



Administration for
Children's Services

Parent Handbook

A Guide for Parents
with Children in
Foster Care



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Mayor

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Commissioner

Administration for Children's Services

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ABOUT THIS HANDBOOK

This Handbook will refer to two types of caseworkers involved with your case: the Children's Services caseworker (referred to as the Child Protective Specialist) and the foster care or preventive agency caseworker (referred to as case planner). The Child Protective Specialist investigates the issues that led to your child's placement in foster care and initiates and attends Family Court hearings on your case. The case planner works with you and your family to address the safety concerns and other service needs while your child is in foster care.

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Introduction

NOTE:

On pages 31-33 you will find definitions for many terms used in the handbook. Please use this key if there are any words you don't recognize.

This handbook was written for parents and caretakers. If your child is in foster care or is going to be placed in foster care, we know that this can be a stressful time for you and your child that you may feel overwhelmed or intimidated. The Handbook addresses some of your questions and concerns.

The mission of Children's Services is to ensure the safety and well-being of all the children of New York City. To do this, Children's Services and its network of child welfare agencies offer help to parents whose children are at risk of child neglect and abuse. If there is immediate risk to the child's health or well being, Children's Services will place the child in foster care with an order from Family Court. Once your child is placed in foster care, legal custody is transferred to the Administration for Children's Services (New York City's child welfare agency, or Children's Services). If this has been done without a court order, Children's Services must go to court to prove that the removal was necessary.

While your child is in foster care, you will have the chance to get help with the issues that led to the placement of your child in foster care.

You and the foster care agency caring for your child must work together to plan for your child's future. The goal is to reunite you with your child. However, if, after time, your difficulties have not been resolved and your child would still be at risk if returned home, Children's Services will consider permanently placing your child with a relative or adoptive parent.

You are still the most important person in your child's life, even while your child is in foster care.

That is why you should:

- ◆ maintain contact with your child, your family's case planner, and your lawyer.
- ◆ attend the Parent to Parent meeting arranged by the foster care agency and develop good interaction with your child's foster parent.
- ◆ work to address the problems that led to your child's placement in foster care.
- ◆ comply with Family Court orders and agency recommendations.
- ◆ keep records of all information about your case.

TIPS FOR PARENTS

- ◆ If you are the parent/caretaker of a child placed in foster care but are not a respondent in the case, the information in this manual may not fully apply to you. You should contact the agency where your child is placed as well as your attorney for help with your specific case.

A Note About the Law

The foster care system was created to provide children with safe, temporary homes when they are at risk of neglect or abuse in their own homes. The expectation was that children placed in foster care would soon be reunited with their families or, if that proved impossible, adopted. The goal of the law is to keep the length of time that children are in foster care as short as possible. Some parents can overcome the problems that led to the removal of their children, while others cannot.

In 1997, the United States Congress passed the Adoption and Safe Families Act (ASFA) in an effort to reduce the number of children who remain in foster care for long periods of time without any resolution as to who will care for them in the long term.

Accordingly, New York State has adopted its own laws to comply with ASFA, and has also passed additional legislation regarding permanent homes for children. The laws require parents, Children's Services, foster care agencies, and the Family Court to take specific steps to ensure that children grow up in loving, permanent homes — not in foster care. Simply, parents must start planning with the agency from the moment their child is placed in foster care.

What you need to know about the Law:

- ◆ You must act quickly, using the help of the foster care agency, to address the problems that led to your child's placement in foster care.
- ◆ Foster care agencies are required to act quickly to make sure that your child is either returned to you or a relative (if it is safe to do so) or is adopted. The law requires foster care agencies to pursue family reunification and at the same time create another plan, such as adoption, if reunification is not possible.
- ◆ If you are not working to address problems, and your child has been in foster care for 15 of the past 22 months, the foster care agency may be required to file a petition to terminate your parental rights (see p. 18). Once your parental rights are terminated, your child can be adopted without your consent.
- ◆ For the sake of children's safety, the law requires fingerprinting for all prospective foster and adoptive parents.
- ◆ You are entitled to a hearing to determine if your child may be returned home before the final Family Court decision is made about the removal (see pg. 16 for information about a 1028 hearing). Children's Services must go to court prior to removal of a child from his/her home, unless there is immediate risk to the child's safety. In these situations they can remove the child right away and then they must go to court on the next business day.
- ◆ If the court determines that a child must be removed from his or her home, the agency must do an investigation to locate all parents and relatives identified by you or your child. The court may decide to give custody of your child to a suitable person that you identify.

Entering Foster Care

Why Was My Child Placed in Foster Care?

There are five ways a child enters the foster care system: **1)** by court order through a neglect or abuse petition, **2)** by court order through a juvenile delinquency petition, **3)** by court order through a PINS petition, **4)** by a parent placing a child voluntarily or **5)** because a child is destitute.

By Court Order Neglect or Abuse Petition

Reports of child neglect and abuse are made to the New York State Central Register (SCR) Child Abuse and Maltreatment Hotline in Albany, NY. It is the responsibility of Children's Services to investigate these reports for families in New York City. Allegations of neglect or abuse often involve substance abuse. Other grounds for neglect and abuse include failure or inability to provide for the basic needs of the child such as food, shelter, medical care and education; improper supervision; infliction of excessive corporal punishment; physical abuse; and sexual abuse.

During an investigation, a Children's Services

Child Protective Specialist visits your family's home to investigate whether or not there is any evidence of neglect or abuse. The Child Protective Specialist visits the family's home, interviews members of the family, neighbors, family friends, extended family, school personnel, doctors, and any other people who are significant to the family. Within 60 days, based on the information gathered, the Child Protective Specialist must decide the answer to the question of whether or not the allegations are true. This is called the "investigative determination." Once the Child Protective Specialist makes this decision, you will receive a letter in the mail informing you of the determination.

If at any point during the investigation the Child Protective Specialist (CPS) makes an assessment that your child is not safe in your care, the CPS may seek to remove your child from your care. We use Child Safety Conferences - meetings that include you, the Child Protective Specialist, any family or friends you'd like to invite, and, with your permission, members of your community - to make these critical decisions regarding the safety of your child. The process for decisions to remove a child can happen in one of two ways: (1) In non-emergency situations, the CPS will invite you to a Child Safety Conference to discuss the safety concerns and develop a safety plan. If the safety plan includes placing your child in foster care, then the next step will be for the Administration for Children's Services to seek a court order. (2) In an emergency situation, when there is immediate danger to the child's life or health and there is not time enough to apply for a family court order the CPS will remove the children, and will then schedule a Child Safety Conference for the next business day. If the result of that Conference is a decision to keep

TIPS FOR PARENTS

- ◆ It is best for your child to be placed with a family member or friend. Children's Services wants to know right away about any relatives who might want to care for your child.
- ◆ If you have difficulty locating your child after he or she has been placed in foster care or in arranging visits with your child, call the Office of Advocacy at 212-676-9421. They can help.
- ◆ Foster care is not a lock down setting. Children are not restrained in foster or group home facilities. If your child has a history of running away, this behavior may not immediately stop because of his/her placement in foster care.

your child in foster care, then the Administration for Children’s Services will seek a Court order for the removal of the child. Whenever possible a Conference is held before children are removed from the home.

If your child is not in immediate danger, the Child Protective Specialist may offer preventive services (see Services, p. 10) in order to ensure that your child remains safe at home.

Preventive services provide multiple services to families including individual and family counseling, day care, home care, parenting classes, domestic violence intervention, substance abuse treatment and other services. Children’s Services provides home care services (home-making, home attendant and housekeeping) to households where adults have legal guardianship of one or more children less than eighteen years of age. Children’s Services Family Home Care Unit assigns a trained paraprofessional to work in the family’s home to create a household that is safe and nurturing for children.

If your child is placed in foster care, you will be expected to remain closely involved in your child’s life and plan actively for a permanent situation.

Juvenile Delinquency Petition

If your child is alleged to have committed a crime and is between the ages of seven and sixteen, he or she may be arrested and summoned to appear in Family Court on a juvenile delinquency matter. If the Court declares that your child is a Juvenile Delinquent (JD), it may order the placement of your child with a New York State Office of Children and Family Services (OCFS) juvenile facility or, occasionally, in a Children’s Services foster care facility.

Persons in Need of Supervision

(PINS) Petition

If your child is under age 18 and acting out beyond your control – for example, not attending school or behaving dangerously – we strongly recommend that you contact Children’s Services for our assistance with your child’s situation. We will offer you and your child supportive resources such as counseling to help resolve family difficulties. You do, however, have the right to go to the Family Court in your borough to request help with your child as a Person in Need of Supervision (PINS). The Court will first attempt to arrange for supportive services (see Family Assessment Program below). If these services are, over time, unsuccessful, the Family Court may place your child in foster care. If a child is placed in foster care on a PINS petition the parent is required to pay for their health insurance while they are in foster care.

Family Assessment Program (FAP)

The Family Assessment Program offers information and assistance to help families make well informed decisions about how to resolve problems with their adolescents. This program is geared to provide support in order to prevent families from placing their adolescents in foster care by first offering services to the adolescent and their family. All service options must be exhausted prior to moving forward with the PINS court process. The Family Assessment Program will assess the situation, and if appropriate, make the referral to court.

- **Any family that requests PINS services will first be seen by the Family Assessment Program social work staff.**

Any family can receive assistance from the Family Assessment Program. Families are not required to have an open case with Children’s

NOTE:

Children placed in foster care as PINS or JDs, will reside in regular foster care settings. Children’s Services is not legally permitted to operate any locked facilities.

NOTE:

If your child is placed, you will be expected to remain closely involved in your child's life and plan actively for him/her to return home or for another permanent setting.

Services to obtain assistance. For more information on FAP please see page 34 for locations and phone numbers for FAP. You can go to your local family court and ask for the FAP office between 9 a.m. – 5 p.m. on weekdays.

Voluntary Placement

If you are in a crisis situation and cannot parent your child, you may voluntarily request the placement of your child in foster care. When you make the request, a Child Protective Specialist will offer support services to help you resolve difficulties and avoid placement in foster care. However, if these services are, over time, unsuccessful, Children's Services may agree to sign a Voluntary Placement Agreement. The Agreement temporarily transfers the care and

custody of your child to Children's Services, but you are still responsible to participate in efforts to address the family issues and to plan for your child to return home.

If your child is placed, you will be expected to remain closely involved in your child's life and plan actively for a permanent setting.

If you voluntarily place your child in foster care, you may select a specific date when you want your child returned or you may leave the date of return open (see p. 17). However, in either case, the Family Court may have to approve your child's return to you. In addition, the foster care agency providing services to your family will be able to present a position as to whether they feel your child should be returned at the time of your request.



TIPS FOR PARENTS

- ◆ Children's Services strongly encourages you to complete any preventive services offered to keep your child safe at home.
- ◆ Before voluntarily placing your child in foster care, you must have tried all other appropriate resources and services.
- ◆ Parents on public assistance will have their budgets readjusted when their child is placed in foster care.
- ◆ Parents who are financially stable may be required to pay for support of their children in foster care.

