



I Will
Speak
Up For
Myself

Your legal rights in
FOSTER CARE

Acknowledgments

This book, originally published in 2004, was written by Attorney Martha Stone, Executive Director of the Center for Children's Advocacy, with the assistance of law students Erin Fellin, Francesca LeFante, Jeffrey Pease and Caroline Turcotte.

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The Center for Children's Advocacy is a non-profit, public interest organization dedicated to protecting and promoting the legal rights of poor children. The Center's staff provides legal representation to children falling through the cracks of the child welfare, health, mental health, educational, and juvenile justice systems. It is affiliated with the University of Connecticut School of Law and operates satellite offices at Hartford Public High School, Saint Francis Hospital, Connecticut's Children's Medical Center, and other community-based sites.

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Contact Information

If you have questions about this book or want more information about your legal rights in foster care, please call the Center for Children's Advocacy at (860) 570-5327 or email mstone@kidscounsel.org.

The information in this book is based on the law as of January 1, 2007. It is not intended as legal advice for an individual situation.

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I Will Speak Up For Myself

This important book tells you what your legal rights are while you are involved with DCF and the foster care system.

You may think that because you live in a foster home, and DCF has become involved in your life, you don't have a say in what happens to you. This book tells you about your own legal rights and about the responsibilities of DCF and others to keep you safe and secure.

Remember:

Your voice is as loud as anyone else's.

Your rights are as important as anyone else's.

Speak up for yourself!

Let your voice be heard!

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1

Family and Community Contacts

Can I live with my brothers and sisters?

In most cases, you have the right to be placed in foster care with your brothers and sisters.¹

Can I visit with my brothers and sisters if we're not placed together?

Yes, in most cases, you have the right to have visits with them.²

Can I call my brothers and sisters on the phone?

Yes, you can have a schedule where you can call them or they can call you.³

Can I visit my parents?

Yes, in most cases, you have the right to visit them.⁴ The number of times and the place where you can visit will be written in your treatment plan.⁵ (see page 12)

Can I call my parents on the phone?

Yes, in most cases, you can call them.⁶

What if I want to see my family more often?

You need to tell your DCF worker and your lawyer. Depending on how well your parents are doing and what your needs are, you might be able to see them more often.⁷ You have to speak up and ask for this to happen.

If your DCF worker doesn't do this for you, your attorney can go to court for you and ask the court for this to happen.



1

Family and Community Contacts

Can I see my friends?

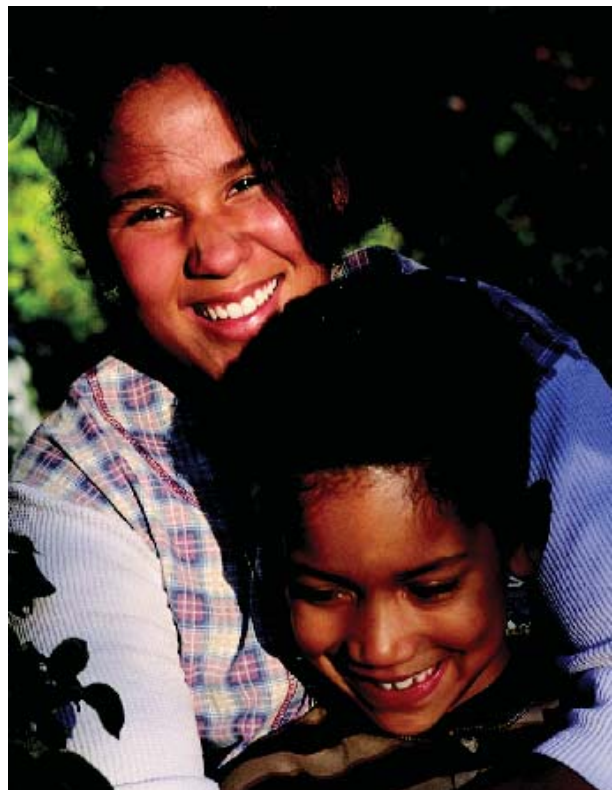
You have the right to see and get visits from people who are “significant” in your life. If you have friends who are important to you, you should tell your foster parents, social worker, or lawyer that you would like to see them.⁸ These visits can only be denied if they think the visits are not in your best interest. If this happens, talk to your lawyer and see if there is anything he/she can do for you.

Can I call anyone I want?

You can make and receive phone calls to anyone at reasonable times.⁹ These phone calls can only be denied to you if it is determined they would not be in your best interest. Call your attorney if calls are being denied to you and you think this is unfair.

Can I write to anyone I want?

Yes, you can send and receive your own mail.¹⁰



2 Rules in the Foster Home

What kind of rules can there be at the foster home?

What if the rules are too strict?

Foster parents can set rules that are appropriate for kids your age. They cannot be physically or verbally abusive toward you and they cannot threaten you, frighten you, or swear at you.¹¹ They have to give you some privacy, appropriate to your age.¹²

If their strict rules violate these guidelines, or they hurt you in any way, you should contact your social worker and your lawyer. If you are being physically harmed or abused, you should also call the DCF Hotline at 1-800-842-2288.

What is expected of me at the foster home?

You should follow the rules, exercise good judgment and self-control, and be responsible for your own actions.¹³

Can I go to my own church, synagogue, or mosque?

Yes.¹⁴

Can I speak Spanish or some language other than English if I want?

Yes.¹⁵

What if my foster family doesn't eat the same kind of (Spanish) food I'm used to? Do I have a right to have the food that I like to eat?

You can ask for different food, but foster families are normally required to provide you with healthy food, not necessarily the food that you like to eat.¹⁶ Foster families are required to provide you with cultural opportunities consistent with your own culture.¹⁷



2 Rules in the Foster Home

Can I keep and save the money I earn by myself?

Yes.¹⁸

Do I have a right to get the money my foster parents are paid to care for me? What if I think that the money paid to my foster parents is not being used for my care?

The money goes directly to foster parents to pay for your housing, food, clothes, family recreational activities, transportation, and child care. But foster parents are expected to give you a reasonable allowance.¹⁹ You should talk to your foster parent about this and negotiate a suitable amount. Sometimes, you will need to help out with family chores to get an allowance.

If you feel you are being treated unfairly, tell your social worker or your lawyer.

Can I get and keep my own clothes?

Yes.²⁰

Can I keep my stuff in a safe storage space?

Yes,²¹ there must be a safe place for you to keep your clothes and other personal items.

Do I have a right to a clothing allowance?

