

## ABUSE AND NEGLECT QUESTIONS

1. Having requested a toxicology report does any DCYF policy/protocol/rule or circumstance allow an investigation of a report of abuse and neglect due to drug exposure to go forward before the report is in hand?
2. What DCYF policy/rule/protocol or circumstance gives DCYF the right to remove a child from a parent for drugs in the newborn that were given to the mother by doctors during labor?
3. Outline DCYF policy/protocol/rule or circumstance regarding "anticipated" neglect or "neglect in the future?"
4. What DCYF policy/rule/protocol or circumstance allows DCYF to charge a parent with abuse and neglect before the mother was ever allowed to take the newborn home from the hospital?
11. Does DCYF policy state "Neglect in the Future" is considered to be imminent danger and under what policy?
28. What DCYF rule/policy/protocol or circumstance limits friends or family members from being in the room when a parent accused of abuse and neglect is being questioned?

## DISCIPLINE OF AGENCY

5. What DCYF rule/policy/protocol or circumstance allows a DCYF worker to represent a proven false report as true to a Judge without any evidence substantiating the report?
6. Under what DCYF rule/policy/protocol or circumstance is a DCYF Lawyer allowed to order a relative to take back a complaint made to the Attorney Discipline Office?
7. Under what DCYF rule/policy/protocol or circumstance does it state slandering parents and family members is allowed in order to place a child in foster care?
17. Under DCYF rule/policy/protocol or circumstance when an assessment worker admits in court she didn't do a thorough investigation and significant facts were overlooked should the charges against the parent be dropped due to that negligence by the assessment worker?
19. Does the Assessment worker have the right to a) falsely state in her affidavit that the mother's labor was induced due to complications, when it wasn't induced at all; b) to try to coerce a parent into signing an application for Title IV-B funding or sign it herself when the parent is ineligible and therefore refuses to sign.
20. Does any worker have a right or are there rules or expressed protocols preventing coercion of a parent into signing a Case plan by telling the parent if she doesn't sign she will never see her child again?

34. Under what DCYF policy/protocol/rule or circumstance is a caseworker allowed to commit perjury in court to stop a parent from regaining custody of her child?
35. Under DCYF policy/rule/protocol or state law do DCYF caseworkers have immunity when they commit perjury?
36. Does any DCYF policy/protocol/rule or circumstance allow a caseworker to refuse a parent admittance into a Medical Detox program in a neighboring state?
37. Why would a DCYF caseworker order a mother not to tell anyone her child is half Spanish?
50. How would DCYF discipline a worker who knowingly used a fictitious name for a child's father, when the father's name was in the files?
51. What is DCYF policy regarding notification of a child's father before adoption of his child?
52. What would DCYF do a) if they were convinced that a parent-aide had denied a mother the use of special baby bottle supplied by the fosters even though it was in her (the aide's) possession at the visitation and even though she knew the baby would not eat from a regular bottle and subsequently denied the baby a feeding for five hours, and; b) what would they do with a complaint by the mother?
53. Describe in detail what DCYF thinks of as "Reasonable Efforts" to facilitate Re-unification?
55. What DCYF policy gives DCYF the right to tell a parent if they don't agree with a recommendation, the caseworker will have the Judge court order it?

#### IMMINENT DANGER

9. Define "imminent danger."
10. How does DCYF determine if a child is in "imminent danger" before being removed from the parent?
11. Does DCYF policy state "Neglect in the Future" is considered to be imminent danger and under what policy
29. Under what circumstances may DCYF leave a child in the care of a mother for an additional week after declaring the child to be in imminent danger if left alone with her?
30. What DCYF rule/policy/protocol or circumstance allows DCYF to place a child in a foster home which does not meet New Hampshire foster parent residence requirements?

## MEDICAL

- 22. Under what circumstances does DCYF have the power or right to order a parent out of a methadone treatment?
- 23. Is it possible for the testing of a strand of hair from a to come up clean but a urine specimen taken at the same time to show a significantly different result?
- 24. Is there a DCYF rule/policy/protocol or some circumstance that ever allows a worker to make a parent stick a dirty swab which fell on the floor in her mouth for a drug test?
- 25. Do DCYF rule/policy/protocol or any circumstance ever allow a drug test to go forward when the urine specimen is not the required amount?
- 32. How might it happen that a DCYF caseworker would guarantee to set up placement into a Medical Detox program that doesn't exist and for which there is no such facility thus making it impossible for the parent to comply?
- 33. Under what DCYF policy/protocol/rule or circumstance is a caseworker allowed to commit perjury in court to stop a parent from regaining custody of her child?
- 36. Why would a DCYF caseworker order a mother not to tell anyone her child is half Spanish?

