

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Department of Health**



District of Columbia Official Code

Title 4, Chapter 13

**REPORTS OF NEGLECTED CHILDREN**



D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1301.02

Formerly cited as DC ST 1981 § 6-2101

Term Best Section

DC ST § 4 1301 02

Formerly cited as DC ST 1981 § 6-2101

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

Chapter 13. Child Abuse and Neglect.

[Subchapter I.](#) Prevention of Child Abuse and Neglect. [Part A.](#) Reporting Abuse and Neglect. **§ 4-1301.02. Definitions.**

For the purposes of this subchapter:

- (1) "Abused", when used in reference to a child, shall have the same meaning as is provided in § 16-2301(23).
- (2) "Adoption promotion and support services" means services and activities designed to encourage more adoptions of committed children, when such adoptions promote the best interest of the children, including such activities as pre-and post-adoptive services and activities designed to expedite the adoption process and support adoptive families.
- (2A) Except where used in title IV of this act, "Agency" means the Child and Family Services Agency established by § 4-1303.01a.
- (2B) "CAC" means Safe Shores, the District of Columbia's Children's Advocacy Center.
- (3) "Case plan" means a written document concerning a child that includes at least the following:
  - (A) A description of the type of home or institution in which the child is to be placed, including a discussion of the safety and appropriateness of the placement and how the agency that is responsible for the child plans to carry out the voluntary placement agreement or judicial determination made with respect to the child;
  - (B) A plan for assuring that the child receives safe and proper care and that services are available to the parents, child, and foster parents in order to improve conditions in the parents' home, facilitate return of the child to his or her own safe home or to the child's permanent placement, and address the child's needs while a committed child, including the appropriateness of services provided to the child under the plan;
  - (C) To the extent available and accessible, the child's health and education records;
  - (D) Where appropriate, for a child 16 years of age or over, a written description of the programs and services which will help the child prepare for the transition from being a committed child to independent living; and

(E) If the child's permanent plan is adoption or placement in another permanent home, documentation of the steps (including child specific recruitment efforts) taken to accomplish the following:

- (i) Find an adoptive family or other permanent living arrangement, such as with a legal custodian, with a kinship caregiver, or in independent living;
- (ii) Place the child with an adoptive family, a kinship caregiver, a legal custodian, or in another planned permanent living arrangement; and
- (iii) Finalize the adoption or legal custody or guardianship.

(F) In the case of a child with respect to whom the permanency plan is placement with a relative and receipt of kinship guardianship assistance payments under § 16-2399, a description of the:

- (i) Steps taken to determine that it is not appropriate for the child to be returned home or adopted;
- (ii) Reasons for any separation of siblings during placement;
- (iii) Reasons a permanent placement with a fit and willing relative through a kinship guardianship-assistance arrangement is in the child's best interests;
- (iv) Ways in which the child meets the eligibility requirements for a kinship guardianship-assistance payment;
- (v) Efforts made to discuss adoption by the child's relative foster parent as a more permanent alternative to legal guardianship and, in the case of a relative foster parent who has chosen not to pursue adoption, documentation of the reasons therefore; and
- (vi) Efforts made to discuss with the child's parent the kinship guardianship-assistance arrangement, or the reasons the efforts were not made; and

(G) A plan for ensuring the educational stability of the child while in foster care, including:

- (i) Assurances that the placement of the child in foster care takes into account the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement; and
- (ii)(I) An assurance that the Agency has coordinated with appropriate local educational agencies, as defined under section 9101(26) of the Elementary and Secondary Education Act of 1965, approved January 8, 2002 (115 Stat. 1425; 20 U.S.C. § 7801(26)), to ensure that the child remains in the school in which the child is enrolled at the time of placement; or
- (II) If remaining in the school the child is enrolled in at the time of placement is not in the best interests of the child, assurances by the Agency and the local educational agencies to provide immediate and appropriate enrollment in a new school, with all of the educational records of the child provided to the new school.

(4) "Child Protection Register" means the confidential index of all reports established pursuant to § 4-1302.01.

(4A) "Consumer reporting agency" means a person or entity that assembles or evaluates consumer credit information or other information on consumers for the purpose of furnishing consumer reports and the disclosure of file information to third parties.

(5) "Credible evidence" means any evidence that indicates that a child is an abused or neglected child, including the statement of any person worthy of belief.

(6) "Director" means the Director of the Child and Family Services Agency established by § 4-1302.01.

(6A) "Domestic partnership" shall have the same meaning as provided in § 32-701(4).

(7) "Drug" shall have the same meaning as the term "controlled substance" has in § 48-901.02(4).

(8) "Drug-related activity" means the use, sale, distribution, or manufacture of a drug or drug paraphernalia without a legally valid license or medical prescription.

(9) "Entry into foster care" means the earlier of:

(A) The date of the first judicial finding that the child has been neglected; or

(B) The date that is 60 days after the date on which the child is removed from the home.

(9A) "Family assessment" means an evaluation, for the purpose of developing a service plan, to determine:

(A) A family's strengths and needs;

(B) The safety of any children in the home, including assessing whether there exists a risk of abuse or neglect of any child, but excludes a determination as to whether a report of abuse or neglect is substantiated, inconclusive, or unfounded;

(C) A family's ability to function as a cohesive unit; and

(D) A family's access to resources.

(10) "Family preservation services" means services for children and families who are at risk of abuse or neglect, or in crisis, including:

(A) Services designed to help children return to families from which they have been removed, or be placed for adoption, where safe and appropriate, with a legal guardian, or, if adoption or legal guardianship is determined not to be safe and appropriate for a child, in another permanent living arrangement;

(B) Replacement prevention services;

(C) Services which provide follow-up care to families to whom a child has returned after commitment;

(D) Respite care services; and

(E) Services designed to improve parenting skills and abilities.

(11) Family support services' means community-based services to promote the safety and well-being of children and families, and designed to:

(A) Increase family strength and stability;

(B) Increase parent confidence and competence;

(C) Afford children safe, stable, and supportive family environments; and

(D) Otherwise enhance child development.

(12) "God parent" means an individual identified by a relative of the child by blood, marriage, domestic partnership, or adoption, in a sworn affidavit, to have close personal or emotional ties with the child or the child's family, which pre-dated the child's placement with the individual.

(13) "Guardian ad litem" means an attorney appointed by the Superior Court of the District of Columbia to represent the child's best interests in neglect proceedings.

(13A) "Inconclusive report" means a report, made pursuant to § 4-1321.03, which cannot be proven to be either substantiated or unfounded.

(14) "Kinship caregiver" means an individual who:

- (A) Is approved by the Division to provide kinship care;
- (B) Is at least 21 years of age;
- (C) Is providing, or is willing to provide for, the day-to-day care of a child; and
- (D) Either:
  - (i) Is a relative of the child by blood, marriage, domestic partnership, or adoption; or
  - (ii) Is a godparent of the child.

(15) "Law enforcement officer" means a sworn officer of the Metropolitan Police Department of the District of Columbia.

(15A) "Neglected child" shall have the same meaning as is provided in § 16-2301(9).

(15B) "Panel" means the Citizen Review Panel established by § 4-1303.51.

(16) "Police" means the Metropolitan Police Department of the District of Columbia.

(17) "Report" means a report to the police or the Agency of a suspected or known neglected child.

(18) Repealed.

(19) "Source" means the person or institution from whom a report originates.

(19A) "Substantiated report" means a report, made pursuant to § 4-1321.03, which is supported by credible evidence and is not against the weight of the evidence.

(20) "Time-limited family reunification services" means services and activities provided to a committed child and to the child's parent, guardian, or custodian in order to facilitate the safe, appropriate, and timely reunification of the child during the 15 months following the child's entry into foster care. Time-limited family reunification services include:

- (A) Individual, group, and family counseling;
- (B) Inpatient, residential, or outpatient substance abuse treatment services;
- (C) Mental health services;
- (D) Assistance to address domestic violence;
- (E) Services designed to provide temporary child care and therapeutic services for families; and
- (F) Transportation to or from any of the services and activities described in this paragraph.

(20A) "Unfounded report" means a report, made pursuant to § 4-1321.03, which is made maliciously or in bad faith or which has no basis in fact.

(21) Repealed.

#### CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title I, § 102, 24 DCR 3341; Mar. 15, 1990, D.C. Law 8-87, § 3(a), 37 DCR 50; June 27, 2000, D.C. Law 13-136, § 201(a), 47 DCR 2850; Apr. 4, 2001, D.C. Law 13-277, § 2(a), 48 DCR 2043; Oct. 19, 2002, D.C. Law 14-206, § 2(a), 49 DCR 7815; Apr. 12, 2005, D.C. Law 15-341, § 2(a), 52 DCR 2315; Apr. 13, 2005, D.C. Law 15-354, § 96, 52 DCR 2638; Mar. 2, 2007, D.C. Law 16-191, § 20, 53 DCR 6794; Sept. 12, 2008, D.C. Law 17-231, § 12, 55 DCR 6758; May 27, 2010, D.C. Law 18-162, § 2(a), 57 DCR 3029; Sept. 24, 2010, D.C. Law 18-228, § 2(a), 57 DCR 6926; Mar. 12,

2011, D.C. Law 18-312, § 2(a), 57 DCR 12398.)

#### HISTORICAL AND STATUTORY NOTES

##### Prior Codifications

1981 Ed., § 6-2101.

1973 Ed., § 6-2101.

##### Effect of Amendments

D.C. Law 13-136 rewrote this section, which formerly read:

"For the purposes of this act:

"(1) 'Child Protection Register' means the confidential index of all reports established pursuant to § 6-2111.

"(2) 'Credible evidence' means any evidence which indicates that a child is an abused or neglected child, including the statement of any person worthy of belief.

"(3) Except where used in title IV of this act, 'Division' means the Child Protective Services Division of the District of Columbia Department of Human Services.

"(4) 'Guardian ad litem' means an attorney appointed by the Superior Court of the District of Columbia to represent the child's best interests in neglect proceedings.

"(5) 'Police' means the Metropolitan Police Department of the District of Columbia.

"(6) 'Report' means a report to the police or the Division of a suspected or known neglected child.

"(7) 'Source' means the person or institution from whom a report originates.

"(8) 'Supported report' means a report, made pursuant to § 2-1353, which is supported by credible evidence.

"(9) 'Unsupported report' means a report, made pursuant to § 2-1353, which is not supported by credible evidence.

"(10) 'Drug' shall have the same meaning as the term 'controlled substance' has in § 33-501(4).

"(11) 'Drug-related activity' means the use, sale, distribution, or manufacture of a drug or drug paraphernalia without a legally valid license or medical prescription.

"(12) 'Law enforcement officer' means a sworn officer of the Metropolitan Police Department of the District of Columbia.

"(13) 'Abused,' when used with reference to a child, means a child whose parent, guardian or custodian inflicts or fails to make reasonable efforts to prevent the infliction of physical or mental injury upon the child, including excessive corporal punishment, an act of sexual abuse, molestation, or exploitation, or an injury that results from exposure to drug-related activity."

D.C. Law 13-277 added par. (2A) and rewrote par. (6) which had read:

"(6) 'Division' means the Child Protective Services Division of the District of Columbia Department of Human Services."

D.C. Law 14-206 rewrote par. (1); added pars. (12A), (14A), (18A), and (19A); and repealed pars. (17) and (20). Pars. (1), (17), and (20) had read as follows:

“(1) ‘Abused’, when used in reference to a child, means a child whose parent, guardian, or custodian inflicts, or fails to make reasonable efforts to prevent the infliction of, physical or mental injury upon the child, including excessive corporal punishment, an act of sexual abuse, molestation, or exploitation, or an injury that results from exposure to drug-related activity.

“(17) ‘Report’ means a report to the police or the Agency of a suspected or known neglected child.

“(20) ‘Time-limited family reunification services’ means services and activities provided to a committed child and to the child’s parent, guardian, or custodian in order to facilitate the safe, appropriate, and timely reunification of the child during the 15 months following the child’s entry into foster care. Time-limited family reunification services include:”

D.C. Law 15-341 added pars. (2B) and (15B).

D.C. Law 15-354, in pars. (13A), (15A), (18), (19A), (20A), and (21), validated previously made technical corrections.

D.C. Law 16-191, in par. (15B), validated a previously made technical correction.

D.C. Law 17-231 added par. (6A); and, in pars. (12) and (14)(D)(i), substituted “marriage, domestic partnership,” for “marriage,”.

D.C. Law 18-162 added par. (4A).

D.C. Law 18-228 added par. (9A).

D.C. Law 18-312 added pars. (3)(F) and (G).

#### Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 3 of Prevention of Child Neglect Temporary Amendment Act of 1993 (D.C. Law 10-61, November 20, 1993, law notification 40 DCR 8454).

For temporary (225 day) amendment of section, see § 201(a) of Adoption and Safe Families Temporary Amendment Act of 1999 (D.C. Law 13-56, March 7, 2000, law notification 47 DCR 1978).

For temporary (225 day) amendment of section, see § 2(a) of Adoption and Safe Families Compliance Temporary Amendment Act of 2000 (D.C. Law 13-193, October 21, 2000, law notification 47 DCR 8983).

For temporary (225 day) amendment of section, see § 3(b) of Improved Child Abuse Investigations Technical Temporary Amendment Act of 2002 (D.C. Law 14-240, March 25, 2003, law notification 50 DCR 2753).

Section 2 of D.C. Law 18-136, in par. (3), added subpars. (F) and (G) to read as follows:

“(F) In the case of a child with respect to whom the permanency plan is placement with a relative and receipt of kinship guardianship assistance payments under D.C. Official Code § 16-2399, a description of the:

“(i) Steps taken to determine that it is not appropriate for the child to be returned home or adopted;

“(ii) Reasons for any separation of siblings during placement;

“(iii) Reasons a permanent placement with a fit and willing relative through a kinship guardianship-assistance arrangement is in the child’s best interests;

“(iv) Ways in which the child meets the eligibility requirements for a kinship guardianship-assistance payment;

“(v) Efforts made to discuss adoption by the child’s relative foster parent as a more permanent alternative to legal guardianship and, in the case of a relative foster parent who has chosen not to pursue adoption, documentation of the reasons therefore; and

"(vi) Efforts made to discuss with the child's parent the kinship guardianship-assistance arrangement, or the reasons the efforts were not made; and

"(G) A plan for ensuring the educational stability of the child while in foster care, including:

"(i) Assurances that the placement of the child in foster care takes into account the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement; and

"(ii)(I) An assurance that the Agency has coordinated with appropriate local educational agencies, as defined under section 601(f) of the Elementary and Secondary Education Act of 1965, approved April 11, 1965 (79 Stat. 27; 20 USC § 7801)), to ensure that the child remains in the school in which the child is enrolled at the time of placement; or

"(II) If remaining in the school the child is enrolled in at the time of placement is not in the best interests of the child, assurances by the Agency and the local educational agencies to provide immediate and appropriate enrollment in a new school, with all of the educational records of the child provided to the school."

Section 4(b) of D.C. Law 18-136 provides that the act shall expire after 225 days of its having taken effect.

Section 2 of D.C. Law 18-298 added pars. (3)(F) and (G) to read as follows:

"(F) In the case of a child with respect to whom the permanency plan is placement with a relative and receipt of kinship guardianship assistance payments under D.C. Official Code § 16-2399, a description of the:

"(i) Steps taken to determine that it is not appropriate for the child to be returned home or adopted;

"(ii) Reasons for any separation of siblings during placement;

"(iii) Reasons a permanent placement with a fit and willing relative through a kinship guardianship-assistance arrangement is in the child's best interests;

"(iv) Ways in which the child meets the eligibility requirements for a kinship guardianship-assistance payment;

"(v) Efforts made to discuss adoption by the child's relative foster parent as a more permanent alternative to legal guardianship and, in the case of a relative foster parent who has chosen not to pursue adoption, documentation of the reasons therefore; and

"(vi) Efforts made to discuss with the child's parent the kinship guardianship-assistance arrangement, or the reasons the efforts were not made; and

"(G) A plan for ensuring the educational stability of the child while in foster care, including:

"(i) Assurances that the placement of the child in foster care takes into account the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement; and

"(ii)(I) An assurance that the Agency has coordinated with appropriate local educational agencies, as defined under section 601(f) of the Elementary and Secondary Education Act of 1965, approved April 11, 1965 (79 Stat. 27; 20 USC § 7801)), to ensure that the child remains in the school in which the child is enrolled at the time of placement; or

"(II) If remaining in the school the child is enrolled in at the time of placement is not in the best interests of the child, assurances by the Agency and the local educational agencies to provide immediate and appropriate enrollment in a new school, with all of the educational records of the child provided to the school."



Section 4(b) of D.C. Law 18-298 provides that the act shall expire after 225 days of its having taken effect.

#### Emergency Act Amendments

For temporary amendment of section, see § 3 of the Prevention of Child Neglect Emergency Amendment Act of 1993 (D.C. Act 10-100, August 9, 1993, 40 DCR 6141).

For temporary amendment of section, see § 3 of the Prevention of Child Neglect Emergency Amendment Act of 1994 (D.C. Act 10-288, July 22, 1994, 41 DCR 4992).

For temporary (90-day) amendment of section, see § 201(a) of the Adoption and Safe Families Emergency Amendment Act of 1999 (D.C. Act 13-117, July 28, 1999, 46 DCR 6558).

For temporary (90-day) amendment of section, see § 201(a) of the Adoption and Safe Families Legislative Review Emergency Amendment Act of 1999 (D.C. Act 13-178, November 2, 1999, 46 DCR 9714).

For temporary (90-day) amendment of section, see § 201(a) of the Adoption and Safe Families Congressional Review Emergency Amendment Act of 1999 (D.C. Act 13-240, January 11, 2000, 47 DCR 556).

For temporary (90-day) amendment of section, see § 2 of the Adoption and Safe Families Compliance Emergency Amendment Act of 2000 (D.C. Act 13-383, July 24, 2000, 47 DCR 6700).

For temporary (90 day) amendment of section, see § 2(a) of the Adoption and Safe Families Compliance Congressional Review Emergency Amendment Act of 2000 (D.C. Act 13-451, November 7, 2000, 47 DCR 9399).

For temporary (90 day) delay of the applicability of provisions changing the manner in which the Child and Family Services Agency will process reports of child abuse and neglect, see § 3 of Improved Child Abuse Investigations Technical Emergency Amendment Act of 2002 (D.C. Act 14-494, October 23, 2002, 49 DCR 9781).

For temporary (90 day) delay of the applicability of provisions changing the manner in which the Child and Family Services Agency will process reports of child abuse and neglect, see § 3 of Improved Child Abuse Investigations Technical Congressional Review Emergency Amendment Act of 2002 (D.C. Act 14-603, January 7, 2003, 50 DCR 687).

For temporary (90 day) amendment of section, see § 2 of Prevention of Child Abuse and Neglect Emergency Amendment Act of 2009 (D.C. Act 18-259, January 4, 2010, 57 DCR 337).

For temporary (90 day) amendment of section, see § 2 of Prevention of Child Abuse and Neglect Emergency Amendment Act of 2010 (D.C. Act 18-586, October 20, 2010, 57 DCR 10136).

#### Legislative History of Laws

Law 2-22, the "Prevention of Child Abuse and Neglect Act of 1977," was introduced in Council and assigned Bill No. 2-48, which was referred to the Committee on Human Resources and Aging and the Committee on the Judiciary. The Bill was adopted on first and second readings on May 17, 1977, and May 31, 1977, respectively. Signed by the Mayor on July 6, 1977, it was assigned Act No. 2-53 and transmitted to both Houses of Congress for its review.

For legislative history of D.C. Law 8-87, see Historical and Statutory Notes following § 4-1301.06a.

Law 13-136, the "Adoption and Safe Families Amendment Act of 2000," was introduced in Council and assigned Bill No. 13-214, which was referred to the Committee on Human Services. The Bill was adopted on first and second readings on February 1, 2000, and March 7, 2000, respectively. Signed by the Mayor on March 31, 2000, it was assigned Act No. 13-315 and transmitted to both Houses of Congress for its review. D.C. Law 13-136 became effective on June 27, 2000.

Law 13-277, the "Child and Family Services Agency Establishment Amendment Act of 2000," was introduced in Council and assigned Bill No. 13-796, which was referred to the Committee on Human

Services. The Bill was adopted on first and second readings on December 5, 2000, and December 19, 2000, respectively. Signed by the Mayor on January 24, 2001, it was assigned Act No. 13-590 and transmitted to Both Houses of Congress for its review. D.C. Law 13-277 became effective on April 4, 2000.

Law 14-206, the "Improved Child Abuse Investigations Amendment Act of 2002", was introduced in Council and assigned Bill No. 14-372, which was referred to Committee on the Judiciary and the Committee on Human Services. The Bill was adopted on first and second readings on June 18, 2002, and July 2, 2002, respectively. Signed by the Mayor on July 23, 2002, it was assigned Act No. 14-440 and transmitted to both Houses of Congress for its review. D.C. Law 14-206 became effective on October 19, 2002.

