

4 Who Are All the People Working on My Case?

While your CPS case is open, you will work with many different people with different roles or jobs. Here are some of the players you will meet. You should try to become familiar with their different jobs, so that you know what each person can or cannot do for you or your child.

CPS Workers

When CPS first receives a report of abuse or neglect, the agency assigns an **Investigative Worker** to the case. This is the person who will perform the investigation, including interviewing you, your child, and other people involved in the report. This is also the CPS worker who will attend the first hearing where the court decides whether abuse or neglect occurred. She will testify about what she found out.

If CPS finds your child is unsafe but thinks it doesn't need to remove your child, you may be assigned a **Family Based Safety Services (FBSS) Worker** who will work with you and provide services to make your home safer. If you have a FBSS worker, your child might be living in your home or with a family member that you agreed to.

If a court determines that abuse or neglect has occurred and grants CPS custody (also called Temporary Managing Conservatorship or TMC) of your child, then your case will be transferred to a **Conservatorship Caseworker** (or Caseworker). This is the CPS caseworker who will be assigned to your case through the entire court process. You may have more than one conservatorship caseworker during your case. This usually happens because the first caseworker gets assigned to a different case, stops working at CPS, or moves to a different job. In most places in Texas, your conservatorship caseworker is not the same worker who did the initial investigation.

Every CPS caseworker has a **CPS Supervisor**, who is the person responsible for signing off on final decisions for the agency. If you have questions or concerns about how your caseworker is handling your case, you can contact your caseworker's supervisor for more information. If you get a new caseworker, you may also get a new supervisor.

Your caseworker does not just work with you. He or she will also be working with your child, other family members, teachers, doctors, therapists, foster parents, and other people who may be involved with your child during the case.

Case Managers Who May Not Work for CPS

Depending on where you live in Texas, you might have a case manager working with your child, in addition to a CPS caseworker. A case manager will do a lot of the same things that the CPS caseworker usually does, but instead of working for CPS, the case manager works for an agency that contracts with DFPS to give you or your children services.

District Attorney, County Attorney or Regional Attorney

Just like you have a lawyer and your child has a lawyer, CPS also has a lawyer who represents the agency in court. This lawyer will be arguing for CPS’s side of the case and must prove by a certain amount of evidence why your child should be in CPS custody. The lawyers who represent CPS may have different names depending on what court you are in. Some are elected by voters and work for the county where the court is. These are known as District or County Attorneys. Others work for CPS’ parent agency DFPS and are known as Regional Attorneys. No matter the job title, the client of these lawyers is CPS.

Parent’s Attorney

This is the lawyer who will help you and argue your side of the case in court. The court will appoint a lawyer to represent you for free if you do not have money to pay (this is called being “indigent”). In Texas, every parent has the right to a court-appointed lawyer, if they are indigent and they do not want the state to take custody of their child or try to terminate their parental rights. Even if CPS says it does not plan to terminate parental rights and it only wants to take custody of a child, the court should appoint a lawyer to represent the parent. Usually, each parent will have his or her own lawyer, although in some cases, the same lawyer might represent both parents. See page 79 for more information about the Parent Attorney’s role.



“I always thought I was a good mom, even though I used drugs. What I didn’t realize was that I could not be the mom I needed to be while I was high, locking myself in the bedroom, telling my girls “just a minute” several times before answering their knocks at the door, with more drugs and paraphernalia in our home than food.”

– Parent Collaboration Group Parent Liaisons



Attorney Ad Litem For Child (AAL or Lawyer)

This is the lawyer who represents your child during a CPS case. Your child's lawyer is also appointed by the court. In Texas, every child, no matter how young, has a lawyer appointed to represent them in CPS cases. Your child's lawyer cannot stop representing your child unless the court gives them permission. The lawyer should attend all hearings in your child's case until the court dismisses him or her.

When more than one child is involved, there may be more than one AAL. An AAL may not be able to represent all of the children, especially if children are asking for different things. For example, maybe one child wants to return to his parents and the other child wants to live with a grandmother. Just like each parent having his or her own lawyer, each child may also end up with his or her own lawyer.

Each child must also have a Guardian ad Litem. Depending on the age and ability of your child, the AAL might act as both the lawyer and the Guardian ad Litem. The Guardian ad Litem's role is explained next.

Guardian Ad Litem For Child (GAL)

The Guardian Ad Litem or GAL is a person appointed by the court to help the court to better understand your child's best interests. The GAL will review the case and advise the court on what she thinks is best for your child. The GAL can interview people, including you and your child, and meet with anyone else who is involved in the case, like teachers, doctors, and daycare providers. The GAL will file reports with the court before each hearing to tell the court what she has learned and how she thinks your child is doing.

For babies and very young children, the GAL and the AAL may be the same person. For older children, the GAL might be someone else, who may also be a lawyer. Sometimes a CASA volunteer will serve as the GAL. CASA stands for Court Appointed Special Advocate. CASAs are trained volunteers who will do all of the things that any other GAL would do, including interviewing people, filing reports, and advising the court.

Judge

The judge is the person who runs the court hearings. The judge will listen to all sides of the case and then make decisions that she thinks are in the best interest of your child. For example, the judge will decide where your child will live during the case or how often you may visit your child.

Do not contact or write your judge a letter about the case. Judges can only communicate about a case when everyone involved in the case is there in court. This rule makes the process fair for everyone.

Mediator

A mediator is a person trained to help people work out differences and reach an agreement outside of court. The mediator is independent and neutral, which means she is not going to take sides in your case or argue in favor of either you or CPS. Things discussed privately with the mediator are confidential and will not be shared with the other parties without your permission. The mediator is there to help you and CPS talk about the case and see if there are things that everyone can agree to, without asking the judge to make the decision. Mediation is discussed in detail at page 68.

Counselor, Therapist, Other Social Workers

During any CPS case, there will be lots of people working with you and your children. Some of these people will work for CPS, the child's caseworker. Others will be independent, such as the therapist you might see as part of your service plan or a school counselor working with your child. You will need to try to work with all of the people involved in your case if you hope to get your children returned and the CPS case closed.

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“Denial, pure and simple. I had an anger problem, grew up in an abusive household, lived with an abusive man, and abused my children. The day I received the call from the CPS investigator, was an eye-opening moment for me.”

– Parent Collaboration Group Parent Liaisons

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