Your foster parents receive a clothing allowance for you. The first one they get is called an “initial clothing allowance” and can be up to \$300. After that, they receive a monthly payment from DCF and part of this must be used for appropriate clothes for you while you are staying there.²² You may also be able to get additional clothes if you ask your social worker to request some “flex funding” for you.²³



2

Rules within the Foster Home

Who is supposed to know about my past?

Is there any way to keep information about me confidential?

In most cases, you have the right to have all the information about you and your family kept confidential. There are some exceptions though, where information can be disclosed by DCF without your consent, such as to anyone who is taking care of you, including doctors and foster parents.²⁴ If you think people are telling others confidential things they shouldn't, tell your attorney and your social worker.

Can my foster parents say they don't want me anymore and make me move to another home?

Yes, your foster parent can request your removal, but this doesn't happen very often unless there is a problem in the foster home. When this happens, your social worker will meet with you and your foster parent within 5 days (or on the same day in emergency situations.) At this meeting, everyone needs to determine the reasons they are giving for the removal, the effects on you if you stay there, what services have been used, how willing your foster parent is to continue your placement, and what new services will help continue the placement.²⁵ If it can't be worked out, you will be moved to another placement.

Can I get my driver's license?

Yes, if you get DCF's permission. DCF will pay 50% of the cost of the driver's education program for the initial course. In order to drive a car, the owner of the car must carry the required insurance and assume responsibility for your driving.²⁶



2

Rules within the Foster Home

Do I have a right to money for high school activities like the prom, class ring, and graduation clothes?

Yes, DCF must give you 50% of the following school expenses for your junior/senior year, up to \$500, to pay for the following:

- yearbook
- yearbook pictures
- prom expenses (tuxedo or dress, tickets, pictures, flowers, transportation)
- junior/senior class dues
- class ring
- class trip(s)
- graduation cap and gown ²⁷

Any other school-sponsored activity may also be covered on a case-by-case basis. Ask your social worker about this.

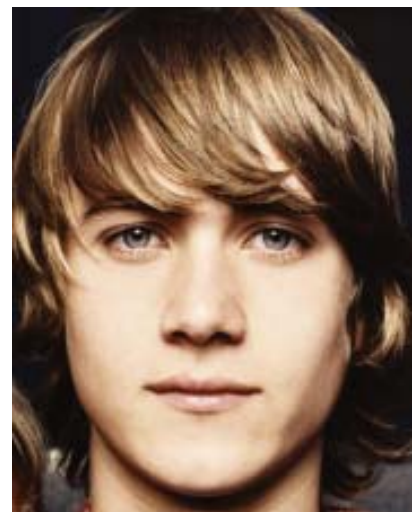
Also, the Connecticut Association of Foster and Adoptive Families (CAFAP) has a fund for foster youth activities, called the “Children’s Integration Fund.” You can call CAFAP at 860-258-3400.

If you are turned down for any funds, you have a right to an administrative hearing. ²⁸ Ask your lawyer to help you with this.

What should I do if I have a problem in my foster home?

You should call your DCF worker, or if you can’t reach her, call her supervisor. If you can’t reach the supervisor, call her boss and go up the chain of command. The DCF chain of command is on page 28 at the back of this book, and telephone numbers are on page 29. You should also tell your lawyer what is happening in your foster home.

If you can’t reach anyone, and you have a serious problem at night or on the weekend, call the DCF Hotline at 1-800-842-2288.



3

Contact with your Social Worker

How often is my social worker expected to come to see me?

Your social worker is required to see you once a month.²⁹

What if my social worker doesn't come to see me and keeps canceling the appointments?

If your social worker doesn't come to see you regularly, you can contact her supervisor. And, if you don't get anywhere with that person, you can go up the chain of command and call her supervisor. See the Important Resources lists at the back of this book on pages 28-29.

You can call the DCF ombudsman³⁰ at 860-550-6301 and you should also call your lawyer.³¹

What if I don't like my social worker? Can I get a new worker?

Generally, you can't change your worker. If there are real communication problems between you and your worker, you need to tell your lawyer or call your social worker's supervisor.

What if my social worker doesn't do what I ask?

You need to speak up for yourself and tell your lawyer or your foster parent.



3

Contact with your Social Worker

Can I call my social worker on the phone?

Absolutely. Your social worker should give you her telephone number the first time she meets with you and it should be on the form in the back of this book. If you don't have your social worker's phone number, ask your foster parent to give it to you.

Write your social worker's phone number on the page at the back of this book called "My Important Contacts" so you will have it when you need it.

What if I keep calling my social worker and I always get voice mail?

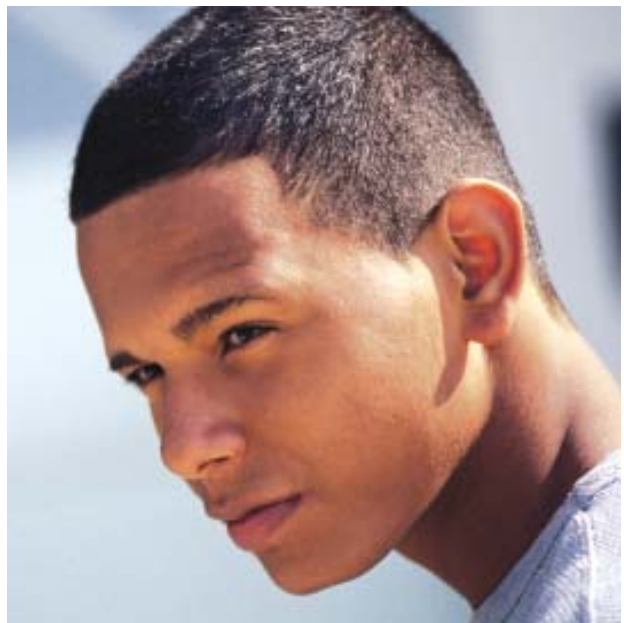
For all of these issues with your social worker, you can do the same thing — call her supervisor, then the Program Supervisor, then the Director, etc.

You can get the telephone number of your social worker's supervisor by calling the main DCF regional office number at the back of this book on page 29.

DCF's main office phone number is 860-550-6300.

You should call your lawyer if your social worker isn't getting back to you.³² If it is a real emergency, in the daytime you should call your DCF Area Director. The phone numbers are on page 29.

At night or on the weekend, you should call the DCF Hotline at 1-800-842-2288.



4

Decisions about Where I Can Live

Who decides where I am going to live?

A judge decides if you cannot live with your parents.³³ DCF decides the particular foster home you will live in.³⁴

Can I live in my own town?

DCF will try to place you in or near your own home town.³⁵ If DCF wants to place you somewhere else, DCF will have to explain its reasons in writing to the court.³⁶

Can I go to court and tell the judge what I want?