Immigrants & the Child Welfare System

Services

All families are eligible for services through Children's Services free of charge. It does not matter if you are citizen, legal permanent resident, or do not have legal documents. Children's Services will provide preventive services to help keep your children with you if you are having difficulties. Preventive services include individual and family counseling, day care, home care, parenting classes, domestic violence intervention, substance abuse treatment, support and other services.

Confidentiality

Children's Services' child welfare services are provided to children and families without regard to immigration status.

Children's Services does not conduct investigations into the immigration status of children and families who are involved with the child welfare system. However, your Children's Services or agency caseworker may ask about your immigration status or that of members of your family to help find services for you. You may also be asked about your immigration status

so that Children's Services may receive federal reimbursement for the services provided to you.

Information about you and your family is strictly confidential. Children's Services and its partner foster care and preventive service agencies will not share any information about you or your family members with Federal Immigration officials or anyone else. The only time that Children's Services could possibly share information about you or your family is if there is suspected criminal activity or for an investigation of potential terrorist activity.

Language Assistance

In New York City, nearly 2 million people do not speak or understand English very well and for Children's Services to do our job right, we need to be able to understand *everything* you say and you need to be able to understand *everything* said to you. If you do not speak or understand English very well, and if you prefer to speak in your native language, Children's Services will provide interpreters for you, *free of charge*.



Foster Care Placement

Where Is My Child?

Information Provided at Removal

If your child was removed from home by a Child Protective Specialist you should have the name, title, address, and telephone number of the Child Protective Specialist who removed your child so that you can contact him or her about where your child has been placed and to arrange a visit.

Children's Services partners with foster care agencies (in this Handbook they are referred to as "the agency"). The agency is responsible for recruiting, approving, training and supervising foster parents. Regardless of which agency provides placement for your child, Children's Services is responsible for all children in foster care.

Parent To Parent

When a child is placed in a foster family home the agency is responsible to schedule a Parent to Parent meeting within 3-5 days of the placement. The purpose of the meeting is to allow families to share information about the children firsthand with the foster parent. This may include information about your child's interests and needs, and allows you the opportunity to maintain your parenting role while your child is not living with you. The meeting also allows the foster parent who is now sharing your parental role to ask questions in order to help your child adjust in foster care. This meeting includes you, the foster parent who is caring for your child and the agency case planner. In some situations children will be included in these meetings as well. You can bring a support person or request to have a parent advocate present.

How Children's Services Makes Foster Care Placements

Children's Services recognizes that being in foster care can be difficult for children. The first priority is to place your child in a setting that

meets his or her individual needs and that is the least restrictive type of setting. Children's Services works to place your child in a stable foster care placement that maintains family, school and community ties. Whenever appropriate, Children's Services tries to place your child with relatives, together with siblings, and/or in a foster home in their own neighborhood. Your wishes about the care provided to your child will be considered in deciding where to place your child.

You should always provide information to the Child Protective Specialist about relatives or family friends who may be able to care for your child through temporary custody, custody, guardianship or kinship foster care (see Glossary page 31 for definitions).

If a relative, friend, or neighbor is willing to become the foster parent, the agency must do an assessment of the person's home, called a "home study", to determine if it meets the requirements for a foster home. This person will then need to take the steps required to become a certified foster parent. If a relative or friend is identified as a resource but he or she lives out of state, a home study request under the Interstate Compact can be initiated (see Glossary p. 30).

If your child cannot be placed with a relative, Children's Services will place your child with a foster parent who has been recruited and approved by Children's Services or a foster care agency.

From this point on, the agency is responsible for your child and will monitor the care of your child while in foster care. The agency makes regular reports to Children's Services regarding the functioning and well-being of your child. The agency will work to make every effort to meet you, and to have you meet and speak with your child's foster parent as soon as possible so that you can work together to make a plan that is in the best interest of your child.

Foster Care Settings

Types of Settings

Living in a Home with a Family

- ◆ Foster Family Home (with a relative or foster parent)
- ◆ Therapeutic Foster Home
- ◆ Mother/Child Foster Home
- ◆ Medical Foster Home

Living in a Group Setting with Employed, Trained Staff (primarily for older children or children with special needs)

- ◆ Group Home
- ◆ Diagnostic Reception Center (DRC)
- ◆ Residential Treatment Center (RTC)
- ◆ Maternity Residence

You and Your Child's Foster Parents

The majority of children are placed in homes with foster parents. It is helpful to your child if you and your child's foster parents build a working relationship based on mutual respect. Children are often returned home faster when parents and foster parents work together. The Parent to Parent meeting, which occurs within 3-5 days of placement, is a good time to start to develop a good relationship with the foster parent. You should receive a brochure that provides information about this meeting and gives you ideas to help you get prepared for the meeting.

Your agency case planner is responsible for arranging for you to meet the foster parents. You should tell them about your child's likes and dislikes, eating habits, and other important information. Talk about ways you want to stay involved with your child's life and ask for their ideas about how they can help. For example, you might arrange with the foster parents to go with them to your child's parent/teacher conference, doctor's appointments, or other events, or set up times to talk with your child on the phone. Your relationship with your child's foster parents can be empowering for you and highly beneficial for your child.

The Role of Foster Parents

Foster parents, including kinship foster parents, are trained and monitored by the foster care agency to ensure that they are providing a safe and nurturing home for your child. Foster parents may have several children in their home depending on the amount of space they have in their home.

Foster parents have the responsibility for the day-to-day care of children placed in foster care. Foster parents are given money every month to help them care for a foster child. Foster parents do not have the right to make decisions about things such as your child's education, day-to-day medical care or travel, or visits with parents.

- ◆ They must consult with the foster care agency and get the agency's approval before taking any important action.
- ◆ Foster parents and all adults living in the foster home are also checked for any history of abuse or neglect, and for any criminal background.
- ◆ The foster parent will be asked to participate in various agency conferences as well as Family Court hearings. It will benefit the child if their parents, foster parents, agency case planners, and community supports work together at these meetings to make appropriate decisions.

TIPS FOR PARENTS

- ◆ If you have any concerns about the foster home in which your child is placed, speak with your case planner.
- ◆ If you cannot be present for conferences and other case activities because you are in a substance abuse treatment program or are incarcerated you still have a right and responsibility to be involved. Notify your case planner or your attorney or the Children's Services Office of Advocacy (212-676-9421 or collect: 212-619-1309).

Permanency Planning Process

What Do I Need to Know While My Child Is in Foster Care?

Beginning the Permanency Planning Process

If the decision is made to place your child in foster care the Child Protective Specialist will transfer your case information and service plan to the foster care agency case planner. The Child Protective Specialist will continue to appear in court on your case. Your agency case planner will assume responsibility for your case planning and service plan. S/he is responsible for providing guidance and counseling, and helping you to find services you may need by providing information and referrals. Your service plan is more likely to succeed if you and your case planner work together, and keep in close contact with one another.

Family Team Conferences

Your service planning began during the first Conference you attended with the Child Protective Specialist. However, once you and your child are assigned to a foster care agency, the agency case planner must work with you to develop a comprehensive assessment and service plan, including a visiting plan.

At Children's Services, we have identified a way to make sure we get all of the best ideas and concerns about your child's safety, well-being and permanent family ties on the table. That is called a Family Team Conference (FTC).

A Family Team Conference brings together people who are interested and care about your family: your child's foster parent(s), your foster care agency caseworker, his/her supervisor, supportive community members, and anyone you'd like to invite to accompany and support you (for example, members of your extended family, a trusted family friend or a parent advocate). An FTC is held at certain strategic points in the life of your child to ensure that the best possible decisions about his or her future are made. For that to happen, we need the commitment and creative thinking of everyone who is closest to your child – and that includes you!

The meeting will be led by a facilitator who is specially trained to ensure that everyone at the meeting – including you – has a chance to be heard and to express his or her thoughts, ideas and concerns in a respectful and open manner – without blame or shame.

1. Quarterly Permanency Conferences

Three months after your child's placement into foster care, you will be invited to a FTC known as a Quarterly Permanency Conference. This is a very important meeting.

The Quarterly Permanency Conference will first focus on the safety concerns that brought your child into foster care and the strengths you have as a parent. The facilitator will then invite everyone to give their ideas about how best to create a plan to ensure your child's safety and to shorten their stay in foster care. As a member of this "team", your ideas and input are very important. It's the facilitator's job to help make sure your voice is heard.

The action plan developed at this meeting will guide the work of your case planner over the next few months and identify the steps you will need to take to show that you can safely care for

TIPS FOR PARENTS

- ♦ Bring a relative, friend, parent advocate or anyone who knows your family well to support you at Conferences.
- ♦ Be prepared to ask questions, provide information and take notes.
- ♦ Before you leave any Conference, make sure you have the names and phone numbers of all the people you can contact with questions or concerns.

your child. By your presence at the meeting and your participation in the discussion, you have an important opportunity to shape and develop that action plan.

After that first Quarterly Permanency Conference is held, you can expect to be invited back for follow-up Permanency Conferences on a regular basis. These are important meetings for you to attend.

2. Reunification Conferences

Most children who enter foster care have a permanency planning goal of reunification or “discharge to parent(s)” (called “01”). When all parties have agreed, and your case planner and supervisor have approved, that it is safe for your child to return to you, the agency will schedule a Reunification Conference to which you will be invited, along with your child’s foster parent(s) and other key players (service providers, supportive persons, etc.).

At this conference, the team members will review the safety concerns that brought your child into care, make sure there is agreement that you are now able to keep your child safe and ensure their healthy development, and work with you to create a plan to put supports in place to help you and your children succeed at home.

3. Goal Change Conferences

If, however, your child is still in foster care after 15 months in care, and reunification does not seem possible very soon, your agency is legally required to consider whether it is time to change your child’s permanency planning goal to adoption (called “04”). For some older teenagers, a goal change to “Another Planned Permanent Living Arrangement” (called “03”) may be considered if neither reunification nor adoption is the best plan for them.

To change a child’s permanency goal, a Family Team Conference will be scheduled. Again, the agency will gather the “team” of people who care about you and your child, including yourself, the foster parents and any supportive people you and your child (if s/he is an adolescent) choose.

These goal change conferences will be led by a trained facilitator from Children’s Services. At an adoption goal change conference, one of the options that will be discussed is whether you would be willing to agree to your child’s adoption by a specific adoptive parent, such as the child’s current foster parent. In some cases, parents choose to “surrender” their parental rights and to make special arrangements with the adoptive family for continued contact and visits with their child after the adoption. If you are open to this option, you will want to discuss it with your lawyer.

For older teenagers, if a goal change to “Another Planned Permanent Living Arrangement” is being considered, you have an important role to play at the Goal Change Conference by helping your teen and the foster care agency identify extended family members, family friends, or other caring adults who can help your teen transition to adulthood if s/he is not returning to you or is not going to be adopted. Please think carefully about who in your family (including distant relatives, godparents and any family member who may live in other parts of the country) and among your friends has cared about your child in the past. It is very important that all young people who are leaving foster care have close connections to an adult(s) to help guide them and watch over them.

4. Placement Preservation Conferences

There is one last type of Family Team

Conference you should know about. At Children's Services, our goal is to minimize the number of times that children move from one foster home to another while in care. If your caseworker finds out that the foster parent caring for your child feels that he or she can no longer continue to do so, or someone else expresses the feeling that the placement should change, your agency will schedule a Placement Preservation Conference, to which you and the foster parents will be invited.

