

# What Happens After A DCPD Investigation Is Closed In New Jersey?

## Our New Jersey DCPD Lawyers Explain What Parents Need To Know

A [Division of Child Protection and Permanency \(DCPD\)](#) investigation in New Jersey can be overwhelming and confusing. Whether it's a [DCPD investigation](#) into possible physical abuse or neglect of a child, the outcome of the investigation can have serious, long-term consequences.

So what happens after a DCPD investigation is closed? What are the next steps in the legal process? Depending on DCPD's findings, there are many possible scenarios. That's why it's critical that parents or legal guardians understand how the process works – and what to expect.

At [Williams Law Group, LLC](#), our attorneys regularly assist parents and legal guardians dealing with DCPD-related matters, including investigations, court proceedings, and issues involving child safety and family rights.

### What Is A DCPD Investigation?

A DCPD investigation begins when the Division of Child Protection and Permanency receives a report of alleged child abuse or neglect in New Jersey. A caseworker is assigned to assess the situation, typically making contact with the family within 24 hours for emergency reports or within 72 hours for standard referrals. The investigation process can feel sudden and overwhelming for parents who don't know what to expect.

During the investigation, DCPD caseworkers will interview the child, parents and other household members. They may speak with teachers, doctors or other individuals who have regular contact with the child. They will also visit the home to assess living conditions and gather information relevant to the allegation. Parents are legally required to cooperate, but that doesn't mean they can't have an attorney by their side.

Once the investigation is complete, DCPD must reach an official finding based on the evidence collected. The Division's policy gives them up to 60 days to conclude its investigation, though extensions are possible and common. The outcome of that investigation determines what happens next for the family, which is why understanding each possible result is so important for parents facing this process.

### What Are Possible Outcomes Of A DCPD Investigation?

When a DCPD investigation concludes, the caseworker issues one of four official findings based on the evidence gathered. Each finding carries different legal implications and consequences for the family, so understanding what each outcome means is critical for anyone who has been through an investigation in New Jersey.

The four official DCPD findings are:

- **Unfounded:** This is the most favorable outcome for parents. An Unfounded finding means that DCPD determined there is no credible evidence to support the allegation of abuse or neglect nor that the child was harmed or placed at risk of harm. This finding does not result in being placed on the New Jersey Child Abuse Registry.
- **Not Established:** A Not Established finding means that DCPD found some credible evidence that the child was harmed or placed at risk of harm but it wasn't sufficient to find abuse or neglect. This finding does not result in being placed on the New Jersey Child Abuse Registry.
- **Established:** An Established finding means that DCPD determined that abuse or neglect occurred, but the conduct was not severe enough to be classified as Substantiated. This finding does not result in being placed on the New Jersey Child Abuse Registry.
- **Substantiated:** A Substantiated finding is the most serious outcome. It means DCPD determined that by a preponderance of the evidence abuse or neglect occurred at a level that poses significant risk to the child's safety or welfare. This finding does result in being placed on the New Jersey Child Abuse Registry.

Each of these findings sets the family on a very different legal path. Knowing which finding applies to your situation, and what rights you have in response to it, is the starting point for protecting yourself and your children going forward.

### Is A DCPD Investigation Determination Final?

A DCPD investigation finding is not automatically final. Parents have the right to challenge a finding they believe is inaccurate or unjust. New Jersey law provides a formal process for contesting DCPD findings, and exercising that right in a timely manner is critical. Waiting too long or taking no action can allow a finding to stand unchallenged, with lasting consequences for the family.

For Established and Substantiated findings that have not been litigated, the parent or guardian named in the finding has the right to request an Administrative Appeal through the Office of Administrative Law (OAL). This appeal must generally be requested within a specific timeframe after receiving notice of the finding. If the appeal is successful, the finding can be amended and your name removed from the registry in instances of Substantiated findings.

The appeals process can be complex, and the burden of proving the finding was incorrect falls on the parent. Having an experienced DCPD attorney represent you at an OAL hearing significantly improves your ability to present evidence, cross-examine witnesses and challenge DCPD's conclusions. A finding that goes unchallenged can affect employment, custody, and your family's future for years to come.

### What If The DCPD Investigation Finding Is Unfounded?

An Unfounded finding is the best possible outcome of a DCPD investigation. It means the caseworker determined there was no credible evidence to support the allegation, and the case

is closed without further action. The report is not placed on the New Jersey Child Abuse Registry, and the family is not subject to ongoing DCPD supervision as a result of this investigation.

While an Unfounded finding is a relief, parents should understand that the underlying report still exists within DCPD's internal records. If another allegation is made in the future, DCPD may consider the history of prior reports even when they resulted in Unfounded findings. If no further referrals are made to DCPD in the next three years, the Division is to expunge that record from their system. This is one reason why working with an attorney from the start of any investigation can help protect your long-term record.