Yes, if you tell your lawyer that you want to go to court, in most situations you will be able to, depending on how old you are.³⁷

Can I be told ahead of time when the next court date is?

Yes. Your worker is required to let you know about your case planning.³⁸ Your lawyer should also let you know when the court dates are.

Can I live with another relative instead of in a foster home?

Yes. DCF must give preference to one of your relatives or to a member of your extended family if they pass all the requirements to be foster parents and have an appropriate home for you.³⁹

What if I want to live somewhere else instead of the foster home they put me in?

You should contact your social worker and lawyer to tell them that you want to move and why. You should have a full discussion with them about your desire to move and the positives and negatives about the move. You have a right to live in the least restrictive, most family-like setting as close to your home as possible.⁴⁰



4

Decisions about Where I Can Live

How does DCF pick a foster home for me?

DCF must put you in a foster home that is in the least restrictive, most family-like setting and is as close to your own home as possible.⁴¹ Sometimes there aren't enough foster homes to be able to do this.

If you are unhappy with your foster home for whatever reason, don't be afraid to speak up and tell your social worker and your lawyer.

Can I be placed in a home that is the same race or has the same culture or religion as I do?

DCF may try to match you with a home with your same background, but they don't have to do this.⁴²

If you are in a home that is of a different race, culture, or language, they do have to make arrangements so you can participate in appropriate cultural and educational events and help your foster parent develop positive connections with other people of your same race and ethnicity.⁴³

What if they keep moving me from one foster home to another?

You should not have to move a lot of times from one home to another.

Any time you are moved, unless it is an emergency or your foster parents request your move, DCF has to give 14 days notice to your lawyer and your Guardian Ad Litem (if you have a separate Guardian Ad Litem), and give the reasons for moving you from one foster home to another.⁴⁴

Your lawyer can argue against moving you too much. If this is happening, call your lawyer immediately.

If I don't want to live in a foster home any longer, can I live in a group home?

You may be able to live in a group home for adolescents. These homes are called PASS (Preparing Adolescents for Self-Sufficiency) Group Homes. Ask your social worker and your lawyer about this.⁴⁵



4

Decisions about Where I Can Live

How do I get adopted?

DCF has to have a permanent plan for you.⁴⁶

If your parents can't take care of you anymore and there aren't any relatives available, DCF has to make every effort to find an adoptive family for you.⁴⁷ If you are 14 years old or over, DCF may not move forward with an adoption plan without your consent.⁴⁸

What is a treatment plan? Can I participate?

A treatment plan is a written record of what the plan is for you and your family, what services you and your family will be getting, who will be responsible for getting you those services, and what actions your parents have to take to get you back.⁴⁹

Your treatment plan will also include a plan for your health care and for visits with your family.⁵⁰ DCF may invite you to the treatment planning meeting, which is held within 30-45 days of your removal from your home.⁵¹

DCF must invite you to the next conference, which is called an Administrative Case Review, if you are twelve years old or over.⁵²

Your treatment plan is reviewed and updated every 6 months.⁵³

Can I object to the treatment plan?

If you think DCF has treated you unfairly, you can object by writing a letter to the DCF Hearings Unit, 505 Hudson Street, Hartford, CT, 06106, explaining what is wrong. If you are under 16, you have to have your parent, foster parent, guardian or lawyer write the letter for you.

You will then have a meeting that is called a Treatment Plan Review Hearing. You have a right to bring a lawyer or anyone else to help speak for you, and you will get a hearing within thirty days of the date the letter is received by the Hearings Unit.⁵⁴

If you object to your treatment plan, you can participate in the hearing.⁵⁵ You should contact your lawyer to help you with this process.



4

Decisions about Where I Can Live

What is an “Adolescent Planning Conference?”

How is that different from the Treatment Planning Conference?

If you are 14 or older, you will have another planning meeting, called an “Adolescent Planning Conference,” which will outline the services provided by DCF to meet your treatment goals.⁵⁶

This meeting must outline provisions relating to education/vocation, employment, life skills, housing, and finances.⁵⁷ This conference must be held at a time and place so you can attend.⁵⁸ The Adolescent Planning Conference is different from a family treatment plan (Treatment Planning Conference) because it focuses on you and your needs, not those of your parents.

You will have another Adolescent Planning Conference when you are 17 years old.

Is DCF required to tell me everything that is going on?

Your worker is required to keep you informed about what is happening with your case, your family, and your brothers and sisters. You should also be able to talk to your worker about anything else that is bothering you.⁵⁹

How long will I stay with DCF? When does my commitment end?

If you get “committed” to DCF, it means they are your legal guardian for a period of a year, but this can be shortened or lengthened by going back to the Judge.

You have a right to be heard on this and you can ask the court to end your commitment or extend it.



4

Decisions about Where I Can Live

How do I get to live on my own or be emancipated?

Emancipation is a legal process that gives a 16 or 17 year old legal independence from his or her parent/guardian. You must be 16 or 17 years old to request emancipation.⁶⁰

What rights will I have if I become emancipated?

An emancipated minor has most of the rights of an 18 year old.

If you are emancipated, you don't need your parent/guardian's consent to:

- sign a lease
- get a driver's license
- get married
- register a car
- enroll in school or college
- see a doctor, dentist, or therapist
- sue someone

What responsibilities will I have if I become emancipated?

If you become emancipated, you will be responsible for supporting yourself.

Your parent/guardian will not be responsible for giving you food, clothing, or shelter. This means you have to pay your own rent (or get a free place to live), pay all your bills and pay for your groceries. You are also responsible for any contract you sign, and you can even be sued by someone.

What is the process to get emancipated?

In Connecticut, you or your parent/guardian must file a form with the juvenile or probate court to request that you be emancipated.⁶¹ In some courts, a judge will assign someone to investigate your situation. Then, you will have a hearing before a judge. At the hearing, you will have to show one of the following:

- you have a valid marriage; or
- you are in the military; or
- you live apart from your parent/guardian and are managing your own money; or
- it is in your best interests to be emancipated.⁶²

4

Decisions about Where I Can Live

What is the Independent Living Program?

How old do I have to be to participate?

Your DCF worker has to recommend you for Independent Living. The Independent Living Program has four parts.⁶³ You may qualify for different parts of this program depending on how old you are.

1. Community Life Skills Programs

Community-based life skills education and training programs are available from age 15 until your 21st birthday, if you reside in an out-of-home placement within the community (except if you are residing in SWETP or a group home).⁶⁴

2. SWETP (Supportive Work, Education and Transition Program)

Transitional living apartment programs (called TLAP) are available if you are 16 or over and your treatment plan goal is not reunification with your parents or transfer of guardianship.⁶⁵ You will have a DCF specialist to help you plan your education or employment opportunities. You will also be assigned a mentor.

