

## The Exploratory Interview of a Maltreatment Report: The First Encounter in a Child Protection System

This edition of *Practice Notes* is concerned with the interface between gathering evidence of maltreatment, and at the same time, assessing family strengths. This dual responsibility is familiar territory for child protection workers and their associates. This “multi-tasking” requires an artful synthesis of intuition, experience, and a solid knowledge base of social work principles. We see this integration in the crucial first interview following a maltreatment report. This edition of *Practice Notes* is directed chiefly to front-line child protection workers. Essential features of a first interview have been selected, with commentary from the field. Our intention is to reflect both research-based findings and practice wisdom.

Wide-ranging interviews from the field and a literature search have provided a framework for enhancing the effectiveness of a first interview. Ron Rooney, Professor, School of Social Work, was an invaluable consultant. His work on involuntary clients and the effective use of authority in engaging family members is widely recognized. Of special value is Rooney’s reminder to recognize the racial/ethnic/social class factors in arriving at accurate findings.

We are enormously grateful to the workers in the field who generously shared their experiences and insights on how they determine risk with the possibility of recurrence of harm, and at the same time, assess the family’s potential for parenting safely. Their contributions were an indispensable addition to the literature search.

Perhaps the focus on an exploratory first interview in child protection will appear to be elementary social work practice, but good social work practice is always worth a reminder.

E.W.

### Q&A: Responding to a Maltreatment Report

**Q:** When a maltreatment report rises to a criminal level (severe physical abuse, sexual abuse, extreme neglect), do social workers investigate on their own?

**A:** No. Generally, in these situations, the police may be the first on the scene. Typically, a report of “imminent harm” is responded to by a team: the law enforcement officer and the social worker. Gathering evidence and assessing parent capacity are viewed as distinct tasks.

**Q:** Is an exploratory interview by a child protection worker the same as a forensic interview?

**A:** No. An interview with a child to gather evidence for child protection purposes is typically known as “the forensic interview.” The purpose is clear: obtaining evidence from a child that is legally defensible and will stand up to judicial scrutiny.

**Q:** If maltreatment reports are identified by the screener as low or medium risk, do social workers go out on their own?

**A:** Yes, in most cases they are “the lone ranger.”

## Basic Reminders for a First Interview: Setting the Stage

Before an interview begins, both the Tennessen Notice and the Audio Tape are introduced.

### **The Tennessen Notice**

[Minn. Stat. § 13.04, subd. 2]

Also known as the Tennessen Warning -  
available in three languages -  
Somali, Spanish, and Hmong -  
Braille, large print, and audio tape.

This is Minnesota's "Miranda Warning"—the right of the family members to remain silent and the consequences of this silence. It assures the family that there is a way to find out what information is in a record and how it will be used. It notifies the family why the agency is collecting the data and who has access to it.

The Minnesota Department of Human Services provides a suggested "oral warning":

"Before you provide information, we would like to inform you that the information you provide is generally private. You are not required to answer the questions asked, but obviously we cannot help you or investigate the matter if you do not provide us with some information. The information you provide may be shared with other staff in the statewide welfare system whose jobs require access and with staff in this or other agencies as provided by law. The information you give us will be used to provide the service you request or to investigate the situation you report."

Interpretations are made orally.

**Source:** E. Wattenberg. (2000, July). "Protecting the Civil Rights of Families in Minnesota's Child Protection System. The Brave Legacy of the Tennessen Warning." [Electronic Version]. *CASCW News*, 16. Retrieved June 9, 2003 from <http://ssw.che.umn.edu/cascw/>

## Observations from the Field

*We find the Tennessen Notice and the Audio Tape a useful way to engage the client...I say: "This is what holds me accountable.. my memory may be faulty ... the Audio Tape will help me to be certain I heard you correctly..."*

*Some parents may object. They may ask if they need to have a lawyer present. I say... "that is completely up to you...but we are instructed by law to follow up on a maltreatment report ..."*

*I explain what "data privacy" means: I explain that information on substance abuse and notes from mental health therapy sessions cannot be shared. But some information about their child may be shared with other agencies so they can have services that will be helpful.*

## The Audio Tape

Audio recordings of interviews are to be made whenever possible.

[Minn. Stat. § 626.556, subd. 10]

The introduction of the audio tape is a useful way to engage the family member. It is usually reassuring to a client to know there will be an accurate record on the details of the interview. For the worker, it is a reminder that there will be an accurate record of the tone of the interview (conveying respect, or the heavy-hand of authority).

## A Framework for an Integrated Interview

### The Solution-Based Model

- The roots of the model are in the culture of empowerment.
- Uncovering solutions is a joint venture: family members share a vision for a more desirable future, and the social worker provides the road map.
- The parent brings a cultural/ethnic perspective to the narrative of maltreatment, and the worker provides the community and legal standard expected in parenting a child: the worker generates possibilities for bridging the gap.
- The test of a true collaboration: an empathetic relationship in which the family is seen as a repository of resources, not a pool of pathology, and the worker is perceived as a valuable source for generating solutions.

