

Section 13 – Safety and Risk Overview

Overview

“Safety planning in the child welfare system is a shared responsibility, but ultimately the court must make critical safety decisions such as whether to remove a child and when to return a child home.”

- Therese Roe Lund, MSSW & Jennifer Renne, JD

Judges overseeing dependency proceedings have the core responsibility of child safety. This includes ensuring the elements of due process, evaluating the evidence presented, asking questions when needed, and making an independent determination of a child’s physical and emotional safety.

The focus on safety begins at the Shelter Care Hearing or earlier (i.e., emergency custody order) and is re-visited at every subsequent judicial review. It is the cornerstone issue for dependency proceedings. The Dependency Benchbook introduces the concept of “safety” at the very first contact. Judges make findings regarding safety threats and order services to mitigate or eliminate those threats.

Included in this section are two primary resources and a laminated Pennsylvania Safety Threat card, which provides a listing of general safety threats, the elements of those threats, and each criterion. Used in conjunction with the Dependency Benchbook, the information in this section can support the core function of dependency courts...safety.

- I. Written as a guide for judges and attorneys and authored by representatives from the National Resource Center for Child Protective Services and the National Resource Center on Legal and Judicial Issues, this article thoroughly covers the topic of child safety. It provides valuable checklists to assist judges in making removal and reunification decisions, bench cards, and a “Frequently Asked Questions” section. (See, *Lund, T.R., & Renne, J., 2009*)
- II. This manual is used to assist child welfare workers develop safety plans, evaluate progress, and recommend termination of court jurisdiction using safety criteria. (See, *Pennsylvania Department of Public Welfare & University of Pittsburgh, 2012*)