The goal of this meeting is to see if there is a way to help support the foster parent and stabilize your child's placement. Sometimes, something as simple as adding an after-school program to give the foster parent a break or, if it is safe to do so, increasing your visits with your child, can prevent moving a child from a foster home placement.

There are, of course, times when it might be best to move your child. You may be able to identify a relative or family friend in whose home

your child would feel more comfortable. In some cases, your child might need to move briefly to a specialized group setting where he or she can receive certain services not available in a foster home. And in some situations, it may be possible to speed up the plan to reunify you and your child, so that the child could come home to you sooner rather than move to a new foster home.

Visiting with Your Child

Visiting is critical to your child while s/he is in foster care. Frequent and ongoing contact with you and with siblings (if separated) reduces the trauma of removal, helps to maintain family bonds, improves his/her adjustment to placement, and expedites reunification.

You have the right to visit and maintain regular contact with your child through phone calls and letters while s/he is in foster care, unless the Family Court has ordered otherwise. You should contact your case planner immediately to arrange visits with your child. Their number is available from the Child Protective Specialist who placed your child. (One of the first opportunities that can be used to visit with your child is at the initial conference after your child is placed in foster care.) At that conference, a visiting plan will be created, which must take into account your schedule and the needs of your child.

Visiting must be at the lowest level of supervision which still ensures the safety of your child. Children's Services Visiting Guidelines state that agencies should assume that visits will be unsupervised *unless* reasons are given to support supervised visits. Initially, the Family Court or agency may require visits between you and your child to be supervised by the case planner. This gives the case planner an opportunity to observe the interaction between you and your child. As you successfully address the reasons why the child came into care and

TIPS FOR PARENTS

- ◆ Participate in all Family Team Conferences (FTCs) involving your child.
- ◆ Ask to re-schedule your FTC meeting if you are unable to attend.
- ◆ Bring a supportive person of your choice to the FTC meeting.
- ◆ Arrive on time.
- ◆ Make sure you get a copy of the Action Plan that is developed at your Family Team Conference.
- ◆ If you do not agree with the change of permanency goal for your child, speak to your lawyer or request a Fair Hearing (see Resources, p. 34).
- ◆ You have the right to have an interpreter at all meetings.
- ◆ You have the right to request a meeting with your case planner and supervisor at any time.
- ◆ If you have questions or concerns about your service plan or anything else, you do not have to wait until the next Family Team Conference. You should contact your case planner at any time.

show that you are able to meet your child's needs, your visiting plan should allow for longer and more frequent visits with your child and decrease in the level of supervision required. Supervision of visits must be justified by a safety concern and/or need for assessment.

Visiting is one of the best ways for you to stay connected to your child. It is important to realize that failure to visit and maintain contact with your child may be seen as a lack of interest in him or her. If the judge determines that you show no interest in your child or are not fit to care for him or her, your rights as a parent may be terminated. For this reason, keep a record of all contacts with your child and your case planner.

Facts About Visiting

- ◆ Whenever possible, visits should include the already scheduled activities of your child such as medical appointments, school meetings, special events, etc.
- ◆ Many agencies require you to meet with your case planner before the first visit with your child is scheduled. This is a time when you may bring up any parenting concerns you have.
- ◆ It is the foster care agency's job to arrange and facilitate visits and other forms of contact between you, your child and among separated siblings. You must work with them to plan a visiting schedule and arrange activities for you and your child while you are visiting.
- ◆ When visits are arranged, the best interests of your child will always be the priority.
- ◆ When visit plans are made everyone's schedules should be considered. This includes the parents, child and foster parents. Agencies are required to provide evening and weekend hours for supervised visits to take place.
- ◆ Children's Services Visiting Guidelines

require that families with a goal of reunification visit at least once a week for two hours. If you have an infant, it is encouraged that you visit at least twice a week, even if it is for shorter lengths of time, due to your infant's need for early attachment and bonding.

- ◆ Visits should serve as preparation for reunification, allowing you to resume as much parental responsibility as possible while maintaining your child's safety.
- ◆ As long as it is determined to be safe and appropriate, visits can occur in your home, the foster parent's home, or somewhere in the community such as a park, library, or garden. As much as possible, visits should be held outside of the agency. When reunification is the permanency goal, and as long as it is in the best interest of the child, it is expected that your visit frequency and length will increase over time and that the level of any supervision necessary will decrease over time. In general, your visiting plan should evolve from weekly

TIPS FOR PARENTS

- ◆ Visit as regularly and frequently as you can.
- ◆ Arrive on time for visits.
- ◆ Keep a record of all your visits, even cancelled visits (See Sample Visiting Log, p. 39).
- ◆ If you are not receiving visits, you should speak to a supervisor at the agency or call the Children's Services Office of Advocacy - Parents' and Children's Rights Ombudsman (212-676-9421).
- ◆ Think of an activity to do with your child during the visit, such as a game, project or book. Preparation makes for a better visit.
- ◆ If you cannot attend a visit, you must cancel it in advance. Failure to show up for a visit or repeated lateness will be viewed unfavorably by the judge and the agency.
- ◆ If you are unable to pay for transportation to the visits, talk to your case planner about funds for travel expenses.

visits to more frequent visits of greater length, to overnight and weekend visits, leading to trial and then final discharge. You can seek to have your visits increased by: **1)** speaking to your case planner, **2)** having your attorney request it in Family Court or **3)** by filing a petition in Family Court.

- ◆ If there is no court order for supervised visits, the decision to increase your visits is made by your agency. Keep in mind that when you ask for increased or longer visits, your case planner will be looking at your success in addressing the reasons your child entered care and the quality of your current visits, and your efforts to always attend your scheduled visits with your child.
- ◆ Your child has the right to have regular visits every two weeks with their brothers and sisters if they are placed in different foster family homes. Your agency should coordinate these visits so that you and your children can spend time together. They should also make every effort to arrange visits for your child with relatives if you are unable to visit.
- ◆ If you are incarcerated you are entitled to visits with your child (see p. 25).
- ◆ Visiting by itself is not enough to have your children returned to you. You must also cooperate with the entire service plan that the agency develops with you.

There are a few instances when visiting is not allowed. For example:

- ◆ If the Family Court issues an order preventing you from seeing your child.
- ◆ If the agency believes that your visits harm the child. In this case, the agency must get the Family Court's permission to stop your visits.

Casework contacts during your child's placement in Foster Care

When your child is placed in foster care, your case planner is required to make visits to your home. This is to assess whether your child would be safe if he or she was to return home. It is important that you provide any changes to your address so that you can receive notification of important events pertaining to your case. Maintain contact with your agency case planner in order to be aware of the current goals of your service plan and to properly plan for the return of your child to your care.

Newborns and other children whose siblings are in foster care

When a family is receiving services from Children's Services and its contract agencies, the safety of all the children, whether they live in the home or not, will be assessed. Your case planner will ask you and verify the information about additional children.

If a newborn child joins your family during the course of your case, they must also be assessed. During the pregnancy, your case planner will address the upcoming birth of the child, the home environment they will be entering, and any services needed to ensure the safety of the child. At this time a Child Safety Conference will be held with the family, Children's Services and its partner agency to determine a safety plan for the baby.

If Children's Services and/or the foster care agency become aware of another child or a new baby after it is born, a full assessment will be made to determine whether or not it is safe for the child to remain in the home. In both instances, the court will be notified of a new child in the family. If it is determined that the child will remain in the home, mandatory visits will be made to the home to allow for observation of the child in the home on a regular basis to ensure his/her ongoing safety.

Family Court

What Happens in Family Court?

The Family Court Process

Children’s Services and the foster care agency make most of the decisions regarding your child’s case. However, a Family Court Judge makes all the legal decisions about whether a child has been neglected or abused, and if so, what should be done to protect a child’s safety in the future. For example, when a child is removed from home, Children’s Services asks a Family Court Judge to order that the child be temporarily placed (“remanded”) into the care of Children’s Services.

Who’s Who in Family Court

At the Family Court hearings, there will be at least three lawyers – one for you, one for your child (Law Guardian), and one for Children’s Services – along with the Judge, the Child Protective Specialist, and Court officers. The Judge will often refer to you as the “respondent” and to Children’s Services as the “petitioner.” The case planner and Children’s Services attorney will usually stand to one side of you and your lawyer. Your child’s attorney, called the Law Guardian, will usually be on the other side of you.

Your Role in the Court Process

Every parent who has a child in foster care has the right to attend all hearings in Family Court relating to the child. Your participation in Family Court proceedings and fulfillment of Court mandates are essential to your child’s return home. You should always go to Court when you receive a legal notice or phone call saying there will be a hearing about your child. It shows the Judge that you are concerned for your child.

You have the right to have a lawyer with you in Court. If you cannot afford a lawyer, an 18-B

Attorney (see Glossary p. 31) will be assigned to you free of charge, or you may refer to the list of legal services in your borough (see p. 36).

First Court Appearance (1027 Hearing)

At this hearing, Children’s Services will present their position on the case first. Usually, a Children’s Services caseworker testifies about why the child was removed or should be removed from home. Then, the parent presents his or her position on the case. The Judge will decide whether the child should continue in foster care, and will also make a determination as to whether Children’s Services made reasonable efforts to prevent the child from coming into foster care.

If the Judge decides that the child cannot go home at this time, this does not mean that they will never go home. You should keep working with the agency to have your child return home. The case will now continue to what is called “fact-finding” and “disposition” unless you request a 1028 Hearing (explained in the next section).

At this initial Court appearance you have the right to:

- ♦ an attorney.
- ♦ a copy of the petition that contains the allegations against you (the neglect or abuse petition).
- ♦ the names of the Child Protective Specialist, Children’s Services attorney, and law guardian for the child.
- ♦ the name, location, and telephone number of the foster care agency where your child is placed and name of the foster care agency case planner.
- ♦ an immediate visit with your child unless

NOTE:

If there are two respondents (for example, both the mother and the father) to a child welfare case, separate attorneys may be assigned to avoid any conflict of interest that may exist between the two people.

specifically restricted by Court order.

- ♦ ask that a relative be immediately assessed as a foster parent or custodian for your child.
- ♦ ask the Court to order services that would help you with the return of your child.

1028 Hearing (Request to Return Children)

You have the right to request the immediate return of your child at a hearing (called a 1028 hearing) within three days of your child's removal. At this hearing, the Court decides if your child may be immediately returned to you while the rest of the case continues. In order to keep your child in foster care, Children's Services must show that the child would be in "imminent danger" if returned to you now. *The 1028 hearing is optional and only takes place if you request it.* If the Judge returns your child(ren) to you after the 1028 hearing, your case still continues in Family Court.

You can help your lawyer prepare for a 1028 hearing by getting important information to him or her quickly.

Try to get copies of your child's medical and school records, and letters from doctors and teachers who know you and can talk about your ability to safely care for your child.

If concerns have been raised about your emotional or physical health, consider getting letters from your doctor, therapist, or clinic about your health status.

