



STATE OF DELAWARE

MULTIDISCIPLINARY TEAM CASE REVIEW PROTOCOL

I. INTRODUCTION

Case review is the formal process in which the multidisciplinary team (MDT) convenes to monitor and assess its independent and collective effectiveness in response to child abuse, child neglect and child death cases. The process facilitates best practices by encouraging mutual accountability and helping to assure that children's physical, mental and emotional needs are met sensitively, effectively and in a timely manner.

Case review is intended to examine and monitor cases that are being actively investigated by the MDT. It is recognized that MDT cases involving child victims are some of the most difficult cases to investigate. Therefore, it is beneficial to conduct periodic meetings amongst members of the MDT to share information, coordinate appropriate services to child victims, discuss the status of ongoing investigations, and facilitate efficient and appropriate disposition of cases.

Representatives of the MDT will actively participate in the case review process. It is contemplated that the following members of the MDT will participate¹:

Representatives of the Children's Advocacy Center (CAC)
Investigation Coordinator (IC) or designee
Representatives of the Department of Services for Children, Youth and Families
(DSCYF/DFS/DMSS)
Representatives of Law Enforcement (LE)
Representatives of the Department of Justice (DOJ)
Mental Health Professionals
A representative from the Nemours CARE Team²

The MDT Case Review Meetings are facilitated by the Office of the Investigation Coordinator. It is vital that all those who participate in the MDT Case Review Meetings understand the importance of ensuring the confidentiality of the information discussed at the meetings. Participating agencies must rely on their own applicable policies to guide their actions regarding information sharing, but all should adhere to the standards set forth in the State of Delaware Memorandum of Understanding for the Multidisciplinary Response to Child Abuse and Neglect (MOU). Accordingly, MDT members shall not discuss with the public or any unauthorized person any information or opinions gained from participating in or observing a Case Review Meeting. MDT members will, at each meeting, verbally acknowledge their understanding of the Confidentiality Agreement.

¹ Upon approval of the MDT members, additional child welfare partners may participate in the MDT Case Review meetings.

² Child At Risk Evaluation Team at Nemours Children's Hospital.

The purpose of this protocol is to outline a case review process, including establishing case selection criteria, defining standard case and special case reviews, and establishing the responsibilities for coordination, facilitation, participation and documentation of the process.

II. CASE SELECTION CRITERIA FOR THE CASE REVIEW PROCESS

A. Multidisciplinary Cases

All multidisciplinary cases³ referred to the Children's Advocacy Center for a forensic interview shall be reviewed unless excluded herein or closed by the MDT.

B. Presumptively Excluded Cases

The following cases are presumptively excluded from the case review process:

- Identified victim is an adult (unless the alleged perpetrator is known to be involved in another active investigation involving a child)
- Courtesy interviews conducted by the CAC at the request of an out of state agency for which no Delaware agency has an open investigation
- Victims of alleged child neglect or physical injury, except those who are referred to the CAC

C. Case Closure - Administrative and Verbal

Any case that is otherwise subject to the review process may be removed from the process by an Administrative Closure. Administrative Closure may occur when there is agreement by DOJ *and either* LE or DFS. Administrative Closure may occur at any time, including at the post-forensic interview meeting, so long as the required MDT members are present and in agreement with closure. Administrative Closure is effective when the agencies provide a closure form (see attachment A) to the CAC. Closure may also occur during an MDT case review meeting when there is verbal agreement by DOJ *and either* LE or DFS. No Administrative Closure form is required to be submitted for closures that occur during an MDT case review meeting. The CAC will include all case closures in its Case Review Closure Summary report disseminated following each MDT Case Review Meeting.

³ "Multidisciplinary case" means a comprehensive investigation by the multidisciplinary team for any child abuse or neglect report involving death, serious physical injury, physical injury, human trafficking of a child, torture or sexual abuse, which if true, would constitute a criminal violation against a child, or an attempt to commit any such crime, even if no crime is ever charged. 16 Del.C. 8902(22).

D. Cases Referred by IC

IC shall notify the CAC Center Coordinator in the appropriate county of any multidisciplinary case that was not referred for a CAC forensic interview but would benefit from the case review process. This may include any multidisciplinary case referred to IC in which there has been no CAC forensic interview, and no charging decisions have been made within 90 days of the date of referral to IC. The IC will submit an MDT Case Review Referral Form (see attachment B) to the CAC Center Coordinator and the case will be placed on a review calendar in accordance with Section III below.

E. Discretionary Selection

Notwithstanding sections B, C, and D above, any case involving a child victim that is otherwise excluded or administratively closed may be scheduled for a case review if, in the opinion of any member of the MDT, the case would benefit from the case review process. The MDT member will submit an MDT Case Review Referral Form to the IC. The IC will forward the form to the CAC Center Coordinator and the case will be placed on a review calendar in accordance with Section III below.

