

# **LEGAL RIGHTS OF TEENS IN OUT-OF-HOME CARE**

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## INTRODUCTION

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This booklet covers some of the areas of the law that might concern a person in out-of-home care. ***Legal Rights of Teens in Out-of-Home Care*** tries to answer some of the questions you might have about your out-of-home care, courtroom appearances, group home, foster home, and emancipation.

After reading ***Legal Rights of Teens in Out-of-Home Care***, if you think there are other topics that should have been covered, or other things that should have been emphasized, please let us know. We'd like your opinion.

The rights explained in this booklet are your *legal* rights. Just knowing your rights is not enough -- using your rights with common sense will help you get along even better. There is a lot of practical advice available from books, magazines, peers, and social workers that you can put to use. We know we can't cover it all, but we hope we've given you a good start.

If you have trouble understanding what certain words mean, find them in the ***Index*** at the end of this booklet. It lists some of the complex words and phrases used here and the page number that has a definition for each word. Endnotes are also available in this booklet to help you find the laws that guarantee your rights.<sup>1</sup>

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## KNOW YOUR RIGHTS

*With every right comes a responsibility to use the right fully without exploiting it. Respect the rights of others as you exercise yours. As you read the following pages, keep in mind that respect for others, cooperation, and courtesy go a long way in getting the things you need and want.*

### **You have the right to:**

- ◆ Live in a safe, healthy and comfortable home where you are treated with dignity and respect.
- ◆ Be free from physical, sexual, or other abuse, or corporal punishment.
- ◆ Be free from discrimination on the basis of race, ethnic group identification, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, mental or physical disability, or HIV status.
- ◆ Be given healthy food, adequate clothing, individual storage space, and, for youth in group homes, an allowance.
- ◆ Be free of unreasonable searches of personal belongings.
- ◆ Not be locked in any room, building, or facility premises.\*
- ◆ Receive medical, mental health, vision and dental services.
- ◆ Refuse medications or chemical substances not authorized by a doctor.
- ◆ Get sensitive health care services without an adult's permission.
- ◆ Contact your family members. Visit and contact your brothers and sisters.\*\*
- ◆ Make and receive confidential phone calls and send or receive unopened mail.\*\*
- ◆ Go to school. Participate in school activities, religious services of your choice, and age appropriate extracurricular and social activities.
- ◆ Have social contacts outside of the foster care system.
- ◆ Keep your own money and have your own bank account.\*\*
- ◆ Attend Independent Living Skills Programs if you are 16 or older.
- ◆ Work if you are old enough by state law.
- ◆ Attend your court hearing and speak to the judge. Review your case plan. Keep your court records confidential.
- ◆ Contact your social worker or probation officer, attorney or CASA. See your social worker or probation officer once a month.
- ◆ Make complaints to the Department of Social Services and Foster Care Ombudsperson without punishment.<sup>3</sup>

\* Unless you are in a community treatment facility.

\*\*Unless prohibited by a court order or your case plan.

## **YOUR GROUP HOME OR FOSTER HOME'S RESPONSIBILITIES**

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- To accept you and treat you with dignity and respect.
- To provide for your daily care.
- To protect confidential information about you.
- To keep in regular contact with your social worker or probation officer.
- To participate in hearings about your case.
- To follow your case plan.
- To make sure you receive needed medical and dental care.
- To be reasonable when providing discipline, which may include confining you in an unlocked area, charging fines, and restricting television, radio, or phone access.

## **YOUR SOCIAL WORKER OR PROBATION OFFICER'S RESPONSIBILITIES**

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- To extend you courtesy and respect.
- To meet with you regularly, usually once a month.
- To call you once a month if there will be no visit. To return calls to you.
- To arrange for services to meet your needs while you are in placement.
- To choose the least restrictive and most appropriate placement for you.
- To formulate a permanent plan for you.
- To arrange visits with parents and siblings.\*
- To ask you about significant adults in your life that you would like to stay in touch with and work to make those connections possible.\*\*
- To inform the court of your situation and make recommendations to the court.
- To provide services for independent living after you turn 16, if not sooner.

\* Unless prohibited by a court order or your case plan.

\*\* If you are 10 or older and in a group home.



## COMPLAINTS

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**What can I do if I think that something is wrong with my placement, care or services, or if I don't get along with the foster parent, the group home staff, or my social worker?**

- First, talk to the person you don't get along with. Many times you can solve even big problems through honest discussion.
- If talking with the person does not work or you do not feel safe talking to that person, try talking with another adult who can help you with your problems. You can try talking with your social worker (or your social worker's supervisor), attorney, court appointed special advocate, or caregiver.
- If this doesn't work, you may want to consider contacting a local government agency or filing a complaint.<sup>4</sup> \*\*

### **State Foster Care Ombudsman (877) 846-1602**

If you think there is something wrong with your placement, care or services, this office will help you with your complaint and may start an investigation depending on the circumstances.

In addition to the state office, most counties in California have their own Ombudsman offices, which may be contacted to informally attempt to fix the problem.

### **Community Care Licensing (CCL)**

The CCL makes sure that foster care placements are following the foster care licensing requirements. The CCL may conduct an investigation if there is a complaint of mistreatment in a foster care placement. If you are staying in a foster family home or relative's home instead of a group home, the county you live in (rather than the CCL) may be in charge of your home. First try calling the CCL. They should be able to tell you which office is the right one to call.

For more information and a list of county agencies, see the ***Useful Resources*** section of this booklet.

\*\*Every group home is required to have written complaint procedures. You cannot be punished for filing a complaint. The home's complaint process should be posted in a location accessible to you. If not, ask one of the staff what to do - they are required by law to inform you of how to file a complaint.<sup>5</sup> If you live in a foster home, your foster parents must give you the address and phone number of where to file confidential complaints and how to do so.<sup>6</sup>

## ENTERING THE SYSTEM

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## ROLE OF THE COURTS

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### What is a juvenile court?

A juvenile court is a court of law that is in charge of child abuse and neglect cases, as well as delinquency cases.

### What is a juvenile court petition?

A petition is a request that the court become involved in a child's life. There are three kinds of petitions, named after numbered sections of California law, the Welfare and Institutions Code:

- **300 Petition**
- **601 Petition**
- **602 Petition**

A **300 Petition** is filed by the county child welfare department for abused or neglected children and youth and will state -- "allege" -- the reasons that county child welfare department workers think a child needs protection.<sup>7</sup> If the court agrees with the petition -- "sustains" -- at the jurisdictional hearing, the child becomes a "dependent" of the court.

A **300 Petition** is filed because of your parents' behavior. The following two petitions will be filed because of your behavior.

A **601 Petition** is filed by the Probation Department and alleges that a child has either run away, been truant from school four or more times within one school year, violated curfew, or regularly disobeyed his or her parents.<sup>8</sup> These are violations that are unlawful because of your age, or your "status" as a minor. If the court finds the petition is true, the youth becomes a "ward" of the court and is known as a "status offender." (Some counties treat runaways under Section 300.)

A **602 Petition**, filed by the District Attorney's Office, alleges that a child has committed an act that would be considered a crime if it had been committed by an adult.<sup>9</sup> Like the **601 Petition**, if the court sustains this petition, the result is that the youth becomes a ward of the court as a delinquent.

This booklet does not discuss the court process for wards. However, the court may place wards in foster homes and group homes and in those placements, wards have many of the same rights as dependents.