If sobriety is an issue and you are in a substance abuse treatment program, consider getting letters or other proof of clean urine or blood screens from your counselor. If you are not in a program, speak with your attorney about asking the judge and the caseworkers to send you for an immediate drug test.

Fact-Finding Hearing

At this hearing, the Family Court Judge will decide whether you have neglected or abused your children under the law. Children's Services must prove the allegations that they made against you in the petition. You have several options: you can **a)** admit to the allegations, **b)** submit to the jurisdiction of the Court without admitting to the facts (this means your children can be placed in foster care and the judge can order you to comply with services), or **c)** go to trial. At the end of the hearing, the Judge will either make a "finding" of neglect or abuse against you, or find that Children's Services did not prove their case. If so, the court dismisses the petition. The case will be over and the child will be returned to you, unless the decision is appealed and the Court orders that the children stay in foster care until the appeal is decided.

Children's Services may also agree to "Adjourn the case in Contemplation of Dismissal" (ACD).

TIPS FOR PARENTS

- ♦ You have the option of admitting to the Judge that all of the allegations contained in the petition are true. If you make an "admission," it has the same legal effect as if the Judge made a finding of neglect or abuse after a hearing. It gives the Judge the power to decide whether the child should remain in foster care or return home. You should consult with your attorney about making an admission.
- ♦ You also have the option of submitting to the jurisdiction of the court without admitting to the facts. This also gives the Judge the power to decide whether the child should remain in foster care or return home. You should consult with your attorney about submitting to the jurisdiction of the court (often called a "1051-a admission").
- ♦ As with admissions, there can be advantages and disadvantages to going to trial. You should discuss with your attorney the option of going to trial.

This means that your child may be returned to you upon specific conditions and that the neglect petition would be dismissed within a year or sooner if you comply with the terms ordered by the judge. You should discuss the terms of any proposed ACD with your attorney.

Dispositional Hearing

After a Fact-Finding Hearing there will be a Dispositional Hearing which may be on the same day or a different day. At the Dispositional Hearing, the Judge must decide what is in the best interest of the child — whether the child should stay in foster care or be returned to you. The Judge should consider the steps you have taken to address any problems and plan for the return of your child. You have the opportunity with the help of your attorney to tell the judge what you think is the best plan for your child.

At Disposition, several things can happen. Your child may be returned home with or without Children’s Services supervision; he or she may continue to stay in foster care; or he or she may be placed in the temporary or final custody of another person (a relative or other resource).

To assist in this decision, the Judge may order you to be examined by a mental health professional prior to this hearing. (This is known as an “MHS” or “FET”- see glossary). Usually the judge will also order an “I & R” (Investigation and Report). This is a report made by Children’s Services that recommends what should happen to your child. It is important to cooperate with the Children’s Services worker. Be sure to ask your lawyer what Children’s Services is recommending. You may agree to the Children’s Services recommendation or ask for a full hearing if you do not agree.

Voluntary Placement Proceedings

If you voluntarily placed your child in foster care and it is determined that your child will remain in care for over 30 days, the Family Court reviews your Voluntary Placement Agreement at a 358-a Hearing. At this hearing, the Judge will determine whether you understood your rights and responsibilities under the Voluntary Placement Agreement and whether you signed it voluntarily. The Agreement will be approved if the Judge is satisfied that you are voluntarily placing your child in foster care and that foster care is in your child’s best interests. The Judge will also make a determination as to whether Children’s Services made reasonable efforts to prevent your child from coming into foster care.

Permanency Hearing

Approximately eight months after your child enters foster care, the Family Court must hold a hearing to review your child’s case. This review is called a Permanency Hearing and must be held whether your child came into foster care as a result of neglect or abuse or a Voluntary Placement Agreement. For Person in Need of Supervision (PINS) and Juvenile Delinquent (JD) children, the hearing will be held after an

TIPS FOR PARENTS

- ◆ Be persistent when trying to reach your attorney.
- ◆ It is important to present yourself in an appropriate, courteous manner at Court and Children’s Services meetings. Remain composed, dress appropriately, and speak to your lawyer before speaking in Court.
- ◆ Each Family Court has a Records Room where a parent can get their Court file (see Resources, p. 35).
- ◆ Each Family Court has a Petition Room where parents can file papers, including visiting petitions. In general, you do not need a lawyer to file papers in Family Court.

extension of placement petition is filed, usually after about a year of foster care placement.

The purpose of the hearing is for the Judge to review the permanency plan for your child. The Judge will hear about services that have been provided, and the progress that you and the agency are making toward achieving the permanency plan.

The Judge will approve or modify Children's Services' plan for your child(ren). There are five possible permanency plans:

- ◆ return to parent.
- ◆ adoption (in which case, your parental rights would be terminated or voluntarily surrendered).
- ◆ refer for legal guardianship.
- ◆ place permanently with a fit and willing relative, which could be through custody. or
- ◆ place in another planned permanent living arrangement (such as independent living or adult custodial care) with a significant connection to an adult permanency resource (sometimes known as "APPLA+").

It is important that both you and your child's foster parents attend the permanency hearings. After the first permanency hearing for a child who has been placed in foster care on a child protective petition or voluntary placement, there will be a permanency hearing every six months while your child is in care. For children placed as PINS or JD, the hearing will occur approximately every year.

Termination of Parental Rights

In some cases, the Family Court can permanently take away your rights as a parent. (See page 21 for

more information about these cases.) To terminate parental rights, Children's Services or the foster care agency must file a petition in Family Court. With certain exceptions (see p.22), New York law now requires the filing of a termination petition if a child has been in foster care for 15 of the most recent 22 months (see p. 21).

This means that if, after 15 months of your child's placement it is determined that you are not able to care for your child, Children's Services and the agency will go to Court to have your parental rights terminated. If your parental rights are terminated, you will not have the legal right to seek custody of your child, or to visit or contact them, and your child may be adopted without your consent.

In a Termination of Parental Rights (TPR) proceeding, there is a fact-finding and a dispositional hearing. You have the right to attend these hearings and to have an attorney represent you. But your rights can be terminated even if you are not present.

During fact-finding, Children's Services and/or the foster care agency must prove that they have good reason to terminate your parental rights. Grounds for termination of parental rights include abandonment, permanent neglect, severe and repeated abuse, and mental health issues or mental retardation.

After the fact-finding, there is a dispositional hearing. At the dispositional hearing, the judge may decide it is not in the child's best interest to terminate your parental rights. The Judge may give you a final chance to comply with services necessary for the return of your child.

If you are faced with a termination proceeding, you may want to consult with an attorney about signing a conditional "surrender agreement" (see p. 21).

Leaving Foster Care

When and How Will My Child Leave Foster Care?

Before the Family Court Dispositional Hearing on an abuse/neglect case (see p. 17), Children’s Services and the agency can make recommendations to the Court regarding the return of your child. The judge can issue an order for the child to return to you.

After the Family Court Dispositional Hearing, the Judge decides when your child is to return to you. A service plan will be in effect during that time. When you have successfully completed your service plan and it is determined that your child will be safe at home, your child usually can return to you. Your child’s return will begin with a trial discharge that typically lasts three months, depending on the age of the child or unless the court intervenes and extends the amount of time. Your case planner will visit your home twice a month during this time. After the completion of a successful trial discharge, a final discharge will occur, which means that your child will remain at home with you and your Children’s Services case will be closed.

If I comply with all the requirements of the service plan, will my child be able to come home?

Yes, if your child can return safely to your home.

Trial Discharge

When it is time for your child to be returned to you, a Trial Discharge Conference will take place. At that conference, the issues that led to the removal of the child from your care are reviewed to determine if the problems still exist. You, your family members (where appropriate), the child (if age-appropriate) and anyone who has been providing services to the family (foster parents, the agency case planner, the child’s Law

Guardian, etc.) will be invited to this conference to work together in order to design a safe and supportive discharge plan. This meeting gives family members and the child an opportunity to be actively involved in the decisions that are made about the types of supports they may need upon discharge.

The Trial Discharge Conference should occur at least two weeks before the anticipated date of the trial discharge. The duration for trial discharge is usually 90 days and should not exceed six months.

Your child may be eligible to receive a Discharge Grant. The grant is based on need and is not automatically distributed to every child who leaves foster care. In order to be eligible for a discharge grant, a child has to have been in care for six consecutive months, and could not have already received a grant for the past two years. The grant is to be used to meet the basic needs of the child returning home or the youth who is setting up his/her home. There is no set time table for the grant and each agency has its own procedure for processing the grant. An application for a discharge grant will be made by the agency at the Trial Discharge Conference if your child is eligible.

If the Court orders that the child be immediately returned to the parents, a Discharge Conference will be held after the child has returned to you.

TIPS FOR PARENTS

- ◆ As you prepare for your child’s return home, be sure to stay in close contact with your case planner. Discuss with your case planner any assistance you think you may need (i.e., financial, clothing, furniture, housing subsidy) or any services you or your child may need to ensure a smooth transition back home.

Final Discharge

Final discharge planning should start two to three months after the beginning of the trial discharge. A Final Discharge Conference will be held and all those who were invited to participate in the Trial Discharge Conference will be invited to attend. This meeting is for everyone to evaluate the trial discharge and choose one of three options: **1)** to make the discharge final, **2)** to extend the trial discharge, or **3)** to end the trial discharge and return the child to foster care. Final discharge must be approved by the Court.

Aftercare Services

Aftercare services are available for teens (12 to 21 years old) and their families who are at high risk for foster care re-placement or need a rushed discharge from foster care to ensure successful adjustment back into the community. Referrals to Aftercare services can be made by the Children's Services borough office, residential care providers or Designated Assessment Services (DAS) programs. In some instances, the Court may order that Children's Services continues to monitor the home during aftercare.

What do I do if my child is still not discharged to me?

If Children's Services and the agency do not discharge your child to you, and you believe you have completed all requirements for your child to return safely, you can send a notarized

and certified letter (return receipt) to your foster care agency requesting termination of placement. If the agency does not respond within 30 days or denies your request, you may then go to Family Court with a copy of your letter and copy of the return receipt. At the Family Court, you may file a petition for termination of placement in the Petition Room.

In cases of a voluntary placement, fill out the Request for Discharge of Child from Foster Care form found at the end of this Handbook. You should send this form to the agency case planner by certified mail (return receipt).

If you did not specify a date for the return of your child in your Voluntary Placement Agreement, the agency should return your child to you within 20 days of your request if the first permanency hearing has not yet been held. If you specified a date or event for your child's return, your child must be returned to you within 10 days of the date you specified if the first permanency hearing has not yet been held. If the agency does not return your child within 10 days after your request and letter are received, you must then go to Family Court to file a petition for termination of placement. If the agency and Children's Services believe that you are not yet able to care for your child, they must get a Court order directing that your child remain in foster care.

Are there any situations in which the agency is not required to provide services to me?

Yes. Children's Services may ask the judge to determine that they are not required to make efforts to reunify you with your child. The judge could make this determination if, for example, you have severely or repeatedly abused your child, allowed your child to be sexually abused, been convicted of certain serious crimes against your child, or had your parental rights to another child

TIPS FOR PARENTS

- ◆ Always document what services were offered to you by Children's Services or the foster care agency, and on what dates you received them. Also note if services offered were not actually received by you.

involuntarily terminated. Also, if you fail to address problems that caused your child to come into care, Children’s Services may request that the Judge intervene and determine that the agency is no longer required to provide services to you.

