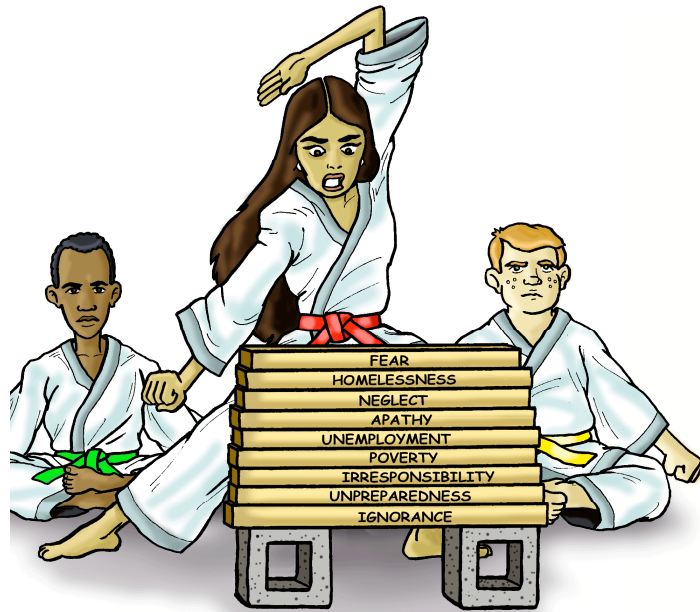


# FIGHT FOR YOUR RIGHTS!



A Guidebook for California Foster Youth, Former Foster Youth,  
and Those Who Care About Them.

## 2004 Edition

This Guidebook is intended to help foster youth (and those who care about them) to understand the rights and services available when leaving the foster system.

Written by Phil Ladew, an attorney and former foster youth who aged out of foster care in Los Angeles County; Illustrated by Dovi Anderson.

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If you have any comments, questions, additions, or corrections, please send them to the National Center for Youth Law at: [info@youthlaw.org](mailto:info@youthlaw.org).

This Guidebook is regularly updated and can be found at: <http://www.youthlaw.org/>



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# Introduction

Most foster youth know what foster care is, but leaving foster care can be confusing. If you are or were a foster youth, you have the right to a lot of protection and help. If you want to know more about your case, your rights, or the services you deserve, you should ask your social worker or your attorney. It is their job to talk with you and explain the process so that you understand it. Then, they must work to get you the help you need.

But you shouldn't just leave it there – your attorney and social worker can help you fight for your rights, but the best person to fight for you is you!

The most important thing: **YOU MUST FIGHT FOR YOUR RIGHTS!** You are the only one who can make sure things happen. People will be there to help along the way, but it is up to you to build your life the way you want it to be. It is never too late to make your dreams a reality.

The following information will help you fight for your rights, and will help you find others who can help.

All quotes are from current or former California foster youth.

# Important Terms and People

## Foster Care

Foster care is the system designed to care for children and youth when their parents cannot. When a child is abused or neglected, a county social worker has the responsibility to take the child and put him or her in a home that is safe and comfortable. When this happens to you, and the judge declares you a dependent of the court, you are in foster care. The idea is to protect you and make sure that you get the things you need.

Also, the social worker must make sure that the child's parents have enough help so that they can make the home safe and the child can return as soon as possible. Sometimes, the parents cannot, or do not, make the home safe. Then the social worker is supposed to help the child find a permanent place to live – like with a relative or adoptive parents.

Foster care placements can be with a family member, with a friend of the family, in a foster home, or in a group home. Also, children can be placed in hospitals or other institutions if it is the best place for them. It does not matter where you are living; you have certain rights as a foster child in California. More information about foster care can be found at the California Judicial Council's website: <http://www.courtinfo.ca.gov/selfhelp/family/juv/>

## Guardianship

A guardianship is where someone other than your parents has agreed to take care of you and be your legal guardian – this is not the same thing as foster care. This means that they have special rights and responsibilities to take care of you. Your legal guardian can decide where you live and where you go to school. They act as your parents in most things, but your parents' rights are not terminated. In order to have a legal guardianship, the judge has to appoint the person specifically as your "legal guardian."

## Judge

The judge is the person that makes the ultimate decisions. He or she must make sure that all your needs are met. He or she has the power to make the big decisions in your case.

## Attorney

Every California foster youth has an attorney. The attorney must represent your best interests in court and must tell the judge what you want.

## Court Appointed Special Advocate (CASA)

CASAs are volunteer advocates that are appointed by the court. They do not get paid. They must look after your best interests and tell the judge their opinions.

## Social Worker / Probation Officer

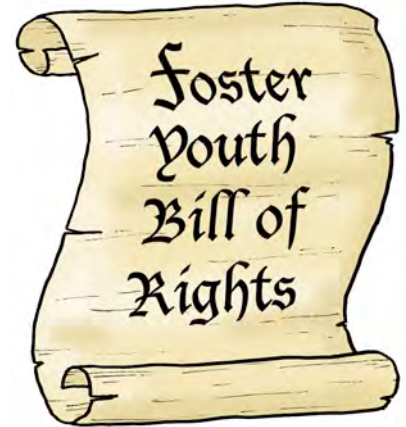
The social worker is responsible for helping foster youth in every way. They are the ones who find the foster home, make sure you have everything you need, and that you are happy. They also have to visit you every month to make sure everything is going well.

If a foster youth gets into trouble with the police, he or she may have a probation officer instead of a social worker. Probation officers have the same responsibilities as social workers.

# 1. Your Rights in Foster Care

## 1. You have the right to live in a safe, comfortable home with:<sup>1</sup>

- Enough clothes and healthy food<sup>2</sup>
- Your own place to store your things<sup>3</sup>
- An allowance (if you are in a group home)
- A phone that you can use to make confidential calls (unless a judge says you cannot)<sup>4</sup>



## 2. You have the right to:

- Be treated with respect<sup>5</sup>
- Go to religious services and activities of your choice<sup>6</sup>
- Send and get unopened mail (unless a judge says someone else can open your mail)<sup>7</sup>
- Contact people who are not in the foster care system (like friends, church members, teachers, and others)<sup>8</sup>
- Make contact with social workers, attorneys, probation officers CASAs, foster youth advocates and supporters, and anyone else involved in your case<sup>9</sup>
- Be told about your placement by your social worker or probation officer<sup>10</sup>

## 3. No one can:

- Lock you in a room or building (unless you are in a community treatment facility)<sup>11</sup>
- Abuse you physically, sexually, or emotionally for any reason<sup>12</sup>
- Punish you by physically hurting you for any reason<sup>13</sup>
- Look through your things unless they have a good and legal reason<sup>14</sup>
- Treat you unfairly or differently because you are of a different race, come from a different country, practice a different religion, or have a disability<sup>15</sup>
- Treat you unfairly or differently because you are a girl or because you are a boy<sup>16</sup>
- Treat you unfairly or differently because you are gay, straight, or bisexual<sup>17</sup>

## 4. You have rights in court too. You can:

- Go to court and talk to the judge<sup>18</sup>
- See and get a copy of your court report and your case plan<sup>19</sup>
- Keep your court records private, unless the law says otherwise<sup>20</sup>
- Be told by your social worker or probation officer and your attorney about any changes in your case plan or placement<sup>21</sup>

## 5. You have health rights. You can:

- See a doctor, dentist, eye doctor, or talk to a counselor if you need to<sup>22</sup>
- Refuse to take medicines, vitamins or herbs (unless a doctor or judge says you must)<sup>23</sup>

## 6. You have school rights. You can:

- Go to school every day<sup>24</sup>
- Go to the school that is in your best interest to attend<sup>25</sup>
- Go to a regular mainstream public school (unless your educational needs require another educational placement or if it is in your best interest to attend another school)<sup>26</sup>
- Go to after-school activities that are right for your age and developmental level<sup>27</sup>
- Have access to the same resources, services, and extracurricular activities as other pupils<sup>28</sup>

If you need help, speak up! Just tell a lot of people what you need!

Finish the academic year in the school you are attending even if you are moved into another school district midway through the school year, as long as it is in your best interest<sup>29</sup>

Enroll immediately in a new school if you have to change schools<sup>30</sup>

**7. You have the right to do some things on your own. You can:**

Have your own emancipation bank account (unless your case plan says you cannot)<sup>31</sup>

Learn job skills right for your age<sup>32</sup>

Work, unless the law says you are too young<sup>33</sup>

Manage the money you earn (if right for your age, developmental level, and it's in your case plan)<sup>34</sup>

Go to Independent Living Program classes and activities if you are old enough<sup>35</sup>

**8. You have family rights too. You can:**

Visit and contact your brothers and sisters (unless a judge says you cannot)<sup>36</sup>

Contact parents and other family members (unless a judge says you cannot)<sup>37</sup>

**9. You have other rights too. You can:**

Tell the judge how you feel about your family, lawyer, and social worker<sup>38</sup>

Tell the judge what you want to happen in your case<sup>39</sup>

Have your own lawyer<sup>40</sup>

Live with a family member if that would be a safe place<sup>41</sup>

Call the Foster Care Ombudsperson's Office and Community Care Licensing at any time<sup>42</sup>

**10. Also,**

No one can scare you, hurt you, or get you in trouble for telling people that your rights are not being protected<sup>43</sup>

Remember your rights. Also remember that the foster parent's or group home's job is to supervise you and keep you safe and healthy<sup>44</sup>

## 2. Where You Can Get Help

### Foster Care Help

#### **California Foster Care Ombudsperson**

<http://www.fosteryouthhelp.ca.gov/>

The Ombudsperson's job is to work within the foster care system to make sure problems are solved. If you feel that your foster home or group home is not really taking care of you, call the California Foster Care Ombudsperson at: 1 (877) 846-1602. This is a free call and it won't show up on the telephone bill. Also, they will keep most things you tell them confidential.



#### **Foster Youth Services**

<http://www.cde.ca.gov/ls/pf/fy/>

Foster Youth Services is a program in 53 of the 58 counties in California. FYS programs help schools with the educational records and other educational issues of foster youth. Your county FYS may also have tutoring or other educational development programs to help you graduate. However, these programs are usually only for youth that are placed in group homes. You can find your local program on the website above or call the statewide Foster Youth Services office at: 1 (916) 445-5737.

