

# **MEMORANDUM OF UNDERSTANDING THE WOMEN'S COMMUNITY AND MARATHON COUNTY DEPARTMENT OF SOCIAL SERVICES**

## **PURPOSE**

We enter this memorandum of understanding (MOU) in order to provide more thoughtful, responsive, consistent services to the families of Marathon County. We recognize our agencies serve many common families and each serves additional families who would benefit from the services of our partner agency. Our purpose in developing and implementing this MOU is to develop a more seamless service environment.

This MOU represents our plan for working toward this goal. It provides supports for staff to enhance their understanding of these complex family violence issues and the systems that have been developed to respond to them. It establishes a more predictable environment for collaboration between partner agencies. The agency policy detailed here provides guidance and expectations for staffs of both partner agencies.

We recognize each agency has a unique mission and professional culture. We seek to support our partner agency in fulfilling that mission and appreciate its role in the community. While our agencies will always have unique identities, we are stronger when we address family violence issues together. This collaboration promotes flexible services to families and a more consistent, articulate voice to the community.

The focus of this MOU is limited to situations where children and their protective parent have experienced abuse within the family. For purposes of this MOU Marathon County Department of Social Services will be referred to as CPS. This will include all stages of child welfare, including the screening, investigative and ongoing stages of the process. The Women's Community will be referred to as TWC.

## **PRINCIPLES**

The following principles guide our work:

1. When working with families experiencing domestic violence and child maltreatment, we have an obligation to provide safety for children and an obligation to aid protective parents to achieve safety.
2. Child safety can often be improved by helping the protective parent to become safe and by supporting the protective parent's efforts to achieve

- safety. Our first strategy should be considering means to provide safety for the child and protective parent together.
3. Safety for protective parent and children is enhanced when abusers are held accountable for their actions.
  4. Child Protective Services (CPS) and TWC staffs should consider the impact of their interventions on all family members. Whenever possible, we should not take action that increases the danger to or vulnerability of another family member. When this cannot be avoided, we should attempt measures that address this resulting increase in risk.
  5. When making decisions and policies about information disclosure, we should recognize (a) CPS staff need to have sufficient information to identify children who may have been maltreated and, when necessary, provide safety for those children and (b) the protective parent needs information kept confidential that would jeopardize their ability to maintain and plan effectively for their safety.
  6. Policies, protocols and decision-making should provide a range of responses appropriate to each family's circumstances. They should recognize that families experiencing domestic violence and child maltreatment vary in dynamics, family situation and the impact of abuse on its victims.
  7. CPS and TWC agencies should assure that all staff understand and respect the role, values, capacity, policies, needs and limitations of local services to facilitate effective collaboration.
  8. TWC and CPS agencies should coordinate their efforts on the local level in order to assure appropriate reporting and referrals, develop protocols for serving families together, use existing resources creatively, provide community outreach and education, identify and address gaps in resources and provide support for staff.

## **COMMON VALUES**

We approach this work holding these values in common:

1. Client self-determination is fundamental to any work with a protective parent and is, therefore, essential to the foundation of domestic violence work. In addition, it is part of the social work code of ethics.
2. Cultural awareness, language access and culturally relevant responses are fundamental to meaningful intervention.
3. When we are working with issues as complex as the connections between domestic abuse and child maltreatment, it is imperative that we recognize that each family is unique.
4. Both systems should assure that people are treated with respect and dignity; and honor the bond that exists between parents and children.
5. We respect client right to confidentiality based on the belief that clients "own" all the information about them.

6. Under some circumstances where CPS investigations are involved with families and there is the co-occurrence of domestic violence and child abuse, information will have to be shared.

## DEFINITIONS

**“Protective parent”** is the person in the family that is caring for the child and may also be being abused by the offender. The abuse could be physical, sexual, emotional or psychological. The offender may use tactics of coercion that attempts to control the victim by limiting financial, physical, social, aspects of the victim’s life. The tactics of abuse and coercive control, are the predominant identifier of the offender in the household and not always the use of physical violence. In fact, there are times when the victim has been the one to use physical violence against the offender in order to protect themselves or their children.

