

Reasonable Efforts Scenario Round 1

DHS received a referral alleging that mom and her four children, ages 3, 5, 9, and 11, were homeless and the mother had no means by which to provide shelter for the children. DHS sent an investigator out to meet with the mother, who confirmed the allegations were true. Mom related the following story: The family was living in an apartment with the father of the youngest child. She found out that he had been inappropriately touching her 9 year old. When she confronted him, he flew into a rage and physically attacked her. She knew she couldn't stay with him any longer so when he left for work that evening, she packed up the kids and left. She went to the women's shelter but because she has 2 boys, she couldn't stay there with the kids. She went to another shelter that was full but was able to convince them to let her stay that night. The next night, she and the kids had to sleep in the car because she doesn't have any family she can rely on and she doesn't have a job or any money for a hotel.

The investigator returned to the office and staffed the case with the supervisor and they came up with the following plan: DHS would arrange for the family to stay in a temporary housing shelter, provide food vouchers, assist the mother in applying for a Section 8 housing voucher and refer her to an employment agency. DHS did all of those things.

About a month later, the shelter told mom that she and the kids could only stay for another week. When mom called the Housing Authority to check on the status of her voucher application she was told that she needed to provide additional documentation and that they had no way to reach her previously to let her know. With this delay, it could take weeks for the application to be approved and then another few months to make it to the top of the waiting list.

After the end of the week, the shelter told mom that she and the children had to leave. DHS filed for protective custody based on mom not having the means by which to provide shelter for the children. At the shelter hearing mom's attorney argued that the agency did not provide reasonable efforts to prevent removal, in part because they did not provide cash assistance for housing. DHS provided evidence of the services and assistance it provided prior to the removal and argued that those services did constitute reasonable efforts.