



# *Parents' Handbook*





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*Child Protection and Permanency (CP&P) is New Jersey's child protection and child welfare agency within the Department of Children and Families (DCF). Its mission is to ensure the safety, permanency, and well-being of children and to support families. As mandated by state law (Title 9 and Title 30), CP&P is required to investigate all reports of child abuse and child neglect.*

*Parenting is rewarding, but it is not always easy. When problems arise in a family, it is often the children who are emotionally or physically affected. Unfortunately, some parents do not know where to turn to get help for their children or themselves. This handbook was written to explain the role of CP&P workers and other staff who work together to serve you and your family. CP&P recognizes this can be a very difficult time for you and your family. You may have many questions along the way, so feel free to speak to your worker about your concerns at anytime.*

*Please remember our goal is to help you ensure the safety and well-being of your child.*

## Your Local Office Information:

Worker's Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Supervisor's Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Local Office Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

## **Why has a worker from CP&P come to my home?**

A worker has come to your home because CP&P received a report that your child may have been abused or neglected, or may be at risk of abuse or neglect. State law requires any person having reasonable cause to believe a child has been abused or neglected must report this to CP&P. A report is made on behalf of a child; it is not made against a parent or a family.

## **What is child abuse and neglect?**

Child abuse or neglect is serious harm or a risk of serious harm to a child caused or allowed by a parent, caregiver, or any person responsible for the welfare of a child.

## **What if I don't want a worker to investigate my family?**

In most cases, families cooperate with CP&P during the investigation process. However, there are times when a family is not willing to talk with a worker. Please understand we came out of concern for your child and your family. During an investigation, CP&P is required to meet with parents and all children in the household. If a family refuses to allow a home visit or otherwise prevents the worker from seeing a child, CP&P may seek help from the police or the courts.

## **Who filed the report?**

By law, CP&P cannot tell you who made the report. The worker will be as specific as possible in relating the details of the report. Remember, the worker has come to your home to ensure the safety and well-being of your child. Once the worker completes the investigation, you will receive a letter notifying you of the findings of the investigation.

## **Will my child be taken away?**

In the vast majority of cases, NO. In fact, the majority of the children served by CP&P remain in their homes. Our goal is to ensure children's health and safety needs are met and to help parents care for their children in their own home. Unless your child is at risk of harm, we will work with your family to make a plan to keep your family together.

If your child must be removed from your home, CP&P may ask you to identify family members or friends who can care for your child. In the small number of cases in which CP&P determines a child is at immediate risk or harm, we will ask the court for permission to remove a child and provide an immediate placement either with family members or a foster home. In an emergency, CP&P can remove a child before getting the court's permission, but is required to appear in court to request approval within two court days of the child's removal. Remember, if your child is removed from your home to ensure his or her safety and well-being, our goal is to return your child as soon as it is safe to do so.

## **Does CP&P file criminal charges?**

NO. CP&P does not file criminal charges and does not have the authority to arrest. However, in certain situations, such as a report of sexual abuse, serious physical injury, or death of a child, the law requires CP&P to notify the County Prosecutor's Office who has the authority to file criminal charges.

## **What happens during an investigation?**

The worker gathers information about the report of abuse or neglect by speaking to you and members of your household. The worker must see all of the children who reside in your home, particularly the child on whose behalf the report was filed. The

worker may also want to speak to your child's school teacher, pediatrician, school counselor, or other persons who may have relevant information. You may also want to provide the worker with the names of other people who know you, such as a member of the clergy or a neighbor. These interviews with your family and other significant people form the basis of the worker's investigation.

During the first contact with you and throughout your involvement with CP&P, the worker will assess the safety of the child in your care. If the worker identifies safety factors, you will be asked to take steps to ensure the child's safety and to sign a Safety Protection Plan.

All families have strengths. If CP&P becomes involved with your family, you and your worker will identify yours. Together, you will create a plan building upon your strengths by using available services and supports to ensure your family is safe and stable. Your family's active participation in developing the case plan helps you talk about the steps and solutions that will best meet your family's needs. The case plan is reviewed any time a family's needs have changed or every six months at a minimum.

## **What kind of services/help does CP&P provide to families?**

CP&P offers a variety of services either directly or through other agencies. Your worker will explain these and other specific services available in your community, which may include:

- ▶ Case Management
- ▶ Family support services such as parenting skill training, counseling, child care, and other therapeutic services
- ▶ Child behavioral health services
- ▶ Mental health services

- ▶ Domestic violence services
- ▶ Substance abuse treatment
- ▶ Information and referral to other state and community agencies
- ▶ Foster and residential care
- ▶ Adoption and kinship legal guardianship

Parents may be responsible for contributing toward the cost of services and will be asked to provide information about income. **Services needed will not be denied if parents cannot afford to pay for them.** Many families have been found eligible for free services.

