

# RIGHTS AND RESPONSIBILITIES FOR CHILDREN AND YOUTH IN FOSTER CARE

Michigan Department of Health and Human Services

While in foster care, you have the right to have appropriate care, supervision, food, clothing, shelter, services, safety and security. Many of these rights are required by law and foster care policy, depending on your age, developmental level and individual life situation. These rights and responsibilities will help to encourage and support you during your time in foster care.

## You Have the Right To:

## Your Responsibilities Are:

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| <p><b><u>ENTRY INTO FOSTER CARE:</u></b></p> <ul style="list-style-type: none"> <li>• Be told by your caseworker or your attorney why you came into foster care and what is going on with your family.</li> <li>• Receive a copy of the Rights and Responsibilities for Children and Youth in Foster Care, your agency's grievance policy and the opportunity to ask questions.</li> </ul>   | <ul style="list-style-type: none"> <li>• To maintain an open mind toward the foster care process and understand adults have a responsibility to keep you safe.</li> <li>• To know all rights carry with them responsibilities and to respect the rights of others, including foster parents, caseworkers and siblings.</li> <li>• To let your caseworker know if your rights are not being respected.</li> </ul>   |
| <p><b><u>PLACEMENT:</u></b></p> <ul style="list-style-type: none"> <li>• Live in a safe, nurturing environment that supports permanency, well-being and normalcy. This includes encouraging goals, interests, and participation in social, extracurricular, enrichment and cultural activities. If placed in a licensed foster home or licensed residential facility, this is achieved through the Reasonable and Prudent Parent Standard.</li> <li>• Be treated with respect and free from discrimination.</li> <li>• Live in the most home-like and least restrictive setting available that meets your needs and provides you with food, adequate clothing, school supplies, and personal hygiene products.</li> <li>• Be protected from physical, sexual, emotional or other abuse and to be free from cruel, harsh or unnecessary punishment including hitting or spanking.</li> <li>• Be disciplined in a manner that is appropriate to your developmental and maturity level and medical condition.</li> <li>• Make a complaint without fear of negative consequences if you feel like your rights are not being protected.</li> <li>• To have your personal belongings with you and have a secure place to keep them. This includes items or gifts you received while in care.</li> <li>• To discuss placement options with your caseworker and express your preference of where you want to live or request a placement change.</li> <li>• Ask questions and get information about a foster family before moving there.</li> <li>• Have interested relatives explored as potential placements.</li> </ul> | <ul style="list-style-type: none"> <li>• To respect yourself and others, and treat everyone as you would want them to treat you.</li> <li>• To try to do your best to make positive decisions concerning your life.</li> <li>• Try to learn from mistakes you make.</li> <li>• To report any abuse or unusual punishment to your caseworker and to not be involved in the physical, sexual, or emotional abuse of others.</li> <li>• To treat others' personal belongings with respect.</li> <li>• To not possess things that are harmful to yourself or others.</li> <li>• To participate in the inventory of your items to make sure they stay with you.</li> <li>• To ask questions about your placement and be open-minded to the information learned.</li> <li>• To express your preference in where and with whom you want to live.</li> <li>• To try to resolve problems in your placement when necessary.</li> </ul> |

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| <b>FAMILY/SOCIAL:</b>   |  |
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| <ul style="list-style-type: none"><li>• Be placed in a home with your siblings who are in care, when possible. If separated, maintain regular contact with your siblings, unless otherwise ordered by the court.</li><li>• Visit with your parents within a week after entering foster care and to have regular ongoing visits, unless prohibited by the court.</li><li>• Continue contact with family and friends as long as it is in your best interest. You can have confidential communication, including receiving and sending unopened mail and make and receive phone calls, unless prohibited by caseworker or the court.</li><li>• Participate in activities that are appropriate for your age and development, such as after-school activities, summer activities, or work experience. When you are at least 16 years old, you have the right to apply for a driver's license.</li><li>• Attend or not attend religious services of your choice and practice your religion, if you choose.</li><li>• Preserve your cultural heritage and celebrate holidays. If possible, your placement should be with a family member or someone in your community with similar religion, culture, and/or heritage.</li></ul> | <ul style="list-style-type: none"><li>• To develop and maintain healthy sibling relationships, and to respect healthy boundaries.</li><li>• To be on time and ready for visits and to treat family members respectfully.</li><li>• To use the mail, social media, or phone, to maintain contact with only those that you are allowed to.</li><li>• To provide contact information to your caseworker for those you wish to have continued contact with.</li><li>• To follow the house rules about phone calls and computer use.</li><li>• To make good choices with peers.</li><li>• To understand that foster parents have the duty to keep you safe. Be patient as they get to know your friends to ensure your safety.</li><li>• To inform your caseworker, or foster parent, if you want to participate in activities.</li><li>• To respect caregivers' rights to their religious beliefs and their cultural background.</li></ul> |
| <b>EDUCATION:</b> <ul style="list-style-type: none"><li>• Have minimal changes in the school you attend. If you do have to change schools, you have the right to be enrolled in a school within 5 days.</li><li>• At 14 years or older, you have access to information regarding the educational options available to you, including but not limited to, vocational and college/universities and information regarding financial aid programs and have assistance in applying to colleges and vocational programs that are in or out of state.</li></ul>  | <ul style="list-style-type: none"><li>• To attend school and do your best. Let an adult know if you are having problems.</li><li>• To voice your opinion about the school you want to attend.</li><li>• To ask your caseworker about questions you might have about college or plans after high school.</li></ul>  |
| <b>HEALTH:</b> <ul style="list-style-type: none"><li>• Receive medical, dental, vision, and mental health care regularly and/or as needed, and to continue to see your regular doctors if possible.</li><li>• Know what and why your doctor prescribed medications and to be present at your appointments to participate in health care decisions, as appropriate for your age and development.</li><li>• Receive guidance on family planning and to consent to reproductive health care services.</li></ul>  | <ul style="list-style-type: none"><li>• To be free from illegal drugs or alcohol, or medications which are not prescribed to you.</li><li>• To let someone know how your medications are working for you.</li><li>• To take your medications as prescribed and know the consequences of not taking them as prescribed.</li><li>• To let your caseworker know if there is a specific doctor you would like to go to.</li></ul>  |