## PLACEMENT

- 13. What DCYF rule/policy/protocol or circumstance allows DCYF to refuse placement of a child taken into custody by a fit and willing relative requesting placement?
- 14. When can DCYF tell relatives, "Relative placement is NOT an option?"
- 15. Describe the investigation that must take place by DCYF before a child is removed from the parent?
- 16. Is there ever a circumstance where a full investigation of the parent and family where a child will live might not take place?
- 29. Under what circumstances may DCYF leave a child in the care of a mother for an additional week after declaring the child to be in imminent danger if left alone with her?
- 30. What DCYF rule/policy/protocol or circumstance allows DCYF to place a child in a foster home which does not meet New Hampshire foster parent residence requirements?
- 31. Under what circumstances may DCYF a) recommend medical detox programs to the court for a parent that don't exist in this state or, b) refuse the parent's admission into a neighboring state's medical detox program?
- 38. Rules governing DCYF racial placement policies.

58. Why and when might DCYF Lawyer say to a citizen of New Hampshire that the Judge has no say as to placement of a child or that such placement is up to the DCYF Lawyer?

59. Describe guidelines for notification of the Indian Counsel when a child with Indian ethnicity or heritage is placed in foster care and under what circumstances may they be ignored?

60. What are DCYF procedures for investigating and determining a child's heritage, ethnicity and culture

61. Describe DCYF policy/rules/procedures regarding placement in a foster home which practices a different religion than the child's family?

### PARENTAL RIGHTS

15. Describe the investigation that must take place by DCYF before a child is removed from the parent?

20. Does any worker have a right or are there rules or expressed protocols preventing coercion of a parent into signing a Case plan by telling the parent if she doesn't sign she will never see her child again?

21. When may a parent not be included in the making of a case plan?

22. Under what circumstances does DCYF have the power or right to order a parent out of a methadone treatment?

26. Under what exceptions would a parent not be given Family Rights booklet at the onset of a case? Describe DCYF responsibility to do so and a parent's recourse when that is not done

27. Describe the rule and practice with regard to making sure families have the the Family Rights Booklet up front.

39. Provide a list of the services DCYF will provide to parents of children, and children in their custody?

40. Under what DCYF policy may a parent be punished when a visit is not had because the parent-aide failed to show up?

41. How does DCYF protect the rights of a parent who attends a medical visit for her child, only to discover the foster parent's have either changed the appointment or simply not shown up without notifying the mother?

42. Under what DCYF policy/rule/protocol or circumstance may the non-attendance at a child's medical appointment go against a parent who was not notified of such appointment?

43. Does DCYF policy is there a time when a parent whose rights have not been terminated loses the right to be contacted when their child is in foster care and hospitalized?

44. Describe DCYF policy regarding visits between a parent and child on birthdays, Christmas and other holidays?

45. Under what circumstances may DCYF deny a mother the right to have her child baptized while in foster care?

46. Describe when DCYF policy/protocol/rules or circumstances that disallow a parent visitation with her child when in jail?

47. Does any DCYF policy, rule or protocol allow a DCYF caseworker to tell a mother in jail that she will bring her child for visits *if it isn't behind glass???*, only to have the mother plead guilty and sentenced to prison in order to see her child?

48. Do DCYF policy tolerate workers who declare publicly that a parent's rights will be terminated not even half way through a case?

49. A caseworker is reported to have stated that, "Every parent loses their Termination of Parental Rights hearing's in New Hampshire ; children are never returned in New Hampshire , and; the New Hampshire Supreme Court Never reverses a parental rights termination." Please respond with data related to these issues.

50. How would DCYF discipline a worker who knowingly used a fictitious name for a child's father, when the father's name was in the files?

#### FAMILY PRESERVATION

54. Describe in detail what DCYF thinks of as "Reasonable Efforts" to facilitate Re-unification?

1. 62. Describe DCYF policy/procedure/rules etc. concerning Family Preservation?

63. Does the Federal government funding for children placed in foster care and adopted out discourage family preservation?

#### FEDERAL LAW

8. Does DCYF have exemptions from the Federal mandates a) requiring them to seek relatives for placement of a child before the child is placed in foster care? b) requiring services are to be provided before a child is removed from the parent?

12. Is there ever a circumstance where DCYF may ignore Federal Title IV (or 42 USC) Laws?

#### COURTS

56. What DCYF policy gives DCYF the right to tell a parent if they don't agree with a recommendation, the caseworker will have the Judge court order it?

57. When does DCYF have more authority than a judge and why would anyone at DCYF state that a judge has no say no say on whether a child will ever be returned - that it's up to the caseworker?

58. Why and when might DCYF Lawyer say to a citizen of New Hampshire that the Judge has no say as to placement of a child or that such placement is up to the DCYF Lawyer?