

WILL MY CHILD BE REMOVED?

If the case manager determines your child to be unsafe, he/she will talk with you to make a plan so that your child is safe. If a safety plan cannot be made, the case manager 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 certain situations, your child may be placed outside of your care 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 can safely be returned to your care until the next court hearing. You will be informed of your rights at this hearing.

WHAT DOES THE CPS CASE DETERMINATION MEAN?

The case manager will decide if your child has been abused or neglected.

- The case manager will also make a determination about your child's safety.
- The case manager will assess whether your child is safe or unsafe, and if your child or family is in need of services.
- The case manager will review what changes need to happen for your child to be safe at home.
- If the case manager determines that abuse or neglect did not occur, the report is **"unsubstantiated."**
- If the case manager determines that abuse or neglect has occurred, the report is **"substantiated."** You have the right to appeal a substantiation.

WHAT IF I DO NOT WANT SERVICES?

If you do not want services for your family but your child is unsafe, the case manager 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 case manager. You should ask questions and share concerns with the case manager about what services you think would be helpful to your family.

WHAT CAN I DO IF I DISAGREE WITH MY CPS CASE MANAGER?

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

The case manager will notify you in writing of the results of the CPS 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:

Parents Guide to Child Protective Services (CPS)



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 of the agency is to protect children, to prevent further abuse and neglect, and to preserve families whenever possible. The public child welfare agency's goal is to keep children safe in their own homes or place them in out-of-home care when they cannot safely remain with their parents. Anyone can report suspected child abuse or neglect to the local child welfare agency or to the police.

The CPS case manager (in some cases a social worker) will assess the report and where needed, work with you and your family to provide needed services. Throughout this brochure, when referring to your child, this may also mean your children if you have more than one.

HOW DID CPS HEAR ABOUT ME?

NRS 432B.220 requires certain persons (mandated reporters) to make a report with CPS or the police if they know or believe a child is being abused or neglected. People from the community may also report concerns of child abuse.

If a case manager has contacted you, it is because CPS received a report indicating that your child may not be receiving proper care or is possibly being abused or neglected.

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. Inability to provide a child with proper care may involve parental substance abuse, mental health, and physical health challenges, or other factors.

WHAT HAPPENS DURING A CPS ASSESSMENT?

The case manager's role 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 and how the family interacts.
- Learn about your family and help you provide safety for your child.
- 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 child.
- 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 case manager to interview a child about possible abuse or neglect without the consent of the parent or guardian. The first contact is often with your child, without the presence of a parent or guardian. The case manager contacts parents as soon as possible after this interview.

DO I HAVE TO TALK TO THE CPS CASE MANAGER?

You do not have to talk with the case manager or allow the case manager into your home. However, this is your opportunity to give important information about your child and your family situation that may affect the outcome of the assessment. If the case manager believes your child is in immediate danger, law enforcement may be involved to help assess the safety of your child.

WHAT HAPPENS AFTER THE CPS ASSESSMENT?

- Within 45 days of beginning the assessment, the case manager must decide if abuse or neglect has occurred.
- If the case manager finds that your child is safe, the case is closed. Your family may be referred for other services, if necessary.
- If the case manager finds that your child is unsafe, the case manager will work with you to establish a safety plan and services will be provided to assist in reducing any safety threats that exist. Your child may be removed from your care until the safety threat is addressed.
- The case manager will notify you in writing of the results of the case assessment.