

*OUT-STATIONED ADVOCACY*

*PARTNERING TO HELP SURVIVORS  
OF DOMESTIC VIOLENCE*

MARCH 2004



|                                               |    |
|-----------------------------------------------|----|
| WELCOME .....                                 | 2  |
| DISCLAIMER ON RESTRAINING ORDERS .....        | 4  |
| BRIEF OVERVIEW .....                          | 5  |
| BENEFITS .....                                | 5  |
| <b>For Child Welfare Staff:</b> .....         | 5  |
| <b>For Domestic Violence Advocates:</b> ..... | 6  |
| <b>For women and children:</b> .....          | 6  |
| <b>For the agency collaboration:</b> .....    | 7  |
| CHALLENGES .....                              | 7  |
| HOW TO START .....                            | 8  |
| Working Agreement .....                       | 8  |
| Logistics .....                               | 9  |
| Defining Roles .....                          | 9  |
| Splitting Time .....                          | 10 |
| Liaison and Supervision .....                 | 10 |
| Selecting the Advocate .....                  | 11 |
| Training .....                                | 11 |
| CONFIDENTIALITY AND INFORMATION SHARING ..... | 12 |
| ON-GOING REVIEW .....                         | 14 |
| WHAT HAPPENS IF THE ADVOCATE CHANGES .....    | 15 |
| WHAT NEXT .....                               | 15 |

## WELCOME

Welcome to our video and manual on out-stationed advocacy—a partnership between domestic violence programs and child welfare. While the video describes a specific model, the lessons learned can be applied to partnerships between domestic violence programs and other parts of the Department of Human Services, including Self-Sufficiency and Seniors and Persons with Disabilities. Our experiences can also be helpful in other collaborative efforts, whether or not there is a designated advocate position. We value working together with community partners to improve our responses to survivors of domestic violence.

The experiences in this video are drawn from pilot partnership sites in which the Department of Human Services contracted with domestic violence programs to out-station advocates at their local child welfare branches. The overall project was guided by a work group of child welfare staff, domestic violence advocates, other DHS staff, the Lane Family Violence Response Initiative, and community partners. Their expertise, wisdom and willingness to contribute to this project has been invaluable.

Four pilot sites were funded through a Rural Domestic Violence and Child Victimization Enforcement Grant from the Office on Violence Against Women in the U.S. Department of Justice, grant number 98-WR- VX-0008. They were:

- Battered Persons' Advocacy and the Douglas Child Welfare Office,
- Helping Hands and the Hood River Child Welfare Office,
- Project DOVE and the Malheur Child Welfare Office, and
- Shelter from the Storm and the Union Child Welfare Office.

Portland State University's Child Welfare Partnership has been evaluating these sites. Their findings are published in the *Partnership Press* newsletter and have formed the basis for the video and manual.

Other partnership sites were added with funding through the Children's Justice Act (CJA) and Child Abuse Prevention and Treatment Act (CAPTA). They were:

- Klamath Crisis Center and Lake Crisis Center in a joint project with Klamath and Lake Child Welfare,
- Womenspace and Lane Child Welfare, and
- Haven and Wasco Child Welfare.

Other domestic violence programs and DHS branches have collaborated on similar projects through a variety of funding, including Commission for Children and Families, Victims of Crime Act and other VAWA funding.

Production of this video was made possible through a grant from the Children's Justice Act funding. Points of view in this document are those of the authors and do not necessarily represent the official position or policies of the U.S. Dept. of Human Services or the U.S. Dept. of Justice.

## DISCLAIMER ON RESTRAINING ORDERS

One of the vignettes in the video shows the child protective services worker and the advocate discussing the woman's obtaining a Family Abuse Protection Order (FAPA), also known as a Temporary Restraining Order (TRO). **DHS should not mandate a survivor obtain a TRO.** The decision on whether to get an order needs to be a case-by-case decision, weighing all the factors.

