

After the Call:
A Guide to the Child Protective Services
(CPS) Process

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I. Introduction

Hello. My name is Sarah Marker. I am in the University of Pittsburgh's Applied Developmental Psychology Master's program. I am currently enrolled in Emotional Disorders in Children. For this course, I completed a podcast and guide for professionals as to what occurs after a call is made to child protective services (CPS).

This guide includes a glossary of terms commonly used with CPS. I also included a copy of the text of my podcast. Podcasts are audio recordings of spoken word. There is a guide of suggestions for reporting sources, mandated reporters, school staff, mental health providers and others aiding to a case in a professional capacity.

I hope that this information will better help you to understand how the process works and how vital your input is. I believe that having this knowledge will eliminate some misconceptions as well as improve the relationship between agencies as we are all working to improve the lives of children. To find out more information on ways to help youth, please visit www.sbbh.pitt.edu. It has a plethora of information on a variety of behavioral health topics in many formats, including Power Point presentations, newsletters, handouts and podcasts.

II. Glossary

Child Protective Services - CPS - government agencies created to ensure the safe and appropriate care of children

Accept for Services – the individual/family becomes a client of CYF. (ACDHS, 2008, p. 24)

Advocate – person or group who promotes the rights of parents or children. (ACDHS, 2008, p. 24)

Advocate for the Child – lawyer who represents the child. (ACDHS, 2008, p. 24)

Advocate for the Parent – lawyer who represents the birthparent(s). (ACDHS, 2008, p. 24)

Age-appropriate – refers to the child's expected mental and physical capacities. (ACDHS, 2008, p. 24)

CASA – Court-Appointed Special Advocate – S/he advocates for your child's interests in court. A CASA advocate is not an attorney. S/he does not represent or advocate for you and may agree or disagree with you in court. (ACDHS, 2008, p. 24)

Child Abuse Report – the written report of a child's abuse. CYF can decide that child abuse is indicated (i.e., likely that it occurred), or CYF can decide that a report is unfounded (i.e., abuse cannot be proven). If at least one incident was proven to a court's satisfaction, the case is founded. (ACDHS, 2008, p. 24)

ChildLine/Abuse Registry – statewide list of all cases of child abuse that are under investigation, indicated, or founded. (ACDHS, 2008, p. 24)

Conflict Attorney – Legal representative for one parent if his/her interests differ from the other parent. (ACDHS, 2008, p. 24)

Court-Active Case – a case under review by a Judge. (ACDHS, 2008, p. 24)

Court Order – a legally binding document stating a Judge’s instructions or directions.

(All court orders must be followed by all parties.) (ACDHS, 2008, p. 25)

Dependency hearing - determines whether allegations of abuse or neglect concerning a child are sustained by the evidence and if so, are legally sufficient to support state intervention on behalf of the child (US Legal, 2008).

Family Service Plan (FSP) – a plan for the CYF client that identifies problems and how to solve them. It states the amount of time allowed for successful completion and the service programs to be put in place for the family. (ACDHS, 2008, p. 25)

Foster Care – a child’s temporary home and care by a trained caretaker. (ACDHS, 2008, p. 25)

Hearing Officer – S/he works with the Judge and reviews a family’s progress made on their Family Service Plan (FSP) goals at review hearings. (ACDHS, 2008, p. 25)

Kinship Placement – a child’s temporary home with a relative or friend of the family. (ACDHS, 2008, p. 25)

Out-of-home Placement – a temporary home for a child who, for safety reasons, must live away from parent(s). (ACDHS, 2008, p. 25)

Permanency – The law requires that every child have a permanent home. When a child has lived away from home for a number of months, CYF must establish a permanent home. The child may return to the birth family. Or, a Judge may decide that the child live with relatives or with adoptive parents. (ACDHS, 2008, p. 25)

Rights – “Having the right to ...” means that society has given a person permission – through the legal system – to act or secure an action in the way that s/he desires.

(ACDHS, 2008, p. 25)

Termination of Parental Rights (TPR) – a legally binding court decision made by a Judge in court. TPR ends all parental rights of birth parents. (ACDHS, 2008, p. 25)

III. Podcast

Phone rings.

CPS: Call Screening. How can I help you?

