

Investigations

Day 7 – Participant Manual



Understanding Affidavits

Probable Cause

Drafting the Flowers Affidavit

Reviewing Affidavits

Court Connection

Day 7:

Investigations Training Agenda

Tuesday	
9:00 – 9:30	Welcome
9:30 – 10:30	Understanding Affidavits
10:30 -10:45	Break
10:45 – 12:00	Probable Cause
12:00 – 1:00	Lunch Break
1:00 – 2:15	Drafting the Flowers Affidavit
2:15 - 2:30	Break
2:30 – 3:30	Reviewing Affidavits
3:30 – 4:00	Court Connection Wrap Up and Review

Before You Train

Facilitator Resources – Day 7

Materials and Handouts

- Name Tents
- Markers, Pens, Highlighters
- Sticky Notes
- Giant Sticky Note Pad
- Printed Participant Manuals
- Blank paper

DCFS Entry Level Competencies

- | | | |
|---------|---------|---------|
| • 100-1 | • 101-7 | • 102-8 |
| • 100-2 | • 102-1 | • 104-2 |
| • 101-4 | • 102-4 | • 104-4 |
| • 101-5 | • 102-5 | |

DCFS Forms and Publications

- CFS-411 Affidavit

DCFS Policy And Internal Procedures

- Arkansas Juvenile Code, Ark. Code Ann. § 9-35-213, 9-35-305, 9-35-306, 9-35-310
- Internal Procedure 403.12(I) (Protective Custody of Child in Immediate Danger)
- DCFS Policy Manual 9 CAR § 40-313, 40-712

Day 7 Sources

- Ark. R. Evid. 801(c). <https://arcourts.gov/> (*Opinions, Court Rules and Administrative Orders > Court Rules > Arkansas Rules of Evidence > Rule 801. Definitions.*)

Investigations Specialty Training



UA
LITTLE
ROCK

MIDSOUTH
COLLEGE OF BUSINESS, HEALTH,
AND HUMAN SERVICES
UNIVERSITY OF ARKANSAS AT LITTLE ROCK

Day 7

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UNDERSTANDING AFFIDAVITS & LEGAL SUFFICIENCY

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**Introducing Affidavit
Development**



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Target Outcomes



- Understand how affidavits support probable cause, court action, and ongoing legal progression.
- Apply legal sufficiency expectations to factual, organized affidavit drafting.
- Assess whether documentation clearly supports safety threats, chronology, and probable cause.

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Building Documentation That Supports Court Action

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The Legal Framework of Affidavits & Court Proceedings

Who Does What: You're the fact-finder who gathers and swears to the facts in the affidavit. OCC uses those facts to file the formal petition.

Proving Your Case: Legal action requires concrete, observable facts proving a child is in immediate danger, never just a "vibe" or a gut feeling.

Your Sources Matter: Clearly separate what you saw firsthand from what others told you.

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Facts vs Conclusions in Legal Documentation

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What Weakens An Affidavit?



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The Flowers' Affidavit



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ORGANIZING CHRONOLOGY & SUPPORTING PROBABLE CAUSE

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Target Outcomes



- Understand how organized chronology supports probable cause and legal progression within affidavits.
- Apply investigative timelines, escalation patterns, and reassessment information to affidavit organization.
- Assess whether chronology clearly demonstrates escalating safety threats and supports removal rationale.

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How Courts Interpret Investigative Progress

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Explaining Why Division Action Could No Longer Be Delayed

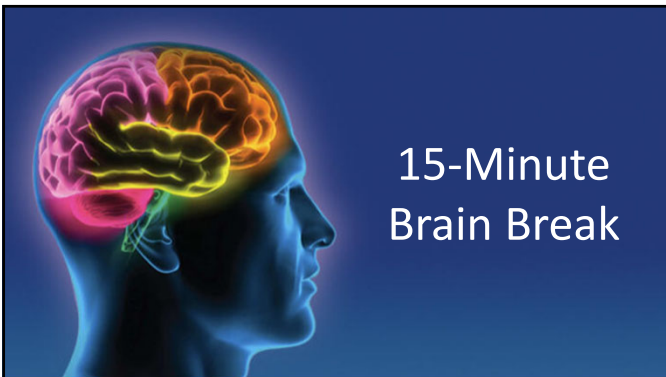
13

What
Information
Carries The
Greatest Legal
Significance?