If the Judge makes this determination, a Permanency Hearing will be held within 30 days. Children’s Services may file a petition to terminate your parental rights (see p. 18), although the judge cannot rule on the petition until your child has been in foster care for one year.

Although the agency would not be required to provide you services in these cases, if you request them, the agency might still work with you.

Surrender of Parental Rights

You may voluntarily agree to have your parental rights terminated by signing a legal document called “surrender.” A judge must approve any surrender. There are many reasons why you might decide to surrender your parental rights.

You may feel that you are unable to assume the responsibility of being a parent, or that your child has become very attached to his or her caretaker during your separation and that it would be best for your child to remain with that person permanently.

A surrender agreement can be made in Court in front of a judge or outside of Family Court (usually at the foster care agency) and then be approved by the judge. A surrender agreement has the same legal effect as a termination of parental rights order in that the parent gives up his or her parental rights to the child. However, the advantage of this arrangement is that if the agency agrees, the parent can put some conditions in the surrender, such as requesting that the child be adopted by a particular person. Or the parent can maintain contact with their child through an

“open adoption” process. Not all judges enforce these adoption agreements, although they are becoming more common when staying in contact with parent(s) after adoption is in the child’s best interests.

Termination of Parental Rights (TPR)

If you do not participate in and complete all Family Court, Children’s Services, and agency requirements while your child is in foster care, Children’s Services or the agency may ask the Family Court to permanently end your parental rights to your child so that the child may be adopted. *(The law requires that the agency file a petition to terminate parental rights if a child has been in foster care for 15 of the last 22 months, unless there is a compelling reason that adoption would not be the best plan at that time.)* The agency can also file sooner. The Court then holds a hearing to decide whether or not to terminate parental rights (see p. 15).

Only a judge can end your parental rights without your agreement. The Family Court can terminate your parental rights if it is determined that you:

TIPS FOR PARENTS

- ◆ Always consult with an attorney before signing a surrender agreement.
- ◆ If your child is not adopted by the person designated in the surrender agreement, you have the right to ask the Family Court to vacate the surrender agreement.
- ◆ If the foster care agency or adoptive parent fails to follow the visiting arrangements of the surrender agreement, you may ask the Family Court to enforce the agreement.

- ◆ legally abandoned your child for at least six months.
- ◆ permanently neglected your child for at least 12 months.
- ◆ severely or repeatedly abused your child.
- ◆ have a mental illness that will prevent you from fulfilling your parental responsibilities.
- ◆ have mental retardation that will prevent you from fulfilling your parental responsibilities.

Are there any exceptions to the 15-month TPR rule?

Yes. The agency may not be required to file a termination petition if:

- ◆ your child is being cared for by relatives and an individual assessment has been made that termination is not in the child's best interest.
- ◆ there is a good reason that termination of your parental rights would not be in your child's best interests — for example, you are making progress with services and there is a strong likelihood that your child could return home safely in another six months.
- ◆ the agency has failed to provide services that are necessary for your child's safe return home.

Children's Services has placed my child with a relative. Does this mean that my

NOTE:

Under the law it is very important that you fulfill your responsibilities and work to give your child a permanent home as soon as possible. The law requires that you, your case planner, and Children's Services act quickly to address the problems that led to your child's placement in foster care. If you are not working to correct these problems and your child has been in foster care for 15 or more of the past 22 months, the foster care agency may be required to file a petition to terminate your parental rights.

parental rights won't be terminated?

No. Children in foster care with relatives are also entitled to safe, permanent homes. "Long-term foster care" – even with relatives – is not considered a permanent situation.

Therefore your agency case planner should be discussing adoption and other permanency options with you and any relative caring for your child.

Is there anything I can do once my rights have been terminated?

It is almost impossible to undo a Termination of Parental Rights, and if you attempt to do so, it is essential that you discuss it with a lawyer.

Adoption

Once the Family Court has terminated your parental rights or you have surrendered your parental rights, your child is legally free for adoption. In an adoption, the Court gives permanent legal responsibility for a child to other persons who then become the child's parents. Often, children are adopted by their foster parents or their relatives. If they are not, Children's Services and the foster care agency work to find a safe and loving adoptive home.

If you have become close to the foster parents who will be adopting your child, you may want to discuss with them and with your attorney the option of an informal, continuing relationship with your child. This is sometimes called an "open adoption." An open adoption means that you would still have contact with your child. In this situation you and your child's adoptive parents informally agree for you to stay in contact with your child after the adoption (for example, through letters, phone calls, and/or visits). This type of informal agreement may not be legally enforceable.

Important Information for Fathers

If you find out that your child has been placed in foster care, you should immediately contact the agency caring for your child. (And if you do not know where your child is placed, call the Children's Services Office of Advocacy at 212-676-9421). The agency will ask you if you were married at the time your child was born. If the answer is no, you will have to prove paternity (that you are the father). Once you prove paternity, you have the right to request visits and be involved in your child's permanency planning.

To prove paternity you must:

- ◆ File a petition in Family Court in the county where your child resides, or where the mother of the child resides.
- ◆ Serve the petition to the mother. This means that you must have a person over the age of 18 deliver a copy of the petition to the child's mother. This will make the mother aware of the Family Court proceedings so that she may attend.
- ◆ If on the court date the mother does not dispute that you are the father, then the judge may find paternity is proven. If the mother disputes that you are the father, the judge will order you to take a blood test. (You may have to pay for the cost of the test.)
- ◆ If you want custody of your child, you must file a petition in Family Court. The Court will order an investigation of your home

(Court Ordered Investigation, or COI) and the agency may be asked to submit a report about your interaction with your child. Your child's Law Guardian will speak with your child (where appropriate) to ask what he or she wants.

Important Facts for Fathers

- ◆ Your name on the child's birth certificate does not make you the child's legal father.
- ◆ Even if you have lived with the mother of your child for a number of years and believe that you are her common-law husband, this does not make you the child's legal father.
- ◆ Filing with the Putative Father Registry gives you the right to be notified of certain legal proceedings relating to termination of parental rights and adoption of your child. However, filing does not make you the child's legal father or give you the right to stop the adoption.
- ◆ If you were not married to the mother of your child when your child was conceived or born, you are not considered your child's legal father unless you have a Court order that says you are the child's father. Without a Court order stating that you are the father, you have no legal right to visit your child, and you may not have a say about whether your child is adopted.
- ◆ To learn how to become the legal father of your child, speak with your lawyer.



Parental Rights

What Are My Rights?

It is important that you know and understand your rights and responsibilities as a parent while your child is in foster care. If you do not fulfill your parental responsibilities, you may risk losing your parental rights (see p. 21).

As a Parent of a Child in Foster Care, You Have the Right to:

- ◆ Be informed about the reasons for your child's placement in foster care.
- ◆ Be informed about which foster care agency is handling your child's case.
- ◆ Request that your child be placed with a member of your family, together with siblings, and/or in a setting that is reflective of and responsive to your child's specific culture, religion, and background.
- ◆ Be informed of what needs to happen so your child can return home.
- ◆ Receive prompt notification of and attend any Family Court hearing about your child or about your parental rights (except if the Court acts in an emergency).
- ◆ Appear in Family Court. If you are incarcerated, you should be aware of your right to be "produced" for all Court hearings.
- ◆ Consult with a lawyer at any time and be represented by a lawyer in any Court action concerning your child or affecting your parental rights.
- ◆ Quickly receive services that support the goal to return your child home.
- ◆ Attend all service plan reviews and conferences, and be immediately consulted whenever a change in the service plan for you and your child is being considered.
- ◆ Apply for housing subsidies and other assistance to obtain housing if your child has been in foster care for at least 30 days and if lack of adequate housing is the primary factor preventing the return of your child.
- ◆ Receive regular updates from your case planner on your child's health, mental health, development, behavior and progress in school.
- ◆ Attend school meetings and to consent to the Individual Educational Plan (IEP) for your child, if applicable.
- ◆ Consent to medication and speak with the prescribing doctor to know the reasons for medication, benefits and possible side effects. Note that if it is determined that your child needs medication and you refuse to approve this treatment, Children's Services may override your decision.
- ◆ Notification of vacation plans involving your child and the foster family.
- ◆ Visit your child and request to carfare if you are unable to pay for transportation once an appropriate visiting schedule is determined.
- ◆ Request that your children visit each other if they are placed in separate homes.
- ◆ Have your complaints heard and responded to by either Children's Services or the foster care agency where your child is placed. You also have the right to contact the Children's Services Office of Advocacy to resolve a problem with your case.
- ◆ File a complaint against your lawyer if you believe he/she has violated the code of professional responsibility (see p. 25).
- ◆ Receive notification as soon as possible of any serious medical emergency, and/or if your child receives any medical treatment.
- ◆ Call the New York State Central Register (SCR) Child Abuse and Maltreatment Hotline at (800) 342-3720 if you suspect your child is being abused or neglected in a foster home. This right must not be abused — false reporting is a crime.
- ◆ Request referrals to receive financial help, and/or clothing and furniture for your child, upon your child's return home.

Parents who are Incarcerated

Even though you are incarcerated, it is very important for you to be involved in planning for your child's future. This means that when your child is in foster care, you must contact your case planner as soon as possible and begin planning for your child. If you plan to reunite with your child upon your release, you must prove to the Court that you are a responsible parent, are involved in your child's life, and are addressing the issues that led to your child being placed in foster care. And you must do all of this within specific time frames.

It is very important that you develop a relationship with your case planner and maintain contact with him or her. If you have any questions about your child or what you are expected to do, please contact your case planner, correctional counselor or the Children's Services Office of Advocacy (call collect at 212-619-1309). To arrange for visits you can contact the Children's Services program, Children of Incarcerated Parents Program (CHIPP) collect at: 212-487-9698.

Your Rights as an Incarcerated Parent

- ◆ You have a right to receive copies of your child's case record/service plan, and to be kept informed about your child's life, including their foster care placement, health status and school performance. Whenever there is a service plan review (referred to as an "SPR") you have a right to be notified of

this meeting at least two weeks in advance and to receive a copy of the plan afterwards. You can also speak to your case planner about participating in the meeting via teleconference.

- ◆ Unless your rights have been terminated or a court has ruled otherwise, you have a right to visits with your child. In most cases, you have a right to a minimum of one visit per month.
- ◆ You have a right to be present at all of your court dates. As a parent who is incarcerated, an "order to produce" will have to be issued for you to be brought to Family Court. The order needs to come from the Family Court but your case planner, lawyer and correctional officer can help to make sure it is issued. If you do not have a lawyer, you can request to be produced by writing a letter to the Family Court judge or clerk in the borough where the case is being heard. (This is most likely the borough where your child was living at the time of removal.)

You can also contact the Inmate Records Office or someone in the Law Library at your facility to find out what steps you can take to make sure you get produced for Court.

It is very important (although it may be inconvenient) that you be present in Family Court. This will make your case stronger, and show that you care about and are involved in your child's life.

TIPS FOR PARENTS

- ◆ If you are arrested, you should immediately inform both the police and a Children's Services official that you want to place your child in foster care or in the custody of a family member.

