DSCYF Department of Services for Children, Youth & Their Families | FAMILY SERVICES

Effective Date: 2/27/2006 Revision Date: 9/17/2026	Responsible Administrator: Kim Warren, Program and Resource Administrator
Authorized Signature: Sarah Azevedo, DFS Director	

Policy 108 Records Request and Redacting

A. POLICY

Files maintained by the Division of Family Services (DFS) containing information regarding an individual's DFS history are considered confidential under State and Federal law. However, the DSCYF Departmental Records Unit (Records Unit) established a process for individuals to review their personal records and for attorneys to request their clients' records.

All records requests must be submitted to the Records Unit for processing as set forth below. DFS caseworkers do not have the authority to release records.

The Records Unit requires a minimum of thirty (30) days to process requests for records that are maintained onsite and up to forty-five (45) days for records that must be retrieved from off-site storage. Please note that DFS investigation case files are not eligible for release or review until the investigation is officially closed.

To protect client confidentiality, all records must be reviewed and redacted in accordance with State and Federal law prior to release or in-person viewing. Records created by outside agencies or third parties will not be released or made available for review.

B. PROCEDURES

1. Requests to view personal DFS Files:
   a. A written request for an individual's record must be submitted directly to the Records Unit via email to DSCYF_Records_Requests@delaware.gov or via fax at (302) 622-4479. Upon receipt of the request, the Records Unit will send an Authorization for Release of Information ("Authorization") form to the requestor if a properly executed (signed) Authorization was not submitted with the request. Records requests submitted directly to a caseworker are not considered a valid request.
   b. Absent a signed release or a Court Order, individuals cannot request information about a record other than their own and any such information in the records will be redacted.

c. After the record request is received and legal authorization to access the records is verified, a DFS representative will contact the individual requestor to schedule an in-person appointment to review their redacted records. Individuals must present valid identification at the time of the appointment. Records may only be reviewed on-site and may not be removed, copied, photographed, or otherwise reproduced.

d. Individuals submitting self-requests may obtain a **physical copy** of a redacted file ONLY if one of the following is provided: a court order or proof of upcoming court proceedings (for example, a Notice of Hearing issued by the Court).

e. Files related to criminal investigations will not be released or made available for review.

2. Requests from Attorneys:
   a. All requests for records should be sent via email to DSCYF_Records_Requests@delaware.gov or via fax at (302) 622-4479.
   b. A properly executed Authorization for Release of Information form or a court order is needed to provide DFS records for civil cases.
   c. Records Unit staff will acknowledge receipt of the request and may follow up with questions as necessary.
   d. If a subpoena is issued, a valid Authorization for Release of Information must accompany the subpoena. The request must also specify whom the attorney represents and the nature of the proceedings.
   e. Absent a signed release or a Court Order, attorneys cannot request information about a record other than that of their client and any such information in the records will be redacted.
   f. Files related to criminal investigations will not be released. Criminal records fall under the jurisdiction of the Department of Justice. Individuals should be redirected to the DOJ.
3. Requests from the Office of the Child Advocate
   a. Requests from the Office of the Child Advocate are governed by a Memorandum of Agreement between DSCYF, Office of the Investigation Coordinator within the Office of the Child Advocate, and Office of the Child Advocate.
4. Requests from Out-of-State Child Protective Services Agencies
   a. Requests must be submitted on official agency letterhead and include the full name and date of birth (DOB) for each individual being searched.

Responses are typically provided within ten (10) business days from the date the request is received.

5. Freedom of Information Act (FOIA) Requests:
   Please visit https://kids.delaware.gov/information/foia/ for information regarding FOIA requests.

C. FOCUS

None

D. FORMS

None