Restraining Orders can be valuable tools in keeping survivors safe and holding batterers accountable for the violence. However, a TRO works only as long as the batterer is willing to comply with the order and/or if the police and court system are willing to enforce the order. In some cases, the batterer sees the woman obtaining the TRO as a threat to his control and may escalate his violence to reestablish his control.

## BRIEF OVERVIEW OF THIS MODEL OF OUT-STATIONED ADVOCACY

DHS contracts with domestic violence programs for out-stationed advocacy. In the VAWA funded sites, these are full-time positions. The advocates are employed and supervised by the domestic violence program. They split their time between the program and child welfare. While at child welfare, they work with women referred to child welfare including women whose referrals are screened out, women who have a child protective services assessment, and women with open child welfare cases.

The advocates have a desk and phone at child welfare. They attend case staffings, go out with workers, meet with women both with the worker and individually, provide peer support and advocacy, attend family decision-meetings, consult with workers on cases, and provide training for the office.

## BENEFITS

PSU's Child Welfare Partnership conducts site visits, surveying both child welfare and domestic violence staff, talking to clients and facilitating work group discussions. They have identified the following benefits and challenges.

### **For Child Welfare Staff:**

#### Informal, personal, hands-on training supported by direct services

The advocate provides guidance in real time on real cases. Case specific consultations provide an excellent opportunity for advocates to share tangible information with workers when they need it the most – when they are actually working the case. Advocates can provide information about the dynamics of domestic violence, its impact on children, and tips on how to assess lethality.

Advocates can also make specific recommendations about how to proceed safely that are grounded in realistic expectations about what women are likely to do.

Workers are able to get feedback on cases by debriefing with advocates immediately after the fact, talking about what they might have done differently and what worked well. This type of informal discussion offers caseworkers an opportunity to share some of the frustrations of working on a challenging case with someone who is very familiar with the patience these situations require.

### Access to Resources

The advocate is not just another body helping to relieve strained DHS caseloads. She is a knowledgeable resource who can “cut through the red tape” and get immediate answers. Advocates’ connections within the community increase access services.

### Increased Knowledge

DHS staff report a greater level of knowledge about batterers’ use of power and control tactics and barriers to women leaving abusive relationships as a result of the project. In addition, they are far less likely to see mothers as completely responsible for child welfare and expressed more compassion regarding the difficulties that battered women experience protecting their children.

### **For Domestic Violence Advocates**

#### Better Understanding and Trust

Both the advocates and other staff at their agencies report a greater level of knowledge about and comfort with DHS policies and procedures. They are more aware of and prepared to deal with child maltreatment issues.

Advocates are more likely to refer clients to DHS than before the program started. The vast majority of these referrals resulted in voluntary rather than involuntary cases being opened.

Domestic violence staff report feeling more respected and trusted by DHS workers.

### **For Women and Children:**

#### Outreach

Clients who might otherwise have slipped through the cracks or been reluctant to initiate contact with either the local domestic violence agency or DHS are receiving services because the advocate reached out to them.

#### Better Access to Services

Women and children are safer and more likely to be able to remain together. There is better access to services and a more user-friendly system. Women and children feel more supported and children are more likely to get services directly related to their experiences with domestic violence.

Domestic violence agency staff report that women and children have more access to and are more likely to use services, are less anxious about DHS and understand the DHS process better.

**For Agency Collaboration:**

DHS and domestic violence agencies can work together. Staff from the two agencies may not always agree, but can respect each other's point of view and work together.

There have been shifts in the relationship between the two agencies including more trust and understanding of each others' role, increased communication and increased referrals.

**CHALLENGES**

Utilization

A frequent complaint when a project first starts or when there is transition in the advocate's position is underutilization by DHS caseworkers. The solution appears to be time or contact, consistent outreach by the advocate towards caseworkers and DHS management support strongly urging caseworkers to collaborate with the advocate.

Confidentiality

Confidentiality and information sharing present challenges. Domestic violence programs are not mandatory reporters of child abuse, and both domestic violence programs and DHS have strong confidentiality requirements. A more complete discussion of confidentiality is included later in this manual.

