

FAQ

DOE V. ABBOTT, PFLAG V. ABBOTT, AND PREVIOUS TEXAS DFPS INVESTIGATIONS INTO FAMILIES OF TRANSGENDER YOUTH

This document only provides general legal information and is not intended as legal advice.

In early 2022, Governor Abbott directed the Department of Family and Protective Services (DFPS) to conduct child abuse investigations of parents alleged to be accessing gender affirming medical care for their transgender adolescents and put all mandated reporters on notice of their obligation to report this care as abuse. Two lawsuits were filed challenging this directive and DFPS's implementation of it — [Doe v. Abbott](#) and [PFLAG v. Abbott](#) — and temporary injunctions were issued barring DFPS from conducting any more investigations while the challenges were pending. This fact sheet aims to provide the latest information on the legal challenges to that directive and DFPS's implementation of it.

CURRENT STATUS:

After a ruling from the Texas Supreme Court on April 24, 2026, the cases have been sent back to the Travis County District Court. DFPS represented to the Texas Supreme Court that all the investigations have been administratively closed and that no further investigations would be necessary given that gender affirming medical care for minors is no longer lawful in Texas.

If families are contacted by DFPS solely because of allegations that they are accessing gender affirming medical care, please contact the [Lambda Legal Help Desk](#) immediately.

BACKGROUND ON THE DIRECTIVE AND DFPS'S IMPLEMENTATION

- On Feb. 21, 2022, Attorney General Ken Paxton issued a [non-binding opinion](#) expressing his view that certain medical treatments prescribed to alleviate the symptoms of gender dysphoria could constitute “child abuse” under Texas law.
- The next day, Governor Abbott sent [a letter](#) to DFPS, directing the agency to investigate these treatments as child abuse and requiring mandatory reporters to report any parents alleged to be accessing such treatments for their children.
- DFPS immediately issued a statement that the agency would comply and investigate reports of parents providing puberty blockers or hormones to minor children.
- DFPS started investigating families of transgender youth for seeking medical treatments even though these treatments were fully legal in Texas at the time, and the agency adopted procedures that were dramatically different from the way the agency had previously conducted other investigations.

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- Within days of Abbott's letter, Lambda Legal, the ACLU of Texas, the ACLU, and the law firm Baker Botts filed a lawsuit against DFPS, the DFPS Commissioner, and Abbott in Texas state court on behalf of a family investigated by DFPS and a licensed psychologist who is a mandatory reporter of abuse under Texas law.
- The district court issued a temporary injunction stopping DFPS from investigating any Texas family with transgender youth solely because they were alleged to be accessing gender affirming medical care, finding that the agency's actions were likely unlawful and that allowing unauthorized investigations to go forward would cause deep and irreparable harm to those families and their transgender children.
- When the state appealed, that injunction was put on hold, but was then reinstated by the Third Court of Appeals, which agreed with the trial court.
- On May 13, 2022, without addressing whether the directive and its implementation were lawful, the Texas Supreme Court [issued an opinion](#) finding that the appeals court lacked the authority to block DFPS investigations statewide and limited the temporary injunction only to the specific family and therapist who filed suit.

PFLAG V. ABBOTT

- After the injunction in Doe v. Abbott was limited to the parties in that case, DFPS initiated new investigations. In June 2022, the legal organizations listed above filed a new lawsuit in Texas state court on behalf of PFLAG and its hundreds of members in Texas. PFLAG provides confidential peer support, education, and advocacy for LGBTQIA+ people, their parents and families, and allies. With a national network of hundreds of chapters, PFLAG National works with families, schools, and communities to build safety and support for transgender youth.
- Three families who are members of PFLAG also joined the suit: the Voe, Roe, and Briggles families, which had each been unlawfully investigated by DFPS based solely on the allegation that their adolescent children were receiving care for the treatment of gender dysphoria.
- In July and September 2022, the Travis County District Court granted temporary injunctions blocking DFPS and the Commissioner from "investigating members of PFLAG, including but not limited to Plaintiff Families, for possible child abuse or neglect solely based on allegations that they have a minor child who is gender transitioning or alleged to be receiving or being prescribed medical treatment for gender dysphoria."
- Again, the state appealed, putting the temporary injunction on hold, and again, the Third Court of Appeals reinstated it for the same reasons—that the directive and its implementation were likely unlawful and that subjecting PFLAG families across the state to unlawful investigations would cause deep and irreparable harm.