3. CHAP (Community Housing Assistance Program)

CHAP is available if you have graduated from high school or have a GED, and are currently in or have completed the life skills program, and your worker thinks you are ready for less supervision and more independence.

You will receive a monthly stipend for rent, food and other living expenses for an apartment. You will also receive case management services, and payment for college expenses or a vocational or training program. You will also receive a one time stipend for furniture, household items (pots, pans, towels), a vacuum cleaner, moving expenses, and storage.⁶⁶

4. Aftercare

A network of community-based helpers to provide assistance is available to youth who have completed the above programs and are now truly on their own. Aftercare is available for 6 months after you are no longer under DCF care, as long as you are not yet 24.⁶⁷

Other Services:

You are also entitled to other services, such as a mentor, if you are participating in the Independent Living Program and are 14 or older.⁶⁸

4

Decisions about Where I Can Live

If I am a teenage parent, can DCF help me with the care of my child?

If you are in SWETP or CHAP, and you are under 18 and have your baby or child living with you, the TANF program (Temporary Assistance for Needy Families) at the Department of Social Services (DSS) will pay for your daycare and medical coverage, and will give you financial payments for your child.⁶⁹

If you are in one of these programs and you are over 18, DCF will provide financial payments for you, for your child (up to \$100 per month), and for licensed daycare, if you are in school or working.

If you have another child, DCF will not give you more than the \$100 per month for both children.

DSS will pay for the medical care for your child(ren).

DCF will pay on a one-time basis only for a crib, stroller, car seat, and diaper bag.⁷⁰

How can I get out of DCF custody? Can I sign myself out?

You can be committed to DCF until you are 18. After 18, you can stay under DCF's care voluntarily until you are 21 if you are in high school or some other educational or vocational program.⁷¹ You may even be able to stay in DCF until you are 23.⁷²

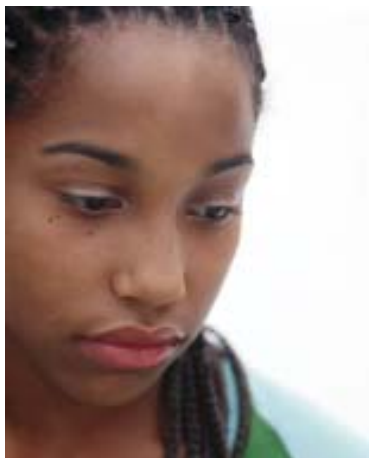
If you are under 18, you cannot sign yourself out of DCF care.⁷³

In order to get out of DCF care, you must ask your lawyer to go to court and file a motion for you, and a judge must give an order revoking your commitment before you can get out of DCF custody; or, you must be emancipated.

Six months before your anticipated discharge from DCF care, there must be a conference to finalize an adolescent discharge plan for you.⁷⁴

If you are over 18, you can sign yourself out of DCF care.

DCF must have a discharge meeting with you. You may still be eligible for medical help until you are 21.⁷⁵



4

Decisions about Where I Can Live

If I sign myself out of DCF custody, what if I change my mind and want to get back into DCF's Adolescent Services Program?

You may be able to re-enter if you were committed as abused, neglected, or uncared for when you left DCF, and you are not yet 21. You should call the DCF Hotline at 1-800-842-2288 to see if you can re-enter DCF care.⁷⁶

Can I be in DCF care if I am married or in the military?

No. DCF will ask a court to emancipate you if you get married or are on active duty in the military while you are in DCF care.⁷⁷



5

Abuse in Care

What if I am physically hurt while I am in a foster home?

Your foster parents are NOT allowed to physically or emotionally abuse you.⁷⁸

If they hit you or touch you inappropriately, immediately call your social worker or her supervisor and your lawyer. (DCF telephone numbers are listed on page 29 at the back of this book).

If you can't reach your social worker or your lawyer, call the DCF Hotline at 1-800-842-2288.

Can they use physical punishment?

DCF prohibits physically abusive or frightening punishment.⁷⁹ Call your social worker and lawyer or the DCF Hotline if you are physically hurt.

What if I get teased or they are mean to me in the home?

You have a right to be safe. Foster parents cannot be physically, sexually, or verbally abusive to you.⁸⁰ You should tell your DCF social worker and your lawyer right away.

What if I don't like the way my foster parents punish or discipline me?

You should tell your social worker and your lawyer. It is important that you try to talk about your concerns with your foster parent to try to reach a suitable solution.



5

Abuse in Care

What if someone in my foster home (like other foster kids or the foster parents' own children) touches me in an inappropriate sexual way?

If anyone touches you in an inappropriate way, talk to your foster parent immediately, and call your social worker and your lawyer. If you can't get in touch with them, call the DCF Hotline at 1-800-842-2288 at any time, day or night.

What if my foster family or someone from DCF doesn't like me and treats me badly because I am a different race or ethnicity from them, or because I'm gay or lesbian?

Your foster parent (and anyone else with DCF) is required to respect your cultural and social differences, and cannot discriminate against you because of your race or ethnicity, or because you identify yourself as Lesbian, Gay, Bisexual, Transgender, Questioning or Intersex (LGBTQI).⁸¹

If your foster family or any DCF person does not respect your differences and you continue to feel disrespected, you should tell your social worker and/or your lawyer.

Can I make a formal complaint against my foster parent if they are not treating me right?

Yes, in addition to telling your social worker and your lawyer, you can also make a formal complaint about your foster parent by calling the DCF Hotline at 1-800-842-2288. DCF must investigate your complaint, file a report, and make a decision about what action will be taken.⁸² This report will be filed in your foster parent's file.⁸³



6

Right to a Lawyer

How do I get a lawyer?

Every child or youth in foster care has a lawyer who is assigned to his or her case. There is a Commission whose job is to assign you a lawyer.⁸⁴ It is called the Commission on Child Protection.

How do I find out who my lawyer is?

Your social worker or your foster parent must tell you your lawyer's name, address, and telephone number. The lawyer should call you.

If you still can't find out, call the Commission on Child Protection at 203-596-4144.

Can I choose my own lawyer?

Yes, but not all lawyers represent children, and some charge a lot of money.⁸⁵ At the beginning, the Commission will appoint a lawyer for you, free of charge. He or she will be your lawyer throughout the whole case.

What can my lawyer do for me?

Your lawyer can make sure you are safe, don't move around a lot, get back to your family as soon as possible if that is the best plan for you, listen to what you want, answer all of your questions, and tell the judge what YOU want.

