

Ohio Department of Children and Youth
Union County Human Services
MEMORANDUM OF UNDERSTANDING
TO ADDRESS CHILD ABUSE AND NEGLECT

I. STATEMENT OF PURPOSE

This memorandum of understanding (hereinafter MOU) to address child abuse and neglect is required by sections 2151.4220, 2151.4221, 2151.4222, 2151.4223, 2151.4225, 2151.4226, 2151.4228, 2151.4229, 2151.4230, 2151.4231, 2151.4232, 2151.4233, and 2151.4234 of the Ohio Revised Code and rule 5180:3-1-26 of the Ohio Administrative Code. It is an agreement among **Union County Human Services** (hereinafter PCSA) and community partners that delineates roles and responsibilities for referring, reporting, investigating, and prosecuting child abuse and neglect cases within **Union County** (hereinafter county). The MOU also identifies procedures for collaborative service provisions needed to ensure child safety, permanence, and well-being, and the minimum requirements of screening, assessment/investigation, and service planning, to meet mandates included in children services legislation passed by the 134th Ohio General Assembly. Two primary goals of this MOU are:

- The elimination of all unnecessary interviews of children who are the subject of reports of child abuse or neglect.
- When feasible, conducting only one interview of a child who is the subject of a report of child abuse or neglect.

Throughout the state each Public Children Services Association (PCSA) provides the following services to their communities:

Screening: The capacity to accept and screen referrals of suspected child abuse, neglect, and/or dependency includes but is not limited to the following: Receiving referrals 24 hours/day, 7 days/week; Recording and retaining referral information; Following Ohio's screening guidelines based on Ohio Administrative and Revised Code and categorizing the child maltreatment type; Adherence to a protocol for making screening and differential response pathway decisions regarding referrals of suspected child abuse, neglect, and/or dependency within 24 hours from the time of the referral; Documenting case decisions; And assigning a response priority of emergency or non-emergency to any screened in report.

Assessment and Investigation: The capacity to investigate and assess accepted reports of suspected child abuse, neglect, and/or dependency, includes responding to emergency reports within one (1) hour and non-emergency reports within twenty-four (24) hours; Conducting an initial Safety Assessment using a standardized CAPM (Comprehensive Assessment Planning Model) tool within the timeline prescribed in the Ohio Administrative Code; Completing a more in-depth CAPM Family Assessment including a clinical and actuarial risk assessment within sixty (60) days; Working collaboratively with other investigative agencies

when appropriate; Making traditional response case dispositions within required timeframes; Evaluating the need for protective, prevention, or supportive services and/or court involvement; and documenting all activities and case determinations.

Service Provision: The capacity to provide services that ameliorate, eliminate, or reduce future child maltreatment and the conditions which led to abuse, neglect, or dependency includes providing service planning and case management coordination; Identifying and stating the concern and behavior change(s) needed for reunification to occur through the use of the CAPM Family Case Plan; Monitoring the family's case progress, measuring service outcomes, re-assessing safety and risk, and evaluating permanency options by using the CAPM Case Review and Semi-Annual Review tools; And adhering to existing visitation, documentation, and case closure protocols.

II. ROLES AND RESPONSIBILITIES OF EACH PARTICIPATING AGENCY

A. CDJFS/PCSA(If a combined agency or stand-alone PCSA)

PCSA is the lead agency for the investigation of child abuse, neglect, or dependency in the county. PCSA will coordinate and facilitate meetings, establish standards and protocol for joint assessment/investigation with law enforcement, cross-referrals, confidentiality, and training of signatories as required by statute. Child Protective Services (CPS) staff and management will also participate in meetings and trainings as deemed appropriate at the discretion of the Director.

B. LAW ENFORCEMENT

The county peace officer, each Chief of the local political subdivisions, and any other law enforcement officers handling child abuse and neglect cases in the county will have responsibility for: taking referrals/reports alleging child abuse and neglect from any source within their respective jurisdiction; Referring reports to PCSA as soon as possible or within **24 hours** for investigation of the circumstances; Determining whether allegations of abuse or neglect rise to the level of criminal conduct; Cooperating with PCSA in a joint and thorough investigation when the information contained in the report lends itself to allege a present danger; Assisting PCSA in hazardous situations where the provision of protective services or the investigation of child abuse or neglect is impeded; Coordinating with PCSA on interviews with principals of the case when there are serious criminal implications; Notifying PCSA of any legal action involving an alleged perpetrator of child abuse or neglect; Responding to PCSA's requests for information regarding the status of the legal action; Providing police record checks for PCSA as necessary or requested as permitted by law; Consulting with PCSA prior to removal of a child from their home when possible; Handling and coordinating investigations involving a child fatality or near fatality which may have resulted from abuse or neglect.

C. JUVENILE COURT

The Juvenile Court Judge, or the Judge's designee, will be responsible for attending meetings concerning the MOU, entering into agreements with the other signatories of the MOU regarding the court's responsibility to timely hear and resolve child abuse, neglect, and dependency matters, signing the MOU, and updating the MOU or approving any amendment.

The juvenile court has a duty to exercise jurisdiction over adults and children to hear and decide matters as permitted by the Ohio Revised Code Chapters 2151 and 2152. The court is responsible for issuing orders regarding the care, protection, health, safety, mental and physical best interest of children. The Juvenile Judge, or the Judge's designee will ensure that due process of law is achieved; Hear evidence and issue findings of fact and conclusions of law as to any abused, neglected, or dependent child; Order timely and safe permanency dispositions for children; Preserve the family environment whenever possible while keeping the child(ren)'s health and safety paramount.

