

# What is the Families in Need of Services (FINS) Assistance Program?

The Families in Need of Services (FINS) became effective in all courts having juvenile jurisdiction on July 1, 1994, as Title VII of the Louisiana Children's Code. This title of the Children's Code represents a substantial consolidation of former proceedings known under the Code of Juvenile Procedure as *Children in Need of Supervision* [CINS] and *Parents in Need of Supervision* [PINS]. The Families in Need of Services [FINS] process is designed to permit the juvenile court to return to its original role of coordinating community resources to assist and reinforce the family in an effort to prevent delinquency and family disintegration. FINS goals are to reduce formal juvenile court involvement while generating appropriate community services to benefit the child and improve family relations.

## How Does FINS Work?

A written complaint would be submitted to the FINS program alleging a family is in need of these services *Louisiana State Legislature*. ([CHC 731](#))

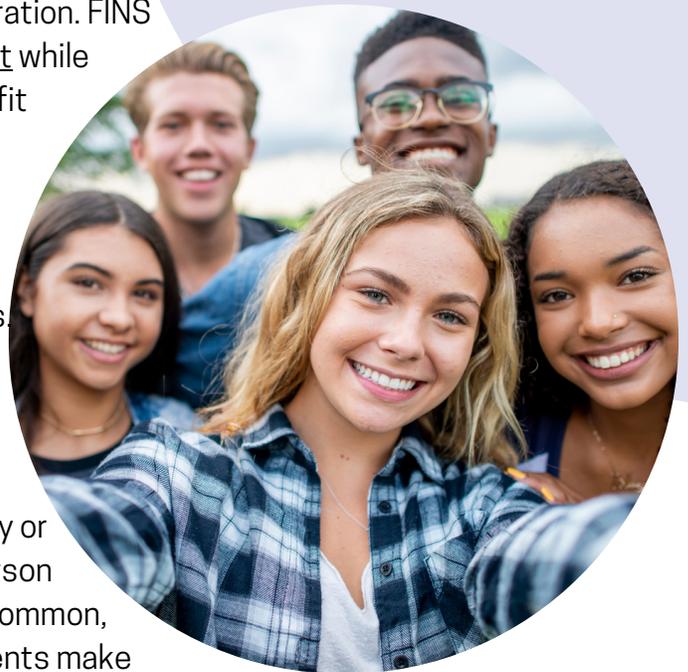
## Who may file a complaint?

A caretaker, other adult family member, any representative of an agency having the responsibility or ability to supply services to a family, or any other person authorized by the court may file a complaint. Most common, however, law enforcement, school officials, and parents make referrals. The complaint **MUST ALLEGE** at least one of the grounds listed under [CHC 730](#).

## Grounds

Allegations that a family is in need of services must assert whether the child is currently under the supervision of any state or local entity including, but not limited to, the Department of Children and Family Services or the Department of Public Safety and Corrections, youth services, the office of juvenile justice, and assert one or more of the following grounds:

- 1) That a child is truant or has willfully and repeatedly violated lawful school rules.
- 2) That a child is ungovernable.
- 3) That a child is a runaway.



- 4) That a child has repeatedly possessed or consumed intoxicating beverages, or that he has misrepresented or deceived his age for the purpose of purchasing or receiving such beverages from any person, or has repeatedly loitered around any place where such beverages are the principal commodities sold or handled.
- 5) That a child has committed an offense applicable only to children.
- 6) That a child under ten years of age has committed any act which if committed by an adult would be a crime under any federal, state, or local law.
- 7) That a caretaker has caused, encouraged, or contributed to the child's behaviors enumerated in this Article or to the commission of delinquent acts as defined in Title VIII.
- 8) That, after notice, a caretaker has willfully failed to attend a meeting with the child's teacher, school principal, or other appropriate school employee to discuss the child's truancy, the child's repeated violation of school rules, or other serious educational problems of the child.
- 9) That a child has been found incompetent to proceed with a delinquency matter under Article 832 et seq.
- 10) A child found to have engaged in cyberbullying.

### **What happens upon filing a complaint?**

- **Complaint File** - The family meets with a FINS Intake Officer who conducts an Informal Family Conference (initial interview). The child and the family member are asked to complete an initial screening to assess and identify behavioral, substance abuse, mental health, and other social needs or problems.
- When appropriate or necessary, the FINS officers may convene a **Mandatory Conference** to be attended by the child, their parents or other legal custodians, and representatives of any public institution having legal responsibility or discretionary ability to supply services to the family.
- The family completes an **Informal Family Service Plan Agreement (IFSPA)** identifying all the needs of the family, a description of services needed and their availability, and a plan for ensuring that any such services needed that are available are secured and delivered. The duration of the initial IFSPA is six months, with a max duration of 12 months. The family is expected to cooperate with the efforts to resolve its problems as recommended by FINS.
- **Non-compliance.** If an underlying FINS ground(s) continues to exist and recommendations are not followed the FINS officer may request the DA to file a petition to the family court. A **Mandatory Conference**, if not held previously, "*may be held at any time before or after a petition is filed but shall be held before any appearance to answer is made.*" ([CHC 743](#)) If an adjudication hearing should happen, each and every member of the family shall be subject to the jurisdiction of the court. ([CHC745](#))
- **Petition.** If there are reasonable grounds to believe that the family is in need of services, a family in need of services proceeding shall be commenced by a petition filed by the district attorney or any other attorney authorized by the court. ([CHC746](#))

## ADVANTAGES

- Children and families have the opportunity to access services that are targeted to properly address the underlying causes of pre-delinquent behavior.
- Following an extensive interview to assess the unique needs of each family, a family service plan is developed.
- Compliance with the service plan is monitored by FINS staff and other designated individuals for a maximum of six months without a further judicial order.
- An IFSPA shall not be considered an adjudication. The child and family are not brought before a judge/court unless the underlying FINS ground(s) continues to exist and there is a failure by family members to cooperate with the mandates of the service plan.
- FINS proceedings include both **informal and formal processes**. The ***informal process*** is designed to focus on the family unit, rather than just the child. Informal FINS goals are to promote early intervention and help facilitate the receipt of needed services, rather than court intervention and imposing punishment.

For more information about the Families in Need of Services (FINS) Assistance Program, please visit <http://lafins.org/index.html>.



Sources: Louisiana Families in Need of Services Association Inc., Louisiana Legislature Children's Code.

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