**Source:** Berg, I.K. (2000). *Building solutions in child protective services*. New York: Norton.

## Observations from the Field

### The Opening Phase of a First Interview

*The first interview proceeds in stages... first demographics (least threatening); then relationships in the household (gauging relationships and filling out the narrative); then "Tell me about your child"... then, "Tell me what happened."*

*At this point, discrepancies can be noted with an acknowledgement: "Here are our concerns."*

*The first interview conveys respect, acknowledges the challenges in life, then "I'm on a journey with you to make sure your children are safe."*

## Essential Features of a First Interview: Attentive Listening and Keen Observations

- Is the explanation plausible? Under similar circumstances, is this a coherent story of how someone might behave?
- Do the parent and child appear to enjoy each other (acknowledge this, if true), or is the child's relationship to parent disconnected, hyper-vigilant, withdrawn or cringing when parent approaches? Does the parent acknowledge this behavior with an explanation? What is the quality of the child/parent interaction, given the developmental phase of the child?
- Who has access to the child and what is the history of their caretaking? Who is helpful and who is not?
- Are there non-verbal clues of anger and resentment (e.g., the TV volume is too loud that a verbal interaction is not possible; the worker cannot find a place to sit down)?
- Do you have any knowledge on how the factor of race/ethnicity might shape a response to authority (e.g., is silence and passive resistance a cultural response)?

**Source:** Trotter, C. (1999). *A Guide to Practice: Working with Involuntary Clients*. London: Sage.

## Closing a First Interview

Two questions guide the close of an interview: “What are we here for?” and “Is it clear to you what is happening and the options that are available?”\*

Has the family understood the non-negotiable requirements? At the end of the interview, have you elicited responses to the services that will be offered? The kind of help that is needed?

Inform the family...here is what will happen: A Notice of Determination letter (NOD) from the County Attorney will be delivered by mail. This letter will identify one of four options:

- Maltreatment determined: services needed
- Maltreatment determined: no services needed
- No maltreatment determined but services needed
- No maltreatment determined: no services needed

\***Source:** Trotter, C. (1999). *A Guide to Practice: Working with Involuntary Clients*. London: Sage.

Provide information on how to appeal if the family member does not agree with the determination.

## Issues to Consider

### Savvy Clients: Veterans of Multiple Investigations

Some family members have gone through the exploratory interview many times. Typically, these are families enmeshed in chronic neglect with maltreatment reported by teachers, physicians, and neighbors. They may already be involved in corrections, mental health, and substance abuse. These families may have 2-9 reports before the risk is deemed high enough for a case to be opened. Their responses to yet another maltreatment report may range from superficial cooperation to a flood of responses in an “eager to please” mode.

“Scaling” questions are useful here. Engaging the family in some self-assessment may be useful.

“You must know your child very well...how confident are you that you can provide safety and well-being for your child?”...“Is there some kind of change you can make? What would it take to improve? Do you have some new ideas?”

**Source:** Berg, I.K. (2000). What kinds of questions in my initial assessment interviews will generate solutions and enhance safety? In H. Dubowitz & D. Depanfilis (Eds.) *Handbook for Child Protection Practice* (pp. 91-100). Thousand Oaks, CA: Sage

## The Unwilling or Unable Family Member

- The complexity and severity of the maltreatment report may predict the depth of the client unwillingness to be drawn into an exchange - interpersonal violence and mental health problems are linked to difficulty in establishing a starting point...
- Social and cultural influence may also be factors. The attitudes or beliefs about the identity of the problems; its causes... understanding the hypothesis; clients' perceptions that the report is not the "business" of the public.
- Establishing the "relational" context takes time...the basis is to convey hope that the situation can be improved.

**Source:** Littell, J., Alexander, L., and Reynolds, W. (2001). Client participation: central and underinvestigated elements of intervention. *Social Service Review* 75: 1-28.

## Observations from the Field

*When a family is unwilling to cooperate, I tell them of their rights: this is your choice. I tell them what the next step will be, if they choose not to work with me...By giving them the power and knowledge of their rights, the response is usually a cautious invitation to cross the threshold, or sometimes they say: "Come on in, I can use your help."*

*For the family member who is unable to cooperate because of extreme substance abuse, cognitive impairment, or confusion related to emotional disorder... "I am respectful and ask to speak to a member of the family or a friend."*

## Clarifying the Language: Suggestions from the Field

For many families, the encounter with the child protection system spells danger. The court hearing intensifies the fear of losing their children.

One observer noted from the field... "families leave the court not understanding what happened... they hear the words 'assessment' and 'plan' and do not know what they mean...offering explanations is very important."