Caller: My name is Sharon Greene. I am calling from JFK school. I was talking with one of my students today and he said that his mother hit him last night. I know his family is having a hard time dealing with his behaviors. He was recently diagnosed with ADHD, ODD and is being tested to see if he has a learning disability. Is there anything you can do to help him?

CPS: We can send a worker out to investigate. Let me get more information from you.

Hello. My name is Sarah Marker. Thank you for listening to a podcast describing what happens after a call is received by a child protective services agency. This podcast was created for professionals who may not know the process that starts with a phone call, like the one we just heard.

People naturally become anxious over the unknown. This applies to being involved with child protective services, or CPS for short. Many think that the caseworker is just going to come in and take the children. This is the last thing that caseworkers want to do. There is a need for reporting sources, schools and services to have a better understanding of the process that occurs once CPS gets a report. Being involved with a child protective services can cause a variety of emotions for all involved. This is because most people do not understand the process. Let's face it. It's not something that a family typically plans for! Sometimes, the situation is caused by outside sources and other times

it's due to the family being stressed or trying to deal with a situation that is beyond their skills to handle. That's where CPS comes in. Caseworkers work with families to, first and foremost, keep the children in a safe and appropriate home. If the home environment needs to make changes to assure safety, we work with the family to try and place the children with appropriate caregivers that are known to the family. This is called kinship care. If this isn't an option, then we will place the children in another appropriate location to meet their needs. But before we get too far into this, let's go back to the beginning.

CPS was created by state laws to protect children from abuse and neglect. Once CPS receives a call, the call screening worker will determine if the case is appropriate for CPS services. These services are required when "children has been injured, abused or sexually molested by their parents or caretakers, children are not adequately cared for or watched, parents are not able to care for children and no other responsible adult is available and in certain situations, when parents needs help with their problems or their children's problems" (ACDHS, 2008). The call screener will take vital information, like names, addresses, phone numbers, ages and description of abuse or neglect. The person calling in does not have to give their name. Anonymous reports are looked into just as thoroughly as ones in which the reporting source is named. Some professionals are mandated reporters. This means that if they are told any information regarding concerns of child abuse or neglect, they are legally required to report it. Social workers, medical and mental health professionals, teachers and childcare providers are some examples of mandated reporters (U.S. Department of Health and Human Services, 2008).

Once the call screener collects the information, it is sent to an intake worker. This worker is responsible for doing the investigation and starting the case record. They will

read the report, meet with their supervisor and meet with all parties to discuss the allegation. Let's use our example call. Ms. Greene was calling in about Marcus McGhey. He is ten years old and is hard to control. The intake worker will talk to mom, dad, Marcus, any siblings and Ms. Greene. The intake worker will go to the home, ensure that the home is free of safety hazards, has working utilities, has appropriate food and sleeping arrangements. A home has to meet minimal standards. These standards may seem less than ideal for many.

Let's take a look at some possibilities for Ms. McGhey's case.

Mother: Marcus was trying to jump off of the table after I had told him No many times. I reached to grab him before he jumped on our dog and I missed his shoulder and hit his face.

This story will be compared to what Marcus tells the intake worker during a separate interview. If he is found to be safe at home, the case may be closed at this point. If the family may be required to work with services to give them the support they need. These services are typically free of charge to the families. These services may be offered in the family's home or require the parents or family members to use community resources. This can include mental health treatment, therapy, drug and alcohol counseling and parenting classes. If a parent does not have insurance, some fees may be the responsibility of the parents. The caseworker will meet with the parents, service providers, the child and other recognized members of the case to create a document that outlines what CPS is requiring the family to do in order to have the CPS intervention end. This is called the Family Service Plan, or FSP. This plan will list goals, like for Marcus to follow household rules. The plan will identify how to accomplish the goal. For this goal,

the FSP may require that Marcus complete mental health treatment and that his mother complete a parenting class and use the skills she learned to deal with his behaviors. The FSP will also state when the goals are to be completed by as well as when the FSP will be reviewed again. The FSP is the checklist for parents and youth to follow to prove to the court that they have made the changes necessary to address the concerns that brought the case in. FSPs are also completed for non-court active cases. The law mandates that families have a short period of time to complete these goals, especially if the case is court-active. Parents must show that they are making significant progress on their goals within twelve months. After that time, the court is required to look at changing the plan for the child to something other than returning home. These options include Permanent Legal Custody and Adoption. We'll talk about these soon.

