



**STATE OF TENNESSEE  
DEPARTMENT OF HUMAN SERVICES**

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**RAQUEL HATTER, MSW, Ed.D.**  
COMMISSIONER

**MEMORANDUM**

**CACL Bulletin: 11-003**

**TO:** Child and Adult Care Licensing Staff and Partners  
Deputy General Counsel  
Office of General Counsel Field Litigation Unit  
Inspector General

**CC:** All Licensed Child Care and Adult Day Services Agencies

**FROM:** Lois Barrett Luke, Director, Child and Adult Care Licensing

**DATE:** June 27, 2011

**RE:** Legal Referral Process

The purpose of this bulletin is to further define and clarify the legal referral process.

Upon the decision to proceed with legal enforcement action against a child or adult care agency, the following procedures must be followed:

**Field Supervisor, same or next working day:**

Drafts email to all participants summarizing discussion and outlining action plan.

- ◆ Encodes:
  - LETS – View LETS Records – Create New
  - LETS – Legal Enforcement Action Type – Legal Enforcement Type
  - LETS – Actions – Action Type – Case Review Conference Conducted

**Program Evaluator, within 5 working days (same or next working day for Summary Suspension):**

- ◆ Drafts legal referral using the Legal Referral Template
- ◆ Emails to Field Supervisor, Subject Line: Legal Referral: Agency Name – Legal Enforcement Action Type – Assistant General Counsel Name
- ◆ Encodes:
  - LETS – Actions – Action Type – Forwarded to FS1

**Field Supervisor, within 5 working days (same or next working day for Summary Suspension):**

- ◆ Reviews legal referral
- ◆ Emails to Program Coordinator, Subject Line: Legal Referral: Agency Name – Legal Enforcement Action Type – Assistant General Counsel Name

## Legal Referral Process

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- ◆ Scans and emails all documentation covering the period addressed in the legal enforcement action from the paper file:
  - check sheets
  - confirming letters
  - put on notice letters
  - Plan of Corrective Action forms
  - other legal orders, and
  - any other information pertinent to action
- ◆ Encodes:
  - LETS – Actions – Action Type – Received for Review/Approval
  - LETS – Actions – Action Type – Forwarded Program Coordinator

### **Program Coordinator, within 5 working days (same or next working day for Summary Suspension):**

- ◆ Reviews legal referral
- ◆ Emails to Program Supervisor, Subject Line: Legal Referral: Agency Name – Legal Enforcement Action Type – Assistant General Counsel Name
- ◆ Encodes:
  - LETS – Actions – Action Type – Received for Review/Approval
  - LETS – Legal Enforcement Action – Ready for Approval
  - LETS – Actions – Action Type – Forwarded to Program Supervisor

### **Program Supervisor, within 5 working days (same or next working day for Summary Suspension):**

- ◆ Reviews legal referral
- ◆ Emails to Program Coordinator, Subject Line: Legal Referral: Agency Name – Legal Enforcement Action Type – Assistant General Counsel Name
- ◆ Encodes:
  - LETS – Actions – Action Type – Received for Review/Approval
  - LETS – Legal Enforcement – Approval Date
  - LETS – Actions – Action Type – Forwarded to Program Coordinator

### **Program Coordinator, within 5 working days (same or next working day for Summary Suspension):**

- ◆ Emails to Deputy General Counsel, Subject Line: Legal Referral: Agency Name – Legal Enforcement Action Type – Assistant General Counsel Name
- ◆ Encodes:
  - LETS – Actions – Action Type – Forwarded to Deputy General Counsel

At any time during the process a conference call or email can revise this process. Conference calls must be followed with an email from Field Supervisor to all participants summarizing discussion and outlining action plan.

LBL:jv

Attachments:

UPDATED: Legal Referral Process Procedures in Child Care Licensing Cases Memo  
Legal Referral Template