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Chapter:	Juvenile Justice	
Subject:	Woodside Juvenile Rehabilitation Center Admissions	Page 1 of 10
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Purpose

To describe the criteria and mechanisms by which youth can be admitted and receive treatment at Woodside Juvenile Rehabilitation Center. Woodside serves youth in the custody of DCF as a delinquent or with a pending delinquency. Woodside is a secure program and therefore, youth who are admitted are also provided with due process related to their admission.

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Related Policies

- [Family Services Policy 97: Case Review Committee Referrals](#)
- [Family Services Policy 160: Supporting Adolescents in DCF Custody](#)
- [Family Services Policy 162: Juvenile Probation](#)
- [Family Services Policy 163: Victim Notification](#)
- [Family Services Policy 164: Youthful Offenders](#)

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Definitions

Clinical team: multi-disciplinary team that reviews cases twice weekly. Membership may include Woodside consulting Psychiatrist, Psychologist, Rostered Mental Health Clinician, Licensed Medical staff, Licensed education staff, Woodside Administration and Operations staff.

Case Review Committee (CRC): A subcommittee of the statutorily required State Interagency Team consisting of members from the Agency of Education, the Department of Mental Health, the Department for Children and Families, the Department of Disability, Aging and Independent Living, and the Vermont Federation of Families for Children’s Mental Health. The CRC was established to identify, review and approve intensive residential treatment for children/youth that are in need of an out- of home placement.

Long-term status: the status of resident of Woodside who is placed for the purpose of providing longer term treatment in a secure setting through the court approval of a disposition case plan (initial or amended) or through the voluntary waiver process.

Secure treatment: a locked residential treatment program.

Short-term status: the status of the youth placed at Woodside for less than 60 days.

Specialized Services Unit: Family Services central office unit made up of a Residential Services Manager and Client Placement Specialists who work to identify and approve all residential and emergency placement high-end services for youth in DCF custody.

Policy

The Woodside Juvenile Rehabilitation Center serves youth who are exhibiting self or other harming behavior(s) requiring secure treatment intervention and who are in DCF custody with a pending or adjudicated delinquency. Without this intervention, there is reason to believe the youth will experience deterioration of their mental health condition.

Overview of Admission Options

Woodside has short-term and long-term programs with different admission procedures applicable to each. Only youth ages 10 – 17 may be admitted into the Woodside program. Continued placement of youth ages 10, 11 or 12 requires approval by the Family Services Deputy Commissioner or designee within one (1) business day following admission.

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Youth may be admitted to the short-term program in the following ways:

- By the court at any stage of the youth’s delinquency case that is before the disposition order.
- By the DCF administrative process at any point following disposition of the youth’s case (for short-term placements).
- Pursuant to the protocol jointly adopted by the Commissioners of DCF and the Department of Corrections.
- Pursuant to the Interstate Compact on Juveniles.

Youth may be admitted to the long-term program when:

- The disposition case plan (initial or amended) approved by the court specifies placement in the long-term program, or
- The youth agrees to the long-term placement through the waiver process.

Short-Term Program

Pre-disposition Admission by Order of the Juvenile Court

Youth in the pre-disposition phase of juvenile delinquency proceedings may not be admitted to Woodside without an order by the court. Woodside must have a copy of the court order before a youth is admitted to the program. If the court order is not requested at the initial hearing, the Family Services Worker should request an emergency placement hearing for any youth requiring placement at Woodside in the pre-disposition stage of the youth’s delinquency case.

Before ordering Woodside placement, courts must have a recommendation from DCF that secure treatment at Woodside is necessary. The Specialized Services Unit staff, in consultation with the district office, will make the determination. CIES supervisory staff will make this determination after normal business hours.

Because the court order must include findings that no other suitable placement is available, and that the youth presents a risk of harm to self, others or property, the DCF Recommendation for Court-Ordered Secure Placement form (FS-171) should address these specific findings.

