

ABSENT INTENT OR AUTHORITY AS LEGAL ADVICE:

From JAY V. SHORE, Certified ADA Advocate:

Judith Herman, M.D., in her book *Trauma and Recovery*, said “*If one set out by design to devise a system for provoking intrusive post-traumatic symptoms, one could not do better than a court of law.*”

ANY time that a Child Protective Services (“CPS”) agency approaches, it is intimidating and threatening. Our minds and bodies go into a sympathetic nervous system fear response, triggering fight or flight or freeze, and we dissociate mentally, go into stark terror, and panic.

These people bring the implied power of the courts, police and government with them to your door, and it is one of the most harrowing events that can occur in life, because they are synonymous with a threat to the peace, safety, and stable existence of your family.

They want to question your children without you present, they want to divide you up and dissect you so that you can “prove your innocence” or be subject to losing your children.

They withhold that they get copious amounts of money for taking action against families and for putting children into foster care. They have ulterior motives, and they will never disclose this in good faith.

Further, they often take anonymous reports to kick off their involvement in your lives. Many times, these reports are from a hateful family member, or someone who is just being malicious.

If there is true danger, they can get a warrant. But they are accustomed to taking the easy route and intimidating you into complying with their schemes.

One doesn't have a duty to open the door to these people. They will often bring law enforcement with them *as if this is a police action*. Don't be fooled. If the police are standing idly by, it's because they don't have a warrant. They're there to compound the show of force of intimidation and add coercion into the mix.

This document is presented without warranty (express or implied), and is for education, information and entertainment value only. The wording on the NOTICE dismantles the bullshit that CPS relies upon to use fear as a disabling tool of your ability to think your way out of situations that arise. IF YOU CHOOSE TO USE THE NOTICE. I DISCLAIM ANY AND ALL LIABILITY FOR THE USE OF THIS PROPERTY.

The Americans with Disabilities Act describes a disability as a “**physical or mental impairment that substantially limits one or more major life activities.**”

When CPS shows up at your door, it's safe to say that your major life activities of communication, concentration, interacting with others, thinking, breathing, and more are affected. Major life organs and bodily functions such as your neurological, respiratory, cardiovascular and adrenal systems are all majorly impacted immediately in a way that substantially impairs.

This is TRAUMA of the highest order.

So, claiming that one is experiencing a “**physical or mental impairment that substantially limits one or more major life activities**” is not only plausible, it is legitimately what most everyone that has dealt with CPS experiences.

CPS showing up CREATES a disability under the ADA definition of disability. See this article I wrote: <https://adairights.substack.com/p/cps-is-a-disability-for-every-parent>

For this reason, I encourage you to exercise your rights under the ADA, and level the playing field.

THIS INTRODUCTION IS NOT A PART OF THE CPS NOTICE. IT IS FOR YOUR INFORMATION.

NOTICE:

I am invoking my rights and the rights of my child(ren) under the Americans with Disabilities Act of 1990, the ADA Amendments Act of 2008, and Final Rule Implementation (“ADA”). I am a qualified individual with communication disabilities.

Your presence here is intimidating and threatening. Your presence here creates a major impairment that substantially limits my major life activities of concentrating, communicating, interacting with others, and more. Your presence exacerbates existing conditions that I am facing.

IF I AM HANDING YOU THIS NOTICE, YOU AND YOUR PARTY ARE INFORMED THAT ANY PRESUMED RIGHT OF ACCESS TO THE CURTILAGE OF THIS PROPERTY IS WITHDRAWN, ABSENT A WARRANT. YOU ARE NOT WELCOME HERE, AND YOU ARE TRESPASSING IF YOU CONTINUE TO REMAIN ON THIS PROPERTY WITHOUT A WARRANT FROM A COURT OF COMPETENT JURISDICTION.

You MUST give me equal access, free from discrimination on the basis of disability.

I have the following rights, including without limitation:

1. The right to privacy and independence when being offered your services, programs, and activities. 28 C.F.R. §35.160(b)(2).
2. The right to **effective communication**. 28 C.F.R. §35.160(a)
3. The right to auxiliary aids and services. 28 C.F.R. §35.104
4. The right to request and receive reasonable modification(s) of your services, programs, and activities. 28 C.F.R. §35.130((b)(7)(i).
5. The right to receive notice of the availability of equal access under the ADA. 28 C.F.R. §35.106. **If this notice is not already on your documentation, I am being discriminated against on the basis of disability.**
6. The right to be free from discrimination in your services, programs, and activities. 28 C.F.R. §35.130
7. **The right to be free from the unlawful acts of coercion, intimidation, threats, and interference while I my exercise and enjoy rights under the ADA. 42 U.S.C. §12203(b) and 28 C.F.R. §35.134(b). My exercise and enjoyment is noticed upon you as perpetually engaged, and without waiver at any point.**
8. The right to self-mitigate my communication disability with “learned behavioral modifications” (28 C.F.R. §35.108(d)(4)(iv)), through the use of assistive technology (28 C.F.R. §35.108(d)(4)(iv)) or auxiliary aids such as recording (28 C.F.R. §35.104(2)) and other similar services and actions (28 C.F.R. §35.104(4)). **THIS IS YOUR CONSPICUOUS NOTICE THAT I WILL BE RECORDING ANY AND ALL**

COMMUNICATIONS CONCERNING THIS MATTER IN ANY AND ALL SETTINGS.

Based upon the foregoing, I hereby request the following, to establish effective communication and to receive equal access, and I ask you to respond by answering below in writing, and signing your name and title to the answers you provide, so that I may have effective communication. Please provide full and complete answers, and give the static, and full meanings of any terms or words that are not used in every day language. (As used hereon, “you” and “your” refers to the individuals who are approaching me, and/or their agencies, jointly and severally.)

1. What is your name and title? _____

2. What agency do you work for? _____

3. Does your agency have 50 or more employees? _____

4. For what reason are you approaching me? _____

5. Do you have legal authority or any other authority to lie to or be deceptive to me? _____

6. As it relates to your capacity here, are you accusing me of any crime? _____

7. If so, what crime(s) am I being accused of? _____

8. Are you conducting any type of investigation? _____

9. What type of investigation? _____

10. Do I have a legal duty to assist you in your investigation? _____

11. If so, please cite the authority(ies) that causes me a duty to assist you in your investigation:

12. In this interaction with you, am I presumed innocent until proven guilty or guilty until proven innocent?

13. Are you going to ask me to answer questions? _____

14. Do I have a legal duty to answer your questions? _____
15. Do I have a legal duty to produce my children to you? _____
16. Do I have a right to be free from search and seizure absent a warrant being issued?

17. Do my children have a right to be free from search and seizure absent a warrant being issued? _____
18. Do you have a warrant signed by a judge? _____
19. Am I going to be arrested if I or my children do not participate in your investigation? _____
20. If I am being accused of some act, deed or other thing, do I have a right to face my accuser?

21. Will you immediately provide me a full and unredacted copy of the information upon which you are acting? _____
22. If I am not provided a copy of the information upon which you are acting, do you consider your denial of access to that information as “good faith?” _____
23. Do I have a right to know who provided any information upon which you are acting? _____
24. If I am not provided the identity of any source of the information upon which you are acting, do you consider withholding their identity as “good faith?” _____
25. Do I have a legal duty to contract with you or your agency? _____
26. If I choose to not assist you in your investigation, is that considered a criminal act? _____
27. Am I entitled to maintain my rights concerning this interaction? _____
28. Do I have the right to remain silent? _____

Before proceeding further, I request the following documentation for effective communication on the basis of disability:

1. The above questions answered fully in writing and returned to me before I can respond further.
2. Proof that you have documented receipt of the above communication
3. A full and unredacted copy of any and all information upon which you are acting.
4. The name and identity of any and all persons that provided information upon which you are acting.
5. A full and complete list of any crimes that you are accusing me of.
6. A copy of any warrant that you are enforcing.
7. The name, address, phone number, email address, and fax number for your designated responsible employee under 28 C.F.R. §35.107(a), (ADA Coordinator) so that I may contact them and arrange reasonable modifications for equal access before proceeding further.

After receiving your full and complete written answers, and after your providing the requested information and documentation, I will then assess my legal duties to respond.