

Worksheet for Reinstatement of Parental Rights

This worksheet can be used to gather and organize information that you will need if you are considering filing a petition to have your parental rights reinstated. This worksheet is only for you to use to gather and keep information. It is **not** a legal requirement to complete the worksheet before you file a case. This worksheet should **not** be filed with the court.

1. Gather the following information for each child for whom you are asking to have your parental rights reinstated:

Child 1:

Name: _____

Check off each requirement:

Yes No

- The Petition for Termination of Parental Rights was filed by the Department of Family and Protective Services (DFPS or “the Department”)
- The child has not been adopted
- The child is not in an adoption placement agreement
- The child is under the age of 12 **or** the child is age 12 or older and will consent (agree with) my parental rights being reinstated
- It has been at least two years from the date that the judge signed the order terminating my rights to this child
- No appeal of the termination is currently pending.
- I have never filed a Petition for Reinstatement for this child **or** it has been at least one year since the court last denied my Petition for Reinstatement
- I have taken steps to change or address the safety concerns that led to the termination of my parental rights (this could include stable work, stable housing, going to substance abuse treatment, mental health care, etc.)

*If you answered **no** to any of these questions, it may not be legally possible to request reinstatement of your parental rights at this time. You can consult with an attorney or call the Family Helpline at 844-888-6565 to discuss your situation.*

Child's date of birth: _____

Child's place of birth: _____

Who does the child currently live with?

What is the child's current address, if known:

The grounds used to terminate my rights to this child were:

Tip: The grounds for termination should be written out in the order that terminated your parental rights. There may be only one ground or there may be multiple grounds.

Was the child subject to ICWA (the Indian Child Welfare Act)? ___ Yes ___ No

Tip: ICWA applies if a child is a member of an Indian tribe or eligible to be a member.

If yes, the contact information for the tribal services agent is:

For additional children, please go to page 9 of the worksheet.

2. Fill in as much contact information as you can for each of the following people in the case:

Tip: SSCC stands for Single Source Continuum Contractor. An SSCC is an agency that serves the same role as CPS in certain counties in Texas. Some of the existing SSCCs in Texas are Our Communities/Our Kids, Belong, 2Ingage, and St. Francis Ministries.

CPS Caseworker or SSCC Caseworker – this person is the main caseworker for your case/your child’s case. Depending on what county your case was in, this person may work for CPS or for an SSCC.

Name:

Address:

Phone number and email address:

CPS or SSCC Casework Supervisor – this person supervised the caseworker listed above; if the caseworker worked for CPS, this person worked for CPS; if the caseworker worked for an SSCC, this person worked for that SSCC too.

Name:

Address:

Phone number and email address:

County Attorney, District Attorney or Regional Attorney – this is the attorney that represented CPS or the SSCC in court.

Name:

State Bar Number:

Address:

Phone number and email address:

Tip: If this information is not listed in your termination order, any Texas attorney's contact information can be found by searching for their name at www.texasbar.com. Keep in mind that the attorney who worked on your case when your rights were terminated may no longer be the attorney representing CPS or the SSCC.

Attorney ad litem for the child – this is the person who represented to the court what the child wanted; or, if the child was very young, this person may have represented to the court what was in the child's best interest (in this situation, they were likely serving as the child's attorney ad litem AND guardian ad litem). This person should always be an attorney.

Name:

State Bar Number:

Address:

Phone number and email address:

Tip: If this information is not listed in your termination order, any Texas attorney's contact information can be found by searching for their name at www.texasbar.com. Keep in mind that there may now be a different attorney ad litem than the one who represented your child when your rights were terminated. It is also possible that the child no longer has an attorney ad litem at all.

*Tip: If more than one child was a part of the case, there may have been more than one attorney ad litem. Write down the name, state bar number, and contact information for **every** attorney ad litem for a child for whom you want your parental rights reinstated.*

Guardian ad litem - this person is sometimes called a CASA; in this case, the person is not an attorney. Sometimes, the attorney ad litem and guardian ad litem may be the same person, especially if the child is very young.

Name:

State Bar Number (if an attorney):

Address:

Phone number and email address:

*Tip: If more than one child was a part of the case, there may have been more than one guardian ad litem. Write down the name, state bar number (if the person is an attorney) and contact information for **every** guardian ad litem for a child for whom you want your parental rights reinstated.*

Tip: It is possible that the child no longer has a guardian ad litem.