III. TYPES OF CASE REVIEWS

A. Standard Case Review

1. **Description**: Standard Case Review shall be held monthly in each county to discuss an ongoing investigation, allow members of the MDT to share information about the case and monitor the status as it relates to their own investigation. Every MDT case that is not presumptively excluded or administratively closed will be periodically reviewed at a Standard Case Review.
2. **Scheduling**: Standard Case Review will be conducted on a monthly basis for each county. The IC will send a meeting invite via email to the MDT representatives at least two weeks prior to the scheduled meeting. Cases will be scheduled based on the following timeframes:
 - Cases Referred to the CAC: A case will be placed on a calendar at least 60 days following the date of the forensic interview.
 - Cases referred by IC (Section D): A case will be placed on a calendar within 60 days of the date of referral to the CAC.
 - Cases Referred by an MDT Member (Section E): A case will be placed on a calendar within 60 days of the date of referral to IC.

A case will not be reviewed more frequently than every 60 days or less frequently than every 180 days, unless otherwise agreed to by the MDT members. Associated cases will be scheduled for the same case review meeting to the extent practicable. In cases where a forensic interview was canceled, the case will be assigned to the next Case Review Schedule.

3. **Notification and Document Preparation:** The CAC staff will notify the MDT of the cases scheduled to be reviewed by sending a confidential email to each identified MDT representative⁴, no less than 15 days prior to the Standard Case Review meeting, with the following documents:
- Case Review Summary Lists
 - Agency Review Forms
 - Case Review Schedule
 - MDT Case Review Referral Forms
 - Confidentiality Agreement
4. **Attendance:** All members of the MDT are expected to participate in the meeting when a case they are handling is being reviewed. A representative with knowledge about the status of the case and the authority to make decisions on behalf of the agency is permitted to participate.
5. **Facilitation and Discussion:** At each meeting, the IC will recite the Confidentiality Agreement for acknowledgment by the MDT members in attendance. The IC will facilitate the meeting by presenting each case listed on the meeting agenda. Each MDT member will have the opportunity to present updates or new information, address any questions, discuss concerns and provide suggestions. Generally, Standard Case Review meetings may include the following:
- Discuss initial report and forensic interview outcomes;
 - Discuss and monitor the progress of both the civil and criminal investigations, including plans for future actions;
 - Discuss any history with the MDT agencies, including cases monitored by the IC;
 - Review any medical examinations of the victim(s);
 - Discuss child protection and other safety issues;
 - Provide input for prosecution and sentencing decisions;
 - Discuss emotional support and treatment needs of the child victim and family members;
 - Discuss ongoing cultural and special needs issues in the case;
 - Assess court advocacy, preparation and victim compensation needs; and,
 - Ensure that all children and families are afforded the legal rights and comprehensive services to which they are entitled.

⁴ Each MDT agency will select a representative to receive case review documents and provide updates at the case review meeting.

6. **Actions by the MDT:** After each case discussion, the MDT representatives will determine whether a case will:
- Remain on the Standard Case Review calendar and, if so, the date of the next review;
 - Transfer to the Special Case Review calendar (see Section B below); or
 - Close to the case review process. Closure may occur when there is verbal agreement by DOJ and either LE or DFS.

Each MDT representative will be responsible for relaying the details of the discussion to the appropriate individual within their agency/organization who is personally handling or investigating the case.

7. **Documentation:** During each case review meeting, the CAC staff will document each MDT member's status, disposition, and comments relating to each case that was referred to the CAC for a forensic interview. The CAC staff will enter this information into the CAC Case Management System within 3 business days after the case review meeting. Cases remaining open in the case review process will be added to a future case review meeting agenda as requested by the MDT, which will include on-going information from prior case reviews. For cases that are closed at the case review meeting, the CAC staff will prepare and email each identified MDT representative a Case Review Closure Summary within 3 business days after the case review meeting.

During each case review meeting, the IC staff will document each MDT member's status, disposition, and comments relating to each case that was not referred to the CAC for a forensic interview. The IC staff will enter this information into the IC database and manage future communications with the MDT assigned to these cases until each case is resolved.

