refers to those parental duties and responsibilities consistent with basic care or supervision, not to whether the parent is generally effective or appropriate.

Parent is acting dangerous now or is described as dangerous

This includes a parent described as physically or verbally imposing and threatening, brandishing weapons, known to be dangerous and aggressive, currently behaving in an aggressive manner, etc.

Parent's whereabouts are unknown

This includes situations when a parent cannot be located at the time of the report or contact and this affects the safety of the child.

One or both parents overtly reject intervention

The key word here is "overtly." This means that the parent essentially avoids all CPS attempts at communication and completion of the initial assessment/investigation. This refers to situations where a parent refuses to see or speak with CPS staff and/or to let CPS staff see the child; is openly hostile (not just angry about CPS presence) or physically aggressive towards CPS staff; or refuses access to the home, hides the child or refuses access to the child.

Present Danger Threats – Family

The family may flee

This will require judgment of case information. Transient families, families with no clear home, or homes that are not established, etc., should be considered. This refers to families who are likely to be impossible or difficult to locate and does not include families that are considering a formal, planned move.

The family hides the child

This includes families who physically restrain a child within the home as well as families who avoid allowing others to have contact with their child by passing the child around to other relatives, or other means to limit CPS access to the child.

Child is subject to present/active domestic violence

This refers to presently occurring domestic violence and child maltreatment or a general recurring state of domestic violence that includes child maltreatment where a child is being subjected to the actions and behaviors of a perpetrator of domestic violence. There is greater concern when the abuse of a parent and the abuse of a child occur during the same time.

Impending Danger

Foreseeable state of danger in which family behaviors, attitudes, motives, emotions and/or situations pose a threat which may not be currently active, but can be anticipated to have severe effects on a child at any time in the near future.

11 IMPENDING DANGER THREATS BENCHCARD B2

Assessed after 60 day Initial Assessment and throughout the case

BENCHCARD B2
Impending Danger Threats

A foreseeable state of danger in which a family behavior, attitude, motive, emotion or situation that can be anticipated to have severe effects on a child at any time in the near future and requires safety intervention.

- Specific and Observable
- Imminent
- Out-of-control
- Severe consequences

- No adult in the home will perform parental duties and responsibilities.
- One or both parents/caregivers are violent.
- One or both parents/caregivers' behavior is dangerously impulsive or they will not/cannot control their behavior.
- One or both parents/caregivers have extremely negative perceptions of the child.
- Family does not have or use resources necessary to assure the child's basic needs.
- One or both parents/caregivers fear they will mistreat the child and/or request placement.
- One or both parents/caregivers lack parenting knowledge, skills or motivation necessary to assure the child's basic needs are met.
- One or both parents/caregivers intend(ed) to seriously hurt the child.
- The child has exceptional needs, which the parents/caregivers cannot or will not meet.
- Living arrangements seriously endanger the child's health.
- The child is profoundly fearful of the home situation or people within the home.

CPS Response

Safety Plan - a written arrangement between parents/caregivers and CPS regarding how impending danger threats will be managed. It is active as long as impending danger threats exist and parent/caregiver's protective capacities are insufficient to ensure the child is safe.

Out-of-Home Care - child remains in out-of-home care until child can be safely returned to the home.

Impending Danger Assessment

CPS will identify what the impending danger threats are so that everyone involved in the case knows what is dangerous to the child, what to shield the child from, and the specific diminished parental protective capacities that need to be increased so that the children can be safely returned home.

Feeds the plan to work with the family.

Informs drafting the conditions for return.

Conditions for return should not require parents to complete services that do not directly relate to a threat to a child's safety.

IMPENDING DANGER - OVOIS

OBSERVABLE
CONDITION

VULNERABLE
CHILD

OUT OF CONTROL /
INSUFFICIENT PARENTAL
PROTECTIVE CAPACITIES

IMMINENT

SEVERE HARM

UNSAFE CHILD

ASSESSING CHILD SAFETY

1

PRESENT OR IMPENDING DANGER

2

VULNERABLE CHILD CHARACTERISTICS

***Benchcard C**



Age
(0-6 always
vulnerable)