### What kinds of hearings are there?

There are several kinds of hearings for young people who are or may be "dependents."

- Detention hearing
- Jurisdictional hearing
- Disposition hearing
- Dependency status review
- Permanency planning hearing
- Termination of parental rights hearing

The *detention hearing*<sup>10</sup> happens at the very beginning of a case when a youth has been removed from home by a social worker because of an emergency. The judge decides whether to let you go back home or to order you to stay in temporary foster care. The detention hearing must take place no later than three days after you've been removed from your home. Even if the judge lets you return home or to a relative's home, he or she may order the Department to supervise your care.

If you are placed in emergency or temporary foster care, then the judge must set a hearing date within 15 days of the time you enter temporary placement. If you're staying at home, the hearing must be within 30 days of the filing of the petition.<sup>11</sup> These hearings can be postponed if all the lawyers agree.

At the *jurisdictional hearing*,<sup>12</sup> the judge decides whether the allegations of the 300 Petition are true (sustained). Both you and your parents have the right to an attorney at this hearing. The judge may hear witnesses and other evidence. If the judge sustains the petition, you become a dependent of the court. The next step is to decide what should happen to you.

At the *disposition hearing*,<sup>13</sup> the judge decides where you should live while your parents try to solve their problems. It can take place at the same time as the jurisdictional hearing, but can be scheduled for later.

For the hearing, the Department files a report on your situation,<sup>14</sup> called a "social study." The report makes recommendations for your care. It must also explain what should be done to help you return home. The report must also spell out visitation by relatives. Your parents (or guardian), your CASA and all of the lawyers involved in the case have a right to a copy.<sup>15</sup>

The court reviews your case at a *dependency status review*, at least every six months.<sup>16</sup> The court will look at reports and decide whether the reasons you got into foster care still exist, if your placement is right, whether your case plan is being followed, and whether your parents are following the reunification plan (if there is one).<sup>17</sup> You or your lawyer can participate.<sup>18</sup> You also are entitled to get notice of the review at least 15 days ahead of time and no more than 30 days ahead of time.<sup>19</sup>

The *permanency planning hearing*<sup>20</sup> determines your future placement, though every hearing is supposed to look at this goal. It must be held no later than 12 months from the date that you entered care. The first thing the judge decides is whether you can return home. If the judge doesn't allow a return home, then there are four choices:

- *Schedule a second and final permanency planning hearing in about six months.*<sup>21</sup> The judge will do this only if it's possible that you may be able to return to your parents in the next six months. At that hearing, the judge will send you home or select one of the following options.
- *Adoption.*<sup>22</sup>
- *Legal guardianship.*<sup>23</sup> The judge will look at this option only if adoption is not an available option.<sup>24</sup>
- *Long-term out-of-home care.*<sup>25</sup> The judge will look at this option only if all the other options are not possible.

If the court finds you cannot go home but you can be adopted, the court will terminate your parents' rights.

After the permanency planning hearing, the court will continue to review your case every 6 months. This review could take place sooner than 6 months if the court thinks it is in your best interest.<sup>26</sup>

### **What is adoption?**

Adoption is the first permanent plan option the court must consider when a foster child cannot be safely returned to his or her parents.<sup>27</sup> A foster child over 12, must agree to be adopted.<sup>28</sup> If the court finds that termination of parental rights would not be detrimental to the child, the court terminates parental rights and orders adoption as the permanent plan for the child.<sup>29</sup> Unlike guardianship, which is only temporary, adoption is legally permanent. Once adopted, the child is out of the foster care system and the law treats the adopted child just like any other "child" of the adoptive parents.<sup>30</sup> The Adoption Assistance Program provides benefits to families who adopt a child from foster care.<sup>31</sup> Adoptive parents may receive reimbursement for some expenses, such as court costs associated with the adoption,<sup>32</sup> as well as regular payments, that may not exceed the amount the would have been paid if the child were in a foster family home, to meet the child's needs.<sup>33</sup> If you are not adopted within 3 years and the court feels adoption is no longer in your permanent plan, you may petition the court to reinstate your parents' rights.<sup>34</sup>

### **What is guardianship?**

Guardianship is the second permanent plan option the juvenile court must consider when a foster child cannot be safely returned to his or her parents.<sup>35</sup> A guardianship suspends the rights and responsibilities of the parents and gives legal authority and responsibility to care for the child to a responsible adult who has some relationship to the child, like a foster parent, relative or a family friend. After the court appoints a guardian, the juvenile court may keep the child in foster care or close the case. If the court appoints a relative as a guardian and closes the juvenile court case, the relative may continue to receive the basic foster care payment through the Kin-Gap program<sup>36</sup>. Guardianship is not permanent and automatically ends if the guardian dies or when the child turns 18, is adopted, marries or enters into active duty in the armed forces of the United States.<sup>37</sup> The parent, guardian or child can also petition the court to end a juvenile court guardianship sooner.

### **How do I find out about court hearings?**

If you are 10 or older, the court must notify you in writing of the date, time, and place of each hearing.<sup>38</sup>

### **Can I go to hearings where the judge makes decisions about my future?**

Yes. You also have the right to make a statement to the court about any decision that has to do with your placement or whether to return to your parents.<sup>39</sup> You can also ask the judge to talk with you privately, "in chambers," without your parents around.

You also have the right to petition the juvenile court yourself to change, modify, or set aside any order it makes. That means that you can ask for hearings about your case. This includes hearings to end the court's jurisdiction and involvement.<sup>40</sup>

Of course, your attorney can help you do this. Even adults cannot do this on their own. You can also just go to observe -- you don't have to say anything unless you choose to.

### **Can a judge decide where and with whom I live at these hearings?**

Yes. If you can't live with your parents, a judge can place you with either a relative, or in a foster or a group home. You should tell the judge where you want to live.<sup>41</sup>

A judge will also decide whether you can visit with your parents or other family members while you are in out-of-home care and what types of services you and your family may need to be reunified.

### **“BEST” PLACEMENT**

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In deciding if you should live with a relative, the judge will look at each relative's moral character and ability to:

- be effective in guiding your behavior,
  - provide for your needs,
  - protect you from your parents,
  - facilitate visitation and court ordered reunification efforts,
  - keep you and your siblings together, and
  - provide legal permanence for you if reunification fails.<sup>42</sup>
- 

### **Can I have an attorney to represent me at court hearings?**

Yes. You have the right to have an attorney represent you. Your attorney is responsible to do everything in his or her power to protect you and keep you safe.<sup>43</sup>

### **How do I get an attorney?**

The court must appoint an attorney for you, unless the judge believes that you would not benefit by having an attorney. If you don't have an attorney and think that you need one, tell the judge what you think. The judge must give the specific reasons why you would not benefit from having an attorney if the judge does not appoint an attorney for you.<sup>44</sup>

### **What is the attorney supposed to do?**

Your attorney is responsible for investigating facts, interviewing witnesses, making recommendations to the court concerning your welfare and participating in later court proceedings to represent your interests. This responsibility exists for issues directly involved in the court proceedings and those outside of that scope. Also, your attorney must interview you and take into account your wishes when making his or her recommendations to the court.<sup>45</sup>

The same attorney who represents you at the first hearing is responsible for representing you at all later hearings unless the judge has a good reason to remove your attorney from your case or just change your attorney.<sup>46</sup>

