

# Information for Parents at the Start of a CPS Initial Assessment



Visit this site for an online version of this document and to gain access to the links:



<https://dcf.wisconsin.gov/files/publications/pdf/5776.pdf>

Spanish version:



<https://dcf.wisconsin.gov/files/publications/pdf/5776s.pdf>

Hmong version:



<https://dcf.wisconsin.gov/files/publications/pdf/5776h.pdf>





## Why is CPS involved with me and my family?

Child Protective Services (CPS) is administered by your local child welfare agency. When a CPS professional interacts with you and your child/children, it is likely because the agency received information that your child may have been abused, neglected, or is at risk of being abused or neglected.

For CPS to get involved with a family, the concerns described at [Access](#) must meet the legal definition of suspected abuse or neglect. If it does, the case is “screened in” and the CPS agency will begin an [Initial Assessment](#).

## What can I expect to happen during an Initial Assessment?

CPS professionals have 60 days to complete the Initial Assessment (IA) and make a decision on next steps. In some cases, it will take less time, and in rare circumstances it can take longer than 60 days. Specific reasons why this may happen will depend on your county, and you are encouraged to discuss this with the CPS professional you are interacting with.

During the Initial Assessment, the CPS professional will:

- Talk with you, your children, and other people who live in your home
- Learn about your family and how you keep your children safe
- Gather information about the alleged abuse or neglect
- Gain a better understanding of your family’s strengths and needs
- Visit the family home to gain a better understanding of what support your family may need regarding any safety concerns
- Speak with other people, if needed, such as doctors and teachers
- Ask if your child or family has Native American ancestry, and collaborate with your child’s tribe if they are an Indian child

The CPS professional will learn more about each person in your home as an individual and as a whole family unit. The CPS professional looks for safety concerns, parenting style, and when and how you successfully protect your child/children. Using this information, they make two separate decisions:

1. Did abuse or neglect occur to a child/children according to state law?
2. Are the child/children safe in the family home?

The goal of the CPS professional is to make sure children are safe and families feel supported. If it is determined that your child is unsafe, CPS professionals will work with you and your family to create a plan for your child to be safe. These plans are called a Protective Plan or Safety Plan. Regardless of the type of plan that is put in place, the CPS professional is responsible for helping parents and caregivers keep children safely in their homes, whenever possible, and keep connections to family, culture, and community. Although they can be different from county to county, a variety of resources and services may be available, and it’s part of the CPS professional’s responsibility to work with you to find and use supports that will help your family. **You are encouraged to ask for any supports and services you feel you need.**



## What legal authority does CPS have to interview my child?

Chapter 48 of the Wisconsin Statutes is known as the [Children's Code](#). According to [Wis. Stat. § 48.981\(3\)\(c\)1.b.](#) "[t]he [CPS] agency may contact, observe or interview the child at any location without permission from the child's parent, guardian or legal custodian if necessary to determine if the child is in need of protection or services, except that the person making the investigation may enter a child's dwelling only with permission from the child's parent, guardian or legal custodian or after obtaining a court order permitting the person to do so." CPS professionals do not have the same legal authority to interview children on certain private property that they have in public settings.

## Parents and Indian Custodians of an Indian Child

According to law, [Wis. Stat. § 48.02\(8g\)](#), an Indian child is an unmarried person under 18 who is a member of an Indian tribe or is eligible for membership in an Indian tribe and is the biological child of a member of an Indian tribe. The Indian Child Welfare Act (ICWA) and the Wisconsin Indian Child Welfare Act (WICWA) are intended to "protect the best interests of Indian children and to promote the stability and security of Indian tribes and families."



ICWA and WICWA also provide certain protections to you, as the parent or Indian custodian of an Indian child, and requirements for state and county CPS agencies.

The CPS agency is required to engage with the tribal worker during the IA and in developing any plans with the family. Therefore, **you should inform all CPS professionals you have contact with about your child's Native American ancestry.** This will help the CPS professional understand whether ICWA/WICWA applies. If you have any questions, share them throughout the duration of the child welfare agency involvement.

See the [Introduction to Child Welfare, For Parents, By Parents](#) for additional information and resources.



## Will my child be removed from home?

Most Initial Assessments close without safety concerns or a child being removed. However, when there are safety threats that need to be addressed, local CPS agencies try to keep families together. The CPS professional is responsible for working with you to identify services that will keep your child safe and your family together. Sometimes these services cannot be provided within the home. When this occurs, the CPS professional will talk with you and your family to:

- Find a temporary safe place for your child to stay with relatives or friends or in a foster home
- Arrange for you to see your child within 5 business days of their removal from your home
- Connect you and your child to supportive services with the goal of them returning to your care, also known as reunification



In an emergency, your child may be placed outside your home without your permission. A court hearing must be held within 48 hours of when the decision was made to remove your child. At this Temporary Physical Custody (TPC) hearing, the court decides whether your child should remain living outside your home. You will be told when and where the hearing will be, and it is important to attend to tell the court how you see the situation.

If you are a parent or Indian custodian of an Indian Child, [Wisconsin law](#) states you have the right to be represented by legal counsel if your child is removed from your care. Please refer to the section at the end of this document for information on legal support.