**“Child Maltreatment”** includes any physical abuse, sexual abuse, neglect emotional damage or threat of abuse or neglect as described in s.48.981 (1) and 48.02(1), Stats. CPS agencies use the definitions for physical abuse, sexual abuse and emotional abuse found at s.48.02, Stats, and neglect found in s.48.981, Stats. Note: Law enforcement agencies and CPS Agencies are bound by different statutes that define their roles regarding intervention in child maltreatment cases.<sup>1</sup>

**“CPS (Child Protective Services)”** is the public agency with the authority to respond to threats to child safety.

**“Community Response”** is an initiative to respond to child welfare concerns referred to CPS regarding a family (mainly with children under the age of 5 yrs.) that focus on parenting or poverty issues but do not meet the definition of child maltreatment. These cases begin with a referral to Child Protective Services but are screened out without investigation. This is a voluntary service where a social worker offers to assess and assist a family with services to help them divert from the CPS system.

**“CPS Access”** means the function of the agency to gather information leading to a determination of the need for CPS intervention.

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<sup>1</sup> Criminal investigations use definitions primarily in Ch. 948, Stats. There are some crimes against children that are not defined as child maltreatment and therefore not within the authority of CPS. At times the level of harm that exists to proceed for criminal purposes is lower than the level of harm that exists for CPS purposes; sometimes resulting in a more involved response from the criminal system than the CPS system.

**“Domestic Violence”** also known as Battering, Intimate Partner Violence and Domestic Abuse. Under Wisconsin law 968.075, includes any of the following engaged in by an adult person against his or her spouse or former spouse, against an adult with whom the person resides or formerly resided or against an adult with whom the person has a child in common:

1. Intentional infliction of physical pain, physical injury or illness.
  2. Intentional impairment of physical condition.
  3. A violation of s. 940.225 (1), (2) or (3).
  4. A physical act that may cause the other person reasonably to fear imminent engagement in the conduct described under sub. 1., 2. or 3.
- (b) "Law enforcement agency" has the meaning specified in s. 165.83 (1) (b).
- (d) "Party" means a person involved in a domestic abuse incident.
- (e) "Predominant aggressor" means the most significant, but not necessarily the first, aggressor in a domestic abuse incident.

**“Non-Caregiver”** s.48.981 (1) (am), Stats. means an individual who is a stranger, neighbor, adult acquaintance, or another child who never had control over or supervisory responsibility for the child who is the alleged victim of maltreatment.

**“Non-Caregiver Investigation”** is conducted when the alleged maltreater has not supervised or exercised control over the child. This would include strangers, neighbors, adult acquaintances, and other children. Wisconsin Act 232 (2005) eliminates the requirement that county departments investigate reports of alleged abuse by a person who is not a “caregiver” as defined in s.48.981 (1) (am).

**“Primary Assessment”** is conducted when the alleged maltreater is a parent, guardian, legal custodian, sibling, foster parent, or anyone who is currently residing in the child’s dwelling or resided there during the time the maltreatment occurred.

**“Primary Caregiver”** means a parent, guardian, legal custodian, stepparent, sibling, stepsibling, half-sibling, and anyone who shares the child’s dwelling, regularly or intermittently.

**“Protective plan”** is an immediate, short term strategy used in CPS in response to the identification of present danger threats. The protective plan provides a child with adult supervision and care to control present danger threats and to allow for the collection of information that can be used to determine impending danger and parent/caregiver protective capacities. A protective plan may be a voluntary arrangement made between a family and CPS (in the home or outside the home), or it may be a plan put in place via a temporary physical custody (TPC) request to the court.

**“Relative”** means a parent, stepparent, sibling, stepsibling, half-sibling, sibling-in-law, a half-sibling’s biological parent, first cousin, second cousin, nephew, niece, uncle, aunt, step-uncle, step-aunt, or any person of a preceding generation as denoted by the prefix of grand, great, or great-great, whether by blood, marriage, or legal adoption, or the spouse of any person named in this subsection, even if the marriage is terminated by death or divorce. [s.48.02 (15), Stats.] When used in reference to an Indian child, the tribe’s definition of a relative generally, but not always, applies.