Responsibilities

Parents' Responsibilities	Children's Services and the Agency's Responsibilities	Foster Parents' Responsibilities
<ul style="list-style-type: none"> ◆ Always keep your child's best interest at heart, and remember to look at this situation from your child's perspective. 	<ul style="list-style-type: none"> ◆ Always keep your child's best interest at heart, and remember to look at this situation from a child's perspective. 	<ul style="list-style-type: none"> ◆ Always keep your child's best interest at heart, and remember to look at this situation from a child's perspective.
<ul style="list-style-type: none"> ◆ Work to create a safe home environment to which your child can return. 	<ul style="list-style-type: none"> ◆ Provide you with the services needed to create a safe home environment to which your child can return. 	<ul style="list-style-type: none"> ◆ Nurture your child while you are getting the services you need, and support the bond between you and your child while your child is in care.
<ul style="list-style-type: none"> ◆ Share any cultural, religious, health or special needs your child may have with the agency and/or the foster parent. 	<ul style="list-style-type: none"> ◆ Get information from you about any cultural, religious, health or special needs your child may have. 	<ul style="list-style-type: none"> ◆ Ensure that your child's cultural, religious, health and/or special needs are being met.
<ul style="list-style-type: none"> ◆ Request medical, psychological and educational updates on your child. 	<ul style="list-style-type: none"> ◆ Provide support to the foster parent regarding these needs. ◆ Give you medical, psychological and educational updates on your child. 	<ul style="list-style-type: none"> ◆ Take your child to all required medical, psychological and educational appointments.
<ul style="list-style-type: none"> ◆ Visit and contact your child consistently and frequently (or as determined by the court). 	<ul style="list-style-type: none"> ◆ Arrange consistent and frequent visits and other forms of contact for you and your child, and try to accommodate everyone's schedules within reason. 	<ul style="list-style-type: none"> ◆ Ensure that you and your child visit and contact each other consistently and frequently.
<ul style="list-style-type: none"> ◆ Stay active and involved in your child's life. 	<ul style="list-style-type: none"> ◆ Provide support to help you stay active and involved in your child's life. 	<ul style="list-style-type: none"> ◆ Help you to stay active and involved in your child's life.
<p>Notify case planners of any changes in your life (e.g. address, telephone number, marital status). This includes circumstances such as:</p> <ul style="list-style-type: none"> ◆ Missing Person: If your child has run away from foster care and shows up at your home, you must notify the agency immediately. ◆ Arrest of a parent or youth: If you or your child has been arrested you must notify the agency as soon as possible. 	<ul style="list-style-type: none"> ◆ Update case records with current information and ensure that you are informed of any changes affecting your child or your case (e.g. change of case planner, change of foster parent, medical emergency, need for medicating your child, etc.). ◆ Missing Person: If your child has run away from foster care, the agency must alert you and the police and request a warrant from the family court within 48 hours. ◆ Arrest of youth: If your child has been arrested, the agency must notify you and insure that the child has legal representation. A representative from the agency should be with your child whether or not you are present. Please note that Children's Services is not responsible for posting bail. 	<ul style="list-style-type: none"> ◆ Inform the agency if changes occur in the foster home that affect your child (e.g. an emergency requiring the need for the foster parent to leave town; added members to the household; marital status; medical emergencies; vacation plans; behavioral issues, etc.) ◆ Missing Person: If your child has run away from the foster home, the foster parent must notify the agency and the police immediately. ◆ Arrest of a youth: If your child has been arrested, the foster parent must notify the agency as soon as possible.
<ul style="list-style-type: none"> ◆ Keep appointments with your case planner, service providers and court. 	<ul style="list-style-type: none"> ◆ Arrange and keep appointments which accommodate everyone's schedule within reason. 	<ul style="list-style-type: none"> ◆ Keep appointments related to children in their care.
<ul style="list-style-type: none"> ◆ Attend all scheduled meetings and participate in the development of the service plan for you and your child. 	<ul style="list-style-type: none"> ◆ Invite you to participate in meetings and case conferences with two weeks advance notice. Children over the age of 10 may also be asked to attend. 	<ul style="list-style-type: none"> ◆ Participate in meetings that require their presence and ensure children attend when necessary.
<ul style="list-style-type: none"> ◆ Respond promptly to contacts, such as letters and telephone calls from your case planners. 	<ul style="list-style-type: none"> ◆ Respond promptly to your contacts. 	<ul style="list-style-type: none"> ◆ Contact case planner with any concerns or problems.

Responsibilities as a Parent Who is Incarcerated

- ◆ You are responsible for staying in contact with the foster care agency handling your child's case and with your child. If you have not had contact with either one for a period of six months, this can be considered abandonment and can be grounds for terminating your parental rights. For this reason, it is very important to stay in contact with your case planner and to let them know if your location or situation changes.
- ◆ You are responsible for making efforts to stay in contact with your child through visits, letters, or phone calls. You should keep a list of every type of contact you have with your child and with your case planner to show that you are trying to parent your child even though you are incarcerated. Your list should include attempts to make contact, such as messages left, letters returned to you, any missed visits, etc. (See p. 39).
- ◆ You are responsible for addressing the issues that brought your child into foster

care. Your case planner should tell you exactly what you are expected to do (this information is part of your child's service plan). Depending on your situation, this may include such things as taking a parenting class, participating in a drug treatment program, and/or therapy or counseling. You should keep a record of all the programs you participate in and complete, as well as those you are waiting to begin. These efforts demonstrate that you are preparing to permanently care for you child.

Advocacy Tips on Planning for Your Child:

- ◆ Think of family members or close friends who could care for your child outside of foster care.
- ◆ Develop a positive relationship with your case planner.
- ◆ Learn all you can about the laws affecting your child.
- ◆ Do not be afraid to ask questions and advocate for yourself.



Getting Help

Where Can I Go for Help?

Your Agency Case Planner

Whenever you have a problem with your case or a complaint, the best person to talk with is your agency case planner. An open discussion will often settle the matter. If you and your case planner cannot resolve the problem, ask to speak to your case planner's supervisor.

Your Lawyer

You should also speak with your lawyer regularly, and keep him or her informed about the services you are receiving and any concerns you have. Court-appointed lawyers are often very busy, so be persistent in contacting them and do not get discouraged if they are hard to reach.



The Office of Advocacy

The Parents' and Children's Rights Ombudsman

If you are unable to resolve problems with Children's Services or the foster care agency caring for your child, you should contact the Parents' and Children's Rights Ombudsman at Children's Services.

Examples of reasons to contact this unit include:

- ♦ you are not receiving your scheduled visits with your child.
- ♦ the agency is not properly planning with you for the return of your child.
- ♦ Children's Services or the agency is not providing you with information about your child.

The Parents' and Children's Rights Ombudsman acts as an impartial body to resolve complaints made by parents, foster parents, and children. A social worker will hear your complaint and then contact the appropriate agency or Children's Services program area. Once the Unit worker has collected all the information, he or she will discuss the findings with you and work to resolve the problem.

Parents As Partners

The Parents as Partners unit in the Office of Advocacy employs Family Specialists who at one time were parents with children in the foster care system and who successfully

achieved reunification with their children. Their experiences and challenges while interfacing with the system motivated them to act as advocates for other parents going through the same process. Children's Services recognized the importance of providing parents with access to a peer who understands the process of planning and the importance of reunification.

Family Specialists act on behalf of parents connected to foster care agencies. They provide:

- ♦ Emotional support.
- ♦ Education on how to navigate the system.
- ♦ Information on Child Protective Services procedures, ASFA and service plan development.
- ♦ Referrals to needed services.
- ♦ Emphasis on family rights.
- ♦ Focus on the parent's role in shaping their lives in a positive, self sustaining manner.

Any parent, child, foster parent, or other concerned person who needs assistance resolving a child welfare related issue may call the Children's Services Office of Advocacy at 212-676-9421, Monday through Friday, from 10:00 A.M. to 4:00 P.M. To visit in person come to 150 William Street, 1st floor, New York, NY 10038, Monday through Friday, from 9:00 A.M. to 5:00 P.M. Incarcerated parents may call the helpline collect at 212-619-1309.



Housing Support Services (HSS)

The function of the Children's Services Housing Support and Services unit is to aid in the removal of housing as a barrier to reunification for children who are leaving care to return to their birth families; help prevent the placement of children because of housing related issues; and assist young adults who are being discharged from foster care, find stable, long-term housing. Specialists from the HSS unit work closely with partner agency staff.

Applicants for housing assistance can apply in person at the Children's Services office located

on the 8th Floor at 150 William Street, New York, NY 10038 on a walk-in basis for any of the following programs:

- ◆ Children's Services Housing Subsidy
- ◆ NYCHA Section 8
- ◆ NYCHA Public Housing
- ◆ NY/NY III

You should discuss the eligibility criteria for these housing services with your agency case planner. Not all clients qualify to receive housing services through Children's Services.



TIPS FOR PARENTS

- ◆ Insist that your case planner discuss housing during all conferences, including your Service Plan Review, when you are close to completing your recommended or court ordered service program.
- ◆ It is important that you have a source of income (Public Assistance counts) before you go to the Children's Services HSS office to complete a housing application. NYCHA will request income verification as part of their eligibility process.
- ◆ Your assigned case planner can assist you with applying for Public Assistance or referral for a job.
- ◆ Bring a copy of any order issued by the Family Court for Children's Services to expedite finding you housing when you meet with the Children's Services Housing Specialist.
- ◆ Insist that your case planner go with you to the Children's Services Housing office.
- ◆ Remember to ask questions about the kind of housing that's recommended for you, and be sure to secure the name, phone number or e-mail address of the Children's Services Housing Specialist or Supervisor.
- ◆ Make sure you provide any additional information, such as a copy of your lease, or original receipts for furniture directly to your agency worker to submit with the housing subsidy application.

Glossary

18B Attorney The attorney who represents, free of charge, a parent in Family Court if the parent cannot afford to hire a private attorney.

1027 Hearing Initial hearing held to present Children's Services position on why a child should be remanded into foster care.

1028 Hearing A hearing held if the parent requests the return of their child within 3 days of a child's removal. The judge will determine if it is safe for the child to return home while the case is ongoing in Court.

Adjournment in Contemplation of Dismissal (ACD) The judge will return a child to parents under conditions agreed to by all parties and adjourn the Court proceedings for up to one year with the supervision of the home by Children's Services.

Allegation An unproven accusation.

Article 10 Hearing A civil proceeding focused upon the protection of a child who is alleged to be abused or neglected.

Case Planner A foster care agency staff member who assesses the need for services and makes referrals to services. The case planner also schedules visits between parent and child, and between siblings, and supervises the foster home.

Child Evaluation Specialist (CES) A Children's Services staff member from the Division of Child Protection who assesses a child's needs when he or she enters foster care and makes recommendations for the most appropriate foster care placement.

Child Protective Specialist (CPS) A Children's Services caseworker who investigates a report of suspected abuse or neglect, informs the case manager about the case, and testifies in Family Court.

Court-Ordered Supervision (COS) Monitoring of a child at home by Children's Services by order of the Family Court. Children's Services is required to monitor a child at home, usually for a period of up to twelve (12) months with

conditions.

