Will someone take my child away from me?

- Children’s Services wants to keep families together. We offer Prevention Services, such as counseling, parenting skills training, drug treatment, and more to keep children safe. These services can help keep your child in your home.

- If the CPS believes there is imminent (immediate) danger to your child’s life or health, the CPS may ask a Family Court judge to remove your child from your home. A lawyer will represent you in this court process. A different lawyer will represent your child.

- The CPS will only remove your child from your care without asking a judge if he or she believes the danger to the child is an emergency. If the CPS removes your child without asking a judge, the CPS must file a petition in Family Court the very next business day.

- If the CPS removes your child, you may ask a judge to have your child returned immediately. However, a judge must hold a hearing in order to make that decision. If you are unable to afford a lawyer, the judge will assign you a lawyer free of charge.

- If a judge decides that your child needs to be removed from your care, in most cases the CPS will ask you if any relatives or close friends might be able to temporarily care for your child. After a background check and home assessment, the CPS will place your child with a family member or close friend. If they are not available, or if the people you choose do not pass a safety clearance, the CPS will place your child in a non-relative foster home.

- In some cases, Children’s Services may ask a Family Court judge for “Court-Ordered Supervision.” This means that your child will not enter foster care. The court can order supervision while your child remains at home. If that happens, the court will give you specific instructions that you must follow. For example, the court may require you to take classes or see a counselor. The court may also order Children’s Services to continue to check on your child’s safety for a specific period of time.

What happens if the investigation is Unfounded?

- You will receive a letter from the New York State Central Register (SCR) of Child Abuse and Maltreatment stating that the investigation was Unfounded.

- The Unfounded report will remain private but will stay in the database. A CPS will be able to review the report if there is a future concern.

- ACS Office of Advocacy's Parents’ and Children's Rights Unit Helpline at 212-676-9421. You can also start these processes by phone (the person who was the subject of the report must make the call).

- Request a copy of the report, or to ask to have the report removed from your record (whether it was indicated or unfounded), call 800-342-3320, and choose prompt 3.

- If you ask to have an indicated report removed from your record and your request is denied, you can seek a Fair Hearing (appeal):
  - if your case is Indicated, call 800-342-3320, and choose prompt 3.
  - if your case is Unfounded, you may ask that the record of the case be removed from the system by writing to this same address.

- You can also start these processes by phone (the person who was the subject of the report must make the calls):

  - Request a copy of the report, or to ask to have the report removed from your record (whether it was indicated or unfounded), call 800-342-3320, and choose prompt 3.

- If you ask to have an indicated report removed from your record and your request is denied, you can seek a Fair Hearing (appeal):
  - if your case is Indicated, call 800-342-3320, and choose prompt 3.

- Even if the investigation is Unfounded, your CPS can recommend that you complete parenting skills training, drug treatment, or counseling.

- You can also start these processes by phone (the person who was the subject of the report must make the calls):

  - Request a copy of the report, or to ask to have the report removed from your record (whether it was indicated or unfounded), call 800-342-3320, and choose prompt 3.

- If your Indicated report results in a Family Court Hearing, a judge may require you to complete parenting skills training, drug treatment, or counseling. Your CPS can help you find these services.
A CPS should not ask about your citizenship or residency status unless he or she needs this information to help you qualify for a benefit or service. The CPS will keep your immigration status confidential (private) and will not share any information with federal agencies unless required by law.

What is child abuse? Child abuse happens when a parent or caretaker causes serious harm to a child’s body. Child abuse includes:
- Physical abuse, for example: punching, kicking, bruising, burning, or breaking bones.
- Sexual abuse, such as sexual activity with a child, trafficking trading sex, or forcing or allowing a child to participate in pornographic material.

What is child neglect? Child neglect happens when a parent or guardian does not provide a child with their basic needs. Child neglect includes:
- Failure to provide enough supervision, food, medical care, or clothing, or not making sure a child goes to school regularly.
- Leaving a child alone or with an inappropriate caretaker, insulting a child, or taking drugs or drinking alcohol until you are unable to take care of a child, and failing to seek treatment.
- Exposing a child to domestic violence.

Why would someone report a concern about me? Anyone can report a concern to the New York Statewide Central Register (SCR) of Child Abuse and Maltreatment. Doctors, nurses, school staff, and social workers are legally required to report a concern if they think that a parent or caregiver is abusing or neglecting a child. The most common reasons include:
- A child has unexplained injuries.
- A young or special-needs child is left alone.
- A child has health needs that are not being met.
- A child is absent from school many times without a good excuse.

The CPS will keep your immigration status confidential (private) and will not share any information with federal agencies unless required by law.

If a CPS does not find evidence that a child was abused or neglected, the investigation will be “Unfounded.” You will get a letter in the mail that has the final decision.

What to Do After a Report of Child Abuse or Neglect

Who Can I Talk With To Get More Information?

Talk first to the CPS and, if necessary, the supervisor. If you are the subject of an abuse or neglect report, talk with your CPS about any concerns or questions about your case. If you still have questions or concerns, contact the CPS Supervisor. If the supervisor is unable to resolve your concerns, contact the Child Protective Manager. The supervisor must give you his or her contact information.

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For more information, please visit the New York City Administration for Children’s Services website.