### **Who else can attend court hearings?**

Your parents, their attorneys, your guardian or foster parents (if you are living with a foster family)<sup>47</sup> and their attorney, your social worker, and your court-appointed special advocate (CASA) can all attend the hearings. Any blood relative who cares about your case can also attend.<sup>48</sup> Non-relatives who are not legal guardians but who have been taking care of you on a day-to-day basis can also attend.<sup>49</sup> In addition to having the right to attend your hearing, your foster parent, Indian custodian, relative caregiver, community care facilitator, or foster family agency may give the court relevant information.<sup>50</sup> The judge may also give permission for other people to attend a court hearing.<sup>51</sup>

### **What is a "social study"?**

A social study is a written report that your social worker writes and gives to the judge before the hearings about your situation in out-of-home care. You or your attorney has a right to know what the report says at least 10 days before each status review hearing.<sup>52</sup>

# WHAT HAPPENS WHEN YOU ARE REMOVED FROM YOUR HOME FOR ABUSE OR NEGLECT

## COUNTY CHILD WELFARE DEPARTMENT (CCWD)

## YOU

## THE COURT

CCWD prepares a case plan for you

You stay in emergency placement or temporary custody

The court conducts a detention hearing and a jurisdiction hearing to decide whether it and the CCWD should stay involved in your case

Your social worker visits you at least once a month and whenever you request a visit

You stay in kinship care, foster care, or group home

The court conducts a disposition hearing to decide your permanent and temporary placements

CCWD prepares a social report for each hearing to help the court make a decision in your best interests

The court (or CCWD) reviews your dependency status every six months

You return home, are adopted, obtain a legal guardian, or are placed in long-term out-of-home care

No later than 12 months after the disposition hearing, the court conducts a permanency planning hearing



## OUT-OF-HOME CARE

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### What is out-of-home care?

Out-of-home care, also called foster care, is a 24-hour state-supervised living arrangement for children and youth who are in need of temporary or long-term substitute parenting. The goal of out-of-home care is to protect and care for you when your parents cannot. While you are in care, a social worker will attempt to reunify you with your family, if possible. If being with your family is not possible, a social worker will try to find you another permanent place to live.

When you are in out-of-home care, you may live in a public shelter, a foster home, a relative's home, or a group home. You have a right to live in the "least restrictive" and most family-like place that can meet your needs and to live as close to your family as possible.<sup>53</sup>

### How do children and youth get into out-of-home care?

In most cases, children and youth are placed in out-of-home care after they have been removed from their home and a court has found their parents cannot care for them. In some cases, parents voluntarily arrange for their children to be placed in out-of-home care.

### Who decides whether and when I return to my parent(s)?

The judge. If you are removed from your home, your parent(s) will have to follow a "reunification plan" before you can return. This plan is to make sure that you will be safely cared for at home.

In deciding whether to return you to your home, the judge will get input from many people, including your social worker, probation officer, and attorney. The judge makes the decision through a series of hearings in which you have the right to participate. See the section called ***Role of the Courts***.

### What is a "case plan"?

Your case plan<sup>54</sup> is a written document that sets out specific steps the social service agency and your family will take to try to resolve the problems that led to your being removed from your home. The county child welfare department must complete a case plan within 60 days of your removal from home.<sup>55</sup> It must take into account your best interests and special needs.<sup>56</sup> See the box on the next page for what must be in the case plan.<sup>57</sup>

The case plan must include your health and education records.<sup>58</sup> It should be updated at least every six months.<sup>59</sup> You have a right to be involved in the development of your case plan.<sup>60</sup> Ask your social worker if you want to participate.

## CONTENTS OF THE CASE PLAN

A case plan must have:

- The long-term goal for your welfare and steps to reach that goal;
- The type of foster care where you are placed
- Why that placement is appropriate for you
- A plan for your proper care
- A plan for ensuring that you and your family receive services
- Why those services are appropriate for you and your family
- A visitation schedule for your social worker/probation officer
- A visitation schedule for your parents and siblings; and
- A transitional independent living plan if you're 16 or older.<sup>61</sup>

### What is a transitional independent living plan?

It's a plan for how you will get the skills and help you need to be able to live on your own. Your social worker must give you information about and the opportunity to participate in the independent living plan.<sup>62</sup> See the section called ***Independent Living and Transitional Housing*** for more details.

### Can I see my case plan?

Yes, if you are over 12, you have a right to review the plan, sign it, and receive a copy.<sup>63</sup> Every child has a right to be involved in the development of his or her case plan (as age appropriate).<sup>64</sup> The case plan is a part of the court record of each hearing, so you can get a report of its contents at each hearing.<sup>65</sup>

## TYPES OF PLACEMENTS

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### Where will I be sent to live if I am placed in out-of-home care?

There are several different types of placements where you may be sent, depending on the circumstances of your case. A *foster home* is a family setting, where you live with foster parents and up to 5 other foster children. A *group home* is a residence where you live with more children. Most group homes have paid staff that usually does not live there. Services are provided to you in a group setting, though group homes should be as family-like as possible. *Kinship care* is a placement in the home of a relative or in the home of a non-related extended family member, someone you know well, but is not a blood relative. The court will try and place you in kinship care when possible.

### What is "custody"?

"Legal" custody is the right and responsibility to make the decisions relating to your health, education, and welfare.

"Physical" custody means the place you live and who is directly supervising you.

### How does the social service agency get legal custody?

There are two ways the state social service agency can get legal custody of you:

- voluntary placement<sup>66</sup>
- court placement<sup>67</sup>

A *voluntary placement* is when parents agree to let the social service agency take care of their child.

A *court placement* is when the social service agency asks the court for custody of a child because the child has been abused or neglected.

See the section of this booklet on ***Role of the Courts*** to get more information on the court process.

### Who makes the decision where I will go to live?

The social worker usually decides.<sup>68</sup> For example, a social worker decides which foster home to send you to or whether you should live in a group home. A judge can overrule the social worker and decide that you should live with a relative. A judge may also decide that your placement is not appropriate and order the social worker to find a new placement for you. See the section on ***Out-of-Home Care***.

## **SURVIVING THE SYSTEM**



## TELEPHONE CALLS

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### **Can I make phone calls or have other people call me when I am in foster care?**

Yes. You have the right to make and receive telephone calls while you are in foster care, no matter which kind of placement you live in.<sup>69</sup> You can call or get calls from anyone you want - unless the court says that there should be limits on who you can talk to.<sup>70</sup> If the court says there are people you cannot talk to, the court or your social worker must tell your caregiver (group home, foster parent, relative) about it in writing.<sup>71</sup>

### **Can I make and get calls right away when I get placed in a new shelter or group home?**

Yes. Just because you are new to a placement does NOT mean that they are allowed to restrict your calls.<sup>72</sup> Again, only the court can limit your right to make phone calls (and your placement can enforce the court's decision).

### **Can my caregiver listen when I'm on the phone?**

No. You have the right to make and get *confidential* phone calls.<sup>73</sup> That means no one can listen in to your calls. That also means that you should be able to make or take a call somewhere where there is privacy and no one else (other youth, staff or adults) is listening to your end of the conversation.