It is the goal to provide youth needing treatment with the least secure option available that meets the youth’s needs. Pursuant to statute, DCF may move a youth that has been ordered to receive treatment at Woodside to a less restrictive setting at any time as the youth’s needs require and placement options are available.

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This option is applicable when:

- Youth has needs that have changed, or
- Other more appropriate treatment or placement options become available.

Using the Notification of Placement Change form (FS-171b), the Family Services Worker will notify the court and all parties to the case within three (3) business days of the youth being moved to another setting.

Pre-disposition Procedural Protections and Considerations

When the youth is placed in secure treatment at Woodside or another secure treatment program pre-disposition, courts are required to adhere to the following procedural timelines. These procedural timelines only apply while the youth is in secure treatment:

- The merits hearing on the delinquency charge must be held within 45 days of the preliminary hearing for youth placed in secure treatment. Absent good cause, as determined by the court, merits must be held and adjudicated no later than 45 days after the preliminary hearing, or the petition is dismissed.
 - If the court finds good cause to extend the merits findings beyond 45 days, the court is required to review continued secure treatment placement at day 45.
 - If the petition is dismissed, the court will also vacate its orders of DCF custody and placement in secure treatment.
- If the youth continues secure treatment following merits, within 35 days of the merits adjudication, courts are required to:
 - Hold the disposition hearing, or
 - Hold a hearing to review the continued secure placement.
- The original court-ordered placement, merits 45-day placement, and disposition placement orders may all be appealed to the Vermont Supreme Court.

Post-Disposition Administrative Admissions

Only DCF may place a child in the custody of the Department in secure treatment following the disposition order of the juvenile delinquency case. Specialized Services Unit staff, in consultation with the district office, will make the determination whether secure treatment is necessary. CIES supervisory staff will make this determination after normal business hours.

Behavior or treatment needs of a youth already in the custody of DCF and adjudicated delinquent that are not the basis of a new delinquency charge must follow the administrative admission process. A violation of probation alone is not considered a new

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delinquency. Behavior related to a violation of probation that require secure treatment must follow the administrative admission process.

Other administrative placements include:

- Youth not in DCF custody, but on juvenile probation detention status (form VOP 316), as described in Policy 162: Juvenile Probation.
- Youth on juvenile probation or parole or in the custody of another state as a delinquent but being supervised in Vermont pursuant to the Interstate Compact on Juveniles.
- A runaway youth from out of state, pursuant to the Interstate Compact on Juveniles.
- A new charge in the Criminal Division will not be subject to predisposition criteria.

When admitting a youth for a violation of probation, the written probation complaint must be reviewed by the Family Services Client Placement Specialist or ESP Supervisor for administrative approval to Woodside. The written violation of probation must be provided to Woodside prior to admission. The violation of probation will then be filed with the court no later than the next business day.

When a youth is placed at Woodside pursuant to the Interstate Compact on Juveniles, the Compact Administrator will be informed as soon as possible and will participate in all future placement decisions. Such youth are not eligible for either internal or external due process review of the placement.

Any behavior that is a result of a new delinquency charge and that is directly related to the need for secure treatment must follow the predisposition court ordered placement process. This is true even for youth who are already in custody and adjudicated delinquent.

8-Day Hearing Process

When DCF places a youth at Woodside through the administrative process, the youth is entitled to a due process review with the following elements:

- A hearing will be held within eight (8) days of placement, unless an extension is required.
- Waiver of the hearing by the 8th day shall be considered a stipulation to all criteria for placement at Woodside beyond the 8th day.
- Hearings will be audio-recorded, with recordings stored at Woodside for at least one year.
- A hearing officer will be assigned to conduct the review.

