

It's Your Life!

Written *by* young people *for* young people in foster care.

Read this PAK! It explains:

- ◆ Your rights in foster care
- ◆ What happens in court and how it affects you
- ◆ How decisions are made about your future
- ◆ How to communicate what you want
- ◆ How to work with the people in court

Hey!

We helped create this PAK for you...

Being in foster care can be hard. This PAK was designed to make the court process easier to understand and make it easier for you to be involved.

PLEASE:

- ◆ Read this PAK (Permanency Achievement Kit),
- ◆ Get involved in your case, and
- ◆ Make foster care work for you!



This PAK contains:

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If you need help right away, **call 911.**

911 can help you if you feel unsafe, need protection, or need immediate medical care.

Call your caseworker if you need help, but it's not an emergency. If your caseworker does not call you back, call again and ask to speak to the supervisor.

Call your lawyer if you need help or have a question, or if your caseworker does not help you.

Put your lawyer's information here.

Name: _____

Telephone: _____

E-mail address: _____

Put your caseworker's information here.

Name: _____

Telephone: _____

E-mail address: _____

Before you go to court, ask yourself:

1. Am I comfortable and safe where I am living now?
2. What do I want for my permanent living situation?
 - Go back home
 - Live with relative
 - Live with a legal guardian
 - Be adopted by a new family
 - Live independently (APPLA)
3. If my first choice for my permanent living situation does not work out, what is my second choice?
4. Do I have any information that can help the judge, my lawyer, or my caseworker?
5. Do I have a state ID, copy of my birth certificate, and social security card?

You Have Rights!

You have the right to:

- Live in a safe place where you have food, clothing, and where no one abuses you. No one has the right to abuse you physically, emotionally or sexually.
- Get any health care you need, including medical, mental health, dental, and sexual reproductive services.
- Have private contact with your caseworker and lawyer.
- Understand why you are in foster care.
- Keep your personal belongings private and have access to them whenever you want.
- Go to religious activities.
- Get clothes for basic needs and special occasions, such as going to court, playing on sports teams, or going to the prom.
- Contact and see your brothers and sisters.
- Be represented by a lawyer.
- Get educational services. Your foster care agency may be able to pay for educational services like SAT prep classes and after-school activities.
- Get all of your foster care, medical, and educational records when you leave foster care if you are 18 years old or older.
- Go to your service plan reviews (explained on page 3).
- Ask to go to your permanency hearings.
- Get any records you need, like a birth certificate, social security card, or state ID.
- Stay in foster care until you are 21, and in some cases a short while longer.

Need help? Talk to your caseworker or lawyer.

Permanency Planning 4-1-1

Do I have any say about my foster care placement?

Yes, but the judge makes the final decision about which living situation is safest and best for you. For example, the judge can decide that you should live:

- With a relative or adult friend
- In a foster boarding home
- In a group home
- At a Residential Treatment Center (RTC)
- In another appropriate setting

Or – if the judge thinks you will be safe and well cared for – the judge may decide you can go back home and live with your parent(s).

How does the judge decide what is best for me?

In New York City, the judge (or referee*) decides what's best for you based on the information and recommendations that the caseworkers, lawyers, your parents, and you provide.

The judge will review your case at permanency hearings at the courthouse. The goal of permanency hearings is to find you a permanent place to live as soon as possible.

Your first permanency hearing will be held within 8 months of the day you came into foster care. There will be another hearing every 6 months after that until you are no longer in foster care.