What if my lawyer doesn't call me or come to see me?

First, call or write to your lawyer. If that doesn't work, tell your social worker to get in touch with your lawyer for you. If you still don't hear from your lawyer, call or write to the Commission on Child Protection to complain (see page 30 for the address and telephone number of the Commission on Child Protection).

The Office of the Child Advocate may also help you contact your lawyer. Their telephone number is 860-566-2106.

What is the difference between a lawyer and a Guardian Ad Litem (GAL)?

In very simple terms, your lawyer represents you and advocates for what YOU want when he speaks to DCF and to the Court. A GAL tells the Court and DCF what the GAL thinks is in your best interests, even if it might not be what you would want.⁸⁶

7

Health Care

What if I get sick? What doctor will I go to?

Your foster parent and your social worker are responsible for arranging your medical care.

Your foster parent may choose a doctor for you.⁸⁷ If you want to go to the same doctor you had before, tell your foster parent, social worker, or attorney.

If you are under 12, either your foster parent or your parent, caretaker, legal guardian, or DCF must accompany you to the doctor's office. If you are between 12-15, you don't need an adult to accompany you as long as your parent, foster parent, or DCF consents. If you are over 16, you can definitely go to the doctor's office without an adult.⁸⁸ You may still need the consent of DCF to get certain kinds of treatment, except as provided by law.

Can I talk to a counselor or a therapist if I want to, without anyone's knowledge or permission?

Yes, you can have at least six visits with a psychiatrist, psychologist, social worker, or family therapist without getting anyone's consent or telling anyone.

You may do this only if having to get consent would cause you to reject the treatment, it is clinically necessary, failure to receive it is not in your best interests, you knowingly and voluntarily ask for the treatment, and the provider thinks you are mature enough to participate.⁸⁹

If you want to continue to see a counselor or therapist after the six visits, the provider must tell your legal guardian (parent or DCF) and get his/her permission, unless the provider thinks that telling your legal guardian would seriously harm you.⁹⁰



7

Health Care

If I have drug or alcohol problems, do I need the permission of my parents, foster parents or DCF to go get help?

No, you can arrange for help without permission.⁹¹ You can also have your lawyer arrange help for you.⁹² It may be helpful for significant adults in your life to know about your efforts toward recovery so they can support those efforts, but you can seek help on your own.

Can I get birth control without the permission of my parents, DCF, or my foster parents?

Yes, you have a right to get birth control or emergency contraception without permission. Some doctors or clinics may ask you to inform your parent or DCF worker but this isn't required by law.⁹³

What if I am pregnant? What are my options?

You can have an abortion. You can also have the baby and you may be able to have the baby placed with you or a relative, or you can place the baby for adoption.⁹⁴

Can I get an abortion without permission?

Yes. If you are under 16, a doctor or clinic may counsel you about the possibility of involving your parent or some other adult, but the final decision is yours and will be kept confidential.⁹⁵

If I decide to have the baby, can I keep my baby with me if I am in foster care?

If you have the baby, DCF may be able to find a placement where you and your baby can live together.⁹⁶

Because you are in foster care, it does not mean your baby is also automatically under the custody of DCF. If DCF has not filed any neglect or abuse petition, you can place the baby with other responsible adults of your choice or keep the baby with you.



7

Health Care

Can I get tested for HIV/AIDS confidentially and without permission?

Yes, you have the right to be tested for HIV/AIDS confidentially and without the permission of your parent or DCF.⁹⁷ A doctor can warn your partner if you test positive, but only if your partner also has the same doctor, the doctor believes that your partner is at risk of becoming infected, and the doctor believes that you won't tell your partner on your own.⁹⁸

Can I get treated for HIV/AIDS without permission?

If you are under 18, the doctor will have to get your legal guardian's permission to treat you unless the doctor thinks you would not get treatment if your legal guardian found out.⁹⁹ Your legal guardian is either your parent or DCF, depending on whether you have actually been committed to DCF.

Can I get tested or treated for a sexually transmitted disease (STD) confidentially?

Yes, if you are 13 or older, you can get tested and treated for an STD by your doctor or clinic without asking or telling any parent, foster parent, or DCF.¹⁰⁰ If you are 12 or under, you can still get tested or treated without asking permission, but the doctor or clinic has to report your name, age, and address to DCF.¹⁰¹



8

Education

Can I stay at the same school?

It depends on where you are living. If you are in a permanent foster home, you can only stay at your same school if it is in the same town as your foster home.¹⁰²

If you are living in an emergency foster home, a SAFE home, or a shelter, there is a law called the McKinney-Vento Act that says you can stay at your same school.¹⁰³

If my foster home is in a new town, do I have to wait before I get to go to the new school?

There is no waiting period. The new school must take you immediately, even if they don't have all your paperwork.¹⁰⁴

If I was a “special education” student before, will I still get a special ed program at the new school?

Yes, you will remain special ed until and unless the team that reviews your individualized education plan (IEP) determines that you are not eligible anymore.¹⁰⁵

Will anyone from DCF help me with the special education process?

If you are a special education student or may need special education services, or early intervention services, and you are committed to DCF, a “surrogate parent” will be appointed for you. This is a person who is appointed by the Connecticut State Department of Education to act as an advocate for you.¹⁰⁶

Will DCF pay for college or other post high school education?

Yes, DCF will pay for your educational expenses through the end of the school year that you turn 23 as long as you meet the DCF requirements, such as voluntarily agreeing to remain with DCF, being enrolled as a full-time student, maintaining good academic standing, etc.¹⁰⁷

You are also responsible to pay \$500 per year. You must also apply for scholarships and financial aid.¹⁰⁸

If I go to college or some other educational program after high school, do I have to move out of my CHAP apartment?

No, you can stay in that program while you are attending school, as long as you comply with the CHAP Program guidelines.

Footnotes

All of the laws, regulations, and Policy Manual sections listed in the footnotes can be accessed through the website of the Department of Children and Families at www.ct.gov.dcf.

¹ DCF Policy Manual § 41-19-2 (“Siblings shall be placed in the same foster home unless the documented special needs of one or more siblings preclude placing them together. In a conflict between proximity of the foster home to the child’s parents and keeping siblings together, the principle that siblings should be placed together takes precedence, and DCF shall ensure visitation with the biological family.”); See also DCF Policy Manual § 36-55-6.