Here is how I explain **assessment**: "If the case goes to court, the judge will want to know what you are like and some things in your history, such as if you have family members or others who support you and whether you can keep your child safely." When I explain the **Plan** I say, "The court wants to know what kind of problems you have in caring for your child; then what you must do to keep your child safely...and what we must do to help you so that your child will be okay over the long haul . . ."

## Minimizing Errors

*“Child protection work is not concerned with trivial matters, and so a higher level of accuracy is needed when making judgments and decisions with far-reaching consequences.” \**

- The failure to look at history makes it easy to overlook patterns of behavior.
- Time is essential for critical reflection on a range of information and it is necessary to stand back and place the issues in the long-term history of the family. Workers make judgments on first impressions that become difficult to dislodge...first impressions are initial beliefs and often based on very little evidence. They should be treated as very tentative hypotheses, but research suggests that people have undue confidence in first impressions, paying most attention to evidence that supports them, and ignoring or devaluing details that contradict them.
- The single most pervasive bias in human reasoning is that people like to hold onto their beliefs...It has a devastating impact in child protection work in that professionals hold onto their beliefs about a family despite the new evidence that challenges them.
- Professionals of low status are particularly vulnerable to not being taken seriously...their observations are readily dismissed when it conflicts with the dominant view.
- The relationship aspect sometimes leads to errors in judgment...empathy with the caretaker slides into advocacy, leaving the children in unsafe situations...a reminder, the child protection worker does not assume the role of a therapist.
- People cannot avoid the biases of human reasoning; they can only hope to detect and minimize them.

**\*Source:** Munro, E. (1999). Common errors of reasoning in child protection. *Child Abuse and Neglect*, 23, 8, 745-758.

**Source:** Munro, E. (2002). *Effective child protection*. London: Sage.

## Wisdom from the Field

- The purpose of a determination of maltreatment is clear: Interview, Investigate, and Intervene, but do so in a way that the client is better off having had contact with the child protection system. *“We walk into people’s lives with a great deal of power, and we need to remember that always.”*
- A good worker can put the clues together, perhaps based on intuition and experience, but a worker should have the observational ability to read the non-verbal behavior of a parent.
- When a parent talks about persons, events, episodes that appear to be irrelevant to the report of maltreatment, reframe the situation in a way that reconnects the parent with their ability to care for their child.
- *“We are not cops: just looking for evidence, or therapists: just advocating for the parent in a therapeutic alliance”.* We own our own practice: putting all the clues together.
- Good practice means you walk the tight rope: be respectful and engage the parent, while protecting the best interest of the child.
- Intuitive judgment is a good place to begin, but you have to have observational skills and an empathic presence.
- Determining the level of risk and establishing a relationship to get things done . . . that is the key. Our goal, as social workers, is to stop further maltreatment, provide safety for the child, not to build a criminal case.

## Commentary Ron Rooney, Ph.D.

*School of Social Work, U of MN*

“To earn the respect needed to psychologically influence parents, in addition to the power of legally delegated authority, the CPS worker should be a good listener who strives to understand the potential client’s viewpoint. In addition, making and keeping commitments to CPS recipients enhances the CPS worker’s credibility.”

**Source:** Rooney, R. (2000). How can I use authority effectively and engage family members? In H. Dubowitz & D. Depanfilis (Eds.) *Handbook for Child Protection Practice* (pp. 44-46). Thousand Oaks, CA: Sage

## Further Reading

Rooney, R.H. (1992). *Strategies for work with involuntary clients*. New York, NY: Columbia University Press.

Minnesota Department of Human Services Child and Family Services. (2002). *Minnesota Child Welfare Training System Social Worker Competencies*. Retrieved on June 9, 2003 from <http://www.dhs.state.mn.us/CFRS/mncwts/trainassess.htm>

Zeira, A. & Rosen, A. (2000). Unraveling “tacit knowledge”: What social workers do and why they do it. *Social Service Review*, 74 (1), 102-121.

## Further Reference

“In April, the Center’s fourth annual satellite videoconference, “Practice Challenges in Working with Involuntary Clients: A Case Consultation Seminar,” was presented live via satellite from the University of Minnesota-Twin Cities campus to county extension sites throughout Minnesota. Child welfare workers, supervisors and other social workers and community practitioners were invited to view the broadcast’s client/case manager role plays, then phone, fax or email their questions to conference facilitators: Ron Rooney (Professor of Social Work, University of Minnesota), Carol Jud (Supervisor, Hennepin County Children & Family Services) and Liz Dodge Hanson (Co-Director of Human Services, Chisago County). The primary goal of the videoconference’s case consultation format was to strengthen practitioners’ knowledge of ways to assess child safety, while respectfully working with the family.”

For a short time, the conference can be viewed in a videostreamed format through the teleconference website (<http://dmc-av.ej1042.umn.edu/ssw/>). Videotaped copies of the conference are available for purchase at the same web location.

**Source:** Center for Advanced Studies in Child Welfare. (June, 2003). *Child Welfare News*, 23, p.5. School of Social Work, University of Minnesota. St. Paul, MN



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