

The Service Appeal Process

A simple guide for parents, youth, and caregivers

THE MAIN IDEA

If you disagree with certain DCFS service decisions, you may ask for a review. Deadlines are short, so read every notice right away.

Your Questions, Answered

What is a service appeal?

It is a written request for DCFS to review certain case decisions.

Who may appeal?

A parent, child, or family member getting services may appeal. Some relative caregivers and foster parents may also appeal decisions that affect them or a child in their care.

What can be appealed?

Examples may include:

- A service is denied, reduced, stopped, or not provided
- A service plan is late or is not reviewed on time
- A service listed in the plan is not provided
- A choice about visits or siblings' contact
- A placement change
- A permanency goal or a request to change it
- A required service or condition that you believe is not needed

What usually cannot be appealed?

You may not be able to use this process when a law caused the change, the same issue was already decided, another agency is responsible, or a court already ruled on the issue. Ask which review process fits.

How much time do I have?

Read your notice right away. A request generally must be made within 45 days after you receive the notice. If you appeal within 10 calendar days of timely notice, services may stay the same during the appeal unless that would create an immediate risk of harm.

How do I appeal?

Follow the directions and address on your CFS 151, Notice of Decision. The request must be in writing. If writing is hard for you, ask your worker, advocate, or lawyer for help.

What should I put in my request?

Include your name and contact information, the decision you disagree with, the date of the notice, why you disagree, and what you want DCFS to do. Keep a copy and proof that you sent it.

What happens after I appeal?

DCFS first decides if the issue can be appealed. Many cases may go to mediation and then, if needed, a fair hearing.

What is mediation?

A neutral person helps you and DCFS talk about the problem and try to agree. Mediation is generally scheduled within 30 days from the appeal date.

What is a fair hearing?

An administrative law judge listens to each side and makes a recommendation. A fair hearing is generally scheduled within 45 days from the appeal date.

What is an emergency review?

It is a faster review for some urgent issues. It is generally held within 10 days from the appeal date. Ask at once whether your issue qualifies.

When is the final decision due?

DCFS should issue and act on the final administrative decision within 90 days from the appeal date, unless you caused or agreed to a delay.

What if I still disagree?

The final notice should explain how to ask a court to review the decision. A lawyer can explain deadlines and options.

IMPORTANT: Do not wait. A 10-day deadline may affect whether services stay the same during the appeal. A 45-day deadline generally applies to filing the appeal.

Words You May Hear

Appeal: A written request to review a decision.

CFS 151: The DCFS Notice of Decision form.

Mediation: A meeting where a neutral person helps both sides try to agree.

Fair hearing: A formal meeting led by an administrative law judge.

Immediate risk of harm: A danger that needs action right away.

Where can I learn more?

More details are in Illinois DCFS Procedure 337. Always use the mailing address and directions printed on your current notice.

This guide gives general information. It is not legal advice. Rules and case details can change what happens. Ask your worker, supervisor, or lawyer about your own case.