**Child Protection**

***The Law***

**WHAT IS CHILD PROTECTION?**

Child protection is a social service agency run by the county. It investigates reports of abuse and neglect and provides services to families suspected of abuse and neglect. Child protection workers are social workers who protect children and strengthen families.

**WHAT HAPPENS WHEN THE CASE IS REFERRED TO CHILD PROTECTION?**

When a report is made to child protection about a suspected case of abuse or neglect, a child protection worker is assigned to the case to do the following:

1. **Investigate** - Child protection workers must investigate any reports of abuse or neglect. The investigation may include a phone call, a home visit, or interviews with any or all people involved in the case. If the results of the initial investigation indicate the need for court involvement, the worker will continue to investigate and gather evidence until the case is closed.
2. **Provide Services**- If abuse and neglect have occurred or are likely to occur, the child protection worker opens a case file. They can offer the family services that may include counseling, home-based services, foster care, etc. These services may be provided without court involvement.
3. **Recommend Removal of the Child** - The child protection worker cannot take the child out of the home without parental consent or a court order. There are two kinds of placements. Voluntary placement is the parents’ choice. Involuntary placement means that the child protection worker must get a court order. If they feel that the child is in immediate danger, they can call the police to remove the child. There must be a court hearing within 72 hours.
4. **Go to Court** - The child protection worker can ask the child to be removed from the parent either temporarily or permanently depending on the circumstances. There are two kinds of court cases that can be started by child protection. One is a case for dependency and neglect.

In this instance there is a case plan with the goal of reuniting the child with his or her parent. The other is a case to terminate parental rights when the case plan hasn't worked. When the courts become involved a guardian ad litem will be appointed to look out for the best interests of the child. Any child over the age of 12 and his or her parents also have the right to an attorney.

**WHAT SHOULD THE PARENT DO IF CHILD PROTECTION BECOMES INVOLVED?**

1. Write down the name and number of your child protection worker. This is the person you should call if you need information about your case.
2. Keep copies of everything you receive from child protection. Attend all meetings and court hearings. Keep notes at all meetings with the child protection worker. These notes should include the date, who was there, and what was said.
3. Be cooperative and honest, but be careful. Your comments can be used against you in court. You may want to have a friend, advocate, or lawyer present at all meetings.
4. If your child needs to be out of your home, help the child protection worker find an appropriate relative where your child might be temporarily placed.
5. You have a right to be involved in making the case plan. Once the case plan is made, follow the case plan so that the matter is not taken to court.

Adapted from “Child Protection” by Legal Aid Society of Minneapolis

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***Questions***

1. What is Child Protection?

2. When a report of suspected abuse is made to child protection, what is the first step that a child protection worker must take?

3. What form might the investigation take?

4. What are some of the services that a child protection worker might recommend?

5. What must a child protection worker have before they can remove a child from the home?

6. Describe the difference between a voluntary and involuntary placement.

7. What are the two kinds of court cases that can be started by child protection?

8. If you find yourself involved with child protection, what steps should you take to protect yourself and your child?

**Child Protection**

***Activity: Case Study One***

Pretend that you are a child protection worker and you have to respond to the following case. Answer the questions following the case. Be creative and use what you have learned about the law in your answers.

**Case**

You have just received a report of suspected neglect of a six-year-old boy. The person filing the report is the school nurse. She states that the boy is always dirty, hungry and tired. He is often sent to her office because he cannot concentrate on his schoolwork. When questioned he says that his mother is never home at night so he stays up as late as he wants. In the morning, she is too tired to get up and help him get ready for school. This has been an ongoing problem, and the nurse is concerned that the child is being neglected.

1. What methods of investigation would you choose and why?
2. Pretend that you have investigated the family and that you determined there is a need for services. Briefly write down what you found out about the situation. (You have to make this up based on the information you have and what you think might be happening in the home.)
3. What services would you recommend for the family and why?
4. Would you recommend that the child be removed from the home? Why or why not?
5. Assume that a court hearing for dependency and neglect was held and a case plan developed. What would you recommend be included in the case plan?
6. Now pretend that you are the mother in this case. What steps would you take to protect yourself?
7. What services would you request from child protection?
8. What kind of things would you like to see included in the case plan?

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***Activity: Case Study Two***

Pretend that you are a child protection worker and you have to respond to the following case. Answer the questions following the case. Be creative and use what you have learned about the law in your answers.

**Case Two**

You are a child protection worker and just received a report from the doctor in the emergency room about a 6-month-old girl who was brought in by the mother. The baby had a broken arm. Upon further investigation, the doctor found several new and old bruises on the baby's body. The mother was questioned, and she said that the baby was with the father while she was at work. When she got home she noticed that the baby cried whenever she touched her. The father said that the baby was crying all day and that he didn't know what was wrong with her. When the mother said she was going to bring the baby to the doctor, the father became angry and verbally abusive. He finally left. The mother continued to say that she didn't know what had happened.

1. What methods of investigation would you choose and why?
2. Pretend that you have investigated the family and that you determined there is a need for services. Briefly write down what you found out about the situation. (You have to make this up based on the information you have and what you think might be happening in the home.)
3. What services would you recommend for the family and why?
4. Would you recommend that the child be removed from the home? Why or why not?
5. Assume that a court hearing for dependency and neglect was held and a case plan developed. What would you recommend be included in the case plan?
6. Now pretend that you are the mother in this case. What steps would you take to protect yourself and your child?
7. What services would you request from child protection?
8. What kind of things would you like to see included in the case plan?