



New Hampshire Division for Children, Youth and Families Policy Manual
2765 DIVISION CASE RECORDS AND FILES

Chapter: General Administrative Operations

Section: Information

Approved:

Joseph E. Ribsam, Jr., DCYF Director

Policy Directive: **22-18**

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References Of Note

Federal Authority:

Statutes: [RSA 91-A](#), [RSA 169-C:35-a](#) and [RSA 170-G:8-a](#)

Administrative Rules:

Case Law:

This policy establishes the requirements for developing and storing CPS and JJS case records and files and for fulfilling requests for records.

Required Practices

Any deviations to the following information must be documented with Supervisory Approval.

- I. All case records and files of the Division are confidential.
- II. Access to case records is governed by RSA 170-G:8-a and does not include third-party records, DCYF-generated records submitted to the Court, or Central Registry records.
 - A. Case records consist of all information and official records created by DCYF, regardless of the media upon which they are retained. Including, but not limited to:
 1. Intake and Assessment reports;
 2. Contact logs and other documentation maintained in the DCYF electronic information system;
 3. Information in the CANS database;
 4. Information in paper files;
 5. Photographs of children taken by DCYF; and
 6. Video/audio recordings of interviews with children (specific to CPS) created by DCYF.
- III. Case files include all case records, as well as all other information obtained from third-parties, including, but not limited to:
 - A. Court reports;
 - B. Police reports;

- C. Medical records;
 - D. Educational records; and
 - E. Photographs or recordings created by a third-party.
- IV. Case records and case files must accurately document case events and significant decisions regarding the child and family's progress and challenges, and all other case management activities.
- A. Documentation must be complete, accurate, and entered or filed in a timely manner.
 - B. Paper files, including any hard copies of photographs or video/audio recordings are:
 - 1. Maintained in the correct State-issued folder or file;
 - 2. Clearly labeled for easy identification and to avoid errors in filing; and
 - 3. Stored in a manner that prevents their being lost or stolen, maintains their integrity, and prevents damage.
 - C. Paper case files will be organized in an orderly manner and logical sequence to enhance efficiency.
 - 1. CPS case files and their contents will be set up according to Case File Table of Contents Checklist - Family Services (Form 2766).
 - 2. JJS case files and their contents will be set up according to Case File Table of Contents Checklist - Juvenile Justice Services (Form 2767).
- V. Supervisors must regularly review records and files to provide support and guidance to staff in completion of timely and accurate case documentation, and to ensure records and files are maintained in accordance with policy and established practice.
- A. Supervisors (or designees) from the Fiscal Services Unit (FSU) will regularly review fiscal-related documentation in the DCYF electronic information system to provide support and guidance to Fiscal Specialists as noted directly above.
- VI. Closed case files will be retained in the District Office (DO) and in archives, as directed by the NH Secretary of State, Division of Archives and Records Management.
- A. Any closed Fiscal files will be forwarded to the assigned DO and stored with the case records.
 - B. Closed adoption records are managed pursuant to policy 1827 Adoption Records.
 - C. Central Registry records are managed pursuant to RSA 169-C:35.
 - D. All CPS Assessment and case records are held in accordance with RSA 169-C:35-a.

- E. All records subject to a litigation hold will be clearly marked "litigation hold" along with the name and number of the case the hold is associated with.
- VII. All requests for records must be sent immediately to the appropriate designated party.
- A. Requests determined to fall under New Hampshire Right to Know (RSA 91-A) must be immediately forwarded on to the DHHS Office of Legal and Regulatory Services.
 - B. All other records requests are returned to the DO support staff to be time-stamped, tracked, and provided to the respective CPS DO Supervisor (or other designated Supervisor) or JJS Supervisor.
- VIII. The respective CPS DO Supervisor (or other designated Supervisor) or JJS Supervisor must give final approval on all records requests before the records are released.
- A. Requested records will be reviewed by the DO Supervisor (or other designated Supervisor) before being released to ensure compliance.
 - B. CPS records must also be reviewed by a DCYF Attorney before they are released.
- IX. DCYF staff shall not release records that are also part of the Court record or which were obtained from a third party.
- A. All other records are available to agencies and individuals authorized under RSA 170-G:8-a(II)(a).
 - B. Records may be disclosed to specific persons or entities as indicated in RSA 170-G:8-a(II)(b) for the purpose of providing the child or family with necessary evaluations, services, treatment, or supervision when the disclosure or access is not harmful to the child.
 - C. Additional access to case records and all other records of the Department is granted pursuant to the terms of a final order issued by a court of competent jurisdiction.
- X. Nothing in this policy should be construed to prevent or require access to any records in violation of the order of a court of competent jurisdiction.

Standard Operating Procedures		
SOP	Title	Applicable Disciplines
2765.1	Record Requests-CPS	CPS
2765.2	Record Requests-JJS	JJS
2765.3	Storage and Archiving	CPS and JJS
2765.4	Record Releases-CPS	CPS
2765.5	Record Releases-JJS	JJS

Applicable Forms	
Form	Title
2764	Request for Case Records Cover Letter
2765	DCYF Case Records Request
2766	Case File Table of Contents Checklist - Family Services
2767	Case File Table of Contents Checklist - Juvenile Justice Services

Glossary and Document Specific Definitions

A - B C - D E - F G - I J - L M - N O - Q R - S T - V W - Z

Document Change Log			
PD	Modification Made	Approved	Date