Law 14-310, the "Criminal Code and Miscellaneous Technical Amendments Act of 2002", was introduced in Council and assigned Bill No. 14-954, which was referred to the Committee on Whole. The Bill was adopted on first and second readings on December 3, 2002, and December 17, 2002, respectively. Signed by the Mayor on January 22, 2003, it was assigned Act No. 14-622 and transmitted to both Houses of Congress for its review. D.C. Law 14-310 became effective on June 12, 2003.

Law 15-341, the "Child in Need of Protection Amendment Act of 2004", was introduced in Council and assigned Bill No. 15-389 which was referred to the Committee on Judiciary and the Committee on Human Services. The Bill was adopted on first and second readings on December 7, 2004, and December 21, 2004, respectively. Signed by the Mayor on January 19, 2005, it was assigned Act No. 15-758 and transmitted to both Houses of Congress for its review. D.C. Law 15-341 became effective on April 12, 2005.

For Law 15-354, see notes following § 4-204.55.

For Law 16-191, see notes following § 4-204.61.

Law 17-231, the "Omnibus Domestic Partnership Equality Amendment Act of 2008", was introduced in Council and assigned Bill No. 17-135, which was referred to the Committee on Public Safety and the Judiciary. The Bill was adopted on first and second readings on April 1, 2008, and May 6, 2008, respectively. Signed by the Mayor on June 6, 2008, it was assigned Act No. 17-403 and transmitted to both Houses of Congress for its review. D.C. Law 17-231 became effective on September 12, 2008.

Law 18-162, the "Foster Care Youth Identity Protection Amendment Act of 2010", was introduced in Council and assigned Bill No. 18-449, which was referred to the Committee on Human Services. The bill was adopted on first and second readings on February 2, 2010, and March 2, 2010, respectively. Signed by the Mayor on April 2, 2010, it was assigned Act No. 18-354 and transmitted to both Houses of Congress for its review. D.C. Law 18-162 became effective on May 27, 2010.

Law 18-228, the "Families Together Amendment Act of 2010", was introduced in Council and assigned Bill No. 18-667, which was referred to the Committee on Human Services. The Bill was adopted on first and second readings on June 1, 2010, and June 15, 2010, respectively. Signed by the Mayor on July 7, 2010, it was assigned Act No. 18-472 and transmitted to both Houses of Congress for its review. D.C. Law 18-228 became effective on September 24, 2010.

Law 18-312, the "Prevention of Child Abuse and Neglect Amendment Act of 2010", was introduced in Council and assigned Bill No. 18-579, which was referred to the Committee on Human Services, Public Safety and the Judiciary. The Bill was adopted on first and second readings on November 9, 2010, and November 23, 2010, respectively. Signed by the Mayor on December 13, 2010, it was assigned Act No. 18-633 and transmitted to both Houses of Congress for its review. D.C. Law 18-312 became effective on March 12, 2011.

#### References in Text

"Title IV of this act", referenced in par. (2A), is title IV of Law 2-22, which is codified to 16-2304, 16-2310, 16-2313, 16-2315, 16-2319, 16-2320, 16-2323 to 16-2338, and 16-2351 to 16-2365.

#### Miscellaneous Notes

For applicability of D.C. Law 13-277, see note following § 4-1303.01a.

Application of Law 14-206: Section 16(b) of D.C. Law 14-310 provides that section 2(a)(2), (4), (5), (6), and (7), (b), (c), (d), (e), (h), (i), (j), (k), and (l) of D.C. 14-206 shall apply as of October 1, 2003.

#### Miscellaneous Notes

Section 3 of D.C. Law 18-228 provides:

"Sec. 3. Applicability.

"This act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan."

DC CODE § **4-1301-02**

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶ ▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 100 ▶

[Cite List](#) [Docs In Sequence](#)

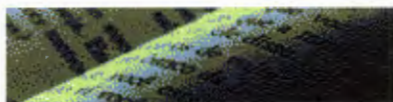
**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)





D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1341.03

Formerly cited as DC ST 1981 § 6-2133

Term Best Section

DC ST § 4 1341 03

Formerly cited as DC ST 1981 § 6-2133

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

[Chapter 13](#). Child Abuse and Neglect. [Subchapter III](#). Child Abuse and Neglect Prevention Children's Trust Fund.

§ 4-1341.03. Establishment of Board of Directors.

(a) A self-perpetuating Board of Directors is established to manage the affairs of the Trust Fund. The Board of Directors shall have 15 members. The D.C. Treasurer and the Director of the Department of Human Services shall serve as members of the Board of Directors . The remaining 13 members shall have a demonstrated knowledge in the area of child abuse and child neglect prevention and shall reflect a diversity of gender and ethnicity. Each ward in the District shall be represented on the Board of Directors . Through its by-laws, the Board of Directors may expand the number of members of the Board to include a business representative.

(b) The D.C. Treasurer and the Director of the Department of Human Services shall serve terms as members of the Board of Directors for the same duration as the terms of their offices.

(c) The 12 initial nongovernmental members shall serve the following terms: 3 members shall serve 3 years; 5 members shall serve 2 years; and 4 members shall serve 1 year.

(d) The 12 initial nongovernmental members shall be appointed by resolution of the Council.

(e) In the event that 1 of the 12 initial nongovernmental members is unable to serve or is removed, the remaining members shall select a replacement member according to the representational requirements of subsection (a) of this section.

(f) The Board of Directors shall appoint nongovernmental replacement members so that subsequent Board of Directors meet the representational requirements of subsection (a) of this section and the bylaws adopted by the Board of Directors. A succeeding member shall serve the balance of the term of the member that he or she succeeds if the term is unexpired. A succeeding member who succeeds a member whose term has expired shall serve a term of 3 years.

(g) Members shall be compensated only for out-of-pocket expenses incurred from the accomplishment of their responsibilities as members of the Board of Directors .

(h) The Board of Directors shall elect a chairperson from among the members. The Board of Directors may elect other officers and form committees as it considers appropriate.

CREDIT(S)

(Oct. 5, 1993, D.C. Law 10-56, § 4, 40 DCR 7222; Apr. 20, 1999, D.C. Law 12-233, § 2(b), 46 DCR 564; Apr. 12, 2000, D.C. Law 13-91, § 140, 47 DCR 520.)

#### HISTORICAL AND STATUTORY NOTES

##### Prior Codifications

1981 Ed., § 6-2133.

##### Effect of Amendments

D.C. Law 13-91, in the fourth sentence of subsec. (a), substituted "13" for "12".

##### Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 2(b) of Child Abuse and Neglect Prevention Children's Trust Fund Temporary Amendment Act of 1997 (D.C. Law 12-51, February 27, 1998, law notification 45 DCR ).

##### Emergency Act Amendments

For temporary addition of subchapter, see notes to § 4-1341.01.

For temporary amendment of section, see § 2(b) of the Child Abuse and Neglect Prevention Children's Trust Fund Emergency Amendment Act of 1997 (D.C. Act 12-141, August 12, 1997, 44 DCR 4854), see § 2(b) of the Child Abuse and Neglect Prevention Children's Trust Fund Legislative Review Emergency Amendment Act of 1997 (D.C. Act 12-182, October 30, 1997, 44 DCR 6956), and see § 2(b) of the Child Abuse and Neglect Prevention Children's Trust Fund Congressional Recess Emergency Amendment Act of 1998 (D.C. Act 12-252, January 29, 1998, 45 DCR 901).

For temporary amendment of section, see § 2(b) of the Child Abuse and Neglect Prevention Children's Trust Fund Emergency Amendment Act of 1998 (D.C. Act 12-484, October 10, 1998, 45 DCR 8030), and § 2(b) of the Child Abuse and Neglect Prevention Children's Trust Fund Legislative Review Emergency Amendment Act of 1998 (D.C. Act 12-618, January 22, 1999, 46 DCR 1337).

##### Legislative History of Laws

For legislative history of D.C. Law 10-56, see Historical and Statutory Notes following § 4-1341.01.

For legislative history of D.C. Law 12-233, see Historical and Statutory Notes following § 4-1341.02.

Law 13-91, the "Technical Amendments Act of 1999," was introduced in Council and assigned Bill No. 13-435, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on November 2, 1999, and December 7, 1999, respectively. Signed by the Mayor on December 29, 1999, it was assigned Act No. 13-234 and transmitted to both Houses of Congress for its review. D.C. Law 13-91 became effective on April 12, 2000.

DC CODE §  4   1341  .  03 

Current through November 15, 2011


Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

 Term   Best Section 



© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 100 

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)





D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1341.04

Formerly cited as DC ST 1981 § 6-2134

Term Best Section

DC ST § 4 1341 04

Formerly cited as DC ST 1981 § 6-2134

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

[Chapter 13](#). Child Abuse and Neglect. [Subchapter III](#). Child Abuse and Neglect Prevention Children's Trust Fund. **§ 4-1341.04. Powers and responsibilities of the Board of Directors.**(a) The **Board** of **Directors** shall:

- (1) Administer the Trust Fund;
- (2) File such papers as may be required by the Recorder of Deeds of the District of Columbia;
- (3) Have the **power** to adopt, amend, or repeal bylaws for operation of the Trust Fund;
- (4) Remove a member by a 2/3rd vote of the remaining members of the **Board** of **Directors**
- (5) Meet not less than quarterly at a time to be determined;
- (6) Assess service needs and gaps relative to child abuse and child neglect prevention programs in the District;
- (7) Develop and implement program recommendations in order to address identified service needs;
- (8) Develop and implement proposal solicitation and establish criteria for the awarding of grants to meet identified service needs;
- (9) Review, approve, and monitor the expenditure of the Trust Fund and child abuse and child neglect prevention programs;
- (10) Assist in providing information to the public about the purpose and work of the Trust Fund;
- (11) Hire and monitor an executive **director** of the Trust Fund; and
- (12) Invite comments and recommendations at least annually from interested child advocacy coalitions and community organizations to review the Trust Fund's program plans.

(b) Administrative expenses shall not exceed 10% of the funds available in the Trust Fund.

(c) One year after its original formation, the **Board** of **Directors** shall develop a District-wide

plan for the distribution of funds from the Trust Fund. The plan shall be developed annually. The plan shall assure a distribution of funds to services that reach children in all geographic areas of the District. The plan shall be transmitted to the Mayor and Chairman of the Council.

#### CREDIT(S)

(Oct. 5, 1993, D.C. Law 10-56, § 5, 40 DCR 7222.)

#### HISTORICAL AND STATUTORY NOTES

##### Prior Codifications

1981 Ed., § 6-2134.

##### Emergency Act Amendments

For temporary addition of subchapter, see notes to § 4-1341.01.

##### Legislative History of Laws

For legislative history of D.C. Law 10-56, see Historical and Statutory Notes following § 4-1341.01.

DC CODE § **4-1341.04**

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶ ▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 100 ▶

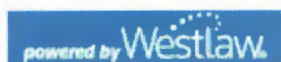
[Cite List](#) [Docs In Sequence](#)

---

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)







D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1341.06

Formerly cited as DC ST 1981 § 6-2136

Term Best Section

DC ST § 4 1341 06

Formerly cited as DC ST 1981 § 6-2136

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

[Chapter 13](#). Child Abuse and Neglect. [Subchapter III](#). Child Abuse and Neglect Prevention Children's Trust Fund. **§ 4-1341.06. Corporate powers.**

The Trust Fund may exercise those powers conferred upon a nonprofit corporation pursuant to Chapters 1 and 4 of Title 29 .

CREDIT(S)

(Oct. 5, 1993, D.C. Law 10-56, § 7, 40 DCR 7222; July 2, 2011, D.C. Law 18-378, § 3(b), 58 DCR 1720.)

#### HISTORICAL AND STATUTORY NOTES

##### Prior Codifications

1981 Ed., § 6-2136.

##### Effect of Amendments

D.C. Law 18-378 substituted "Chapters 1 and 4 of Title 29" for "subchapter I of Chapter 3 of Title 29".

##### Emergency Act Amendments

For temporary addition of subchapter, see notes to § 4-1341.01.

##### Legislative History of Laws

For legislative history of D.C. Law 10-56, see Historical and Statutory Notes following § 4-1341.01.

Law 18-378, the "District of Columbia Official Code Title 29 (Business Organizations) Enactment Act of 2009", was introduced in Council and assigned Bill No. 18-500, which was referred to the Committee on Public Services and Consumer Affairs. The Bill was adopted on first and second readings on December 7, 2010, and December 21, 2010, respectively. Signed by the Mayor on February 27, 2011, it was assigned Act No. 18-724 and transmitted to both Houses of Congress for its review. D.C. Law 18-378 became effective on July 2, 2011.

DC CODE § 4 1341 06

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶ ▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 100 ▶

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters:**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)





D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1341.08

Formerly cited as DC ST 1981 § 6-2138

Term Best Section

DC ST § 4 1341 08

Formerly cited as DC ST 1981 § 6-2138

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

[Chapter 13](#). Child Abuse and Neglect. [Subchapter III](#). Child Abuse and Neglect Prevention Children's Trust Fund. **§ 4-1341.08. Tax status.**

The Trust Fund may engage in such activities that make it eligible for treatment as an organization described in § 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. § 501(c)(3)) which may be exempt from federal taxation under § 501(a) of the Internal Revenue Code (26 U.S.C. § 501(a)).

CREDIT(S)

(Oct. 5, 1993, D.C. Law 10-56, § 9, 40 DCR 7222.)

#### HISTORICAL AND STATUTORY NOTES

##### Prior Codifications

1981 Ed., § 6-2138.

##### Emergency Act Amendments

For temporary addition of subchapter, see notes to § 4-1341.01.

##### Legislative History of Laws

For legislative history of D.C. Law 10-56, see Historical and Statutory Notes following § 4-1341.01.

##### Miscellaneous Notes

Establishment of juvenile curfew: For temporary provisions establishing a curfew for juveniles under the age of 17 years in the District of Columbia, parental responsibility for implementation of the act, and exceptions to the act, see §§ 2 through 4 of the Juvenile Curfew Emergency Act of 1995 (D.C. Act 11-86, July 6, 1995, 42 DCR 3612).

DC CODE § 4 1341 08

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶ ▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

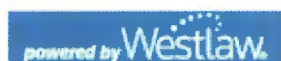
Doc 1 of 100 ▶

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)



THOMSON REUTERS



D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1345.02

§ 4-1345.02. Integrated Services Fund for At-Risk Children, Youth, and Families.

Term Best Section

DC ST § 4 -- 1345 -- 02

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

[Chapter 13.](#) **Child** Abuse and Neglect.

[Subchapter III-A.](#) **Integrated Funding** and **Services** for **At** -- **Risk Children** , **Youth** , and **Families** .

§ 4-1345.02. **Integrated Services Fund for At-Risk Children, Youth, and Families.**

(a) There is established the **Integrated Services Fund** for **At** -- **Risk Children** , **Youth** , and **Families** , which shall be a nonlapsing **fund** separate from the General **Fund** of the District of Columbia and used to implement initiatives, programs, and **services** to meet the needs of **at** -- **risk children** , **youth** , and their **families** in a holistic, interdisciplinary manner pursuant to § 4-1345.03.

(b) The Mayor, or his or her designee, may transfer to the **Fund** up to one percent of the local **funding** appropriated in the District of Columbia's annual financial plan and budget for each of the following agencies, or any successor agencies:

(1) The **Child** and **Family Services** Agency;

(2) The Department of Employment **Services** .

(3) The Department of Health, excluding local **funding** appropriated or authorized for the Medicaid program authorized by Title XIX of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 *et seq.*);

(4) The Department of Human **Services** .

(5) The Department of Mental Health; and

(6) The Department of **Youth** Rehabilitation **Services** .

(c) The Mayor may also designate federal or private grant **funds** to be deposited into the **Fund** if the designation of **funds** is consistent with the terms of the federal or private grant.

(d) **Funds** deposited into the **Fund** shall not revert to the General **Fund** of the District of Columbia at the end of any fiscal year or at any other time, but shall be continually available for the uses and purposes set forth in § 4-1345.03, subject to authorization by Congress.

(e) The Chief Financial Officer shall provide the necessary administrative and management support to pool the **funds** described in subsections (a) and (b) of this section into the **Fund** , and shall maintain systems of accounting and control that provide the Mayor with financial information needed for management purposes and ensure accountability for the use of the **Fund's** resources.



(f) The Mayor shall submit a budget and spending plan for the **←Fund→** as part of the annual budget that he or she transmits to the Council. The plan shall include:

- (1) The amount proposed to be transferred from each agency;
- (2) The effect, if any, on programs in the agencies from which the **←funds→** are being transferred; and
- (3) A listing of each program and its financing through the **←Fund→**.

CREDIT(S)

(Mar. 2, 2007, D.C. Law 16-192, § 5203, 53 DCR 6899.)

#### HISTORICAL AND STATUTORY NOTES

##### Emergency Act Amendments

For temporary (90 day) addition, see § 5203 of Fiscal Year 2007 Budget Support Emergency Act of 2006 (D.C. Act 16-477, August 8, 2006, 53 DCR 7068).

For temporary (90 day) addition, see § 5203 of Fiscal Year 2007 Budget Support Congressional Review Emergency Act of 2006 (D.C. Act 16-499, October 23, 2006, 53 DCR 8845).

For temporary (90 day) addition, see § 5203 of Fiscal Year 2007 Budget Support Congressional Review Emergency Act of 2007 (D.C. Act 17-1, January 16, 2007, 54 DCR 1165).

##### Legislative History of Laws

For Law 16-192, see notes following § 4-1345.01.

DC CODE § **←4→←1345→←02→**


Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

 Term   Best Section 

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 100 

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)





D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1345.03

§ 4-1345.03. Scope and design of programs and services.

Term Best Section

DC ST § 4 1345 03

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

[Chapter 13](#). Child Abuse and Neglect.

[Subchapter III-A](#). Integrated Funding and **Services** for At-Risk Children, Youth, and Families.

**§ 4-1345.03. Scope and design of programs and services.**

(a) The Mayor shall use the funds described in § 4-1345.02 to support policies, **programs** , and **services** for at-risk children, youth, and families that:

(1) Offer a broad spectrum of assistance and support tailored to the needs of at-risk children, youth, and families, such as child abuse prevention, child care, domestic violence prevention, job training, maternal and child health, mental health counseling, mentoring, parent education, respite care, and substance abuse treatment;

(2) Cross agency and professional boundaries, using an interdisciplinary approach and employing techniques such as case management, co-location of **programs** and staff, and inter-agency case conferences to ensure that **services** are coordinated and accessible to at-risk children, youth, and families;

(3) Build on family strengths and view the needs of the child or youth in the context of his or her family;

(4) Respect cultural diversity and promote family involvement;

(5) Adopt flexible approaches to service delivery, such as home visits, and ensure that essential supports, such as transportation, are in place so that at-risk children, youth, and families can use available services;

(6) Promote access and continuity by offering assistance, when possible, in non-traditional settings such as the home, school, or community, and at convenient times, including evening and weekend hours, and by reducing complex eligibility and paperwork requirements;

(7) Reduce barriers to essential **programs** and **services** by reducing complex eligibility and paperwork requirements and providing referrals to **programs** and **services** offered by private organizations;

(8) Are of sufficient intensity and duration to help children, youth, and families who are most at risk or in need, as reflected by multiple risk factors or chronic poverty;

(9) Are provided by skilled and committed individuals with experience and demonstrated effectiveness in serving at-risk children, youth, and families; and

(10) Support, to the greatest extent possible, in-home and community care for children and youth in the child welfare or juvenile justice systems, or at risk of referral to those systems, while reducing reliance on out-of-home or institutional care.

(b) The Mayor shall establish performance measures and goals for the **←programs→** and **←services→** financed by the Fund. The measures and goals shall focus on high-priority outcomes for at-risk children, youth, and families, and shall reflect the impact, effectiveness, and quality of the **←programs→** and **←services→**. The Mayor shall include the measures and goals in the performance plans and reports required by subchapter XIV-A of Chapter 6 of Title 1.

CREDIT(S)

(Mar. 2, 2007, D.C. Law 16-192, § 5204, 53 DCR 6899.)

#### HISTORICAL AND STATUTORY NOTES

##### Emergency Act Amendments

For temporary (90 day) addition, see § 5204 of Fiscal Year 2007 Budget Support Emergency Act of 2006 (D.C. Act 16-477, August 8, 2006, 53 DCR 7068).

For temporary (90 day) addition, see § 5204 of Fiscal Year 2007 Budget Support Congressional Review Emergency Act of 2006 (D.C. Act 16-499, October 23, 2006, 53 DCR 8845).

For temporary (90 day) addition, see § 5204 of Fiscal Year 2007 Budget Support Congressional Review Emergency Act of 2007 (D.C. Act 17-1, January 16, 2007, 54 DCR 1165).

##### Legislative History of Laws

For Law 16-192, see notes following § 4-1345.01.

DC CODE § **←4→-←1345→.←03→**

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶ ▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

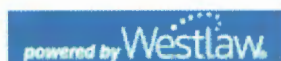
Doc 1 of 100 ▶

[Cite List](#) [Docs In Sequence](#)

Westlaw, part of Thomson Reuters  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)







D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1362

Formerly cited as DC ST 1981 § 6-2142

Term Best Section

DC ST § 4 1362

Formerly cited as DC ST 1981 § 6-2142

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

[Chapter 13](#). Child Abuse and Neglect. [Subchapter IV](#). Adoption Improvement.