D. COUNTY PROSECUTOR

The County Prosecutor will report suspected cases of child abuse and neglect to PCSA or appropriate law enforcement agency. The County Prosecutor will represent PCSA in legal actions to protect a child from further harm resulting from child abuse or neglect unless the Prosecutor has granted consent for the appointment of an In-house PCSA Attorney pursuant to Ohio Revised Code chapters 309 and 305.

The prosecuting attorney shall inquire into the commission of crimes within the county. The prosecuting attorney will prosecute, on behalf of the state, all complaints, suits, and controversies in which the state is a party, except for those needing to be prosecuted by a special prosecutor or by the attorney general. The County Prosecutor is to determine, based upon the facts, whether criminal culpability exists and if enough evidence exists for a matter to be prosecuted. The prosecutor will be available to law enforcement and PCSA staff for questions or assistance in the investigation of child abuse and neglect cases and eliminate the need for testimony at the municipal court level by allowing for direct presentation to the Grand Jury, when feasible, to minimize trauma to child victims. The prosecuting attorney agrees to aid PCSA in protecting the confidential nature of children services records and investigations; As well as the special protection afforded to the identity of the reporting source.

E. COUNTY DEPARTMENT OF JOB & FAMILY SERVICES [if not part of a combined agency]

X Not Applicable (if selected, this section is not relevant.)

If the county's Department of Job and Family Services is a separate agency from the PCSA, employees within the county agency are expected to report suspected cases of child abuse and neglect to the PCSA or appropriate law enforcement agency upon receipt; Collaborate with the PCSA to assist families in caring for their children; Assure that children at risk of abuse and neglect receive protective services; Assure service coordination for families already involved with the PCSA; Promote ongoing communication between the county's Department of Job and Family Services and the PCSA regarding mutual clients, including minors under the protective supervision or in the custody of the Agency and/or minor parents; Assist the PCSA upon request in obtaining case or assistance group information regarding a family when the PCSA is assessing Title IV-E eligibility or completing an assessment/investigation of a child at risk or alleged to be abused; Assist the PCSA in obtaining addresses and attempts to locate parents whose whereabouts are unknown, pursuant to OAC 5180:2-33-28; And where applicable and permitted assist the PCSA in locating suitable relatives or kin that may be available as familial support for the child(ren) or as a placement option.

F. LOCAL ANIMAL CRUELTY REPORTING AGENCY

Union County Humane Society is to investigate reports of animal abuse and neglect within the county and, pursuant to ORC 2151.421, report suspected cases of child abuse and neglect that may be observed during the commission of their duties to PCSA or local law enforcement.

G. CHILDREN'S ADVOCACY CENTER (Needs to be included if agreement with CDJFS/PCSA exists. Option to skip this section if your agency does not have a formal agreement with a children's advocacy center.)

X Not Applicable *(if selected, this section is not relevant.)*

The Children's Advocacy Center (CAC) will establish internal protocols regarding the investigation of CAC cases, participate in training as needed, work jointly and cooperatively in their established role with the other team members in the investigation of CAC cases, and attend and exchange information when meeting with the PCSA, law enforcement, and other signatories of this agreement.

H. CLERK OF COUNTY COMMON PLEAS COURT (Optional per statute, but benefits to inclusion should be considered per county. If the Clerk signs this MOU, the Clerk will execute all relevant responsibilities as required of officials specified in this MOU.)

X Not Applicable *(if selected, this section is not relevant.)*

The Clerk of County Common Pleas Court will collaborate with the PCSA, County Prosecutor, and local law enforcement to establish standards and

processes for the filing and acceptance of abuse, neglect, and dependency pleadings; Notice to the necessary parties; Service of process; How to send and receive communications from the Clerk; Defining acceptable methods of communication; Best practices for handling emergency/ex parte motions and orders which require the removal of children and need to be acted upon in an expeditious manner; Date and timestamp process and any cut-offs; Determine how and when to expect decisions or entries to be communicated; Provide periodic training for those involved in the investigation of child abuse and neglect and the signatories of this MOU; Be available to the PCSA management staff or the Prosecutor should questions arise.

III. SCOPE OF WORK

The key objective of this MOU is to clearly define the roles and responsibilities of each agency in the provision of child protective services.

A. Mandated reporters and penalty for failure to report

Persons identified as mandated reporters per Ohio Revised Code section 2151.421, while acting in official or professional capacity, will immediately report knowledge or reasonable cause to suspect the abuse or neglect of a child in accordance with that section. Reports will be made to PCSA or a law enforcement officer.

The penalty for the failure of a mandated reporter to report any suspected case of child abuse and/or neglect pursuant to ORC section 2151.421 is a misdemeanor of the fourth degree. The penalty is a misdemeanor of the first degree if the child who is the subject of the required report that the offender fails to make suffers or faces the threat of suffering the physical or mental wound, injury, disability or condition that would be the basis of the required report when the child is under the direct care or supervision of the offender who is then acting in the offender's official or professional capacity or when the child is under the direct care or supervision of another person over whom the offender, while acting in the offender's official or professional capacity, has supervisory control. Failure to report suspected child abuse and/or neglect may also result in civil liability in the form of compensatory or exemplary damages.

PCSA staff will communicate in writing any instances of mandated reporters failing to make a report to the Prosecutor's office.

B. System for receiving reports

Reports of child abuse or neglect will be made to PCSA or any law enforcement officer with jurisdiction in the county. If PCSA contracts with an outside source to receive after-hour calls, a copy of the signed agreement will be attached to this MOU which indicates that all reports with identifying and demographic information of the reporter and principals will be forwarded to a designated children services worker within an hour of receipt, confidentiality requirements will be met, and how the public is informed of after-hours reporting opportunities.