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- Participants in the hearing will include:
 - Youth and their legal representative
 - Youth’s Family Services Worker or designee
 - Client Placement Specialist or designee
 - Assigned Assistant Attorney General
 - Hearing officer
- The Department will provide notice to the youth and their legal representative 24 hours before the hearing or by 9:00am on the seventh day following placement, whichever is earlier. The notice will describe the immediate reason and need for placement in the Woodside program, and will provide a summary and any documentation of the risk presented by the youth and a summary of other appropriate, less restrictive placements and their availability. This notice will be provided through the Woodside 8 Day Hearing Tool form (FS-171A).
- The primary focus of the hearing is the immediate need for placement at Woodside. The burden is on the Department to prove by a preponderance of the evidence that the youth currently presents a risk of injury to themselves, to others or to property and there is no other appropriate, less restrictive placement available on the day of the hearing.
- The Assistant Attorney General is required to provide live testimony (in person or by telephone), subject to examination by the youth, to address the question of the immediate need for placement at Woodside, unless this requirement is waived by the youth’s attorney. If this requirement is not waived, the Assistant Attorney General will notify the parties that an extension is required and provide the availability of the witness.
- Hearsay evidence is allowed; the hearing officer has the discretion to weigh the evidence provided prior to making a final determination.
- The hearing officer may keep the record open through the close of business on the business day following the hearing to allow additional documentation to be submitted, if that documentation is deemed necessary by the hearing officer by the close of the hearing.
- The hearing officer shall issue a written decision within three (3) business days of the close of the record.
- If the hearing officer finds that the Department did not meet its burden, the hearing officer shall require that Woodside begin discharge to an appropriate placement as soon as possible. Woodside will provide all necessary case management and treatment services during this period and will assist in the transition of the youth to an appropriate level of care.
- The hearing officer may, at their discretion, schedule periodic reviews of Woodside placement.

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Second Level Administrative Due Process Review

At the conclusion of the 8-day hearing due process review, a youth may also request a second level due process review while the youth is placed in short-term administrative status. The following elements guide the second level of review:

- A second level due process hearing may not be requested before receipt of the written decision in the 8-day hearing.
- A second level due process review must be requested within five (5) days following receipt of the written 8-day hearing decision. If the second level due process review is not requested within this time frame, administrative review options are exhausted.
- A hearing should be held within 10 days of the request unless that time frame is waived by agreement of the parties based on the availability of parties or necessary witnesses.
- Hearings will be audio-recorded, with recordings stored at Woodside for at least one year.
- The Family Services Worker will provide a copy of the 8-day hearing packet to the hearing officer five (5) business days prior to the scheduled hearing.
- The burden is on the Department to prove by a preponderance of the evidence that the youth currently presents a risk of injury to themselves, to others or to property and there is no other appropriate, less restrictive placement available. The focus of the hearing is the immediate need for placement at Woodside.
- Hearsay evidence is allowed; the hearing officer has discretion to weigh the evidence provided prior to making a final determination.
- The hearing officer shall inform the parties of the decision no later than three (3) business days after the hearing unless the parties agree to extend the time.
- The hearing officer shall issue a written decision within five (5) business days after the hearing.
- If the hearing officer finds that the Department did not meet its burden, the hearing officer shall require that Woodside begin discharge planning for the youth.
- The second level due process hearing exhausts all administrative remedies.

Administrative Placement beyond Sixty (60) Days in Short-Term Status

Youth can remain in Woodside short-term status beyond 60 days with approval of the Family Services Deputy Commissioner or designee. The Family Services Worker must complete FS-639 Authorization to Continue Short-Term Status. This form must document the efforts made to secure an alternative, appropriate, less secure placement, the discharge plan and the anticipated discharge date. The Family Services Worker must obtain the signature of the District Director and forward the form to the Woodside Director or

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designee, who then forwards the authorization to the Family Services Deputy Commissioner or designee. The Family Services Deputy Commissioner or designee must sign and approve the authorization by the 60th day, or the youth will be discharged.

Long-Term Program

A youth may be directly admitted to the Woodside long-term program when:

- The State’s Case Review Committee has approved the placement, and
- The Woodside Director has issued an acceptance letter, and
- The Court has issued a disposition order supporting the disposition plan for Woodside long-term placement or the youth and all parties listed on the waiver has signed the Initial Waiver for Long-Term Placement at Woodside Form (FS-680A) agreeing to placement in the Woodside long-term program.