Custody When an adult is granted custody of a child by a judge, he or she is the child's "custodian" and has the legal right and responsibility to take care of the child and has the authority to make major decisions regarding the child. The custodian may apply for Public Assistance for the care of the child. A judge may order temporary custody after a petition for custody has been filed in court and is pending, but final custody has not been awarded.

Tempoary Custody A judge may order temporary custody after a petition for custody has been filed in court and is pending, but final custody has not been awarded.

Diagnostic Reception Center (DRC) A DRC provides intensive structure and evaluation services to children in need. This is a temporary foster care placement and can last up to 90 days. In DRCs, children undergo physical, psychological, and educational evaluations to determine what placement setting, if any, and services are best suited to meet their needs.

Disposition The order or decision of a Family Court judge, after a finding of neglect or abuse or a finding in a Termination of Parental Rights hearing, as to where the child will be placed and what services the parent is required to complete.

Fact-Finding A court proceeding in which the judge hears testimony on the case and decides whether the allegations of abuse or neglect have been proven.

Foster Boarding Home (FBH) This is the most common type of foster care placement. The child may be placed in the home of an eligible relative, friend or neighbor who is willing to care for the child and whose home has been evaluated and/or approved by Children's Services. This is called "kinship foster care" when it is a relative caring for the child. If there is no eligible relative or friend able to care for the child, Children's Services places him or her

in the home of a recruited and certified foster parent.

Group Placements Children may be placed in foster care in a group home or residence. A group home is a family-type home for seven to twelve children. A group residence is a structured facility for children (over age 10) requiring more intensive supervision. Residences can house up to 25 children.

Guardianship The formal legal arrangement granting an adult the right to act on behalf of a child. Guardianship allows greater decision making than custody. A guardian may apply for income support for the care of the child.

Home Study A detailed evaluation of a foster home to determine if it is an appropriate setting. This can take several weeks. However, a relative or close friend's home can be temporarily approved more quickly — possibly within 24 hours. This is considered an emergency approval and lasts for a 60-day period while a more complete home study is done.

Indicated Report A designation that there is credible evidence regarding a report of child neglect or abuse.

Interstate Compact on the Placement of Children (ICPC) A legal agreement between two states that provides for the transfer of children in the custody of a Court or agency in one state to another state. In such a case, the receiving state must investigate and approve the home of the relative or prospective foster parent and assume responsibility for monitoring the child in that home.

Investigation and Report (I&R) A report requested by a Family Court judge and produced by Children's Services. In the report, Children's Services provides information about the safety of a child's home and the parents' participation in services. The report is presented to the judge at the Dispositional Hearing so the judge can make an informed determination of what is in

the child's best interests.

Kinship Foster Care Foster care placement of a child with a relative.

Law Guardian An attorney appointed by the Family Court to represent the child.

Mental Health Study (MHS) (sometimes known as an FET – Full Evaluation and Treatment) An evaluation conducted by a Court-appointed psychologist to determine what, if any, mental health issues a parent may have.

Non-respondent Parent The parent for whom there are no allegations of neglect or abuse. This parent has the right to be notified of hearings and to participate as an interested party. He or she may also seek temporary or permanent custody of the child who is the subject of a child protective proceeding.

Open Adoption An adoption in which the adoptive parent and birth parent agree that the birth parent will maintain contact with the child. This type of agreement may not be not legally enforceable.

Order to Produce A Court order to a prison or jail to “produce” (or bring) a parent who is incarcerated to Family Court for hearings regarding their child.

Order of Protection A written direction from a Court ordering particular guidelines to protect one party from another. Examples are an order prohibiting one party from contacting another, or barring one party from living in the home.

Parole A legal order that temporarily places a child with a parent or other suitable person while a Family Court case is ongoing.

Permanency Planning The efforts made by Children's Services and foster care agencies to provide a permanent home for children either by returning them to their parents, or if that is not possible, through adoption or some other permanent arrangement such as guardianship or legal custody.

Person in Need of Supervision (PINS) A child under the age of 18 who is alleged to be beyond the control of his or her parents, or whose behavior may be out of control. A parent or guardian may file a petition to request Family Court intervention.

Person Legally Responsible (PLR) In neglect and abuse cases this term includes the child's parent, custodian, guardian, or any other person legally responsible for the child's care at a time in question. This may include a person regularly in the home who has contributed to the neglect or abuse.

Petition A formal, written application to a court requesting judicial action on a certain matter.

Petitioner The party who files an application to a court.

Placement An order issued by the Family Court at a Dispositional Hearing and/or at a Permanency Hearing that puts a child in the custody of the Children's Services Commissioner until the next Permanency Hearing.

Remand A Family Court order that temporarily places a child in the custody of the Children's Services Commissioner.

Residential Treatment Center (RTC) The RTC is the most restrictive type of foster care placement because the child is not placed in the community. RTC's are designed to care for children with serious emotional and behavioral problems who need therapeutic services as well as a highly structured environment.

Respite A temporary preventive service available to parents and foster parents which provides a brief period of rest from providing care for a child during a crisis (see p. 48 New York Foundling Crisis Nursery).

Respondent Any person who is responding to a Family Court petition. The respondent may be a

person who is not the child's parent but is legally responsible for the child's care. This may include people without any parental rights to the child who have caused or contributed to the abuse or neglect of the child. In a PINS or JD case, the respondent is the child.

Service Plan Review (SPR) A conference that is held regularly after a removal to discuss a case, including the family's readiness for a child's return home, the services provided, the parents' participation in services and the parents' progress towards creating a safe home for the child. Children's Services, foster care agency case planners, and parents must attend. Foster parents and children over age 10 are also invited. Parents may bring a relative, friend, counselor, and/or advocate with them.

State Central Register (SCR) New York State's Child Abuse and Maltreatment Hotline (800-342-3720). Anyone can report suspected abuse and neglect to this Hotline, 24 hours a day, 7 days a week; all reports are confidential. The SCR relays reports to Children's Services. Any time Children's Services gets a report it must investigate within 24 hours. False reports can be punished by law. People can call 311 to make a report as well.

Termination of Parental Rights (TPR) Termination of parental rights ends the legal relationship between parent and child. The child is then legally free for adoption.

Therapeutic Foster Boarding Home (TFBH) A foster home providing specialized care to a child who needs additional attention and support. These foster parents receive specialized training to meet the needs of children placed in their homes.

Unfounded Report A report of neglect or abuse for which it is determined there is no credible evidence.

Resources

CHILDREN'S SERVICES

Children's Services
General Information 877-KIDS-NYC
(877-543-7692)

To resolve a problem or complaint about your case, contact:

The Office of Advocacy
Parents' and Children's Rights Ombudsman
Administration for Children's Services
150 William Street, 1st Floor
New York, NY 10038

Helpline 212 676-9421

If you are incarcerated,
call collect 212 619-1309

Foster and Adoptive Parenting

Children's Services Parent Recruitment
Hotline 212 676-WISH (9474)
Mon-Fri. 9am-5pm

Children's Services Borough Offices

To locate your child after he or she has been removed from home, call the Children's Services Borough Office located in your borough and ask for the Applications Unit.

Bronx Borough Office
2501 Grand Concourse
Bronx, NY 10468 718 933-1212

Brooklyn Borough Office
1274 Bedford Avenue
Brooklyn, NY 11216 718 623-4500

Manhattan Borough Office
110 William Street, 20th Floor
New York, NY 10038 212 676-7055

Queens Borough Office
165-15 Archer Avenue, 4th Floor
Jamaica, NY 11433 718 557-1745

Staten Island Borough Office
350 St. Marks Place, 5th Floor
Staten Island, NY 10301 718 720-2764/5

Emergency Children's Services 646 935-1447

For weekdays after 4:00 p.m. and all day Saturday and Sunday

Family Assessment Program

All locations are open Monday through Friday from 9:00 a.m. - 5:00 p.m.

Manhattan Family Court 212 341-0012
60 Lafayette Street, 2nd floor
New York, NY 10013

Brooklyn Family Court 718 260-8550
345 Adams Street, 8th Floor
Brooklyn, NY 11201

Bronx Family Court 718 664-1731
248 East 161st Street, Ground Floor
Bronx, NY 10451

Queens Family Court 718 725-3244
151-20 Jamaica Avenue, 4th Floor
Jamaica, NY 11433

Staten Island Family Court 718 720-0418
350 St. Mark's Place, 5th Floor
Staten Island, NY 10301

STATE CENTRAL REGISTER

State Child Abuse and Neglect Information.
To report suspected abuse or neglect 24 hours a day, 7 days a week, call:

New York State Child Abuse
and Maltreatment Hotline 800 342-3720
Call for Fair Hearing

Out of State 518 474-8740

To request a copy of the child maltreatment report in which you were named or if you disagree with the finding against you and would like to request an amendment or expungement hearing, write to:

NY State Central Register
P.O. Box 4480
Albany, NY 12204

This written request should include your full name and date of birth, the full name(s) and birth dates of the child(ren) named in the report, your address, and the New York State Register number of your case.

FAMILY COURT LOCATIONS

Brooklyn

Kings County Family Court
330 Jay Street, 12th Floor
Brooklyn, NY 11201 718 802-2790
Petition Room, 6th Floor 347 401-9790
Record Room, 7th Floor 347 401-9810

Bronx

Bronx Family County Court
900 Sheridan Avenue, 6th Floor
Bronx, NY 10451 718 590-7263
Petition Room, 7th Floor 718 618-6152
Record Room, 8th Floor 718 618-2120

Manhattan

New York County Family Court
60 Lafayette Street, 1st Floor
New York, NY 10013 646 386-5200
Petition Room, 4th Floor. 646 386-5220
Record Room, 7th Floor 646 386-5226

Queens

Queens Family Court
151-20 Jamaica Avenue
Jamaica, NY 11432 718 725-3202/3,
718 298-0197, 0198, 0199
Petition Room, 1st Floor 718-298-0132
Records Room, Basement 718-298-0109

Staten Island

Richmond Family Court
100 Richmond Terrace
Staten Island, NY 10103 718 390-5465
718 390-5466
Petition Room, 1st Floor 718 675-8863
Record Room, 1st Floor 718 675-8860

Complaints About Court-Appointed 18B Attorneys

It is best to promptly bring any concerns about your attorney directly to the attention of the Family Court judge on your case, or their Court Attorney. If that is not possible, you can report concerns to:

For Brooklyn, Queens and Staten Island:

Grievance Committee for the 2nd
and 11th Judicial District 718 923-6300
335 Adams Street, Suite 2400

Brooklyn, NY 11201

In the Bronx and Manhattan:

Grievance Committee for the
1st Judicial Districts 212 401-0800
61 Broadway, 2nd Floor
New York, NY 10006

COMMUNITY RESOURCES

New York State Parent Helpline . 800 342-7472
24 hours a day, 7 days a week
Provides information and referral services
regarding the prevention of child abuse and all
family issues.

New York Foundling 212 472-8555
Crisis Nursery
Referrals to respite or crisis programs.

Grandparent Resource Center . . 212 442-1094
Support for grandparents caring for young
children.

