

## **WHAT IS CFSD INTERVENTION?**

If safety threats are identified, CFSD will implement a Safety Management Plan to ensure the safety of your child. The Safety Management Plan will occur whether your children are in your home or out of your home. CFSD will also implement a Prevention Plan or Treatment Plan to help you access professional resources that can assist in mitigating safety threats. If the identified threats to your child can be managed while your child is in your home, a Prevention Plan can be offered. If the identified safety threats cannot be managed while maintaining your child in your home, your child may be removed and placed in emergency foster care while legal intervention is initiated. Following removal, CFSD will continue to work with your family to identify community and family resources to safely return your child to your home. You may have an attorney and/or support person present for any meeting with CFSD staff.

## **WHAT YOU NEED TO KNOW ABOUT WORKING WITH THE CHILD AND FAMILY SERVICES DIVISION**

Child and Family Services Division (CFSD) is a state agency that provides services to the children and families of Montana. The mission of the Child and Family Services Division is to keep children safe and families strong.



**DEPARTMENT OF  
PUBLIC HEALTH &  
HUMAN SERVICES**

**A FAMILY GUIDE TO  
THE MONTANA CHILD  
WELFARE SYSTEM**  
*CFSD Intervention*

## **WHAT IS A PREVENTION PLAN?**

---

This plan does not involve legal intervention. A Prevention Plan is a voluntary agreement between Parents and CFSD to partner together with community and family resources to prevent removal and legal intervention. This plan allows for CFSD to work closely with your family to enhance your ability to care for your child safely and sustainability. Your willingness to participate with CFSD and service providers is critical to a successful Prevention Plan.

## **WHAT IS A LEGAL INTERVENTION?**

---

When a Prevention Plan cannot be put in to place, you will receive a document called Notification to Parent. The document initiates legal intervention through Emergency Protection Services (EPS). The Notification to Parent will include a date and location for an EPS hearing. The notification may also include the date and location for a Pre-Hearing Conference (PHC), if available in your area. CFSD will document the reasons for removal in an affidavit that will be provided to the court. You will be appointed an attorney through the Office of Public Defender. You may contact the Office of Public Defender at 1-888-241-8657 or [opdeps@mt.gov](mailto:opdeps@mt.gov)

## **WHAT IS AN EMERGENCY PROTECTIVE SERVICES HEARING?**

---

EPS Hearings must occur within 5 business days from removal. At the hearing, the Judge can make several decisions, two of them being; whether CFSD should have removed your child from your care, and whether your child should remain in foster care. Following the hearing, the judge will issue a court order reflecting their decision. Please consult with your attorney for additional information regarding legal intervention.

You have the right to:

- Receive a copy of the affidavit.
- Have a support person or persons present at any meeting with CFSD.
- Be provided services, including visitation with your child, unless otherwise ordered by the court.
- Attend and participate in the hearing which includes providing a statement to the judge.
- Contest allegations, call and cross-examine witnesses.
- Request that your child be placed with a relative.

## **WHAT IS A PRE-HEARING CONFERENCE?**

---

A Pre-Hearing Conference (PHC), is a meeting that may be held after a removal with your attorney, CFSD and other legal partners. The PHC will be a discussion about the placement of your child, conditions for return, visitation with your child, and recommended services for you and your family.

## **USE OF MEDICAL & MENTAL HEALTH RECORDS**

---

Medical and Mental Health records may be requested to inform you Prevention Plan or Treatment Plan. You have the right to withhold consent to release your medical or mental health records unless ordered to do so by the court.

You have the right to accommodations under the Americans with Disabilities Act of 1990, 42 U.S.C. 12101, Et seq.

## **WILL LAW ENFORCEMENT BE NOTIFIED?**

---

CFSD is required to cross-report allegations of child abuse and neglect such as sexual abuse, physical abuse, exposure to violence or dangerous drugs, or any other allegations that may also be criminal offenses to law enforcement.