Splitting the Position

The fact that the advocate is supervised by one agency but working in two can create some tension. Communication between management at DHS and the domestic violence agency along with early discussions with the advocate regarding expectations appear to lesson the strain.

A related issue arises from the advocate splitting her time between two agencies and working with clients away from an office. This can lead to confusion around how much time the advocate is spending on which type of cases. Clearly defined times for the advocate to be available in each office and ways of contacting the

advocate can diffuse this.

### Collaboration vs. Colluding

Negotiating the balance between partnering with DHS and advocating for women who are victims of domestic violence remains challenging. Clearly the benefits to working together are numerous, however there are dangers associated with too much partnership (i.e. enmeshment between the two agencies and disregard for their distinct roles and philosophical differences) that need to be attended to as well. The advocate's connection to the domestic violence program is critical to maintaining that balance.

The PSU Child Welfare Partnership evaluators addressed this in their January, 2001 newsletter insert called "Collaboration: Creating a Balance Between Partnership and Advocacy." They outlined both the disadvantages of disengagement or not collaborating as well as the disadvantages of enmeshment.

The disadvantages to enmeshment or blurring the boundaries "too much" include:

- the advocate may lose her outsider and domestic violence perspective. A multiplicity of perspectives may increase the system's effectiveness for women. The dialogue between these different perspectives increases the knowledge and understanding base.
- If a client perceives the advocate as being just the same as her child welfare worker, she may not be willing to be open and honest with the advocate.
- Women may see the advocate's relationship as being part of the implied coercion of a state system.
- The advocate's ability to advocate for women, to align herself with the women and disagree with child welfare may be hampered by personal relationships with staff or institutional power dynamics.

## HOW TO START

### Working Agreement

Top level administrators' support is vital. Administrators from both child welfare and the domestic violence program must be clearly invested in the project and communicate that support to staff.

Representatives from both the domestic violence program and child welfare need to sit down and work out an initial agreement, outlining who will do what, what

information will be shared, how the advocate's time will be structured, and what each will bring to the project. An agreement for management to meet on a periodic basis to review how the project is going is important.

### Logistics

The advocate will need a desk and phone at each office. At the child welfare office, experience has shown it works best for the advocate to be physically located with or near the child protective services unit. Proximity and informal contact are some of the best ways to ensure the success of the project. A display area and/or place for brochures is also helpful.

The advocate needs a computer at child welfare and access to Groupwise (the internal email system). Easily accessed email will keep the advocate in the office loop and make contact with workers go more smoothly.

The advocate, as well as child welfare workers, need private interview space at the DHS office.

### Defining Roles

The advocate's role needs to be clearly defined and articulated to staff. The advocate is not just another person to help out with the case. The advocate is a skilled professional who brings knowledge and expertise, access to resources and direct services to the situation.

Her role is to advocate for the women and enhance their ability to achieve safety for themselves and their children. The advocate can interpret the situation and DHS to the woman, providing explanations and support. In turn, the advocate can interpret the woman's actions to DHS. The advocate can help workers identify what strategies the woman is using to stay safe and what strengths she brings, as well as the barriers she faces.

Advocates attend **staff meetings** including referral screening. They can share public information (arrest information, court appearances, TROs). If they already know the woman and have a release of information from her, they can disclose information about her specific situation. They can share information about domestic violence dynamics that may impact screening and assessment decisions.

Advocates can **go out** with workers on initial and/or later contacts when domestic violence is suspected or known. They can also contact women to offer services in situations where the protective service referral is screened out.

Advocates offer **direct services** to women including peer support, support groups, court advocacy, information and referrals, and access to emergency services.

Advocates can attend **Family Decision Meetings, Team Decision Meetings** and similar forums, providing education about domestic violence and support to the victims.

**Case consultations** are another key service including informal discussions with workers, debriefing situations and formal case staffings.

Finally, the advocate can offer formal **training** from brown bag lunch hour showing of videos to formal all-staff training.