² DCF Policy Manual § 36-55-1.5 (“The foster parents shall . . . support and facilitate visits for the child with the birth family and siblings.”); DCF Policy Manual § 36-55-7 (“Written visitation plans shall be developed and immediately implemented for all siblings not placed in the same foster care setting unless a written and signed statement from a professional (e.g., psychologist, psychiatrist) states that visiting is not in the best interests of the sibling needing special care.”); DCF Policy Manual § 36-55-1.2 (“The Social Worker shall . . . ensure the child’s visitation with parents, siblings and significant persons according to the Service Plan.”); DCF Policy Manual § 34-10-7.1 (“visits be of sufficient number and duration to ensure continuation of the relationship . . .”).

³ See e.g. CONN. GEN. STAT. § 17a-16(c)(1)

⁴ DCF Policy Manual § 36-55-1.5 (“The foster parents shall . . . support and facilitate visits for the child with the birth family and siblings.”); DCF Policy Manual § 36-55-1.2 (“The Social Worker shall . . . ensure the child’s visitation with parents, siblings and significant persons according to the Service Plan.”)

⁵ DCF Policy Manual § 36-5-5.1 (“For children placed in foster care, the Initial Individual Treatment Plan shall include . . . a schedule and a plan for parent and child visits including: -frequency and duration of visits; location; special contingencies, and a described procedure for amending the plan to accommodate incremental increases in the frequency and duration of visits, including overnight visits before the child is returned home.”)

⁶ See e.g. CONN. GEN. STAT. § 17a-16(c)(1)

⁷ DCF Policy Manual § 36-55-1.2 (“The Social Worker shall . . . ensure the child’s visitation with parents, siblings and significant persons according to the Service Plan.”); CONN. GEN. STAT. § 17a-16(e)(1) (“Each child or youth shall be permitted to receive visitors subject to reasonable restrictions consistent with the child’s or youth’s treatment objectives.”); DCF Regs. § 17a-145-149(b) (“Foster parents shall accept, cooperate with and support arrangements made for the child to have contact including visits and correspondence with the child’s biological family in keeping with the frequency indicated by the treatment plan.”); DCF

Policy Manual § 34-10-7.1 (“Visits must be of sufficient number and duration to ensure continuation of the relationship”).

⁸ See e.g. CONN. GEN. STAT. § 17a-16(c)(1) (“Each child and youth shall be permitted to communicate with any individual, group or agency, consistent with his treatment objectives as determined by the Commissioner of Children and Families.”)

⁹ Id.

¹⁰ Id.

¹¹ DCF Regs. § 17a-145-151(c).

¹² DCF Regs. § 17-145-139 (c).

¹³ DCF Regs. § 17a-145-151(b) (Foster families “shall be a positive role model to the child and instruct the child in appropriate behavior. They shall establish limits and assist the child to develop self-control and judgment skills. Children in the home shall be encouraged to assume age-appropriate responsibility for their decisions and actions.”)

¹⁴ DCF Policy Manual § 36-55-1.2 (“The Social Worker shall . . . ensure that arrangements are made for the child to attend church and receive religious instruction in his/her own faith.”); DCF Regs. § 17a-145-151(a)(8) (Foster parents shall assure “an environment of tolerance and sensitivity to a child’s religion through providing adequate opportunity for religious training and participation appropriate to the child’s religious denomination, and not requiring any child to participate in religious practices contrary to the child’s beliefs.”)

¹⁵ DCF Regs. § 17a-145-151(a)(7) (“Children who do not share the same language, as their caretaker shall be provided with opportunities to practice their native language as they become bilingual or multi-lingual.”); DCF Policy Manual § 36-2.

¹⁶ DCF Regs. § 17a-145-151(a)(5) (Foster parents shall provide for the child’s needs, “including adequate hygiene, nutritional meals and snacks prepared in a safe and sanitary manner, readily available drinking water.”)

¹⁷ DCF Policy Manual § 36-3.

¹⁸ DCF Policy Manual § 50-4 (“The worker and foster parents encourage the youth to take on financial responsibility for himself/herself in as constructive and supportive a manner as possible. In so doing, the youth becomes accustomed to the use and budgeting of his/her time and money When a youth is earning money, he/she is encouraged to set aside some of the balance as savings. . . . Savings accounts should be in the youth’s own name and control.”)

¹⁹ DCF Policy Manual § 36-55-25.4.

²⁰ DCF Regs. § 17-145-139(b) (“Provision shall be made for the safe storage of the child’s clothing and personal possessions.”)

Footnotes

²¹ Id.

²² DCF Policy Manual § 36-55-25.5.

²³ DCF Policy Manual § 36-100.

²⁴ DCF Policy Manual § 31-8-5.

²⁵ DCF Policy Manual § 36-55-15.

²⁶ DCF Policy Manual § 42-20-25.

²⁷ DCF Policy Manual § 42-20-25.

²⁸ DCF Regs § 17a-15-1.

²⁹ Juan F. Exit Outcome Measures #16, www.ct.gov/dcf

³⁰ DCF Policy Manual § 2-4-1 (“The role of the Office of Ombudsman is to receive and investigate inquiries and complaints relating to Department services in an effort to bring about a resolution for the best interests of children. The Ombudsman will attempt to facilitate resolution as amicably as possible.”)

³¹ CONN. GEN. STAT. § 17a-16(c)(3) (“A child or youth shall be permitted to make or receive telephone calls to or from his/her attorney at any reasonable time.”)

³² Id.

³³ DCF Policy Manual § 36-50-10.1.

³⁴ DCF Policy Manual § 36-55-1; DCF Policy Manual § 41-2.

³⁵ DCF Policy Manual § 41-19-2 (“When a child is placed into foster care, the match shall be made to a foster home that is in the least restrictive, most family-like setting and in close geographic proximity to the child’s own home.”)

³⁶ CONN. GEN. STAT. § 46b-129(b) (“The agency shall give primary consideration to placing the child or youth in the town where such child or youth resides. The agency shall file in writing with the clerk of the court the reasons for placing the child or youth in a particular placement outside the town where the child or youth resides.”)

³⁷ Conn. Practice Book § 32a-5.

³⁸ DCF Policy Manual § 36-55-1.2.

³⁹ DCF Policy Manual § 36-60 (“In considering foster care placement for a child, preference shall be given to placement with a relative or extended family.”); DCF Policy Manual § 41-19-2.

⁴⁰ DCF Policy Manual § 41-19-2 (“When a child is placed into foster care, the match shall be made to a foster home that is in the least restrictive, most family-like setting and in close geographic proximity to the child’s own home.”)

⁴¹ Id.

⁴² DCF Policy Manual § 41-19-5 (“When placing a child in foster care, the Department shall not discriminate on the basis of race, color or national origin of the foster parent or child.”)