#### **Foster Youth Liaisons**

California law requires that each county and each school district have a Foster Youth Liaison that helps foster youth keep track of records and get properly enrolled in school.<sup>45</sup> They can help you figure out how many credits you have and which classes you should take. If you need help with your records, ask your school administrator who the Foster Youth Liaison (also called "AB490 Liaison") is for your school district. Or, you can also call the statewide Foster Youth Services office at 1 (916) 445-5737 and ask them who the liaison for your district is.

#### **Independent Living Program (ILP) and Independent Living Skills Program (ILSP)**

<http://www.childsworld.ca.gov/res/pdf/ILPCC03.pdf>

ILPs and ILSPs can help you prepare to live on your own. These are programs that can help you find a job, a place to live, get college information, or get health care. Some will give you money, provide clothing, teach you skills like cooking or managing your money, and even pay for driver's education courses. If you were in foster care when you were 16 years old and haven't reached your 21st birthday you are entitled to ILP services.<sup>46</sup> To find out what services your local ILP offers, call the State Foster Care Ombudsperson at: 1 (877) 846-1602.

#### **California Youth Connection (CYC)**

<http://www.calyouthconn.org/>

California Youth Connection (CYC) is an organized group of foster youth and former foster youth that work to try to improve the foster care system. There are chapters throughout the state. You can make friends, learn a lot, and have a chance to make a real difference – not only in your foster care experience, but that of other foster youth as well. For more information, call the CYC at: 1 (800) 387-8236.

*If you make it through foster care, you can make it through anything.*

## **General Help**

Sometimes you may have questions about things not related to foster care. These are some numbers you can call anytime - 7 days a week, 24 hours a day. You don't have to give your name, you can just call and talk, and they will listen. They can even give you ideas about where to go for help. The calls are free and they won't show up on the phone bill.

California Youth Crisis Line: 1 (800) 843-5200.

Nineline: 1 (800) 999-9999

National Runaway Switchboard: 1 (800) 621-4000

## **Legal Help**

### **Your Attorney**

If you are in foster care, then you have an attorney. Your attorney's job is to look out for you, go to court with you, and answer your questions about your case. Once you leave the system, however, you do not have this attorney anymore. If you don't know who your attorney is, ask your social worker or call the Foster Care Ombudsperson at: 1 (877) 846-1602.

### **The Judge**

One of the most powerful things you can do is talk to the judge yourself. You can write the judge a letter, or go to your next court date and talk to the judge there. You can tell the judge how you feel about where you are living, how you are being treated, and if you want something to change. The judge looks at your case at least once every six months. Don't be afraid to talk to the judge. It is the judge's job to hear what you have to say and to protect your interests.

### **Other Legal Issues**

If you have a legal problem that is not related to your foster care case, then you may be able to find free legal help. Try calling one of these organizations – they can help you find someone who may be able to help you.

Legal Services for Children: 1 (415) 863-3762

National Center for Youth Law: 1 (510) 835-8098

Youth Law Center: 1 (415) 543-3379

Or if you want general information on California laws, and the legal system, these websites may be useful.

<http://www.courtinfo.ca.gov/selfhelp/>

<http://www.lawhelpcalifornia.org/>

If you have been charged with a crime, then you will be assigned a Public Defender who will represent you and answer your questions.

### **Help for Non-Citizens**

If you are in foster care, but not a citizen of the United States, then you may be able to apply for a green card and, perhaps, eventually become a citizen.<sup>47</sup> Ask your attorney about special

immigrant juvenile status, and ask him or her to fill out the forms for you and apply as soon as possible. **DON'T WAIT FOR YOUR ATTORNEY** to ask you about it. You should make sure your attorney knows that you are not a citizen, and make sure that he or she fills out the application! If you are having trouble talking with your attorney, then call your social worker or the Ombudsperson's Office.

Applying for a green card and/or citizenship can take anywhere from six months to three years! So you should begin the process as soon as possible. If you wait too long, or leave foster care before you apply, then you may not be eligible.

Without a green card or citizenship you cannot work in the United States, and are not eligible for many other benefits. Find out more from the Immigrant Legal Resource Center at: 1 (415) 255-9499, ext. 6263 or on the web at: <http://www.ilrc.org>

### 3. Preparing to Live on Your Own

#### Transitional Living Plan

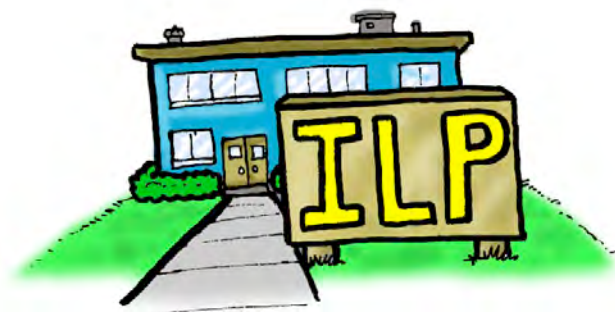
If you are at least 16 years old, then you should have a Transitional Living Plan. Your social worker and YOU must work together to come up with this plan. The plan must explain what you and others will do to make sure that you are prepared to live on your own when you turn 18. It must contain your plans for college, a summer job, or anything else you want to learn so you can live on your own.

This plan must be written down on paper, and you have to help prepare it. If you have never seen your plan or don't know what it is, then your social workers is breaking the law. Ask your social worker to help you prepare your plan.

You can also change the plan if you feel that your interests and needs have changed. Tell your social worker and he or she will have to help you rework the plan.

#### Independent Living Program (ILP) and Independent Living Skills Program (ILSP)

ILP and ILSP are the same thing. These are programs that help you prepare to live on your own. They can help you find a job, a place to live, get college information, and even health care. Some will give you money, provide clothing, teach you skills like cooking or managing your money, and even pay for driver's education courses. They have to help you if you were in foster care after you turned 16 and haven't had your 21st birthday. ILP programs are your best resource. Attending ILP classes should be part of your Transitional Living Plan. ILP staff members can also help you develop or change your Transitional Living Plan.



YOU HAVE A RIGHT TO GO TO ILP.

Federal law requires that the ILP help you at various ages and stages of achieving independence.<sup>48</sup> ILP Services cannot be only a one-time class. The law requires that you receive services from ages 16 to 21. So, if you are only given an 8-week class and never receive any more help, the ILP program staff is breaking the law. Also, if they don't give you services when

you are 16, they are breaking the law.

Remember, you must fight for yourself! If you don't feel you are getting all you can from ILP, tell your attorney, your social worker, the judge, or the Ombudsperson. Show them this book and demand more!

To find your local ILP program, you can call the Ombudsperson's Office at: 1 (877) 846-1602, or go online to: <http://www.childsworld.ca.gov/res/pdf/ILPCC03.pdf>

ILSP got your back!

## **Emancipation Account**

As a foster youth, you are allowed to save up to \$10,000 dollars of your own money to use when you leave foster care. The good (but limiting) thing about an Emancipation Account is that you are supposed to only take money out for things that will help you prepare for emancipation from foster care. Ask your foster parent, group home director, or social worker how to set up an Emancipation Account.

Remember, you have a right to manage the money you earn if your case plan allows it. The only problem with managing your own money is that until you emancipate from foster care you cannot open a bank account without an adult. Thus, you need help managing your money. An Emancipation Account is a great idea to protect your money until you need it most.



Set good goals and always try to reach them.

## **Driver's License**

It is not easy for foster youth to get a driver's license before age 18. In fact, it can be almost impossible. But that does not mean you shouldn't try. Many foster youth do drive before they are 18 years old. Driving is not a right – it's a privilege, but you should be able to drive if you are mature enough and can pay for it.

### **Learner's Permit**

In order to get a license before you are 18, you first have to get a learner's permit. To get a learner's permit, you must:

- 1) Be at least 15 \_ years old
- 2) Take a classroom Driver Education Class
- 3) Pass a written traffic laws and signs test
- 4) Fill out an application and have it signed by an adult
- 5) Go to the Department of Motor Vehicles (DMV) with a Certified Birth Certificate and your social security number to turn in your application and pass a visual test

Driver's Education must be given at your high school – for free, and it must be offered during the regular school day.<sup>49</sup> So, if your school doesn't offer a class, or if it is only offered before or after school, then the school is breaking the law!

The written traffic laws and signs test may be administered during your Driver's Education Class. If it is not, you can take it at the DMV. Either way, you must pay \$24. This pays for up to three tests (either written or behind the wheel) within 12 months, and also pays for your permit and license. You can make an appointment at the DMV online at <http://www.dmv.ca.gov>.

You must have your application signed by an adult. Usually a person's parents or guardian signs, but for foster youth it is a little more complicated. Whoever signs the application takes responsibility for your actions (except for your social worker or probation officer, who cannot be held liable).<sup>50</sup> That means if you get into an accident they will have to pay for any damage you cause. The people who can sign for a foster child include:<sup>51</sup>

- A grandparent,

- A brother or sister over 18 years old,
- An aunt or uncle,
- The foster parent you are living with, or
- A social worker or probation officer (if you have your own insurance)

If you do not know your social security number or do not have a Certified Birth Certificate, ask your social worker. Your social worker will get you a copy of these documents if you ask. If you are leaving care, then you will get them at your last court hearing.

### **License**

After you get your permit, you have to do these things before you can get a license:

- 1) Have had your permit for at least 6 months
- 2) Take six hours of behind the wheel Professional Driver Training
- 3) Practice driving with someone over 25 years old for 50 hours, 10 of which must be at night
- 4) Have car insurance
- 5) Go to the DMV and pass a behind the wheel driving test

Car insurance can be very expensive – over \$1,000 a year for the minimum coverage. Thus, unless your foster parents are willing to add you to their insurance, you have to get your own. If you do have your own insurance, then your social worker or probation officer can sign for you. They will have to let your foster parent know that they are signing.

### **Once You Have Your License**

Remember, if you do drive, and you get a ticket, you must pay it or go to court. Many former foster youth fail to pay their traffic tickets and fail to go to court. This is called an FTA or “failure to appear.” If you fail to appear in court, then the judge will issue a warrant for your arrest. After that, if a police officer stops you for anything, then you can be arrested and thrown in jail.

By not taking care of the problem, you just made a small fine into a bigger fine plus jail time. You may also have your driver’s license suspended.



