

Civil Rights Case in Federal Court, New Jersey, being prepared for filing, September 2014

Mona W. v New Jersey Child Protective Services
Initial Case: Family Court of Patterson NJ
The Foundation's client since March, 2014 - Present

The Foundation client, Mona W., became aware of a false accusation of child abuse by CPS in August, 2013, when she applied to become the kinship caretaker for her two young grandsons. After numerous phone calls with various CPS offices, she learned that she had been listed on a Child Abuse Register dating from 1980, over thirty years earlier, indicating five unsubstantiated events of child abuse. CPS investigations had generated a file where there were no witnesses of abuse, and photos of a child showed no indications of injury of any kind. Ms. W. was never spoken to by a CPS worker at the time. Between 1980 and 2013, Ms. W. was listed in a child abuse file without her awareness, and, as she never received any written notices from CPS, was therefore unable to adjudicate the matter. In 2013, it took months of calls and letters between CPS and Ms. W. for four of the charges of child abuse to be dismissed. One charge of child abuse remained, which was appealed in Family Court.

With the assistance of The Foundation, Ms. W. received notice of the dismissal of all child abuse charges against her in May, 2014, after a one day trial in Patterson, NJ, Family Court. The Judge's decision cited dismissal of all CPS charges against Ms. W. due to inadmissible hearsay and lack of evidence.

The Federal lawsuit being prepared alleges that Ms. W. did not know of the false charges against her, which may have jeopardized her advancement in employment at a nearby University. Her social/familial reputation has suffered as a result of the false charges against her. Additionally, due to the trauma of the knowledge of the (now dismissed) charges against her, and the subsequent public trial, Ms. W. has suffered serious medical issues, and has continued under medical care since she became aware of the false child abuse charges.

The Foundation is currently working with Ms. W. to review ethics charges to be filed against NJ CPS, and possible damage claims against that agency, as well as preparing to file in Federal Court, NJ, a formal Civil Rights violations case stemming from the situation.