### Splitting Time

Child Welfare and the domestic violence program must agree on the advocate splitting her time between the two agencies. An initial schedule can be developed, but flexibility is crucial.

Having the advocate spend part of her time at the domestic violence program has multiple benefits:

- The advocate remains grounded in the domestic violence field. One child welfare worker described it as necessary to “breathe her own air.” She stays current with domestic violence resources and information.
- The advocate provides information to other domestic violence staff on child welfare and DHS, providing a bridge between the two systems. This helps other staff working with women who have child welfare cases.
- The domestic violence program has her staff time to assist with the potential increased caseload with referrals from this project.

### Liaison and Supervision

Child welfare needs to appoint a child welfare staff as liaison for the advocate. This can be a supervisor, CET or other worker, but the person really becomes the “advocate’s advocate.” The liaison is someone who can debrief and problem-solve with the advocate, explain the DHS system, promote her services with other

workers and remind caseworkers that the advocates' role is to advocate for women, even if that sometimes means taking a stand that is at odds with DHS.

The advocate also needs supervision and case consultation from the domestic violence program.

### Selecting the Advocate

When selecting or hiring the advocate, good domestic violence experience is important. Also important is the personality and approach of the advocate. While each advocate has been different, there are common traits:

- Open mindedness, with a focus on bridge-building. Advocates who were able to approach DHS staff gently and engage a mutual learning process were credited with success.
- Initiative. It seems important for advocates to not wait to be invited to help, but instead to consistently offer their services to caseworkers. Examples of initiative included listening with "Big Ears" (jumping into conversations about domestic violence and offering to help), going cubicle to cubicle at DHS and talking with caseworkers about various clients, putting together a flyer describing the various services the advocate can offer to caseworkers, or holding monthly informal trainings on various domestic violence topics.
- Extremely helpful. Willing to go the extra mile for clients and fellow caseworkers. This type of extra effort helped caseworkers see first hand the benefits of working collaboratively with the advocate.
- Assertive and confident with extensive knowledge of community resources. Though it is important to interact with respect, advocates who were confident in their knowledge and assertive about their advocacy were admired.
- Accessible. Ongoing and frequent communication is key when the advocate is only part time at both agencies. It is important for staff at both agencies to feel as though they know how to reach the advocate at all times.
- Sense of Humor. This is hard work. Being able to laugh keeps people going.

### Training

Both initial orientation to the project and on-going training are essential to a project's success.

Both the domestic violence program and the child welfare branch should have a basic overview of the project, the assumptions about why the project is being done and the support for the project, child welfare's role, the advocate's roles and the branch processes for involving the advocate. Doing this jointly can increase communication between the agencies.

Advocates need a thorough basis in the dynamics of domestic violence, cultural competency, and local resources. In addition, advocates will benefit from a thorough orientation from child welfare on:

- DHS's mission,
- the office and SDA organizational structure,
- key child welfare policies,
- the protective services screening, assessment, safety planning and case decisions,
- overview of the different family meetings,
- child abuse reporting requirements,
- client's rights,
- DHS services and eligibility,
- common acronyms,
- the role of the juvenile court and court procedures, and
- community resources.

Child welfare staff will benefit from training or orientation on:

- domestic violence dynamics,
- restraining orders and civil court proceedings,
- domestic violence services and eligibility,
- how to re-frame victim-blaming thinking and language,
- common tactics batterers use and how not to collude with them, and
- common acronyms.

Advanced training on domestic violence and child protection is always helpful for both agencies. Staff can share information about up-coming conferences and training opportunities.

## CONFIDENTIALITY AND INFORMATION SHARING

ORS 419B.035 governs the disclosure of reports and records compiled under the child abuse reporting law. Reports and records compiled under the child abuse

reporting law include the child abuse report, the CPS assessment and records compiled during the assessment.

Domestic violence service providers are required by ORS 108.620 and federal funding regulations to keep information confidential.