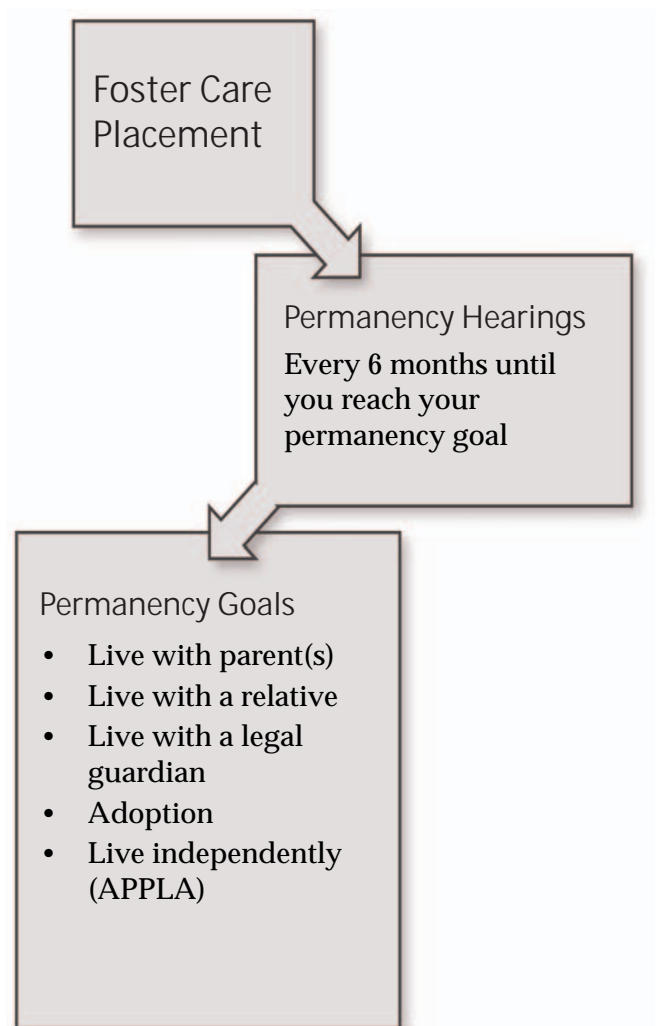
Where will I live after foster care?

There may be several choices for your permanent living situation. The court calls these permanency goals. Tell your caseworker and lawyer what you want your permanency goal to be. You may be able to:

- Live with your parent(s)
- Live with a relative
- Live with a legal guardian
- Be adopted by a new family

- Live independently. This is called APPLA, short for “another planned permanent living arrangement.”

You should work closely with your lawyer and caseworker to make sure your goal is right for you.



*Note: We use the word “judge,” but you may have a “referee.” Either way, this person makes decisions about your case.

What does my caseworker do?

Your caseworker should:

- Protect your safety and rights.
- Make sure your foster care placement is right for you.
- Be your main contact for anything you need.
- Explain to you and your caregivers why you are in foster care.
- Try to answer your questions.
- Get you information and support you need about educational opportunities, social services, pregnancy, parenting, career counseling, and other things.
- Connect you with services to help you learn skills – such as how to budget, shop, cook, and clean house – so you can live on your own.
- Visit you every month for the first three months you are in foster care and every other month afterwards.
- Go to your permanency hearings and service plan review (SPR) meetings. Tell your caseworker if you want to go, too!

Are service plan reviews and permanency hearings the same thing?

No. Service plan reviews (SPRs) are meetings that take place every 6 months at your foster care agency. The purpose is to talk about your goals and the services you need or would like to have. You should be invited to every SPR.

Permanency hearings take place in court every 6 months. The goal is to make sure you are getting the services you need and the best possible decisions are being made for you.

It is important to go to your SPRs and permanency hearings. They are your chance to say what you want for your future.

If your permanency goal is to live on your own after foster care, your caseworker should help you:

- Get used to living on your own during the first six months after you leave foster care.
- Find a safe place to live for at least a year (not a shelter).
- Look for a job.
- Get health and dental insurance.
- Apply for public assistance if you need it (such as food stamps).

Need help?

If you need help right away, call 911. 911 can help you if you feel unsafe, need protection, or need immediate medical care.

If you need help but it's not an emergency, call your caseworker or your lawyer. Look for their cards on the inside flap of this PAK.



What if I do not have my caseworker's phone number?

If you can't find your caseworker's phone number, the New York City Children's Services* Hotline can help you with any problem or complaint you may have.

New York City Children's Services Hotline

- 212-676-9421 (direct line) or
- 311 (a free call from any NYC pay phone) and ask for the Children's Services Hotline.

*New York City Children's Services is the City agency responsible for foster care. It is sometimes called "ACS" or "BCW" for short.

What does my lawyer do?

Your lawyer should:

- Tell you about your rights.
- Make sure you are receiving the services you need.
- Talk with you about your case and get your input.
- Speak for you in court.
- Help you achieve your permanency goals.

Remember: Your lawyer cannot do these things unless YOU tell him/her what you want and need!

