

OCFS CASEWORKER TRAININGS

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TRAININGS OFFERED

- CPS Bridge
- CPSRT
- Advanced Legal Issues



TRAININGS OFFERED

- Supervising CPS
- Achieving Permanence
Through Surrenders and
Termination of Parental Rights
- Special Topics



TRAININGS OFFERED

Meets the credit hours needed
annually for caseworkers



BRIDGE

Offered virtually or in person in
Rensselaer

One full day of training (9-4:30)

Has post-test

Results are available to LDSS
agencies



BRIDGE

Constitutional rights

CPS Manual on OCFS website

Family Court Act 1034(2)

Access Orders, Temporary Orders of
Protection, Removals



BRIDGE

Nicholson v. Scoppetta

04 OCFS-LCM-22

05 OCFS-INF-05



BRIDGE

Mother's Statement regarding paternity

Removal Chart

Legal Professionals and You

Family Court Act 1012 and Social
Services Law 384-b definitions



BRIDGE

Evidence and Proof In the Courtroom Tips on Testifying

CPSRT

Offered virtually or in person in Rensselaer

One full day of training (9-4:30) virtually

One and a half day of training in person
(8:30-5) and mock trial 8:30-12

Has post-test

Results are available to LDSS agencies



CPSRT

Due Process

Pre-petition Legal Interventions

Access Orders

Family Court Act 1034(2)

07 OCFS-ADM-07



CPSRT

Temporary Orders of Protection

Family Court Act sections 1022, 1027, 1029, 1052,
1056

Removals

Petition Drafting

Definitions

Settlement Options: (as to each respondent and each child)

Withdrawal (w/o or rarely with prejudice)

Judicial Admissions: Full or Partial

Allocutions and 1051 f notices

1051a Consents



CPSRT

ACDs (Pre or Post Fact Finding)

Consent of All needed

Court cannot force consent though they
can attempt to coerce

Violations of ADC



CPSRT

Evidence

Material and Relevant Evidence

Material, Relevant, and Competent
Evidence

Hearsay Rule

Hearsay Exceptions

Admissions/Statements of the Respondent

- Admissions by Silence

Excited Utterance

Present Sense Impression



CPSRT

Hearsay Exceptions

Statements Made for Purposes of Medical Diagnosis or Treatment

Such evidence can be helpful since the child's statement to a Doctor is more than just an out of court statement of a child requiring corroboration for a finding

The takeaway for CPS is ALWAYS attempt to use the actual words uttered as well as observing and documenting the demeanor of the speaker.

Business Record Rule

Out of Court Statement of the Subject Child (unique to Art 10 proceedings by statute)

Judicial Notice

Special Rules of Evidence under Family Court Act
1046

Derivative Abuse or Neglect (FCA §1046(a)(i)

Likely not restricted to family members

Res Ipsa Loquitur (FCA§1046. (a)ii)

Misuse of Drugs, or Alcohol (FCA §1046(a) (iii))



CPSRT

Special Rules of Evidence under Family Court Act
1046

Out of Court Statements of a Child: FCA §1046(a)
(vi)

Child Witness

“Lincoln” Hearing

State Central Register Reports (FCA §1046(a)(v)



CPSRT

Special Rules of Evidence under Family Court Act 1046

Business Record Rule: FCA §1046(iv)

Certifications/Delegations

Privileged Communications

Lesser Impairment

Dispositional Orders

- Suspended Judgments

- Release to Non-Respondent Parent:

 - Discussion of Sapphire W issues

- Placements until next permanency hearing

 - Article Six Orders

- Final Orders of Protections

- Release to Respondent usually under Supervision



ADVANCED LEGAL ISSUES

Two full days at the County location

Has post test

Results are available to LDSS agencies



ADVANCED LEGAL ISSUES

Constitutional Issues, Investigations, Criminal
Court/Family Court

Reasonable Efforts, Removals, Options, Placement
Relatives

Voluntary Placement

Child Protective Categories, Article Ten Progress
Chart

Settlement Options



ADVANCED LEGAL ISSUES

Sexual Abuse Cases

Sex Offenders, Sex Offender Registry

Domestic Violence Cases

Substance Abuse

Res Ipsa Loquitur

Out of Court Statements of Children and The Child Witness

The Child Witness

Testifying Effectively

Websites, Glossary of Court Terms and Phrases



ADVANCED LEGAL ISSUES

Educational Neglect

Emotional Neglect and Abuse

Excessive Corporal Punishment

Derivative Abuse/Neglect

Res Ipsa Loquitur

Out of Court Statements of Children and The Child Witness

Testifying Effectively

Websites, Glossary of Court Terms and Phrases



SUPERVISING CPS

One full day in person only at Rensselaer
(9-4:30)

Has post test

Results are available to LDSS agencies



SUPERVISING CPS

Going to Court

Access Orders

Can You Prove it?

Proof on Removals

Types of Removals

Orders of Protection



SUPERVISING CPS

Res Ipsa Loquitur

No Reasonable Efforts

Rules of Evidence (Family Court Act
1046 and hearsay)

Imminent Risk



SUPERVISING CPS

Settlements

Trial Prep

Dispositions

Violations

Derivative Abuse/Neglect


ACHIEVING PERMANENCE THROUGH SURRENDERS AND TERMINATION OF PARENTAL RIGHTS

Three days of training in person

Has a post test

MEPA

ICWA



ACHIEVING PERMANENCE THROUGH SURRENDERS AND TERMINATION OF PARENTAL RIGHTS

Special Immigrant Juvenile Status

Fathers

Absent Parents

Permanency Plans



ACHIEVING PERMANENCE THROUGH SURRENDERS AND TERMINATION OF PARENTAL RIGHTS

Freed Children

Required Findings

Guardianship or Custody

KinGAP




ACHIEVING PERMANENCE THROUGH SURRENDERS AND TERMINATION OF PARENTAL RIGHTS

Surrenders

Adoption

Conditional Surrenders and Adoptions with
Conditions

Siblings



ACHIEVING PERMANENCE THROUGH SURRENDERS AND TERMINATION OF PARENTAL RIGHTS

Terms to Consider

Diligent Efforts and the Grounds for Achieving
Permanency Through Termination of Parental Rights

Testifying in a Termination of Parental Rights Proceeding



SPECIAL TOPICS

Provided at the County

Needs Approval by OCFS

Designed to meet LDSS' specific needs