## 4. Things You Should Do Before Your 18th Birthday

### Go To Your Last Court Date

When you age out of foster care, the judge holds a hearing to close your case. No matter what anyone tells you, GO TO THIS HEARING. It is important for you to go because the judge needs to make sure that you have some important things.<sup>52</sup> At this last court date, the judge must make sure that:

- You are there in court, (unless you don't want to go, and the social worker has explained to you the consequences of not going)
- You have information about your family's history and your placement history while in foster care
- You know where your brothers and sisters are, if they are in foster care
- You know how to see your court records
- An application for Medi-Cal or other health care has been completed for you
- You have completed an application for college, a job training program, an employment program, or other educational program AND have information about how to get financial aid
- Referral to transitional housing, if available, or assistance in securing other housing has been provided
- That information about other forms of financial support or other services has been provided

Also, the judge must make sure that you have been given a:

- Certified birth certificate,
- Social security card,
- Identification card and/or driver's license,
- Proof of citizenship or residency status, and
- Death certificate of parent or parents, if this applies to you

If you haven't been given these services, information, and papers then SPEAK UP! Ask the judge for them and ask your lawyer to insist that the law be followed. Insist that you have them before the judge dismisses your case. Tell your lawyer to make sure you have them!

Why is it so important to have these papers? Well, you need these things to get a job, get into college, and to get many other services. Some youth skip this part, and then they regret it when it takes 6 months and a fee to get a birth certificate! Also, sitting in line for hours at the Social Security office before you begin your job is a huge waste of time.

### Register to Vote

Once you turn 18, you can vote for leaders and laws that you feel represent your interests. The post office will have voter registration applications that are free to mail. Fill one out as soon as possible. The Registrar of Voters has to receive and register your application at least

15 days before the next election if you want to vote. You never have to register again unless you move or change political parties.

## **Sign Up for the Selective Service – Men Only**

What is the Selective Service? It is a list of names that the United States can use to draft men into the military if a war gets really bad and they need more soldiers. The selective service list has not been used since before you were born (the 1970's), but it's still important to take seriously. This is important to do because you cannot participate in Federal programs if you have not registered. Thus, before you can get federal loans for college or before you can participate in many job programs like Job Corps, you must register. All males between 18 and 26 years old must register with the Selective Service. Females do not have to register at this time.

You can register online, at the post office, or sometimes at your high school. You can find out more information at: <http://www.sss.gov>

## **Establish Good Credit**

When you have "credit," it means that people trust you to repay the money you borrow. Coming out of foster care, you probably don't have any credit or a credit rating. This can make it difficult to get a credit card, a car, or even an apartment.

Good credit is built slowly by borrowing money and repaying it back on time. You will have bad credit if you borrow too much money, or if you don't pay it back, or even if you pay it back a little late.

Also, it is possible that someone illegally used your social security number to open credit cards. This is called "identity theft," and it messes up your credit. Before you leave foster care, it may be a good idea to check with the three credit bureaus to make sure no one has been ruining your credit without you knowing. This can be a little tricky because the credit bureaus do not keep records for youth under 18 years old. So if they have a record for you, then that is an indication that there is a problem.

There are three credit bureaus, and they do not share information. That means that when someone wants to learn about your credit history, they may call one or several of the credit bureaus to see your credit worthiness. If you are looking to see if someone has used your credit, then you must call all three. It usually costs around \$9 per report, although there may be some instances where it is free. For example, if you apply for credit or housing and are turned down because of the information on the report, then you can get a free report within 60 days. If you have reason to believe someone has used your information illegally, then ask your ILP program if they will help you pay for the reports.

The three credit bureaus are:

Experian (888) 397-3742, <http://www.experian.com/consumer/index.html>

Equifax (800) 685-1111, <http://www.equifax.com/>

TransUnion (800) 888-4213, <http://www.transunion.com/index.jsp>

An important note on credit cards: credit cards can be dangerous and put you in massive debt – something that will stop you from getting a car, or even an apartment. The best way to use credit cards is to use them very little and ALWAYS pay your bills on time.

Make sure your keep working to walk up that next step.

## 5. Employment – Getting a Job

### Getting a Job

Finding a job can be a difficult process. However, there are programs that can help you gain job skills and ultimately find a job. The Workforce Investment Act (WIA) is a federal law that gives money to local job training programs throughout the country. These programs help train you and assist you in finding long-term employment. Below are some WIA programs that can help you.

#### **Local WIA Youth Program**

<http://www.calwia.org/lwia/index.cfm>

Every county in the state has a local WIA program run by neighborhood job-training centers, schools, community colleges, or a local government agency. The programs offer on the job training, tutoring, childcare, transportation assistance, mentors, internships, alternative education classes for obtaining your diploma or GED, and job-training classes. The programs usually last for one year and you can go while you are in foster care or even after you leave foster care. You may even be able to earn money when you participate in on the job training programs or internships.

Every county has a slightly different program. So, contact your local One Stop program or the California Workforce Investment Board at 916-324-3425 to find the WIA youth program nearest to you.

#### **Access One-Stop Shops**

<http://www.edd.ca.gov/one-stop/pic.htm>

One-Stops are places you can go to get help finding and applying for jobs. They will have programs to teach you general employment skills like writing your resume. Also, they provide a place where you can go to use computers and talk with people who have knowledge that will help you find a good job. The services are free, so ask your ILP where the closest One-Stop Shop is located.

#### **California Vocational and Job-Training Programs**

The following is a list of employment programs that you can contact for help getting work. Your ILP will know about others, so talk to your ILP as well.

1. Youth Employment Opportunity Program (YEOP)

<http://www.edd.ca.gov/eddy.htm>

YEOP is a statewide program that assists youth, ages 15 through 21, with finding employment. It includes peer advisors, educational support, job referrals, and job-training workshops. Contact the state program at: 1 (916) 227-0301 or email the program mentor at: [rswitzer@edd.ca.gov](mailto:rswitzer@edd.ca.gov).

2. CalJobs

<http://www.caljobs.ca.gov>

CalJobs is an Internet based resource that links employer job listings and job seeker resumes. You can look for job listings in your area and put your resume on their resume list for free.

3. AmeriCorps

<http://www.americorps.org>

AmeriCorps is a national service network that provides full and part-time job opportunities for youth and adults. You will be paid while in the program and when you complete the program, you can receive scholarship money for college or vocational training. For more information, contact them at: 1 (800) 942-2677 or go to their website.

4. California Regional Occupation Program and Centers (ROP)

<http://www.cde.ca.gov/ci/ct/rp/>

Most of California's vocational education programs are offered through the ROP program. Generally, anyone over 16 is eligible to enroll in the ROP classes and programs throughout the state. High school students are put on the top of the list, but everyone can participate. ROP programs are located in virtually every high school and at over 70 ROP centers throughout the state. The programs include vocational classes in virtually every possible career such as computers, construction, automotive, and a range of other areas. The ROP program is designed to give you a certification that will help you land a job. For more information, you can contact the state ROP office at: 1 (916) 322-5050 or go to the ROP website. Your high school counselor should also be able to help.

5. California Conservation Corps (CCC)

<http://www.ccc.ca.gov>

CCC is a state program for youth between the ages of 18 and 23. It is usually a one-year program with pay and benefits (like health insurance). The CCC programs involve conservation or wilderness projects as well as community service projects. In addition to the pay, you can earn scholarships that you can use for college or vocational schools. For more information, call 1 (800) 952-5627, or go to their website.

6. Workability I Program

<http://www.cde.ca.gov/sp/se/sr/wrkabltyI.asp>

This program provides comprehensive pre-employment training, employment placement, and follow-up for high school students in special education who are making the transition from school to work, independent living, or and post-secondary education. The program includes paid and unpaid work experience; vocational classes; and two years of follow up supportive services. This program is free and offered in every county in the state. For more information, contact them at: 1 (916) 323-3309 or the website.

**Job Corps**

<http://jobcorps.doleta.gov/>

Job Corps (pronounced "Job Core") is a great program if you are ready and willing to be trained in a particular job. You can train to become a chef, carpenter, computer programmer, or many other great jobs. You can live on campus for free, but you may not have to, and they provide you with free food, books, and even spending money.

Job Corps is a strict program with a curfew, but it is well worth the effort if you are ready to learn a skill. There may be a wait list, so it would be best to apply several months before you plan to leave foster care.

There are several California Job Corps locations: Long Beach, Los Angeles, Sacramento, San Bernardino, San Diego, San Francisco, and San Jose. For more information or to find the Job Corps nearest you call: 1 (877) US-2JOBS [1 (877) 872-5627].

### **Education and Training Vouchers: Chafee Grants**

California has millions of dollars to give youth who were in foster care between their 16<sup>th</sup> and 18<sup>th</sup> birthdays. You can get up to \$5,000 per year for help getting a college degree or attending a work training program that is at least one year long. If you are in a program when you turn 21, then you may be able to get this educational and training voucher until you're 23!

So, if you are going to college or a vocational training program, ask your ILP how to apply for the Chafee Grant Program. If you are in college, ask your financial aid office how to apply.

To continue receiving money under the voucher program, you must maintain a 2.0 GPA, or if your program does not provide you with a GPA you have to be performing satisfactorily. For more information, call the California Student Aid Commission at 1 (888) 224-7268 or visit their website at <http://www.chafee.csac.ca.gov>.

### **Work Permit**

If you are under 18, then you must get a “work permit” before you start working.<sup>53</sup> Go to your school counselor and ask how to get a work permit.

#### **For all work permits**

To get a work permit for either full-time or part-time work, you have to:

1. Meet the school's GPA, attendance, and other requirements
2. Apply for a job
3. Get the right documents from your school
4. Fill out the documents correctly and return them to your school

Remember that you have to apply for a new work permit at the beginning of every year, every summer, and every time you change jobs.

#### **Part-time work**

You must be at least 12 years old to get a work permit. You can only work a certain number of hours, so you should do some research. Ask your school for details on work permits for part-time work.

#### **Full-time work**

As a foster youth, you may begin working full-time when you are 14 years old. However, if you are between 14 and 16, then you can only work full-time if your social worker or probation officer agrees in writing.<sup>54</sup> You also will have to attend a work experience-training program, pass a physical exam, and have an adult go with you to verify your information. If you are over 16, you do not have to go through as much hassle.

## **Unemployment Insurance**

If you are unemployed, and cannot find a job, you may be eligible for unemployment benefits. But to qualify, you must have already had a job!

You must have had a job that paid you legally, and then have lost the job through no fault of your own (for example, if you have been laid off). However, you can only receive unemployment for a maximum of 26 weeks a year. Also, the amount you can receive is between \$40 and \$370 a week – depending on how much you made at your former job. This is meant to help you while you look for new employment.

You can find out more information or file a claim by calling: 1 (800) 300-5616 or finding forms online at: <http://www.edd.ca.gov/flieclaim.htm>.