**“TWC Safety Plan”** is an essential part of the work of domestic violence advocates. It involves strategies developed in a victim-centered approach that incorporates the victim’s life generated risks. These risks include those generated by life circumstances, the offender and system responses. It is intended to keep domestic violence victims and any children and/or pets safe while living in an environment of domestic violence and abuse, preparing to leave, leaving, and after leaving an abuser. A survivor’s safety and well-being is most at risk during episodes of violence and when attempting to leave an abuser, so it is especially important to prepare ahead of time to be as protected as possible.

**“Secondary Assessment”** is conducted when the alleged maltreater is a contracted caregiver or relative not sharing the child’s dwelling. This includes, but is not limited to, child care staff, juvenile corrections and other residential facilities, babysitters, teachers, youth activity leaders and any relative of the child, including but not limited to grandparents and great-grandparents, who do not reside regularly or intermittently with the child.

**“Secondary Caregiver”** means those individuals described in s.48.981 (1) (am) 5-8, Stats. In general this excludes two groups – individuals who have provided care, supervised or exercised control over the child, and distant relatives. An individual is considered a secondary caregiver if the child’s parent, guardian, or legal custodian expects that individual to handle emergencies meet the child’s physical needs and direct the child’s behavior, as age appropriate, during the time the individual and the child are together.

**“Screen In/Screen Out”** means the decision to accept or not accept a report of alleged child maltreatment or threatened maltreatment for assessment/investigation, based on whether the allegation, if true, meets statutory definitions of child maltreatment and threatened maltreatment. A report that is “screened in” is accepted for assessment/investigation. A report that is “screened out” is closed without an assessment/investigation.

## **SUPPORTING A COLLABORATIVE RELATIONSHIP**

### **Increasing Staff Knowledge and Understanding**

Knowledge about these forms of family violence, the systems for responding to them, effective intervention strategies and agency policies and practices provides a foundation for meaningful collaboration. The following agreements are intended to support the development of that foundation:

**Goal:** Current relevant staff will increase knowledge of the partner agency.

- Each agency will identify staff to serve as the liaison for the implementation of this MOU. Other staff will also be identified to serve as a backup when the liaison is unavailable to ensure all activities continue.<sup>2</sup>
- All current relevant staff will participate in cross training of the partner agency each year.

**Goal:** Newly hired relevant staff will become familiar with the partner agency.

- The interagency liaisons will develop content and written materials for orientation of new relevant staff.
- All new relevant staff will participate in the cross training within six months of their hire date.

**Goal:** Current relevant staff will increase their knowledge about the connections between these forms of family violence and effective intervention strategies.

- The liaisons of each agency will share pertinent training announcements with the partner agency. The agencies will attempt to send relevant staff jointly to trainings of mutual interest.
- The partner agencies will provide an annual meeting for the relevant staff of both agencies that will include training on a topic of mutual interest and will include time designed to promote familiarity and relationship building as a critical component of collaboration.

**Goal:** Relevant staff of each agency will stay current on significant changes in their partner agency.

- The liaisons of each agency will share updates on policy and practice changes, new statutes and directives and staffing changes with the liaison of the partner agency at bimonthly meetings.

**Goal:** Relevant staff of each agency will be familiar with the content of the MOU and its implications for their work.

- The MOU will be introduced at a meeting of all partner agency relevant staff within one month of the date of signature.

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<sup>2</sup> Staff liaisons and backups are identified in Attachment One: The Role of the Agency Liaison.

## Supporting Collaborative Relationships Among Staff

Relationship building requires regular contact in a setting that promotes interaction and recognizes that the connections that agency staffs establish as people will serve them in their job function. When we recognize and respect each other as individuals, our similarities are more apparent and our differences are less significant. We recognize that time spent forming these interpersonal connections ultimately serves clients by promoting creative collaboration built on trust. This will always be more effective than collaboration directed solely by agency policy. The following agreements are intended to support the development of relationship among interagency liaisons and relevant staffs of the partner agencies:

**Goal:** The interagency liaisons will have regular opportunities to maintain and strengthen their relationships.

- The liaisons will meet on a bimonthly basis to discuss issues pertinent to interagency collaboration.

