

Date Prepared: _____

CONFIDENTIAL CPS QUESTIONNAIRE

Please provide the information requested and return it to the above law office as soon as possible. It is important that you answer each question candidly and completely so that we can understand and assess your case. **Also, please be certain to forward to us a copy of each service plan, Court pleading, if any, along with your Confidential Questionnaire that you will have completed hereinbelow.**

If a question does not apply to your particular situation, please indicate by marking the question “N/A.” If the answer to any question requires more space than has been provided on the form, please complete your answer on a separate sheet. Please refer to the question number to which your answer applies and attach your answer to this form.

Pursuant to Tex. Fam. Code § 261.001(1), “abuse” means the following acts (or omissions):

- (A) mental or emotional injury to a child that results in an observable and material impairment in the child’s growth, development, or psychological functioning;
- (B) causing or permitting the child to be in a situation in which the child sustains a mental or emotional injury that results in an observable and material impairment in the child’s growth, development, or psychological functioning;
- (C) physical injury that results in substantial harm to the child, or the genuine threat of substantial harm from physical injury to the child, including an injury that is at variance with the history or explanation given and excluding an accident or reasonable discipline by a parent, guardian, or managing or possessory conservator that does not expose the child to a substantial risk of harm;
- (D) failure to make a reasonable effort to prevent an action by another person that results in physical injury that results in substantial harm to the child;
- (E) sexual conduct harmful to a child’s mental, emotional, or physical welfare, including conduct that constitutes the offense of continuous sexual abuse of young child or disabled individual under Section 21.02, Texas Penal Code, indecency with a child under Section 21.11, Texas Penal Code, sexual assault under Section 22.011, Texas Penal Code, or aggravated sexual assault under Section 22.021, Texas Penal Code;
- (F) failure to make a reasonable effort to prevent sexual conduct harmful to a child;

(G) compelling or encouraging the child to engage in sexual conduct as defined by Section 43.01, Texas Penal Code, including compelling or encouraging the child in a manner that constitutes an offense of trafficking of persons under Section 20A.02(a)(7) or (8), Texas Penal Code, solicitation of prostitution under Section 43.021, Texas Penal Code, or compelling prostitution under Section 43.05(a)(2), Texas Penal Code;

(H) causing, permitting, encouraging, engaging in, or allowing the photographing, filming, or depicting of the child if the person knew or should have known that the resulting photograph, film, or depiction of the child is obscene as defined by Section 43.21, Texas Penal Code, or pornographic;

(I) the current use by a person of a controlled substance as defined by Chapter 481, Texas Health and Safety Code, in a manner or to the extent that the use results in physical, mental, or emotional injury to a child;

(J) causing, expressly permitting, or encouraging a child to use a controlled substance as defined by Chapter 481, Texas Health and Safety Code;

(K) causing, permitting, encouraging, engaging in, or allowing a sexual performance by a child as defined by Section 43.25, Texas Penal Code;

(L) knowingly causing, permitting, encouraging, engaging in, or allowing a child to be trafficked in a manner punishable as an offense under Section 20A.02(a)(5), (6), (7), or (8), Texas Penal Code, or the failure to make a reasonable effort to prevent a child from being trafficked in a manner punishable as an offense under any of those sections; or,

(M) forcing, or coercing, a child to enter into a marriage.

Pursuant to Tex. Fam. Code § 261.001(4)(A), “neglect” means an act (or failure to act) by a person responsible for a child’s care, custody, or welfare evidencing the person’s blatant disregard for the consequences of the act or failure to act that results in harm to the child, or that creates an immediate danger to the child’s physical health or safety, and includes:

(A) the leaving of a child in a situation where the child would be exposed to an immediate danger of physical or mental harm, without arranging for necessary care for the child, and the demonstration of an intent not to return by a parent, guardian, or managing or possessory conservator of the child;

(B) the following acts or omissions:

(i) placing a child in, or failing to remove a child, from a situation that a reasonable person would realize requires judgment or actions beyond the child’s level of maturity, physical condition, or mental abilities and that results in bodily injury or an immediate danger of harm to the child;

(ii) failing to seek, obtain, or follow through with medical care for a child, with the failure resulting in or presenting an immediate danger of death, disfigurement,

or bodily injury or with the failure resulting in an observable and material impairment to the growth, development, or functioning of the child;

(iii) the failure to provide a child with food, clothing, or shelter necessary to sustain the life or health of the child, excluding failure caused primarily by financial inability unless relief services had been offered and refused;

(iv) placing a child in or failing to remove the child from a situation in which the child would be exposed to an immediate danger of sexual conduct harmful to the child; or,

(v) placing a child in or failing to remove the child from a situation in which the child would be exposed to acts or omissions that constitute abuse under Subdivision (1)(E), (F), (G), (H), or (K) committed against another child;

(C) the failure by the person responsible for a child's care, custody, or welfare to permit the child to return to the child's home without arranging for the necessary care for the child after the child has been absent from the home for any reason, including having been in residential placement or having run away; or,

(D) a negligent act or omission by an employee, volunteer, or other individual working under the auspices of a facility or program, including failure to comply with an individual treatment plan, plan of care, or individualized service plan, that causes or may cause substantial emotional harm or physical injury to, or the death of, a child served by the facility or program as further described by rule or policy.