⁴³ DCF Policy § 41-25-15 (“When a child is placed with a family of a different race, culture or language, the Department shall provide the foster parents, children in placement, the family’s own children, and DCF staff with on-going support and training for multiethnic awareness, parents, and coping skills.”)

⁴⁴ DCF Policy Manual § 36-55-15.

⁴⁵ DCF Policy Manual § 42- 2.

⁴⁶ DCF Regs. § 17a-15-1; DCF Policy Manual § 36-5-4; § 36-5-5.1.

⁴⁷ DCF Policy Manual 48-10-1

⁴⁸ Id.

⁴⁹ DCF Policy Manual § 36-5-4.

⁵⁰ Id.

⁵¹ See DCF Policy Manual § 36-5-3.

⁵² DCF Policy Manual § 36-11-4.

⁵³ CONN. GEN. STAT. § 17a-15(b); DCF Policy Manual § 36-5-1.

⁵⁴ DCF Regs. § 17a-15-4.

⁵⁵ DCF Regs. § 17a-15-9.

⁵⁶ DCF Policy Manual § 42-10-2.

⁵⁷ Id.

⁵⁸ Id.

⁵⁹ DCF Policy Manual § 36-55-1.2 (“The Social Worker shallkeep the child informed about his/her case planning, family situation and siblings...allow the child the opportunity to express his/her anxieties, fears and other feelings, including conflicted loyalties.”)

⁶⁰ CONN. GEN. STAT. § 46b-150.

⁶¹ Id.

⁶² CONN. GEN. STAT. § 46b-150b.

⁶³ DCF Policy Manual § 42-2.

⁶⁴ DCF Policy Manual § 42-5-1.

⁶⁵ DCF Policy Manual § 42-5-2.

Footnotes

⁶⁶ DCF Policy Manual § 42-5-3 and 42-5-3.2.

⁶⁷ DCF Policy Manual § 42-5-5.

⁶⁸ DCF Policy Manual § 42-20-1.

⁶⁹ DCF Policy Manual § 42-20-40. TANF provides daycare coverage only when you are attending high school. DCF is responsible for work-related daycare expenses.

⁷⁰ DCF Policy Manual § 42-20-40.

⁷¹ DCF Policy Manual § 42-20-30.

⁷² DCF Policy Manual § 42-5-3; DCF Policy Manual § 42-20-30.

⁷³ DCF Policy Manual § 42-10-4.

⁷⁴ DCF Policy Manual § 42-10-3.

⁷⁵ DCF Policy Manual § 42-20-30.

⁷⁶ DCF Policy Manual § 42-20-50.

⁷⁷ DCF Policy Manual § 42-10-3.

⁷⁸ DCF Policy Manual § 36-55-1.5 (“The foster parents shall provide corrective life experiences in a safe, nurturing and stable family environment, free from abuse and/or neglect, where the child is respected, valued and accepted.”); DCF Regs. § 17a-145-151(c).

⁷⁹ DCF Regs. §17a-145-151(c).

⁸⁰ Id.

⁸¹ DCF Policy Manual § 30-9. Non-discrimination of LGBTQI youth. DCF Policy Manual § 36-55-1.5 (“The foster parents shall provide corrective life experiences ..where the child is respected, valued and accepted . . . accept the heritage, culture and language of the child and the birth family.”)

⁸² DCF Regs. § 17a-101(e)-3, 4.

⁸³ DCF Regs. § 17a-150-81(a)(4).

⁸⁴ CONN. GEN. STAT. § 17a-16(g) (“Each child or youth under the supervision of the Commissioner of Children and Families shall have the right to counsel of his own choosing, and the right to receive visits from physicians and mental health professionals as may be arranged by his counsel.”); CONN. GEN. STAT. § 466-123d.

⁸⁵ CONN. GEN. STAT. § 17a-16(g).

⁸⁶ See CONN. GEN. STAT. § 45a-132.

⁸⁷ DCF Policy Manual § 44-4-1 (“The foster parent ..may use its own physician or dentist provided the doctor conforms to the fee schedules established by the Department of Social Services.”)

⁸⁸ DCF Policy Manual § 44-4-4.1.

⁸⁹ CONN. GEN. STAT. § 19a-14c(b), (c).

⁹⁰ Id.

⁹¹ CONN. GEN. STAT. § 17a-688(d).

⁹² CONN. GEN. STAT. § 17a-16(g) (“Each child or youth under the supervision of the Commissioner of Children and Families shall have the right to receive visits from physicians and mental health professionals as may be arranged by his counsel.”)

⁹³ There is no Connecticut statute on this subject but the constitutional protections afforded minors on privacy grounds are controlling. See Carey v. Population Service Int’l, 431 U.S. 678 (1977); Bellotti v. Baird 443 U.S. 622 (1979).

⁹⁴ DCF Policy Manual § 44-5-4.

⁹⁵ Id.; CONN. GEN. STAT. § 19a-600 to 602.

⁹⁶ DCF Policy Manual § 42-20-40.

⁹⁷ CONN. GEN. STAT. § 19a-582(a); DCF Policy Manual § 44-5-5.1.

⁹⁸ CONN. GEN. STAT. § 19a-584(b).

⁹⁹ CONN. GEN. STAT. § 19a-592(a).

¹⁰⁰ CONN. GEN. STAT. § 19a-216(a).

¹⁰¹ Id.

¹⁰² 42 U.S.C.A. § 11432(g)(3)(A); CONN. GEN. STAT. § 10-253(e)(2), (f), as amended by 2003 Conn. Pub. Act § 03-6.

¹⁰³ DCF Policy Manual § 45-4.

¹⁰⁴ 42 U.S.C.A. § 11432(g)(3)(C).

¹⁰⁵ 20 U.S.C.A. § 1414 (c)(4)(B)(5).

¹⁰⁶ DCF Policy Manual § 45-10; CONN. GEN. STAT. § 10-94f-k.

¹⁰⁷ DCF Policy Manual §§ 42-20-20 to 21.

¹⁰⁸ Id.

10 Important Resources

DCF Chain of Command

In order for you to advocate for yourself, you need to know how the DCF system works. Use this list to call someone who will help you with any questions you have.

First, call your social worker.