Powerless



Provoking
Behaviors



Mental Disability



Illness



Non-assertive



Physical Disability



Defenseless



Invisible

ASSESSING CHILD SAFETY

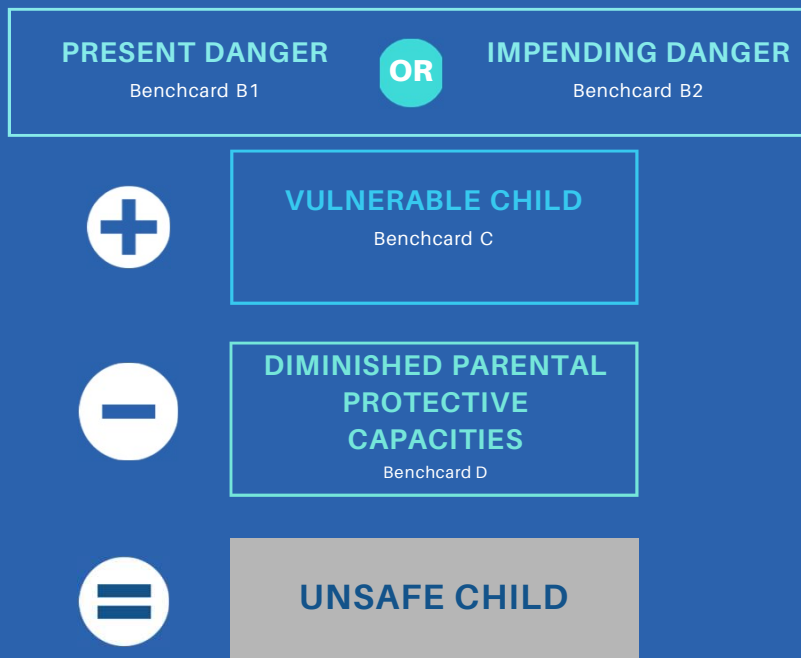
1 PRESENT OR
IMPENDING DANGER

2 VULNERABLE CHILD

3 DIMINISHED PARENTAL PROTECTIVE CAPACITIES

- * Cognitive - How the parent/caregiver thinks in relation to the child's safety.
- * Behavioral - How the parent/caregiver acts in relation to the child's safety.
- * Emotional - How the parent/caregiver feels in relation to the child's safety.

Basic Safety Equation



CONNECT SAFETY TO THE CONDITIONS FOR RETURN IN CHIPS CASES

DANGER THREATS

Danger threats that are identified within the 60 day Initial Assessment and should be written into a Condition for Return



CONDITIONS FOR RETURN

Conditions for Return should be behavioral changes that must occur for the child to be safely returned to the home

Conditions for Return

What parents must do or change to have their child returned to the home

Conditions of Supervision

General rules a parent must follow during a Dispositional Order



Tailored Dispositional Orders

What are Tailored Dispositional Orders?

- * Not a standardized list / boilerplate language
- * Address danger threats
- * Parents know what to do to have their child returned to the home
- * Conditions are prioritized so parents/youth know where to begin / what is the most important concern
- * Related to behavioral changes
- * Do not contain legal or CPS language
- * Address specific needs of the family
- * Have productive permanency plan and review hearing discussions regarding parent/youth's progress
- * If necessary, can be proven at TPR

BULLET POINTS: EXAMPLES OR MORE CONDITIONS?

- Recently, a Court looked at the conditions in a CHIPS case which were organized by:
 - three “broad categories of conditions,” followed by
 - “This condition includes but is not limited to” underneath used
 - several bullet points
 - The court found the bullets to be additional conditions - not examples.

Waupaca County Department of Health and Human Services v. J.L.C., Slip Copy, ¶16 (2026)

- “It strains credulity to suggest that, for example, the instruction to “[t]ake any medications that your treating doctor or psychiatrist tells you to” or to “[p]articipate in parenting education with the assigned parent aid” were merely “examples” rather than specific conditions that the County was expecting the parents to meet before they could resume visitation with C.M.C.” *Id.* at 18.

What are SMART Goals?

SMART goals are strategically designed to give any project structure, support, and to set out more clearly what you want to achieve and by when. With SMART goals, you get to track your progress and stay motivated.



Be SMART!

SPECIFIC

The condition is specifically related to an identified Impending Danger Threat.

MEASURABLE

The condition is clear about what behavior needs to change.

ACHIEVABLE

It is clear how progress will be made and how it is evaluated and success is determined.

REALISTIC

The condition is understood by the parent/caregiver, it is least intrusive and culturally competent.

TIMELY

The condition is workable, there are no barriers, and the parent/caregiver can begin to work on the condition promptly.

