

KNOW YOUR RIGHTS

ENTERING FOSTER CARE

1. What is foster care?

Foster care is a temporary placement outside your home. A foster care placement may be in the home of a relative or a friend or in the home of a family you do not know. It may also be in a group setting with other youth. Foster care placements are supervised by a foster care agency.

2. Why am I in foster care?

You may be in foster care because your parents can't take care of you right now or because someone told Children's Services that you were being hurt or neglected and Children's Services went to Family Court and said that it was not safe for you to live at home.

3. Do I have a say in where I am placed?

Yes. If you cannot live with your parents right now, the Children's Services worker or the foster care agency worker should ask you about your relatives and friends that you would like to live with. Then the worker has to meet with those people to see if any of them can become a foster parent for you.

Children's Services must try to place you together with your brothers and sisters unless there is a good reason not to. If you are a teen mother, you should be placed together with your child.

4. What about my school?

Children's Services should try to place you in your own neighborhood so that you can continue to attend your school and stay in touch with your friends. Even if you move to a different neighborhood, you may be able to continue in your school.

5. How soon can I see my family?

You should have a visit with your parents (and brothers and sisters if they are not placed with you), within three days of being placed in foster care. Visits should take place at least once a week in a comfortable setting. If there are no safety concerns, you may be allowed to go outside of the agency with your parents.

6. Do I have my own lawyer?

Yes. When Children's Services filed the case in Family Court, the judge assigned a lawyer to represent you. Your lawyer's job is to get to know you and speak for you in court. Your lawyer will make sure that the judge knows what you want and will try to make that happen. Your lawyer can also answer questions and help you with concerns that come up in foster care, school, or elsewhere. You have a right to talk with your lawyer in private and to call your lawyer whenever you need to. In New York City, your lawyer probably works with the Legal Aid Society's Juvenile Rights Practice or Lawyers for Children. If you don't have your lawyer's name and telephone number, you can ask your foster care caseworker for it or you can call one of the numbers at the end of this brochure.

7. What happens in court?

Your lawyer will be in court. The worker from Children's Services will be there with a lawyer, and so will your parents and their lawyers. Sometimes youth are in court, sometimes they aren't. It's up to the judge. If you are interested in coming to court, you should talk about this with your lawyer.

Children's Services will present the information and facts that led them to place you in foster care. Your parents

will have a chance to present their side of the story. And, your lawyer will make sure that the judge hears what you have to say. Remember, you have a right to ask the judge to send you home. After listening to everyone, the judge will decide whether you can go home.

If the judge decides that you can't return home now, it is possible that at a future court date, the judge may decide things have changed and it is safe for you to return to live with your family.

8. Who can I talk to if I have questions or problems?

- Your lawyer or social worker from the lawyer's office
- Your foster care caseworker
- Your therapist
- Children's Services Children's Rights Unit - 212-676-9421

Juvenile Rights Practice/Legal Aid Society:

- 212-312-2260 - Manhattan
- 718-579-7900 - Bronx
- 718-298-8900 - Queens
- 718-237-3100 - Brooklyn
- 347-422-5333 - Staten Island

Lawyers for Children:

- 212-966-6420
- 800-244-2540

KNOW YOUR RIGHTS

ENTERING FOSTER CARE



MAKING THE CASE FOR HUMANITY

The Legal Aid Society
199 Water Street
New York, NY 10038
Phone: 212-577-3300
Fax: 212-509-8432
www.legal-aid.org



MAKING THE CASE FOR HUMANITY