If she or he can't help you, call the next person on this Chain of Command list:



10 Important Resources

DCF Offices and Contacts

Bridgeport	203-384-5300
Danbury	203-207-5100
Hartford	860-418-8000
Meriden	203-238-8400
Middletown	860-638-2100
New Britain	860-832-5200
New Haven	203-786-0500
Norwalk/Stamford	203-899-1400 Norwalk 203-348-4294 Stamford
Norwich	860-886-2641
Manchester	860-533-3600
Torrington	860-496-5700
Waterbury	203-759-7000
Willimantic	860-450-2000
DCF Commissioner's Office	860-550-6300
DCF Ombudsman's Office	860-550-6301 or 1-866-367-4737
DCF Hotline	1-800-842-2288
TDD number	1-800-624-5518

For more information about DCF office locations,
go to the DCF website: www.ct.gov/dcf

10 Important Resources

Organizations that Can Help Me

Center for Children's Advocacy Teen Legal Clinic 65 Elizabeth Street Hartford, CT 06105	860-570-5327
Commission on Child Protection 330 Main Street, 2nd floor Hartford, CT 06106	860-566-1341
Connecticut Association of Foster and Adoptive Parents 2189 Silas Deane Highway Rocky Hill, CT 06067	860-258-3400
Info Line	211
Office of the Child Advocate 18-20 Trinity Street Hartford, CT 06106	860-566-2106
True Colors (for LGBTQI youth) 945 Main Street, Suite 211 Manchester, CT 06040	1-888-565-5551 or 860-649-7386

10 Important Resources

Juvenile Courts

Bridgeport

Superior Court Juvenile Matters
172 Golden Hill Street, 3rd Floor
Bridgeport, CT 06604
203-579-6544

Danbury

Superior Court Juvenile Matters
71 Main Street
Danbury, CT 06810
203-797-4407

Hartford

Superior Court Juvenile Matters
920 Broad Street
Hartford, CT 06106
860-244-7900

Middletown

Superior Court Juvenile Matters
230 Main Street
Middletown, CT 06457
860-344-2986

New Britain

Superior Court Juvenile Matters
20 Franklin Square
New Britain, CT 06051
860-515-5165

New Haven

Superior Court Juvenile Matters
239 Whalley Avenue
New Haven, CT 06511
203-786-0337

Norwalk

Superior Court Juvenile Matters
11 Commerce Street
Norwalk, CT 06850
203-866-9275

Rockville

Superior Court Juvenile Matters
25 School Street
Rockville, CT 06066
860-872-7143

Stamford

Superior Court Juvenile Matters
123 Hoyt Street
Stamford, CT 06905
203-965-5708

Torrington

Superior Court Juvenile Matters
410 Winsted Road
Torrington, CT 06790
860-489-0201

Waterbury

Superior Court Juvenile Matters
7 Kendrick Avenue
Waterbury, CT 06702
203-596-4202

Waterford

Superior Court Juvenile Matters
978 Hartford Turnpike
Waterford, CT 06385
860-440-5880

Willimantic

Superior Court Juvenile Matters
81 Columbia Avenue
Willimantic, CT 06226
860-456-5700

Child Protection Session

Middletown

One Court Street
Middletown, CT 06457
860-343-6456

10 Important Resources

Books about Foster Care

Blustain, Rachel and Hurley, Kendra

The Winners: 100 Prize-Winning Essays by Teens in Foster Care
Youth Communication, www.youthcomm.org

Burch, Jennings Michael

They Cage the Animals at Night
Signet, 1985.

Cameron, Theresa

Foster Care Odyssey: A Black Girl's Story
University Press of Mississippi, 2002.

Desetta, Al, ed.

The Heart Knows Something Different: Teenage Voices from the Foster Care System
Youth Communication, 1996. www.youthcomm.org

Desetta, Al, ed.

In the System and in the Life: A Guide for Teens and Staff to the Gay Experience in Foster Care
Youth Communication. www.youthcomm.org

Desetta, Al, ed., and Teens in Foster Care

The Struggle to be Strong
Youth Communication. www.youthcomm.org

Dworkin, Susan and Lopez, Charlotte

Lost in the System
Fireside, 1996.

Falke, Joseph

Everything You Need to Know About Living in a Foster Home
Rosen Publishing Group, 1995.

Hurley, Kendra and Teens in Foster Care

Do You Have What It Takes? A Comprehensive Guide to Success After Foster Care
Youth Communication, 2006. www.youthcomm.org

Knipe, Janet and Warren, Joy

Youth Work Resources: Foster Youth Share Their Ideas for Change
CWLA Press, 1999.

Pelzer, David J.,

The Lost Boy: A Foster Child's Search for the Love of a Family
Health Communications, 1997.

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Important Resources

Books about Foster Care (continued)

Pelzer, David J.
A Man Named Dave
Plume/Penguin Putnam Inc., 2000

Teens in Foster Care
Always on the Move: Changing Homes and Staff
Youth Communication, www.youthcomm.org

Teens in Foster Care
Analyze This!
Youth Communication, www.youthcomm.org

Teens in Foster Care
Breaking Away
Youth Communication, www.youthcomm.org

Teens in Foster Care
Keeping it Secret: Teens Write about Foster Care Stigma
Youth Communication, www.youthcomm.org

Teens in Foster Care
A New Beginning
Youth Communication, www.youthcomm.org

Teens in Foster Care
A Sad Goodbye
Youth Communication, www.youthcomm.org

Teens in Foster Care
Seeing It from the Other Side: Conflicts in Foster Homes
Youth Communication, www.youthcomm.org

Newsletters and Magazines about Foster Care

Represent

Bimonthly magazine written by and for youth in foster care
www.youthcomm.org/publications/FCYU.htm

Mockingbird Times

Mockingbird Society of Washington State
www.mockingbirdsociety.org/times

10 Important Resources

Websites for Foster Youth

DCF (Connecticut Department of Children and Families)

www.ct.gov/dcf

Foster Care Alumni

www.fostercarealumni.org

Foster Care Youth United

www.youthcomm.org

Foster Club, the National Network for Youth in Foster Care

www.fosterclub.org

Foster Youth, Involved, Informed, Independent

www.fyi3.com

Mockingbird Society

www.mockingbirdsociety.org

11

My Important Contacts

Please complete this information by filling in the names and telephone numbers of your attorney, social worker, doctor and other important contacts. Keep it up-to-date and you will always have the important information you need.

My Name _____

My Telephone Number _____

My DCF Worker

DCF Supervisor

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My Important Contacts

My Lawyer

My Doctor

My Dentist

My Counselor

Other People Important to Me

Your legal rights in
FOSTER CARE

If you have questions about this book or want more information about your legal rights in foster care, call (860) 570-5327 or email mstone@kidscounsel.org

Center for Children's Advocacy
65 Elizabeth Street, Hartford, CT 06105
860-570-5327 www.kidscounsel.org

A close-up, portrait-style photograph of a young boy with short, dark hair. He is looking directly at the camera with a serious, somewhat somber expression. The lighting is soft, highlighting his facial features. He is wearing a blue jacket over a red shirt with a white collar.

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