Prior short-term placement at Woodside is not required for placement in the long-term program. Youth transitioning from the short-term program to the long-term program should have a CRC referral completed by the clinical team within 45 days of placement in the short-term program.

Placement in the long-term program can be part of the original disposition case plan. Alternatively, if a youth post-disposition requires long-term Woodside treatment, the youth may sign a waiver for admission to the long-term program. If the youth or any party declines to sign the waiver, the Family Services Worker will file an amended disposition case plan with the court and request a disposition hearing to approve the amended case plan. The court must approve the disposition plan for long-term treatment at Woodside.

If the youth requires temporary mental health or medical placement outside of Woodside, this is not considered a discharge from Woodside.

If the Woodside clinical team recommends continued placement in the long-term program beyond 12 months, the Woodside Director will provide written notice by the 11th month of placement in the long-term program to the youth, youth’s legal representative, parent(s)/guardian(s) if appropriate, Family Services Worker, supervisor, guardian ad litem, and the Deputy State’s Attorney. The Woodside clinical team will present a plan that includes treatment goals and a projected discharge date to all members of the youth’s treatment team.

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Following notice of continued stay in the long-term program, the following due process options are available:

- The youth will have the opportunity to sign the 12-Month Review for Continued Placement at Woodside (form FS-680B); or
- If the required parties are not in agreement with the extended stay in the program, the Family Services Worker will file an amended case plan with the court and request a disposition hearing to approve the amended case plan.

The FS-680 B will be signed or the request for a court hearing will be made prior to the youth being in the Woodside long-term program for 12 months. Alternatively, a permanency review or disposition hearing that was held within the prior 30 days and addressed the continued placement in the Woodside long-term program beyond 12 months satisfies the due process review of continued placement.

If the Woodside clinical team recommends placement beyond 18 months in the long-term program, the same due process outlined above will be followed for youth nearing the 18-month timeframe. The 18-Month Review for Continued Placement at Woodside (FS-680C) is used for this process. Finally, for youth who continue in the long-term program beyond 18 months, the same due process shall occur every three months thereafter.

At least 90 days before the anticipated transition of the youth from the Woodside long-term program, a treatment team will be held to develop a transition plan. A detailed discharge summary of the youth's treatment at Woodside, including continued treatment needs will be sent to the youth's Family Services Worker, youth's legal representative, GAL, parents if appropriate and new placement within five (5) business days upon transition from Woodside.

Youth Staying Past Age 18

Pursuant to Vermont law, a youth who was admitted into the Woodside program prior to their 18th birthday has the option to stay voluntarily in the program to continue treatment past the age of 18. Youth who elect this option must complete a Voluntary Services Agreement as defined in [Family Services Policy 160: Supporting Adolescents in DCF Custody](#). Youth may stay voluntarily up to the age of 21. No youth may stay past their 21st birthday. Youth that voluntary choose to stay past the age of 18 and then later leave or are discharged may not be readmitted to Woodside.

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Youthful Offenders

Youth who have been accepted for treatment in the juvenile court system as a youthful offender may receive treatment at Woodside in the same manner and following the same procedures outlined above for youth in the delinquency system. Youth may also complete the Woodside long-term program as a part of a youthful offender disposition plan as long as they can make significant treatment progress by their 18th birthday, or alternatively, if they elect to stay and receive treatment voluntarily beyond turning 18 as described above.

Admissions for Youth in the Custody of the Department of Corrections

At the sole discretion of the DCF Commissioner or designee, a youth under the age of 18 in the custody of the Commissioner of Corrections may be placed at Woodside pursuant to a protocol jointly adopted by the two Commissioners of DCF and DOC. Any placement at Woodside Juvenile Rehabilitation Center pursuant to this protocol must be approved by the Residential Services Manager.