But what if the investigation found that John picked a fight with his younger sister and hurt her? And what if mom used the cutting board to hit him, in her view, to stop him from hitting his sister? When implements are used to cause injury to a child, the action makes it the highest level of risk for the child to have it will most likely be recommended that Marcus be removed from the home. The caseworker will obtain an order from the court granting permission to remove the child.

If a child is removed from the home, there will be a court hearing called a "shelter hearing" that is scheduled within 72 hours of the removal. The parents will be invited to attend the hearing and can have attorneys representing them. An important thing to remember and that is often a point of conflict with families, is that even if one parent is not active in the child's life, CPS is required to find and inform the non-active parent of

every step of the process. He or she has the ability to have their opinions heard. At this hearing, the information as to why it was necessary to have the child taken from the home is presented and all parties will be able to express their concerns and opinions. The court will decide as to whether the child can return home immediately or if further plans need to be made. The court has the ultimate say in what happens once a child is removed and placed in care. CPS prefers for children to be placed with appropriate family members when possible. Criminal background checks and home inspections will be conducted to ensure the child's safety. If no family members are appropriate, then the child may be placed in a shelter or foster care.

If a child is placed, parents have the ability to visit unless the court determines otherwise. Parents can contact the caseworker to arrange for the visitation. As long as a parent retains their parental rights, they will be told where the child is, unless it is a safety risk for them to know. Typically, visitation is allowed a minimum of once every two weeks and could be as often as everyday, depending on the court order.

The next hearing that is scheduled is a dependency hearing. The dependency hearing “determines whether allegations of abuse or neglect concerning a child are sustained by the evidence and if so, are legally sufficient to support state intervention on behalf of the child” (US Legal, 2008). This hearing will be scheduled if the situation fits the guidelines as defined by state law. This can include the child being “without proper parental care or control necessary for his physical, mental, or emotional health” (Fifth Judicial District of Pennsylvania, 2009). At this hearing, the information as to why the child fits one of the grounds for dependency will be presented. Parents and the child can present witnesses and present opinions. The judge will decide if the child is dependent. If

found dependent, the family will have review hearings on a regular basis to discuss the progress made as well as if and when the child can be returned home.

The intake worker completes the initial investigation, which is usually in less than ninety days. The intake worker then transfers the case to an ongoing caseworker. Once they receive a case, they reviews the information and meet with the family members on a regular basis. It is the ongoing services worker's job to tell the court how the family has is doing and what are the recommendation of the CPS agency. The ongoing worker works closely with each family to help them meet the FSP goals. They might refer the family to services. Parents or youth over the age of consent will be asked to sign releases of information which is a form that allows the caseworker to gather reports from outside agencies to determine where the family may need more assistance. As it was asked for in the FSP, the worker may refer Marcus to a community mental health provider to determine if he needs medication as well as therapy. His mother may have a specialized counselor to work with her on understanding Marcus' therapy and then learning skills to deal with his behavior. These can include ideas that she may not have thought of.

Let's look at another possible outcome for Marcus's case. Example one: Marcus was placed in shelter and a dependency hearing was held. He was found dependent and placed in a residential treatment facility after having a mental health evaluation. A residential treatment facility, or RTF, is a group home where youth live at while getting their education and mental health treatment in a structured environment. The case is transferred to the ongoing services worker who ensures that Mother is visiting consistently and is referred to the programs she needs. Mother demonstrates that she has a better understanding of how to deal with Marcus's behaviors by Marcus having home

visits in which there are little to no problems. This process takes anywhere from three months to a year. The court will review the case every three months and if there is appropriate proof that the family has addressed the concerns and it is safe for Marcus to return home, the court will order it. The caseworker will continue to work with and monitor the case. Once it is determined that there is no longer the need for the court supervision, the case will be closed in court. At this time, the CPS case may close or remain open for a period to further ensure stability.

The second example is to explain if things don't go as smoothly. Marcus is placed in shelter and then found dependent. He does not meet the criteria for an RTF, so he is placed in a group home with other males approximately his age. He receives mental health treatment and structure given by staff of the facility. He has to earn levels to gain privileges. Marcus is working on his needs. After Marcus's removed from the home, his mother may choose not to actively work on goals that are in her control. This can include having appropriate housing, ensuring an suitable income to meet the family's needs and enrolling in drug and/or alcohol treatment, if needed.