UCHS has staff available to receive reports by telephone on a 24 hours a day, seven days a week basis. After hours calls are answered by the Union County Sheriff's Department and forwarded to the on-call UCHS social services staff. A caseworker and a supervisor are available at all times to respond to emergency situations. PCSA does not contract with any outside source to receive referral calls.

When a law enforcement officer receives a report of possible abuse or neglect of a child or the possible threat of abuse or neglect of a child, the law enforcement officer will refer the report to PCSA unless an arrest is made at the time of the report that results in the appropriate PCSS being contacted concerning the alleged incident involving the child.

When PCSA screens in a report of child abuse, PCSA will notify the appropriate law enforcement agency of the report, unless law enforcement is present and an arrest is made at the time of the report that results in the appropriate law enforcement agency being notified of the child abuse.

When PCSA screens in a report of child neglect, and PCSA implements a legally authorized out-of-home placement due to neglect within the first seven days of the assessment/investigation, PCSA will notify the appropriate law enforcement agency within the first seven days of the assessment/investigation unless an arrest is made at the time of the report that results in the appropriate law enforcement agency being notified of the child neglect.

C. Responding to mandated reporters

When PCSA receives a referral from a mandated reporter who provides their name and contact information, PCSA will forward an initial mandated reporter notification to the referent within seven days. The notification will be provided, in accordance with the mandated reporter's preference. Information shared with the mandated reporter will include the information permitted by ORC 2151.421(K):

- Whether the agency or center has initiated an investigation of the report;
- Whether the agency or center is continuing to investigate the report;
- Whether the agency or center is otherwise involved with the child who is the subject of the report;
- The general status of the health and safety of the child who is the subject of the report;
- Whether the report has resulted in the filing of a complaint in juvenile court or of criminal charges in another court.

When PCSA closes an investigation/assessment reported by a mandated reporter, PCSA will forward a mandated reporter referral outcome notification to the referent. The notification will be provided in accordance with the mandated reporter's preference. Information shared with the mandated reporter will be that permitted by ORC 2151.421 to include a notification that the agency has closed the investigation along with a point of contact.

D. Roles and responsibilities for handling emergency cases of child abuse, neglect, and dependency

1. PCSA's Response Procedure

When PCSA determines that a report is emergent, PCSA will attempt a face-to-face contact with the child subject of the report/ alleged child victim within one hour of the receipt of the report.

If PCSA identifies an active safety threat at any point during the assessment/investigation, the caseworker or supervisor will implement a safety response.

PCSA has three (3) safety responses available when there is an active safety threat.

- **In-home safety plan:** a voluntary safety plan developed with a family in response to an active safety threat. It is designed to enable a child to remain in the same home as the caregiver(s) with a responsible party moving into the home. An in-home safety plan is the least restrictive type of safety plan. To approve a responsible party, PCSA complete local criminal checks, reviews Statewide Automated Child Welfare Information System (SACWIS) history, completes a National Sex Offender Public Website (NSOPW) search, and completes drug screens on any responsible party when the case is drug related, or if the responsible party has substance abuse history.
- **Out of home safety plan:** a voluntary safety plan developed with a family in response to an active safety threat. It is

designed to enable a child to remain the legal custody of their parent, guardian or custodian while residing with a relative or kin outside of this or her own home, OR the person of concern moving out of the home. To approve a responsible party, PCSA complete local criminal checks, reviews Statewide Automated Child Welfare Information System (SACWIS) history, completes a National Sex Offender Public Website (NSOPW) search, and completes drug screens on any responsible party when the case is drug related, or if the responsible party has substance abuse history.

- Leally authorized out of home placement: The children services' supervisor will contact Union County's Juvenile Judge or Magistrate and provide the needed information to request to take physical custody of a child. If the court authorizes removal, the children services caseworker will then contact the law enforcement of jurisdiction and remove the child pursuant to rule 5180:2-39-01 of the Administrative Code.

2. Law Enforcement and Response Procedure

When Law Enforcement determines that a report is emergent, they will respond to emergency cases as defined by their specific departmental protocols. Law Enforcement will contact PCSA within one (1) hour of receipt of the report.

UCHS will request assistance from the appropriate law enforcement agency if any of the follow exist:

1. To facilitate a removal of a child from their home.
2. The Employee is denied entry into the residence or denied access to the child and the employee has a court order to allow them access.
3. The personal safety of the child is in question.
4. The personal safety of the employee is in question.

3. Children in Need of Medical Attention Special Response Procedures

Children in Need of Medical Attention should be taken to Nationwide Children's Hospital main campus emergency room (ER) located at:

700 Childrens Drive
Columbus, OH 43205

614-722-2000

Situations when children should be taken to a medical facility include but are not limited to:

- Allegations of sexual abuse
 - Children should be taken to Nationwide Children's Hospital ER if the incident occurred within 72-hours.
 - If the incident occurred over 72-hours, children should be seen at The Center for Family Safety and Healing located at:

655 East Livingston Ave
Columbus, OH 43205
(614) 722-8200

- Allegations or indication that the child has been seriously or repeatedly physically injured as a result of abuse and/or neglect.
- The extent of the alleged abuse could cause unseen injuries (such as internal injuries or brain injuries).
- There is indication that the child suffers from malnourishment.
- There is indication that the child may need medical treatment.
- The child has been exposed to or had contact with methamphetamine production and or fentanyl.
- An infant who is not mobile and has marks or bruises.
- The child has an injury, and the parent, child or caretaker has provided an explanation of the injury that is not credible or is suspicious.
- The child has unusual bruises, marks, or signs of extensive or chronic physical injury.
- The child has an injury alleged or suspected to be from abuse and the parent/caregiver/alleged perpetrator has previously been found to be a perpetrator of severe physical injury/serious physical harm.