§ 4-1362. Contracting with private service providers.

(a) **Private contracts** . -- Not later than September 30, 1999, CFSA shall enter into **contracts** with **private service providers** to perform some of the adoption recruitment and placement functions of CFSA, which may include recruitment, homestudy, and placement **services** .

(b) *Competitive bidding*. -- Any **contract** entered into pursuant to subsection (a) of this section shall be subject to a competitive bidding process when required by CFSA **contracting** policies and procedures.

(c) *Performance-based compensation*. --

(1) *In general*. -- Any **contract** entered into pursuant to subsection (a) of this section shall compensate the winning bidder pursuant to subsection (b) of this section upon completion of **contract** deliverables.

(2) **Contract** deliverables. -- In identifying **contract** deliverables, CFSA shall consider:

(A) In the case of recruitment, receipt of a list of potential adoptive families;

(B) In the case of homestudies, receipt of a completed home-study in a form specified in advance by CFSA; or

(C) In the case of placements, the child is placed in an adoptive home approved by CFSA or the adoption is finalized.

(d) *Types of contracts* . -- Nothing in this section shall be construed to prevent CFSA from entering into **contracts** that **provide** for multiple deliverables or conditions for partial payment.

(e) *Removal of barriers to adoption*. -- CFSA shall meet with contractors to address issues identified during the term of a **contract** entered into pursuant to this subchapter, including issues related to barriers to timely adoptions.

CREDIT(S)

(Oct. 21, 1998, 112 Stat. 2681-146, Pub. L. 105-277, § 157(c).)

## HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 6-2142.

DC CODE §  **4**   **1362** 


Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

 Term   Best Section 

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 100 [Cite List](#) [Docs In Sequence](#)**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)

THOMSON REUTERS™



D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1371.02

§ 4-1371.02. Definitions.

Term Best Section

DC ST § 4 1371 02

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

[Chapter 13](#). Child Abuse and Neglect. [Subchapter V](#). Child Fatality Review Committee. **§ 4-1371.02. Definitions.**

For the purposes of this subchapter, the term:

(1) "Child" means an individual who is 18 years of age or younger, or up to 21 years of age if the child is a committed ward of the child welfare, mental retardation and developmental disabilities, or juvenile systems of the District of Columbia.

(2) "Committee" means the Child Fatality Review Committee.

CREDIT(S)

(Oct. 3, 2001, D.C. Law 14-28, § 4602, 48 DCR 6981.)

#### HISTORICAL AND STATUTORY NOTES

##### Temporary Addition of Section

For temporary (225 day) addition of section, see § 2 of Child Fatality Review Committee Establishment Temporary Act of 2001 (D.C. Law 14-20, September 6, 2001, law notification 48 DCR 9090).

##### Emergency Act Amendments

For temporary (90 day) addition of section, see § 2 of Child Fatality Review Committee Establishment Emergency Act of 2001 (D.C. Act 14-40, April 25, 2001, 48 DCR 5917).

For temporary (90 day) addition of section, see § 2 of Child Fatality Review Committee Establishment Legislative Review Emergency Act of 2001 (D.C. Act 14-82, July 9, 2001, 48 DCR 6355).

##### Legislative History of Laws

For Law 14-28, see notes following § 4-344.01.

DC CODE § 4 1371 02

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶ ▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 100 ▶

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)



THOMSON REUTERS





D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1371.04

§ 4-1371.04. Composition of the Child Fatality Review Committee.

Term Best Section

DC ST § 4 1371 04

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

[Chapter 13.](#) **Child** Abuse and Neglect.

[Subchapter V.](#) **Child Fatality Review Committee** .

**§ 4-1371.04. Composition of the Child Fatality Review Committee.**

(a) The Mayor shall appoint a minimum of one representative from appropriate programs providing services to **children** within the following public agencies:

- (1) Department of Human Services;
- (2) Department of Health;
- (3) Office of the Chief Medical Examiner;
- (4) **Child** and Family Services Agency;
- (5) Metropolitan Police Department;
- (6) Fire and Emergency Medical Services Department,
- (7) D.C. Public Schools;
- (8) Department of Housing and Community Development; and
- (9) Office of the Corporation Counsel.

(b) The Mayor shall appoint, or request the designation of, members from federal, judicial, and private agencies and the general public who are knowledgeable in **child** development, maternal and **child** health, **child** abuse and neglect, prevention, intervention, treatment or research, with due consideration given to representation of ethnic or racial minorities and to geographic areas of the District of Columbia. The appointments shall include representatives from the following:

- (1) Superior Court of the District of Columbia;
- (2) Office of the United States Attorney for the District of Columbia;
- (3) District of Columbia hospitals where **children** are born or treated;
- (4) College or university schools of social work; and
- (5) Mayor's **Committee** on **Child** Abuse and Neglect.

(c) The Mayor, with the advice and consent of the Council, shall appoint 8 community representatives, none of whom shall be employees of the District of Columbia.

(d) Governmental appointees shall serve at the will of the Mayor, or of the federal or judicial body designating their availability for appointment. Community representatives shall serve for 3-year terms.

(e) Vacancies in membership shall be filled in the same manner in which the original appointment was made.

(f) The Committee shall select co-chairs according to rules set forth by the Committee.

(g) The Committee shall establish quorum and other procedural requirements as it considers necessary.

#### CREDIT(S)

(Oct. 3, 2001, D.C. Law 14-28, § 4604, 48 DCR 6981; Mar. 13, 2004, D.C. Law 15-105, § 36, 51 DCR 881; Apr. 13, 2005, D.C. Law 15-354, § 85(c), 52 DCR 2638.)

#### HISTORICAL AND STATUTORY NOTES

##### Effect of Amendments

D.C. Law 15-105, in subsec. (f), validated a previously made technical correction.

D.C. Law 15-354, in subsec. (f), validated a previously made technical correction.

##### Temporary Addition of Section

For temporary (225 day) addition of section, see § 2 of **←Child Fatality Review Committee→** Establishment Temporary Act of 2001 (D.C. Law 14-20, September 6, 2001, law notification 48 DCR 9090).

##### Emergency Act Amendments

For temporary (90 day) addition of section, see § 4 of **←Child Fatality Review Committee→** Establishment Emergency Act of 2001 (D.C. Act 14-40, April 25, 2001, 48 DCR 5917).

For temporary (90 day) addition of section, see § 4 of **←Child Fatality Review Committee→** Establishment Legislative **←Review→** Emergency Act of 2001 (D.C. Act 14-82, July 9, 2001, 48 DCR 6355).

##### Legislative History of Laws

For Law 14-28, see notes following § 4-344.01.

For Law 15-105, see notes following § 4-204.08.

For Law 15-354, see notes following § 4-204.55.

DC CODE § **←4→-←1371→.←04→**

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶ ▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 100 ▶

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**

[© 2012 West](#) | [Privacy](#) | [Accessibility](#)





D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1371.05

§ 4-1371.05. Criteria for case review.

Term Best Section

DC ST § 4 1371 05

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

[Chapter 13](#). Child Abuse and Neglect.

[Subchapter V](#). Child Fatality **Review** Committee.

**§ 4-1371.05. Criteria for case review.**

(a) The Committee shall be responsible for **reviewing** the deaths of children who were residents of the District of Columbia and of such children who, or whose families, at the time of death:

(1) Or at any point during the 2 years prior to the child's death, were known to the juvenile justice or mental retardation or developmental disabilities systems of the District of Columbia; and

(2) Or at any point during the 4 years prior to the child's death, were known to the child welfare system of the District of Columbia.

(b) The Committee may **review** the deaths of nonresidents if the death is determined to be accidental or unexpected and occurs within the District.

(c) The Committee shall establish, by regulation, the manner of **review** of **cases** , including use of the following approaches:

(1) Multidisciplinary **review** of individual fatalities;

(2) Multidisciplinary **review** of clusters of fatalities identified by special category or characteristic;

(3) Statistical **reviews** of fatalities; or

(4) Any combination of such approaches.

(d) The Committee shall establish 2 **review** teams to conduct its **review** of child fatalities. The Infant Mortality **Review** Team shall **review** the deaths of children under the age of one year and the Child Fatality **Review** Team shall **review** the deaths of children over the age of one year. Each team may include designated public officials with responsibilities for child and juvenile welfare from each of the agencies and entities listed in § 4-1371.04.

(e) Full multidisciplinary/multi-agency reviews shall be conducted, at a minimum, on the following fatalities:

(1) Those children known to the juvenile justice system;

(2) Those children who are known to the mental retardation/developmental disabilities system;



- (3) Those children for which there is or has been a report of child abuse or neglect concerning the child's family;
- (4) Those children who were under the jurisdiction of the Superior Court of the District of Columbia (including protective service, foster care, and adoption **←cases→**);
- (5) Those children who, for some other reason, were wards of the District; and
- (6) Medical Examiner Office **←cases→**.

## CREDIT(S)

(Oct. 3, 2001, D.C. Law 14-28, § 4605, 48 DCR 6981; Apr. 12, 2005, D.C. Law 15-341, § 4, 52 DCR 2315.)

## HISTORICAL AND STATUTORY NOTES

## Effect of Amendments

D.C. Law 15-341 rewrote subsec. (a) which had read as follows:

"(a) The Committee shall be responsible for reviewing the deaths of children who were residents of the District of Columbia and of such children who, or whose families, at the time of death, or at any point during the 2 years prior to the child's death, were known to the child welfare, juvenile justice, or mental retardation or developmental disabilities systems of the District of Columbia."

## Temporary Addition of Section

For temporary (225 day) addition of section, see § 2 of Child Fatality **←Review→** Committee Establishment Temporary Act of 2001 (D.C. Law 14-20, September 6, 2001, law notification 48 DCR 9090).

## Emergency Act Amendments

For temporary (90 day) addition of section, see § 5 of Child Fatality **←Review→** Committee Establishment Emergency Act of 2001 (D.C. Act 14-40, April 25, 2001, 48 DCR 5917).

For temporary (90 day) addition of section, see § 5 of Child Fatality **←Review→** Committee Establishment Legislative **←Review→** Emergency Act of 2001 (D.C. Act 14-82, July 9, 2001, 48 DCR 6355).

## Legislative History of Laws

For Law 14-28, see notes following § 4-344.01.

For Law 15-341, see notes following § 4-1303.51.


DC CODE § **←4→←1371→←05→**

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 100 

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)





D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1371.08

§ 4-1371.08. Confidentiality of proceedings.

Term Best Section

DC ST § 4 1371 08

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

[Chapter 13](#). Child Abuse and Neglect. [Subchapter V](#). Child Fatality Review Committee. **§ 4-1371.08. Confidentiality of proceedings.**

(a) **Proceedings** of the Committee shall be closed to the public and shall not be subject to § 1-207.42, when the Committee is discussing cases of individual child deaths or where the identity of any person, other than a person who has consented to be identified, can be ascertained. Persons other than Committee members who attend any Committee meeting which, pursuant to this section, is not open to the public, shall not disclose what occurred at the meeting to anyone who was not in attendance, except insofar as disclosure is necessary for that person to comply with a request for information from the Committee. Committee members who attend meetings not open to the public shall not disclose what occurred with anyone who was not in attendance (except other Committee members), except insofar as disclosure is necessary to carry out the duties of the Committee. Any party who discloses information pursuant to this subsection shall take all reasonable steps to ensure that the information disclosed, and the person to whom the information is disclosed, are as limited as possible.

(b) Members of the Committee, persons attending a Committee meeting, and persons who present information to the Committee may not be required to disclose, in any administrative, civil, or criminal **proceeding** , information presented at or opinions formed as a result of a Committee meeting, except that nothing in this subsection may be construed as preventing a person from providing information to another review committee specifically authorized to obtain such information in its investigation of a child death, the disclosure of information obtained independently of the Committee, or the disclosure of information which is public information.

(c) Information identifying a deceased child, a member of the child's immediate family, the guardian or caretaker of the child, or an alleged or suspected perpetrator of abuse or neglect upon the child, may not be disclosed publicly.

(d) Information identifying District of Columbia government employees or private health-care providers, social service agencies, and educational, housing, and child-care providers may not be disclosed publicly:

(e) Information and records which are the subject of this section may be disclosed upon a determination made in accordance with rules and procedures established by the Mayor.

CREDIT(S)

(Oct. 3, 2001, D.C. Law 14-28, § 4608, 48 DCR 6981.)

HISTORICAL AND STATUTORY NOTES

## Temporary Addition of Section

For temporary (225 day) addition of section, see § 2 of Child Fatality Review Committee Establishment Temporary Act of 2001 (D.C. Law 14-20, September 6, 2001, law notification 48 DCR 9090).

## Emergency Act Amendments

For temporary (90 day) addition of section, see § 8 of Child Fatality Review Committee Establishment Emergency Act of 2001 (D.C. Act 14-40, April 25, 2001, 48 DCR 5917).

For temporary (90 day) addition of section, see § 8 of Child Fatality Review Committee Establishment Legislative Review Emergency Act of 2001 (D.C. Act 14-82, July 9, 2001, 48 DCR 6355).

## Legislative History of Laws

For Law 14-28, see notes following § 4-344.01.

DC CODE § **←4→←1371→←08→**

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶ ▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 10C ▶

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)



THOMSON REUTERS™





D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1371.11

§ 4-1371.11. Unlawful disclosure of information; penalties.

Term Best Section

DC ST § 4 1371 11

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

[Chapter 13](#). Child Abuse and Neglect. [Subchapter V](#). Child Fatality Review Committee. **§ 4-1371.11. Unlawful disclosure of information; penalties.**

Whoever discloses, receives, makes use of, or knowingly permits the use of information concerning a deceased child or other person in violation of this subchapter shall be subject to a fine of not more than \$1,000. Violations of this subchapter shall be prosecuted by the Corporation Counsel or his or her designee in the name of the District of Columbia. Subject to the availability of an appropriation for this purpose, any fines collected pursuant to this section shall be used by the Committee to fund its activities.

CREDIT(S)

(Oct. 3, 2001, D.C. Law 14-28, § 4611, 48 DCR 6981.)

#### HISTORICAL AND STATUTORY NOTES

##### Temporary Addition of Section

For temporary (225 day) addition of section, see § 2 of Child Fatality Review Committee Establishment Temporary Act of 2001 (D.C. Law 14-20, September 6, 2001, law notification 48 DCR 9090).

##### Emergency Act Amendments

For temporary (90 day) addition of section, see § 11 of Child Fatality Review Committee Establishment Emergency Act of 2001 (D.C. Act 14-40, April 25, 2001, 48 DCR 5917).

For temporary (90 day) addition of section, see § 11 of Child Fatality Review Committee Establishment Legislative Review Emergency Act of 2001 (D.C. Act 14-82, July 9, 2001, 48 DCR 6355).

##### Legislative History of Laws

For Law 14-28, see notes following § 4-344.01.

DC CODE § 4 1371 11

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶ ▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 4 ▶

[Cite List](#) [Docs In Sequence](#)

---

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)





D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1371.13

§ 4-1371.13. Immunity from liability for making reports.

Term Best Section

DC ST § 4 1371 13

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

[Chapter 13](#). Child Abuse and Neglect. [Subchapter V](#). Child Fatality Review Committee. **§ 4-1371.13. Immunity from liability for making reports.**

Any person, hospital, or institution participating in good faith in the making of a report pursuant to this subchapter shall have immunity from liability, administrative, civil, and criminal, that might otherwise be incurred or imposed with respect to the making of the report. The same immunity shall extend to participation in any judicial proceeding involving the report. In all administrative, civil, or criminal proceedings concerning the child or resulting from the report, there shall be a rebuttable presumption that the maker of the report acted in good faith.

#### CREDIT(S)

(Oct. 3, 2001, D.C. Law 14-28, § 4613, 48 DCR 6981.)

#### HISTORICAL AND STATUTORY NOTES

##### Temporary Addition of Section

For temporary (225 day) addition of section, see § 2 of Child Fatality Review Committee Establishment Temporary Act of 2001 (D.C. Law 14-20, September 6, 2001, law notification 48 DCR 9090).

##### Emergency Act Amendments

For temporary (90 day) addition of section, see § 13 of Child Fatality Review Committee Establishment Emergency Act of 2001 (D.C. Act 14-40, April 25, 2001, 48 DCR 5917).

For temporary (90 day) addition of section, see § 13 of Child Fatality Review Committee Establishment Legislative Review Emergency Act of 2001 (D.C. Act 14-82, July 9, 2001, 48 DCR 6355).

##### Legislative History of Laws

For Law 14-28, see notes following § 4-344.01.

DC CODE § 4 1371 13

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶ ▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 4 ▶

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)







D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1301.06

Formerly cited as DC ST 1981 § 6-2104

Term Best Section

DC ST § 4 1301 06

Formerly cited as DC ST 1981 § 6-2104

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

Chapter 13. Child Abuse and Neglect.

[Subchapter I.](#) Prevention of Child Abuse and Neglect. [Part A.](#) Reporting Abuse and Neglect. **§ 4-1301.06. Investigation.**

(a) The full investigation shall be completed no more than 30 days after the receipt of the first notice of the suspected abuse or neglect.

(b) The investigation shall determine:

- (1) The nature, extent, and cause of the abuse or neglect, if any;
- (2) If mental injury, as defined in § 16-2301(31), is suspected, an assessment of the suspected mental injury by a physician, a psychologist, or a licensed clinical social worker;
- (3) If the suspected abuse or neglect is determined to be substantiated:
  - (A) The identity of the person responsible for the abuse or neglect;
  - (B) The name, age, sex, and condition of the abused or neglected child and all other children in the home;
  - (C) The conditions in the home at the time of the alleged abuse or neglect;
  - (D) Whether there is any child in the home whose health, safety, or welfare is at risk; and
  - (E) Whether any child who is at risk should be removed from the home or can be protected by the provision of resources, such as those listed in §§ 4-1303.03 and 4-1303.03a.

(c)(1) Within 5 business days after the completion of the investigation, the Agency shall complete a final report of its findings.

(2) The Agency shall provide a copy of a report regarding suspected abuse or neglect that addresses possible criminal activity to the Metropolitan Police Department, the Office of the Attorney General, and the United States Attorney for the District of Columbia.

(d) If the Agency determines that a report was made in bad faith, the Agency shall refer the report to the Office of the Attorney General, which shall determine whether prosecution of the person making the

report in bad faith is warranted.

(e) Nothing in this section shall be read as abrogating the responsibility of the Metropolitan Police Department for criminal investigations.

#### CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title I, § 106, 24 DCR 3341; Apr. 4, 2001, D.C. Law 13-277, § 2(d), 48 DCR 2043; Apr. 12, 2005, D.C. Law 15-341, § 2(c), 52 DCR 2315.)

#### HISTORICAL AND STATUTORY NOTES

##### Prior Codifications

1981 Ed., § 6-2104.

1973 Ed., § 6-2104.

##### Effect of Amendments

D.C. Law 13-277, in subsec. (a), substituted "with the Agency" for "with the Division" and substituted "either the Agency" for "either the department of Human Services".

D.C. Law 15-341 rewrote the section which had read as follows:

"(a) The primary responsibility for the initial investigation is with the police in cases of an allegedly abused child and with the Agency in other cases of an allegedly neglected child: Provided, however, that the investigation of a report involving acts or omissions of either the Agency or the police shall be conducted by the department which is not involved.

"(b) The purpose of the initial investigation shall be to determine:

"(1) The nature, extent, and cause of the abuse or neglect;

"(2) The identity of the person responsible for the abuse or neglect;

"(3) The name, age, sex, and condition of the abused or neglected child and all other children in the home;

"(4) The conditions in the home at the time of the investigation;

"(5) Whether there is any child in the home whose health, safety, or welfare is in jeopardy because of his or her treatment in the home or his or her home environment; and

"(6) Whether any child who is in jeopardy because of treatment in the home or his or her home environment should be removed from the home or can be protected by the provision of resources such as those listed in § 4-1303.04."

##### Legislative History of Laws

For legislative history of D.C. Law 2-22, see Historical and Statutory Notes following § 4-1301.02.

For D.C. Law 13-277, see notes following § 4-1301.02.

For Law 15-341, see notes following § 4-1301.02.

##### Miscellaneous Notes

For applicability of D.C. Law 13-277, see note following § 4-1303.01a.

DC CODE § ~~4~~ ~~1301~~ ~~06~~

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶ ▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 8 ▶

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)





D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1301.07

Formerly cited as DC ST 1981 § 6-2105

Term Best Section

DC ST § 4 1301 07

Formerly cited as DC ST 1981 § 6-2105

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

Chapter 13. Child Abuse and Neglect.

[Subchapter I.](#) Prevention of Child Abuse and Neglect. [Part A.](#) Reporting Abuse and Neglect. **§ 4-1301.07. Removal of children.**

(a) In cases in which a child is alleged to be a neglected, but not an abused, child the Agency shall determine whether the child should be removed from the home or can be protected by the provision of services or resources. If in the opinion of the Agency the available services or resources are insufficient to protect the child and there is insufficient time to petition for removal, the Agency shall request the police to remove the child pursuant to § 16-2309(a)(3) or (a)(4).