Examples of SMART Goals for Youth Justice

Priority Need Area	Target of behavior change	Identified goal	Action Step
Skills	Understands that there are good and bad consequences but sometimes fails to identify them	Learn how to stop and think about the consequences of my behavior in order to get along with my mother.	Katie and her mom will meet next Tuesday to identify 4 steps to communicate with each other. We have agreed to for 4 Tuesdays and then will re-evaluate.
Attitudes	Expresses resentment toward authority (especially mother)	Learn the connection between my thoughts about mom's authority and my violent behaviors	Katie and her mom will meet with me next Tuesday to identify 4 steps to communication.
Family	Parents use inappropriate consequences for negative behavior	Develop appropriate consequences by parents	Google appropriate consequences for 15 y/os by next Thursday and share with my SW during our meeting on Friday.

The language we use when speaking to parents and youth matter!

Keep these strength-based words/phrases in mind when drafting reports and conditions!

LANGUAGE MATTERS

TRADITIONAL	VS	STRENGTH-BASED
Mother / Father	→	Personal names
Cases / Clients	→	Families / children
Workers	→	Child welfare professionals
Juvenile	→	Youth
Delinquency	→	Youth Justice
Using labels to describe someone	→	Using words to describe someone's behaviors
Addict	→	Person with substance use disorder
Mentally ill	→	Person with a mental illness
Felon	→	Person who committed a felony
At risk	→	Parents behavior may lead to an out-of-home placement
Parent/youth refused	→	Parent/youth declined/did not

Tailored Dispositional Orders Issue Brief



Tailored Dispositional Orders: Promoting Positive Change

Tailored dispositional orders can promote the shared responsibility of the parents/youth welfare agency, court, and legal partners in meeting court ordered conditions successfully expeditiously. In both child protection and youth justice cases, tailored conditions capture specific behavior changes needed to ensure child and community safety, thereby aiding families/youth successfully exiting the formal system.

What Works

Research supports that people change when expectations are clearly and plainly written (4t or below reading level), organized in a manner that defines behavioral and cognitive change focuses only on the required changes necessary to end court ordered supervision.



Tailored dispositional orders include conditions that are:

- Tailored to the circumstances of the individual family
- Responsive to the culture, race, and/or ethnicity of the family
- Least intrusive so that the level of disruption to the family is minimized
- Attainable and realistic for parents/youth to successfully achieve
- Shorter and use simplified wording that will be less overwhelming for youth and families
- Prioritized and focused on underlying issues
- Behavior-focused, oriented towards observable conditions, and include services aligned with needs, as opposed to expecting compliance with a service
- Measurable, with transparent measurement criteria for youth and families

What Works

Make it SMART

The SMART goals framework can be helpful in thinking through how to write conditions.

- ⚠ **Specific:** What behavior is the condition addressing? How is the condition related to the safety threat present in the home or safety of the community?
- ✍ **Measurable:** Does the condition make it clear what behavior needs to change and how to measure the success of the change?
- ✅ **Achievable:** Is it possible for the parent/caregiver/youth to successfully meet the condition?
- 📄 **Realistic:** Is the condition written in a way that the parent/caregiver/youth can understand?
- 🕒 **Timely:** Is the condition related to a behavior change that can begin or occur promptly?

Child Protective Services System

For parents involved in the child welfare system, conditions should be measurable, easily understood by the parent/caregiver and focused on safety threats, and how to develop protective capacities to ensure sustainable change.

- Conditions should focus on targeted behavior needed to change for successful reunification and be service-driven.
- It is important to differentiate conditions for return and conditions for supervision, by highlighting which conditions will end formal supervision by the CPS system.

Check out this [desk guide](#) for creating meaningful and achievable conditions for return.

On the following page, the example conditions for return for parents involved in child protective services illustrate how to more effectively tailor conditions for change.



What Works

Not Tailored for Specific Behavior Change

Attend scheduled meetings and adhere to announced and scheduled home visits by the assigned case worker.

ANCE DRIVEN

Consent for treatment and any necessary release of information forms to obtain and share information with providers for ongoing case management purposes.

ATED TO SAFETY

Interfere with the placement of their children or with services they are receiving, including respecting the placement of the foster home provider or other placement. Do not tell the children they can ignore/disobey the placement provider and do not make known acts of harm/misbehavior against the foster home provider as a means to disrupt the placement.

ATED TO SAFETY

Participate in an AODA assessment and follow all conditions.

ANCE DRIVEN

Engage in criminal activity and not associate with anyone in alcohol or illegal drug use.

ANCE DRIVEN

Participate in all scheduled team meetings and follow recommendations made by the team.