In investigations involving child death in which abuse/neglect is suspected cause, caseworkers must also request medical exams for any siblings or other child(ren) residing or visiting in the home.

Exception: Exceptions may be made depending on the specifics of an investigation (example: a child's death which is solely attributed to unsafe sleep).

E. Standards and procedures to be used in handling and coordinating investigations of reported cases of child abuse and/or neglect

Methods to be used in interviewing the child who is the subject of the report and who allegedly was abused and/or neglected, alleged perpetrators, and other family members and witnesses/collaterals will be discussed and agreed upon in advance by PCSA and the corresponding law enforcement agency.

To the extent possible investigative interviews of children who are the alleged victims of reports of abuse and/or neglect where criminal activity is suspected, including reports of human trafficking, are cooperatively planned by PCSA and the law enforcement agency of the jurisdiction.

Every effort will be made by the signatories of this MOU to prevent or reduce duplicate interviews of the victims or witnesses. When feasible, to reduce trauma complete only one interview with the alleged child victim/ child subject of the report. PCSA agrees to be the lead agency in scheduling the time, place, and location of joint interviews as well as notifying all participants.

Before starting the interview, the participants will determine who is to be present in the room, who will be asking the questions, what areas are to be covered, and who will be the scribe for the interview. Audio and video recordings may be used when necessary.

When law enforcement or the prosecutor's office interviews a participant in a criminal investigation and a representative of PCSA is not present, the interviews conducted by law enforcement or the prosecutor's office may be used by PCSA to meet the agency investigative requirements set forth in rule. Law enforcement or the prosecutor's office will forward a written summary of the interview to PCSA upon request.

PCSA agrees not to proceed without the advice and consent of the prosecutor's office when a criminal investigation is being conducted concurrently. PCSA will not jeopardize a criminal investigation but will work with law enforcement to protect the safety of the child victim or witnesses. Law enforcement will be the lead agency in the collection of forensic evidence and will coordinate with the necessary facilities to obtain and store such evidence properly.

PCSA will follow up with law enforcement to ensure timely assistance and to complete mandated assessment/investigation activities within the sixty-day timeframe.

F. Standards and procedures addressing the categories of persons who may interview the child who is the subject of the report and who allegedly was abused or neglected

The categories of personnel who may conduct interviews of children who are the subjects of reports of alleged abuse, neglect, and/or dependency are limited to the following:

- Casework and supervisory staff of the PCSA
- Law enforcement personnel
- County or city prosecuting attorneys, assistant prosecuting attorneys
- Children's Advocacy Center (CAC) personnel

G. Standards and procedures for PCSA requests for law enforcement assistance

PCSA may request the assistance of law enforcement during an assessment/investigation if one or more of the following situations exist:

- An exigent circumstance.
- PCSA has reason to believe that the child is in immediate danger of serious harm.
- PCSA has reason to believe that the worker is, or will be, in danger of harm.
- PCSA has reason to believe that a crime is being committed, or has been committed, against a child.
- PCSA worker needs to conduct a home visit after regular PCSA business hours, and a law enforcement escort is requested as a standard operating procedure.
- PCSA is removing a child from his or her family via an order of the court, and the assistance of law enforcement is needed as PCSA has reason to believe the family will challenge the removal.
- PCSA is working with a client who has a propensity toward violence, and the assistance of law enforcement is needed to ensure the safety of all involved.
- PCSA is working with a family that has historically threatened to do harm PCSA staff.

H. Specialized Investigations or Circumstances

To the extent possible, investigative interviews of children who are the alleged child victims/child subjects of the report of abuse and neglect where criminal activity is suspected, including reports of human trafficking, physical and sexual abuse, domestic violence, child endangering, or the

like, are cooperatively planned by PCSA and the law enforcement agency of jurisdiction.

1. Out-of-Home Care

PCSA conducts an out-of-home care investigation in response to a child abuse or neglect report that includes an alleged perpetrator who meets one or more of the following criteria:

- Is a person responsible for the alleged child victim's care in an out-of-home care setting as defined in rule 5180:2-1-01 of the Administrative Code.
- Is a person responsible for the alleged child victim's care in out-of-home care as defined in section 2151.011 of the Revised Code.
- Has access to the alleged child victim by virtue of their employment by or affiliation to an organization as defined in section 2151.011 of the Revised Code.
- Has access to the alleged child victim through placement in an out-of-home care setting.

PCSA follows the procedures for conducting out-of-home care investigations as described in section 5180:2-36-04 of the OAC.

Whenever possible, PCSA, law enforcement and other investigative parties will conduct joint investigations to promote an efficient, consistent and timely process. A joint investigative process may include the following:

- Sharing all information at the onset of the case
- Joint interviewing of all or certain parties in the case
- Sharing of information gathered at interviews
- Development of investigative and/or service strategies by the investigative staff
- Shared disposition and possible recommendations to the family, the prosecutor's office, or other service providers

2. Third-Party Investigations

In accordance with section 5180:2-36-08 of the OAC, PCSA is to request a third-party in the assessment/investigation for reports of child abuse or neglect where there is potential for a conflict of interest because one of the following parties is a principal of the report:

- Any employee of an organization or facility that is licensed or certified by the Ohio Department of Children and Youth (DCY) or another state agency and supervised by PCSA.