3. Make a list of all the ways that you have positively changed your life since the termination

Think about how the changes you've made in your life will help you perform the duties of a parent under Texas law (Texas Family Code 151.001). These include the duties:

- to direct the moral and/or religious training of the child
- to choose the residence of the child
- to take care of the child and provide them with love and attention
- to control the child (for example, making sure that they do not break the law, and that they do the things they are supposed to do like go to school and go to the doctor)
- to safely and reasonably discipline the child
- to protect the child from abuse, neglect, and other harm
- to support the child financially and provide them with clothes, food, shelter, medical and dental care
- to make appropriate decisions about the child's education, including any special education services that they may need

Here are some specific questions you can ask yourself:

- 1) Do you have stable housing? Where and with whom do you live? Are you able and willing to keep unsafe people away from your child and your home? Is there space for your child to live in your home?
- 2) Are you currently employed? Where do you work? Have you gotten any promotions or completed any educational programs since your termination order was signed?
- 3) Do you have reliable transportation, including a car or access to the bus or metro rail? How do you plan to get your child to school or to the doctor?
- 4) Are you able to provide your child with food, clothing, safe housing, medical care, and safe childcare (if the child is young)?
- 5) Do you have a support system who can help you if you run into hard times or struggle with parenting your child? If so, who are they? Do you spend your time with positive people who support your journey?
- 6) Have you completed substance abuse treatment and remained sober for a certain period of time? Do you consistently attend NA or AA and have a sponsor? Are you willing to submit to drug tests if CPS asks you to? Are you avoiding places and people where you know drugs or alcohol may be present?
- 7) Have you been engaged in personal counseling for an extended period of time? Have you completed parenting classes or otherwise educated yourself about positive parenting and discipline techniques? Have you read any parenting books?
- 8) Have you addressed any mental health concerns by working with a psychiatrist or psychologist? Are you consistently taking medications that have been prescribed by your doctor?
- 9) Have you removed yourself from any violent relationships and not entered into any new relationships with abusive partners? Do you know how to talk through issues without turning to aggressive words or violence?
- 10) Were you released from jail or prison since the termination order was signed? If so, what steps did you take during your incarceration to ensure stability after your release? What are your plans for the future?
- 11) If your child has emotional, behavioral, medical, or mental health related challenges, do you feel equipped to handle them? Do you understand any special needs that they have – such as mental health diagnoses, medical conditions, or special education services – and how to support them and get them the services they need to stay healthy and safe?

- 12) Are you prepared for the fact that reintegrating your child back into your home may bring up some painful feelings for both you and your child? Are you prepared to handle those situations and support your child emotionally while you work through them? Do you have a plan to engage in family counseling, community groups, or other support groups with your child?
- 13) If there are any other children in the home, are they currently doing well in school? Are they happy and well taken care of? Are you involved in their school/daycare? Are you knowledgeable about any special education or medical needs that they have? Have you not had any CPS involvement since your termination case ended?

Write everything you can think of below:

Now think about what evidence you have that these things are true. Collect all of the evidence and keep it in your folder.

Some examples might be:

- a. Do you have photos of your home?
- b. Do you have certificates from educational courses you have completed?
- c. Do you have pay stubs to show you work a steady job?
- d. Do you have a signed lease or mortgage to show you have stable housing?
- e. Do you have proof that you are being consistent in your mental health care or medical health care?
- f. Do you have proof that you recently submitted a negative drug test for work, probation/parole, or some other reason?
- g. Do you have a list of witnesses who are able to talk about the changes you've made and how you could safely parent your child? This could include family, friends, clergy, teachers, employers, counselors, etc.

Tip: You can continue working on these things even after your Notice and your Petition for Reinstatement have been filed. You can continue to add things to this list as the case goes on.

STEP 1 (continued):

Child 2:

Name: _____

Check off each requirement:

Yes No

The Petition for Termination of Parental Rights was filed by the Department of Family and Protective Services (DFPS or “the Department”)

The child has not been adopted

The child is not in an adoption placement agreement

The child is under the age of 12 **or** the child is age 12 or older and will consent (agree with) my parental rights being reinstated

It has been at least two years from the date that the judge signed the order terminating my rights to this child

No appeal of the termination is currently pending.

I have never filed a Petition for Reinstatement for this child **or** it has been at least one year since the court last denied my Petition for Reinstatement

I have taken steps to change or address the safety concerns that led to the termination of my parental rights (this could include stable work, stable housing, going to substance abuse treatment, mental health care, etc.)

*If you answered **no** to any of these questions, it may not be legally possible to request reinstatement of your parental rights at this time. You can consult with an attorney or call the Family Helpline at 844-888-6565 to further discuss your situation.*

Child’s date of birth: _____

Child’s place of birth: _____

Who does the child currently live with?

What is the child’s current address, if known:

The grounds used to terminate my rights to this child were:

Tip: The grounds for termination should be written out in the order that terminated your parental rights. There may be only one ground or there may be multiple grounds.

Was the child subject to ICWA (the Indian Child Welfare Act)? ___ Yes ___ No

Tip: ICWA applies if a child is a member of an Indian tribe or eligible to be a member.

If yes, the contact information for the tribal services agent is:

STEP 1 (continued):

Child 3:

Name: _____

Check off each requirement:

Yes No

The Petition for Termination of Parental Rights was filed by the Department of Family and Protective Services (DFPS or “the Department”)

The child has not been adopted

The child is not in an adoption placement agreement

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