Support for single parents
Single Parent Resource Center . 212 951-7030
Parents without Partners 800 637-7974

Advocacy

Public Advocate's Office . 212 669-7250/7200

Child Care and Head Start

For information and referral 311
Ask for assistance with day care.

Health-Related Assistance

Immunization Action Plan 311
Growing Up Healthy Hotline . . 800 522-5006
24 hrs, 7 days a week

AIDS/HIV Hotline

Information, referrals, testing and counseling.
24 hours, 7 days a week 212 447-8200

Referral for Prenatal Care

NY State Child Health Plus . . . 800 698-4543
Medicaid Information. 877 472-8411

(HRA Info Line) Monday through Friday from
8:00 a.m. - 5:00 p.m.
Planned Parenthood 212 965-7000

Mental Health Services:

Mental Health Services/Life Net 800-LIFENET
800 543-3638

Housing Assistance

NYC Housing Authority 212 306-3000
Monday to Friday from 9:00 a.m. - 5:00 p.m.

Children’s Services
Housing Support and Services . 212 442-2031
For ACS cases only.

Eviction Prevention/
Housing Court Unit. 718 237-7024

24-Hour Mobile Street Outreach
and Emergency Shelter Hotline
Provides Emergency Shelter 311

Legal Services

Legal Referral Service. 212 626-7373

Legal Services for
New York City 212 431-7200

LIFT 212 343-1122
www.liftonline.org

Legal Aid Society 212 577-3300

Center for Family
Representation 212 691-0950

Brooklyn Family
Defense Project 347 592-2500

Bronx Legal Services 718 928-3700

MFY Legal Services 212 417-3700

Lawyers for Children 212 966-6420

The Family Legal Center (Incarcerated Parents)
Collect Call Hotline . . .646 613-9633 ext. 202

SHIELD 212 626-7383
A legal advice line provided by the
Bar Association of New York

Resources for Children

with Special Needs, Inc. 212 677-4650
Information, referral, advocacy, training,
education and outreach.
Monday to Friday from 9:00 a.m. - 5:00 p.m.

Abuse Prevention and Intervention

New York State Child Abuse
and Maltreatment Hotline 800 342-3720

The Samaritans. 212 673-3000
Suicide Prevention

HOPE Citywide Domestic Violence
Information, referrals, crisis intervention,
counseling, shelter and advocacy.
Hotline. 800 621-HOPE (4673)
Spanish-Speaking 800 942-6908

Hearing-Impaired
Individuals. 800 810-7444-TDA

Crime Victims Hotline. 800 624-4673

Gay and Lesbian Anti-Violence
Project Hotline 212 714-1141

Elder Abuse Hotline 212 442-3103
Elderly Crime Victims Resources.

Immigration Services

The New York State Immigration Hotline
responds to general questions about immigration
and naturalization benefits, requirements and
procedures. The New York State Immigration
Hotline provides information and referrals to all
NYS programs serving refugees and immigrants,
other immigrant-related public and private
programs, and relevant mainstream service
programs available throughout New York State.

NY State Immigration Hotline
800 566-7636 or 212 419-3737

US Citizenship and Immigration Services
(USCIS) 800 375-5283

Children’s Services Immigration Unit
212 487-8636 or 212 487-8517

Drug or Alcohol Abuse Services

Alcoholics Anonymous 212 647-1680
Alcohol abuse information and referrals.

Monday to Friday from 9:00 a.m. - 10:00 p.m.
Drug Abuse Information Line . . 800 522-5353

Educational and Employment

Training and Employment Hotline
HRA Info Line 877 472-8411
24 hours, 7 days a week
Business Link 212 642-2881
Job referrals for Public Assistance recipients
Monday to Friday from 9:00 a.m. - 5:00 p.m.

Financial Assistance

NYC Human Resources Administration (HRA)
HRA Info Line 877 472-8411
Public Assistance, shelter, medical care and
other social services.
24 hours, 7 days a week
HRA Community and
Constituency Affairs 212 331-4640

Problems with Public Assistance

NYS Child Support
Processing Center 888 208-4485
Monday to Friday from 9:00 a.m. - 5:00 p.m.
www.nychildsupport.com

Social Security and SSI 800 772-1213
Information on SS benefits and medicate.
Applications for claims for disability,
retirement, survivors, etc
Monday to Friday from 7:00 a.m. - 7:00 p.m.

ACCESS NYC www.nyc.gov
A free service that identifies and screens for
over 30 City, State, and Federal human service
benefit programs.

Food Assistance

Assistance for Food and Hunger 311
HRA Emergency Food Line . . . 866 888-8777
Food Bank for NYC . 212 566-7855 Ext. 2262
City Harvest Hunger Hotline. . . 866 888-8777
Food Stamps/Surplus Food Distribution
HRA Info-Line 866 472-8411
24 hours, 7 days a week
Women, Infants, and Children (WIC Program)
Supplemental food program.
NYS Health-Line 800 522-5006
24 hours, 7 days a week

Youth Services

www.youthsuccessnyc.org
Website with resources and information for
teens aging out of the foster care system
New York City Youth Connect . 800 246-4646
Crisis intervention, information and referral
24 hours, 7 days a week
The Door 212 941-9090
121 Avenue of the Americas
NY, NY 10013
Extensive services and recreation for youth
ages 12-21
Youthline 800-246-4646
Information for youth, parents and service
providers.

Appendices

Children's Services Partner Agencies

A partial listing of agencies that contract with Children's Services to provide preventive, foster care and adoption services:

- Abbott House
- Alianza Dominicana
- Arab-American Family Support Center
- Association to Benefit Children
- Astor Home for Children
- Big Brothers, Big Sisters of NYC
- Boys Harbor
- Brooklyn Bureau of Community Service
- Brooklyn Society for the Prevention of Cruelty to Children
- CAMBA
- Cardinal McCloskey Services
- Catholic Guardian Society and Home Bureau
- Child Center of NY (QCGC)
- Child Development Support Corporation
- Children's Aid Society
- Children's Village
- Chinatown YMCA
- Chinese-American Planning Council
- Citizen's Advice Bureau
- Coalition for Hispanic Family Services
- Community Counseling and Mediation
- Community Mediation Services
- Cypress Hills L.D.C. (Beacon)
- Day Care Council of New York
- Dominican Sisters Family Health Services
- Dominican Women's Planning Center
- The Door
- East Harlem Council for Community Development
- Edwin Gould Services for Children
- Episcopal Social Services
- Family Consultation Services
- Family Support Systems
- Forestdale, Inc.
- Good Shepherd Services
- Graham Windham
- Green Chimneys
- HANAC
- Harlem Children's Zone
- Harlem-Dowling West Side Center for Children and Family Services
- Heartshare Human Services of New York
- Hillcrest
- Hope for Youth
- Inwood House
- Jewish Board of Family and Children's Services
- Jewish Child Care Association
- Kingsbridge Heights Community Center
- Leake & Watts Services
- Little Flower Children's Services of New York
- Little Sisters of the Assumption Family Health
- Lower East Side Family Union
- Lutheran Social Services of Metropolitan New York
- MercyFirst
- New Alternatives for Children
- New York City Mission Society
- New York Foundling
- Northern Manhattan Perinatal Partnership
- Northside Center for Child Development
- Ohel Children's Home and Family Services
- Partnership with Children
- Puerto Rican Family Institute
- Queens Child Guidance Center
- Rosalie Hall
- Safe Horizons
- Safe Space
- Salvation Army Social Services for Children
- SCAN
- SCO Family of Services
- Seamen's Society for Children and Families
- Sesame Flyers Intl. (Beacon)
- Southern Queens Park Association
- St. Barnabus
- St. Dominic's Home
- St. John's Residence for Boys
- St. Luke's-Roosevelt Hospital Center
- St. Vincent's Services
- Staten Island Mental Health Society
- Steinway Children and Families
- The Children's Village
- The Family Center
- United Activities (Beacon)
- Women's Prison Association and Home

Sample Visiting Log

Write a summary of what happens at each visit with your child. Note who was present, the time each person arrived and how long the visit lasted. Include any gifts, toys, clothes or snacks you brought for your child. Indicate your child's

responses and reactions. Also, keep a log of any cancelled visits, noting who cancelled and why. Your case planner keeps this information — so should you!

Date/Time? Who was there? What happened?

3/1/01, 4 – 5 pm Caseworker Good visit. I brought Alyssa a toy car and she Alyssa (child) brought me a painting from school.

Foster mother brought her report card. Next visit cancelled because of Holiday. Caseworker will reschedule.

Request for Discharge of Child from Foster Care Form

Form CS-864V
Rev. 2/10



REQUEST FOR DISCHARGE OF CHILD FROM FOSTER CARE

PETICION DE REMOVER NINO(A) DEL HOGAR DE CRIANZA

1. My name
Mi nombre _____
2. My current address
Mi presente direcci n _____
3. My current phone number
Mi presente n mero de tel fono _____
4. My child's name
Nombre de mi ni o(a) _____
5. My child's birthday
Fecha de nacimiento de mi ni o(a) _____
6. The name of the agency caring for my child
El nombre de la agencia que cuida de mi ni o(a) _____
7. I want my child returned to me on (fill in date) Date: _____ / _____ / _____
Yo quiero que mi ni o(a) regrese (ponga la fecha fijada)

ANSWER THE QUESTIONS BELOW / CONTESTE LAS SIGUIENTES PREGUNTAS:

1. Will your child live with you, after he or she comes home?
Vivir su ni o(a) con Usted despu s que l o ella regrese su hogar?
Check one/*Cheque* Yes/*S* No

If you answered **No**, tell us with whom your child will live.
Si su respuesta es No, diganos con qui n vivir su ni o(a).

Name of person and relationship to you
Nombre de la persona y su relaci n hacia Usted

Address
Direcci n: _____

2. Will you be caring for and supervising your child during the day?
Cuidar Usted, y supervisar el cuidado de su ni o(a) durante el dia?
Check one/*Cheque* Yes/*S* No

If you answered **No**, tell us who will care for and supervise your child during the day.
Si su respuesta es No, diganos qui n cuidar y supervisar el cuidado de su ni o(a) durante el d a?

Name of person and relationship to you **or** name of agency.
Nombre de la persona y su relaci n hacia Usted o nombre de la agencia.

3. How do you plan to support your child? (Check all that apply)
Como planea Usted de mantener a su ni o(a)? (Cheque todo lo que le aplica)

Work/*Trabajo* Public Assistance/*Asistencia P blica*

Social Security or Supplemental Security Income (SSI)
Seguros Sociales o Seguros Suplementarios de Ganancias

Other, specify: _____
Otro, especifique

Signed: _____ Date: _____ / _____ / _____
Firmado Por Fecha

Mail to the agency caring for your child. Envie por correo a la agencia que cuida de su ni o(a).

Please read this handbook carefully. If you have questions about any part of this handbook, talk with your case planner.

Important Numbers

Children's Services Child Protective Specialist

Name _____

Office _____

Phone _____

Address _____

Foster Care Agency

Agency Name _____

Case Planner's Name _____ Phone _____

Supervisor's Name _____ Phone _____

Address _____

Lawyer

Name _____

Agency _____

Phone _____

Address _____

Lawyer

Name _____

Agency _____

Phone _____

Address _____



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