- A foster caregiver, pre-finalized adoptive parent, adoptive parent, relative, or kinship caregiver who is recommended, approved, or supervised by PCSA.
- A type B family childcare home or type A family childcare home licensed by DCY when the CDJFS has assumed the powers and duties of the county children services function defined in Chapter 5153. of the Revised Code.
- Any employee or agent of DCY or PCSA as defined in Chapter 5153. of the Revised Code.
- Any authorized person representing DCY or PCSA who provides services for payment or as a volunteer.
- A foster caregiver or an employee of an organization or facility licensed or certified by DCY and the alleged child victim is in the custody of, or receiving services from, PCSA that accepted the report.
- Anytime a PCSA determines that a conflict of interest exists. PCSA is to document in the case record if a conflict of interest is identified.

PCSA is to request that law enforcement serve as the third party when a report alleges a criminal offense. PCSA is to request the assistance of a third party within 24 hours of identifying that a conflict of interest exists.

PCSA supervisory staff will handle and coordinate joint investigations with law enforcement and share investigative reports with the law enforcement personnel assigned to the case.

In the event law enforcement declines to participate, PCSA will contact alternate law enforcement agency, prosecutor's office, or DCY for guidance.

3. Child Fatality- Suspected cause of death is abuse or neglect

PCSA is governed by ORC section 307.622 and needs to have a child fatality review board. The agency Director serves as the required PCSA member of the Union County Child Fatality Review Board established by the Union County Health Department.

4. Child Fatality- Death of a child in the custody of PCSA

PCSA follows rules 5180:2-33-14 and 5180:2-42-89 of the OAC following the death of a child in its custody.

A joint investigation between the social services agency or appropriate law enforcement agency may be required in cases involving a child death where abuse or neglect is suspected as a cause.

A written report shall be filed with law enforcement regarding any investigation involving the death of a child.

A UCHS employee investigating a report of suspected child abuse and neglect shall immediately request the appropriate law enforcement agency in cases involving the death of a child from alleged abuse or neglect.

5. Allegations of withholding medically indicated treatment from disabled infants with life-threatening conditions

PCSA follows the procedures described in section 5180:2-36-07 of the OAC for responding to these reports.

The withholding of medically indicated treatment is the refusal to provide appropriate nutrition, hydration, medication, or other medically indicated treatment from a disabled infant with a life-threatening condition.

Medically indicated treatment includes the medical care most likely to relieve, or correct, the life-threatening condition. Nutrition, hydration, and medication, as appropriate for the infant's needs, are medically indicated for all disabled infants; in addition to, the completion of appropriate evaluations or consultations necessary to assure that sufficient information has been gathered to make informed medical decisions on behalf of the disabled infant.

In determining whether treatment is medically indicated, reasonable medical judgments made by a prudent physician, or treatment team, knowledgeable about the case and its treatment possibilities are considered. The opinions about the infant's future "quality of life" are not to bear on whether a treatment is judged to be medically indicated. Medically indicated treatment does not include the failure to provide treatment to a disabled infant if the treating physician's medical judgment identifies any of the situations listed in OAC section 5180:2-36-07(A)(3)(a-d).

- PCSA's assigned investigator will gather and maintain current information regarding the name, address and telephone number of each appropriate health care facility within the cases' jurisdiction.
- PCSA's assigned investigator will identify and maintain the current name, title and telephone number of each facility's contact person involved with the case of withholding of medically indicated treatment from disabled infants with life-threatening conditions.
- PCSA's assigned investigator will conduct interviews with the parent, guardian, or custodian, attending physician, health care administrator and/or staff responsible for the disabled infant's care. The investigator will review the infant's medical records in their entirety and consult with the Prosecutor's office to obtain advice and consent.

6. Allegations of child abuse and/or neglect constituting a crime against a child, including human trafficking, and needing a joint assessment/investigation with law enforcement

PCSA and law enforcement will collaborate on their investigation, sharing information to the greatest extent possible, working towards what is in the best interest of the child from a protective and legal standpoint. At the initial stage, team members should confer to determine whether the matter calls for a joint investigation. Communication and collaborative planning between systems should occur at each step of the investigation. All systems will work collaboratively and respectfully with all teammates in the effort to maximize the child's safety while maintaining the integrity of the investigation. The investigators may, as needed, confer with the Prosecutor's Office throughout the investigation to modify and further develop their plan.

7. Reports of cases involving people who aid, abet, induce, cause, encourage, or contribute to a child or a ward of the juvenile court becoming dependent, neglected, unruly, and/or delinquent

For all reports involving cases of people, UCHS will refer to the Union County Prosecutor's Office or to the local Law Enforcement of the appropriate jurisdiction (Chapter 5180:2-36)

8. Reports involving people who aid, abet, induce, cause, encourage, or contribute to a child or a ward of the juvenile court leaving the custody of any person, department, or public or private institution without the legal consent of that person, department, or institution

For all reports involving cases of people, UCHS will refer to the Union County Prosecutor's Office or to the local Law Enforcement of the appropriate jurisdiction (Chapter 5180:2-36)

9. Receiving and responding to reports of missing children involved with PCSA

Upon learning that a minor child has either run away from or is otherwise missing from the home or the care, custody, and control of the child's parents, custodial parent, legal guardian, or non-custodial parent, the following actions will take place:

- When an MOU signatory agency is made aware that a child is missing, they will coordinate with the custodian to report their concerns to the law enforcement agency in the appropriate jurisdiction.
- The law enforcement agency will enter known information into the National Crime Information Center (NCIC) database if the child is in PCSA custody.
- The law enforcement agency will take prompt action upon the report, including, but not limited to, concerted efforts to locate the missing child.
- The law enforcement agency will promptly enter any additional, relevant information into NCIC.
- The law enforcement agency will promptly notify the missing child's parents, parent who is the residential parent and legal custodian, guardian, or legal custodian, or any other person responsible for the care of the missing child, that the child's information was entered into NCIC.
- PCSA will contact the National Center for Missing and Exploited Children (NCMEC) if the child is PCSA custody.