## What are my responsibilities and rights?

Your responsibilities are to:

- ▶ Provide a safe and loving home for your child
- ▶ Support your child financially. (If your child enters foster placement, a referral for child support will be made)
- ▶ Tell your worker what you see as your family's strengths and also help to identify resources that may be sources of strength and support to your family
- ▶ Tell your worker what you see as your family's challenges and how you would like to solve them
- ▶ Work in partnership with CP&P staff on the plans and tasks necessary to strengthen your family
- ▶ Tell your worker about major changes in your life (within seven days) such as changes of address, telephone number, people who live with your family, marital or civil union status, and any other changes that may affect your family or your case plan
- ▶ Provide necessary information to receive appropriate services, including financial information

Your rights include, but are not limited to, the following:

- ▶ Know why CP&P is involved with your family (full disclosure)
- ▶ Know what CP&P expects from you and your child
- ▶ Accept or refuse services which are not court ordered
- ▶ Know what services CP&P can and will provide to your family
- ▶ Request the services of a professional interpreter (if the CP&P worker speaks a language in which you are not fluent) at no cost to you
- ▶ Consult with a lawyer at your own expense at any time and to be represented by a lawyer who is either of your own choosing or appointed by the court when you appear in court on actions concerning your child or your parental rights
- ▶ Request dispute resolution when you are not satisfied with decisions made by CP&P (court-ordered decisions are not subject to dispute resolution)

## **What happens after an investigation?**

On April 1, 2013, new regulations took effect modifying DCF's findings following child abuse and neglect investigations. Previously, the Department of Children and Families' had two categories, Unfounded and Substantiated.

This new system is designed to allow DCF more specific findings categories to more appropriately reflect the particular circumstances present in each investigation, allowing for better partnership with families and better outcomes for children. This change also provides fairness in the operation of the Child Abuse Record Information system and allows DCF to better protect children by requiring the maintenance of all records where children were harmed or exposed to risk of harm, even where the statutory definition of child abuse or neglect could not be met.



## *Substantiated*

A preponderance of the evidence establishes that a child is an abused or neglected child as defined by statute; and either the investigation indicates the existence of any of the absolute conditions; or substantiation is warranted based on consideration of the aggravating and mitigating factors.

Substantiated findings are disclosed for a Child Abuse Record Information (CARI) check.

## *Established*

A preponderance of the evidence establishes that a child is an abused or neglected child as defined by statute; but the act or acts committed or omitted do not warrant a finding of substantiation upon consideration of aggravating and mitigating factors.

Established findings are not disclosed upon a CARI request but are maintained in agency records.

## *Not Established*

There is not a preponderance of the evidence that the child is an abused or neglected child as defined by statute, but evidence indicates that the child was harmed or placed at risk of harm.

Not Established findings are not disclosed upon a CARI request but are maintained in agency records.

## *unfounded*

There is not a preponderance of the evidence indicating that a child is an abused or neglected child as defined by statute, and the evidence indicates that a child was not harmed or placed at risk of harm.

Unfounded findings are not disclosed upon a CARI request and are eligible to be expunged if certain criteria are met.

## Absolutely Substantiating Circumstances

- ▶ The death or near death of a child as a result of abuse or neglect;
- ▶ Subjecting a child to sexual activity or exposure to inappropriate sexual activity or materials;
- ▶ The infliction of injury or creation of a condition requiring a child to be hospitalized or to receive significant medical attention;
- ▶ Repeated instances of physical abuse committed by the perpetrator against any child;
- ▶ Failure to take reasonable action to protect a child from sexual abuse or repeated instances of physical abuse under circumstances where the parent or guardian knew or should have known that such abuse was occurring; or
- ▶ Depriving a child of necessary care which either caused serious harm or created a substantial risk of serious harm.

## Aggravating Factors

- ▶ Institutional abuse or neglect;
- ▶ The perpetrator's failure to comply with court orders or clearly established or agreed-upon conditions designed to ensure the child's safety, such as a child safety plan or case plan;
- ▶ The tender age, delayed developmental status or other vulnerability of the child;
- ▶ Any significant or lasting physical, psychological, or emotional impact on the child;
- ▶ An attempt to inflict any significant or lasting physical, psychological, or emotional harm on the child;
- ▶ Evidence suggesting a repetition or pattern of abuse or neglect, including multiple instances in which abuse or neglect was substantiated or established; and
- ▶ The child's safety requires separation of the child from the perpetrator.

