

Virginia

Memorandum of Understanding

MEMORANDUM OF UNDERSTANDING

between the

Department of Social Services

Department of Mental Health, Mental Retardation, and Substance Abuse Services

Office of the Executive Secretary, Supreme Court of Virginia

OF THE COMMONWEALTH OF VIRGINIA

This Memorandum of Understanding ("Memorandum") is made and entered into on _____
(the "Effective Date") by and between the parties.

I. BACKGROUND

The purpose of this Memorandum is to:

- a) Establish a formal commitment between the parties to work together on developing and improving the state and local infrastructure to support the collaborative work of local agencies and the courts on behalf of children and families that are: 1) involved in the child welfare system, 2) in need of services related to a substance use disorder, and 3) subject to the jurisdiction of the juvenile court system ("target population");

- and -

- b) Position the parties, via the establishment of a formal agreement, to provide leadership for localities with respect to community-level system integration, by engaging in multi-system coordination that can serve as a model for local systems to adopt and adapt to their own communities.

II. RECITALS

In establishing this Memorandum to enhance interagency collaboration and coordination on behalf of the target population, the undersigned recognize that:

- The neglect and abuse of children is frequently associated with a parental/caregiver substance use disorder;
- No single agency contains the resources and expertise needed to comprehensively respond to the needs of the caregiver or the child or the family as a whole;
- A significant number of individuals and families in Virginia are being mutually served by entities represented herein;

- Professionals and caregivers at both the state and community level need to develop a common base of knowledge and values about child welfare and substance use concerns in order to assist those within the target population achieve positive outcomes.

III. OPERATING PRINCIPLES AND ASSUMPTIONS

- Substance abuse and addiction undermine family stability and negatively affect child safety, well being, and emotional development.
- Substance use disorders must be addressed in the context of other issues, which may be affecting the child, adolescent and /or caregiver including parenting, domestic violence, health, mental health, criminal justice involvement, nutrition, housing, family services, education, and employment.
- Early and effective intervention for substance use disorders and related problems among families involved with Child Protective Services (CPS) contributes to better outcomes related to safety, child and family well-being and permanency.
- When substance-involved families have access to a full continuum of prevention, intervention, and continuing care services that are neighborhood-based, delivered in a timely manner and responsive to the needs of all family members, most families can reduce risk in their lives and achieve self-sufficiency.
- Policies, programs and practices for children, adolescents and parents affected by substance abuse/addiction should be responsive to their strengths and needs, culture, ethnic and gender identities, and address inter-generational abuse and neglect.
- People who serve CPS-involved families should have the knowledge, skills, tools, and resources to help achieve positive outcomes.
- The parties mutually agree that working together cooperatively and collaboratively develops the best possible foundation for successful outcomes to be commonly achieved.
- Planning will strive to balance mandates, interests and resources of participating agencies, while using a consensus model for decision making.

IV. AUTHORITIES

This Memorandum is entered into by the following agencies consistent with the mission and any other authorities promoting cooperation for each agency.

Department of Social Services

The mission of the Virginia Department of Social Services (DSS) is to serve Virginia's citizens in need by providing services that nurture human dignity; creating and maintaining a stable environment for the children and families in Virginia; promoting responsible parenting; establishing the infrastructure that allows for the delivery of services at the local level; and fostering independence.

Department of Mental Health, Mental Retardation, and Substance Abuse Services

The Department of Mental Health, Mental Retardation, and Substance Abuse Services' (DMHMRSAS) mission is to provide leadership and service to improve Virginia's system of quality treatment, habilitation and prevention services for individuals and their families whose lives are affected by mental illness, mental retardation and substance use disorders. DMHMRSAS seeks to promote dignity, choice, recovery and the highest possible level of participation in work, relationships, and all aspects of community life for these individuals.

Office of the Executive Secretary, Supreme Court of Virginia

The aim of the Virginia judicial system is to assure that disputes are resolved justly, promptly, and economically through a court system unified in its structures and administration. A competent staff of judges and court personnel, uniform rules and practices, and adequate funding are necessary to accomplish this function and to provide the citizens of the Commonwealth of Virginia with the best possible judicial system. As the administrative office for the courts, the mission of the Office of the Executive Secretary is to serve the public through support of the judicial system of Virginia in providing an independent, accessible responsive forum for the just resolution of disputes. The goals of OES include modernizing and making more uniform legal practices and procedures and serving as an agent of change for the continual improvement of the judicial system.

V. THE PARTIES AGREE TO THE FOLLOWING:

1. To address multi-system policies, procedures and practices concerning substance use in child welfare in compliance with the federal Adoption and Safe Families Act (ASFA);
2. To develop joint/collaborative in-service training for the parties' respective staff and stakeholders to address information sharing, the coordination of programs and services, and to enhance working relationships.
3. To facilitate best and evidence-based practice across disciplines.
4. To coordinate and collaborate on service delivery issues and needs for mutual client populations.
5. To facilitate ongoing communication and collaborative problem resolution for concerns and issues raised by the parties
6. To identify mutual data needs in order to improve timely access to information across systems;
7. To delineate how the agencies and the courts will work together on issues such as training, communication and information sharing;
8. To promote and facilitate whenever possible inter-departmental and interagency cooperation and collaboration in the establishment and enhancement of a community-based, state-supported comprehensive interagency system of care for children and families in the child welfare system that are impacted by substance use disorders; and
9. To meet regularly to review the effectiveness of this agreement, to share information, update policies/procedures, and enhance working relationships between the agencies involved.

VI. IT IS MUTALLY AGREED AND UNDERSTOOD BY AND BETWEEN THE COOPERATORS THAT:

1. This Memorandum in no way restricts participants from involvement in similar activities with other public and private agencies, organizations, and individuals.

2. Nothing in the Memorandum shall be construed as obligating agencies to expend funds or to provide resources or be involved in any obligation for future payment of money or provision of resources.
3. Amendment within the scope of this Memorandum shall be made by formal consent of all parties, by the issuance of a written amendment, signed and dated by the parties, prior to any changes becoming effective.
4. Any party(s), in writing, may terminate its instrument in whole, or in part, at any time.
5. This instrument is neither a fiscal nor a funds-obligation document. Any endeavor involving reimbursement or contribution of funds between the parties to this instrument will be handled in accordance with applicable laws, regulations, and procedures including those for federal procurement, assistance, and printing. Such endeavors will be outlined in separate agreements that shall be made in writing by representatives of the parties and shall be independently authorized by appropriate statutory authority.

VII. EFFECTIVE DATE

IN WITNESS WHEREOF, the parties hereto have entered into this Memorandum of Understanding as evidenced by their signatures below. The Memorandum of Understanding is effective upon the date of the final signature.

VIRGINIA DEPARTMENT OF SOCIAL SERVICES

Maurice A. Jones, Commissioner

Date

VIRGINIA DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

James S. Reinhard, M.D, Commissioner

Date

OFFICE OF THE EXECUTIVE SECRETARY, SUPREME COURT OF VIRGINIA

Robert N. Baldwin, Executive Secretary

Date