 Department of Children & Family Services <i>Building a Stronger Louisiana</i>	Division/Section	Child Welfare
	Chapter No./Name	25 – Forms Manual
	Part No./Name	A – Z
	Section No./Name	CPS-20 Affidavit in Support of Instanter Order
	Document No./Name	CPS-20 Affidavit in Support of Instanter Order Instructions
	Effective Date	May 1, 2019

➤ **PURPOSE:**

The CPS 20-Affidavit in Support of an Instanter Order is a written document filed with the court of jurisdiction to request custody of a child.

➤ **PREPARATION:**

In the event that a DCFS staff member requested an Oral Instanter Order, DCFS must follow up by completing the CPS-20 Affidavit in Support of Instanter Order by summarizing the factual information that was provided to the judge orally. The CPS 20 may also be completed and presented to the judge as another means to request custody of a child, which is the preferable method, if time allows. All oral requests for custody must be followed up with the filing of the Affidavit, regardless of whether or not the judge granted custody to DCFS.


Pursuant to Ch.C. art. 620, all information in the Affidavit must be the same information relayed when the verbal hold order was requested. Additional information discovered subsequent to the Oral Instanter Order shall be included in an Addendum to this Instanter Affidavit (Form 20B).

Completion of the Affidavit in Support of Instanter Order

In the Interest of: List all children for whom DCFS is requesting custody

1. Enter the Parish Office for worker assignment
2. N/A
3. Indicate whether the report was related to abuse, neglect, or both; Enter all victims' names
4. List all parents of all children, including their dates of birth and whom they are the parent of; Also list all caretakers to whom a child was residing with at the time of removal
5. N/A
6. Describe the investigation thus far chronologically, being clear about first hand versus other sources of information; If known, include the:
 - Type of maltreatment;
 - Severity of the maltreatment;
 - Emotional and physical symptoms;
 - Describe any relevant surrounding circumstances;
 - Identify child and maltreating adult observed.

Be specific about details, including previous agency history;

 <p>Department of Children & Family Services <i>Building a Stronger Louisiana</i></p>	Division/Section	Child Welfare
	Chapter No./Name	25 – Forms Manual
	Part No./Name	A – Z
	Section No./Name	CPS-20 Affidavit in Support of Instanter Order
	Document No./Name	CPS-20 Affidavit in Support of Instanter Order Instructions
	Effective Date	May 1, 2019

7. A. Identify specific safety threats from the Present and/or Impending Danger Assessment, along with supporting descriptions:

- If known, describe the child’s vulnerability and parental diminished capacities; and
- Describe why a safety plan cannot be put in place to prevent removal and the results of those efforts.

B. N/A

8. A.

- If applicable, describe any safety plan that was in place and why it can no longer manage the safety of the child(ren);
- Include any services provided to the family that attempted to prevent the removal of the child(ren) from the home;

B. Describe the emergency situation that precluded the provision of preventative services.

9. N/A

10. N/A

11. N/A

The DCFS staff worker completing the form signs as the Affiant.

If additional information is gathered after the request for a verbal hold order, the completion of an Addendum to the Affidavit in Support of Instanter Order is completed in line with the instructions included in Form 20.

➤ **DISPOSITION:**

The signed form is submitted to the court. Upon receipt of a signed, stamped copy, the form is scanned and attached to the ACCESS investigation. An original stamped copy is given to the foster care worker for inclusion in the foster care record. The original is given to the alleged perpetrator(s) during the initial interview.