Upon request of law enforcement, PCSA is to provide assistance and cooperation in the investigation of a missing child, including the immediate provision of any information possessed by PCSA that may be relevant in the investigation.

All MOU signatory agencies are to notify PCSA upon learning that a minor child who is alleged to be in the children services system or who is known or suspected to be abused or neglected has either run away from or is otherwise missing from the home or the care, custody, and control of the child's parents, custodial parent, legal guardian, or non-custodial parent.

I. Standards and procedures for removing and placing children

1. Emergency

Emergency removal of a child from home is necessary when the child is at imminent risk of harm and in need of protection from abuse, neglect, or dependency.

An ex parte order may be issued with a complaint being filed. Prior to taking the child into custody the judicial fact finder is to make a determination that reasonable efforts were made to notify the child's parents, guardian, or custodian, or there were reasonable grounds to believe doing so would jeopardize the safety of the child, or lead to the removal of the child from the jurisdiction.

Juv. R 6 orders can be issued in-person, by phone, video conference, or otherwise. Reasonable grounds need to exist to believe the child's removal is necessary to prevent immediate or threatened physical or emotional harm or any of the other enumerated reasons set forth in Juvenile Rule 6.

Findings need to be made that the agency either did or did not make reasonable efforts to prevent the removal of the child from their home with a brief description of services provided and why those did not prevent the removal or allow the child to return home, and if temporary custody is granted to PCSA an additional finding that it would be contrary to the welfare and best interest of the child to continue in the home. If granted, a shelter care hearing is to be scheduled the next business day (but not later than seventy-two hours) after the emergency order has been issued. If the ex parte motion is denied, the matter is to be set for a shelter care hearing within ten days from the filing date.

Union County Human Services will consider the emergency removal of a child from his/her own home when all of the following conditions exist:

- 1. The child's safety is at imminent risk and in need of protection from abuse or neglect;**

- 2. The caretaker is unavailable, unable, or unwilling to provide protection from the abuse or neglect;**
- 3. Supportive services cannot provide adequate protection to the child if he/she remains in the home; and**
- 4. The court has issued an emergency order.**

When an emergency order has occurred, the employee shall provide the caretaker and the child, when age appropriate, with the following information:

- 1. The reason for the removal;**
- 2. The name, agency address, and agency telephone number of the social worker;**
- 3. The address, hours, and phone number to Juvenile Court; and**
- 4. Where and when a hearing will be held to determine if there is a need for continued custody, placement, or other court orders.**

2. Non-emergency

Upon receiving a report alleging child abuse, neglect, and/or dependency, PCSA may commence an investigation in accordance with the requirements of section 2151.421 of the ORC. If the final case decision rises to the level of court involvement, PCSA is to approach the juvenile court and file a complaint alleging the child(ren) to be abused, neglected, or dependent per ORC 2151.27. The matter will be set for a shelter care/initial protective hearing expeditiously by the juvenile court.

Reasonable oral or written notice of the time, place, and purpose of the hearing are to be provided to the parents, guardian, or custodian unless they cannot be found. The same parties are also entitled to notification that a case plan may be prepared, the general requirements of the case plan, and possible consequences of non-compliance with the case plan.

The parties will be served with the complaint and summons to appear before the juvenile court. Unrepresented parties are advised by the juvenile court of their right to counsel. A guardian ad litem is appointed to all children subjects of abuse, neglect, or dependency proceedings. A separate guardian ad litem may be appointed to minor parents or parents who appear mentally incompetent.

The judicial factfinder is to determine by clear and convincing evidence whether the child is abused, neglected, or dependent; if the child is in need of protection; whether or not there is an appropriate relative or kin willing to assume temporary custody of the child;

that reasonable efforts were made by PCSA to prevent the removal or continued removal or to make it possible for the child to return home safely; and for temporary custody orders to PCSA finding it would be contrary to the welfare and best interest of the child to continue in the home. All other temporary orders should be requested and considered at this time.

Union County Department of Job and Family Services will remove a child from his/her home and provide temporary placement when:

1. **The parents sign an agreement for temporary custody of a child; or**
2. **Union County Juvenile Court determines that the child is in need of protection and orders the child to the temporary custody of the agency. This may occur through the course of regular court activity or through the motion of UCHS.**

IV. TRAINING

Cross system training is to be provided to and a plan developed by all signatories of this MOU to ensure parties understand the mission and goals identified in this MOU and are clear about the roles and responsibilities of each agency. Periodic trainings events will be coordinated by PCSA as the lead agency and notification of the trainings will be provided to the signatories of this agreement. By agreeing to participate in the county MOU process signatories express a commitment to attend training opportunities when presented.

V. CONFLICT RESOLUTION

When a conflict occurs among county partners, the effect is often broader than the individuals directly involved in the dispute. As disputes are often inevitable, this MOU is to set forth the local process by which disputes will be resolved so as not to disrupt program effectiveness.

As the mandated agency responsible for the provisions of child protective services, the ultimate decision on how to handle abuse, neglect investigations lie with PCSA. Every effort will be made to take into account other signatories' requests and concerns relating to services.