### **Can my caregiver punish me by taking away my right to use the phone?**

You can always make calls if there is a real emergency. Also, there are certain people you must ALWAYS be allowed to call (you might have to wait your turn, but you must then be allowed to call). These people include: your lawyer, your social worker or probation officer, your Court Appointed Special Advocate, your family members, the Ombudsman's office and Community Care Licensing.<sup>74</sup> Your caregiver can temporarily take away your right to talk to other people even on your cell phone, (besides everyone in the last sentence) as punishment or to make sure that everyone has an equal chance to make calls.<sup>75</sup>

### **Can my social worker or caregiver decide that I'm only allowed to talk to certain people on the phone?**

Again, only the court can make that decision. If your social worker is doing what the judge ordered, she or he can place limits on your phone use. But your social worker or caregiver cannot make a list of people you can and cannot talk unless there is a court order about it.

### **Can my caregiver make me pay for my phone calls?**

You cannot be forced to pay for calls to anyone you have the right to call including your lawyer, your social worker or probation officer, your Court Appointed Special Advocate, your family members, the Ombudsman's office and Community Care Licensing.<sup>76</sup> You also cannot be forced to pay for local telephone calls.<sup>77</sup> This means that you should have access to a free phone. Your caregiver can ask you to pay for long distance calls though. If you don't pay them back, they can take away your right to talk on the phone long distance to anyone except your lawyer, your social worker or probation officer, your Court Appointed Special Advocate, your family members, the Ombudsman's office

and Community Care Licensing (remember, you can ALWAYS call these people).<sup>78</sup> You also have a right to own a cell/mobile phone unless there is a court order stating otherwise.<sup>79</sup>

## VISITATION

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### **How often should my social worker visit?**

Usually once a month. In the first month of placement, your social worker should visit at least three times.<sup>80</sup> If you're in a long-term, stable placement, visits can be less frequent, but your social worker should always visit at least once every two months.<sup>81</sup> If you're in a group home, your social worker must visit you every month.<sup>82</sup> If you ask to see your social worker, he or she must come to see you.

### **Can I visit my parents, grandparents and other relatives when I am in out-of-home placement?**

Yes. You have a right to visit with your parents<sup>83</sup> and grandparents<sup>84</sup> unless there is some reason why it is not in your best interests. Your case plan spells out a visitation plan for visits that may include parents,<sup>85</sup> grandparents, siblings,<sup>86</sup> and other important family members. The judge can order visitation for anyone who has an interest in your welfare.

### **I'm in a different placement than my brother/sister. Can we visit each other?**

Yes. The placing agency (your social worker) must allow you to keep contact with siblings as much as possible, unless the court decides it is against the best interests of you or your brother or sister.<sup>87</sup> Your case plan should specifically set out visitation arrangements for you and your siblings.<sup>88</sup>

### **What if I would like to change the arrangement for visiting with my family?**

Talk with your attorney and social worker. At the next hearing, tell the judge how you feel. You can also petition the court yourself to modify your visitation plan. See the section of this booklet called *Role of the Courts*.

## HEALTH CARE

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### Do I have a right to health care?

Yes. You have a right to basic health care, which includes medical, dental, vision and mental health services.<sup>89</sup>

### Who can I talk to if I want to see a doctor or nurse?

Talk with your care provider (foster parent, guardian or a group home staff member). If there is a problem talking to your care provider, you can also talk with your social worker, probation officer or attorney.

### Do I need an adult's permission for all health care services?

No. Although your parent, caregiver or the court must give permission for you to get most of your health care services, you can give permission for and confidentially receive certain "sensitive health care services". (See question below for definition of sensitive health care services.)

### What are sensitive health care services?

Sensitive services are the specific health care services described below that the law allows you to make decisions about because it is more important for you to get treatment than not get treatment because you may be afraid or embarrassed to get permission from your parent or caregiver.

You do not need an adult's permission for any medical services that have to do with preventing or treating pregnancy, including getting birth control or an abortion or having a baby.<sup>90</sup> See the section on ***Pregnancy***.

You also do not need an adult's permission if you are 12 years old or older and the services are related to treatment of:

- sexually transmitted diseases(STD's), HIV/AIDS, hepatitis, tuberculosis and other serious infectious, contagious, or communicable diseases<sup>91</sup>;
- drug or alcohol use;<sup>92</sup>
- rape<sup>93</sup> or sexual assault;<sup>94</sup>

or

- mental health conditions, but only for outpatient counseling services and only if a doctor finds that you are mature enough to make the decision and you present a danger to yourself or others without the treatment.<sup>95</sup>

To find services for anything talked about above, you can talk to a nurse at the Teenage Health Resource Line at (888) 711-TEEN. You can also call the California Youth Crisis Line at (800) 843-5200. Both lines are confidential, so no one else will find out what you talked about.

### Do I ever have to take medications?

You have the right to say no to all medications and chemical substances that are not authorized by a doctor.<sup>96</sup>



### **What if I do not want to take medication that has been prescribed by the doctor?**

If you do not like the way a medication makes you feel or if you think that it's not the right kind of medicine for you, try talking to your caregiver or doctor first. If this does not work, try talking to your social worker or lawyer. The Court has the power to decide who can make medical decisions in your life.<sup>97</sup>

### **How is my health care paid for?**

When you are first placed in a foster home, kinship care, or a group home placement, you should be automatically enrolled in Medi-Cal or your county's substitute health insurance program. Your health care needs will be paid for through one of these two programs and you will not need to pay for any services as long as you are in, or covered by, the foster care system in California.

### **Can I still get Medi-Cal when I leave foster care when I turn 18?**

If you are in the foster care system when you turn 18, you can continue to use Medi-Cal until you turn 21.<sup>98</sup> See the section called ***Transitional Medi-Cal***.

## PREGNANCY

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### **What if I become pregnant while in out-of-home care?**

If you become pregnant while in foster care, the decision of whether to keep the baby, put the baby up for adoption or have an abortion is entirely up to you. You have the same right as other teens to get advice on birth control, family planning and pregnancy tests without the consent of anyone else.<sup>99</sup>

### **Do I need my parents' permission to put the baby up for adoption?**

No. Voluntary adoption, however, requires the consent of both parents of the new baby.<sup>100</sup>

### **If I have the baby while in out-of-home care, will the state take it away from me?**

If you give birth while in out-of-home care, your baby will not automatically be taken away from you. You and the baby should be kept together in as family-like a setting as possible. If possible, you and the child should get access to services to help support you and the baby.<sup>101</sup> The child welfare agency may take your baby away if it believes that the baby has been abused or neglected, or is at risk of abuse or neglect.<sup>102</sup> If the child welfare agency does take away your baby, it must give you notice of why it took away your baby, how the court process works to decide whether the agency should have taken your baby and what your rights are to try to get your baby back.<sup>103</sup> The court must give you a lawyer to help you fight to get your baby back through the court.<sup>104</sup>

### **What is a “whole family foster home”?**

A “whole family foster home” is a family home specifically trained to help you develop positive parenting skills.<sup>105</sup> Whenever possible, you should be placed in a whole family foster home with your baby.

### **What is a “shared responsibility plan”?**

A “shared responsibility plan” is an agreement made between you, your caregiver, and the child welfare agency or the probation department.<sup>106</sup> The plan should be created as soon as possible, but not later than 30 days after your placement.<sup>107</sup>

The purpose of the plan is to help keep you and your baby as a family, to help you learn how to be a good parent, and to help prevent any arguments or misunderstandings between you and your caregiver.<sup>108</sup>

Things that should be included in the shared responsibility plan are: feeding, clothing, hygiene, health care, discipline, and sleeping arrangements.<sup>109</sup>

When the plan is finished, a copy must be given to you, your attorney, your caregiver, and the child welfare agency/probation department.<sup>110</sup> After this is done, your caregiver’s monthly payment will increase by \$200 per month for the extra care and supervision of your baby.<sup>111</sup>

### **If I become pregnant and I want an abortion, how do I get one?**

If you become pregnant, Medi-Cal will cover your abortion if you want one. An abortion is considered a sensitive service that you can get without the permission of a parent, guardian, caregiver or the court, and it will be provided to you at no cost. See the section on **Healthcare**.