(b) In all cases for which the police are responsible for the initial investigation but which do not involve an immediate danger to a child, the police shall seek from the Agency and the Agency shall provide assistance in the determination of whether the child can be protected by the provision of services or resources or whether removal is necessary. Whenever possible the Agency shall dispatch a worker to the scene to provide assistance in this determination.

(c) In all cases for which the police are responsible for the initial investigation and which do involve an immediate danger to a child and require removal pursuant to § 16-2309(a)(3), the police shall immediately notify the Agency of the removal and the latter shall investigate alternative placements for the child.

(d) When, prior to a shelter care hearing, the Agency locates a suitable alternative placement pursuant to subsection (c) of this section, the police may release the child pursuant to § 16-2311(a)(1).

(e) The Director of the Agency or his or her designee shall take custody of a child and remove the child from a hospital pending further custody proceedings if:

(1) The Director of the Agency receives written notification from the chief executive officer of a hospital located in the District of Columbia that a child has resided in the hospital for at least 10 days following the birth of the child, despite a medical determination that the child is ready for discharge; and

(2) The parent, guardian, or custodian of the child, as established by the hospital admission records, has not taken any action nor made any effort to maintain a parental, guardianship, or custodial relationship or contact with the child.

CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title I, § 107, 24 DCR 3341; June 8, 1990, D.C. Law 8-134, § 3, 37 DCR 2613; Apr. 4, 2001, D.C. Law 13-277, § 2(f), 48 DCR 2043.)

#### HISTORICAL AND STATUTORY NOTES

##### Prior Codifications

1981 Ed., § 6-2105.

1973 Ed., § 6-2105.

##### Effect of Amendments

D.C. Law 13-277 substituted "Agency" for "Division" throughout the section; and, in subsec. (e), substituted "Director of the " for "Chief of the".

##### Legislative History of Laws

For legislative history of D.C. Law 2-22, see Historical and Statutory Notes following § 4-1301.02.

Law 8-134, the "Infant and Child Abandonment Prevention Amendment Act of 1990," was introduced in Council and assigned Bill No. 8-404, which was referred to the Committee on Human Services. The Bill was adopted on first and second readings on March 13, 1990, and March 27, 1990, respectively. Signed by the Mayor on April 13, 1990, it was assigned Act No. 8-190 and transmitted to both Houses of Congress for its review.

For applicability of D.C. Law 13-277, see note following § 4-1303.01a.

For D.C. Law 13-277, see notes following § 4-1301.02.

##### Miscellaneous Notes

For applicability of D.C. Law 13-277, see note following § 4-1303.01a.

DC CODE § **4-1301-07**

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶ ▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 9 ▶

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)







D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1301.09

Formerly cited as DC ST 1981 § 6-2107

Term Best Section

DC ST § 4 1301 09

Formerly cited as DC ST 1981 § 6-2107

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

Chapter 13. Child Abuse and Neglect.

[Subchapter I.](#) Prevention of Child Abuse and Neglect. [Part A.](#) Reporting Abuse and Neglect. **§ 4-1301.09. Social investigation; services; report.**

(a) If the initial investigation results in a substantiated report, the information from the initial investigation shall be immediately referred to the police or the Agency, as appropriate. A social investigation shall be commenced immediately by the Agency in all cases of an allegedly abused child which are referred for petition to the Family Agency of the Superior Court of the District of Columbia and by the Agency in all other cases, except that cases which are or were recently active with the Agency may be investigated by the Agency. The purpose of the social investigation shall be to determine what services are required by the family to remedy the conditions of abuse or neglect.

(b) If there is a substantiated report, the agency responsible for the social investigation shall, as soon as possible, prepare a plan for each child and family for whom services are required on more than an emergency basis and shall forthwith take such steps to ensure the protection of the child and the preservation, rehabilitation and, when safe and appropriate, reunification of the family as may be necessary to achieve the purposes of this subchapter. Such steps may include, but need not be limited to:

- (1) arranging for necessary protective, rehabilitative and financial services to be provided to the child and the child's family in a manner which maintains the child in his or her home;
- (2) referring the child and the child's family for placement in a family shelter or other appropriate facility;
- (3) securing services aimed at reuniting (with his or her family) a child taken into custody, including but not limited to parenting classes and family counseling;
- (4) providing or making specific arrangements for the case management of each case when child protective services are required; and
- (5) referring the family to drug treatment services in the event of neglect or abuse that results from drug-related activity. To the maximum extent possible, the resources of the community (public and private) shall be utilized for the provision of services and case management.

(c) A report of the social investigation required under subsection (a) of this section and the plan required under subsection (b) of this section shall be submitted to all counsel at least 5 days prior to the date of the fact-finding hearing in cases in which a petition was filed pursuant to § 16-2305; provided, that



nothing added to the report or the plan subsequent to either an initial appearance or shelter care hearing shall be considered by the court prior to the completion of the fact-finding hearing unless the parent, guardian, or custodian alleged to be responsible for the neglect consents to such consideration.

(d) As part of its activities under this section, the agency responsible for the social investigation shall assure:

(1) That each child has a case plan designed to achieve the child's placement in a safe setting that is the least restrictive and most appropriate setting available, and is consistent with the best interests and special needs of the child; and

(2) If the child is placed outside of the home pursuant to § 16-2320(a)(3), that the child's status is reviewed periodically during an administrative review.

(e)(1) The periodic review required by subsection (d)(2) of this section shall determine the safety of the child, the continuing necessity for and appropriateness of the placement, the extent of compliance with the case plan, and the extent of progress which has been made toward alleviating or mitigating the causes necessitating placement outside the home, and to project a date, not exceeding 14 months from the date of removal from the home, by which the child may be returned to and safely maintained in the home or placed for adoption or other permanent placement.

(2) The child and the following individuals, if there are any for the child, and their attorneys, shall be provided notice of, and an opportunity to be heard during, the administrative review required by subsection (d)(2) of this section:

(A) The child's parents;

(B) The child's guardian or legal custodian;

(C) The child's current foster parent;

(D) The child's current preadoptive parent;

(E) The child's current kinship caregiver;

(F) The child's attorney;

(G) The child's guardian ad litem;

(H) The child's therapist; and

(I) A relative or other individual with whom the child is currently placed pursuant to § 16-2320(a)(3) (C).

#### CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title I, § 109, 24 DCR 3341; Mar. 15, 1990, D.C. Law 8-87, § 3(c), 37 DCR 50; Mar. 16, 1995, D.C. Law 10-227, § 2(a), 42 DCR 4; June 27, 2000, D.C. Law 13-136, § 201(b), 47 DCR 2850; Apr. 4, 2001, D.C. Law 13-277, § 2(g), 48 DCR 2043; Oct. 19, 2002, D.C. Law 14-206, § 2 (e), 49 DCR 7815.)

#### HISTORICAL AND STATUTORY NOTES

##### Prior Codifications

1981 Ed., § 6-2107.

1973 Ed., § 6-2107.

##### Effect of Amendments

D.C. Law 13-136 in subsec. (b) in the first sentence, inserted "safe and" prior to "appropriate"; and added subsecs. (d) and (e).

D.C. Law 13-277 substituted "Agency" for "Division" throughout the section; and, in subsec. (a), substituted "Agency" for "Intrafamily Branch of the Social Services Division of the Superior Court of the District of Columbia".

D.C. Law 14-206, in subsecs. (a) and (b), substituted "substantiated report" for "supported report".

#### Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 201(b) of Adoption and Safe Families Temporary Amendment Act of 1999 (D.C. Law 13-56, March 7, 2000, law notification 47 DCR 1978).

For temporary (225 day) amendment of section, see § 3(b) of Improved Child Abuse Investigations Technical Temporary Amendment Act of 2002 (D.C. Law 14-240, March 25, 2003, law notification 50 DCR 2753).

#### Emergency Act Amendments

For temporary (90-day) amendment of section, see § 201(b) of the Adoption and Safe Families Emergency Amendment Act of 1999 (D.C. Act 13-117, July 28, 1999, 46 DCR 6558).

For temporary (90-day) amendment of section, see § 201(b) of the Adoption and Safe Families Legislative Review Emergency Amendment Act of 1999 (D.C. Act 13-178, November 2, 1999, 46 DCR 9714).

For temporary (90-day) amendment of section, see § 201(b) of the Adoption and Safe Families Congressional Review Emergency Amendment Act of 1999 (D.C. Act 13-240, January 11, 2000, 47 DCR 556).

For temporary (90 day) delay of the applicability of provisions changing the manner in which the Child and Family Services Agency will process reports of child abuse and neglect, see § 3 of Improved Child Abuse Investigations Technical Emergency Amendment Act of 2002 (D.C. Act 14-494, October 23, 2002, 49 DCR 9781).

For temporary (90 day) delay of the applicability of provisions changing the manner in which the Child and Family Services Agency will process reports of child abuse and neglect, see § 3 of Improved Child Abuse Investigations Technical Congressional Review Emergency Amendment Act of 2002 (D.C. Act 14-603, January 7, 2003, 50 DCR 687).

#### Legislative History of Laws

For legislative history of D.C. Law 2-22, see Historical and Statutory Notes following § 4-1301.02.

For legislative history of D.C. Law 8-87, see Historical and Statutory Notes following § 4-1301.06a.

Law 10-227, the "Parental Responsibility Amendment Act of 1994," was introduced in Council and assigned Bill No. 10-634, which was referred to the Committee on the Judiciary. The Bill was adopted on first and second readings on November 1, 1994, and December 6, 1994, respectively. Signed by the Mayor on December 27, 1994, it was assigned Act No. 10-368 and transmitted to both Houses of Congress for its review. D.C. Law 10-227 became effective on March 16, 1995.

For Law 13-136, see notes following § 4-1301.02.

For D.C. Law 13-277, see notes following § 4-1301.02.

For Law 14-206, see notes following § 4-1301.02.

Law 14-310, the "Criminal Code and Miscellaneous Technical Amendments Act of 2002", was introduced in Council and assigned Bill No. 14-954, which was referred to the Committee on Whole. The Bill was adopted on first and second readings on December 3, 2002, and December 17, 2002, respectively. Signed by the Mayor on January 22, 2003, it was assigned Act No. 14-622 and transmitted to both Houses of

Congress for its review. D.C. Law 14-310 became effective on June 12, 2003.

#### Miscellaneous Notes

For applicability of D.C. Law 13-277, see note following § 4-1303.01a.

Application of Law 14-206: Section 16(b) of D.C. Law 14-310 provides that section 2(a)(2), (4), (5), (6), and (7), (b), (c), (d), (e), (h), (i), (j), (k), and (l) of D.C. Law 14-206 shall apply as of October 1, 2003.

DC CODE § ~~4~~ ~~1301~~ ~~09~~

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶ ▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 9 ▶

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)



THOMSON REUTERS™



D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1301.09a

§ 4-1301.09a. Reasonable efforts.

Term Best Section

DC ST § 4 1301 . 09a

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

Chapter 13. Child Abuse and Neglect.

[Subchapter I.](#) Prevention of Child Abuse and Neglect. [Part A.](#) Reporting Abuse and Neglect. **§ 4-1301.09a. Reasonable efforts.**

(a) In determining and making reasonable efforts under this section, the child's safety and health shall be the paramount concern.

(b)(1) Except as provided in subsection (c) of this section, reasonable efforts shall be made to preserve and reunify the family by the Agency .

(2) These reasonable efforts shall be made prior to the removal of a child from the home in order to prevent or eliminate the need for removing the child, unless the provision of services would put the child in danger.

(3) Reasonable efforts shall be made to make it possible for the child to return safely to the child's home.

(c) If reasonable efforts as required by subsection (b) of this section are determined to be inconsistent with the child's permanency plan, the Agency shall make reasonable efforts to place the child in accordance with the child's permanency plan and to complete whatever steps are necessary to finalize the child's permanent placement.

(d) The Agency shall not be required to make reasonable efforts with respect to a parent if:

(1) A court of competent jurisdiction has determined that the parent:

(A) Subjected a sibling or another child to cruelty, abandonment, torture, chronic abuse, or sexual abuse;

(B) Committed the murder or voluntary manslaughter of a sibling or another child, or of any other member of the household of the parent;

(C) Aided, abetted, attempted, conspired, or solicited to commit the murder or voluntary manslaughter of a sibling or another child, or of any other member of the household of the parent; or

(D) Committed an assault that constitutes a felony against the child who is the subject of a petition before the Family Division of the Superior Court, a sibling of such a child, or another child; or

(2) The parent's parental rights have been terminated involuntarily with respect to a sibling.

(e) If reasonable efforts are not made pursuant to subsection (d) of this section:

(1) A permanency hearing conducted pursuant to § 16-2323 shall be held for the child within 30 days after the determination that reasonable efforts are not required; and

(2) Reasonable efforts shall be made to place the child in a timely manner in accordance with the permanency plan, and to complete whatever steps are necessary to finalize the permanent placement of the child.

(f) Reasonable efforts to place a child for adoption, with an approved kinship caregiver, with a legal custodian or guardian, or in another permanent placement may be made concurrently with the reasonable efforts required by subsection (b) of this section.

#### CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title I, § 109a, as added June 27, 2000, D.C. Law 13-136, § 201(c), 47 DCR 2850; Apr. 4, 2001, D.C. Law 13-277, § 2(h), 48 DCR 2043; Apr. 12, 2005, D.C. Law 15-341, § 2 (e), 52 DCR 2315.)

#### HISTORICAL AND STATUTORY NOTES

##### Effect of Amendments

D.C. Law 13-277, in par. (1) of subsec. (b), substituted "Agency" for "Division" and deleted "or the Child Abuse Unit of the Social Services Division of the Superior Court of the District of Columbia, whichever is responsible for making determinations providing services to the child and family," following "by the Division"; in subsec. (c), substituted "Agency" for "Division" and deleted "or the Child Abuse Unit of the Social Services Division of the Superior Court of the District of Columbia, whichever is responsible for providing services to the child and family," following "the Division"; and, in subsec. (d), substituted "Agency" for "Division" and deleted "and the Child Abuse Unit of the Social Services Division of the Superior Court of the District of Columbia" following "The Division".

D.C. Law 15-341, in subpars. (B) and (C) of par. (1) of subsec. (d), substituted "child, or of any other member of the household of the parent" for "child".

##### Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 201(c) of Adoption and Safe Families Temporary Amendment Act of 1999 (D.C. Law 13-56, March 7, 2000, law notification 47 DCR 1978).

##### Emergency Act Amendments

For temporary (90-day) addition of § ~~4~~ ~~1301~~ ~~09a~~, see § 201(c) of the Adoption and Safe Families Emergency Amendment Act of 1999 (D.C. Act 13-117, July 28, 1999, 46 DCR 6558).

For temporary (90-day) addition of § ~~4~~ ~~1301~~ ~~09a~~, see § 201(c) of the Adoption and Safe Families Legislative Review Emergency Amendment Act of 1999 (D.C. Act 13-178, November 2, 1999, 46 DCR 9714).

For temporary (90-day) addition of § ~~4~~ ~~1301~~ ~~09a~~, see § 201(c) of the Adoption and Safe Families Congressional Review Emergency Amendment Act of 1999 (D.C. Act 13-240, January 11, 2000, 47 DCR 556).

For temporary (90 day) amendment of section, see § 4(a) of the Adoption and Safe Families Compliance Congressional Review Emergency Amendment Act of 2000 (D.C. Act 13-451, November 7, 2000, 47 DCR 9399).

For temporary (90 day) amendment of section, see § 4(a) of Adoption and Safe Families Compliance Emergency Amendment Act of 2001 (D.C. Act 14-65, June 6, 2001, 48 DCR 5721).



For temporary (90 day) amendment of section, see § 2 of Child Abuse Prevention and Treatment Emergency Amendment Act of 2011 (D.C. Act 19-165, October 11, 2011, 58 DCR 8896).

#### Legislative History of Laws

For Law 13-136, see notes following § 4-1301.02.

For D.C. Law 13-277, see notes following § 4-1301.02.

For Law 15-341, see notes following § 4-1301.02.

#### Miscellaneous Notes

For applicability of D.C. Law 13-277, see note following § 4-1303.01a.

DC CODE § **←4→←1301→.←09a→**

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶ ▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 12 ▶

[Cite List](#) [Docs In Sequence](#)

---

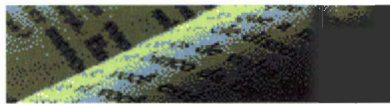
**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)





D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1302.01

Formerly cited as DC ST 1981 § 6-2111

Term Best Section

DC ST § 4--1302.01

Formerly cited as DC ST 1981 § 6-2111

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

Chapter 13. Child Abuse and Neglect.

[Subchapter I.](#) Prevention of Child Abuse and Neglect. [Part B.](#) Child Protection Register. **§ 4-1302.01. Duties and responsibilities.**

- (a) There is hereby established a Child Protection Register to be maintained by the Agency.
- (b) The purposes of the Register are to:
- (1) Maintain, in print or in a database, a confidential index of cases of abused and neglected children;
  - (2) Assist in the identification and treatment of abused and neglected children and their families; and
  - (3) Serve as a resource for the evaluation, management, and planning of programs and services for abused and neglected children.
- (c) The staff of the Agency assigned to maintain the Child Protection Register shall maintain 24-hour, 7 day-a-week telephone lines which may be combined with the 24-hour intake components described part C of this subchapter.
- (d) Said staff shall:
- (1) Receive reports and information necessary for the operation of the Child Protection Register and make appropriate entries in such Register as required by § 4-1302.02(a); and
  - (2) Release information contained in the Child Protection Register in a manner consistent with this subchapter.
- (e) The Mayor shall submit a report to the Council on the Agency's plan for implementation of the provisions of this part, as amended by D.C. Law 14-206, no later than January 31, 2003.

CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title II, § 201, 24 DCR 3341; Oct. 19, 2002, D.C. Law 14-206, § 2(g), 49 DCR 7815.)

HISTORICAL AND STATUTORY NOTES

## Prior Codifications

1981 Ed., § 6-2111.

1973 Ed., § 6-2111.

## Effect of Amendments

D.C. Law 14-206, in subsec. (a), substituted "Agency" for "Division"; in subsec. (b)(1), substituted "Maintain, in print or in a database," for "Maintain"; in subsec. (c), substituted "Agency" for "Department of Human Services"; and added subsec. (e).

## Legislative History of Laws

For legislative history of D.C. Law 2-22, see Historical and Statutory Notes following § 4-1301.02.

For Law 14-206, see notes following § 4-1301.02.

## References in Text

D.C. Law 14-206, referred to in subsec. (e), is the Improved Child Abuse Investigations Amendment Act of 2002, Oct. 19, 2002, 49 DCR 7815.

DC CODE § **4-1302.01**


Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

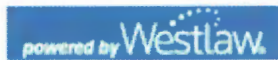
 Term Best Section

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 6 [Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)





D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1302.05

Formerly cited as DC ST 1981 § 6-2115

Term Best Section

DC ST § 4 1302 05

Formerly cited as DC ST 1981 § 6-2115

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

Chapter 13. Child Abuse and Neglect.

[Subchapter I.](#) Prevention of Child Abuse and Neglect. [Part B.](#) Child Protection Register. **§ 4-1302.05. Notification of persons identified in a report.**

(a) The staff which maintains the Child Protection Register shall, within 7 days from the date that a report is entered in said Register, give notice to each person identified in the report of the fact that the report identifies him or her as responsible for the alleged abuse or neglect of the child who is the subject of the report.

(b) This notice shall include the following information:

(1) The date that the report identifying the person was entered in the Child Protection Register;

(2) The right of the person to review the entire report, except information which identifies other persons mentioned in the report; and

(3) The administrative procedures through which the person may seek to correct information which he or she alleges is incorrect or to establish that the report is unfounded.

#### CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title II, § 205, 24 DCR 3341; Oct. 19, 2002, D.C. Law 14-206, § 2(j), 49 DCR 7815.)

#### HISTORICAL AND STATUTORY NOTES

##### Prior Codifications

1981 Ed., § 6-2115.

1973 Ed., § 6-2115.

##### Effect of Amendments

D.C. Law 14-206 rewrote subsec. (b)(3) which had read as follows:

"(3) The administrative procedures through which the person may seek the correction of information which he or she alleges is incorrect."

#### Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 3(b) of Improved Child Abuse Investigations Technical Temporary Amendment Act of 2002 (D.C. Law 14-240, March 25, 2003, law notification 50 DCR 2753).

#### Emergency Act Amendments

For temporary (90 day) delay of the applicability of provisions changing the manner in which the Child and Family Services Agency will process reports of child abuse and neglect, see § 3 of Improved Child Abuse Investigations Technical Emergency Amendment Act of 2002 (D.C. Act 14-494, October 23, 2002, 49 DCR 9781).