ATED TO SAFETY

Attend all scheduled visitations to demonstrate their capacity as well as maintain a bond with their child.

ATED TO SAFETY

Participate in a mental health assessment, psycho-social assessment, or psychological evaluation.

ANCE DRIVEN

Tailored for Specific Behavior Change

Develop the ability to regulate emotions and behaviors to non-violently resolve situations.

SAFETY AND BEHAVIOR DRIVEN

Participate in individual and/or family services to address trauma and develop coping strategies that do not threaten the safety of the child(ren).

SAFETY, BEHAVIOR, AND SERVICE DRIVEN

Maintain a bond with your child(ren), by staying in contact with the case provider, and ensuring physical and emotional safety of the child(ren).

SAFETY AND BEHAVIOR DRIVEN

Show understanding of how drug or alcohol abuse affects the safety of the child(ren) and manage recovery and sobriety by:

- Participating in community drug or alcohol support groups
- Friends and family supports
- Participating in alcohol or drug therapy or program

SAFETY, BEHAVIOR, AND SERVICE DRIVEN

Identify situations and people who trigger you to participate in criminal activities, abuse drugs or alcohol, and demonstrate healthy decision-making skills over time.

SAFETY AND BEHAVIOR DRIVEN

Show you can respond in a calm manner in stressful situations that prevent the physical abuse of the child(ren).

SAFETY AND BEHAVIOR DRIVEN

Show that you can meet your child's needs and maintain your bond with your children by attending scheduled visits, and contacting your child via phone calls, letters, and participating in any appointments for your child's health and/or well-being.

SAFETY, BEHAVIOR, AND SERVICE DRIVEN

Recognize mental health needs and show your ability to manage those needs by using healthy coping skills so that you are available to safely parent your child(ren).

SAFETY AND BEHAVIOR DRIVEN

DCF Desk Guide - CHIPS Conditions

Tailored Dispositional Conditions for Return Desk Guide



A tailored dispositional condition for return is intended to address identified safety threats and should identify parental/caregiver behaviors that must change in order for safety to be managed. The condition should be measurable, easily understood by the parent/caregiver and focus on protective capacities to ensure sustainable change.

Key Elements of Conditions

Culturally Competent: Does the condition take into consideration the culture, race and/or ethnicity of the family?
Least Intrusive: Is the level of disruption to the family necessary to control for safety of the child(ren)?

SMART Goal Writing Model for Conditions

Specific: What impending danger threat is the condition addressing?
Measurable: Does the condition make it clear what behavior needs to change?
Achievable: Is it possible for the parent/caregiver to successfully meet the condition?
How will it be known when progress is made?
Realistic: Is the condition written in a way that the parent/caregiver understands?
Timely: Is the condition related to a behavior change that can begin or occur promptly?

Preparation Questions for Drafting Conditions

- 1) What are the identified Impending Danger Threat(s)?
- 2) What protective capacities does the parent/caregiver need to enhance?
- 3) What needs to change so the child(ren) is safe?
- 4) What behavioral changes does the parent/caregiver need to make?

Resource
 The WI DCF Child Protective Services Safety Intervention Standards provides guidance to help determine if a condition is related to a safety threat.

See *Safety Appendix on Impending Danger and Safety Appendix on Parent/Caregiver Protective Capacities*

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DCF-P-5458 (N. 06/2021)

Critical Thinking

Below are examples of some common categories of dispositional conditions, along with a series of questions to think critically about how to determine if the condition is necessary. Please note this list is not exhaustive.

Substance Use Disorder (SUD)

Is the condition necessary because the parent's/caregiver's SUD is the reason for the removal and/or CHIPS order?

Is the SUD resulting in an unsafe condition in the home based on the safety assessment?

Does the parent/caregiver have a demonstrated history of safely managing their use to ensure the safety of the child(ren)?

Parenting

What unsafe parenting behaviors, related to the identified safety threats, need to be managed or changed in order for the child(ren) to be safe in the home?

When reading the conditions, is it clear to the parent/caregiver what they need to change about their parenting behaviors?

AND
 Are the conditions addressing an underlying behavior related to the safety threats?

Mental Health

What unsafe behavior(s) is the parent/caregiver exhibiting related to their mental health that is resulting in an unsafe condition in the home?

How will you know when the parent/caregiver has made sufficient progress towards managing their mental health?

What does the parent/caregiver need to address in mental health treatment related to the safety of their child(ren)?

