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**OFFICE OF CHILDREN & FAMILY SERVICES**  
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Commissioner

### Local Commissioners Memorandum

<b>Transmittal:</b>	07-OCFS-LCM-14
<b>To:</b>	Local District Commissioners
<b>Issuing Division/Office:</b>	Division of Development and Prevention Services
<b>Date:</b>	September 4, 2007
<b>Subject:</b>	Alternative CPS Notice of Existence of Report Letters
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<b>Attachments:</b>	<p>A. Alternate Notice of Existence of Report (Subject[s] - Familial) – English/Spanish</p> <p>B. Alternate Notice of Existence of Report (Subject[s] - Familial) (Not Personally Delivered) – English/Spanish</p> <p>C. Alternate Notice of Existence of Report (Other Person[s] Named in the Report - Familial) -- English/Spanish</p> <p>D. Alternate Notice of Existence of Report (Other Person[s] Named in the Report – Familial) (Not Personally Delivered) – English/Spanish</p>
<b>Attachment Available Online:</b>	Yes

**I. Purpose**

The purpose of this memorandum is to make available alternative CPS Notice of Existence of Report letters. These letters (in word template form), which local social services districts are free to use as an alternative to the existing CPS Notice of Existence of Report letters that are generated through CONNECTIONS, were developed primarily to better emphasize that CPS can be a source of assistance to families. These alternative CPS Notice of Existence of Report letters inform subjects and other persons named in the CPS report that the family members' own perception of their needs and strengths is an important component in CPS's assessment of child safety.

**II. Background**

Section 424.6 of the Social Services Law requires that subjects and other persons named in reports of suspected child abuse or maltreatment be notified "forthwith...in writing of the existence of the report and their respective rights pursuant to this title in regard to amendment." 18 NYCRR 432.2(b)(3)(ii)(f) requires that written notice be provided to the subject and other persons named in the report no later than seven days after receipt of the oral report. The existing CPS Notice of Existence of Report letters (and all other CPS-systems generated letters) are available through the CONNECTIONS application, and will remain available in such application.

**III. Program Implications**

There are four new alternative CPS Notice of Existence of Report letters (in both English and Spanish) appended to this memorandum for local social services districts' optional use. Two letters pertain to subjects of a CPS report and two pertain to other persons named in the report. Only one of the two letters to subjects and other persons named in the CPS report would be used. One set of letters is intended for use when the CPS worker is meeting with the subject and/or other person(s) named in the report, while the other set of letters is intended to be mailed to the subject and/or other person(s) named in the report. All the letters are in the form of WORD templates.

Local social services districts that believe that their CPS investigation/assessment practice is better reflected by the language used in the alternative letters are strongly encouraged to use these letters. The primary change is reflected in the third paragraph of each letter. The language in that paragraph is consistent with OCFS' position that it is possible to do an objective safety and risk assessment while seeking and giving appropriate weight to the family's own perspective of its strengths and needs. Moreover, we believe that when such an approach is used at an early point of

CPS involvement, a subsequently initiated needed intervention or service plan succeeding is more likely to succeed. Other edits to the letters were made for simplification.

Local social services districts choosing to use the alternative CPS Notice of Existence of Report letters should still generate the CONNECTIONS Notice of Existence of Report letters on the date they deliver or mail the alternative letter, and then dispose of them. This will record a system event of the notice and provide a date for reference in the follow-up Notice of Indication, if and when it is system-generated.

*/s/ Jane G. Lynch*

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**Issued By:**

Name: Jane G. Lynch

Title: Deputy Commissioner

Division/Office: Development and Prevention Services