NOTICE OF CONFIDENTIALITY

The information provided hereinbelow is subject to the attorney-client privilege and attorney work-product privileges and will be held in strict confidence. However, if a professional, including an attorney or an employee of an attorney, has cause to believe that a child has been abused or neglected or may be abused or neglected or that a child is a victim of an offense under Texas Penal Code § 21.11, or that an adult was a victim of abuse or neglect as a child, the professional is required to make disclosure to the appropriate agency. See Tex. Fam. Code § 261.101.

1. CLIENT (YOURSELF)

Full name: _____

Date of birth: _____ Place of birth: _____

Social Security number (last 3 digits): _____

Driver's license number and state (last 3 digits): _____

Maiden name (if applicable): _____

2. YOUR CONTACT INFORMATION

Current Address: _____

City: _____ County: _____ State: _____

ZIP: _____ Cell phone: _____

How long have you lived at this address? _____

How long have you lived in Texas? _____

How long have you lived in this county? _____

Who else lives in your household? _____

How do you prefer that we contact you?

Address: _____

Phone: _____ Fax: _____

Cell phone: _____

E-mail: _____

(please note that e-mail communications may not be confidential)

Do you use social media? If so, indicate which sites are used and the account name:

Facebook: _____

Instagram: _____

X (f/k/a Twitter): _____

LinkedIn: _____

Other: _____

If you believe that the health, safety, or liberty of you or the children would be jeopardized by disclosure of your address or that of the children, please disclose the reason for that belief. _____

3. YOUR CURRENT EMPLOYMENT

Employer: _____

Job title: _____

Street address: _____

City, state, ZIP: _____

Phone: _____ May we call you at work? _____

E-mail: _____ May we e-mail you at work? _____

Business Fax Number: _____ Call before faxing? Yes _____ No _____

Working hours, days: _____

Monthly gross salary: _____

Annual gross salary: _____

Length of current employment: _____

Education/training: _____

4. CPS CASEWORKER'S CONTACT INFORMATION

Full name: _____

Address: _____

City: _____ County: _____ State: _____

Zip: _____ Cell phone: _____

E-mail: _____

5. CPS SUPERVISOR'S CONTACT INFORMATION

Full name: _____

Address: _____

City: _____ County: _____ State: _____

Zip: _____ Cell phone: _____

E-mail: _____

6. WHAT ALLEGATIONS INVOLVING ABUSE AND/OR NEGLECT HAVE BEEN REPORTED AGAINST YOU TO CPS?

7. CHILD (OR CHILDREN) WHO(M) ARE THE SUBJECT(S) OF THE CASE

Name: _____ Sex: _____

Date of birth: _____ Age: _____ Place of birth (city and state): _____

Name of school child attends: _____ Grade: _____

Social Security number (last 3 digits): _____

Driver's license number (last 3 digits): _____

Disability, if any: _____

Name: _____ Sex: _____

Date of birth: _____ Age: _____ Place of birth (city and state): _____

Name of school child attends: _____ Grade: _____

Social Security number (last 3 digits): _____

Driver's license number (last 3 digits): _____

Disability, if any: _____

Name: _____ Sex: _____

Date of birth: _____ Age: _____ Place of birth (city and state): _____

Name of school child attends: _____ Grade: _____

Social Security number (last 3 digits): _____

Driver's license number (last 3 digits): _____

Disability, if any: _____

With whom are the children now residing? _____

Does any child suffer a chronic illness or disability? If so, please describe. _____

(Please do not attempt to withdraw any funds from any account[s] in the child/ren's name[s].)

Is there a child, a party, or a potential party that lives outside Texas? _____ If you answered "yes," please let us know because this law office will need to ask you additional questions concerning jurisdictional information.

8. POSSIBLE CASE-RELATED INFORMATION

Have there been previous court proceedings between you, your spouse, or significant other, or the child(ren)? _____ If so, please complete the following:

Type of action: _____

Court No.: _____ Case No.: _____

State and County: _____

Date: _____

(If there has been more than one court proceeding, please provide that information on a separate page.)

(Please be advised that this law office does not offer any tax-related advice.)

Have you or your spouse ever sought or been subject to a protective order? _____

Have you or your spouse ever contacted or been contacted by Child Protective Services? _____

Have you or your spouse ever been arrested for or convicted of a crime? _____

9. OTHER CASE-RELEVANT INFORMATION

Other than yourself, is there someone we can contact in an emergency? _____

Name and Relationship: _____

Address: _____

Telephone: _____

Who referred you to this law office? _____