ORS 419B.035 authorizes DHS child welfare to disclose reports and records compiled under the child abuse reporting law without a signed authorization **if**:

- A) Disclosure is in the best interests of the child who is the subject of the report AND disclosure is necessary for DHS to administer its child welfare services; or
- B) Disclosure is necessary to investigate, prevent or treat child abuse and neglect or to protect children from abuse and neglect.

Pursuant to ORS 419B.035 DHS child welfare may disclose to domestic violence advocates or any other person, a **current child abuse referral and information gathered during the assessment of that report** without a signed authorization if disclosure meets either of the two criteria described above.

Similarly, DHS child welfare may disclose prior child abuse referrals and information gathered during the assessment of those prior referrals without a signed authorization if disclosure meets either of the two criteria described above.

DHS child welfare may make the disclosures described above at anytime, including during a screening staffing, as part of the CPS assessment process or in preparation for or during a Team Decision Meeting.

DHS Child Welfare may disclose only the minimum necessary information to accomplish the intended purpose of the disclosure. What may be the minimum necessary disclosure necessary to accomplish the intended purpose will depend on the facts of each case, the intended purpose for the disclosure and the CPS worker's professional opinion.

Based on the facts of the case and CPS worker's professional opinion, the worker may invite the advocate to accompany the worker for the initial assessment for the purposes of investigation, prevention, or treatment of child abuse.

DHS Child Welfare is not permitted to disclose records and reports compiled under the child abuse reporting law if the sole purpose of the disclosure is to provide services to or protect an adult domestic violence victim. Any disclosure of the described records must be linked to protecting the best interests of the affected child AND necessary for DHS to administer its child welfare services OR for the purpose of investigating, preventing or treating child abuse or protecting children from child abuse.

As soon as possible and in any event no later than when the CPS assessment process is over and a disposition is determined, the **DHS child welfare worker must obtain signed authorizations to release additional information.** The authorization must specify the person who may make the disclosure, the person to whom the disclosure may be made, a description of the purpose for the disclosure, a description of the information that may be disclosed and an expiration date or event. The DHS Authorization Forms 2098 and 2099 should be used by DHS child welfare.

Other statutes govern the use and disclosure of child welfare records other than those compiled during a child abuse investigation or assessment. For example, ORS 409.225 governs the use and disclosure of DHS child welfare records that are not otherwise governed by any other statutes. Because drug and alcohol records are governed by other state and federal statutes, ORS 409.225 would not apply to those records. Similarly, ORS 419A.255 governs records filed with the juvenile court, such as petitions, motions, orders and other legal pleadings. Because records filed with the juvenile court are governed by another statute, ORS 409.225 would not apply to those records.

The advocate may only release information when the woman has already signed a release of information from the domestic violence program which allows the advocate to talk to child welfare worker or when the information is public record.

## ON-GOING REVIEW

Periodic review of the project is beneficial and should be built into the working agreement, even if it seems like things are working well. Management and line staff in both agencies can provide valuable feedback on what is working well and what could be improved. Scheduled reviews can head off potentially disruptive

problems by identifying them early and coming up with solutions.

## WHAT HAPPENS IF THE ADVOCATE CHANGES

Much of the success of the projects have been built on the personalities and relationships of the advocates. However, change is possible. When a new advocate comes in, she will need the same orientation as when the project first starts. There may be a drop-off of referrals while staff are getting to know her, especially if there was time between the two. However, the experience in the pilots demonstrated that advocates can change with new advocates coming in, and the project will still succeed.

## WHAT NEXT

We've learned out-stationed advocacy provides a valuable resource to women and children, as well as staff at both agencies. Staff report these pilots changed their knowledge and practice for the better. Women felt more supported accessing services and working with child welfare.

At the state level, we've revised our Child Welfare Practice in Cases with Domestic Violence guide and included more information and language about domestic violence in the new Guided Assessment Process.

We've focused efforts on working with the adult victims, but need to find better ways of holding batterers accountable. Parole and probation, batterer intervention programs, supervised visitation centers and other resources are key players in working with children and families.