Questions to Consider when Finalizing Recommendations for the Dispositional Report

- Are the conditions written in a way that support reunification with an in-home safety plan as soon as safety threats can be controlled in the home?
- Is it clear what the parent/caregiver is expected to do in order to have their child returned and are those expectations related to the safety threats identified?
- Is the intent of each condition to change a behavior as opposed to expecting compliance with a service?
- Are the conditions written so that it is clear what each parent/caregiver is expected to change?

* If the answer to these four questions is "no," it is important to consider if/why the condition is needed.

DCF-P-5458 (N. 06/2021)

CHIPS Conditions for Return examples are in your folders

- Current conditions do not include the behavior change that we need to see occur for the child to be safely returned to the home.
- These examples are not meant to be the condition itself but instead are behavioral ideas to incorporate into your current conditions.

Conditions for Return Examples for Tailored Dispositional Orders Project

SMART Goal Framework

- **Specific** – the condition is specifically related to an identified impending danger threat.
- **Measurable** – the condition is clear about what behavior needs to change.
- **Achievable** – it is clear how progress will be made and how it is evaluated and success is determined.
- **Realistic** – the condition is understood by the parent/caregiver, it is least intrusive, and culturally competent.
- **Timely** – the condition is workable, there are no barriers, and the parent/caregiver can begin to work on the condition properly.

*These examples were developed for the Tailored Dispositional Orders Project. This list is not meant to be exhaustive but rather to provide pilot counties with ideas. Furthermore, these examples are not intended to be included in every case and should be modified for each parent based on the individual circumstances of the case and the impending danger threats.

Substance Use Disorder (SUD)

1. If you are prescribed medications, follow your doctor's orders and directions on how to take them.
2. Show that you are using treatment providers, community drug or alcohol support groups, and friends and family to stay sober (reach recovery/sobriety).
3. Show/recognize how your use of drugs or alcohol affected your child.
4. Identify situations and people who trigger you to use drugs or alcohol. Create a recovery/relapse plan with the support of professionals, community supports, friends and family.
5. Work with professionals to review recommendations from AODA assessment and make a plan about what needs to be done for sobriety.
6. Show that you can manage your sobriety so that you can safely parent your child.
 - *Define parenting behavior to explain what safely parenting means – supervision, violence, unsafe people in the home, etc.
7. Follow drug and/or alcohol testing requests as part of treatment plan to show that you're managing your sobriety. A refusal is considered a positive result.

Parenting:

1. Show that you can meet your child's needs.
2. Work with providers and school personnel to meet your child's needs.
3. Name and use people to watch your child and keep your child safe, when unavailable.
 - OR - Do not leave your child with unsafe people or take them to unsafe places.
4. Use positive and safe discipline to parent your child.
 - If physical abuse case - Do not harm your child.
5. Provide a safe environment for your child without unsafe items within the child's reach.
 - If the safety concern was the environment for the child, then be specific such as knives, guns, drugs, etc.
 - Provide a safe environment free of violence and criminal activity.
6. Use skills learned from providers to safely parent your child.

Most Common Conditions



Parentin

Most commonly used parenting condition:

Parent shall participate in and successfully complete parent education/training as recommended by the Department. Parent will stay in program until successfully discharged.

For consideration:

Provide a safe environment for your child without unsafe items within the child's reach [*list safety concerns - knives, guns, drugs, etc.*].

Show that you can meet your child's needs [*specifically list needs*].

Use skills learned from providers to safely parent your child.

Use positive and safe discipline to parent your child.

Alcohol and Other Drugs Abuse (AODA)

Most common:

Parent shall complete an AODA assessment with a qualified provider/agency approved by the assigned social worker and follow through with all recommendations until they are successfully discharged from the program.

Parent shall maintain absolute sobriety.

For consideration:

Identify situations and people who trigger you to use drugs or alcohol. Create a *recovery/relapse* plan with the support of professionals, community supports, friends and family.

Work with professionals to review recommendations from AODA assessment and make a plan about what needs to be done for sobriety.

Show that you are using treatment providers, community drug or alcohol support groups, and friends and family to stay *sober/reach recovery/sobriety*.

Mental Health

Most common:

Parent will complete a mental health assessment and follow through with recommendations.

For consideration:

Show that you are using treatment providers, community support groups, and friends and family to manage *impulsivity/emotions/anxiety/mental health* symptoms.

Show that you can manage your mental health and emotions so that you can safely parent your child.