## Mitigating Factors

- ▶ Remedial actions taken by the alleged perpetrator before the investigation was concluded;
- ▶ Extraordinary, situational, or temporary stressors that caused the parent or guardian to act in an uncharacteristic abusive or neglectful manner;
- ▶ The isolated or aberrational nature of the abuse or neglect; and
- ▶ The limited, minor, or negligible physical, psychological, or emotional impact of the abuse or neglect on the child.

## **Is there an opportunity to disagree with a CP&P decision?**

YES. If you disagree with a decision, you should first notify your worker and his or her supervisor of your disagreement. If your disagreement cannot be resolved, notify the Casework Supervisor, then the Local Office Manager, and lastly the Area Director. If you are still unable to resolve a problem you may contact the Department of Children and Families' Office of Advocacy at:

**1-877-543-7864**

You may have a right to appeal certain decisions made by CP&P within 20 days of receiving written notification. (You would not have to go through the CP&P Local Office first.) Examples of such a decision would include a substantiated or established finding of abuse against you or a decision about services provided through CP&P. You can appeal and request an administrative hearing which an Office of Administrative Law Judge conducts.

To request a hearing contact, in writing:

*New Jersey Department of Children and Families  
Administrative Hearings Unit  
PO Box 717  
Trenton, NJ 08625-0717*

If you believe CP&P has discriminated against you because of a disability, please speak with CP&P supervisory staff. You may also file a grievance with:

*New Jersey Department of Children and Families  
Legal Affairs  
Americans with Disabilities Act Coordinator  
PO Box 717  
Trenton, NJ 08625-0717*

## How can I get in touch with CP&P?

On the first page of this handbook your worker has provided the address and phone number of the local office that will serve your family. Your local office is open from 9:00 a.m. to 5:00 p.m. each working day.

After 5:00 p.m. and on weekends and holidays, if you have concerns about a child's safety or other emergency, you can call the Child Abuse/Neglect Hotline at **1-877 NJ ABUSE**

## Are there other agencies or hotlines to help families in need?

In addition to CP&P, there are other organizations to provide assistance to your family. Your worker will help identify resources in your community.

*The following page lists a few telephone numbers that can provide help.*

Many thanks to the Massachusetts Department of Social Services for sharing ideas from their Parents Guide to Child Protective Services.

# Important Numbers

**Child Abuse Hotline**  
**1-877 NJ ABUSE**  
**(1-877-652-2873)**  
**TTY 1-800-835-5510**

Any person with reasonable cause to believe a child has been abused or neglected has a legal responsibility to report it to CP&P. Calls may be made anonymously.

**Family Helpline**  
**1-800- THE KIDS**  
**(1-800-843-5437)**

If you are feeling stressed out, call to speak to a trained volunteer of Parents Anonymous who can provide support and refer you to resources in your community.

**Children's System of Care**  
**1-877-652-7624**

Call this number to find out about services for children and teens with emotional and behavioral health care challenges and their

**Domestic Violence Hotline**  
**1-800- 572 SAFE (7233)**

Call this number for information about domestic violence services in your local area.

**Addictions Hotline of NJ**  
**1-800- 238-2333**

Call this number for information and treatment referrals for substance abuse.

**Statewide Parent Advocacy Network (SPAN)**  
**1-800- 654-SPAN (7726)**

This organization provides support to parents and caregivers and advocates for their rights.

**NJ State Bar Association Automated Helpline**  
**732-249-5000**

If you need to find a lawyer, your County Bar Association can help. The State Bar Association can give you the phone number in your area.

**Legal Services of New Jersey**  
**1-888-LSNJ-LAW**  
**(1-888-576-5529)**

Contact this hotline for information, advice, and referrals for low-income people with civil legal problems.

**2-1-1 ([www.nj211.org](http://www.nj211.org))**

This phone number refers callers to various human services in their community.

**NJ Helps ([www.njhelps.org](http://www.njhelps.org))**

At this web site you can find out about programs for children, families, and individuals. You can also prescreen for eligibility for Food Stamps, Medicaid, and other programs.

If you are deaf or hard of hearing, please call 1-877-294-4356 TTY to access any hotline.

Our goal is to help you ensure  
the safety and well-being of your child.