## 6. Finding a Place to Live

If you are leaving foster care, chances are good that you need a place to live. ILP must help you, but it is ultimately your responsibility to find a place to live. If you are having problems, there are a few programs that can help.

### Transitional Housing Placement Program (THPP)

<http://www.childsworld.ca.gov/transition-432.htm>

Transitional Housing Placement Programs are programs that give you a place to live with cheaper rent for a short period of time. There are many different types of programs – some are for foster youth 16 to 18, some are also for former foster youth. There may be rules that you have to follow, and sometimes there is a staff member that will help you with organizing your life, finding work, budgeting your money, etc.



If you want to get into a transitional housing program, you must fight for it! Right now, there are not enough spaces for all youth who leave the system – there is only room for less than 4% of those that are eligible. That means if you manage to get into a housing program, you are one lucky person, and you should do your best to follow the rules and stay in the program because there are 30 others waiting for your spot.

Ask you ILP staff if your county has a Transitional Housing Placement Program, or check out the website above for more information.

### Supportive Transitional Emancipation Program (STEP)

STEP stands for Supportive Transitional Emancipation Program. This is a program that helps emancipated foster youth pay for housing, as long as they are still participating in an educational or training program. The only problem, however, is that currently no county participates in the program. So, if you think this is a good idea, write a letter to your County Supervisor and ask them to vote for joining the program.

### Job Corps

<http://jobcorps.doleta.gov/>

If you get into Job Corps, then you can live at Job Corps. You may prefer living in your own apartment, but it sure beats sleeping on the streets. Read more about Job Corps in the Employment section on page 17. Again, the main number for Job Corps is: 1 (877) 872-5627.

### College

[www.collegeboard.com](http://www.collegeboard.com)

If you are in college, then you have hit the jackpot, congratulations! You should be able to live on campus in the college housing. California State Universities are supposed to do everything they can to allow you to stay during winter and spring breaks, and should give you priority for housing, meaning that they give you housing first, before other students.<sup>55</sup> Make sure you apply for on-campus housing and make sure they know that you are a former foster youth. Check out the College Board website and read the next section on Getting an Education for more information on applying for college.

When renting an apartment, try a million times, and maybe at a million and one, someone will say YES.

## **Homeless Shelters**

[http://www.mainchance.org/resources/resources\\_shelters.html](http://www.mainchance.org/resources/resources_shelters.html)

Another option is a homeless shelter. You may think that you would never be so poor that you would need to sleep in a homeless shelter, but if you don't plan ahead and fight for the things you will need, you may be grateful just to get a night in a homeless shelter. The above website has a list of some homeless shelters in California.

## 7. Getting an Education

### High School

Getting through high school is not easy, but it is well worth it. Here is what you need to know to about handling difficult situations and who to go for help.

### **Foster Youth Services**

<http://www.cde.ca.gov/ls/pf/fy/>

Foster Youth Services is a program in 53 of the 58 counties in California. FYS programs help schools with the educational records and other educational issues of foster youth. Your county FYS may also have tutoring or other educational development programs to help you graduate. However, these programs are usually only for youth that are placed in group homes. You can find your local program on the website above or call the statewide Foster Youth Services office at: 1 (916) 445-5737.

### **Foster Youth Liaisons**

California law requires that each county and each school district have a Foster Youth Liaison who helps foster youth keep track of records and get properly enrolled in school.<sup>56</sup> They can help you figure out how many credits you have and which classes you should take. If you need help with your records, ask your school administrator who the Foster Youth Liaison (also called “AB490 Liaison”) is for your school district. Or, you can also call the statewide Foster Youth Services office at 1 (916) 445-5737 and ask them who the liaison for your district is.

### **Educational Decisions**

If you need educational decisions made, or special tests done, there must be an adult in your life who has the authority to make those decisions. Sometimes there are problems with knowing who can make those educational decisions. Normally your mother and/or father has the right to make any and all educational decisions. However, the judge can limit your parents’ educational rights. If the judge does this, then he or she must appoint a responsible person to make those decisions for you. The judge may appoint your foster parents, relative caregiver, court appointed special advocate (CASA) if you have one, or another adult involved in your life. If the judge limits your parents’ rights and cannot find someone to appoint, the school has to appoint someone who can make those decisions. If you do not know who has educational rights, ask your social worker or attorney.

### **Moving to a New School**

When you move from one place to another, you usually need to change schools. However, if you move to a new placement, but you want to stay in the same school to finish out the school year, then tell your social worker, attorney, and school district foster youth liaison. It might be possible.<sup>57</sup>

If it is not in your best interests to stay in the same school after you move, you will have to go to a new school. When this happens, sometimes your new school will want to see all of your records, like your transcripts with grades, records of your shots, your discipline file, and an Individualized Education Plan (IEP) if you have one. It helps them to know which classes are best for you. However, school officials cannot make you wait to go to school if you don’t have your records ready. When you go to your new school, they have to enroll you

Put your education FIRST, before anything else.

If you make it through foster care, you can make it through anything.

immediately, even if you have no records at all, and even if you do not have the required uniform yet, or even if you owe money to your previous school for books or fees.<sup>58</sup> If your new school does not enroll you immediately, school officials are breaking the law.

So, if your school does not enroll you immediately, or if you don't want to be transferred to a new school, contact your Foster Youth Liaison (see above for more information on Foster Youth Liaisons).

### **Grades**

If you miss school to attend your court hearing or a court ordered activity or if you miss school because your placement was changed, that absence cannot lower your grade.<sup>59</sup>

### **School Discipline**

You have certain rights if you are being punished at school. If you feel that any of these rights have been violated, talk to your attorney. If you don't know who your attorney is, ask your social worker or call the Foster Care Ombudsperson at: 1 (877) 846-1602.

### Search

School officials must have "reasonable suspicion" or good and legal reason that you did something wrong before they can search you.

### Suspension

A suspension is when your school punishes you for something you did by temporarily sending you home. There are certain rules that schools must follow if you are being suspended:

- You cannot be suspended for being late to class or skipping school.
- You cannot be suspended for more than 5 days in a row
- You have the right to have your behavior corrected by means other than suspension wherever possible
- The person taking care of you or the person who holds your educational rights has the right to be told of your suspension and meet with school officials about your suspension

If your school is not following all of these rules, they are breaking the law.

### Expulsion

An expulsion is when you are being kicked out of the entire school district for one year as punishment for something you did. Expulsions are more serious than suspensions, and so you have more rights in this process:

- You have a right to fight the expulsion at a hearing with witnesses, evidence, and an attorney or other adult advocate
- A three-judge panel must hold a hearing within 30 days of the time the school said you misbehaved
- The school must tell you the date of the hearing at least 10 days before they hold the hearing

At the hearing, if you can show that you did not do what they say you did, or if you can show that the school did not follow the law, you can avoid being expelled. Don't just let them kick you out!

For more complete information about fighting expulsion go to the Lawyers' Committee for Civil Rights website at: [www.lccr.com/race.html](http://www.lccr.com/race.html)

## **Graduating High School**

One of your highest goals should be to graduate from high school. If you are having trouble getting passing grades or meeting the requirements, talk to your counselor and social worker.

Graduating from high school is an important step in the process of living independently. You may need to have enough units AND earn a high enough GPA (usually 2.0 or higher) AND pass the High School Exit Exam. It may not sound easy, but you can do it and it's worth it. Talk to your school counselor to find out exactly what you need to graduate.

## **Getting a GED**

GED stands for General Educational Development. It is a test you can take to get an "equivalency certificate." Most people treat this as the same as a high school diploma, however, not everyone does. A GED is helpful, but somewhat more limited than a High School diploma; for example, some colleges will not accept a GED.

## **College**

You can go to college! Even if your grades are not great, there are colleges that will accept you. If you want to get out of the system and make a good life for yourself, the best way is to go to college. Getting into college can be difficult, but once you are accepted you are set for the next four years! There is money available, you can live on-campus, eat on campus and when you graduate you can earn much more money.

Everyone understands that college is usually the only way to get where you want to go. Most foster youth want to go to college. Here's the sad part – most foster youth don't go to college. Most don't seem to know how to turn their thoughts into action. Is this you? If so, then now is your time to make college a reality. Ask for help. Make people help you. Don't settle for less than you deserve. Make this happen!

When you turn 18 you will be on your own, and that can be a joyous time... but it will be better if you have a place to sleep and a plan for your future. Here's what you need to do:

## **Get Active in School**

Decide that you want to go to college now, and start preparing. It doesn't matter whether you are in the 6th grade or the 12th grade, start taking classes that challenge you. Get the best grades you can. Participate in other activities that interest you. Colleges want to see a person who goes out and does stuff. Join a club, volunteer in your community, run for student office – if there is no club doing what you're interested in, start one!

## **Use Your Resources**

Your school counselor has the information you need to know about deadlines and applications for college. They can help you find the right college for you, and tell you what colleges are looking for, but you have to get their attention. Make an appointment to discuss your college plans, and follow up with meetings as you are going through the college application process – your counselor is your best resource.

Check out these websites:

<http://www.collegeboard.com>

<http://www.mapping-your-future.org>

<http://www.studentaid.ed.gov>

Here you can find information on planning for college, applying for college, and paying for college. The more information you have, the better prepared you will be.

### **Prepare for Standardized Tests**

Most colleges require that you take either the SAT or the ACT. Some schools may also require SATII tests, so make sure you know the requirements for the schools you want to apply to. The better you do on these tests, the better your chances of getting into your top choice college. Ask your school counselor or go <http://www.collegeboard.com> for test dates. Also ask your counselor about test preparation classes or materials. Start studying early, and don't wait until the last possible test date – if you don't do well the first time, you can try again on the next test date, but only if you still have time before your application deadline.

### **Choose the Right Colleges**

College applications can take time and effort, so select your schools carefully. Do some research and find out which schools offer the courses that you are interested in taking. Each school is different, so call the school or talk to students to find out what is good and bad about each school. Also, calling the admissions office with good questions about the school shows interest and initiative – this may help you in your application. When deciding which schools to apply to, don't forget to include a few dream schools (your top choice schools) and a few safety schools (schools you feel you have a good shot of getting in to) – your counselor can help you choose. You can get applications by going to the school's website, calling, or writing a letter requesting an application. Get your applications as soon as they are available so that you can have as much time as possible to complete your application.

