PARENT / LEGAL GUARDIAN NOTICE

NOTICE OF LIMITED NONCONSENT

Request for Written Child Protection Information | VIRGINIA

Date: [Date] Parent / guardian: [Full legal name]

Mailing address: [Street, city, state, ZIP] Email / phone (optional): [Contact]

To: Virginia [Locality] Department of Social Services, Child Protective Services

Re: [Child initials / investigation reference]

To the assigned child protection worker and supervisor:

I understand Virginia CPS may conduct a family assessment or investigation. I request the oral and written explanation of agency powers and the voluntary/mandatory status of each request.

LIMITED CONSENT DECISIONS

I do not give blanket advance consent to voluntary adult interviews, consensual nonemergency home entry or search, optional adult testing or evaluations, blanket release of my private records, or voluntary services or safety plans. Please explain each request and its legal basis separately so I can decide after reviewing it and, if needed, consulting counsel. This statement does not override a court order, independently authorized child interview, lawful investigation or emergency intervention.

STATE-SPECIFIC RIGHTS, EXCEPTIONS, AND DEADLINES

- 22VAC40-705-90(A) permits home entry with permission of an ADULT resident; without permission, entry by a CPS worker is limited to a serious and immediate child-life/health endangerment standard, with detailed documentation and supervisor discussion.
- Under § 90(B), CPS must explain orally AND IN WRITING its responsibilities, authorities, and potential consequences before the assessment or investigation. Under § 90(D), substance screening may be requested by consent or sought by court petition.
- A qualifying FOUNDED disposition may be challenged in writing with the local DSS director within 30 days after notification. After an adverse local conference decision, a further written state-hearing request generally is due within 30 days AFTER RECEIPT; see 22VAC40-705-190. Related criminal matters may stay the appeal process, not eliminate filing requirements.

PLEASE PROVIDE IN WRITING

- The oral and written explanation required by 22VAC40-705-90(B), complaint notice, case number, lawful allegations, worker/supervisor contacts.
- All proposed voluntary safety plans, placements, testing and releases with precise authority for mandatory action; copies of any orders.
- Written founded/unfounded decision where applicable, the 22VAC40-705-190 local-review and state-hearing forms and filing addresses, applicable deadlines, accessible investigation records and withheld-information explanations. Family assessments do not receive founded/unfounded dispositions.

Please include this notice in the case file and confirm receipt. I request routine nonurgent correspondence in writing. For urgent child-safety concerns, please contact me promptly through an appropriate available method.

Signature: _____ Date: _____

Printed name: _____

LEGAL REFERENCES: 22VAC40-705-90, -140, -190 and -200; Va. Code §§ 63.2-1517, 63.2-1518, 63.2-1526.

LIMITATION / LEGAL REVIEW HOLD: The worker's entry standard is not a universal rule governing law enforcement, warrants or other independent lawful authority. Informational working draft; not individualized legal advice or attorney-certified.

IMPORTANT - NO APPEAL FILED: This notice does not file an appeal, hearing request, grievance, or court petition; it does not pause any deadline. Follow the case-specific notice and filing instructions.