

LEARN

about Child Protective Services

CONNECT

with an Advocate

KNOW

your Rights and Responsibilities
in the CPS system

PROTECT

your Children

PARENTING AS A SURVIVOR OF DOMESTIC VIOLENCE

Being in a relationship with a violent and controlling person can be scary and make it hard to parent the way you hope.

Leaving an abusive relationship can also be hard and potentially dangerous for you and your children. It is important to safety plan BEFORE, WHEN, and AFTER YOU LEAVE.

THERE IS HOPE

Your supportive bond with your children is the most important thing to help them heal.

Call the National Domestic Violence Hotline
1.800.799.7233

To plan for your safety and to find out about your local domestic violence advocacy services, emergency shelter, and legal services.

It is confidential and anonymous.

BE A PROTECTIVE PARENT:

- » Build a strong bond with your children.
- » Understand how domestic violence may impact your children.
- » Provide comfort and support to your children during this stressful time.
- » Let your children know that the violence they may have seen is not their fault.
- » Make a plan about your own safety.
- » Make a plan with your children of what to do if there is violence or threats in the future.
- » Learn what legal options are available.
- » Find safe housing if necessary and work to increase your financial independence.
- » Leave your children only with people you trust will be safe and protective of them.

It is important for CPS to know how you have been protective of your children.

IF CPS IS INVOLVED WITH YOUR FAMILY:

- » Stay calm and respectful even if you are upset that CPS is involved.
- » Speak up for yourself and your children:
 - Find out your CPS case worker's name, phone number and information about your case.
 - Ask for what you need (such as protective child care, referrals to resources).
- » Think through the pros and cons of discussing your situation with CPS. Learn when information will be kept confidential.
- » Let your CPS caseworker know if any part of your CPS child safety or service plan is unsafe or unworkable.
- » Follow your CPS safety or service plan once you have signed it.

DURING A CPS INVESTIGATION YOU CAN:

- » Decide how much to share with CPS – the amount of information you share will affect your CPS case.
- » Consider finding or hiring a lawyer and have one with you at any point in the process.
- » Ask to be interviewed separately from your abusive partner and have a separate Child Safety Plan.
ONLY SIGN IT AFTER YOU COMPLETELY UNDERSTAND IT.
- » Ask CPS to not share certain information with your abusive partner if it will put you or your children in danger.
- » Tell CPS any concerns you have about your abusive partner being interviewed, restricted from the children, or told to do certain things.
- » Let CPS know if you have concerns about with whom your children are placed.
- » If your children are placed outside the home, ask CPS when you can visit your children. You have a right to visit your children unless CPS thinks this will endanger them.
- » Talk to a CPS supervisor if you are not able to solve any concerns with your caseworker.

WHY IS CHILD PROTECTIVE SERVICES (CPS) INVOLVED IN MY FAMILY?

All Texans must report suspected child abuse and neglect. Reports are confidential.

Reports may be made by a neighbor, school, police, the other parent, family members or possibly your own self-report.

Children living in homes where there has been domestic violence does not meet the definition of child abuse or neglect in Texas. However, CPS may decide that it is a risk to your child(ren)'s safety and may investigate.

REPORT OF SUSPECTED ABUSE / NEGLECT MADE TO DFPS HOTLINE

Does not meet criteria for investigations:

No action taken / Closed or referred to CPS alternative response

Meets criteria for an investigation:

Referred to CPS Investigations

DURING THE CPS INVESTIGATION PROCESS:

CPS must tell you:

- Who they are
- What the allegation against you is
- Whether or not they interviewed your child
- Whether they took possession of your child

CPS will gather information and work with you on possible safety actions such as:

- A Child Safety Plan
- Removing the perpetrator of domestic violence from the home
- Placing an additional caretaker in home as a mentor
- Parental Child Safety Placement (PCSP)

END OF CPS INVESTIGATION

No Finding of Abuse or Neglect

- Administratively Closed Case
- Unable to Complete
- Ruled Out
- Unable to Determine

Reason to Believe (RTB) Finding

Of Child Abuse or Neglect



Appeal: Administrative Review of Investigative Finding (ARIF)

(Must File Within 45 Days)

CPS must give you a letter explaining their decision and if you have been given a finding as a perpetrator of child abuse or neglect. **If you don't receive this letter, you can request a copy.**

If you don't agree with CPS' decision, you can ask for an ARIF (Administrative Review of Investigative Finding) within 45 days of getting the letter.

POSSIBLE OUTCOMES OF CPS INVESTIGATION

Case is closed

Case is closed with referrals

Case transferred to CPS Family-Based Safety Services (FBSS)

Substitute Care: Formal Removal of Children Approved by a Judge in Court

IF THERE IS FORMAL REMOVAL PROCESS IN COURT (SUBSTITUTE CARE), YOU HAVE THE RIGHT TO:

- » Begin visiting with your children within several days after CPS removes them (unless the court does not think it is in your child's best interest).
- » Hire or Find a lawyer - **if you are low income, the court may have to provide you with a free court-appointed lawyer.**
- » Be reunited with your children as soon as possible if the court decides it is safe.

YOU ARE NOT ALONE!

National Domestic Violence Hotline:

Advocates are available 24/7 and speak 180 languages. It's confidential and anonymous. They can safety plan with you and connect you to local services.

1.800.799.7233 | 1.800.787.3224 (TTY)

www.thehotline.org

Texas Advocacy Project Family Violence Legal Line:

1.800.374.HOPE (Statewide)

Texas Law Help - Legal Information on CPS court hearings:

www.texaslawhelp.org

DFPS Hotline - To report suspected child abuse or neglect:

1.800.252.5400

My CPS caseworker's name & telephone:

My local domestic violence program's name & telephone: