CIVIL RIGHTS CORPS

Lovett v. BCDSS

An overview

On November 23, 2026, parents and children filed a lawsuit challenging the Baltimore City Department of Social Services' routine practice of separating children from their parents when it's not necessary, without notice or a hearing first, and with no way to fight the separations in court for weeks or months after the removal.

What is this case about?

The Baltimore City Department of Social Services (BCDSS) is the city's Child Protective Services (CPS). When BCDSS takes children, it is supposed to go to court first, present evidence at a hearing, and get a court order—unless there's a real emergency where a child would be hurt if they waited for a hearing. But BCDSS never gives families notice or a hearing before taking the child and never gets a court order before removal. Instead, it removes children based solely on its own decision every single time and usually without an emergency. Once kids are removed, parents cannot meaningfully challenge the removal for months, and families stay separated for months or years.

Most of these removals are not emergencies. Over 80% of removals do not involve any claims of abuse. BCDSS mostly separates children and their parents because of poverty-related problems: problems that could be solved by giving families resources and support. This can include unstable housing, lack of clothing, food, or medical care, missing school, untreated mental health issues, or struggles with substance use. Instead of helping families, BCDSS tears them apart and gives money to foster providers—money that could have helped keep families together in the first place.

Who is this case about?

The parent and child plaintiffs bringing this case represent thousands of Baltimore families who have been, or live under the threat of, being separated by BCDSS. The plaintiffs had their children taken by BCDSS for reasons such as their housing and unproven mental health and substance use claims. When the parents finally had a hearing, many of these claims were shown to be false. These families are now expecting and are scared that BCDSS will take their new babies just like they took their other children.

What is the family policing system?

BCDSS is part of a system that unfairly punishes, watches, and targets poor families of color. Over half of all Black children will be investigated by child welfare, and Black children in Maryland are removed more than twice as often as white children. Although it is often called the "child welfare system," this system often harms children and is better described as a family policing system.

Family bonds are foundational. The love, connection, and belonging families provide shape who we are and help us build lasting relationships. The right to family togetherness is among the oldest and most significant rights in our society. Children are safe when families have what they need to live healthy, stable lives.

How do these removals harm children and families?

The harm caused by removal is devastating and can last a lifetime for both parents and children. Removal often involves a traumatic experience with caseworkers and sometimes police. When children are taken from their families, it shakes their whole world; they often face lifelong mental, emotional, and physical effects even from a short separation. About half of children will never be reunited with their families. Families who have been reunited live with constant fear because past involvement makes it more likely that BCDSS will intervene again.

What is this case asking for?

Families need resources and support, not separation. Families should not have to live in fear that a mistake, a moment of hardship, or a request for help can cost them their children. This case aims to stop BCDSS from taking children away without court approval and to make sure families have a real chance to fight the removal. It demands that judges think about the harm caused by removing a child, decide if the child is in immediate danger of serious injury, and ask if there is any other way to keep the child safe. It also aims to require BCDSS to provide families with help and resources.

The child plaintiffs and the children's class are represented by the Washington Lawyers' Committee for Civil Rights and Urban Affairs and Hogan Lovells Cadwalader. Civil Rights Corps and Wilmer Cutler Pickering Hale and Dorr LLP represent the parent plaintiffs and the parent class.

Have you experienced DSS's child removal practices in Maryland?

To share your story with us, call (410) 410-1408 or email contact@civilrightscorps.org.