### **Complete Your Applications**

Each school has different requirements – you may have to write an essay or submit letters of recommendation – so make sure you have all of the necessary materials when you send in your application. Here are some tips for filling out your application:

- Apply as early as possible – your chances are better the earlier you send in your completed application.
- Apply electronically if possible. Check out each college's website to find out how.
- Application fees can be expensive. Apply for a "Fee Waiver" to apply for free (you may have to call the school to get an application) or ask your ILP to pay for application fees.
- Make sure you send your standardized test scores (SAT, ACT) to each school that you are applying to.
- Get documentation that proves you were a foster child, such as a statement from the court or a letter from your social worker on county letterhead. Include this as additional material in your application – it will help colleges understand your background and life experiences.
- If you went to a non-public school, colleges may not know how to calculate your grades. You can either write a separate essay explaining how your school works, or ask your school to provide an explanatory letter.
- You can check the "Orphan or Ward of the Court" box if there is one on the application form.

### **Apply for Financial Aid**

Financial aid is money given either in the form of grants (free money) or loans (money you have to pay back later) to help you pay for going to school. Grants and loans may come from

the Federal Government, the State Government, or private institutions, but they are distributed through colleges. Not every school participates in every grant – check out which grants are available at each school by calling the school’s financial aid office. You will have to fill out a financial aid application for each school that you are applying to. When you are notified of your acceptance to the school, the financial aid office will send you an award letter letting you know what combination of grants and loans the school can offer you. Schools award financial aid based on your financial need as well as the costs of the school. This means that each school’s financial aid package for you will be different.

If you are in foster care, or have aged out of foster care, you are an “Independent Student.” Your foster parents are not your legal guardians for the purposes of applying for financial aid. You can skip the “Parental Income Information” section on the financial aid application. As foster youth, your financial need is high, so should be able to get a lot of help paying for school. Applying for financial aid does not affect your chances of getting accepted to the school, so apply! Here’s what you need to do.

#### Get a PIN number

<http://www.pin.ed.gov>

This is the first step. You need to get a PIN number to fill out your financial aid materials. Sign up on this website. They will send you your number either through email or regular mail. You will put this number on all your financial aid applications. Do not share your PIN number with anyone.

#### Fill out a Free Application for Federal Student Aid (FAFSA)

<http://www.fafsa.ed.gov>

You must complete a FASFA to be eligible for federal money. The easiest way is to apply online at this website. After you fill out a FASFA, you will be sent a Student Aid Report (SAR). The SAR reports your Expected Family Contribution (EFC). The EFC is the amount of money the government expects you to contribute to your education based on your economic situation. When you send in your financial applications, each school will look at your SAR. The difference between the how much it costs to go to the school and your EFC is your financial need. As a foster youth (or former foster youth), your financial need is high! This means you will be eligible for a lot of financial aid. If you have questions about how to fill out the FASFA, call the Federal Student Aid Information Center: 1 (800) 433 3243.

#### Apply for CalGrants

<http://www.chafee.csac.ca.gov>

If you have a 3.2 GPA, you are probably eligible for a CalGrant from the California state government. To apply:

- 1) Complete a FASFA (see above)
- 2) File a verified grade point average (GPA) with the California Student Aid Commission

Some high schools automatically file every student’s verified GPAs. Ask you school counselor if your verified GPA has already been filed. If not, get a copy of the verified GPA and mail it to the California Student Aid Commission (your school will have the address). If you have questions about CalGrants, call the California Student Aid Commission: 1 (888) 224-7268

### Complete the Financial Aid Application for Each School

Each school has different requirements, so talk to the financial aid office at each school to make sure you have all the documents you need. Also, having a good relationship with the people at the financial aid office will help you. If you enroll for less than full time, the amount of money from a particular grant can be reduced or even eliminated. So check it out before you enroll or choose to drop classes. As with your other applications, apply as early as possible. Keep copies of the materials you send, and mail your materials with Certified Mail. This costs more, but it your receipt will prove that you sent everything on time. Most importantly, apply early as some grants are given to the earliest eligible students.

### **Apply for Special Grants and Scholarships**

In addition to financial aid from your school, you are eligible for special grants or scholarships. You just need to apply for them, and as long as the money is available, it's yours. Ask the financial aid office at the college, ask your ILSP worker, and look on your own. The money is there and you just need to apply early enough, before it's given to other applicants. Here are two perfect examples of grants you qualify for as a foster or former foster youth:

Education and Training Vouchers: California Chafee Grant

[www.chafee.csac.ca.gov](http://www.chafee.csac.ca.gov)

Chafee is a California grant especially for foster youth and former foster youth. You are eligible if you were in foster care between age 16 and 18 and have not reached your 22<sup>nd</sup> birthday. You can receive up to \$5,000 a year. You must be enrolled at least halftime in college or vocational school, and have a 2.0 GPA. You must have filed your FASFA and also submit a Chafee application – available at the website above. For questions, call the Student Aid Commission: 1 (888) 224-7268.

Board of Governor's Enrollment Fee Waiver

If you are at a California community college, you may be able to get Board of Governors Enrollment Fee Waiver. Getting a waiver means that you don't have to pay for a portion of your tuition. You can get more information or an application at your financial aid office.

Private Scholarships

There are many scholarships from private institutions that any student can apply for. You can search for them (for free) at these websites:

<http://www.fastweb.com>

<http://www.fastaid.com>

<http://www.scholarships.com>

### **Once You're In College**

Once you graduate college, you're set for life. But getting through college is tough. Here are some programs that can help you while you're in college.

Guardian Scholars

<http://www.fullerton.edu/guardianscholars>

Guardian Scholars programs are programs to specifically help foster youth with just about everything you need while in college: financial aid, housing, mentoring, tutoring, and much more. Here are the schools that definitely have a Guardian Scholars program.

Cal. State Univ. Fullerton  
U.C. Irvine  
Orange Coast College  
Chapman University  
Hope International University  
American Career College  
Concordia University  
Fullerton College

Other schools may have recently added a Guardian Scholars program. Check with your school – if there isn't a program, educate them on why they should start one.

#### Educational Opportunities Program (EOP)

Public colleges, like the California State Universities, have Educational Opportunity Programs (EOP) that help you to stay in, and do well in, college. These are great programs that may be able to help you with tutoring, mentoring, academic advising, and paying for college. When you are applying to college be sure to check out EOP and do your best to get into the program. If you tell them your past, they should let you in – if they say no, then talk to someone higher in the program – convince them to accept you!

#### Orangewood

<http://www.orangewoodfoundation.org/youthFrame1.asp>

Also, if you live in Orange County, check out Orangewood's services, including free money for college, housing, and much more. Call them at: 1 (714) 619-0200 or visit them on the internet.

#### **Other Alternatives**

If you can go straight into a four-year college, great! If not, there are many other ways to get an education. You could go to community college for two years and transfer to a bigger school, or even go to a vocational (job) training school. You also don't have to apply for college right after high school. If you've been out of school for a while, you can still apply for college. If college is not for you, there are also job-training programs you can attend. Whatever your choice, you can find ways to help you pay for your education. Remember, you will earn more money and be more secure if you get more education.

## 8. Health Care

### Free Health Insurance: Medi-Cal



In California, all children under 21 years of age can get free health care if they are poor enough. If someone is poor, they can go to the local welfare office and apply for Medi-Cal health insurance. All of this is FREE.

You need to have a MEDI-CAL CARD, and if you lose it, make sure you get it replaced. Ask your social worker about the card, and make sure you have it when you leave care.

When you are in foster care you have free health care, but what about when you leave the system? If you were in foster care until age 18 and “aged out” of care, then you can get free health care until your 21st birthday regardless of how much money you have. All you have to do to keep the health care free is report your address once a year to the ILP office.<sup>60</sup> Make sure you keep your Medi-Cal insurance because it is very easy to do and health insurance is normally very, very expensive. If you get sick without insurance, it can be unbelievably expensive.

If there was a break in your Medi-Cal coverage (you had insurance, and then it stopped) then you can go to your local county social services department and fill out a simple request form to get you covered again.<sup>61</sup>

Also, even if you left foster care before your 18th birthday or you emancipated early, your free health care did not end the day you left care. Your free health care lasts a few more months until the Medi-Cal Office fills out the paper work and says you are not eligible anymore.<sup>62</sup> If this is the case and you went to the doctor and paid for it yourself because you didn't know you were covered, then Medi-Cal will reimburse you for covered costs. Go to your ILP office and ask them to help you apply for a reimbursement.

### **What Medi-Cal Covers**

Your FREE health care covers things like:

- Eyeglasses (one pair a year),
- Dental care (although not braces unless they are medically necessary),
- Family planning services and supplies (birth control, condoms, doctor visits, etc.),
- Prescribed medication,
- Hospital care,
- Doctor visits,
- Screening for health needs,
- and more...

If you are under 21 years old and apply for Medi-Cal, then at your first visit to the doctor you should receive a really good check up. This check up is often called a “comprehensive screen,” meaning the doctor doesn’t just do an “ok” check up – he or she must do a really good check up. If you have problems with your teeth, or need medicine then you can get those checked.

### **Mental Health Care**

When they do the really good comprehensive screen, they have to check for mental health issues as well. This means that if you think you need help with something like an eating disorder, really bad depression, anxiety, are thinking about suicide, or anything else that is causes you problems with living your life, then you have a right to be checked out to see if you qualify for mental health services.

If they discover that you have any mental health issues, then you have a right to get help for anything that is medically necessary. “Medically necessary” is hard to define, but it generally means that your ability to function is impaired.

### **What Happens If I Leave California?**

Something important to remember: If you move to another state, you may not be able to take your free health care with you. So, if you are going to college in another state, ask what benefits they have for you in that state.

### **Family Planning**

#### **Insurance Coverage**

There are two free insurance programs that help you with family planning services: Medi-Cal and Family Pact.

#### Medi-Cal

Medi-Cal covers all family planning services including birth control and abortions.

#### Family Pact

<http://www.dhs.ca.gov/pcfh/ofp/Programs/FamPACT/default.htm>

If you meet certain income requirements, you can also access Family Pact services. These services are available to anyone – both men and women – who live in California. Services include: pregnancy testing, testing and treatment for sexually transmitted diseases, a wide range of birth control, HIV screening, family education, and much more. These services will be confidential if you make sure your doctor knows not to tell anyone. Family Pact can be reached at 1 (866) FAM-PACT [1 (866) 326-7228] or visit their website.