The temporary injunctions issued in these two cases have prevented DFPS from pursuing wrongful child abuse investigations into Texas families for over four years.

SB 14 AND ACCESS TO CARE IN TEXAS

- On September 1, 2023, Senate Bill 14 took effect, which prohibits the provision of medical care for the treatment of gender dysphoria to anyone under the age of 18 in Texas. The Transgender Law Center, Lambda Legal, ACLU, ACLU of Texas, and the law firms Scott, Douglass & McConnico LLP and Arnold & Porter Kaye Scholer LLP, filed a separate lawsuit on behalf of PFLAG, GLMA, and other plaintiffs to challenge that law, but the Texas Supreme Court [upheld the law under the Texas Constitution](#).
- As a result, healthcare providers in Texas are prohibited from prescribing or providing puberty blockers or hormone therapy to transgender adolescents.

TEXAS SUPREME COURT DECISION ON THE DOE AND PFLAG TEMPORARY INJUNCTIONS

- Even after the passage of SB 14, the Third Court of Appeals affirmed the temporary injunctions, holding that the District Court correctly concluded that the Directive and its implementation by DFPS were unlawful.
- The state appealed, and on April 24, 2026, the Texas Supreme Court weighed in. In a procedural [opinion](#), without addressing whether the Directive or its implementation by DFPS were lawful, the Court held that the temporary injunctions could no longer remain in place. Because DFPS had either closed its open investigations into the families involved in the litigation and/or because their children were all now at least 18 years old, they no longer had any need for the protections of the injunctions, according to the Court.
- Without opining on the lawfulness of these investigations, the Court reiterated that neither an Attorney General's Opinion nor a directive from the Governor have the power to unilaterally change the legal definition of child abuse. Although the Court vacated the temporary injunctions, it did not reach the merits of the plaintiffs' claims and sent the cases back to the district court.

WHAT HAPPENS NOW?

- As a practical matter, the temporary injunctions in this case are no longer in effect, but this is only because the families who brought the case no longer need injunctive relief to protect themselves from unlawful investigations, not because any court has held that these investigations are lawful. We are assessing next steps for these cases.
- The Texas Supreme Court credited DFPS's representations that they would not reopen closed investigations and noted that DFPS lacks the authority to investigate once a minor turns 18. Other families with transgender minors, including PFLAG members, would likely still be able to seek relief if DFPS opens a new child abuse investigation based solely on allegations they were providing care to their adolescent.
- DFPS also told the Texas Supreme Court that there would be no reason for future investigations now that SB 14 prohibits gender affirming medical care in Texas. Regardless, if you hear of anyone being subject to a DFPS investigation solely because of allegations they are accessing care for their transgender children or impacted by this decision in any other way, please reach out to us right away.

WHAT TO DO IF YOU ARE CONTACTED BY DFPS OR ANOTHER GOVERNMENT OFFICIAL

- Document what is happening and try to get as much information as possible.
- Remember that you and your family have a right to privacy and you do not have to disclose any private medical information, including whether your child is transgender.
- You have a right to an attorney before being asked any questions by a government official.
- You do not have to allow a DFPS investigator into your home.
- Do not sign any document asking you to release any of you or your child's private records (medical or otherwise) without consulting with an attorney.
- Advise your child not to talk to DFPS without your presence or an attorney.
- If you or someone you know is contacted by DFPS or you are aware of any investigations moving forward, please contact us right away. We have a team of attorneys who may be able to help you.

You can reach out to us at:

- Lambda Legal: lambdalegal.org/helpdesk
- ACLU of Texas: intake.aclutx.org

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aclutx.org