Criminal investigations and prosecution remain the responsibility of the prosecuting attorney and appropriate law enforcement agencies. PCSA will assist these agencies, but in no way, interfere or jeopardize a criminal investigation or prosecution.

For cases that come before the court as it relates to decisions and orders, the Juvenile Judge's rulings are final appealable orders.

Each agency will make a concerted effort to help the other with joint interviews, investigations, evidence collection, information sharing, and fact-finding. Each agency will not hinder or interfere with the express duties of another and will do their best to cooperate and collaborate with the other county partners.

In the event internal conflict resolution efforts fail and a statutorily required participant refuses to sign or engage in the MOU process, PCSA is to consult with the County Prosecutor to explore available remedies.

VI. CONFIDENTIALITY STATEMENT

Any report made in accordance with ORC section 2151.421 is confidential. Both the information and the name of the person who made the report under section 2151.421 will not be released to the public for use and will not be used as evidence in any civil action or proceeding brought against the person who made the report.

Children services records are not public records and are exempt from Ohio's Sunshine Laws under ORC 149.43. Children Services records are confidential in nature and should be treated accordingly.

ORC section 2151.423 requires PCSA to disclose confidential information discovered during an investigation conducted pursuant to section 2151.421 or 2151.422 of the Ohio Revised Code to any federal, state, or local government entity, including any appropriate military authority or any agency providing prevention services, that needs the information to carry out its responsibilities to protect children from abuse or neglect. Likewise, law enforcement, and other entities are expected to release information to PCSA for the purpose of carrying out its responsibility of protecting children from abuse and/or neglect.

When deemed appropriate by Law enforcement all relevant public information including, but not limited to police reports, body cam footage, jail calls, photos, and interview transcripts.

PCSA shall share all relevant information as permitted by the ORC and OAC.

The information received in a report of alleged child abuse or neglect is highly sensitive and should be maintained in confidence. When any person commits, causes, permits or encourages the unauthorized dissemination of information, UCHS shall give written notification of such unauthorized dissemination to the Union County Prosecuting Attorney. The reporter's identity is confidential and cannot be confirmed or denied.

The confidentiality provisions of this MOU will survive the expiration or termination of this agreement.

Information regarding the report and/or investigation of alleged abuse or neglect may be shared only when dissemination is authorized by OAC section 5180:2-33-21 and in accordance with the procedures outlined in OAC section 5180:2-33-21. The unauthorized dissemination of confidential information is a misdemeanor and is punishable by law.

In the event of unauthorized dissemination of information, the party who learns of the breach of confidentiality will notify the Director of PCSA as soon as possible. The notification will be sent to the Director in writing describing the circumstances surrounding the breach. The notification will specify the confidential information released, who is responsible for disseminating the confidential information, how it was disseminated, and the parties who have access to the information without authorization. The Director of PCSA will then refer this information to the prosecutor or city director of law at their discretion.

VII. TERMS AND CONDITIONS AND STATUTORY REQUIREMENTS

This MOU is to be retained for a period of at least seven years per the state of Ohio records retention schedule. Please refer to PCSA records retention policy for information on forms to be completed and processes to be followed for the destruction of records.

Consultation among the signatories may be done in person, whenever practicable. When an in-person meeting is not practicable the signer may employ the use of alternative methods of communication including but not limited to MS Teams, Skype, Zoom, or telephone as agreed upon by all members. When PCSA is seeking consultation with a signer of this MOU regarding an active referral of child abuse and/or neglect and has met in person or spoken with another signer, PCSA will make written contact with the appropriate agency by the next working day to request the needed information and make the referral in writing.

The required members are to review and evaluate the terms and conditions of the MOU every biennium. All required members to the MOU will sign the new or updated agreement. **Union County Human Services** is to submit the MOU to the Board of County Commissioners for review and approval with enough time for any revisions to be made prior to December thirty-first of the year.

This MOU does not inhibit good faith compliance with a subpoena issued by a Grand Jury or in a criminal case. Dissemination of records pursuant to the State's discovery obligations is authorized. However, work product and other privileges are expected to be upheld.

Failure to follow the procedure set forth in the MOU by the concerned officials is not grounds for, and will not result in, the dismissal of any charges or complaint arising from any reported case of abuse or neglect or the suppression of any evidence obtained as a result of reported child abuse or child neglect and does not

give, and will not be construed as giving, any rights or any grounds for appeal or post-conviction relief to any person pursuant to section 2151.4223 of the Revised Code.

This MOU will be governed by and construed in accordance with applicable state and federal laws and regulations. Any identified or listed citations to Ohio Administrative Code revised during the implementation of this MOU are to defer to the current finalized codification. In the event any other portion of this MOU is inconsistent with state or federal law, that portion will be without effect as if stricken from the document and the remaining portion will remain in full force and effect.

VIII. SIGNATURES OF EACH PARTICIPATING AGENCY

The signature section authorizes the participating parties of the agreement to begin enactment of MOU protocols and activities. The participating members agree to follow the terms of this MOU and to meet at minimum once every biennium to review terms and conditions, evaluate if updates are needed, and sign a new or amended MOU.

If any individual serving as a signatory changes mid-term, PCSA is to provide the new required member with the current MOU. The new member remains bound by the most recently approved version of the MOU. Their signature is to be obtained.

A required member may request a modification to this MOU by providing the request to the Director of PCSA. PCSA will review the request and if applicable seek in-person review with all required members.

A required member to this agreement may terminate their involvement in the MOU for good cause upon giving reasonable written notice to the other required members in this MOU. PCSA is to consult with the Union County Prosecutor Office to explore available remedies.