#### **Can I Keep My Baby?**

If you are in foster care and are pregnant, you are the one that makes the decisions – no one, not your foster parents, social worker, or even the judge can make you have the baby, have an abortion, or give the baby up for adoption. You are the only one that can make those decisions. Don’t let anyone force you into doing anything you don’t want to do.

If you decide to raise the baby they cannot take your baby away from you – you will be able to raise the baby yourself. You will be able to make decisions about the baby and sign any papers needed for the baby. Your social worker must make sure that you get help learning

how to be the best parent you can be. Make sure that other people besides your foster parents see that you are a good parent.

If you decide to terminate your pregnancy, then Medi-Cal will pay for the procedure.

If you are in foster care, you will not get any money to care for the baby, but your foster parents will. They will receive a little more money (about \$300) to help care for the baby, but you and your baby will not be eligible for welfare (CalWorks). Your foster parents will pay for diapers, food, clothes, and other things your baby needs.

The only way that they can take your baby away from you is if the baby is in danger or you are abusing or neglecting it. If this happens, then you will get to go to court and prove you are a good parent.

Also, if you and the baby's other parent are having trouble deciding on who will care for the baby, or when you can visit the baby, the court may have to decide visitation and custody issues.

### **Confidentiality**

#### **Private Doctor Visits**

Usually, when you are in foster care and you go to the doctor, your parents, social worker, or foster parents know about it. Well, what if you want to go to a doctor and don't want anyone to know? For some things, you can go to the doctor on your own. No one else needs to consent, and doctors must keep it private if you tell them not to tell anyone. There are laws that can help protect your privacy. Also, the doctor visits will be free if you are poor.

And no matter what age you are, you can go by yourself, privately, for:

- Abortion
- Birth control
- Pregnancy

If you are at least 12 years old, you can go by yourself, privately, for the following:

- Sexually transmitted diseases
- HIV testing
- If you've been raped
- Alcohol or drug treatment

#### **Medical Minor Consent**

You can get these services for free if you sign up for Medi-Cal Minor Consent Insurance. This is different than regular Medi-Cal. Regular Medi-Cal will also pay for these services, but if you use regular Medi-Cal there is no guarantee that it will be confidential.

When you go to the doctor, make sure you go to an office or clinic that accepts Medi-Cal health insurance. You can sign up for Minor Consent Medi-Cal at your county's welfare office.

You should be careful, however, and make sure your doctor knows not to share confidential information with anyone – including writing in reports that your social worker will be able to see. Some doctors may not be as careful as you would like them to be.

You will never go through anything you can't handle.

## 9. Brothers and Sisters

Brothers and sisters are also called “siblings.” If you have siblings in foster care, you may want to visit and talk to them.

### While You Are in Foster Care

While you are in foster care, you have the right to visit and contact your brothers and sisters. Only a judge can change this if he or she thinks it will hurt you to see your brother or sister.

Your social worker should do his or her best to put you and your brothers and sisters in the same foster home (unless it is not in your best interests).<sup>63</sup> Sometimes, however, this is not possible. Then, the social worker must explain to the court why you are not living together and also say what he or she is doing to try and put you together.

If you and your brothers or sisters are not placed in the same home, then your social worker must work hard at making sure you visit your brothers and sisters and that you keep in touch. Also, your case plan – which you can see – MUST have a plan for you and your family to keep in touch. This is true, even if one of you is waiting to be adopted.<sup>64</sup> Once your sibling is adopted, however, the judge can stop you from seeing each other.

If you don't want your brother or sister to be adopted, tell your attorney. You have the right to know when the adoption hearing is and you have the right to tell the judge how you feel.<sup>65</sup>

Also, when you leave foster care you should go to court one last time. When you go to your last court hearing, and the judge dismisses your case, your social worker must give you the addresses of your brothers and sisters if they are in foster care.<sup>66</sup> Then you can arrange to talk to them and visit them.

### Taking Your Siblings Under Foster Care

As a relative, you get preference as a foster care home for your younger brothers and sisters who are still in foster care. However, you must pass a criminal background check, go through training, and meet all the requirements that regular foster parents who are not relatives must meet. If you become approved, then you will be able to take care of them in the foster care system, and get the same financial help that other foster parents get.

### Adopting Siblings

Generally, in order for someone to be able to adopt a child, that person has to be at least 10 years older than the child.<sup>67</sup> However, if you are the child's brother or sister, (or aunt, uncle, stepparent, or first cousin) your age may not matter, if

- 1) You are married and
- 2) Your husband or wife agrees to adopt them too.<sup>68</sup>

Also, in order to adopt, you must have the consent of the child's parents, or have the court terminate the parents' rights.<sup>69</sup> If the child is over 12 years old, then the child must agree as well.<sup>70</sup> For children with special needs, there are adoption assistance payments, so if you decide to adopt your sibling, you may be able to get financial help.



# 10. Issues While You're Still in the Foster Care System

## Placement Issues

Your social worker or probation officer is the main person responsible for making sure you are happy and safe in your home. If you are not happy, tell him or her right away.

Your social worker or probation officer is ultimately responsible for ensuring that you receive good care. This means that he or she must:<sup>71</sup>

- Try to place you with a relative first, before a foster home, if it is safe
- Arrange for you to visit the foster or group home before you are placed there, if possible
- Explain the reason for your placement so that you understand
- Help you keep your cultural or ethnic identity
- Make sure you are medically, emotionally, and educationally secure
- Ask you about what you want for your future<sup>72</sup>
- Ask you about important adults in your life and help you maintain relationship with those people<sup>73</sup>
- Visit you every month<sup>74</sup>

## Clothing Allowances

Once a year, you may be entitled to a clothing allowance. The amount is usually around \$200 for older youth, but your social worker may be able to get an additional \$100. This is extra money for clothing. Foster parents and group homes must buy you clothing throughout the year with the other money they get for you.<sup>75</sup>

This clothing allowance is meant to ensure that you have enough clothes to wear. But, as you can imagine, \$200, or even \$300, does not go very far. So, a couple hundred dollar clothing allowance does not necessarily make it possible to buy you all the latest styles.

If you feel that your clothing allowance is not spent on you, you should ask your social worker when the next clothing allowance is coming so you can expect it. Let your social worker know that you don't think the money is being spent on you, and ask him or her to arrange for someone to go shopping with you.

Also, if you need more clothes in an emergency, check with your social worker. The county may have emergency money available.

## How Much is My Foster Parent or Group Home Paid for Me?

### **Foster homes**

Foster homes do not get a lot of money for the care they give you. The amount depends on your age, and the maximum amount is about \$570 a month. Sometimes, under very special circumstances, they can get more. Regardless, this is not enough to care for you, and foster parents often end up spending their own money.

Why not try? If you want to make it above the stars.

## Group Homes

Group homes are rated on a 14 point scale. The higher the points, the more staff and services they provide, and the more money they get to care for you. As of 2003, group homes receive the following every month for each child:<sup>76</sup>

<u>Level</u>	<u>Amount</u>	<u>Level</u>	<u>Amount</u>
1	\$1,454	8	\$4,102
2	\$1,835	9	\$4,479
3	\$2,210	10	\$4,858
4	\$2,589	11	\$5,234
5	\$2,966	12	\$5,613
6	\$3,344	13	\$5,994
7	\$3,723	14	\$6,371

Group homes are licensed and reviewed by an agency called Community Care Licensing. Community Care Licensing used to have to visit and inspect group homes once a year – now they only have to visit once every 5 years!! Therefore, if there is a problem with the group home you should report it right away.

You can call your local Community Care Licensing Agency (phone numbers can be found at: [http://www.cclld.ca.gov/res/pdf/childres\\_rolist.pdf](http://www.cclld.ca.gov/res/pdf/childres_rolist.pdf) or call the Ombudspersons Office at: 1 (877) 846-1602.

The county must keep all the records of each and every inspection, evaluation, and list of problems found at the group homes. Anyone can see them. All you have to do is send a letter requesting the information to the county Department of Social Services where the home is located.<sup>77</sup>

## Confidentiality

There are a few things that you should know about confidentiality. Generally, your social worker, CASA, judge, and foster parents must keep your information confidential – meaning they can't go around telling everyone your business or showing them your records. They can only share records with people if it is necessary for your care.

If you think that people are telling people confidential things about you that they shouldn't, tell your attorney and social worker. You can also call the Foster Care Ombudsperson at: 1 (877) 846-1602.

## **Seeing Your Foster Care Records**

As a foster youth, you have the right to:

- See and get a copy of your court report and your case plan.<sup>78</sup>
- Keep your court records private, unless the law says otherwise.<sup>79</sup>
- Be told by your social worker or probation officer and your attorney about any changes in your case plan or placement.<sup>80</sup>

That's right. You have the right to see your records!<sup>81</sup> Because you are the person the case is about, the law expressly gives you the right to see your court records and you do not need a

court order.<sup>82</sup> Also, at your last court date, when the judge is dismissing your case, the judge must make sure that you know how to see your records.<sup>83</sup>

### **Finding Your Records**

This can get a little tricky, however, since your records can be in many places. The court clerk's office will have some; your social worker may have some; your doctor may have some, etc. You should tell your attorney that you want to see your court records. He or she will ask the court for you. Also, your attorney should have most of your records so you can ask him or her to show them to you. The attorney's file actually belongs to you!

Something else to be aware of is that some people, including social workers and attorneys may not realize that you can see your records. But if you want to see it, you can. You do not need a special order from the judge.<sup>84</sup>

### **Can other people see my record?**

Social workers, attorneys, the judge, CASAs, and those helping with the case can see your records – they need access to help decide what is in your best interests. Except for these insiders, your records must be kept confidential – that means that no one can look at them without your permission. However, a judge may allow others to see your records, but must hold a hearing where you can tell him or her how you feel about it. Ultimately, however, it is the judge's decision.

### **Seal Dependency Court Records**

You can “seal” your records when you get older. This makes it so that no one can see them without your permission.

Dependency court records are the files and paperwork filed in the court that show someone hurt you or did not provide for your needs.<sup>85</sup> These records talk about why you were removed from your parents, what happened to you, and what the court did with you over the years.

Sealing your juvenile dependency records may be less important than sealing any delinquency records, because dependency records are automatically sealed five years after you leave the system. This is not the case with delinquency records. If you need help sealing your dependency court records, call the Juvenile Court Clerk's Office in your county.