**If possible, define mental health.*

Work with professionals to review recommendations from *mental health assessment/psychological evaluation* and make a plan about what needs to be done to manage your *mental health/emotions*.

Parent who is Incarcerated

Most common conditions for parents who are about what the social worker will do and not focused on the parent's behavior:

The Worker shall inform the parent what services are available at the institution that will be approved by the Department.

For consideration:

Maintain at regular contact with your child by sending letters to the caseworker to send to your child, participating in phone calls/video calls, and supervised visitation.

Manage your behaviors so you are available to participate in services within the institution.

Sign up and participate in programming that would support your ability to be a safe parent.

Maintain at regular contact with your worker by phone or in writing. Notify the case worker if you are transferred to another correctional facility

Example of CHIPS Conditions after TDO



Parent will demonstrate their ability to physically and emotionally provide for all of your child's basic needs by:

- Providing food, clothing, and safe home (living environment).
- Utilizing necessary financial resources to ensure your child's basic needs are met.
- Caring for and protecting your child from safety danger threats (and safe individuals), including providing supervision for your child.
- Participating in their child(ren)'s medical, educational, and behavioral programming through face-to-face, telephone, or written contact with providers.
- Actively participating in parenting, family counseling, and/or educational support services to improve skills to best care for and meet your child(ren)'s needs.
- Engaging with your child(ren) in visitation and following the Family Interaction Plan.
- Showing an understanding of how to ensure (*child's name*) safety.
- ICWA Applicability: Engage in tribal services as recommended by the tribe and Department.

PARENT will demonstrate the desire and skills to maintain a safe and appropriate household by:

- Maintaining a safe household absent of physical hazards, excess clutter, dirty laundry, urine and feces, decaying food, and/or garbage.
- Following *child welfare professional/caseworker's* cleaning checklist to remove excessive clutter, pet feces, drug paraphernalia (pipes, burnt spoons, needles) and garbage. ***list specific concerns in a neglectful home situation.**
- Obtaining prior approval from the case manager for anyone staying or moving into the home.
- Utilizing necessary financial resources to ensure (*child's name*) basic needs are met.
*If not included in parenting condition.

Alcohol and Other Drug Abuse (AODA)

1. Parent will maintain sobriety.
2. Do not abuse any prescribed medications.
3. Comply with random drug and alcohol testing requests to show that you are managing your sobriety. A refusal is considered a positive result.
4. Complete alcohol and other drug abuse (AODA) assessment.
5. Work with social worker to review recommendations from the AODA assessment.
6. Participate and comply with recommendations from alcohol and other drug abuse (AODA) assessment for services and/or treatment to manage your sobriety.
7. Show that you are using treatment providers, community drug or alcohol support groups, and friends and family to help you manage your sobriety.
 - *If needed - Identify situations and people who trigger you to use drugs or alcohol.*
8. Have a plan to keep your child safe if you relapse. Show that you are following your plan focused on your child's safety.
9. Eliminate safety threats caused by your alcohol and other drug abuse (AODA).

MENTAL HEALTH

Consider using emotional health/needs if “mental health” is triggering or parent denies having a mental health concern.

1. Parent will manage mental health.
2. Complete a [**select what is applicable - mental health assessment or re-evaluation, psychological evaluation, psychiatric assessment*] by a provider approved by the Department.
3. Work with social worker to review recommendations of the [**select what is applicable - mental health assessment or re-evaluation, psychological evaluation, psychiatric*].
4. Participate and comply with mental health service recommendations or treatment programs.
5. Show that you can use coping skills to manage your _____ [**select what is applicable - impulsivity/emotions/anxiety/mental health symptoms*].
6. Modify your behaviors to maintain your emotional needs and have a plan to safely parent your child.
7. Identify and use your support people to manage your mental health.
8. Take prescription medication as prescribed.

CHIPS General Conditions For Every Parent / Conditions of Supervision Examples



Sign releases so child welfare professional/caseworker can determine if safety can be maintained in the home.



Update your address and phone number with your caseworker so they can communicate with you.



Keep in contact with the child welfare professional/caseworker and share the truth so safety can be assessed.



Take advantage of all opportunities to be a part of (child's name) daily activities (visits, appointments, etc.).

Service

DCF Standards require services and activities that are acceptable, accessible and appropriately matched with what must change.

Services are intended to promote change. Once the change process has started, there should be an enhancement in the identified diminished protective capacities, thus working to eliminate the impending danger threat.

Some agencies list services separately.