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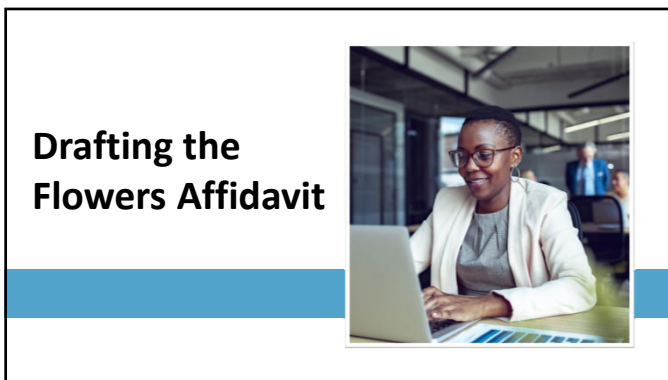
15-Minute
Brain Break



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Target Outcomes



- Understand how investigative progression is translated into formal legal documentation.
- Apply chronology, escalation patterns, and factual documentation practices to affidavit drafting.
- Assess whether drafted language clearly explains Division action, safety concerns, and removal rationale.
- Ensure drafting remains objective, structured, and legally defensible.

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Establishing Investigative Context For Court

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Documenting Safety Threats & Escalating Concerns

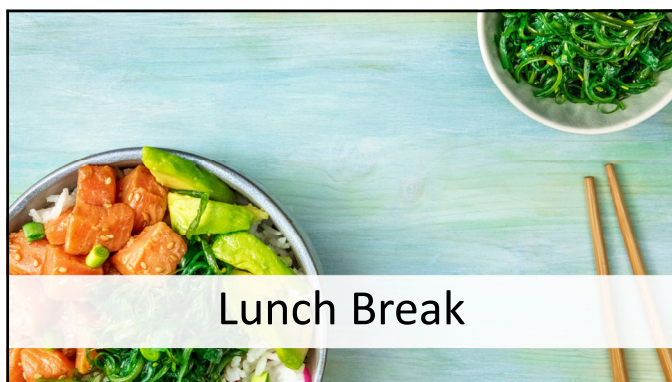
20

Drafting Probable Cause & Removal Justification

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Evaluation Clarity, Flow & Legal Readability

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Reviewing & Revisiting the Flowers Affidavit



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Target Outcomes



- Understand how revision improves legal communication and document reliability.
- Apply revision strategies to improve clarity, organization, and explanation within drafted affidavits.
- Assess whether affidavit language clearly communicates investigative reasoning and supporting context.
- Identify gaps, weak wording, and structural issues that affect legal audiences' understanding.

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How Documentation Quality Affects Court Interpretation

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Revising Affidavit Language

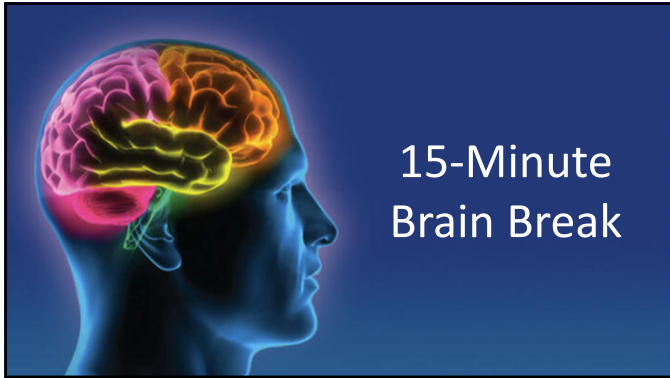
28

Evaluation of Revision Choices

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Strengthening Legal Writing Through Revision & Review

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Target Outcomes



- Understand how affidavit quality influences courtroom preparation, legal collaboration, and professional credibility.
- Apply lessons learned from the Flowers affidavit process to future documentation practice.
- Assess how legal writing decisions affect long-term case understanding and court interpretation.
- Recognize that affidavits continue shaping legal and professional processes beyond initial court action.

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How Affidavits Continue Impacting Cases After Court Action

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Legal Collaboration

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**Carrying Legal Documentation
Into Future Practices**



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**Target Outcomes
Evaluation**

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FLOWERS AFFIDAVIT DRAFTING PACKET

Day 7 – Affidavits, Legal Documentation & Court Preparation

Based on the uploaded Arkansas DCFS CFS-411 Affidavit template.

PURPOSE

This packet is designed to guide participants through progressively building a complete training affidavit using the Flowers case throughout Day 7.

