

A Tip Card for Survivors

**Before talking
to you, I want
to talk to an
attorney**

** Your decision to exercise your rights may be perceived by CPS
as being “non-cooperative” and may affect their assessment*

Know Your Rights When Dealing with CPS

**I choose to
exercise my
right to remain
silent**



NATIONAL CENTER TO ADVANCE PEACE
for Children, Youth, and Families

If CPS comes to your home,

- Ask the worker to identify themselves and show you their ID.
- Ask about the allegations of child maltreatment that were made.
- Deny CPS entry into your house unless they have a valid search warrant or declare an “imminent danger to a child.”
- Remain silent. You can exercise this right by directly saying, “I am invoking my right to remain silent,” or “I choose to stay silent.”
- Seek legal advice from an attorney. You can tell CPS, “I would like to speak to an attorney before I answer any questions.”
- Reschedule an appointment with CPS so you have time to prepare. You can tell them, “Right now is not a good time for me to speak with you. Can I call you to make an appointment for another time?”
- Refuse a drug test or medical/mental health evaluation unless there is a court order.
- Not be discriminated against on the basis of national origin, immigration status, disability, age, sexual orientation, gender identity, religion, color, race, or ethnicity.
- Keep your immigration status private.
- Communicate in a way that works best for you and receive accommodations, such as language interpretation, to ensure you are able to understand and communicate effectively.

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you have the right to...

- Have things explained to you using words you understand and ask questions if you do not understand something.
- Request accommodations if you or someone in your family has a disability.
- Refuse to answer questions that are not relevant to the child maltreatment allegations. You can ask the CPS worker, “How is this relevant to the allegations?” or say, “I prefer not to answer that since I don’t think it is relevant.”
- Refuse to sign anything before you’ve had a chance to review it with a lawyer, advocate, or another trusted person.
- Review the CPS case file and receive copies of any assessments, service plans, or other documents that you sign.
- Keep your family together, unless CPS has a court order to remove your children or declares there is an “imminent danger to a child.” If your children are removed by CPS, the decision will be reviewed by a judge, and you have a right to appear in court to defend yourself.
- Be informed about the findings of the CPS investigation.
- File a complaint at any time if you feel your rights have been violated.

Learn more about federal protections against discrimination in child welfare and your rights [here](#).

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