The MOU may be signed in person or electronically.

Signatures on Next Page


Union County Human Services, Sue Ware, Director


Union County Sheriff's Office, Mike Justice, Sheriff

Marysville Division of Police, Tony Brooks, Chief

Richwood Police Department, Justin Baldwin, Chief

Union County Humane Society

Union County Juvenile Court, Honorable Rick Rodger, Judge


Union County Prosecuting Attorney, David Phillips, Prosecuting Attorney **PROSECUTING**

Agency, Name, Title Date

Agency, Name, Title Date

Agency, Name, Title Date

Agency, Name, Title Date

Agency, Name, Title Date

IX. Refusal to Sign ☐ Not Applicable (if selected, this section is not relevant.)

PCSA attests they attempted to obtain the signature of all required participating agencies as set forth in Section II of this MOU and as mandated through section 2151.4210 of the Revised Code. However, the following agency(ies) or individual(s) refused to sign this MOU.

Signatures on Next Page


Union County Human Services, Sue Ware, Director

Union County Sheriff's Office, Mike Justice, Sheriff


Marysville Division of Police, Tony Brooks, Chief

Richwood Police Department, Justin Baldwin, Chief

Union County Humane Society

Union County Juvenile Court, Honorable Rick Rodger, Judge


Union County Prosecuting Attorney, David Phillips, Prosecuting Attorney *prosewntz*

Agency, Name, Title

Date

Agency, Name, Title

Date

Agency, Name, Title

Date

Agency, Name, Title

Date

Agency, Name, Title

Date

IX. Refusal to Sign ☐ Not Applicable (if selected, this section is not relevant.)

PCSA attests they attempted to obtain the signature of all required participating agencies as set forth in Section II of this MOU and as mandated through section 2151.4210 of the Revised Code. However, the following agency(ies) or individual(s) refused to sign this MOU.

Signatures on Next Page


Union County Human Services, Sue Ware, Director

Union County Sheriff's Office, Mike Justice, Sheriff

Marysville Division of Police, Tony Brooks, Chief

Richwood Police Department, Justin Baldwin, Chief

Union County Humane Society


Union County Juvenile Court, Honorable Rick Rodger, Judge


Union County Prosecuting Attorney, David Phillips, Prosecuting Attorney *prosewntz*

Agency, Name, Title

Date

Agency, Name, Title

Date

Agency, Name, Title

Date

Agency, Name, Title

Date

Agency, Name, Title

Date

IX. Refusal to Sign ☐ Not Applicable (if selected, this section is not relevant.)


PCSA attests they attempted to obtain the signature of all required participating agencies as set forth in Section II of this MOU and as mandated through section 2151.4210 of the Revised Code. However, the following agency(ies) or individual(s) refused to sign this MOU.

Signatures on Next Page


Union County Human Services, Sue Ware, Director

Union County Sheriff's Office, Mike Justice, Sheriff

Marysville Division of Police, Tony Brooks, Chief


Richwood Police Department, Justin Baldwin, ~~Chief~~ Lieutenant

Union County Humane Society

Union County Juvenile Court, Honorable Rick Rodger, Judge


Union County Prosecuting Attorney, David Phillips, Prosecuting Attorney **PROSECUTOR**

Agency, Name, Title

Date

Agency, Name, Title

Date

Agency, Name, Title

Date

Agency, Name, Title

Date

Agency, Name, Title

Date

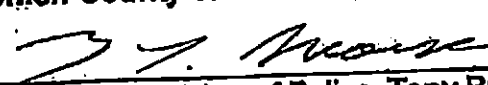
IX. Refusal to Sign ☐ Not Applicable (if selected, this section is not relevant.)

PCSA attests they attempted to obtain the signature of all required participating agencies as set forth in Section II of this MOU and as mandated through section 2151.4210 of the Revised Code. However, the following agency(ies) or individual(s) refused to sign this MOU.


Signatures on Next Page


Union County Human Services, Sue Ware, Director

Union County Sheriff's Office, Mike Justice, Sheriff


Marysville Division of Police, Tony Brooks, Chief

Richwood Police Department, Justin Baldwin, Chief


Union County Humane Society, Shawn Sech, Board President

Union County Juvenile Court, Honorable Rick Rodger, Judge


Union County Prosecuting Attorney, David Phillips, Prosecuting Attorney *PROSECUTOR*

Agency, Name, Title Date

Agency, Name, Title Date

Agency, Name, Title Date

Agency, Name, Title Date

Agency, Name, Title Date

IX. Refusal to Sign ☐ Not Applicable (if selected, this section is not relevant.)

PSCA attests they attempted to obtain the signature of all required participating agencies as set forth in Section II of this MOU and as mandated through section 2151.4210 of the Revised Code. However, the following agency(ies) or individual(s) refused to sign this MOU.


10/1/2021
10/1/2021

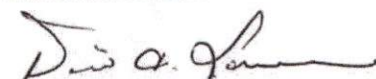
Date:
Agency, Name, Title:
Reason the Individual refused to sign:

- X. Board of County Commissioners**
PCSA is to submit the MOU signed by all participating agencies to the Board of County Commissioners. The participating agencies will ensure there is adequate time for both the County Board of Commissioners and DCY review and approval process along with any returns for correction prior to the end of the contractual period.

County Commissioners Signature and Date/Resolution/Vote

The Board of Union County Commissioners hereby review and approve the Union County Memorandum of Understanding.

 12/31/25
Steve Robinson Date

 12/31/25
David A. Lawrence Date

Tom McCarthy Date

C.J. 2025
25-556
Date 12/31/25