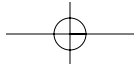
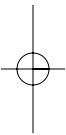
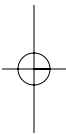


FOSTER CARE LAW

A Primer



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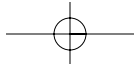
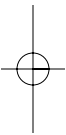
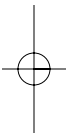
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To my wife Sherry and my daughter Hanna
H.S.

...and to Chante, Josephine, and Monica.
J.L.



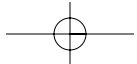
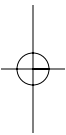
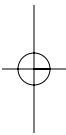
CONTENTS

Chapter 1 Foster Children	1
I. Overview	1
A. Who are Foster Children?	2
B. Who Makes Decisions For a Child in Foster Care?	4
II. Significant Legal Issues	6
A. Family Reunification v. Other Permanent Placements	6
B. Right to Representation in Court	8
C. Access to Health Care	10
D. Access to Special Education	19
E. Placement with Siblings	20
F. “Aging Out” and Independent Living	21
G. Protection Against Harm	22
H. Privacy	23
I. Right of Native American Children to Tribal Supervision	24
Chapter 2 Foster Parents	27
I. Overview	27
A. Who are Foster Parents?	27
B. Foster Parents’ Relationship to the Agency	28
C. Foster Parents’ Relationship with the Foster Child	31
D. Foster Parents as Advocates for Children	32
II. Significant Legal Issues	33
A. Authority of Foster Parents	33
B. Liability of Foster Parents	35
C. Standards for Foster Care	35
D. Foster Parents’ Status in Court	36
E. Foster Parents and Foster Children: Are They Family?	37
F. Foster Parent Obtaining Custody or Guardianship of a Foster Child	38
G. Foster Parents as Adopters	39
III. Conclusion	39

VIII CONTENTS

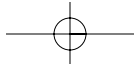
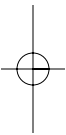
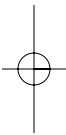
Chapter 3 Biological Parents	41
I. Overview	41
II. Significant Legal Issues	45
A. Visiting	45
B. Participating in Important Decisions for Children	47
C. Agency's Reasonable Efforts to Reunify the Family	49
D. Due Process	54
E. Challenging the Government's Case	57
F. Suing the State to Enforce Federal Statutes	58
III. Conclusion	58
Chapter 4 Public Foster Care Agencies	61
I. Overview	61
A. Agency—Foster Child Legal Relationship	62
B. Agency—Foster Parent Legal Relationship	64
C. Agency—Biological Parent Legal Relationship	65
D. Agency's Legal Relationship to Service Providers and Private Foster Care Agencies	65
E. Agency's Participation in Court Proceedings	66
II. Significant Legal issues	66
A. Liability	66
B. Multi-jurisdictional Issues	67
C. Permanency Planning Obligations Under ASFA	68
D. Obligation to Provide Health Services.	69
E. Funding Foster Care	69
F. Privacy and Confidentiality	71
III. Conclusion	73
Chapter 5 Private Foster Care Agencies	75
I. Overview	75
A. What is Private Foster Care?	75
B. The Legal Relationship between Public and Private Foster Care Agencies	77
C. Funding Strategies	81
D. State Regulation of Foster Care	82
E. Regulation of Foster Parent Training and Recruitment	82
F. Legal Relationship of Foster Parents to Private Agency	84
G. Oversight of Private Agency	85

	CONTENTS	ix
H. For-profit Foster Care Agencies		87
I. New Approaches: Neighborhood Collaboratives		87
II. Significant Legal Issue: Private Agencies Appearing in Court		88
III. Conclusion		90
Chapter 6 Court Process		91
I. Overview		92
A. Roles of Lawyers, Social Workers, and Judges		93
B. Summary of Court Process		95
C. Summary of Administrative Reviews		98
D. A Typical Court Case		99
II. Significant Legal Issues Relating to Court Process		102
A. Extent of Judicial Power		102
B. Who May Enforce a Legal Right		106
C. Timing of Appeals		111
III. Conclusion		112
Appendix A Liability		115
Appendix B Flow Chart		137
Appendix C How to Find a Legal Case		139
Appendix D Selected Provisions of the Adoption and Safe Families Act of 1997		141
Appendix E Selected Bibliography and Resources		147
Notes		155
Glossary of Terms		167
Index		173



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INTRODUCTION

Foster Care Law: A Primer gives an overview of legal issues to:

- Social service professionals*** who work with children and their families in the foster care system;
- Attorneys*** just entering the foster care field who need to understand the legal relationships between the numerous organizations they will encounter, and the legal issues that may arise;
- Graduate social work students*** researching or interning in the foster care system;
- Law students*** in a juvenile or neglect-abuse clinic, or a family law seminar;
- Child advocates*** who may not be attorneys or social workers but who participate in the court process and negotiate with all parties in a foster care case; and
- Graduate public policy students*** researching the interrelationships among human services entities.

Other persons who may well make use of this book are *judges* who are newly assigned to foster care cases, and the occasional *foster parents* or *biological parents* who are especially intent upon understanding their rights and responsibilities.

There are two main ways to use the book. One could read it straight through to get an overview of all of the issues. Each chapter describes the foster care field from the point of view of one main group: foster parents, foster children, biological parents, public agencies, private agencies, and the court. Appendices show how a case moves through the foster care system, and offers resources for those who wish to go deeper into particular issues.

A second way to use the book is to research a particular problem. For example: an attorney representing a foster care agency that has been sued because a foster child was injured in one of the agency's foster homes could use the liability appendix to orient herself to the major legal issues. That would be her starting point for further legal research in state law.

xiv INTRODUCTION

A supervisor in a private foster care agency might have a policy conflict with the public agency contractor. He could read the chapters on public and private agencies to find out whether there are documents and laws that set forth the two agencies' responsibilities. He would discover in the *Primer* that the contract controls the relationship.

A social worker responsible for recruiting and training foster care parents might want to give the most accurate information about the responsibility split between the foster parents and the foster care agency. She would read the chapters on foster parents and public (or private) agencies.

A master's level social work student could use the *Primer* as a starting point for research on a paper about foster children's rights.

A law student child advocate in a juvenile clinic, up against a seasoned defense attorney in a complex case, could benefit from reading the chapters on both the child's and the biological parents' rights.

Foster care law is extraordinarily complex and much of it is unwritten. That is one reason why there is so little research material available. *Foster Care Law: A Primer* is a start for those professionals and students who need an overview of the whole foster care legal system. It will not answer questions about specific cases, which nearly always grow out of state statutes and case law. It will give the reader a running start.

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