### **Gay, Lesbian, and Bisexual Issues**

Remember, you have the right to be treated with respect. You also have the right to be free of discrimination or harassment because of your sexual orientation or gender identity.<sup>86</sup> So, if you feel you are being treated differently or unfairly tell you attorney, social worker, CASA, and/or the judge. The Ombudsperson can also help you with your rights. Also, for legal rights information you can contact Lambda Legal at: 1 (213) 382-7600 or find them on the web at: <http://www.lambdalegal.org/cgi-bin/iowa/index.html>

### **Permanency Planning**

#### **Adoption by Foster Parents**

Foster parents will sometimes adopt the foster children in their care. In order to adopt a foster child, the judge must “terminate the parental rights” of the natural parents. The law says that

the court must consider whether it is in the best interests of the foster child to terminate parental rights within 15 months of entering foster care. When a court terminates parental rights, it means that the natural parents lose any rights to care for the child or make decisions about the child.

### **Guardianships and Kin-GAP**

Perhaps you are not a foster child, but are under “legal guardianship.” This can get a little tricky. Ask your social worker if you are not sure if you are in foster care or a legal guardianship.

A “legal guardian” is a special relationship. It falls somewhere in between foster care and adoption. You are not in foster care, and your legal guardian can make more decisions about your care than foster parents can. Also, you are not adopted because your natural parents still have some rights to you. “Legal guardianships” usually end when you turn 18 years old, or when the court decides it is no longer in your best interests. You can find out more information at: <http://www.courtinfo.ca.gov/selfhelp/family/juv/guard.htm> or <http://www.courtinfo.ca.gov/forms/documents/jv350.pdf>

If you have an actual “legal guardianship,” then you may not be considered a foster child and would not be eligible for ILP services. However, you are eligible for ILP when you have a guardianship and:

- 1) You were in foster care when you were 16 years old, and the court ordered the guardianship AFTER your 16th birthday, then you are eligible for most ILP services (but probably not automatic Medi-Cal health insurance to age 21). *And*
- 2) You were living with a relative in foster care, and then the juvenile court made your relative your “legal guardian,” you may be in a program called Kin-GAP. If this is the case, then you are eligible for ILP services. However, you may not qualify for some federal benefits, like the automatic Medi-Cal extension. You just need to apply for it on your own.

# 11. Juvenile Justice Issues

## Your Rights with the Police

If you are in a situation involving the police, here are few tips to keep in mind to help protect your rights. This list doesn't cover everything, but may give you a few important steps to protect your rights and keep the situation from becoming worse. You have rights, but you still have to understand that the police officer has a lot of authority. These are your rights!



### **The Right to Remain Silent**

So, stay quiet if you did something illegal or wrong, if you are not sure whether you did anything wrong or illegal, or even if you didn't do anything wrong or illegal. No matter what the officer says to you, simply say to the police officer, "I want to exercise my right to remain silent."

### **The Right to a Lawyer**

If the police are asking you questions and you are not free to leave, then you have the right to have a lawyer there with you. Politely tell the officer, "I would like to speak with a lawyer."

The police may not immediately provide you with a lawyer, and if they don't, they must stop asking you questions.

### **The Right to Say That You Do Not Want the Police Officer to Search You**

This doesn't mean that they will stop searching, so be polite in your refusal, and do NOT try to stop the police officer. Simple say, "I do not give my permission for this search."

### **The Right Not to be Searched Without "Probable Cause" by Police Officers.**

This usually means that they have to be able to say why they think you did something wrong. The police can always search you when they place you under arrest.

## What To Do If You Are Arrested: Dos and Don'ts

### **The Do's:**

- **Do** be as polite and courteous as possible. Do not give them any reason to find you threatening; do not give them any reason to think that you are hard to deal with or irritating.
- **Do** ask if you are free to leave, if they say no, then ask to have your parents or an attorney present
- **Do** ask to have your parents or an attorney present if you are under arrest.
- **Do**, as soon as you can, write down everything that happened during the course of the arrest so that you can use the writing to help you remember later. (Include dates, times, places, any names of witnesses, names of the police officers, etc.)
- **Do**, if you are physically injured by the police, seek medical attention and inform the doctors/nurses of the cause of the injury and have friends/parents take pictures of the injury.

### **The Don'ts:**

- **Don't** get into an argument with the police, no matter how hard they may try to get you to lose your temper.
- **Don't** resist arrest. Even if you think you're innocent, the time to protest comes later. If you struggle with the police officer, you may get hurt *and* be charged with resisting arrest or assaulting a police officer.
- **Don't** sign anything unless your attorney is present and approves.
- **Don't** run away from a police officer. You'll just give them a reason for a pat-down search.
- **Don't** place your hands where the police can't see them.
- **Don't** give the police a false or incorrect name. That is a crime and you can get into trouble for that as well.

### **When Foster Youth Commit Crimes**

If a foster child commits a crime, then a special meeting must be held by the social worker and the probation department. They will discuss what is in the best interests of the child and what is in the best interests of the community. This is known as a 241.1 meeting.<sup>87</sup> Then, a recommendation will be given to the judge. The judge will then decide whether to keep the child in foster care or change the child's status to a juvenile delinquent.

Remember, the best offense is a good defense. Stay out of trouble in the first place and you won't need any of these tips.

### **Seal Your Juvenile Delinquency Records**

If you've ever been in trouble with the police, it is VERY important to "seal" your juvenile court records. To "seal" them means to close them so no one can see them without your permission. Sealing your records does not happen by itself or even after time has passed. You have call up and start the process. There may also be a fee. But, if you were ever in the juvenile delinquency system, then sealing your records allows you to truthfully deny ever committing the crime (except for government things like joining the military, or working for the government). Also, keep in mind that if you committed very serious crimes, then you may not be able to seal your records.

The reason this is so important is because many transitional housing placements, job corps, and even employers will want to know if you were ever in trouble. If you seal your records, then you can deny that you committed a crime.<sup>88</sup>

It is also important, if you have juvenile records in more than one county, that you may need to go to each county and seal those records separately. Just because you seal your records in Alameda County that does not always mean that your San Francisco County records are sealed also.

For more information about sealing your records, go to [www.youthlaw.org/sealing.htm](http://www.youthlaw.org/sealing.htm) or talk to your ILP worker.

## 12. Emancipation

To emancipate means “to free.” Thus, if you emancipate you free the court from any responsibility to care for you, and you are free from the foster care system. All other laws still apply to you. But BEWARE – emancipation is difficult to do and you may lose a lot of important benefits.

### How Do I Emancipate Early?

There are three ways to become emancipated:<sup>89</sup>

1. Get married. To get married, you must be at least 18 years old and your parent(s) or guardian(s) AND the judge all must consent to the marriage. Once you are married you are emancipated.
2. Join the Coast Guard, Air Force, Army, Marines, or Navy. To do this, one of these military branches will need to accept you AND your parent(s) or guardian(s) must agree. Once you join up you are emancipated.
3. Ask the judge to emancipate you. To do this, you have to prove in court that you are at least 14, are willing and able to live on your own, and make enough money (through a legal job) to take care of yourself. Also, the judge ultimately decides if it is in your best interest.<sup>90</sup> If you meet all these requirements and the judge thinks it is best for you, then the judge will grant your request.

You can find more information online. The Judicial Council has a lot of information that can be found at: <http://www.courtinfo.ca.gov/selfhelp/family/emancip/>

They also have a pamphlet about emancipation at:  
<http://www.courtinfo.ca.gov/forms/documents/mc301.pdf>

### Loss of Services

If you emancipate early, then:

- You may not have automatic free health care until age 21.
- If your county has the STEP program, you cannot participate.
- You lose any right to foster care payments or benefits.
- No one else is responsible for your actions. If you hurt someone, they can sue you.

However, you still can participate in ILP.

### Once I Emancipate, Am I Considered an Adult?

You can act as an adult in most ways, but you are NOT really seen as an adult. You can live on your own, make decisions for yourself, and sign binding contracts. However, you still cannot drink alcohol, vote, etc. Also, you still need a work permit EVEN IF YOU ARE EMANCIPATED! You do not need your foster parent (or anyone else) to go with you, however, you can apply for a work permit by yourself.