B. Special Case Review

1. **Description:** Special Case Review may be held to comprehensively discuss the ongoing investigation of a case with the purpose of exchanging information regarding each agency's investigation and to facilitate efficient and appropriate disposition of cases. A Special Case Review is more time-consuming and, therefore, fewer cases will be placed on this calendar. Special Case Review is in addition to the Standard Case Review. Any case scheduled for Special Case Review that is not closed by the MDT through that process will be returned to the Standard Case Review process.
2. **Scheduling:** At the request of any member of the MDT at any time, a case may be scheduled for a Special Case Review if it is determined that the case would benefit from a comprehensive discussion regarding the status of the case. The MDT member will notify the IC or DIC (Deputy Investigation Coordinator) of the request and the case will be placed on a Special Case Review calendar within 30 days. Special Case Reviews will be held, to the extent possible, in conjunction with Standard Case Reviews. There shall be a separate time and schedule for the Special Case Review. The IC will send a meeting invite via email to the MDT representatives at least two weeks prior to the scheduled meeting.

3. **Notification and Document Preparation:** The CAC staff will notify the MDT of the cases scheduled to be reviewed by sending a confidential email to each identified MDT representative, within 3 business days of the request for the Special Case Review meeting, with the following documents:
 - Case Review Summary Lists
 - Agency Review Forms
 - Case Review Schedule
 - MDT Case Review Referral Forms
 - Confidentiality Agreement
4. **Attendance:** Since a Special Case Review involves a more comprehensive discussion of the case, MDT members with firsthand knowledge of the case must participate in the meeting when their case is being reviewed. It is required that the following individuals participate:
 - Assigned Deputy Attorney General
 - Assigned DFS Worker and Supervisor
 - Law Enforcement - Chief Investigating Officer
 - Investigation Coordinator or designee
 - CARE Team representative (if involved in case)
 - Mental Health Professionals (if required)
 - Representatives of the Children's Advocacy Center (CAC)
5. **Facilitation and Discussion:** At each meeting, the IC will recite the Confidentiality Agreement for acknowledgment by the MDT members in attendance. The IC or IC designee will facilitate the meeting by presenting each case listed on the meeting schedule. Each MDT member will have the opportunity to present updates or new information, address any questions, discuss concerns and provide suggestions. Generally, Special Case Review meetings may include the following:
 - Discuss, plan, and monitor the progress of both the civil and criminal investigations, including plans for future actions;
 - Discuss child protection and other safety issues;
 - Provide input for prosecution and sentencing decisions;
 - Review any medical examinations of the victim(s);
 - Discuss emotional support and treatment needs of the child victim and family members; and,
 - Discuss any case concerns by any MDT member.
6. **Actions by the MDT:** After each case discussion, the MDT members will determine whether a case will:
 - Remain on the Special Case Review calendar and, if so, the date of the next review;

- Return to the Standard Case Review Calendar; or
 - Close to the case review process. Closure may occur when there is verbal agreement by DOJ and either LE or DFS.
7. **Documentation:** During each case review meeting, the CAC staff will document each MDT member's status, disposition, and comments relating to each case that was referred to the CAC for a forensic interview. The CAC staff will enter this information into the CAC Case Management System within 3 business days after the case review meeting. Cases remaining open in the case review process will be added to a future case review meeting agenda as requested by the MDT, which will include on-going information from prior case reviews. For cases that are closed at the case review meeting, the CAC staff will prepare and email each identified MDT representative a Case Review Closure Summary within 3 business days after the case review meeting.

During each case review meeting, the IC staff will document each MDT member's status, disposition, and comments relating to each case that was not referred to the CAC for a forensic interview. The IC staff will enter this information into the IC database and manage future communications with the MDT assigned to these cases until each case is resolved.

IV. **MISCELLANEOUS**

A. **Rescheduled and Canceled CAC Forensic Interviews**

1. When a CAC Forensic Interview needs to be rescheduled for any reason, the CAC shall collaborate with the involved MDT members to ensure the interview is rescheduled within 5 business days.
2. If a forensic interview has not been held or canceled by the time the case age has reached 30 days, the CAC will notify the involved MDT members and assign the case to the next MDT case review schedule.

V. **NON-COMPLIANCE WITH THE CASE REVIEW PROCESS**

A. **Non-Compliance by MDT Member: Dispute Resolution**

1. In the spirit of multidisciplinary teamwork, it is expected that team members will actively participate in the case review process and will maintain openness to feedback from each member involved with each case.
2. For those MDT members who are non-compliant with the case review process, IC will attempt resolution by contacting the non-compliant MDT member and his/her immediate supervisor. If resolution cannot successfully be reached, then IC will contact the highest-ranking individual in the agency or organization.

State of Delaware

Multidisciplinary Team Case Review Protocol

Adopted by the

Child Protection Accountability Commission (CPAC)

On May 23, 2018

Original Contributors:

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Division of Family Services, Sue Murray/Diana Fraker/ Stacy Northam-
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Georgetown Police Department, Det. Bradley Cordrey

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New Castle County Police Department, Sgt. James Leonard

Office of the Child Advocate, Rosalie Morales

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