If you believe a false or malicious report was made against you, an Unfounded finding doesn't necessarily end all of your concerns. Depending on the circumstances, there may be options to pursue legal action against a person who knowingly filed a false report with DCPD. An attorney can evaluate whether those options apply in your situation and advise you on the next steps.

### **What If The DCPD Investigation Finding Is Not Established?**

A Not Established finding means DCPD found that there is some credible evidence that the child was harmed or placed at risk of harm but not sufficient evidence to suggest that the child was abused or neglected. While your name is not placed on the Child Abuse Registry, this finding does signal that the Division had enough concern to go beyond an Unfounded determination, which has its own implications for the family.

With a Not Established finding, DCPD may recommend or offer services to the family, such as parenting classes, counseling or evaluations. While these services are technically voluntary without Court Order, declining them can sometimes raise concerns in future interactions with the Division. Understanding how to respond to these offers, and what agreeing to them actually means legally, is something a DCPD attorney can help you navigate carefully.

Parents who feel the Not Established finding was unwarranted still have options to challenge it. Consulting with a DCPD attorney can help you understand whether a challenge makes sense in your case.

### **What If The DCPD Investigation Finding Is Established?**

An Established finding means DCPD determined that abuse or neglect occurred, though not at the level considered Substantiated. This outcome does not place the parent's name on the New Jersey Child Abuse Registry but the consequences reach beyond the investigation itself and can affect your custody rights.

An Established finding doesn't have to be the end of the road. Challenging the finding, understanding what it means for your record and responding strategically to DCPD involvement are all areas where an experienced New Jersey DCPD attorney can make a real difference for you and your family.

## What If The DCPD Investigation Finding Is Substantiated?

A Substantiated finding is the most serious outcome of a DCPD investigation in New Jersey. It means the Division determined that by preponderance of the evidence abuse or neglect occurred at a level that poses significant risk to the child's safety or welfare. This finding results in placement on the New Jersey Child Abuse Registry and will almost certainly lead to continued DCPD involvement in your family's life.

When a finding is Substantiated, DCPD typically files a complaint in New Jersey Family Court to seek formal protective action. This may include placing the child in the legal custody of the Division, removing the child from the home, or establishing a court-ordered supervision plan that controls what parents can and cannot do. The Family Court process moves quickly, and parents who don't have legal representation are at a serious disadvantage from the very first hearing.

Parents named in a Substantiated finding still have the right to appeal through the Office of Administrative Law if the matter is not litigated. An attorney can challenge DCPD's evidence, question the methodology used by caseworkers and present testimony that supports a different conclusion. While a Substantiated finding is serious, it is not a final determination about your fitness as a parent, and the right legal representation gives you the best opportunity to fight back effectively.

## When Does A Family Court Judge Become Involved With A DCPD Investigation?

Family Court involvement doesn't happen in every New Jersey DCPD case, but when it does, the stakes change significantly. A New Jersey Family Court judge can issue orders that directly affect where your child lives, who has custody and what you're required to do as a parent. Understanding when Family Court enters the picture can help you prepare and respond appropriately.

A Family Court judge typically becomes involved in DCPD cases under these circumstances:

- **Emergency Removal Of A Child:** If DCPD believes a child is in immediate danger, it can remove the child from the home and seek an emergency order from a Family Court judge to authorize that removal. A hearing must follow quickly within 2 business days.
- **Failure To Comply With A Safety Plan:** If a parent was asked to comply with a safety plan or voluntary services and failed to do so, DCPD may go to Family Court to compel compliance or seek stronger action.
- **Termination Of Parental Rights Proceedings:** In the most serious cases, where children have been in out-of-home placement for an extended period or where the risk to the child is considered severe and ongoing, DCPD may initiate proceedings to terminate parental rights, which requires Family Court action.

Once Family Court becomes involved, you need an attorney if you have not already hired one. Your lawyer will be by your side at every Family Court hearing. The decisions made in those proceedings, including who has custody of your child and what conditions are placed on your parental rights, can be difficult to reverse later without the right legal advocacy from the start.

### **How Can A New Jersey DCPD Attorney Help Me?**

Facing a DCPD investigation or an adverse finding without legal representation can put you at a distinct disadvantage. Our New Jersey DCPD attorneys at [Williams Law Group, LLC](#), can guide you through every stage of the process, from the initial investigation to an OAL appeal, making sure your rights are protected, your voice is heard and your family has the strongest possible defense at every turn.

Our New Jersey DCPD attorneys work with families facing DCPD investigations to build a strategy that's practical and responsive to each family's unique situation. Our legal team can help you understand your rights, respond effectively to DCPD caseworkers, prepare for hearings and challenge findings that you believe are inaccurate or unjust.

If you are being investigated by DCPD in New Jersey, don't wait to find out what happens next. [Contact](#) our law firm and discover what a dedicated New Jersey DCPD lawyer can do for you. We can answer your questions, explain your options and get right to work on your important legal case.