**Can my parents or boyfriend make me have an abortion or keep me from having one?**

No. It is your choice alone. If you need someone to talk to about this important decision, call 1-800-230-PLAN to get in touch with a Planned Parenthood counselor in your area.

**Will my foster care provider receive extra money to help care for my baby?**

If your baby is living with you in a foster care placement, your foster care provider will receive additional foster care funding to cover the basic care and supervision of your baby.<sup>112</sup>

## EDUCATION

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### **Do I have a right to go to school?**

Yes.<sup>113</sup> You have a right and a responsibility to go to school. You also have a right to the same school resources, services and extracurricular activities as other students in your school.<sup>114</sup>

### **Who can make educational decisions for me?**

Your parents (or legal guardian) keep the right to make educational decisions for you unless the juvenile court specifically limits their right to make educational decisions or terminates all of their parental rights. Whenever the juvenile court limits the right of a parent to make educational decisions, the court must choose a responsible adult to make educational decisions for you. If you are a student receiving special education services and the court can't find a responsible adult to make educational decisions for you, it will ask your school district to appoint a surrogate parent.<sup>115</sup> However, the court and the school may not choose your social worker, probation officer or someone who works for your current group home placement or school to make educational decisions for you.<sup>116</sup> If the court cannot find a responsible adult to make educational decisions for you, the court may make those decisions for you.<sup>117</sup>

### **Can my foster parents make educational decisions for me?**

When the court is deciding on a responsible adult, or the school district is deciding on a surrogate parent, they will probably choose your foster parent, relative caregiver, or court appointed special advocate (CASA). If the school district can't find a surrogate parent for you out of the possibilities above, then it can pick someone of its own choice.<sup>118</sup> The court will also consider other adults in your life like relatives, family friends, or mentors willing to make those decisions for you.

### **Do I have to go to certain schools because I am in out-of-home care?**

You have a right to go to a public school in the district you are living, unless either your Individualized Education Program (IEP) or the person responsible for making educational decisions for you says differently.<sup>119</sup>

### **Do I have to change schools if my placement changes?**

If it is in your best interest, you have the right to stay in your school for the duration of the court's jurisdiction, or for the rest of the school year, whichever is longer, even when your living arrangement changes.<sup>120</sup> If your placement changes and you are moving between school levels (for example, from elementary to junior high school or middle school to high school) you have the right to go to the school that students moving on from your old school are designated to attend.<sup>121</sup> Where you go to school is a decision that should be made by you, the person in charge of your educational decisions, and the school district's foster care liaison. If there is a disagreement among you, you have a right to stay in the same school until the disagreement is resolved.<sup>122</sup>

### **If I change schools, can my new school make me wait for any reason to enroll?**

No. You have a right to be immediately enrolled in your new school, *even if*:

- the school has not yet received your proof of residency or immunization, health or academic records,

- you do not have your school uniform yet,  
**and/or**
- you still owe fines at your old school.<sup>123</sup>

### **Will I lose credits for the work I did at my old school if I change schools?**

The school you transfer to must give you full or partial credit for work you completed. Your old school is responsible for providing to your new school a record of your grades, classes taken, attendance and any credits earned.<sup>124</sup>

Once it has been decided that you are going to change schools, your case worker or probation officer will notify your old school of your last day of attendance and ask them to figure out your class credits and grades.<sup>125</sup> Within two business days of being notified, your old school must send your new school your information, including your grades, classes you've taken, immunization records, and your special education plan (if you have one).<sup>126</sup>

### **Can schools punish me or lower my grades for absences?**

It depends on the reason you were absent. A school cannot punish you or lower your grades for absences because of a :

- school transfer
- foster care placement change
- court appearance

**or**

- court ordered activity.<sup>127</sup>

If you were sick, attended a funeral of a family member, or had a dental or medical appointment, including an appointment for a sensitive health service that does not require an adult's permission (see the section on **Health Care**), the school must excuse your absence.<sup>128</sup> The school must give you a reasonable amount of time to complete any work you missed for any excused absence and the school must give you full credit for work if you successfully complete it.<sup>129</sup>

Just be sure to bring your school a note from your caregiver, social worker, probation officer, the court or your doctor excusing your absence.

## RELIGION

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### **Can my foster parents or group home make me go to a church, temple, or mosque?**

No. You do not have to attend religious services that you do not wish to.<sup>130</sup>

### **Can my foster parents or group home keep me from going to my church, temple, or mosque?**

No. You have a right to attend religious services of your choice. Your foster parents or group home must help you to arrange transportation to and from your place of worship provided it is within a reasonable distance. The only other way you can be prevented from attending religious services is if there is a very strong reason for not allowing you to go. Foster parents, for example, can refuse to take you to services if you seriously misbehaved on a prior occasion. They cannot, however, refuse to take you to services simply because they don't want to. Your social worker is supposed to help match you to foster care providers who will understand your religious needs.<sup>131</sup>

## IMMIGRANT STATUS

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### **Can I be denied services while I'm in a foster home or group home placement just because I'm an immigrant?**

No. You must have fair and equal access to all available services and you may not be discriminated against or harassed just because you are an immigrant.<sup>132</sup>

### **If I'm undocumented, can I get a green card because I've been placed in a kin, foster or group home placement?**

Maybe. Children who have been abused, neglected or abandoned, and are eligible for placement in long-term-foster care because they cannot be reunified with their parents may be eligible for a green card by applying for Special Immigrant Juvenile Status (SIJS).

### **What is Special Immigrant Juvenile Status (SIJS)?**

SIJS makes it possible for dependents and wards of the juvenile court to become a permanent resident of the United States (i.e. get a green card).<sup>133</sup> To get the full benefits of this status, you must also apply for Permanent Resident Status.

If your application for SIJS and Permanent Resident Status are approved, you can stay in the United States permanently, work here, qualify for in-state tuition at colleges, and apply for US citizenship in five years.

### **Can I apply for SIJS?**

To apply for SIJS, these things **must** be true:

- you are under 21;<sup>134</sup>
- you are not married;<sup>135</sup>
- you have been declared a dependent of the juvenile court or have been placed in out-of-home care by the juvenile court and remain under juvenile court jurisdiction;<sup>136</sup>
- your juvenile court judge has decided you are eligible for long term foster care because parental reunification is not possible;<sup>137</sup>
- the judge's decision regarding your eligibility for long term foster care was because of a specific finding of abuse, neglect or abandonment;<sup>138</sup>
- the judge has decided it is in your best interest not to be returned to your home country;<sup>139</sup>

**and**

- the juvenile court judge has signed an order confirming all of the above.

### **Are there risks when applying for SIJS?**

Yes. A SIJS application alerts the immigration authorities that you or your family are not lawfully in this country and may cause the government to try to remove (deport) you from the United States if your application is denied.

### **What sorts of things could cause my Permanent Resident Status application to be denied?**

Even if you meet the beginning application requirements, your application could be denied for other reasons, including if you have a record with drugs or crime, are HIV positive, or have been deported before. If you fall into any of these categories, your application could be much more risky and you should talk to an experienced immigration lawyer before you apply.