The caseworker attempts to make home visits and leaves messages on her voicemail, but mother does not respond. After trying to reach mother for four months, mother calls back and says that she wants to visit. The visit occurs at the group home and it goes poorly. Mother and Marcus argue the entire time. Mother attends the visit under the influence of drugs. The caseworker is notified and mother admits to using the past few months. She had signed over custody of Marcus's sister to her father a few weeks ago. From this point, Marcus continues to work on his goals but has a few bumps in the road as a result of learning about his mother's condition. Marcus is then moved to a foster

home. Mother continues to struggle with her addiction and is making minimal progress on her FSP goals.

Marcus's father had not been active in Marcus's life since he was three when he and Marcus's mother separated. Marcus's father is now married and has another family. He tells the caseworker that he does not want to gain custody of Marcus. A year passes and Marcus is still in placement. The ongoing services worker then must go to court and recommend that the goal for Marcus be changed from reunification to another permanent goal. Due to Marcus being in a home that he feels safe in and that is meeting his needs, the caseworker discusses with foster parents the option of adopting. They decide that they would like to adopt Marcus. The caseworker goes into court and recommends the goal be changed to adoption. As mother has not completed what has been asked of her, the court changes the goal to adoption. A termination of parental rights (TPR) hearing is held and the evidence as to why both mother and father's rights should be terminated is presented. The parents have the right to present the information as to why they feel their rights should not be terminated. Marcus's father is in agreement with his rights being terminated and signs voluntary termination paperwork. The court rules for termination and Marcus is now free to be adopted. Marcus's foster parents complete the required paperwork for adoption and Marcus legally becomes their son. They change his last name to theirs and his record with CPS is sealed.

Please remember that this is only one example and is in no way a complete description of how every county handles a case. If you have questions about policies and procedures, try looking online for the county CPS agency. The webpage can commonly be found from the County webpage, under the Department of Human or Child Services.

I'd like to end this podcast with a few things to remember:

Every agency has an emergency call line that answers twenty-four hours a day. This may be the same number for the police. Caseworkers typically have a large caseload and may be hard to reach at times, so make sure that you have contact numbers for the service workers assigned to the family. Don't be afraid to call the supervisor if you cannot reach the worker. Every case has meetings and home visits and crises. Parents and youth have the right to be represented in court by an attorney. Some counties may offer free or sliding scale fee representation.

Every county has different resources and does things differently. Reports are investigated because the law requires them to be. The more cooperative and honest you are with the caseworker, the smoother the process goes and the more help you are to the child. Caseworkers do not want to remove children unless it is the only way to assure safety. As one caseworker explained "Being involved with CPS is like a baseball game. I tell you where the field is. I will bring the bat and ball. You need to make sure you warm up before coming to the plate. I will tell you what kind of ball I am throwing. You just need to swing". Another metaphor is to describe court. There are two columns - pluses and minuses. The client makes the pluses and the minuses. It's the caseworker's job to present this to the court and make a recommendation to it.

I hope this explanation helps you in understanding the process and how vital your role in it is. Thank you for listening.

IV. Suggestions

- ⇒ Give as much information as you legally can. The more information you supply, the better the decisions will be.
- ⇒ When asked to supply documents, do it in a timely manner.
- ⇒ Ask questions!
- ⇒ Be available for meetings. Ask to be available by phone if you are unable to attend in person.
- ⇒ Understand that caseworkers have high caseloads and are often dealing with emergencies. If you need immediate assistance, don't be afraid to call the caseworker's supervisor. Understand that this same technique will be used by the caseworker as well.

V. Additional Resources

Remember that every county has different procedures. Be sure to look up your county's Human Services department or Child Services agency.

Allegheny County, Pennsylvania - Office of Children, Youth & Families - has information about process, services, funding:

<http://alleghenycounty.us/dhs/cyf.aspx>

Parent Handbook - Allegheny County, Pennsylvania - Office of Children, Youth & Families - this is the guide given to parents when a case opens with CPS in Allegheny County. This is a good summary of what is expected from the family.

<http://alleghenycounty.us/WorkArea/showcontent.aspx?id=22882>

VI. References

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