S

The county agency must make reasonable efforts to provide the following services to the family to help meet conditions for return/supervision:

- Case Management
- Visitation
- Family therapy
- Psychiatric Assessment
- Basic Home Management
- Parenting classes
- AODA Assessment
- Mental Health Assessment

When recommending and setting conditions, keep in mind...

Clarity

Be clear and write what we want to see change to ensure safety. There shouldn't be hidden meanings - that isn't fair to families.

Revisions

Don't forget that conditions can be adjusted through revisions.

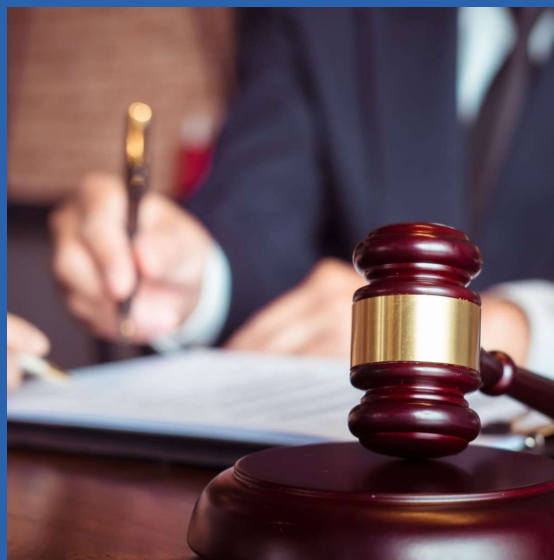
Services

Services should support the condition but should not be the condition itself. A service completion should not be the evaluation of success.

Safe Return Home $\neq$ Case Closure

Safe return home means child safety can be maintained in the home. In-home safety plans can be sustained while services continue.

Example of Youth Justice Conditions after TDO



YJ Court Report: Case Plan Condition

CONDITION: I will participate in developing a case plan that will help support my success on supervision. This case plan may require my participation in assessments, treatment, or programming. If any other individualized conditions are recommended to support community safety and provide opportunities to repair any harm, they are listed below.



Examples of YJ Conditions of Supervision

I will obey all laws, statutes, and ordinances. I will notify my case manager of any police contact within 48 hours (for assistance and to troubleshoot).

I will participate in developing a case plan that will help support my success on supervision. This case plan may require my participation in assessments, treatment, or programming.

I will meet with a case manager at least once per month, or as directed in my case plan. I understand that this contact may occur at my home, school, or other settings.

If I meet my conditions successfully my case manager may make a request for early termination of supervision. If I believe I have met my conditions successfully and would be appropriate for early termination, I may write to my judge 90 days before my supervision is set to expire to request early termination.

Special conditions specific to case and offense

Other Sample Language for Specific YJ Conditions

Youth will develop goals and actions steps to address their mental health needs, which may include a mental health evaluation and any recommended treatment.

Youth will complete an approved restorative justice program to address impacts to victim and the community.

Youth will complete a psychosexual evaluation with a licensed professional and follow treatment recommendations that address and reduce risk of sexual offending behavior.

I will work with my school/case manager to develop and follow an educational plan that helps me meet my educational needs.



Conditions for Parents/Guardians - Youth Justice

(1m) Orders imposing conditions on juvenile's parent, guardian, or legal custodian.

(a) In a proceeding in which a juvenile has been adjudicated delinquent or has been found to be in need of protection or services under s. [938.13](#), the court may order the juvenile's parent, guardian, or legal custodian to comply with any conditions determined by the court to be necessary for the juvenile's welfare. An order may include participation in mental health treatment, anger management, individual or family counseling or parent training and education, and a requirement for a reasonable contribution, based on ability to pay, toward the cost of those services.

(b) A court may not order inpatient treatment under par. [\(a\)](#) for a juvenile's parent, guardian or legal custodian. All inpatient treatment commitments or admissions must be conducted in accordance with ch. [51](#). -- [938.45\(1m\)](#)

- Parents may have an attorney, call witnesses, or cross-examine witnesses on such an order.
- Contempt warnings shall be given at the time of Disposition.
- Prior to contempt filings, agency should make attempts to address resistance or lack of participation and share attempts with the court.



Conditions for Parents/Guardians - Youth Justice

Example Condition:

"Caregiver's Name" will help with case planning, developing goals and action steps.

"Name" shall follow through with agreed upon plan for parenting, house rules and treatment for mental health or AODA concerns, which may include family therapy, individual therapy, parent coaching (etc.).