### **Are there any other ways to get my green card?**

Yes, there are several. You might be able to have your parent, adoptive parent or stepparent apply for you if they are a US citizen even if you don't live with them. You might also qualify for something called temporary protected status if you are from a country that is in a civil war or where a natural disaster happened. To figure out your options, you should talk to a lawyer with experience in immigration issues.

### **How can I get help with Immigration issues?**

Start by asking your social worker, CASA, probation officer or care provider to help you find someone with experience in immigration issues to assist you. You should also talk to the lawyer assigned to your juvenile court case and ask for help with the process. If your juvenile court lawyer does not know about these issues, he or she should help you find someone who does. If your lawyer is unfamiliar with SIJS or other immigration issues and resources, he or she can contact:

**Immigrant Legal Resource Center—(415) 255-9499 or [ilrc.org](http://ilrc.org)**

**Pacific Juvenile Defender Center— [pjdc.org](http://pjdc.org)**



## **LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUEER AND QUESTIONING (LGBTQ) YOUTH**

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The Foster Care Nondiscrimination Act, A.B. 458 (2003-2004), makes it illegal to harass or discriminate against youth and adults in the California foster care system because they are LGBTQ, or because someone thinks that they are.<sup>140</sup> This means that no one should harass or hurt you because of your sexual orientation, gender identity, sex or HIV status. If you have been harassed or discriminated against in the foster care system, you can file a complaint with CCL (Community Care Licensing), contact the state or your local Foster Care Ombudsman and/or talk to your lawyer or social worker. (See, the “Complaints” section on page 4.) If you need help or have questions about discrimination, you can also call the National Center for Lesbian Rights (they’ll help even if you are not a lesbian) at 1-800-528-6257.

### **What if my foster parents or caregivers won’t accept me or if they treat me differently because I’m an LGBTQ youth?**

If your foster parents will not accept your gender identity or sexual orientation and you feel unsafe, you should be allowed to move to another placement. You also have the right to get the same services, care, placement, treatment, and benefits as all foster youth. You can’t be treated differently because of your sexual orientation, gender identity, sex, or HIV+ status. For example, if other youth in your group home can date – you cannot be prevented from dating simply because your sexual orientation is different from theirs.

## CONFIDENTIALITY AND YOUR RECORDS

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### Who can look at my records or get information about my case?

Only those people directly involved in your case.<sup>141</sup> Also, the social worker can share information with those people who need it in order to take care of you.<sup>142</sup> For example, your social worker could tell your foster parents or group home staff about your medical history so they can make sure that you get the care you need. But your social worker shouldn't tell anyone who doesn't need to know that information.

If you want others to look at your records, you can give your consent, or permission. In some cases, you might also have to get the consent of your parents, guardian, social worker, probation officer, or the juvenile court to release the information.

### Can I look at my school records?

Yes. If you're under 16, you need the permission of your parents, case worker, or a judge. After you turn 16 or finish the 10th grade, you can look at them yourself.<sup>143</sup> Ask a guidance counselor or principal about what you need to do.

### Can I look at court records?

Yes. You have the right to look at your court records.<sup>144</sup> You do not have a clear right to look at the records kept by your foster parents or group home. However, your attorney or "authorized representative" (anyone who has legal authority to act on your behalf) has access to those records.<sup>145</sup> Ask your social worker or probation officer.

(Also see section on "**Access to and Sealing of Records**" below.)

## DRIVING

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### When can I get a driver's license?

You may get a learner's permit, which allows you to drive with a driver who is at least 25 years old, when you turn 15-1/2 years old.<sup>146</sup> You may be eligible for a provisional license after you have held a learner's permit for at least 6 months, completed 50 hours of supervised driving, including 10 at night, and completed driver's education and training.<sup>147</sup> Your provisional license becomes a full license when you turn 18 years old if you have no outstanding Department of Motor Vehicles suspensions or court ordered restrictions.<sup>148</sup>

### What are the requirements of a provisional license?

For the first 12 months (or until you turn 18) you may not have a passenger in your car who is under the age of 20 years old unless you also have a licensed driver who is at least 25 years old in the car as well. For the first 12 months (or until you turn 18), you may not drive between 11:00 p.m. and 5:00 a.m. unless a licensed driver who is at least 25 years of age is in the car. There are exceptions to this restriction when reasonable transportation facilities are inadequate and the operation of the vehicle becomes necessary due to immediate family, employment, medical, and school needs. Licensees must carry a statement from the appropriate school official, employer, doctor, or parent/guardian while driving.<sup>149</sup>

### How do I get a driver's license?

The rules differ depending on your age. Once you turn 18, you can simply apply at the Department of Motor Vehicles (DMV), which is listed in the phone book's government section. If you want a license before you turn 18, you'll have to apply for a learner's permit and get your guardian or biological parent to sign a form. You can also get the signature of a grandparent, adult sibling, aunt, uncle, or a foster parent who is living with you. It is their choice if they want to sign for you. The person who signs will be responsible for damages if you have an accident. In some cases, out-of-home care providers are not permitted by the county or their own rules to sign for you. There is no right to have a license. (See the section on **Getting a Learner's Permit for Driving if You're Under 18**).

### What if I can't get a parent, guardian, relative, or foster parent to sign for my driver's license?

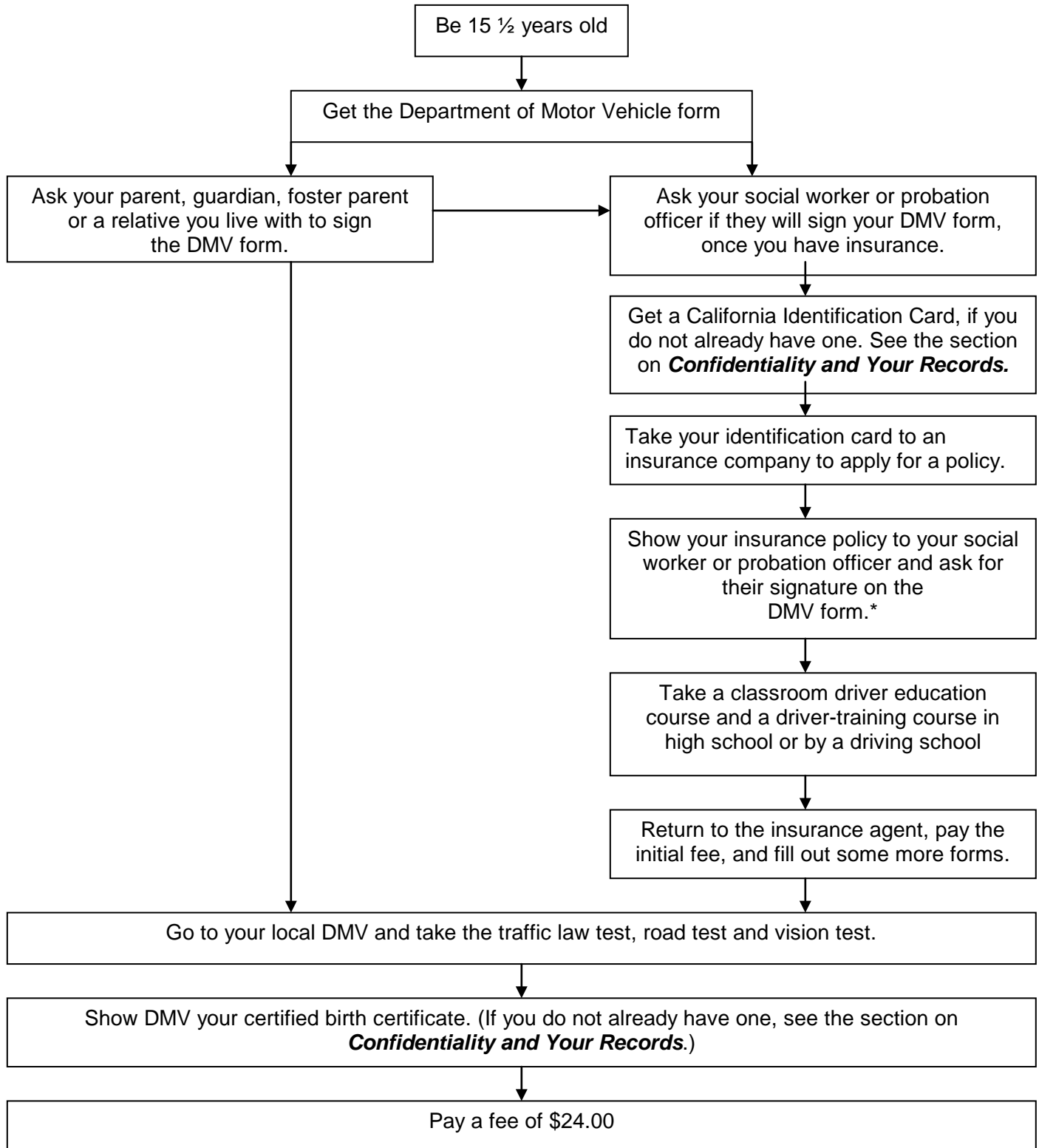
If no one will sign, you can get your probation officer or social worker to sign. They'll tell your foster parents that they're signing for you.<sup>150</sup> But to have your probation officer or social worker sign, you must have auto insurance -- *before you can get a license*. The probation officer, social worker, or county agency will not be responsible for damages from any accident.