Should I call my lawyer?

Yes! You should call your lawyer if you have any questions about your case, or if your caseworker does not help you. Look for your lawyer's card on the inside flap of this PAK.

What if I do not have my lawyer's phone number?

You can call any of these organizations. Tell them you are in foster care and need to find your lawyer.

Legal Aid Society, Juvenile Rights Division (JRD)

Main office	718-577-3300
Bronx	718-579-7900
Brooklyn	718-732-5560
Manhattan	212-312-2260
Queens	718-883-8120
Staten Island	718-981-6417

Lawyers for Children
212-966-6429 or 800-244-2540

If you do not find your lawyer at the Legal Aid Society (JRD) or Lawyers for Children, you may have a court-appointed lawyer. To find out, call: 212-676-0059.

Tell your lawyer you want to attend your hearings!

What if I can't reach my lawyer or I think I am not getting the legal help I need?

You can:

- Ask to speak with your lawyer's supervisor.
- Talk to your caseworker.

Can I talk to my lawyer before and after permanency hearings?

Yes! You should speak to your lawyer before and after every hearing.

Before the hearing, tell your lawyer if you have any questions or if there is anything you would like him/her to tell the judge.

After the hearing, ask your lawyer to explain anything you don't understand.

You should also:

- Give your lawyer your phone number and other contact information, and ask for your lawyer's phone number and contact information.
- Ask when your next hearing will be. You can write your court dates in the back of this PAK.

Tell your lawyer and caseworker if:

- Your address or phone number changes.
- You have problems or are not getting the services you need.
- You want to change your plans for education, work, housing, or placement.
- You have ideas about potential foster parents.
- You cannot go to your next hearing. (If you cannot go, talk to your lawyer or write him/her a letter about how you are doing in your living situation. Let your lawyer know if you want to change anything about where you are living or your permanency goal.)

What happens in court?

Every 6 months there will be a meeting at court to talk about your situation. This meeting is called a permanency hearing. At the hearing, a judge will receive information, ask questions, and then make decisions about where you live and the services you get.

In addition to the judge, the adults in the courtroom will include:

- The lawyer for your parent(s)
- The New York City Children's Services/agency lawyer
- Your caseworker
- Your lawyer

Your parent(s) may attend the hearing too.

Do I have to go to court?

You do not have to go to court, but going to court gives you a chance to tell the people in court about yourself, what you need, and what you want to happen.

Do I have to wear nice clothes?

You do not have to get dressed up. But the young people who helped make this PAK think it's a good idea that you dress neatly and appropriately. Dressing neatly makes a good impression and shows respect for the adults in court. (Do not wear shorts, tank tops, or hats.) If you need nice clothes for your hearing, tell your caseworker or lawyer. The most important thing is that you go to court!

What if I don't want to or can't go to court?

If you will miss a hearing, make sure to speak with your lawyer before so he/she knows what to ask for from the judge. You can also write a letter that says what you want. Ask your lawyer to give your letter to the judge.

How does the judge know about my case?

Before your hearing, your caseworker will write a report about your case. This is called a permanency planning report. The judge and lawyers on your case will get copies of this report before the hearing. This report has information about your background, how you are doing, and recommendations about services you should get and where you should live.

Will I get a copy of my permanency planning report, too?

In most cases, you only get one if you ask for it. If you want one, ask your lawyer for a copy.

In some cases, your lawyer may not want to give you a copy of your permanency planning report if it has information that may be difficult for you, such as personal information about your parents or siblings. If your lawyer does not want to give you a copy, ask why.

Can I ask questions and talk to the judge?

Sometimes a judge will give you a chance to speak or ask questions. If you want to talk to the judge, let your lawyer know. If you do not have the opportunity to speak, tell your lawyer about your questions or concerns. Your lawyer will speak for you.

What can I do to prepare for court?