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| <p><b>CASE INFORMATION:</b></p> <ul style="list-style-type: none"> <li>• Have a permanency plan and to participate in the development of your case plan and to be given information about any changes in your case plan, placement, or other decisions that affect your life.</li> <li>• Fair and equal access to all available services, placement, care, treatment, and benefits and how to access them.</li> <li>• Have the name and contact information for your caseworker, your caseworker's supervisor, and your Lawyer Guardian ad litem (LGAL).</li> <li>• Have at least a monthly visit with your caseworker and have a private conversation with them.</li> <li>• Have your records and personal information kept private and only given to people or agencies who have a legal right to see them.</li> <li>• At age 14, or older you have the right to independent living preparation and services which will help you transition to self-sufficiency. This includes participation in quarterly case planning meetings and involvement in the development of your case service plan.</li> <li>• At age 14 or older, you may select up to two adults, who are not your caseworker or foster parent/caregiver, to be a part of your case planning team. These adults will serve as your advisor and to advocate on behalf of your rights.</li> <li>• At age 18 and older, or if you are independently leaving foster care, you must be provided with your birth certificate, social security card, health insurance information, medical records, educational documents and driver's license/state issued identification card.</li> <li>• At age 14 or older, to express your preference for adoption.</li> <li>• If age appropriate, you have the right to get your credit checked and review the credit report with your caseworker.</li> </ul> | <ul style="list-style-type: none"> <li>• To be actively involved in your case plan and to advocate for your needs.</li> <li>• To participate in services that are recommended for you or ordered through the court.</li> <li>• To ask questions about things that you don't understand or agree with.</li> <li>• To ask questions about your case during your home visit or bring up concerns you may have.</li> <li>• To participate in the Semi-Annual Transition Meetings that are held to discuss your permanency plan.</li> <li>• To let your worker know which supportive adults you would like to attend the meeting.</li> <li>• To let your caseworker or your foster parent know about any independent living skills you would like to know more about.</li> </ul> |
| <p><b>COURT INFORMATION:</b></p> <ul style="list-style-type: none"> <li>• Be represented by a Lawyer Guardian ad Litem (LGAL) who represents your best interest during court hearings. You have the right to meet with them before court hearings to express your wishes regarding what you want to have happen in your case.</li> <li>• Attend court hearings, if appropriate.</li> </ul>  | <ul style="list-style-type: none"> <li>• To be respectful while attending court.</li> <li>• To understand that your attorney is there to represent your best interest; this might not always be the same as your wishes.</li> </ul>   |

**It is important to be able to contact important people involved in your case. They are there to help support you and give you guidance.**

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|--|--------------|-------|
| 1. Caseworker's Name   | Phone Number | Email |
| 2. Supervisor's Name   | Phone Number | Email |
| 3. Lawyer Guardian ad Litem (LGAL)                           | Phone Number | Email |
| 4. Counselor (if applicable)                                 | Phone Number | Email |
| 5. Court Appointment Special Advocate (CASA) [if applicable] | Phone Number | Email |

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| 6. MDHHS Office of Family Advocate<br>235 South Grand Avenue, Suite 1512<br>Lansing, MI 48909 | Phone Number<br>517-373-2101                 |                                  |
| 7. Michigan Office of Children's Ombudsman<br>PO Box 30026<br>Lansing, MI 48909               | Phone Number<br>517-373-3077<br>800-642-4326 | Email<br>childombud@michigan.gov |

**Who should I talk to if I feel that my rights are being violated?**

1. Explain what is happening to your caseworker, parent, guardian, Lawyer Guardian ad Litem (LGAL) or foster parent.
2. If you continue to feel your rights are being violated, contact your caseworker's supervisor and explain the situation. You can ask to talk with your caseworker's supervisor in private.
3. Every agency is required to provide you with their grievance procedure. If you still feel your rights are being violated, your caseworker can assist you with filing a grievance with your agency.
4. If your concerns have not been resolved after following steps 1-3, you can contact the Michigan Department of Health and Human Services Office of Family Advocate.

**I have received a copy of the Rights and Responsibilities for Children and Youth in Foster Care and the agency's grievance policy and was able to have a discussion with my caseworker about any questions I had.**

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| Child/Youth Name (print)             | Child/Youth Signature (11 years or older and appropriate) | Date<br>/ / |
| Caseworker's Name (print)            | Caseworker's Signature                                    | Date<br>/ / |
| Parent Name (print)                  | Parent Signature (Temporary Court Ward)                   | Date<br>/ / |
| Foster Parent/Caregiver Name (print) | Foster Parent/Caregiver Signature                         | Date<br>/ / |

Parental participation is preferred but not mandatory.

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