For temporary (90 day) delay of the applicability of provisions changing the manner in which the Child and Family Services Agency will process reports of child abuse and neglect, see § 3 of Improved Child Abuse Investigations Technical Congressional Review Emergency Amendment Act of 2002 (D.C. Act 14-603, January 7, 2003, 50 DCR 687).

#### Legislative History of Laws

For legislative history of D.C. Law 2-22, see Historical and Statutory Notes following § 4-1301.02.

For Law 14-206, see notes following § 4-1301.02.

Law 14-310, the "Criminal Code and Miscellaneous Technical Amendments Act of 2002", was introduced in Council and assigned Bill No. 14-954, which was referred to the Committee on Whole. The Bill was adopted on first and second readings on December 3, 2002, and December 17, 2002, respectively. Signed by the Mayor on January 22, 2003, it was assigned Act No. 14-622 and transmitted to both Houses of Congress for its review. D.C. Law 14-310 became effective on June 12, 2003.

#### Miscellaneous Notes

Application of Law 14-206: Section 16(b) of D.C. Law 14-310 provides that section 2(a)(2), (4), (5), (6), and (7), (b), (c), (d), (e), (h), (i), (j), (k), and (l) of D.C. Law 14-206 shall apply as of October 1, 2003.

DC CODE § **4-1302.05**

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 5 ▶

[Cite List](#) [Docs In Sequence](#)





**Westlaw, part of Thomson Reuters**

[© 2012 West](#) | [Privacy](#) | [Accessibility](#)



D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1302.07

Formerly cited as DC ST 1981 § 6-2117

Term Best Section

DC ST § 4 1302 07

Formerly cited as DC ST 1981 § 6-2117

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

Chapter 13. Child Abuse and Neglect.

[Subchapter I.](#) Prevention of Child Abuse and Neglect. [Part B.](#) Child Protection Register. **§ 4-1302.07. Expungement.**

(a) Notwithstanding any other provision of law, substantiated reports shall not be expunged from the Child Protection Register.

(b) The staff which maintains the Child Protection Register shall expunge from each inconclusive report all information that identifies any person in the inconclusive report upon the first occurrence of either:

(1) The 18th birthday of the child who is the subject of the report, if there is no reasonable suspicion or evidence that another child living in the same household or under the care of the same parent, guardian, or custodian has been abused or neglected; or

(2) The end of the 5th year after the termination of the social rehabilitation services directed toward the abuse and neglect.

(c) The staff which maintains the Child Protection Register shall expunge:

(1) Any unfounded report immediately upon such classification by the Agency; and

(2) Any material successfully challenged as incorrect pursuant to the rules adopted under § 4-1302.06.

#### CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title II, § 207, 24 DCR 3341; Oct. 19, 2002, D.C. Law 14-206, § 2(l), 49 DCR 7815; Mar. 13, 2004, D.C. Law 15-105, § 35, 51 DCR 881.)

#### HISTORICAL AND STATUTORY NOTES

##### Prior Codifications

1981 Ed., § 6-2117.

1973 Ed., § 6-2117.

## Effect of Amendments

D.C. Law 14-206 rewrote the section which had read as follows:

"§ ~~4~~ ~~1302~~ ~~07~~. Expungement.

"(a) The staff which maintains the Child Protection Register shall expunge from each report all information that identifies any person in the report upon:

"(1) The 18th birthday of the child, if there is no reasonable suspicion or evidence that a younger sibling is being abused or neglected; or

"(2) The end of the 5th year after the termination of the social rehabilitation services directed toward the abuse and neglect, whichever occurs first.

"(b) The staff which maintains the Child Protection Register shall expunge, pursuant to the rules adopted under § 4-1302.06, material successfully challenged as incorrect."

D.C. Law 15-105, in subsec. (b)(1), substituted "the child who is the subject of the report" for "that child".

## Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 3(b) of Improved Child Abuse Investigations Technical Temporary Amendment Act of 2002 (D.C. Law 14-240, March 25, 2003, law notification 50 DCR 2753).

## Emergency Act Amendments

For temporary (90 day) delay of the applicability of provisions changing the manner in which the Child and Family Services Agency will process reports of child abuse and neglect, see § 3 of Improved Child Abuse Investigations Technical Emergency Amendment Act of 2002 (D.C. Act 14-494, October 23, 2002, 49 DCR 9781).

For temporary (90 day) delay of the applicability of provisions changing the manner in which the Child and Family Services Agency will process reports of child abuse and neglect, see § 3 of Improved Child Abuse Investigations Technical Congressional Review Emergency Amendment Act of 2002 (D.C. Act 14-603, January 7, 2003, 50 DCR 687).

## Legislative History of Laws

For legislative history of D.C. Law 2-22, see Historical and Statutory Notes following § 4-1301.02.

For Law 14-206, see notes following § 4-1301.02.

Law 14-310, the "Criminal Code and Miscellaneous Technical Amendments Act of 2002", was introduced in Council and assigned Bill No. 14-954, which was referred to the Committee on Whole. The Bill was adopted on first and second readings on December 3, 2002, and December 17, 2002, respectively. Signed by the Mayor on January 22, 2003, it was assigned Act No. 14-622 and transmitted to both Houses of Congress for its review. D.C. Law 14-310 became effective on June 12, 2003.

For Law 15-105, see notes following § 4-204.08.

## Miscellaneous Notes




Application of Law 14-206: Section 16(b) of D.C. Law 14-310 provides that section 2(a)(2), (4), (5), (6), and (7), (b), (c), (d), (e), (h), (i), (j), (k), and (l) of D.C. Law 14-206 shall apply as of October 1, 2003.

DC CODE § ~~4~~ ~~1302~~ ~~07~~


Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

 Term   Best Section 

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

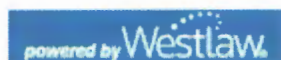
Doc 1 of 6 

[Cite List](#) [Docs In Sequence](#)

---

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)





D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1302.09

Formerly cited as DC ST 1981 § 6-2119

Term Best Section

DC ST § 4 1302 09

Formerly cited as DC ST 1981 § 6-2119

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

Chapter 13. Child Abuse and Neglect.

[Subchapter I.](#) Prevention of Child Abuse and Neglect. [Part B.](#) Child Protection Register. **§ 4-1302.09. Prosecution.**

All violations of this subchapter shall be prosecuted by the Corporation Counsel of the District of Columbia or his or her designee in the name of the District of Columbia.

CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title II, § 209, 24 DCR 3341.)

#### HISTORICAL AND STATUTORY NOTES

##### Prior Codifications

1981 Ed., § 6-2119.

1973 Ed., § 6-2119.

##### Legislative History of Laws

For legislative history of D.C. Law 2-22, see Historical and Statutory Notes following § 4-1301.02.

DC CODE § 4 1302 09

Current through November 15, 2011


Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

Term Best Section



© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 4 

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)

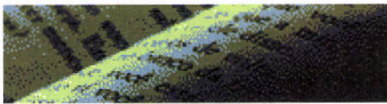


THOMSON REUTERS



D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1303.02a

§ 4-1303.02a. Organization and authority of Child and Family Services Agency.

Term Best Section

DC ST § 4 1303 02a

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

Chapter 13. Child Abuse and Neglect.

[Subchapter I.](#) Prevention of Child Abuse and Neglect.

[Part C.](#) Child and Family Services Agency.

**§ 4-1303.02a. Organization and authority of Child and Family Services Agency.**

(a) The Agency shall be administered by a full-time Director appointed by the Mayor and confirmed by the Council. The Director shall be qualified by experience and training to carry out the purposes of this subchapter.

(b) The Director shall report directly to the Mayor.

(c) The Director shall be responsible for all child and family services provided by the Agency, and for monitoring child and family services provided by contract or compact with the Agency.

(d) The Agency shall have sufficient staff, supervisory personnel, and resources to accomplish the purposes of this subchapter, including the capacity to provide emergency and continuing service resources to the children and families covered by this subchapter.

(e) Staff qualifications, caseload levels, and supervision requirements of the Agency in the public and private delivery of services shall be guided by nationally accepted standards of best practice, such as those developed by the Child Welfare League of America, and shall be published in the District of Columbia Register for public comment.

(f) The Agency shall be the successor in interest to the Child and Family Services Agency under receivership in the case of *LaShawn A., et al. v. Anthony Williams, et al.*, C. A. No. 89-1754 (TFH), in the United States District Court for the District of Columbia. All real and personal property, Career Service and Management Supervisory Service positions, assets, records, and obligations, and all unexpended balances of appropriations, allocations, and other funds available or to be made available relating to the powers, duties, functions, operations, and administration of the Child and Family Services Agency under receivership in *LaShawn A., et al. v. Anthony Williams, et al.*, shall become the property of the Agency on the date of termination of the receivership. The provisions of this subchapter are intended to be consistent with all outstanding orders of the United States District Court in the *LaShawn A., et al. v. Anthony Williams, et al.*, case.

(g) All real and personal property, positions, assets, records, and obligations, and all unexpended balances of appropriations, allocations, and other funds available or to be made available relating to the powers, duties, functions, and operations of the Department of Human Services as the "appropriate authority," under § 4-1421 for children who have been abused or neglected, shall become the property of the Agency by October 1, 2001.

(h) All real and personal property, positions, assets, records, and obligations, and all unexpended balances of appropriations, allocations, and other funds available or to be made available relating to the powers, duties, functions, and operations of the Department of Health in regulating child placement agencies and foster and group homes for children who have been abused or neglected shall be transferred to the Agency by October 1, 2001.

(i) All records and agreed-upon positions, obligations, and unexpended balances of appropriations, allocations, and other funds available or to be made available relating to the powers, duties, functions and operations of the Social Services Division of the Superior Court of the District of Columbia concerning children who have been abused or neglected shall, subject to any approvals required of the United States Congress, be transferred to the Agency in accordance with the terms and conditions provided in any memorandum of understanding between the Mayor and the Chief Judge of the Superior Court of the District of Columbia. This transfer shall be completed on or before October 1, 2001, if possible.

(j) Expired.

#### CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title III, § 302a, as added Apr. 4, 2001, D.C. Law 13-277, § 2(n), 48 DCR 2043; Mar. 19, 2002, D.C. Law 14-94, § 2, 49 DCR 658.)

#### HISTORICAL AND STATUTORY NOTES

##### Effect of Amendments

D.C. Law 14-94 added subsec. (j).

##### Emergency Act Amendments

For temporary (90 day) amendment of section, see § 2 of Child and Family Services Agency Licensure Exemption of Certain Court Personnel Emergency Amendment Act of 2001 (D.C. Act 14-150, October 23, 2001, 48 DCR 10200).

For temporary (90 day) amendment of section, see § 2 of Child and Family Services Agency Licensure Exemption of Certain Court Personnel Legislative Review Emergency Amendment Act of 2002 (D.C. Act 14-239, January 28, 2002, 49 DCR 1022).

##### Legislative History of Laws

For D.C. Law 13-277, see notes following § 4-1301.02.

Law 14-94, the "Child and Family Services Agency Licensure Exemption of Certain Court Personnel Amendment Act of 2001", was introduced in Council and assigned Bill No. 14-379, which was referred to the Committee on Human Services. The Bill was adopted on first and second readings on December 4, 2001, and December 18, 2001, respectively. Signed by the Mayor on January 8, 2002, it was assigned Act No. 14-223 and transmitted to both Houses of Congress for its review. D.C. Law 14-94 became effective on March 19, 2002.

##### Editor's Notes

Pursuant to its own terms, subsec. (j) expired on October 1, 2004.

##### Miscellaneous Notes

For applicability of D.C. Law 13-277, see note following § 4-1303.01a.

Section 7038 of D.C. Law 17-219 repealed section 3 of D.C. Law 14-94.

DC CODE § ~~4-1303~~ **4-1303** ~~02a~~ **02a**

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶ ▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 4 ▶

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)



THOMSON REUTERS



D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1303.03

Formerly cited as DC ST 1981 § 6-2123

Term Best Section

DC ST § 4 1303 03

Formerly cited as DC ST 1981 § 6-2123

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

Chapter 13. Child Abuse and Neglect.

[Subchapter I.](#) Prevention of Child Abuse and Neglect. [Part C.](#) Child and Family Services Agency. **§ 4-1303.03. Duties and powers of the Director.**

(a) The Director of the Agency shall have the following duties and powers, any of which may be contracted for, as appropriate, with private or other public agencies:

(1) Receive and investigate reports of abuse or neglect as provided in subchapter II of this chapter, § 4-1301.04 and § 4-1301.06 and assist in the determination of the need for the removal of an abused or neglected child as provided in § 4-1301.07;

(2) Within 90 days of taking a child into custody pursuant to § 4-1303.04(c)(1), return the child to the home or to request that the Office of the Attorney General file a neglect petition in the Family Division of the Superior Court of the District of Columbia;

(3) To maintain a program of treatment and services for families of neglected and abused children including services designed to help children, where safe and appropriate, return to families from which they have been removed;

(4)(A) To prepare annually a plan for child protective services, which shall be reviewed and commented on by the Mayor's Committee on Child Abuse and Neglect, and which shall:

(i) Describe the Agency's implementation of the Adoption and Safe Families Amendment Act of 2000, effective June 27, 2000 (D.C. Law 13-136; 47 DCR 2850), including its organization, staffing, method of operations and financing, and programs and procedures for the receipt, investigation and verification of reports;

(ii) Describe the provisions for the determination of protective services and the treatment of ameliorative service needs, and the provision of such services;

(iii) State the guidelines for referrals to the Family Division of the Superior Court of the District of Columbia; and

(iv) State the provisions for monitoring, evaluation, and planning.

(B) The first plan shall be made available to the public within 90 days of June 27, 2000;



- (5) To encourage and assist in the formation of child abuse and neglect teams in hospitals, health and mental health clinics, and other appropriate facilities in the District of Columbia; and
- (6) To take whatever additional actions are necessary to accomplish the purposes of the Adoption and Safe Families Amendment Act of 2000, effective June 27, 2000 (D.C. Law 13-136; 47 DCR 2850).
- (7) To provide services to families and children who are eligible for such services, consistent with the requirements of this subchapter, through programs of services to families with children, child protective services, foster care, and adoption;
- (8) To maintain a 24-hour, 7-days-a-week intake component to receive reports of suspected child abuse or neglect. The intake component shall be staffed at all times by workers specially trained in intake and crisis intervention and shall maintain:
  - (A) The capacity for receiving reports and for responding promptly with investigation and emergency services;
  - (B) A widely publicized telephone number for receiving reports at all times; and
  - (C) Sufficient telephone lines and qualified staff so that all calls will be answered immediately by a trained worker;
- (9) To receive reports of suspected child abuse and neglect;
- (10) To conduct a social service investigation of alleged child abuse and neglect cases, including joint investigation with the Metropolitan Police Department;
- (11) To provide and maintain, for families of children who have been abused or neglected, a program of treatment and services designed to promote the safety of children, reunification of families, and timely permanent placements;
- (12) Repealed.
- (13) To provide protective service clients appropriate services necessary for the preservation of families, or to contract with private or other public agencies for the purpose of carrying out this duty. These services may include:
  - (A) Emergency financial aid;
  - (B) Emergency caretakers;
  - (C) Homemakers;
  - (D) Family shelters;
  - (E) Emergency foster homes;
  - (F) Facilities providing medical, psychiatric, and other therapeutic services;
  - (G) Day care;
  - (H) Parent aides;
  - (I) Lay therapists; and
  - (J) Respite care;
- (14) To offer rehabilitative services to the child's family in an effort to reunify the family when a child has been adjudicated a neglected child and placed in foster care;
- (15) To immediately, upon court direction, implement the concurrent or alternative plan for the permanent placement of a child when time-limited family reunification services, as defined in § 4-

1301.02(19), have failed to reunite a child in foster care with his or her family or when D.C. Code § 16-2354 applies;

(16)(A) To request from a consumer reporting agency that compiles and maintain files on consumers on a nationwide basis and is nationally ranked among the top 3 such agencies, the disclosure of file information pursuant to section 609 of the federal Fair Credit Reporting Act, approved October 26, 1970 (84 Stat. 1131; 15 U.S.C. § 1681g), on behalf of a ward of the Agency under the age of 18 years to determine whether identify theft has occurred, when:

- (i) An adoption petition has been filed in the Superior Court of the District of Columbia;
- (ii) A motion for guardianship has been filed in the Superior Court of the District of Columbia; or
- (iii) The Agency anticipates that the jurisdiction of the Family Court of the Superior Court of the District of Columbia will be terminated.

(B) The Agency shall provide the disclosed file information to the ward's guardian ad litem within 30 days of obtaining the results.

(C) For a ward over the age of 18 years, the Agency shall assist the ward if the ward wants to obtain disclosure of file information prior to the termination of the jurisdiction of the Family Court of the Superior Court of the District of Columbia.

(D) If the Agency determines that disclosed file information indicates that identity theft may have occurred, the Agency shall refer the ward to an approved organization that provides credit counseling to victims of identity theft; provided, that the Agency shall not be responsible for providing assistance beyond a referral.

(E) Within 120 days of May 27, 2010, the Mayor, pursuant to subchapter I of Chapter 5 of Title 2, shall issue rules to implement the provisions of this paragraph. The proposed rules shall be submitted to the Council for a 30-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within the 30-day review period, the proposed rules shall be deemed approved; and

(17) To establish and maintain the Voluntary Foster Care Registry, established pursuant to § 4-1303.08 as a post-care service, for individuals 18 years or older who were or currently are respondents in a child abuse or neglect case under Chapter 23 of Title 16 and for their immediate birth family members, as defined in § 4-1303.08(g).

(a-1) The Director of the Agency shall have the following additional duties and powers:

- (1) To take into custody and place in shelter care, in accordance with subchapter I of Chapter 23 of Title 16, children who have been abused or neglected;
- (2) To develop and test innovative models of practice consistent with the purposes of this subchapter;
- (3) To develop programs that deliver a broad range of child and family services, including programs that involve the participation of community and neighborhood-based groups in prevention and intervention services;

(3A)(A) To issue grants to community and neighborhood-based groups for programs that deliver prevention and intervention services; provided, that the Director submits an annual report to the Council that includes the recipient, amount, purpose, and term of each grant issued, and a description of outcomes to be achieved and an evaluation of whether or not those outcomes have been achieved for each grant issued.

(B) A grant in excess of \$1 million shall be submitted to the Council for approval in accordance with § 1-204.51.

(4) To facilitate:

- (A) Permanent placement of a child, including reunification with original caretakers where such placement is consistent with the child's safety;
  - (B) Permanent placement with relatives; and
  - (C) Adoptive placement, as appropriate;
- (5) To facilitate meetings for a child in foster care with parents, siblings, relatives, and extended family members;
- (6) To provide other programs and services that are consistent with the purposes of this subchapter;
- (7) To monitor and evaluate services to and needs of abused and neglected children and their families;
- (8) To be the personnel authority for all employees of the Agency, including the exercise of full authority to hire, retain, and terminate personnel, consistent with Chapter 6 of Title 1;
- (9) By delegation from the Mayor, and independent of the Office of Contracting and Procurement, to exercise procurement authority to carry out the purposes of the Agency, including contracting and contract oversight, consistent with Unit A of Chapter 3 of Title 2, except § 2-301.05(a), (b), (c), and (e);
- (10) Starting not later than October 1, 2001, and notwithstanding the licensing powers and responsibilities given to other District agencies and officials in subchapters I-A and I-B of Chapter 28 of Title 47, to be the exclusive agency to regulate foster and group homes for children who have been abused or neglected and to regulate child placement agencies for these children. For the purposes of this paragraph, the term "regulate" means all licensing, and related functions, except fire inspections and the issuance of certificates of occupancy and all inspections relating to those certificates;
- (11) Starting not later than October 1, 2001, to be the "appropriate authority," under § 4-1421 for children who have been abused or neglected;
- (12) To adopt regulations to carry out the purposes of this subchapter, in accordance with Chapter 5 of Title 2; and
- (13) To take whatever additional actions are necessary to accomplish the purposes of this subchapter.
- (b) The Agency, or the person or agency the Agency contracts with, shall:
- (1) When a child is at risk of being removed from his or her home because of child abuse or neglect, provide family preservation services designed to help the child remain safely with his or her family;
  - (2) When a child has been adjudicated a neglected child and committed to the Agency, offer rehabilitative services to the child's family including time-limited family reunification services designed to help child, where safe and appropriate, return to the family from which he or she has been removed;
  - (3) When time-limited family reunification services have failed to reunite a committed child and his or her family, take steps to implement a permanent plan of adoption or an alternative permanent plan for the child;
  - (4) Establish or attempt to secure priority access for protective service clients, by contract or agreement with private organizations, other public agencies, or other Agency units, to services necessary for the preservation or reunification of families which may include, but not be limited to:
    - (A) Emergency financial aid;
    - (B) Emergency caretakers;
    - (C) Homemakers;
    - (D) Family shelters and housing assistance;

- (E) Emergency foster homes;
  - (F) Mental health services, including facilities providing medical, psychiatric, or other therapeutic services;
  - (G) Day care;
  - (H) Parent aides and lay therapists;
  - (I) Domestic violence services;
  - (J) Respite care; and
  - (K) Substance abuse assessment and treatment;
- (5) Monitor and evaluate the services to, and the needs of, neglected children and their families;
- (6) Compile and publish training materials; and
- (7) Provide technical assistance on neglect prevention, identification, and treatment;
- (8) Develop and implement, as soon as possible, standards that provide for quality services that protect the safety and health of children, for children who are removed from their homes;
- (9) Develop and operate programs of family preservation services, family support services, time-limited family reunification services, and adoption promotion and support services;
- (9A) Offer meeting facilitation services for extended family members when appropriate to meet permanency and safety goals as established by the Adoption and Safe Families Amendment Act of 2000, effective June 27, 2000 (D. C. Law 13-136; 47 DCR 2850);
- (9B) Develop procedures and practices for cooperation and joint activities with the Metropolitan Police Department; and
- (10) Prepare and submit to the Mayor, the Council, and the public a report to be submitted no later than February 1 of each year; which shall include:
- (A) A description of the specific actions taken to implement the Adoption and Safe Families Amendment Act of 2000, effective June 27, 2000 (D.C. Law 13-136; 47 DCR 2850);
  - (B) A full statistical analysis of cases including:
    - (i) The total number of children in care, their ages, legal statuses, and permanency goals;
    - (ii) The number of children who entered care during the previous year (by month), their ages, legal statuses, and the primary reasons they entered care;
    - (iii) The number of children who have been in care for 24 months or longer, by their length of stay in care, including:
      - (I) A breakdown in length of stay by permanency goal;
      - (II) The number of children who became part of this class during the previous year; and
      - (III) The ages and legal statuses of these children;
    - (iv) The number of children who left care during the previous year (by month), the number of children in this class who had been in care for 24 months or longer, the ages and legal statuses of these children, and the reasons for their removal from care; and
    - (v) The number of children who left care during the previous year, by permanency goal; their length of stay in care, by permanency goal; the number of children whose placements were disrupted

during the previous year, by placement type; and the number of children who re-entered care during the previous year;

(C) An analysis of any difficulties encountered in reaching the goal for the number of children in care established by the District;

(D) An evaluation of services offered, including specific descriptions of the family preservation services, community-based family support services, time-limited family reunification services, and adoption promotion and support services including:

(i) The service programs which will be made available under the plan in the succeeding fiscal year;

(ii) The populations which the program will serve; and

(iii) The geographic areas in which the services will be available;

(E) An evaluation of the Agency's performance;

(F) Recommendations for additional legislation or services needed to fulfill the purpose of the Adoption and Safe Families Amendment Act of 2000, effective June 27, 2000 (D.C. Law 13-136; 47 DCR 2850); and

(G) The comments submitted by a multidisciplinary committee that works to prevent child abuse and neglect and which the Mayor designates to receive and comment on the report.