**Succeed**

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## Endnotes

- <sup>1</sup> Cal. Welf. & Inst. Code § 16001.9(a)(1); Cal. CR §§ 80072(a)(1), (2), 83072(a), 84072(a), 89372(c)(1).
- <sup>2</sup> Cal. Welf. & Inst. Code § 16001.9(a)(3); Cal. CR §§ 80072(a)(2), 83072(b)(2), 84072(b)(6), 89372(c)(4), 89372(c)(5)(A).
- <sup>3</sup> Cal. Welf. & Inst. Code § 16001.9(a)(18); Cal. CR §§ 83072(b)(5), 84072(b)(10), 89372(c)(1)(A).
- <sup>4</sup> Cal. Welf. & Inst. Code § 16001.9(a)(9); Cal. CR §§ 83072(b)(6), 84072(b)(11), 89372(c)(15).
- <sup>5</sup> Cal. Welf. & Inst. Code § 16001.9(a)(1); Cal. CR §§ 80072(a)(1), 83072(a), 84072(a), 89372(c)(2).
- <sup>6</sup> Cal. Welf. & Inst. Code § 16001.9(a)(10); Cal. CR §§ 80072(a)(5), 83072(a), 84072(a), 89372(c)(16); Cal. Const., Art. 1, § 4.
- <sup>7</sup> Cal. Welf. & Inst. Code § 16001.9(a)(9); Cal. CR §§ 83072(b)(7), 84072(b)(12), 89372(c)(15).
- <sup>8</sup> Cal. Welf. & Inst. Code § 16001.9(a)(15); Cal. CR §§ 3072(b)(6), 83072(b)(7), 84072(b)(11), 84072(b)(12), 89372(c)(15).
- <sup>9</sup> Cal. Welf. & Inst. Code § 16001.9(a)(6); Cal. CR § 89372(c)(12).
- <sup>10</sup> Cal. Welf. & Inst. Code § 16001.9(a)(19); Cal. CR § 89372(c)(21).
- <sup>11</sup> Cal. Welf. & Inst. Code § 16001.9(a)(12); Cal. CR §§ 80072(a)(7), 83072(a), 84072(a), 89372(c)(18).
- <sup>12</sup> Cal. Welf. & Inst. Code § 16001.9(a)(2); Cal. CR §§ 80072(a)(3), 83072(a), 84072(a), 89372(c)(2).
- <sup>13</sup> Cal. Welf. & Inst. Code § 16001.9(a)(2); Cal. CR §§ 80072(a)(3), 83072(a), 84072(a), 89372(c)(3).
- <sup>14</sup> Cal. Welf. & Inst. Code § 16001.9(a)(20); Cal. CR § 89372(c)(22)(A)–(B); Cal. Const., Art. 1, § 13.
- <sup>15</sup> Cal. Welf. & Inst. Code § 16001.9(a)(22).
- <sup>16</sup> Cal. Welf. & Inst. Code § 16001.9(a)(22).
- <sup>17</sup> Cal. Welf. & Inst. Code § 16001.9(a)(22).
- <sup>18</sup> Cal. Welf. & Inst. Code §§ 349, 679 and 16001.9(a)(17); Cal. CR § 89372(c)(20); Cal. Rules of Court, rule 1410.
- <sup>19</sup> Cal. Welf. & Inst. Code § 16001.9(a)(19); Cal. CR § 9372(c)(21); Cal. Welf. & Inst. Code §§ 658, 659, 660; Cal. Rules of Court, rule 1407, 1410, 1470.
- <sup>20</sup> Cal. Welf. & Inst. Code §§ 827, 10850, 16001.9(a)(21); Cal. CR § 89372(c)(23); Cal. Welf. & Inst. Code §§ 827 et.seq, 828 et.seq.; Cal. Rules of Court, rule 1423, 1497.
- <sup>21</sup> Cal. Welf. & Inst. Code § 16001.9(a)(19) Cal. CR § 89372(c)(21); Cal. Welf. & Inst. Code §§ 658, 659, 660; Cal. Rules of Court, rule 1407, 1410, 1470.
- <sup>22</sup> Cal. Welf. & Inst. Code § 16001.9(a)(4); Cal. CR §§ 80072(a)(9), 83072(a), 84072(a), 89372(c)(7).
- <sup>23</sup> Cal. Welf. & Inst. Code § 16001.9(a)(5); Cal. CR §§ 80072(a)(9), 83072(a), 84072(a), 89372(c)(8).
- <sup>24</sup> Cal. Welf. & Inst. Code § 16001.9(a)(13); Cal. CR § 89372(c)(17)(E).
- <sup>25</sup> Cal. Educ. Code § 4853(g)
- <sup>26</sup> Cal. Educ. Code § 4853(a)
- <sup>27</sup> Cal. Welf. & Inst. Code § 16001.9(a)(13); Cal. CR § 89372(c)(17)(E).
- <sup>28</sup> Cal. Educ. Code § 4853(g)
- <sup>29</sup> Cal. Educ. Code § 4853.5(d)
- <sup>30</sup> Cal. Educ. Code § 4853.5(d)
- <sup>31</sup> Cal. Welf. & Inst. Code § 16001.9(a)(11); Cal. CR § 89372(c)(17)(B).
- <sup>32</sup> Cal. Welf. & Inst. Code § 16001.9(a)(14); Cal. CR § 89372(c)(17)(D).
- <sup>33</sup> Cal. Welf. & Inst. Code § 16001.9(a)(14); Cal. CR § 89372(c)(17)(D).
- <sup>34</sup> Cal. Welf. & Inst. Code § 16001.9(a)(11); Cal. CR § 89372(c)(17)(C).
- <sup>35</sup> Cal. Welf. & Inst. Code § 16001.9(a)(16); Cal. CR § 89372(c)(17)(A).
- <sup>36</sup> Cal. Welf. & Inst. Code § 16001.9(a)(7); Cal. CR §§ 83072(b)(1)(A), 84072(b)(5), 89372(c)(11); Cal. Welf. & Inst. Code §§358.1(d)(4), 706.6(f) Cal. Rules of Court, rule 1455(1)(D).
- <sup>37</sup> Cal. Welf. & Inst. Code § 16001.9(a)(6); Cal. CR §§ 83072(b)(1)(A), 84072(b)(5), 89372(c)(10); Cal. Welf. & Inst. Code §§ 358.1(d)(4), 706.6(f) Cal. Rules of Court, rule 1455(1)(D).
- <sup>38</sup> Cal. Welf. & Inst. Code § 16001.9(a)(17); Cal. CR § 89372(c)(20); Cal. Rules of Court, rule 1455(b), 1492(b).
- <sup>39</sup> Cal. Welf. & Inst. Code § 16001.9(a)(17); Cal. CR § 89372(c)(20); Cal. Rules of Court, rule 1455(b), 1492(b).
- <sup>40</sup> Cal. Welf. & Inst. Code §§ 317, 634; Cal. Rules of Court, rule 1412(h)(1–2), 1438.
- <sup>41</sup> Cal. Welf. & Inst. Code §§ 361.3, 362.7, 727(a)(1); Cal. Rules of Ct 1439(k), 1493(e)(3)(D); 25 USC § 1915.
- <sup>42</sup> Cal. Welf. & Inst. Code § 16001.9(a)(8); Cal. CR § 89372(c)(14).
- <sup>43</sup> Cal. Welf. & Inst. Code § 16001.9(a)(8); Cal. CR § 89372(c)(14).
- <sup>44</sup> Cal. Welf. & Inst. Code § 16001.9(b); Cal. CR §§ 80072(a)(10)(b), 89372(c)(14).
- <sup>45</sup> Cal Vehicle § 17707
- <sup>46</sup> You are entitled to ILP services even if you are on probation – unless you are currently in a locked facility. Once you leave the locked facility, you become eligible again.
- <sup>47</sup> Special Immigrant Juvenile is defined in the Immigration and Nationality Act (INA) 8 U.S.C. § 101(a)(27)(J).

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- <sup>48</sup> Chafee Foster Care Independence Act of 1999 section 477(b)(2)(c) [42 U.S.C. 677 et seq.].
- <sup>49</sup> Cal. Ed. Code § 51220(j) and § 51851 (B) <http://www.cde.ca.gov/pr/defaq.html>
- <sup>50</sup> Cal Vehicle § 17707.
- <sup>51</sup> Cal Vehicle § 17701.
- <sup>52</sup> Cal. Welf. & Inst. Code § 391, California Rule of Court 1466, and form JV-365.
- <sup>53</sup> Cal. Educ. Code § 49112.
- <sup>54</sup> Cal. Educ. Code § 49130(b)(3).
- <sup>55</sup> Cal. Educ. Code § 89340 et. seq.
- <sup>56</sup> Cal Vehicle § 17707
- <sup>57</sup> Cal. Educ. Code § 48853.5(d).
- <sup>58</sup> Cal. Educ. Code § 48853.5(d)(4)(B).
- <sup>59</sup> Cal. Educ. Code § 49069.5 (g)(h)
- <sup>60</sup> Codified at Cal. Welf. & Inst. Code § 14005.28; also see ACWDL Nos. 00-41 (Aug. 14, 2000) available online at: [www.dhs.ca.gov/mcs/mcpd/meb/acls/pdfs/acwlds/2000acls/40s/00-41.pdf](http://www.dhs.ca.gov/mcs/mcpd/meb/acls/pdfs/acwlds/2000acls/40s/00-41.pdf).
- <sup>61</sup> Form MC 250A (10/01). See also ACWDL Nos. 01-60 (Nov. 2, 2001).
- <sup>62</sup> Continuous Eligibility for Children (CEC), where any former foster youth, whether they aged-out of care or not, is covered at least until their next annual re-determination or they reach 19, whichever comes first; see ACWDL Nos. 02-20 (April 5, 2002) available online at: [www.dhs.ca.gov/mcs/mcpd/meb/acls/pdfs/acwlds/2002acls/20s/02-20c.pdf](http://www.dhs.ca.gov/mcs/mcpd/meb/acls/pdfs/acwlds/2002acls/20s/02-20c.pdf).
- <sup>63</sup> Cal. Welf. & Inst. Code § 16002.
- <sup>64</sup> Cal. Welf. & Inst. Code § 16002(b), when a child is placed for adoption the judge may rule that sibling visits are detrimental (by a preponderance) to the child and disallow contact.
- <sup>65</sup> Cal. Welf. & Inst. Code § 294.
- <sup>66</sup> Cal. Welf. & Inst. Code § 391.
- <sup>67</sup> Cal. Fam. Code § 8601(a).
- <sup>68</sup> Cal. Fam. Code § 8601(b).
- <sup>69</sup> Cal. Fam. Code §§ 8604, 8606.
- <sup>70</sup> Cal. Fam. Code § 8602.
- <sup>71</sup> Cal. Code of Regulations §§ 31-405, 31-420.
- <sup>72</sup> Cal. Code of Regulations § 31-420.114.
- <sup>73</sup> Cal. Welf. & Inst. Code § 366.1(g)
- <sup>74</sup> Cal. Code of Regulations § 31-420.3. A social worker may visit less often in some rare circumstances.
- <sup>75</sup> Cal. Code of Regulations §§ 11-401.112, 11-402.821, 827(h).
- <sup>76</sup> Cal. Welf. & Inst. Code § 11462(f)(1).
- <sup>77</sup> Cal. Health & Safety Code § 1534(a)(3).
- <sup>78</sup> Cal. Welf. & Inst. Code § 16001.9(a)(19); Cal. CR § 9372(c)(21); Cal. Welf. & Inst. Code §§ 658, 659, 660; Cal. Rules of Court, rule 1407, 1410, 1470.
- <sup>79</sup> Cal. Welf. & Inst. Code §§ 827, 10850, 16001.9(a)(21); Cal. CR § 89372(c)(23); Cal. Welf. & Inst. Code §§ 827 et.seq, 828 et.seq.; Cal. Rules of Court, rule 1423, 1497.
- <sup>80</sup> Cal. Welf. & Inst. Code § 16001.9(a)(19) Cal. CR § 89372(c)(21); Cal. Welf. & Inst. Code §§ 658, 659, 660; Cal. Rules of Court, rule 1407, 1410, 1470.
- <sup>81</sup> Cal. Welf. & Inst. Code § 827.
- <sup>82</sup> Cal. Welf. & Inst. Code § 827.
- <sup>83</sup> Cal. Welf. & Inst. Code § 391.
- <sup>84</sup> Cal. Welf. & Inst. Code § 827.
- <sup>85</sup> Cal. Welf. & Inst. Code § 389.
- <sup>86</sup> Cal. Welf. & Inst. Code § 16001.9(a)(22).
- <sup>87</sup> Cal. Welf. & Inst. Code § 241.1.
- <sup>88</sup> Cal. Welf. & Inst. Code § 781(a).
- <sup>89</sup> Cal. Fam. § 7002.
- <sup>90</sup> Cal. Fam. § 7120 et. seq.