### How do I get auto insurance?

If you have a parent, guardian, relative, or foster parent sign for your license, his or her insurance should cover you. The person who signs should talk to his or her insurance agent to make sure that you are covered under his or her insurance policy.

If you have your social worker or probation officer sign, the easiest way to get insurance is by calling the California Automobile Assigned Risk Plan toll free at 1-800-622-0954. Beware! Getting insurance is very expensive, often with a large up-front charge.

## GETTING A LEARNER'S PERMIT FOR DRIVING IF YOU'RE UNDER 18



\* Remember, if your probation officer or social worker signed your DMV form, you need to be extra sure to keep your insurance payments up to date. The insurance company will terminate your policy if you're late in paying. If it does, it will tell the DMV, which will take away your license.

## PREPARING TO LEAVE THE SYSTEM

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## PREPARATION BY YOUR SOCIAL WORKER

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### What is supposed to happen before I leave foster care?

The court should have a final hearing to talk about closing your foster care case. You should be told about the hearing and allowed to attend.<sup>152</sup> Before the hearing, your social worker must make sure you have:

- Written information about your case, including your family history and placement history, and the location(s) of your siblings if they are in foster care and the court doesn't prevent you from knowing for a good reason;
- Your birth certificate, social security card, identification card, death certificate of your parent(s) if they died and proof of citizenship or residence;
- Help applying for continued Medi-Cal or other health insurance;
- A referral to transitional housing if it's available or help getting another place to live;
- Help getting a job or finding another way to earn money;
- Help applying to college or vocational training and getting financial aid; and
- Assistance to make sure you can keep relationships with people who are important to you if it is in your best interests or good for you.<sup>153</sup>

If any of these things have not happened and the judge thinks that is harmful to you, the court can keep your case open until all of these things are offered to you.<sup>154</sup> But if your social worker cannot find you or you refuse these services, the court can still close your case.

## INDEPENDENT LIVING AND TRANSITIONAL HOUSING

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### What is an Independent Living Skills Program or ILSP?

This is a program to help you develop the skills you need to be on your own. ILSP is offered to youth 16 years old and older.<sup>155</sup> Many counties offer special group programs and activities to help encourage independent living skills. These should be available to every youth in foster care, age 16 and older, who wants to participate.

These Independent Living Programs are a great way to meet with other youth in out-of-home care who are in situations similar to your own. They also will help you prepare and apply for college, including letting you know about special financial aid programs available for students who were in out-of-home care. These programs will also help you find, interview for, and stay in a job.

The ILSP and services that you will need to help you prepare to move from foster care to independent living must be described in a *written transitional independent living plan (TILP)*,<sup>156</sup> which is part of your case plan. The TILP, designed by your social worker (and agreed to by you), should be appropriate for your age and abilities and should include education, career development, living skills, financial resources, and housing related services.<sup>157</sup>

### Who is eligible for these Independent Living Skills Programs?

Youth who are under 21 and were in a foster care or KinGap placement anytime between their 16<sup>th</sup> and 19<sup>th</sup> birthdays are eligible for ILSP.<sup>158</sup> However, any youth may be allowed to attend ILSP events. Some counties, for example, allow younger foster youth to participate.<sup>159</sup> Ask your social worker about it.

### What is transitional housing?

It is a type of placement that's available to foster youth 16 to 18 years old who are in, or have successfully completed, an Independent Living Program.<sup>160</sup> There are three different kinds of transitional housing. You can:

- live with an adult in an apartment,
- live in your own apartment, with a supervising adult who lives in the building, or
- live in your own apartment with supervision by the Department.<sup>161</sup>

So far, it's available in only a few counties in California, but should be available to more youth soon. For more information on what counties provide transitional housing talk to your social worker or you can visit: <http://www.childsworld.ca.gov/res/pdf/TransitionalHousingContact.pdf>.

See the "Transitional Housing Program Plus" section below for information on transitional housing available in some counties for youth age 18 to 24 who are no longer in foster care.

## **MONEY AND JOBS**

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### **Do I have a right to an allowance or money for clothing?**

If you are in a group home, you have a clear right to an allowance unless your case plan says that you shouldn't receive it.<sup>162</sup> There is not, however, a clear right to an allowance for youth in foster homes. Your group home or foster home can keep your money in a safe place for you so long as you have access to it.<sup>163</sup>

### **When can I get a job?**

You can legally start a job when you turn 16, and even sooner in special cases.<sup>164</sup> There are restrictions on the number of hours you can work per day and per week and the type of work you can do.<sup>165</sup> Ask your Independent Living Skills Program (ILSP) worker or school about how to find a job and get a work permit.

### **Can my foster parents or group home keep me from working?**

Yes, but they must have a good reason. The reason must be in your case plan if you are 16 or older. If you are able to work responsibly, your group home or foster home should cooperate in your employment.<sup>166</sup>

### **Will I need an ID or a social security card to get a job?**

Yes. You will probably need both. Employers will need to see official identification proving who you are and that you have a social security number. Such identification may include a U.S. passport, driver's license, California identification card, Naturalization papers, etc. Even if a job does not require these, it is always a good idea to have a copy of your social security card and a picture ID. You should keep these in separate locations whenever possible, so that if you lose one, you still have the other.