(11) At all stages of a neglect case, the presumption shall be that a child will attend the same school that he or she would have attended but for the child's removal from his or her home, unless the Agency determines that it is not in the child's best interest to do so. The Agency shall determine the child's best interest in consultation with parents, when feasible, the child, resource providers, guardian ad litem, and other significant persons.

(c) The Director of the Agency shall implement the Protection of Children from Exposure to Drug-related Activity Amendment Act of 1989, effective March 15, 1990 (D.C. Law 8-87; 37 DCR 50). The Chief of the Division and the Director of the Department of Human Services shall provide the services authorized pursuant to this section to a child who is abused as a result of inadequate care, control, or diminished subsistence due to exposure to drug-related activity.

(d) The safety of the children being served shall be the paramount concern of the Agency in administering and conducting its duties and responsibilities under this section.

#### CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title III, § 303, 24 DCR 3341; Mar. 15, 1990, D.C. Law 8-87, § 3(e), 37 DCR 50; June 27, 2000, D.C. Law 13-136, § 201(d), 47 DCR 2850; Apr. 4, 2001, D.C. Law 13-277, § 2 (o), 48 DCR 2043; Oct. 26, 2001, D.C. Law 14-42, § 13, 48 DCR 7612; Apr. 12, 2005, D.C. Law 15-341, § 2(i), 52 DCR 2315; Apr. 13, 2005, D.C. Law 15-354, § 95, 52 DCR 2638; July 18, 2008, D.C. Law 17-199, § 2, 55 DCR 6285; May 27, 2010, D.C. Law 18-162, § 2(b), 57 DCR 3029; Sept. 24, 2010, D.C. Law 18-230, § 301(a), 57 DCR 6951; Mar. 12, 2011, D.C. Law 18-312, § 2(b), 57 DCR 12398.)

#### HISTORICAL AND STATUTORY NOTES

##### Prior Codifications

1981 Ed., § 6-2123.

1973 Ed., § 6-2133.

##### Effect of Amendments

D.C. Law 13-136 rewrote this section, which previously read:



"(a) The Chief of the Division shall have the following duties and responsibilities, any of which may be contracted for with private or other public agencies:

"(1) To receive and investigate reports of neglect as provided in § 103 of this act, and §§ 6-2102 and 6-2104 and to assist in the determination of the need for the removal of an abused child as provided in § 6-2105;

"(2) Within 90 days of taking a child into custody pursuant to paragraph (1) of subsection (c) of § 6-2124, to return the child to the home or to request the filing of a neglect petition in the Family Division of the Superior Court of the District of Columbia;

"(3) To maintain a program of treatment and services for families of neglected and abused children;

"(4) To prepare annually a plan for child protective services which shall be reviewed and commented on by the Mayor's Committee on Child Abuse and Neglect. The plan shall:

"(A) Describe the Division's implementation of this act, including its organization, staffing, method of operations and financing, and programs and procedures for the receipt, investigation and verification of reports;

"(B) Describe the provisions for the determination of protective and the treatment of ameliorative service needs, and the provision of such services;

"(C) State the guidelines for referrals to the Family Division of the Superior Court of the District of Columbia; and

"(D) State the provisions for monitoring, evaluation and planning. The 1st plan shall be made available to the public within 90 days of September 23, 1977;

"(5) To encourage and assist in the formation of child abuse/neglect teams in hospitals, health and mental health clinics and other appropriate facilities in the District of Columbia; and

"(6) To take whatever additional actions are necessary to accomplish the purposes of this act.

"(b) The Director of the Department of Human Services, in addition to his or her other responsibilities, shall have the following duties and responsibilities, any of which may be contracted for with private or other public agencies:

"(1) When a child has been adjudicated a neglected child and committed to the Department of Human Services, to offer rehabilitative services to the child's family;

"(2) When rehabilitative services have failed to reunite a committed child and his or her family within a reasonable time, to prepare a permanent plan for the child;

"(3) To establish or attempt to secure priority access for protective service clients, by contract or agreement with private organizations, other public agencies, or other Department of Human Services units, to services necessary for the preservation or reunification of families. These services may include but shall not be limited to:

"(A) Emergency financial aid;

"(B) Emergency caretakers;

"(C) Homemakers;

"(D) Family shelters;

"(E) Emergency foster homes;

"(F) Facilities providing medical, psychiatric or other therapeutic services;

"(G) Day care;

"(H) Parent aides/lay therapists;

"(4) To monitor and evaluate services to and needs of neglected children and their families;

"(5) To compile and publish training materials and provide technical assistance on neglect prevention, identification and treatment; and

"(6) To prepare and submit to the Mayor, the Council of the District of Columbia, and the public an annual report which shall include a description of the specific actions taken to implement this act and an evaluation of the Division's performance. The report shall include a full statistical analysis of case reports received, an evaluation of services offered, recommendations for additional legislation or services needed to fulfill the purposes of this act and the comments submitted by the Mayor's Interagency Interdepartmental Committee on Abuse and Neglect. The 1st report shall be submitted not later than 1 year and 90 days after September 23, 1977.

"(c) The Chief of the Division and the Director of the Department of Human Resources shall implement the Protection of Children from Exposure to Drug-related Activity Amendment Act of 1989. The Chief of the Division and the Director of the Department of Human Services shall provide the services authorized pursuant to this section to a child who is abused as a result of inadequate care, control, or subsistence due to exposure to drug-related activity."

D.C. Law 13-277 rewrote the section heading which had read: "Duties and Responsibilities"; in subsec. (a), rewrote the lead-in sentence which had read: "The Chief of the Division, or the person or agency that contracts with the department for these services shall:", in par. (4)(A)(i), substituted "Agency's" for "Division's", and added pars. (7) to (15); added subsec. (a-1); in subsec. (b), in the lead-in sentence, substituted "Agency, or the person or agency the Agency contracts with" for "Director of the Department of Human Services, or the person or agency the department contracts with", in pars. (2) and (4), substituted "Agency" for "Department of Human Services", and in par. (10)(E), substituted "Agency's" for "Division's"; in subsec. (c), substituted "Director of the Agency" for "Chief of the Division and the Director of the Department of Human Services"; and, in subsec. (d), substituted "Agency" for "Department of Human Services", and deleted "and the Child Abuse Unit of the Social Services Division of the Superior Court of the district of Columbia" preceding "in administering".

D.C. Law 14-42 validated a previously made technical correction in subsec. (d).

D.C. Law 15-341, in subsec. (a)(1), substituted "abuse or neglect" for "neglect" and substituted "abused or neglected" for "abused"; in subsec. (a)(2), substituted "that the Office of the Attorney General file" for "the filing of"; rewrote subssecs. (a-1)(5), (b)(4)(D), and (b)(4)(F); deleted "and" from the end of (b)(4)(G); added subssecs. (b)(4)(I), (J), and (K); deleted "and" from the end of (b)(9); added subssecs. (b)(9A) and (9B); rewrote subsec. (b)(10)(B)(iii); deleted "and" from the end of subsec. (b)(10)(B)(iv); and added subsec. (b)(10)(B)(v). Prior to amendment, subssecs. (a-1)(5), (b)(4)(D), (b)(4)(F), and (b)(10)(B)(iii) read as follows:

"(5) To facilitate meetings for a child in foster care with extended family members;"

"(D) Family shelters;"

"(F) Facilities providing medical, psychiatric, or other therapeutic services;"

"(iii) The number of children who have been in care for 24 months or longer, the number of children who became part of this class during the previous year, and the ages and legal statuses of these children; and"

D.C. Law 15-354 repealed par. (12) of subsec. (a) which had read as follows:

"(12) To encourage and assist in the formation of child abuse and neglect teams in hospitals, health and mental health clinics, and other appropriate facilities in the District of Columbia;"

D.C. Law 17-199, in subsec. (a-1), added par. (3A).

D.C. Law 18-162, in subsec. (a), deleted "and" from the end of par. (14); substituted "; and" for a period

at the end of par. (15), and added par. (16).

D.C. Law 18-230, in subsec. (a), deleted "and" from the end of par. (15); substituted "; and" for a period at the end of par. (16), and added par. (17).

D.C. Law 18-312 added subsec. (b)(11).

#### Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 201(d) of Adoption and Safe Families Temporary Amendment Act of 1999 (D.C. Law 13-56, March 7, 2000, law notification 47 DCR 1978).

For temporary (225 day) amendment of section, see § 2 of Child and Family Services Grant-making Temporary Amendment Act of 2006 (D.C. Law 16-193, March 2, 2007, law notification 54 DCR 2491).

For temporary (225 day) amendment of section, see § 2 of Child and Family Services Grant-making Temporary Amendment Act of 2007 (D.C. Law 17-105, February 2, 2008, law notification 55 DCR 4257).

#### Emergency Act Amendments

For temporary provisions transferring to the Mayor the discretionary authority for creating monetary obligations and approving expenditures in the District of Columbia's Aid to Families With Dependent Children, Medicaid, and child abuse and neglect/foster care programs that Reorganization Plan No. 2 of 1979, Reorganization Plan No. 3 of 1986, and the Prevention of Child Abuse and Neglect Act of 1977 vested in the Department of Human Services, see § 2 of the Reorganization No. 2 of 1995 to Transfer to the Mayor Certain Discretionary Authority Vested in the Department of Human Services Emergency Act of 1995 (D.C. Act 11-103, July 21, 1995, 42 DCR 4012).

For temporary (90-day) amendment of section, see § 201(d) of the Adoption and Safe Families Emergency Amendment Act of 1999 (D.C. Act 13-117, July 28, 1999, 46 DCR 6558).

For temporary (90-day) amendment of section, see § 201(d) of the Adoption and Safe Families Legislative Review Emergency Amendment Act of 1999 (D.C. Act 13-178, November 2, 1999, 46 DCR 9714).

For temporary (90-day) amendment of section, see § 201(d) of the Adoption and Safe Families Congressional Review Emergency Amendment Act of 1999 (D.C. Act 13-240, January 11, 2000, 47 DCR 556).

For temporary (90 day) amendment of section, see § 4(b) of the Adoption and Safe Families Compliance Congressional Review Emergency Amendment Act of 2000 (D.C. Act 13-451, November 7, 2000, 47 DCR 9399).

For temporary (90 day) amendment of section, see § 4(b) of Adoption and Safe Families Compliance Emergency Amendment Act of 2001 (D.C. Act 14-65, June 6, 2001, 48 DCR 5721).

For temporary (90 day) amendment of section, see § 13 of Technical Amendments Emergency Act of 2001 (D.C. Act 14-108, August 3, 2001, 48 DCR 7622).

For temporary (90 day) amendment of section, see § 2 of Child and Family Services Grant-making Emergency Amendment Act of 2006 (D.C. Act 16-450, July 21, 2006, 53 DCR 6493).

For temporary (90 day) amendment of section, see § 2 of Child and Family Services Grant-making Congressional Review Emergency Amendment Act of 2006 (D.C. Act 16-522, October 27, 2006, 53 DCR 9120).

For temporary (90 day) amendment of section, see § 2 of Child and Family Services Grant-making Congressional Review Emergency Amendment Act of 2006 (D.C. Act 16-668, December 28, 2006, 54 DCR 1144).

For temporary (90 day) amendment of section, see § 2 of Child and Family Services Grant-making Emergency Amendment Act of 2007 (D.C. Act 17-167, October 19, 2007, 54 DCR 10976).

For temporary (90 day) amendment of section, see § 2 of Child and Family Services Grant-making Congressional Review Emergency Amendment Act of 2008 (D.C. Act 17-247, January 23, 2008, 55 DCR 1251).

#### Legislative History of Laws

For legislative history of D.C. Law 2-22, see Historical and Statutory Notes following § 4-1301.02.

For legislative history of D.C. Law 8-87, see Historical and Statutory Notes following § 4-1301.06a.

For Law 13-136, see notes following § 4-1301.02.

For D.C. Law 13-277, see notes following § 4-1301.02.

Law 14-42, the "Technical Correction Amendment Act of 2001", was introduced in Council and assigned Bill No. 14-216, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on June 5, 2001, and June 26, 2001, respectively. Signed by the Mayor on July 24, 2001, it was assigned Act No. 14-107 and transmitted to both Houses of Congress for its review. D.C. Law 14-42 became effective on October 26, 2001.

For Law 15-341, see notes following § 4-1301.02.

For Law 15-354, see notes following § 4-204.55.

Law 17-199, the "Child and Family Services Grant-Making Amendment Act of 2008", was introduced in Council and assigned Bill No. 17-250 which was referred to the Committee on Human Services. The Bill was adopted on first and second readings on April 1, 2008, and May 6, 2008, respectively. Signed by the Mayor on May 23, 2008, it was assigned Act No. 17-396 and transmitted to both Houses of Congress for its review. D.C. Law 17-199 became effective on July 18, 2008.

For Law 18-162, see notes following § ~~4~~ **1303** ~~03~~.

For Law 18-230, see notes following § 4-301.

For history of Law 18-312, see notes under § 4-1301.02.

#### References in Text

The "Protection of Children from Exposure to Drug-related Activity Amendment Act of 1989", referred to in (c), is D.C. Law 8-87.

#### Delegation of Authority

Delegation of Authority to the Child and Family Services Agency under Section 303(a)(16)(E) of the Prevention of Child Abuse and Neglect Act of 1977, see Mayor's Order 2010-154, September 17, 2010 (57 DCR 8543).

#### Miscellaneous Notes

Directives and Redelelegation of Authority to Assure the Continued Operation of the Aid to Families with Dependent Children, Medicaid and Child Abuse-and-Neglect/Foster Care Programs During Fiscal Year 1995: See Mayor's Order 95-115, August 31, 1995.

For applicability of D.C. Law 13-277, see note following § 4-1303.01a.

Section 701 of D.C. Law 18-230 provides:

"Sec. 701. Applicability.

"Title III of this act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan."

DC CODE § 4-1303.03


Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

 Term   Best Section 

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 11 

[Cite List](#) [Docs In Sequence](#)

---

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)







D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1303.03a

§ 4-1303.03a. Provision of neighborhood-based services; partnerships with neighborhood groups.

Term Best Section

DC ST § 4 1303 03a

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

Chapter 13. Child Abuse and Neglect.

[Subchapter I](#). Prevention of Child Abuse and Neglect.

[Part C](#). Child and Family Services Agency.

**§ 4-1303.03a. Provision of neighborhood-based services; partnerships with neighborhood groups.**

(a) To implement the Director's authority to deliver child and family services pursuant to § 4-1303.03(a-1)(3), the Agency may financially support, in cooperation with other public and private agencies, a program of neighborhood-based services to families with children to meet permanency and safety goals set forth in the Adoption and Safe Families Amendment Act of 2000, effective June 27, 2000 (D.C. Law 13-136; 47 DCR 2850).

(b) Any program of neighborhood-based services to families with children that the Agency supports shall:

(1) Give communities, through neighborhood-based collaboratives or other organizations, the maximum opportunity to design and deliver, or arrange for the delivery of, child welfare services consistent with:

(A) The health and safety of the child;

(B) The policies and programs of the Agency; and

(C) The implementation plan in the *LaShawn v. Williams* case while it is in effect; and

(2) Contain measurable performance outcomes by which the programs will be evaluated in conjunction with data provided by the Agency, including:

(A) The numbers of children and families referred for services;

(B) The number of children and families provided services, along with a breakdown of the particular services provided;

(C) Subsequent referrals of children and families served by neighborhood-based programs to the Agency's child abuse and neglect reporting line; and

(D) Subsequent foster care placements for children served by neighborhood-based programs.

(3) The performance outcomes required by paragraph (2) of this subsection shall be included in the annual report to the Mayor, Council, and public required by § 4-1303.03(b)(10), and shall be incorporated into any contract between the Agency and a neighborhood-based service provider.

(c) For the purposes of this section, the term "services to families with children" means:

(1) Assistance to help a family resolve a crisis that is brought on by catastrophe, crime, death, economic deprivation, desertion, domestic violence, lack of shelter, physical or mental illness, or substance abuse, and threatens the safety and welfare of the child;

(2) Family interventions:

(A) To resolve marital and relationship conflict, family conflict, and parent-child relationship problems; and

(B) To teach parenting, and child care and development skills;

(3) Information and referral services to teach families how to locate and use community services, including health care and legal services; and

(4) Home management services to teach the management of household duties and responsibilities, including budgeting skills.

(d) In implementing partnerships with neighborhood groups, the Agency may:

(1) Report to the Mayor and Council on specific services needed but not available in sufficient number to prevent child endangerment;

(2) To the extent possible:

(A) Coordinate for families with children the delivery of day care, health, education, mental health, employment, housing, domestic violence, and other services provided by public and private agencies;

(B) Deliver services through organizations based in the neighborhoods in which the recipients live;

(C) Consult with families served by the Agency to determine appropriate services; and

(3) Share information regarding its program with the Mayor's Advisory Committee on Child Abuse and Neglect and the Mayor's Commission on Violence Against Women.

(e) The Mayor, in consultation with the Agency and in accordance with Chapter 5 of Title 2, may issue rules to implement neighborhood-based programs under this section.

CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title III, § 303a, as added Apr. 12, 2005, D.C. Law 15-341, § 2(j), 52 DCR 2315.)

#### HISTORICAL AND STATUTORY NOTES

##### Legislative History of Laws

For Law 15-341, see notes following § 4-1301.02.

DC CODE § ~~4-1303~~ **1303** ~~03a~~

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶ ▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 4 ▶

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**

[© 2012 West](#) | [Privacy](#) | [Accessibility](#)



THOMSON REUTERS



D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1303.03b

§ 4-1303.03b. Single reporting line.

Term Best Section

DC ST § 4 1303 03b

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

Chapter 13. Child Abuse and Neglect.

[Subchapter I.](#) Prevention of Child Abuse and Neglect. [Part C.](#) Child and Family Services Agency. **§ 4-1303.03b. Single reporting line.**

(a) The Agency shall establish a single reporting line to receive reports of suspected child abuse and neglect.

(b) The single reporting line shall be maintained by the Agency, with the assistance and support of the Metropolitan Police Department, and shall be staffed 24 hours a day, 7 days a week.

(c) Upon receiving reports on the single reporting line, the Agency shall:

- (1) Review and screen the reports to collect relevant information from the source of the report; and
- (2) Transmit the reports to the entity with responsibility under the laws of the District of Columbia, or the appropriate governmental entity in another jurisdiction, for investigation or provision of services.