Example Condition:

"Caregiver's Name" will list or find natural supports to help in achieving the parent's goals, specific to improving outcomes for their child.



Additional Accountability for Parents/Guardians in Youth Justice Cases

938.245(7)(b) In addition to the action taken under par. (a), if the intake worker cancels a deferred prosecution agreement based on a determination that the juvenile's parent, guardian, or legal custodian is not meeting the obligations imposed under the agreement, the intake worker shall request the district attorney, corporation counsel, or other official under s. 938.09 to file a petition requesting the court to order the juvenile's parent, guardian, or legal custodian to show good cause for not meeting the obligations. If a petition under this paragraph is filed and if the court finds prosecutive merit for the petition, the court shall grant an order directing the parent, guardian, or legal custodian to show good cause, at a time and place fixed by the court, for not meeting the obligations. If the parent, guardian or legal custodian does not show good cause, the court may impose a forfeiture not to exceed \$1,000.

938.45(3) Prosecution of adult contributing to delinquency of juvenile. If it appears at a court hearing that any person 17 years of age or older has violated s. 948.40, the court shall refer the record to the district attorney. This subsection does not prohibit prosecution of violations of s. 948.40 without the prior reference by the court to the district attorney.

How will these changes lead to better outcomes for youth and families in Wisconsin?

Wins in TDO Counties

- Lowering the reading level for the conditions for return/supervision.
- Additional discussions about conditions are occurring at pre-trial conferences and hearings and amongst stakeholders – judges, attorneys, and child welfare professionals.
- Changing the county agency's case transfer process from Initial Assessment (IA) to Ongoing.
 - Case transfers are now a team approach to draft the Conditions for Return.
 - Assigning an ongoing worker earlier once IA identifies that a case is likely to need ongoing services.
 - Discussing the safety assessment and including the ongoing worker in safety staffings.



Parent Perspective

- Ensure as much accuracy as possible in petitions and reports, significant impact on trust/rapport.
- Many parents are confused by the overall goal and objective of child welfare courts. More familiar with the adult criminal court system.
- Consider environment whenever engaging with families. Inappropriate to engage/discuss conditions with attorneys in the hallway of the court rooms.

Incorporating Lived Experience

Things to consider:

- Which conditions are listed first and why?
- Describe the behavior that brought the youth/family into the system and specifically what needs to change. Identify specific behaviors that need to be addressed for the child/youth be returned home or achieve permanence.
- Over the life of the case, consistently acknowledge the progress youth/parents have made.
- Ensure families understanding the difference between juvenile court and criminal court proceedings.

Keys to Achieving Better Outcomes



Work together effectively with county partners

Allow safety and YASI to inform decision making and drafting court conditions

Incorporate a multi-disciplinary approach to best serve families



Ensure services and conditions are informed by needs

Matching services to priority needs and safety is critical!



Divert Low-Risk

Avoid bringing low-risk youth and families into the formal 'system'

Focus resources on families with the greatest need

We are asking you to:

1

Collaborate with your county and other community partners on how TDO will be incorporated into your practice

2

Evaluate your court and child welfare systems and consider adopting/advocating for a more tailored and effective court order model

3

Engage with DCF regarding its plans for child welfare system improvements and become a change champion

Where to Find More Wisconsin Data

YJ Annual Reports

(<https://dcf.wisconsin.gov/ys/yj>)

eWReports (Data from eWiSACWIS)

- YJ Referral and Intake
- YASI Assessment

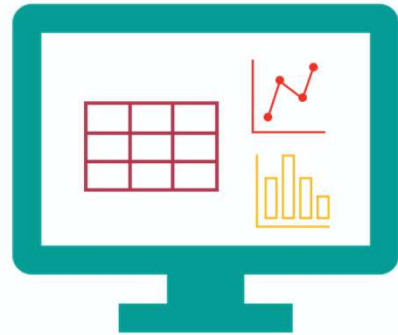
Child Welfare Reports and Dashboards

(<https://dcf.wisconsin.gov/cwportal/reports>)

- OHC & CPS Dashboards
- Older Youth Outcomes Dashboard

Circuit Court Reports & Dashboards

(www.wicourts.gov/publications/statistics/reporting/index.htm)



Facilitated Discussion

Next Steps

- What action steps can be identified to occur after today?
- Do you want to continue the conversation after today?
 - Do you want to identify a lead team/workgroup or does everyone want to participate in the continued discussion?
- Do you want CCIP's and DCF's assistance with facilitating the next meeting?

Please complete the evaluation in your materials!

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