**Goal:** Relevant staff will have regular opportunities to meet and interact with relevant staff of the partner agency.

- The meeting introducing the MOU will include time designed to promote relationship building.
- The liaisons will plan agency cross trainings and other events designed to promote informal contact among staffs of the partner agencies, as needed.
- Agency management and liaisons will identify opportunities to include the partner agency on committees, public events and advisory groups.

### Consultation

A mechanism for timely consultation between partner agency staffs is necessary to avoid misunderstanding and provide effective services to clients. Staff is encouraged to consider case conferences when referring families to the partner agency, developing CPS safety plans or general case plans, evaluating case progress, or closing cases. Case conferences are not limited to these topics, however. In addition, there may be more general questions about appropriate practice or the services, resources and policies of the partner agency. The following agreements are intended to support responsive, informed consultation:

**Goal:** Case consultation conferences will provide helpful direction to all partner agency staff.

- Liaisons of each agency will be available to assist at case coordination conferences.

**Goal:** All partner agency staff will have easily accessible, authoritative answers to their questions about practice issues and agency resources, services and policies.

- Partner agency staff will first bring the question to the liaisons in their own agency.
- If their own liaison is unable to answer the question or would like consultation, the staff person and liaison will together contact the appropriate partner liaison.
- Agency management will be informed of any situation involving funding; requiring agency sanction for decision making or with implications for agency policy.

### **Conflict Resolution**

Conflict may arise for a variety of reasons when staff is working within the same community. Differences of opinion about a particular family, decision-making related to that family and the appropriate course of action might result in conflict. Conflicts also result from differences in values and beliefs, interpersonal dynamics, miscommunication or lack of communication. The following agreements are intended to provide a routine, timely method for resolving conflict so that it does not interfere with interagency collaboration:

**Goal:** Staff will have a routine method for resolving conflict between agencies regarding a family they serve in common.

- Staff experiencing conflict or differences will first try to resolve the issue together and if not able to will then involve their supervisors.
- Liaisons will be available to assist in conflict resolution.
- Minimally, involved staff will inform a liaison of the case circumstance and the resolution of the differences. Liaisons may bring the issues to the bimonthly meeting, if appropriate.
- Partner agency management will be involved in any case resolution that involves deviation from agency policy.

**Goal:** Any interagency issue generating conflict will be identified so that it may be addressed at the bimonthly liaison meeting, or earlier if it is a time sensitive issue.

- All relevant staff will bring issues of conflict to agency management.

## **COORDINATION OF SERVICES**

### **Confidentiality & Privilege**

The staffs of the partner agencies share a commitment to work together to ensure the safety and well-being of the children of their community. Under the law, however, both agencies must keep confidential information about the families with which they work, unless they obtain written permission from the families to share that information.

### **TWC Privilege Communication**

TWC staff has added restrictions on releasing information because the law provides privileged communication between advocates and participants of their programs. This means TWC cannot share any information about participants, including, but not limited to, acknowledging whether someone is a client, identifying information or participants, or any other information about any of the adults or children utilizing domestic violence, sexual assault or other related services without a limited TWC written release of information. Guiding principles and best practice in the field of domestic violence and sexual assault limits the use of releases of information. Releases are to be specific to a particular situation, agency and time limited. Therefore, TWC staff is not considered mandatory reporters as described in the Children's Code, unless they have professional credentials or certification that are identified as mandated reporters. There are times, however, when the TWC staff may work with participants to report child abuse to CPS. In those cases, the following agreements are intended to support effective reporting of child abuse and neglect and appropriate intervention:

### **Releases of Information**

While information may be critical for a timely, effective CPS response, TWC staff may discuss specific client circumstances for the purpose of coordination of services only with a signed TWC release.

**Goal:** When a child is in danger of serious harm due to abuse and/or neglect, TWC staff will work with clients to allow reporting of suspected maltreatment and coordination of services.