(d) The Agency shall provide quarterly summaries to the Mayor and Council regarding the number and types of reports made to the single reporting line.

(e) The Mayor, with the assistance and support of the Agency and the Metropolitan Police Department and in accordance with of Chapter 5 of Title 2, shall issue rules for operating the single reporting line. The rules shall include:

- (1) The mechanics and logistics of the single reporting line, including location, staffing, and equipment;
- (2) The process for receiving calls, including forms and methods for the recording of information;
- (3) The process for the immediate transmittal of calls to the governmental entity responsible for investigation or provision of services;
- (4) Procedures for preserving the confidentiality of information and the retention of records; and
- (5) Training requirements for persons staffing the single reporting line.

CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title III, § 303b, as added Apr. 12, 2005, D.C. Law 15-341, § 2(k), 52 DCR 2315.)

## HISTORICAL AND STATUTORY NOTES

## Legislative History of Laws

For Law 15-341, see notes following § 4-1301.02.

DC CODE § **4-1303** **03b**

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

Term Best Section

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 4

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)



THOMSON REUTERS™





D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1303.03d

§ 4-1303.03d. Rapid Housing Program assistance.

Term Best Section

DC ST § 4 1303 . 03d

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

Chapter 13. Child Abuse and Neglect.

[Subchapter I](#). Prevention of Child Abuse and Neglect. [Part C](#). Child and Family Services Agency. **§ 4-1303.03d. Rapid Housing Program assistance.**

(a) The Agency shall track and publicly report the number of emancipating youth and families who apply for or are referred for assistance under the Rapid Housing Program, the number of youth and families who are eligible for assistance, and the number of youth and families who receive assistance.

(b) The Agency shall maintain a waiting list of emancipating youth and families who are eligible but cannot receive assistance due to insufficient funds.

CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, § 303d as added Mar. 3, 2010, D.C. Law 18-111, § 5181, 57 DCR 181.)

#### HISTORICAL AND STATUTORY NOTES

##### Emergency Act Amendments

For temporary (90 day) addition, see § 5181 of Fiscal Year 2010 Budget Support Second Emergency Act of 2009 (D.C. Act 18-207, October 15, 2009, 56 DCR 8234).

For temporary (90 day) addition, see § 5181 of Fiscal Year Budget Support Congressional Review Emergency Amendment Act of 2009 (D.C. Act 18-260, January 4, 2010, 57 DCR 345).

##### Miscellaneous Notes

Short title: Section 5180 of D.C. Law 18-111 provided that subtitle S of title V of the act may be cited as the "Child and Family Services Rapid Housing Assistance Amendment Act of 2009".

##### Legislative History of Laws

For Law 18-111, see notes following § 4-205.19b.

DC CODE § 4 1303 . 03d

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶ ▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 4 ▶

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)





D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1303.05

Formerly cited as DC ST 1981 § 6-2125

Term Best Section

DC ST § 4 1303 05

Formerly cited as DC ST 1981 § 6-2125

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

Chapter 13. Child Abuse and Neglect.

[Subchapter I.](#) Prevention of Child Abuse and Neglect. [Part C.](#) Child and Family Services Agency. **§ 4-1303.05. Medical treatment authorized.**

When the Agency has physical custody of a child pursuant to § 4-1303.03 or pursuant to § 16-2313 or § 16-2320, it may:

- (1) Authorize a medical evaluation or emergency medical, surgical, or dental treatment, or authorize an outpatient psychiatric evaluation or emergency outpatient psychiatric treatment, at any time; and
- (2) Authorize non-emergency outpatient medical, surgical, dental or psychiatric treatment, or autopsy, when reasonable efforts to consult the parent have been made but a parent cannot be consulted.

#### CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title III, § 305, 24 DCR 3341; Apr. 4, 2001, D.C. Law 13-277, § 2(q), 48 DCR 2043.)

#### HISTORICAL AND STATUTORY NOTES

##### Prior Codifications

1981 Ed., § 6-2125.

1973 Ed., § 6-2135.

##### Effect of Amendments

D.C. Law 13-277, in the lead-in sentence, substituted "Agency has physical custody of a child pursuant to § 4-1303.03" for "Department of Human Services has physical custody of a child pursuant to subsection (b) or (c) of § 4-1303.04"; rewrote par. (1); and, in par. (2), inserted "outpatient". Prior to amendment, par. (1) read:

"(1) Authorize a medical and psychiatric evaluation and/or emergency medical, surgical, dental, or psychiatric treatment at any time; and"

## Legislative History of Laws

For legislative history of D.C. Law 2-22, see Historical and Statutory Notes following § 4-1301.02.

For D.C. Law 13-277, see notes following § 4-1301.02.

## Miscellaneous Notes

For applicability of D.C. Law 13-277, see note following § 4-1303.01a.

DC CODE § **4-1303**, **05**

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

Term Best Section

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 6

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)





D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1303.07

Formerly cited as DC ST 1981 § 6-2127

Term Best Section

DC ST § 4 -- 1303 -- 07

Formerly cited as DC ST 1981 § 6-2127

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

Chapter 13. Child Abuse and Neglect.

[Subchapter I.](#) Prevention of Child Abuse and Neglect. [Part C.](#) Child and Family Services Agency. **§ 4-1303.07. Unauthorized disclosure of records.**

Whoever willfully discloses, receives, makes use of or knowingly permits the use of confidential information concerning a child or individual in violation of this subchapter shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$1,000. A violation of this section shall be prosecuted by the Corporation Counsel of the District of Columbia.

#### CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title III, § 307, as added Oct. 18, 1979, D.C. Law 3-29, § 2, 26 DCR 678.)

#### HISTORICAL AND STATUTORY NOTES

##### Prior Codifications

1981 Ed., § 6-2127.

1973 Ed., § 6-2137.

##### Temporary Addition of Section

For temporary (225 day) addition of section, see § 2(b) of Public Disclosure of Findings and Information in Cases of Child Fatality or Near Fatality Temporary Amendment Act of 2000 (D.C. Law 13-215, April 3, 2001, law notification 38 DCR 3457).

##### Emergency Act Amendments

For temporary (90-day) addition of § 6-2128 [1981 Ed.], see § 2(b) of the Public Disclosure of Findings and Information in Cases of Child Fatality or Near Fatality Emergency Amendment Act of 2000 (D.C. Act 13-428, August 14, 2000, 47 DCR 7451).

For temporary (90 day) addition of § 4-1303.08, see § 2(b) of the Public Disclosure of Findings and Information in Cases of Child Fatality or Near Fatality Legislative Review Emergency Amendment Act of



2000 (D.C. Act 13-491, December 18, 2000, 48 DCR 57).

For temporary (90 day) addition of § 4-1303.08, see § 2(b) of Public Disclosure of Findings and Information in Cases of Child Fatality or Near Fatality Congressional Review Emergency Amendment Act of 2001 (D.C. Act 14-6, February 13, 2001, 48 DCR 2479).

#### Legislative History of Laws

For legislative history of D.C. Law 3-29, see Historical and Statutory Notes following § 4-1303.06.

DC CODE § **4-1303.07**

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶ ▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 5 ▶

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)



THOMSON REUTERS



D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1303.33

§ 4-1303.33. Civil action to compel disclosure.

Term Best Section

DC ST § 4 1303 33

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

Chapter 13. Child Abuse and Neglect.

[Subchapter I.](#) Prevention of Child Abuse and Neglect. [Part C-1.](#) Public Disclosure of Findings and Information in Cases of Child Fatality or Near Fatality. **§ 4-1303.33. Civil action to compel disclosure.**

(a) Any person who has submitted a request to the disclosing official to release findings and information under § 4-1303.32, and whose request has been denied in whole or in part, may bring a civil action in the Superior Court of the District of Columbia ("Superior Court") to compel the disclosing official to release the findings and information as requested.

(b) A suit filed under this section shall be set for hearing by the Superior Court at the earliest practicable time and shall be given all possible expedited treatment.

(c) In any suit filed under this section, the Superior Court may order the production of any findings or information improperly withheld from the person seeking disclosure.

(d) The burden is on the disclosing official to sustain his or her action. The court shall determine the matter de novo, and may examine the contents of the requested findings and information in camera to determine whether the findings and information, or any part thereof, shall be withheld under § 4-1303.32 (a)(2).

(e) If a person seeking the right to inspect or to receive a copy of findings and information prevails in whole or in part in a civil action filed under this section, he or she may be awarded reasonable attorney fees and other costs of litigation.

#### CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title IIIA, § 333, as added Feb. 13, 2002, D.C. Law 14-69, § 2(b), 48 DCR 11072.)

#### HISTORICAL AND STATUTORY NOTES

##### Emergency Act Amendments

For temporary (90 day) addition of this section, see section 2(b) of Public Disclosure of Findings and Information in Cases of Child Fatality or Near Fatality Congressional Review Emergency Amendment Act of 2001 (D.C. Act 14-6, February 13, 2001, 48 DCR 2479).

For temporary (90 day) addition of section, see § 2(b) of Public Disclosure of Findings and Information in Cases of Child Fatality or Near Fatality Second Emergency Amendment Act of 2001 (D.C. Act 14-191, November 29, 2001, 48 DCR 11233).

For temporary (90 day) addition of section, see § 2(b) of Public Disclosure of Findings and Information in Cases of Child Fatality or Near Fatality Congressional Review Emergency Amendment Act of 2002 (D.C. Act 14-286, February 25, 2002, 49 DCR 2317).

#### Legislative History of Laws

For Law 14-69, see notes following § 4-1303.06.

DC CODE § **4-1303.33**

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

Term Best Section

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 4

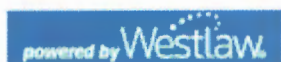
[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**

[© 2012 West](#) | [Privacy](#) | [Accessibility](#)



THOMSON REUTERS



D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1303.35

§ 4-1303.35. Freedom of Information Act requests.

Term Best Section

DC ST § 4 1303 35

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

Chapter 13. Child Abuse and Neglect.

[Subchapter I.](#) Prevention of Child Abuse and Neglect. [Part C-I.](#) Public Disclosure of Findings and Information in Cases of Child Fatality or Near Fatality. **§ 4-1303.35. Freedom of Information Act requests.**

Nothing in this part shall limit or restrict any right of access or disclosure that any person may have under subchapter II of Chapter 5 of Title 2 ("Freedom of Information Act"). Section 4-1303.06 shall not provide a basis for denying any request under the Freedom of Information Act for any public record pertaining to a child fatality or near fatality.

CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title IIIA, § 335, as added Feb. 13, 2002, D.C. Law 14-69, § 2(b), 48 DCR 11072.)

#### HISTORICAL AND STATUTORY NOTES

##### Emergency Act Amendments

For temporary (90 day) addition of this section, see section 2(b) of Public Disclosure of Findings and Information in Cases of Child Fatality or Near Fatality Congressional Review Emergency Amendment Act of 2001 (D.C. Act 14-6, February 13, 2001, 48 DCR 2479).

For temporary (90 day) addition of section, see § 2(b) of Public Disclosure of Findings and Information in Cases of Child Fatality or Near Fatality Second Emergency Amendment Act of 2001 (D.C. Act 14-191, November 29, 2001, 48 DCR 11233).

For temporary (90 day) addition of section, see § 2(b) of Public Disclosure of Findings and Information in Cases of Child Fatality or Near Fatality Congressional Review Emergency Amendment Act of 2002 (D.C. Act 14-286, February 25, 2002, 49 DCR 2317).

##### Legislative History of Laws

For Law 14-69, see notes following § 4-1303.06.

DC CODE § 4 1303 35

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶ ▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 4 ▶

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)



THOMSON REUTERS





D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1303.51

§ 4-1303.51. Establishment of the Citizen Review Panel; purposes; duties.

Term Best Section

DC ST § 4 1303 51

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

Chapter 13. Child Abuse and Neglect.

[Subchapter I.](#) Prevention of Child Abuse and Neglect.

[Part C-Ii.](#) Citizen Review Panel.

**§ 4-1303.51. Establishment of the Citizen Review Panel; purposes; duties.**

(a) There is hereby established the Citizen Review Panel, whose purpose is to serve as an external, independent oversight body for the District's child welfare system, evaluating the strengths and weaknesses of District government agencies involved in child protection as well as neighborhood-based services provided by vendors.

(b) The Panel shall examine the policies, practices, and procedures of the Agency and any other District government agency that provides services to children at risk of abuse and neglect, or to children under the care of the Agency, including, as appropriate, the review of specific child cases. Based on this examination, the Panel shall evaluate the extent to which agencies serving children at risk of abuse or neglect, or children under the care of the Agency, are effectively discharging their child protection responsibilities in accordance with:

(1) The State plan required by section 106(b) of the Child Abuse Prevention and Treatment Act, approved April 25, 1988 (102 Stat. 110; 42 U.S.C. § 5106A(b));

(2) The child protection standards set forth in section 106(b) of the Child Abuse Prevention and Treatment Act, approved April 25, 1988 (102 Stat. 110; 42 U.S.C. § 5106A(b)); and

(3) Any other criteria that the Panel deems important to ensure the protection of children.

(c) The Panel shall solicit public outreach and comment in order to assess the impact of current policies, practices, and procedures of the child welfare system on children and families in the District of Columbia.

(d)(1) The Panel shall submit a report, no later than April 30th of each year, to the Mayor, Council, and Agency, summarizing the Panel's activities and findings during the prior calendar year, containing recommendations on how to improve child welfare services and outcomes in the District of Columbia, and providing information on the progress the District government is making in implementing the recommendations of the Panel.

(2) The Agency shall make the annual report available to the public by providing access to it on its Internet site.

(3) Not later than 6 months after the Panel publishes the annual report, the Agency shall provide a written response that describes whether or how the Agency, in coordination with other government agencies, will implement the Panel's recommendations in order to make measurable progress in

improving the child welfare system.

CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title IIIB, § 351, as added Apr. 12, 2005, D.C. Law 15-341, § 2(m), 52 DCR 2315.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

Law 15-341, the "Child in Need of Protection Amendment Act of 2004", was introduced in Council and assigned Bill No. 15-389 which was referred to the Committee on Judiciary and the Committee on Human Services. The Bill was adopted on first and second readings on December 7, 2004, and December 21, 2004, respectively. Signed by the Mayor on January 19, 2005, it was assigned Act No. 15-758 and transmitted to both Houses of Congress for its review. D.C. Law 15-341 became effective on April 12, 2005.

DC CODE §  4   1303  .  51 


Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

 Term   Best Section 

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 16 

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)





D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1305.02

§ 4-1305.02. Criminal records check required for certain individuals.

◀ Term ▶ ▶ Best Section ▶

DC ST § ◀ 4 ▶ ◀ 1305 ▶ ◀ 02 ▶

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

Chapter 13. Child Abuse and Neglect.

◀ [Subchapter I](#). Prevention of Child Abuse and Neglect.

◀ [Part E](#). Criminal Records Check.

▶ **§ 4-1305.02. Criminal records check required for certain individuals.**

The following individuals shall apply for a criminal records check under this part:

- (1) An individual who seeks to be approved or licensed as an adoptive parent by the Agency or by any licensed child-placing agency;
- (2) An individual who seeks to be approved or licensed as a foster parent by the Agency or by any licensed child-placing agency;
- (3) An individual who seeks to be approved as a kinship caregiver or legal guardian by the Agency;
- (4) Except as provided in paragraph (1) of this section, an individual who seeks to become an adoptive parent of a child under Chapter 3 of Title 16;
- (5) Upon order of a judicial officer, an individual with whom a child is placed under § 16-2320(a)(2) or § 16-2320(a)(3)(C); and
- (6) An adult residing in the home of an individual described in paragraphs (1), (2), (3), or (4) of this section or, upon order of a judicial officer, an adult who resides in the home of an individual described in paragraph (5) of this section.

#### CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title V, § 502, formerly § 322, as added June 27, 2000, D.C. Law 13-136, § 201(f), 47 DCR 2850; Apr. 4, 2001, D.C. Law 13-277, § 2(s), 48 DCR 2043; renumbered Mar. 2, 2007, D.C. Law 16-191, § 22(a)(3), 53 DCR 6794.)

#### HISTORICAL AND STATUTORY NOTES

##### Effect of Amendments

D.C. Law 13-277 substituted "Agency" for "Department" throughout the section; and, in par. (3), substituted "Agency" for "Division".

D.C. Law 16-191 renumbered the section.

## Emergency Act Amendments

For temporary (90-day) addition of section, see notes following § 4-1305.01.

## Legislative History of Laws

For Law 13-136, see notes following § 4-1305.01.

For D.C. Law 13-277, see notes following § 4-1301.02.

For Law 16-191, see notes following § 4-204.61.

## Miscellaneous Notes

For applicability of D.C. Law 13-277, see note following § 4-1303.01a.

DC CODE § **←4→←1305→.←02→**

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶ ▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

◀ Doc 3 of 7 ▶

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)



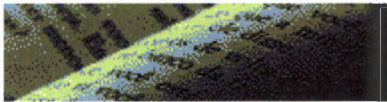
THOMSON REUTERS





D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1303.54

§ 4-1303.54. Access to information and confidentiality.

Term Best Section

DC ST § 4 -- 1303 -- 54

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

Chapter 13. Child Abuse and Neglect.

[Subchapter I.](#) Prevention of Child Abuse and Neglect.

[Part C-II.](#) Citizen Review Panel.

**§ 4-1303.54. Access to information and confidentiality.**

(a) The Panel shall have access to data on children and families maintained by District government agencies, including the Agency, the Department of Human Services, the Department of Health, the Department of Mental Health, the Metropolitan Police Department, the Office of the Chief Medical Examiner, and the D.C. Public Schools. The Panel shall also have access to data kept by any private agency or organization that provides or arranges for services or out-of-home placements for children residing in the District of Columbia.

(b) For the purposes of specific case review, the Panel shall have access to:

- (1) Police investigative data;
- (2) Autopsy records and other medical examiner investigative data;
- (3) Hospital, public health, or other medical records of the child;
- (4) Hospital and other medical records of the child's parent that relate to prenatal care;
- (5) Records created by human or social service agencies, including the Agency, that provided or provide services to the child or family; and
- (6) Personnel data related to an employee's performance in discharging child protection responsibilities.

(c)(1) All information and records generated by the Panel, including statistical compilations and reports, and all information and records acquired by, and in the possession of, the Panel are confidential.

(2) Panel information and records may be disclosed only as necessary to carry out the Panel's duties and purposes.

(3) Statistical compilations and reports of the Panel that contain information that would reveal the identity of any person, other than a person who has consented to be identified, are not public records or information.

(4) Each person attending a Panel meeting shall sign a confidentiality agreement at the beginning of each meeting of the Panel.



(d) Findings and recommendations on the child welfare system required by § 4-1303.51(d) shall be available to the public on request.

(e) Except as permitted by this section, information and records of the Panel shall not be disclosed voluntarily, pursuant to a subpoena, in response to a request for discovery in any adjudicative proceeding, or in response to a request made under subchapter II of Chapter 5 of Title 2, nor shall it be introduced into evidence in any administrative, civil, or criminal proceeding.

(f)(1) Whoever discloses, receives, makes use of, or knowingly permits the use of information in violation of this section shall be subject to a fine of not more than \$1,000.

(2) Violations of this section shall be prosecuted by the Attorney General, or his or her designee, in the name of the District of Columbia.

(3)(A) The Mayor may remove any of his or her appointees from the Panel for violating this section.

(B) The Council may remove, by resolution, any of its appointees from the Panel for violating this section.

CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title IIIB, § 354, as added Apr. 12, 2005, D.C. Law 15-341, § 2(m), 52 DCR 2315.)

#### HISTORICAL AND STATUTORY NOTES

##### Legislative History of Laws

For Law 15-341, see notes following § 4-1303.51.

DC CODE § ~~4~~ **1303** ~~54~~

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 3 ▶

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)





D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1303.55

§ 4-1303.55. Conflict of interest.

Term Best Section

DC ST § 4 1303 55

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

Chapter 13. Child Abuse and Neglect.

[Subchapter I.](#) Prevention of Child Abuse and Neglect. [Part C-Ii.](#) Citizen Review Panel. **§ 4-1303.55. Conflict of interest.**

Panel members shall be subject to the conflict of interest and disclosure requirements established by §§ 1-1106.01 and 1-1106.02. Any member affiliated with an organization providing services to children or families, as an officer, director, partner, employee, consultant, or contractor, shall recuse himself or herself from any discussion of specific cases that involve the organization, and shall also recuse himself or herself from any discussion of findings or recommendations that involve the organization.

CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title IIIB, § 355, as added Apr. 12, 2005, D.C. Law 15-341, § 2(m), 52 DCR 2315.)

#### HISTORICAL AND STATUTORY NOTES

##### Legislative History of Laws

For Law 15-341, see notes following § 4-1303.51.

DC CODE § 4 1303 55


Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

Term Best Section

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 5 

[Cite List](#) [Docs In Sequence](#)

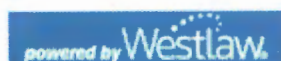
---

**Westlaw, part of Thomson Reuters**

[© 2012 West](#) | [Privacy](#) | [Accessibility](#)



THOMSON REUTERS



D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1305.04

§ 4-1305.04. Payment of processing fees and costs.