Participants will:

- Organize chronology
- Identify safety threats
- Support probable cause
- Draft factual legal documentation
- Strengthen affidavit quality
- Practice legally sufficient documentation standards

The packet is intentionally structured to follow the progression of Day 7 modules.

IMPORTANT REMINDERS

Affidavits Should:

- Be factual
- Be chronological
- Be organized
- Clearly identify safety threats
- Support probable cause
- Use objective professional language
- Explain why agency action became necessary

Affidavits Should NOT:

- Include unsupported assumptions
- Use emotional language
- Include vague statements
- Contain contradictory information
- Leave chronology unclear
- Include conclusions without factual support

FLOWERS CASE – CORE INVESTIGATIVE INFORMATION**Reporter:**

Hannah Lewis

Alleged Victim:

Jasmine Hill

Primary Concerns Identified:

- Escalating supervision concerns
- Caregiver functioning concerns
- Failed safety planning efforts
- Flight risk behaviors
- Ongoing emotional and caregiving concerns involving Frankie
- Continued reassessment needs related to caregiver stability and functioning

AFFIDAVIT BUILDING SECTION 1

IDENTIFYING LEGALLY SIGNIFICANT INFORMATION

Directions:

Review the Flowers case information discussed throughout training. Identify the concerns most likely to support probable cause and legal progression.

Information Likely Supporting Probable Cause

Safety Threats Identified:

Escalating Concerns:

Failed Safety Planning Efforts:

Why Removal Became Necessary:

AFFIDAVIT BUILDING SECTION 2

ORGANIZING CHRONOLOGY

Directions:

Place the major investigative events in chronological order.

Focus on:

- escalation
- sequence
- timing
- progression toward removal

Initial Hotline Concerns:

Initial Investigative Actions:

Safety Planning Efforts:

Escalating Concerns:

Events Leading to Removal:

Post-Removal Court Progression:

AFFIDAVIT BUILDING SECTION 3

FACTS VS CONCLUSIONS

Directions:

Determine whether the following examples are:

- factual observations
- OR
- unsupported conclusions

Discuss how unsupported language could weaken legal sufficiency.

Example 1:

“The caregiver appeared overwhelmed, struggled to supervise the children appropriately, and multiple supervision concerns were identified throughout the investigation.”

Fact / Conclusion

Why?

Example 2:

“The caregiver does not care about the children.”

Fact / Conclusion

Why?

Example 3:

“The caregiver attempted to leave with the children after concerns escalated and protective custody action was being discussed.”

Fact / Conclusion

Why?

Example 4:

“The home was unsafe.”

Fact / Conclusion

Why?

AFFIDAVIT BUILDING SECTION 4

SUPPORTING PROBABLE CAUSE

Directions:

Identify what investigative information clearly supports probable cause for court involvement and protective custody action.

What Information Best Supports Probable Cause?

What Information Demonstrates Escalating Safety Threats?

What Information Demonstrates Failed Interventions?

AFFIDAVIT BUILDING SECTION 5

DRAFTING THE AFFIDAVIT

Directions:

Use the Flowers case information and discussions throughout Day 7 to draft major sections of the affidavit.

Participants will progressively complete these sections throughout the day.

SECTION A – INTRODUCTION / BACKGROUND

Draft Notes:

SECTION B – INVESTIGATIVE CHRONOLOGY

Draft Notes:

SECTION C – SAFETY THREATS & ESCALATING CONCERNS

Draft Notes:

SECTION D – FAILED SAFETY PLANNING / INTERVENTIONS

Draft Notes:

SECTION E – PROBABLE CAUSE & REMOVAL JUSTIFICATION

Draft Notes:

AFFIDAVIT BUILDING SECTION 6

REVIEWING & STRENGTHENING DOCUMENTATION

Directions:

Review drafted affidavit language and identify:

- vague wording
- unsupported conclusions
- missing chronology
- weak organization
- missing factual support

What Documentation Needs Strengthening?

What Language Could Create Problems in Court?

What Information Needs Better Chronology or Clarity?

FINAL AFFIDAVIT REFLECTION

What Makes Documentation Legally Defensible?

What Documentation Practices Strengthen Court Credibility?

What Concepts From Day 7 Will Most Impact Your Field Practice?

KEY TAKEAWAY

Affidavits are not simply summaries of investigations.

They are legal documents that:

- support probable cause
- explain safety threats
- organize chronology
- support court action
- influence permanency decisions
- impact long-term case progression

Strong affidavits rely on:

- factual documentation
- organized chronology
- professional judgment
- clear probable cause support
- legally sufficient language