



KNOW YOUR RIGHTS



A Department Child and Family Services (DCFS) Investigation

What Triggers a DCFS Investigation?

A call to the DCFS

1. Every call is documented but NOT every call leads to an investigation
2. Anyone can call, but there are mandated reporters, who are required by law to report

What Happens when DCFS starts an investigation?

Within 24 hours

DCFS field office worker will attempt to speak to the child

WHAT YOU NEED TO KNOW

- Parent does not have to give permission to DCFS interview with child, or entry into home (unless DCFS-licensed).
- The DCFS worker for this step may or may not be the investigator.
- The reporter is also contacted during this period.

Within 48 hours

The DCFS investigator will complete an initial investigation

WHAT YOU NEED TO KNOW

- Parent should make sure to get, or request, the notice of investigation.
- Parent can refuse to speak to investigator, but the refusal may be used against them.
- Parent can offer other witnesses to be interviewed.
- DCFS assesses child safety and can implement safety plan or removal of child, which could include removal.

Within 60 Days

The investigation should be completed

WHAT YOU NEED TO KNOW

- Parent can refuse for the child to be interviewed in the home (without a court order).
- Parent can also request for someone to be present with the child to make them feel more comfortable.
- Parent can provide any relevant information that supports their case (medical records, letters of supports, witness testimony, videos, photographs, etc).
- Parent can also have another person with them when communicating with DCFS; keep notes and put everything in writing!!

After a DCFS Investigation

WHAT YOU NEED TO KNOW

- DCFS will determine whether to "indicate" Parent for abuse and/or neglect. If indicated, Parent will be on the DCFS registry.
- Verbal and written notice of final decision should be provided.
- Services plan may be initiated.
- Parent has the right to appeal indication within 60 days ("expungement") and get copy of the file.
- If not indicated, Parent has 10 days to designate initial report as false/harassing.
- Parent also has right to file complaint for violations by DCFS investigator.

TIPS FOR DCFS Investigation

- Be courteous, calm, and professional with the investigator.
- Control the information: provide information, witnesses, documentation, and other evidence supporting your side of the story.
- Take notes, have a witness with you during interviews (and possibly for your child's interview), and keep copies of all communications with DCFS.
- Be careful with and review any safety plans.
- Request and keep all documents and information about the investigation.
- Make sure you assert your extra protections if you are a childcare worker.

QUESTIONS & LEGAL ASSISTANCE

Torrence Shorter
Memorial Legal Clinic
BLOCKS TOGETHER
3711 W Chicago Ave
Chicago, IL 60651
773-940-2319

Every two weeks
Tuesday 4-7pm
(Please call for an appointment)