- In some circumstances due to the potential danger to the child, TWC staff will ask a client to sign a specific and time-limited TWC release of information if the client is working with CPS. A request for a release will occur in the following circumstances:
  - The client begins receiving TWC services or
  - When a TWC client becomes involved with CPS while obtaining services from TWC or
  - When circumstances indicate there may be reason for concern about child maltreatment.
- If family circumstances cause concern regarding child safety, staff will make multiple attempts to obtain a signed release of information.

**Goal:** CPS ongoing staff will attempt to obtain a signed release of information to allow coordination of services and referral to TWC services.

- CPS staff will ask a client, on a case-by-case basis, to sign a release of information any time they become involved with a client who is living in the shelter or receiving services from TWC or the client is referred to TWC and CPS staff will continue to be involved with the family.

### **CPS Confidentiality**

CPS is bound by law to keep confidential any information about families with whom staff is working. Therefore, staff have no authority to release any information to TWC in response to a report of abuse from participants of TWC services. However, information regarding the action taken on behalf of a particular family may be important to coordination of services, maintenance of professional relationships and education about the reporting process.

**Goal:** TWC staff will receive relevant follow-up information that allows coordination of services and increases their understanding of the reporting requirements and process.

- In instances when a family is receiving services from CPS, the TWC advocate working with the family will attempt to obtain a signed release of information.
- If TWC staff wants feedback on a report that was made with a signed release, they will contact the initial assessment worker or supervisor.
- If the agencies are unable to obtain a signed release from the clients, the agency liaisons can discuss the general issues involved, but will be limited to discuss the process of this type of case.

### **Collaborative Co-referrals Between The Women's Community and Child Protective Services**

There are times when CPS workers identify or suspect domestic violence within the families with whom they are working. In some instances, both the protective parent and child are not safe due to the physical violence they face. In others, the effects of domestic violence may compromise the parenting relationship. A CPS worker may respond to a report and find there is not child maltreatment within the family, but may learn or suspect that the parent is a victim of domestic violence. Each of these circumstances requires a different CPS response. The level of accountability and need for coordination of services are different in each family circumstance. Domestic violence services play an important, but different, role in each.

Accessing shelter and/or support services for the parent and child does not take the place of intervention by CPS and/or law enforcement that holds the abuser accountable for ending the violence.

Moreover, TWC staff may work with a family that could benefit from voluntary supportive services from CPS.

The following agreements are intended to support appropriate use of TWC and CPS:

**Goal:** TWC clients will be referred to CPS supportive services in a manner consistent with their voluntary nature.

- TWC staff will inform clients about supportive services available from CPS Services.
- The client will decide whether they would like to contact CPS and will do so on their own, unless they requests the help of an advocate.
- CPS staff determines the family situation constitutes a report of child abuse or neglect, they will intervene in a manner consistent with the statutes.
- TWC and CPS staff will decide whether a signed release of information for service coordination is appropriate on a case-by-case basis.
- TWC will make advocates available to meet with parents at the Marathon County Department of Social Services or at the parent's home with a CPS worker.

### **Referral to TWC Services**

CPS staff may identify or suspect domestic violence within the families with whom they have contact. In these instances, the CPS worker has a responsibility to provide information to help the protective parent achieve safety, regardless of the nature of CPS involvement. The CPS staff may also contact TWC to request an advocate join them in meeting with the protective parent.

**Goal:** CPS staff will provide information about TWC services any time domestic violence is identified.

- If a report of child abuse or neglect indicates domestic violence may be occurring, the caller may be referred to TWC, where appropriate.
- If a case is to be closed after initial assessment because of lack of CPS authority and domestic violence is identified or suspected, the protective parent will be provided information about TWC services.
- In circumstances where a protective parent and/or child are referred to TWC and CPS involvement will continue, the CPS worker will ask the client to sign a release of information. TWC staff will also ask victims to sign a release to enable better collaboration.

**Goal:** Communication among the protective parent, CPS worker and TWC staff person will support collaboration on the case plan only when the protective parent signs a specific and time-limited release of information to enable TWC and CPS to communicate with each other about the case.