Term Best Section

DC ST § 4 1305 04

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

Chapter 13. Child Abuse and Neglect.

[Subchapter I.](#) Prevention of Child Abuse and Neglect.

[Part E.](#) Criminal Records Check.

**§ 4-1305.04. Payment of processing fees and costs.**

(a) A person who is required to have a criminal records check under this part shall pay for:

(1) The mandatory processing fee required by the Federal Bureau of Investigation for conducting the national criminal records check;

(2) Reasonable administrative costs to the police for accessing the District criminal records history; and

(3) Reasonable administrative costs to the Agency.

(b) The Agency or a licensed child-placing agency may pay for processing fees and costs.

#### CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title V, § 504, formerly § 324, as added June 27, 2000, D.C. Law 13-136, § 201(f), 47 DCR 2850; Apr. 4, 2001, D.C. Law 13-277, § 2(u), 48 DCR 2043; renumbered Mar. 2, 2007, D.C. Law 16-191, § 22(a)(5), 53 DCR 6794.)

#### HISTORICAL AND STATUTORY NOTES

##### Effect of Amendments

D.C. Law 13-277 substituted "Agency" for "Department" throughout the section.

D.C. Law 16-191 renumbered the section.

##### Emergency Act Amendments

For temporary (90-day) addition of section, see notes following § 4-1305.01.

##### Legislative History of Laws

For Law 13-136, see notes following § 4-1305.01.

For D.C. Law 13-277, see notes following § 4-1301.02.

For Law 16-191, see notes following § 4-204.61.

#### Miscellaneous Notes

For applicability of D.C. Law 13-277, see note following § 4-1303.01a.

DC CODE § **4** **1305** **04**

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

Term Best Section

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 4

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)







D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1305.06

§ 4-1305.06. Results of the criminal records check.

Term Best Section

DC ST § 4 1305 06

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

Chapter 13. Child Abuse and Neglect.

[Subchapter I](#). Prevention of Child Abuse and Neglect.

[Part E](#). Criminal Records Check.

**§ 4-1305.06. Results of the criminal records check.**

(a) The provisions of this section shall apply to an individual who seeks to be:

- (1) Approved or licensed as an adoptive or foster parent, a legal guardian, or a kinship caregiver;
- (2) Permitted to become an adoptive parent under Chapter 3 of Title 16; or
- (3) Permitted to have a child placed in the individual's custody upon order of a judicial officer, under § 16-2320(a)(2) or § 16-2320(a)(3)(C).

(b) Except as provided in subsection (d) of this section, an individual shall not be approved, licensed, or permitted as set forth in subsection (a) of this section if it is determined from the criminal records check that the individual, or an adult residing in the home of the individual, has a felony conviction for any of the following offenses or their equivalents:

- (1) Child abuse;
- (2) Child neglect;
- (3) Intrafamily offense, as defined in § 16-1001(8);
- (4) A crime against children, including child pornography; or
- (5) A crime involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery.

(c) Except as provided by subsection (d) of this section, an individual shall not be approved, licensed, or permitted as set forth in subsection (a) of this section if it is determined from the criminal records check that the individual, or an adult residing in the home of the individual, has a felony conviction for any of the following offenses or their equivalents committed within the past 5 years:

- (1) Repealed;
- (2) Physical assault;
- (3) Battery; or

(4) A drug-related offense.

(d) Notwithstanding the requirements of subsections (b) and (c) of this section, an individual may be approved, licensed, or permitted as set forth in subsection (a) of this section if:

(1) The individual has a felony conviction for any of the offenses listed in subsections (b) and (c) of this section and, after a discretionary agency review of the conviction and current circumstances, it is determined that an approval, licensure, or permission would be consistent with the health, safety, and welfare of children; provided, that any adoption-assistance payments or foster-care-maintenance payments made on behalf of a child to an individual pursuant to this paragraph shall not be made with federal funds provided through Title IV-E of the Social Security Act, approved June 17, 1980 (94 Stat. 500; 42 U.S.C. § 670 *et seq.*); or

(2) An adult residing in the home of the individual, but not the individual who seeks to be approved, licensed, or permitted as set forth in subsection (a) of this section, has a felony conviction for any of the offenses listed in subsections (b) and (c) of this section and, after a discretionary agency review of the conviction and current circumstances, it is determined that an approval, licensure, or permission would be consistent with the health, safety, and welfare of children.

#### CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title V, § 506, formerly § 326, as added June 27, 2000, D.C. Law 13-136, § 201(f), 47 DCR 2850; Apr. 12, 2005, D.C. Law 15-341, § 2(q), 52 DCR 2315; renumbered Mar. 2, 2007, D.C. Law 16-191, § 22(a)(7), 53 DCR 6794; Mar. 25, 2009, D.C. Law 17-368, § 4(b), 56 DCR 1338; Sept. 11, 2009, D.C. Law 18-47, § 2, 56 DCR 4960.)

#### HISTORICAL AND STATUTORY NOTES

##### Effect of Amendments

D.C. Law 15-341, in subsec. (b)(3), substituted "Intrafamily abuse, as defined in § 16-1001(5)" for "Spousal abuse".

D.C. Law 16-191 renumbered the section.

D.C. Law 17-368, in subsec. (b)(3), substituted "offense, as defined in § 16-1001(8)" for "abuse, as defined in § 16-1001(5)".

D.C. Law 18-47, in subsec. (b)(5), substituted "or homicide, but not including other physical assault or battery" for "homicide, assault or battery" and inserting the phrase "; in subsec. (c), in the lead-in language, deleted ", or an adult residing in the home of the individual," following "an individual", and inserted ", or an adult residing in the home of the individual," and repealed par. (1); and rewrote subsec. (d). Prior to amendment, subsecs. (a)(1) and (d) read as follows:

"(1) Fraud;"

"(d) Notwithstanding the requirements of subsections (b) and (c) of this section, an individual may be approved, licensed, or permitted as set forth in subsection (a) of this section if, after a review of the conviction and the current circumstances, it is determined that such approval, licensure, or permission would be consistent with the health, safety, and welfare of children."

##### Temporary Amendments of Section

Section 2 of D.C. Law 17-133, in subsec. (b), in the lead-in language, substituted "An" for "Except as provided in subsection (d) of this section, an", and in par. (5), substituted "or homicide, but not including other physical assault or battery" for "homicide, assault or battery"; in subsec. (c), in the lead-in language, deleted ", or an adult residing in the home of the individual," and substituted "check that the individual, or an adult residing in the home of the individual," for "check that the individual", and repealed par. (1); and amended subsec. (d) to read as follows:

"(d) Notwithstanding the requirements of subsection (c) of this section, an individual may be approved, licensed, or permitted as set forth in subsection (a) of this section if:

"(1) The individual has a felony conviction for any of the offenses listed in subsection (c) of this section and, after a discretionary agency review of the conviction and current circumstances, it is determined that an approval, licensure, or permission would be consistent with the health, safety, and welfare of children; provided, that any adoption-assistance payments or foster-care-maintenance payments made on behalf of a child to an individual pursuant to this paragraph shall not be made with federal funds provided through Title IV-E of the Social Security Act, approved June 17, 1980 (94 Stat. 500; 42 U.S.C. § 670 *et seq.*); or

"(2) An adult residing in the home of the individual, but not the individual who seeks to be approved, licensed, or permitted as set forth in subsection (a) of this section, has a felony conviction for any of the offenses listed in subsection (c) of this section and, after a discretionary agency review of the conviction and current circumstances, it is determined that an approval, licensure, or permission would be consistent with the health, safety, and welfare of children."

Section 5(b) of D.C. Law 17-133 provides that the act shall expire after 225 days of its having taken effect.

Section 2 of D.C. Law 17-297, in subsec. (b), substituted "An" for "Except as provided in subsection (d) of this section, an" in the lead-in language, substituted "or homicide, but not including other physical assault or battery" for "homicide, assault or battery" in par. (5); in subsec. (c), deleted ", or an adult residing in the home of the individual," and substituted "check that the individual, or an adult residing in the home of the individual," for "check that the individual" in the lead-in language, and repealed par. (1); and rewrote subsec. (d) to read as follows:

"(d) Notwithstanding the requirements of subsection (c) of this section, an individual may be approved, licensed, or permitted as set forth in subsection (a) of this section if:

"(1) The individual has a felony conviction for any of the offenses listed in subsection (c) of this section and, after a discretionary agency review of the conviction and current circumstances, it is determined that an approval, licensure, or permission would be consistent with the health, safety, and welfare of children; provided, that any adoption-assistance payments or foster-care-maintenance payments made on behalf of a child to an individual pursuant to this paragraph shall not be made with federal funds provided through Title IV-E of the Social Security Act, approved June 17, 1980 (94 Stat. 500; 42 U.S.C. § 670 *et seq.*); or

"(2) An adult residing in the home of the individual, but not the individual who seeks to be approved, licensed, or permitted as set forth in subsection (a) of this section, has a felony conviction for any of the offenses listed in subsection (c) of this section and, after a discretionary agency review of the conviction and current circumstances, it is determined that an approval, licensure, or permission would be consistent with the health, safety, and welfare of children."

Section 5(b) of D.C. Law 17-297 provides that the act shall expire after 225 days of its having taken effect.

#### Emergency Act Amendments

For temporary (90-day) addition of section, see notes following § 4-1305.01.

For temporary (90 day) amendment of section, see § 2 of Adoption and Safe Families Emergency Amendment Act of 2007 (D.C. Act 17-232, December 27, 2007, 55 DCR 233).

For temporary (90 day) amendment of section, see § 2 of Adoption and Safe Families Congressional Review Emergency Amendment Act of 2008 (D.C. Act 17-317, March 19, 2008, 55 DCR 3415).

For temporary (90 day) amendment of section, see § 2 of Adoption and Safe Families Continuing Compliance Emergency Amendment Act of 2008 (D.C. Act 17-559, October 27, 2008, 55 DCR 12010).

For temporary (90 day) amendment of section, see § 2 of Adoption and Safe Families Continuing Compliance Congressional Review Emergency Amendment Act of 2009 (D.C. Act 18-2, January 23, 2009, 56 DCR 1622).

## Legislative History of Laws

For Law 13-136, see notes following § 4-1305.01.

For Law 15-341, see notes following § 4-1303.51.

For Law 16-191, see notes following § 4-204.61.

Law 17-368, the "Intrafamily Offenses Act of 2008", was introduced in Council and assigned Bill No. 17-55 which was referred to the Committee on Public Safety and Judiciary. The Bill was adopted on first and second readings on December 2, 2008, and December 16, 2008, respectively. Signed by the Mayor on January 22, 2009, it was assigned Act No. 17-703 and transmitted to both Houses of Congress for its review. D.C. Law 17-368 became effective on March 25, 2009.

Law 18-47, the "Adoption and Safe Families Amendment Act of 2009", was introduced in Council and assigned Bill No. 18-12, which was referred to the Committee on Human Services. The Bill was adopted on first and second readings on May 5, 2009, and June 2, 2009, respectively. Signed by the Mayor on June 22, 2009, it was assigned Act No. 18-122 and transmitted to both Houses of Congress for its review. D.C. Law 18-47 became effective on September 11, 2009.

DC CODE § **←4→←1305→←06→**

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶ ▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 5 ▶

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**

[© 2012 West](#) | [Privacy](#) | [Accessibility](#)



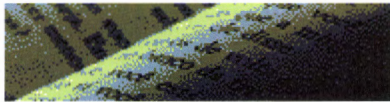
THOMSON REUTERS™





D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1305.07

§ 4-1305.07. Effect of failure to request a criminal records check.

Term Best Section

DC ST § 4 1305 . 07

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

Chapter 13. Child Abuse and Neglect.

[Subchapter I](#). Prevention of Child Abuse and Neglect.

[Part E](#). Criminal Records Check.

**§ 4-1305.07. Effect of failure to request a criminal records check.**

(a) If an individual described in § 4-1305.02(1), (2), or (3), or any adult residing in the home of an individual described in § 4-1305.02(1), (2), or (3), fails to request a criminal records check as required by this part, the Agency may deny approval or licensure.

(b) If an individual described in § 4-1305.02(4), or any adult residing in the home of an individual described in § 4-1305.02(4), fails to request a criminal records check as required by this part, the Family Division of the Superior Court of the District of Columbia may dismiss the petition for adoption.

(c) If an individual described in § 4-1305.02(5), or an adult residing in the home of an individual described in § 4-1305.02(5), fails to request a criminal records check as required by this part, the Family Division of the Superior Court of the District of Columbia may refuse to place the child in the individual's home, may remove the child from the home, or may take other appropriate action to ensure the health, welfare, and safety of the child.

#### CREDIT(S)

(Sept 23, 1977, D.C. Law 2-22, title V, § 507, formerly § 327, as added June 27, 2000, D.C. Law 13-136, § 201(f), 47 DCR 2850; Apr. 4, 2001, D.C. Law 13-277, § 2(w), 48 DCR 2043; renumbered Mar. 2, 2007, D.C. Law 16-191, § 22(a)(8), 53 DCR 6794.)

#### HISTORICAL AND STATUTORY NOTES

##### Effect of Amendments

D.C. Law 13-277, in subsec. (a), substituted "Agency" for "Department".

D.C. Law 16-191 renumbered the section.

##### Emergency Act Amendments

For temporary (90-day) addition of section, see notes following § 4-1305.01.

For temporary (90 day) amendment of section, see § 2(c) of the Adoption and Safe Families Compliance Congressional Review Emergency Amendment Act of 2000 (D.C. Act 13-451, November 7, 2000, 47 DCR



9399).

For temporary (90 day) amendment of section, see § 2(b) of Adoption and Safe Families Compliance Emergency Amendment Act of 2001 (D.C. Act 14-65, June 6, 2001, 48 DCR 5721).

#### Legislative History of Laws

For Law 13-136, see notes following § 4-1305.01.

For D.C. Law 13-277, see notes following § 4-1301.02.

For Law 16-191, see notes following § 4-204.61.

#### Miscellaneous Notes

For applicability of D.C. Law 13-277, see note following § 4-1303.01a.

DC CODE § **←4→←1305→.←07→**

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶ ▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 4 ▶

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)





D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1305.09

§ 4-1305.09. Penalties for violation of confidentiality.

Term Best Section

DC ST § 4 1305 09

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

Chapter 13. Child Abuse and Neglect.

[Subchapter I](#). Prevention of Child Abuse and Neglect.

[Part E](#). Criminal Records Check.

**§ 4-1305.09. Penalties for violation of confidentiality.**

(a) An individual who discloses confidential information in violation of § 4-1305.08 shall be guilty of a criminal offense and, upon conviction, shall be subject to a fine of not more than \$1,000 or a term of incarceration of not more than 180 days, or both.

(b) An individual who fails to disclose all of the residences and addresses required by § 4-1305.03(a)(3) shall be guilty of a criminal offense and, upon conviction, shall be subject to a fine of not more than \$1,000, a term of imprisonment of not more than 180 days, or both.

(c) Violations of this section shall be prosecuted by the Attorney General for the District of Columbia, or his or her designee, in the name of the District of Columbia.

#### CREDIT(S)

(Sept. 23, 1977, D.C. Law 2-22, title V, § 509, formerly § 329, as added June 27, 2000, D.C. Law 13-136, § 201(f), 47 DCR 2850; Apr. 12, 2005, D.C. Law 15-341, § 2(s), 52 DCR 2315; renumbered Mar. 2, 2007, D.C. Law 16-191, § 22(a)(10), 53 DCR 6794.)

#### HISTORICAL AND STATUTORY NOTES

##### Effect of Amendments

D.C. Law 15-341 designated the existing text as subsec. (a); and added subsecs. (b) and (c).

D.C. Law 16-191 renumbered the section.

##### Emergency Act Amendments

For temporary (90-day) addition of section, see notes following § 4-1305.01.

##### Legislative History of Laws

For Law 13-136, see notes following § 4-1305.01.

For Law 15-341, see notes following § 4-1303.51.

For Law 16-191, see notes following § 4-204.61.

DC CODE § 4-1305.09

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

Term Best Section

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

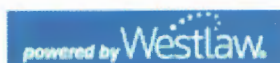
Doc 1 of 4

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)



THOMSON REUTERS



D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1321.01

Formerly cited as DC ST 1981 § 6-2151

Term Best Section

DC ST § 4 1321 01

Formerly cited as DC ST 1981 § 6-2151

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

[Chapter 13](#). Child Abuse and Neglect. [Subchapter II](#). Reports of Neglected Children. **§ 4-1321.01. Purpose.**

It is the purpose of this subchapter to require a report of a suspected neglected child in order to identify neglected children; to assure that protective services will be made available to a neglected child to protect the child and his or her siblings and to prevent further abuse or neglect; and to preserve the family life of the parents and children, to the maximum extent possible, by enhancing the parental capacity for adequate child care.

#### CREDIT(S)

(Nov. 6, 1966, 80 Stat. 1354, Pub. L. 89-775, § 1; Sept. 23, 1977, D.C. Law 2-22, title I, § 103(b), 24 DCR 3341.)

#### HISTORICAL AND STATUTORY NOTES

##### Prior Codifications

1981 Ed., § 2-1351.

1973 Ed., § 2-161.

##### Legislative History of Laws

Law 2-22, the "Prevention of Child Abuse and Neglect Act of 1977," was introduced in Council and assigned Bill No. 2-48, which was referred to the Committee on Human Resources and Aging and the Committee on the Judiciary. The Bill was adopted on first and second readings on May 17, 1977, and May 31, 1977, respectively. Signed by the Mayor on July 6, 1977, it was assigned Act No. 2-53 and transmitted to both Houses of Congress for its review.

DC CODE § 4 1321 01

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶ ▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 13 ▶

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)







D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1321.04

Formerly cited as DC ST 1981 § 6-2154

Term Best Section

DC ST § 4 1321 . 04

Formerly cited as DC ST 1981 § 6-2154

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

[Chapter 13](#). Child Abuse and Neglect. [Subchapter II](#). Reports of Neglected Children. **§ 4-1321.04. Immunity from liability.**

Any person, hospital, or institution participating in good faith in the making of a report pursuant to this subchapter shall have immunity from liability, civil or criminal, that might otherwise be incurred or imposed with respect to the making of the report. Any such participation shall have the same immunity with respect to participation in any judicial proceeding involving the report. In all civil or criminal proceedings concerning the child or resulting from the report good faith shall be presumed unless rebutted.

#### CREDIT(S)

(Nov. 6, 1966, 80 Stat. 1354, Pub. L. 89-775, § 4; Sept. 23, 1977, D.C. Law 2-22, title I, § 103(e), 24 DCR 3341.)

#### HISTORICAL AND STATUTORY NOTES

##### Prior Codifications

1981 Ed., § 2-1354.

1973 Ed., § 2-164.

##### Legislative History of Laws

For legislative history of D.C. Law 2-22, see Historical and Statutory Notes following § 4-1321.01.

DC CODE § 4 1321 . 04

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 4 ▶

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)



THOMSON REUTERS



D.C. Council Home

Home Search Help ©



## Welcome to the online source for the District of Columbia Official Code

### DC ST § 4-1321.06

Formerly cited as DC ST 1981 § 6-2156

Term Best Section

DC ST § 4 1321 . 06

Formerly cited as DC ST 1981 § 6-2156

District of Columbia Official Code 2001 Edition [Currentness](#)

Division I. Government of District.

Title 4. Public Care Systems.

[Chapter 13](#). Child Abuse and Neglect. [Subchapter II](#). Reports of Neglected Children. **§ 4-1321.06. Exceptions for treatment solely by spiritual means.**

Notwithstanding any other provision of this subchapter, no child who in good faith is under treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination by a duly accredited practitioner thereof shall, for that reason alone, be considered to have been neglected within the purview of this subchapter.

CREDIT(S)

(Nov. 6, 1966, 80 Stat. 1355, Pub. L. 89-775, § 6.)

#### HISTORICAL AND STATUTORY NOTES

##### Prior Codifications

1981 Ed., § 2-1356.

1973 Ed., § 2-166.

##### Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 2 of Prevention of Child Neglect Temporary Amendment Act of 1993 (D.C. Law 10-61, November 20, 1993, law notification 40 DCR 8454).

##### Emergency Act Amendments

For temporary amendment of section, see § 2 of the Prevention of Child Neglect Emergency Amendment Act of 1993 (D.C. Act 10-100, August 9, 1993, 40 DCR 6141).

For temporary amendment of section, see § 2 of the Prevention of Child Neglect Emergency Amendment Act of 1994 (D.C. Act 10-288, July 22, 1994, 41 DCR 4992).

DC CODE § 4 1321 . 06

Current through November 15, 2011

Copyright (C) 2012 By the District of Columbia. All Rights Reserved.

END OF DOCUMENT

◀ Term ▶ ▶ Best Section ▶

© 2012 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Doc 1 of 6 ▶

[Cite List](#) [Docs In Sequence](#)

**Westlaw, part of Thomson Reuters**  
[© 2012 West](#) | [Privacy](#) | [Accessibility](#)

