

DSS ADMINISTRATIVE LETTER

Family Support and Child Welfare Services FSCWS-02-05

TO: COUNTY DIRECTORS OF SOCIAL SERVICES

**SUBJECT: DOCUMENTATION OF MALICIOUS CPS
REPORTS**

ATTENTION: CPS SUPERVISORS

CPS SOCIAL WORKERS

DATE: March 7, 2005

In response to a recommendation from the House Interim Committee on Child Abuse and Neglect, Foster Care and Adoptions, the Division in collaboration with the North Carolina Association of County Directors of Social Services has developed procedures for documenting and tracking malicious reports throughout the year. Therefore, we have developed a form entitled, "Documentation of Malicious Reports." Please begin using these forms with the receipt of this letter.

A malicious report is one in which the reporter ***knowingly and willfully makes untrue statements that the juvenile is abused, neglected or dependent.*** At the completion of the investigative assessment, if your social worker states to his/her supervisor that the report was a malicious report, the supervisor brings this to the attention of the Director. The form is to be completed at the time that the Director and supervisor meet to discuss this. The form should contain no identifying information about the reporter or the family beyond the information that led the agency to suspect that the report was made maliciously.

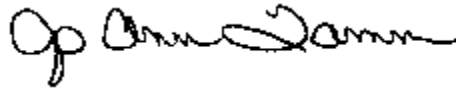
The form includes a place to document the decision making process leading to the conclusion. The decision making process should include discussion between the Director or the Director's designee, and the assigned supervisor. The social worker assigned to the report does not participate. **Please ensure that only non-identifying information is documented.** The forms should be easily accessible by the appropriate staff, but should **never be placed in the child's or family's case record.**

Some reports that at first may seem to be deliberately false can later turn out to be valid. Therefore, we have also provided a place on the form to document how the decision was made that the report was valid. **Again, no identifying information should be documented.**

Because we are interested in knowing the extent of malicious reporting in North Carolina, we are asking agencies to provide the number of malicious reports received during the year on the "County Staffing Survey" that is sent to county DSS's each year.

If you have questions, please contact the WF/CPS Policy Team at (919) 733-4622.

Sincerely,

A handwritten signature in black ink, appearing to read "Jo Ann Lamm". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Jo Ann Lamm, Section Chief

Family Support and Child Welfare Services

[Attachment](#)

JAL/ehh