



Outline for Domestic Violence Service Provider Letters of Support in Child Welfare Cases

This outline is intended to guide Letters of Support that domestic violence service providers may write on behalf of clients in child welfare interventions. These letters will likely be submitted to a DCFS investigator during a DCFS investigation or to the juvenile court during an abuse/neglect case. The impetus for these letters may be demand for information, such as a subpoena, that the domestic violence service provider is required under the law to respond to, a subpoena that the client directs the domestic violence service provider to respond to even though the IDVA protections may trump the subpoena, in conjunction with a subpoena for testimony and/or records, or as an alternative to providing records if accepted by the subpoena-issuer or court. Clients can also affirmatively request that the domestic violence service provider submit a letter on the client's behalf. A Letter of Support requires the client's informed consent and a Release of Information.

A Letter of Support can include:

1. Introduction
 - a. Purpose and context for the Letter of Support
 - b. Submitting the letter either according to a subpoena and/or client informed consent
2. Qualifications
 - a. Explanation of agency and summary of relevant services
 - b. Role at agency
 - c. Professional qualifications
3. Context for knowing the client
 - a. Start and end dates of service engagement
 - b. Reason for engaging in services (e.g. self-referred, referred by...)
 - c. "Eligible for services as a survivor of domestic violence"
4. Domestic Violence 101
 - a. In some contexts, it could be helpful to provide an explanation of domestic violence
5. History of Domestic Violence
 - a. Strategically decide with the client about the extent and specifics of the history of domestic violence to include, if at all

- b. Could provide clarifying information about the incident that brought that case into the system
 - c. Identify the client as an “adult survivor of domestic violence and a non-offending parent”
6. Summary of client’s participation in services
 - a. What services did client participate in
 - b. Specify services that were “required” or “voluntary”
 - c. Describe attendance in services
 - d. Explanation of any gaps in attendance
 - e. Address any barriers to attendance
 - f. Professional opinion: “complied with required services” or other conclusion
7. Summary of client’s progress in services
 - a. State/describe whether the client:
 - i. Understands the dynamics of domestic violence
 - ii. Understands the impact of violence on children
 - iii. Understands how and has demonstrated ability to be a resource for her children’s healing
 - iv. Has embarked upon a healing journey for client’s own trauma
 - v. Developed a domestic violence safety plan
 - vi. Has the tools to seek healthy relationships (although DCFS would ultimately want to know whether the client will ever return to the abusive partner or “choose” another abusive partner)
 - vii. “Addressed the reasons why the case came into the system”
 - b. And explain why
8. Interactions between client and children
 - a. Describe opportunity, context and frequency of observing client and children together
 - b. Professional opinions can include:
 - i. “Interactions are safe and appropriate”
 - ii. “Child is attached to client and appropriately seeks client to meet needs”
 - iii. “Client meets the child’s needs”
 - iv. “No concerns about client’s ability to safely parent”
 - v. “Client uses age-appropriate discipline techniques and does not use corporal punishment”
 - vi. “Have not observed any signs of abuse or neglect”
9. Describe client’s stability
 - a. Informal and formal supports
 - b. Housing
 - c. Employment
 - d. Transportation
 - e. Child care
 - f. Concrete supports and resources provided (or still needed)
10. Describe the ongoing support the agency can provide
 - a. Highlight the client’s willingness to continue engaging
11. Depending upon the stage of the child welfare intervention to which this letter is being submitted, the following professional opinions could be helpful (although you may not be

comfortable offering such professional opinions). Speaking with the client’s lawyer will be very important to determine the specific content of professional opinions needed.

- a. DCFS Investigation
 - i. Identify the “precautionary measures” the client took to reduce or mitigate the risk of harm the domestic violence posed to her children (*See* worksheets in the Tool Kit, <https://www.ascendjustice.org/wp-content/uploads/2019/07/Ascend-Justice-Domestic-Violence-and-DCFS-Toolkit.pdf>)
 1. Including: basic care provided, strengths, specific protective actions, supports
 - ii. Explain why the “precautionary measures” are reasonable
 - b. Temporary Custody
 - i. Explain whether “probably cause exists” that the child is abused or neglected (e.g. whether the exposure to domestic violence constitute neglect)
 - ii. Explain whether “urgent and immediate necessity exists” to remove the child from the parent
 1. Explain whether the parent can safely parent
 2. Explain whether the parent has taken/is taking safety steps (e.g. separating, going to a shelter, getting an Order of Protection, changing locks, etc)
 3. Explain whether the domestic violence agency can provide support and oversight to the client and her children (e.g. whether the client and children can stay in the domestic violence)
 - c. Adjudication
 - i. Explain whether the child was abused or neglected (i.e. whether the level of harm resulting from exposure to domestic violence constituted abuse or neglect)
 - d. Disposition
 - i. Explain whether the parent is fit, willing and able to parent, and why
 - e. Return Home (your profession opinion is very important evidence for a Motion to Return to Home)
 - i. Best interest of the child to return (e.g. connection to client, ability to provide permanency)
 - ii. Parent is fit, willing and able to parent (*See* Section 6, 7, and 8 above- focus on both participation and progress in services, as well as the ongoing support the agency can provide as part of reunification services)
 - f. Termination of Parental Rights
 - i. Explain any gaps in services
 - ii. Parent is fit, willing and able to parent
 - iii. Termination is not in the child’s best interest
12. When providing professional opinion, focus on:
- a. Education about domestic violence
 - b. Connect all opinions to the safety, stability, wellbeing and healing of the children
 - c. Elucidate if the person causing harm is using the child welfare system as a tool of abuse
 - d. Determine whether the DCFS interventions is putting the family in more danger