If your child is removed from your care, please see the [Introduction to Child Welfare – For Parents, By Parents](#) for more information. For parents or Indian custodians of an Indian child, please see the section in that document on the CPS professional's responsibility to comply with placement preferences.



## Outcomes of the Initial Assessment

Upon completion of the Initial Assessment, the CPS professional will write a report that explains what was done and the information gathered. Based on the safety of the child/children, one of these possible outcomes will occur:

### Safe - Case Closed:

The CPS professional determines there are no safety concerns, provides the family with information on how to access community resources, if needed, and the case is closed.

### Safe - Case Open with Voluntary Services:

The CPS professional determines there are no safety concerns, but you, the parent, can choose to keep the case open and receive voluntary CPS services. The CPS professional will check in on you and your family from time to time.

### Unsafe - Case Open with Protective/Safety Plan:

The CPS professional works with the family to develop a Protective or Safety Plan that helps ensure safety in your home or temporarily moves your child/children to a safe home. The family may also be court-ordered to receive CPS services or may agree to receive voluntary services.

### Unsafe - Case Open with an Out-of-Home Placement:

If the CPS professional determines that a child needs to be removed in order to ensure safety, the child is removed and placed in out-of-home care, either under a court order or a voluntary placement agreement, preferably with someone they already have a relationship with, such as a relative or family friend. A Child in Need of Protection and Services (CHIPS) petition may be filed. Services are provided to the child and family, generally with the goal of reunification.

Statewide statistics show that in most situations, involvement with CPS ends after the Initial Assessment is completed.

If your case stays open it will transfer to the stage of the CPS process known as “[Ongoing Services](#).”







## How do I contact my worker and their supervisor?

All CPS professionals are available through their work phone numbers and work email addresses. The CPS professional who will be working with you should provide this information the first time you meet. In some counties, you may also be able to contact a CPS professional by text or other messaging service.

CPS supervisors should be providing guidance to their staff around all major decision points related to child safety and permanence for each family. They can also be a resource to families who could benefit from more communication and explanation around the CPS process.

## Complaints and Grievances

<https://dcf.wisconsin.gov/about-us/complaint/child-welfare>

Wisconsin CPS agencies are required to have a compliant/grievance procedure that begins with your local CPS agency. More information about this can be found at the link above. You may also ask the CPS professional about your county's specific procedure.

If you have completed the county complaint/grievance process and are unable to resolve your concerns, you may request that the Department of Children and Families' Bureau of Regional Operations (BRO) conduct a review of your case.

To file a complaint with the state: email [DCFBROCWComplaints@wisconsin.gov](mailto:DCFBROCWComplaints@wisconsin.gov) or call 608-422-6886.

## What if I disagree with a decision that substantiates me for abuse or neglect?

If you have been substantiated for abuse or neglect (in other words, the CPS professional has determined that it's more likely true than not that abuse or neglect occurred), you will get a letter with this decision. If you would like to try to seek review or appeal of that determination, you may follow the process outlined in your determination letter or visit this [Child Protective Services Appeal Process](#) page.

Determination appeals are time sensitive and are not part of the general complaint process. You have 15 days from the date on the letter about the initial determination to tell the CPS agency you want them to review the decision. After the CPS agency makes its final determination, you have 10 days from the notice of that determination to appeal to the Division of Hearings and Appeals.



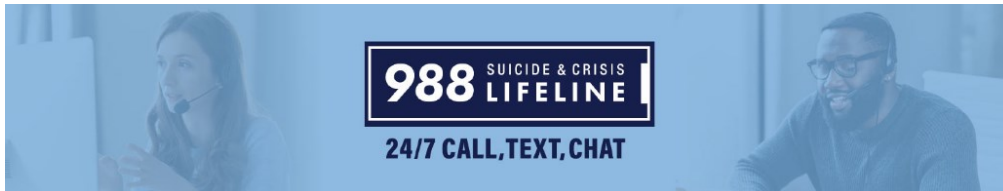


# Information for Parents at the Start of a CPS Initial Assessment

## Resources

**For support or information on finding support:**

Call, text, or chat 988 to be connected to a trained crisis counselor through the [988 Lifeline](#)



[Wisconsin Office of Children's Mental Health Support – Support for Families](#)

**Additional Initial Assessment Resources:**

- [Initial Assessment: What Happens When a Family Receives a Visit](#)
- [Initial Assessment Case Flow Graphic](#)

**For more information about CPS:**

- [“An Introduction to Child Welfare: For Parents, By Parents”](#)
- [“Understanding the Language of Child Welfare – A Resource for Parents”](#)
- [Understanding Wisconsin's Child Welfare System](#)

The basic information in this document about CPS and the Initial Assessment should not be considered legal advice. If you need legal advice, you will need to consult with an attorney. You can call 1-800-363-9082 or use this link to find a lawyer:

<https://www.wisbar.org/forPublic/INeedaLawyer/Pages/LRIS.aspx/>



Wisconsin Department of  
Children and Families

The Department of Children and Families is an equal opportunity employer and service provider. If you have a disability and need to access services, receive information in an alternate format, or need information translated to another language, please call the Division of Safety and Permanence at (608) 266-8787. Individuals who are deaf, hard of hearing, deaf-blind or speech disabled can use the free Wisconsin Relay Service (WRS) – 711 to contact the department.