

Parents Guide to Child Protective Services (CPS)



WILL MY CHILD BE REMOVED?

If the social worker determines your child to be unsafe, he/she will work with you to make a plan so that your home is safe. If a safety plan cannot be made, the social worker will talk with your family to:

- Find a temporary safe place for your child to stay with relatives or in foster care
- Arrange for you to see your child
- Arrange services for your child and family

In an emergency, your child may be placed outside of your home without your permission. A protective custody court hearing must be held within 72 hours (excluding weekends and holidays) from the time the decision was made to remove your child. You will be notified of the date, time and location of the hearing. You must attend the hearing. At the hearing, the court decides whether your child should remain living outside of your home. You have the right to have an attorney represent you in court. If you cannot afford an attorney, you may ask the judge to appoint one to you. There may also be an attorney who attends to represent your child. You have the right to an interpreter if English is not your primary language, or if you have a hearing disability.

WHAT DOES CASE DETERMINATION MEAN?

The social worker must decide if your child has been abused or neglected.

- If the social worker determines that abuse or neglect did not occur, the report is **"unsubstantiated"**
- If the social worker determines that abuse or neglect has occurred, the report is **"substantiated"**
- The social worker must also make a determination about your child's safety
- The social worker will determine if your child is in need of protection or services
- The social worker will review what changes need to happen for your child to be safe at home

WHAT IF I DO NOT WANT SERVICES?

If you do not want services for your family but your child is unsafe, the social worker may ask the court to order that you take part in services. It is very important for you to be involved in the discussion with the social worker. You should ask questions and share concerns with the social worker about what services you think would be helpful to your family.

WHAT CAN I DO IF I DISAGREE WITH MY CPS SOCIAL WORKER?

Open discussion with your social worker may be the timeliest way in which to resolve disagreements. If you are unable to come to a resolution, you may contact the social worker's supervisor. You may also raise concerns with your attorney and in court, if necessary.

The social worker will notify you in writing of the results of the case determination. You will have the ability to request an appeal if you do not agree with the abuse or neglect finding. Information on the appeal process will be included in the written notice.

FOR MORE INFORMATION ABOUT CHILD PROTECTIVE SERVICES CONTACT:

**Nevada Department of
Health and Human Services
Division of Child and Family Services**

www.dcfhs.state.nv.us



Nevada Department of
Health and Human Services
Division of Child & Family
Services

INTRODUCTION

This brochure has been prepared to help parents understand what to expect if they are involved in a child protective service case. **The Child Protective Services (CPS) agency is required by Nevada Revised Statute (NRS), Chapter 432B to investigate reports of suspected child abuse and neglect. The purpose is to protect children, to prevent further abuse and neglect and to preserve families whenever possible. The Division of Child and Family Services (DCFS) job is to keep children safe in their own homes or place them in out-of-home care when they cannot safely stay with their parents. Anyone can report suspected child abuse or neglect to the local DCFS office or to the police. The CPS social worker will assess the report and where needed, work with you and your family to provide needed services.**

HOW DID CPS HEAR ABOUT ME?

NRS 432B.220 requires certain persons to make a report with CPS or the police if they know or believe a child is being abused or neglected. If a social worker has contacted you, it is because CPS received a report indicating that your child is not receiving proper care or is being abused.

WHO FILED THE REPORT?

Federal and State law requires some professionals (mandated reporters) to report suspected abuse or neglect of any child seen in the course of their job. People from the community may also report concerns of child abuse but they are not required by law to report.

NRS 432B.260 does not allow the child welfare agency to release the name of the person who reported the abuse and neglect concerns.

WHAT IS CHILD ABUSE OR NEGLECT?

PHYSICAL ABUSE: Injury to a child which is non-accidental. Such injuries include bruises, bites, burns, and/or broken bones. An injury is non-accidental if it is reasonably foreseeable, even though it was not intended.

SEXUAL ABUSE or EXPLOITATION: Engaging in sexual activity with a child, including fondling and lewdness, or encouraging or allowing a child to view pornographic material, engage in prostitution, or engaging in child pornography.

MENTAL INJURY: Injury to a child's intellectual or psychological capacity or emotional condition causing the child's normal range of performance or behavior to be impaired.

NEGLECT: Abandonment or failure to provide a child with proper care, control or supervision, food, education, shelter, medical care or other care a child needs for his well-being.

WHAT HAPPENS DURING A CPS INVESTIGATION?

The social worker's job is to:

- Gather information about the reported abuse or neglect.
- Talk with your child.
- Talk with parents, siblings and all other household members.
- Observe the family home.
- Learn about your family and help you provide safety for your children.
- Gather information from other agencies about your family, if necessary.
- Speak with other persons who have information about your family concerning the safety of your children.
- Ask questions about your family functioning.
- Write an assessment that explains what was done and the information gathered.

WHAT RIGHT DOES CPS HAVE TO TALK WITH MY CHILD?

NRS 432B.270 authorizes the social worker to interview a child concerning possible abuse or neglect without the consent of, and outside the presence of, the parent or guardian. The first contact is often with your child. The social worker contacts parents as soon as possible after this interview.

DO I HAVE TO TALK TO THE CPS WORKER?

You do not have to talk with the social worker or allow the social worker into your home. However, this is an opportunity to give important information about your child and your family situation. If the social worker believes there is immediate danger to a child, the social worker will request a court order to enter your home and see or talk to your child. If the social worker finds the child is in immediate danger, the child can be removed from the home.

WHAT HAPPENS AFTER THE CPS INVESTIGATION?

- Within 45 days of beginning the assessment, the social worker must decide if abuse or neglect has occurred.
- If the social worker finds that your child is safe (no impending danger), the case is closed. Your family may be referred for other services, if necessary.
- If the social worker finds that your child is unsafe, the social worker will work with you to establish a safety plan and services will be provided to assist in reducing any safety threats that exist.