- Each agency will assign points of contacts for that family.
- The nature of the communication between the CPS and TWC will be determined at the initial referral contacts. This communication may include progress on goal achievement, attendance and participation, barriers to participation, identification of new issues and recommendations.

## ADMINISTRATION OF THE MEMORANDUM OF UNDERSTANDING

This agreement will be in effect from the date of signature until \_\_\_\_\_.  
During this month \_\_\_\_\_ of this year \_\_\_\_\_ the signers of the agreement will begin the process of assessing the effectiveness of MOU in anticipation of the development of a subsequent agreement. During the period it is in effect, the MOU may be amended by the agreement of the parties signing.

\_\_\_\_\_  
Jane Graham Jennings  
Executive Director  
The Women's Community

\_\_\_\_\_  
Vicki Tylka  
Director  
Marathon County Department of  
Social Services

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

## Attachment One The Role of the Agency Liaison

The agency liaisons play a pivotal role in the implementation of the memorandum of understanding between Marathon County Department of Social Services and The Women's Community. In addition to the more specific tasks listed below, their role is one of ownership for the project and general oversight and tending of the relationship between the partner agencies and their staffs.

Their role includes:

- Serving as a source of information and consultation for their own agency staff
- Serving as a source of information and consultation for the partner agency staff
- Serving as a consultant to case coordination conferences
- Developing and providing orientation to their agency for partner agency staff
- Developing written materials for their own and partner agency staff
- Sharing information regarding policy and practice changes, staffing changes, new statutes and directives and training events of mutual interest with the partner agency
- Assisting in the planning of an annual joint meeting and training event
- Meeting on a bimonthly basis with all agency liaisons to discuss interagency issues
- Identifying opportunities to include partner agency staff on committees, advisory groups, etc.
- Providing feedback to management on any issues affecting interagency collaboration
- Assisting staff in resolving conflict with partner agency staff
- Identifying successes in interagency collaboration and service coordination and finding methods to share those successes within their agency
- Reporting regularly to their supervisor regarding their activities as the agency liaison

### Agency Liaisons:

Name	Agency	Email	Office
Jane Graham Jennings	The Women's Community	<a href="mailto:jane@womenscommunity.org">jane@womenscommunity.org</a>	
Shannon Jarecki	The Women's Community	<a href="mailto:Shannon@womenscommunity.org">Shannon@womenscommunity.org</a>	
Dawn Perez	Marathon County Department of Social Services	<a href="mailto:Dawn.Perez@co.marathon.wi.us">Dawn.Perez@co.marathon.wi.us</a>	
Christa Jensen	Marathon County Department of Social Services	<a href="mailto:Christa.Jensen@co.marathon.wi.us">Christa.Jensen@co.marathon.wi.us</a>	

## **ADDENDUM TRAININGS & DISCUSSION TOPICS**

We recognize that cross training of all partner agency staff is essential to the success of a collaborative relationship. Laying a basic foundation leads to increased knowledge and understanding of the roles and services of each agency. That foundation facilitates the ability to develop and nurture an ongoing relationship. When shared values and key elements of a meaningful collaborative relationship are understood it translates to:

- Uniform and consistent messages to our clients and to each other
- Increased knowledge and access to resources and supports for families
- Greater respect and trust between agency staff.

### **Cross training topics include but are not limited to:**

1. Role clarification and scope of services provided by each agency
2. Philosophy, values, purpose and organizational structure of each agency
3. Policies, practices, capacity and limitations – governing statutes for each agency
4. Historical differences between Child Protective Services (CPS) and Domestic Violence Programs (DV) [See Appendix I]
5. Understanding domestic violence, sexual assault, child maltreatment and the intersection between them including generational issues
6. Power and control
7. Trauma informed care (including ACE Study)
8. Non-caregiver vs. caregiver – statute requirement for CPS including the process of screening decisions
9. Confidentiality, mandatory reporting, nondisclosure
10. Secondary, vicarious trauma

### **Training Frequency and Participation:**

- Annual Partner Presentation: Each agency will provide an annual overview of the respective programming and services they provide to each of the partner agencies
- Specialized Partner Training: As identified to be necessary for all relevant direct service and supervisory staff for partner agencies