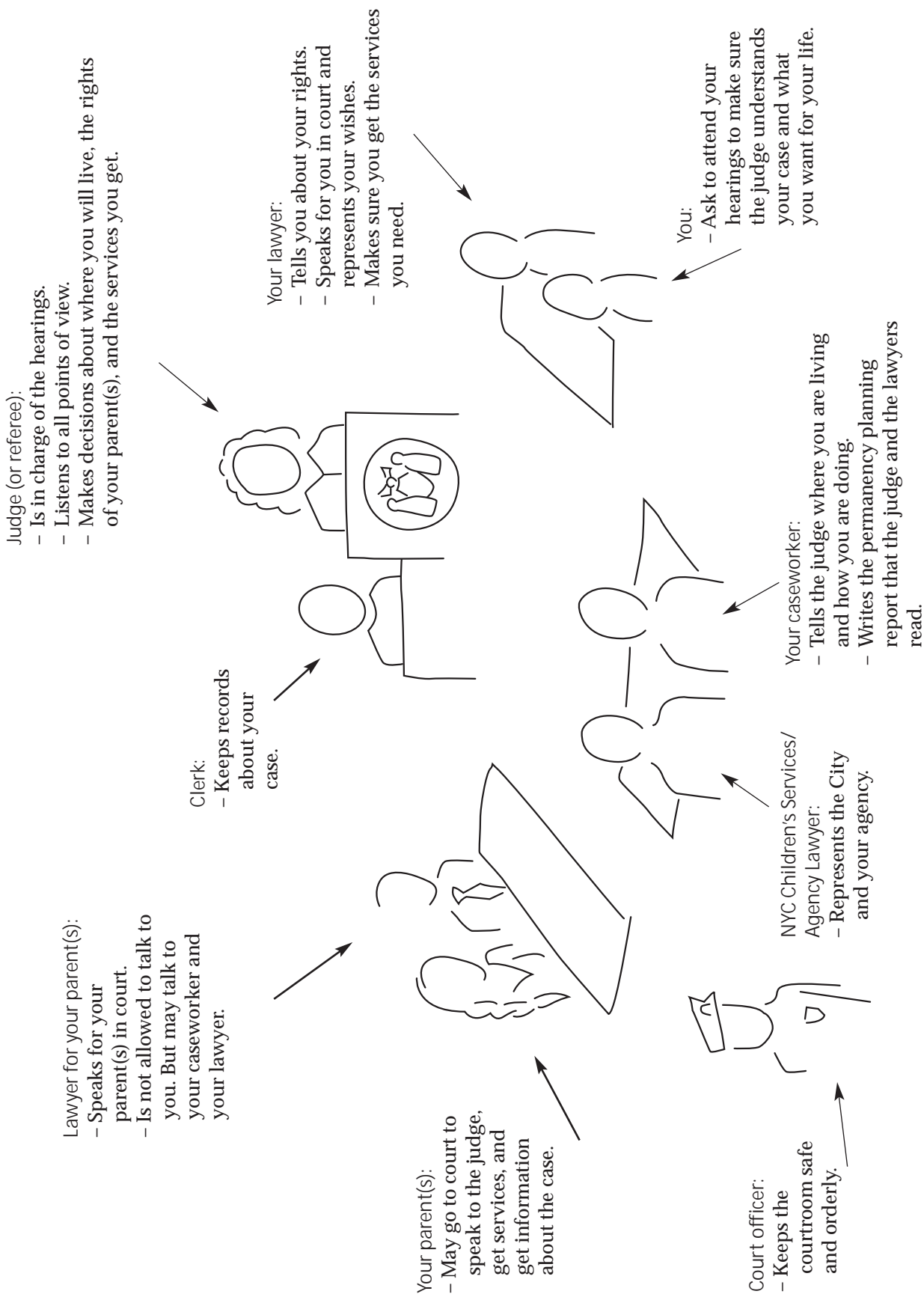
- Make sure you know when and where your hearing will be. If you don't know or you need help getting there, ask your caseworker or lawyer.
- Bring a pen and paper so you can take notes.
- If you have a copy of your permanency planning report, read the report before you go to court. Make notes about anything you disagree with or have questions about.
- Get to the courthouse early. It can take a lot of time to go through the metal detectors and security.

How should I behave in court?

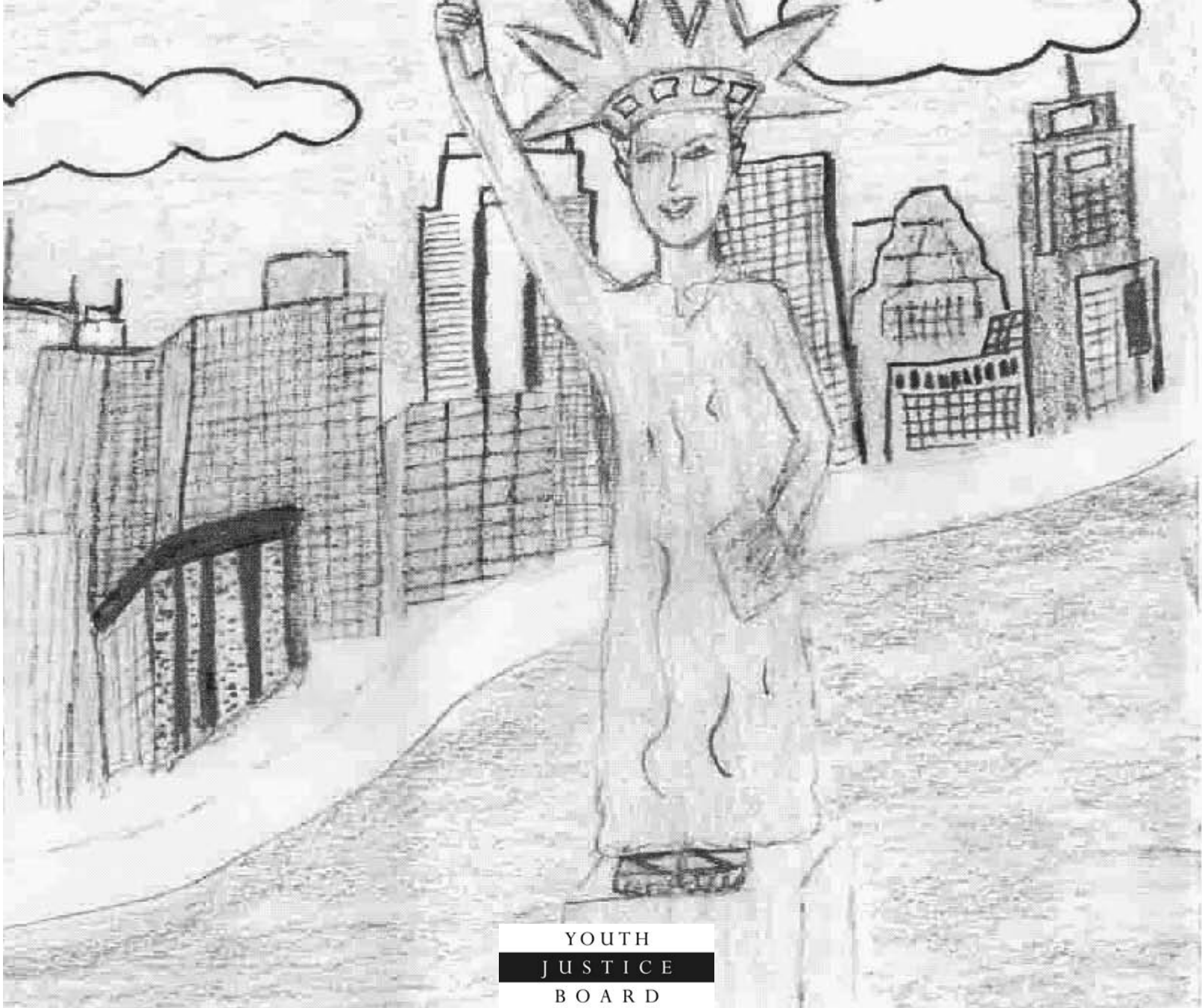
- Listen carefully.
- If you want to say something to the judge, tell your lawyer first.
- Be respectful to everyone in the courtroom.
- When you speak to the judge say "Your Honor."



Who will be in the courtroom?



Note: There may also be an interpreter for you or your parent(s).



YOUTH
JUSTICE
BOARD

The Youth Justice Board is a team of teenagers from all over New York City who spent a year studying foster care issues. To read more about the Youth Justice Board and its recommendations for change, visit: www.courtsandcommunity.org/youthjusticeboard.

The Youth Justice Board helped create this PAK for you. Many Board members are in foster care and want to help other young people in foster care to have the best possible future. They believe that young people in foster care can prepare to leave the system by participating in their court hearings. The PAK was produced with the generous support of the Cricket Island Foundation.

Sources:
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