### **How do I get a social security card?**

You probably already have a social security number assigned to you and you just need a copy of your card. First check to see if your social worker already has a social security card for you in your case file. You can also just go to a local social security office to get a card. To find the nearest office, look in the phone book or on the internet at: <https://secure.ssa.gov/apps6z/FOLO/fo001.jsp>. You will need to fill out a form, prove who you are and that you are a U.S. citizen or are here legally. Replacing your social security card does not cost anything.

### **What if somebody else already has my birth certificate or social security card and I can't get it from that person?**

You can get another copy of either. There's no law against having several copies. To obtain a certified copy of your birth certificate, you should first check with your social worker. He or she should have a copy. If he or she does not have a copy, call the vital statistics office in your birth state for instructions on how to request one. Each state is a little different, so make sure you understand what they need. It may take a few weeks, unless you go in person. It usually costs \$10 - \$20. If you were born in California, the number is (916) 445-2684, and the fee is \$15.00.



## What is a California identification (ID) card?

A California ID card is a card issued by the State of California. ID cards look like driver's licenses, but are used for identification purposes only. An ID card is valid for six years.

## How do I get a California identification (ID) card?

To get a California ID card, you will have to visit a local Department of Motor Vehicles (DMV) office. At the DMV, you will have to do the following:

- Complete an application form DL 44. (An original DL 44 form must be submitted. Copies will not be accepted.)
- Give a thumb print.
- Have your picture taken.
- Provide your social security number. It will be verified with the Social Security Administration while you are in the office.
- Verify your birth date and legal presence. You may use any number of documents to prove this, such as your California driver license, passport, birth certificate or Permanent Resident Card.
- Pay the application fee. (\$21)

(More information about obtaining an ID card can be found at [http://www.dmv.ca.gov/dl/dl\\_info.htm#idcard](http://www.dmv.ca.gov/dl/dl_info.htm#idcard).)

## What if I don't have a social security number?

If you are legally in the United States, but cannot get a social security number, you do not need to provide a social security number at the DMV. However, you will need to provide a legal document which proves your birth date and legal presence.

## If I have a juvenile record, will my employer be able to get this information?

Most employers (law enforcement agencies, certain government agencies and certain private employers are exceptions<sup>167</sup>) should not be able to get information that is in your juvenile record unless you give it to them or give them permission to see it. However, if you get your juvenile record sealed, no one can get access to your record<sup>168</sup>, See the section called **Access to and Sealing of Records** for more information.

## Is there a limit on how much I can save?

Yes. Any savings that you plan to use to prepare to leave or when you leave foster care may not exceed \$10,000 including interest.<sup>169</sup> This type of savings account is called an emancipation account. The government may not make you use any of your savings in this account to help pay for your foster care placement.<sup>170</sup>

You may also save money in a different account than your emancipation account. However, the government may ask you to use any money you save over \$1,000 that is placed in this account to help pay for your foster care placement.

### **What is an emancipation account?**

The emancipation account is an ordinary bank account that you open, or any adult opens on your behalf, for the specific purpose of saving money that you earn through a job, participation in an ILSP program, or any other source detailed in your written transitional independent living plan to help you make it on your own when you leave the system.

### **How do I set up an emancipation account?**

Your ILSP worker will help you with this. You can set up an emancipation account by opening, or having an adult open an account in your name with a bank or savings and loan institution that is insured. This account should be separate from any account you keep for basic spending money. The money that you deposit in this account must be from work or other sources that are part of your written independent living transitional plan. The money in this account must be used for purposes related to the goal of emancipation or when you leave foster care. If you need to withdraw money from this account while you are still in foster care, your social worker must agree in writing that the reason you need to withdraw the money is related to the goal of emancipation and place the written approval of the withdrawal in your case file.

**LEAVING THE SYSTEM**



## EMANCIPATION

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### What does "emancipation" mean?

It means being free from the custody and control of your parents, guardians, the social service agency and the juvenile court.<sup>171</sup> Legally, when you turn 18, or reach the age of "majority," you become an adult under the law.<sup>172</sup> This means that you can vote, enter into contracts, get married and have certain other rights and responsibilities. Sometimes, however, the court will keep jurisdiction over your case and the court will still be involved in your life after you turn 18.

### Do I have to leave foster care when I turn 18?

Juvenile courts in California are allowed to keep your case open until you turn 21, but they are not required to.<sup>173</sup> In some counties, almost all youth leave the system when they turn 18, or maybe 19 if they are still working toward a high school diploma, GED or vocational certificate.<sup>174</sup> There are some things that need to happen in every county before the court can terminate jurisdiction and "emancipate" you from foster care. [Beginning January 1, 2012, you will have the option to stay under or leave the court's jurisdiction at age 18.](#)<sup>175</sup>

### Will I still get health insurance when I leave foster care?

If you are in foster care when you turn 18, you can continue to use Medi-Cal until you turn 21. (See the ***Transitional Medi-Cal*** section of this booklet).

### Can I get emancipated before I turn 18?

You can be emancipated under 18 if you get married or join the armed services – with the consent of your parent(s) or guardian(s) and the court.<sup>176</sup> You can also be emancipated by a judge<sup>177</sup>; but you won't qualify for emancipation by a judge if you are living in a group home, foster home, temporary shelter or living in any other situation where someone else supports you.

To be emancipated by a judge before you turn 18, you must be at least 14, living independently and managing your own finances, including having a legal source of income and managing your own finances and paying for things like food, clothing and housing.<sup>178</sup> Even if you meet the basic requirements, a judge may refuse to declare you emancipated if it is "contrary to your best interest," or in other words, not good for you.<sup>179</sup>

### Is emancipation my best option before I turn 18?

Emancipation is not for everyone. Very few youth meet the requirements before reaching the age of 18. Plus, emancipation may not be necessary to get the things you need. If, for example, you need a different living situation, it may be a better option to try to get your placement changed or a different living arrangement approved by the court. (See ***Types of Placements, Independent Living*** and ***Role of the Courts*** sections in this booklet.) You already have the right to get counseling and treatment for things like contraception, sexually transmitted diseases, pregnancy-related treatment, and drug and alcohol abuse treatment without notice to or the consent of adult. Emancipation is a serious step and should be considered carefully. Even after you're emancipated, you'll still be treated as a minor in some ways. Emancipation won't let you drive before the age of 16.<sup>180</sup> It also doesn't change the rules about statutory rape. Until you turn 18, you'll still need parental or court permission to get married.<sup>181</sup> You still won't be able to drink<sup>182</sup> or smoke.<sup>183</sup> You also won't be able to vote.<sup>184</sup>

## TRANSITIONAL MEDI-CAL

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### Can I still get Medi-Cal when I leave foster care when I turn 18?

If you are in the foster care system when you turn 18, you can continue to use Medi-Cal until you turn 21.<sup>185</sup> To receive these benefits you must keep living in California and make sure your social worker and Medi-Cal office know:

- your current address,
- if you want to continue under Medi-Cal, and
- if you will be getting any other health insurance.<sup>186</sup>

This type of Medi-Cal does not depend on how much money you have or what type of living arrangement you live in once you leave foster care.<sup>187</sup> You will have to go through the review process once a year and show that you are still under 21, living in California, and want to continue receiving Medi-Cal.

If you are going to turn 18 soon and leave the foster care system, but no one has talked to you to find these things out, call your social worker or call your county's Medi-Cal eligibility worker to set up an appointment.<sup>188</sup>

This extension of Medi-Cal does not apply to you if you are in the Kin-GAP program, an undocumented immigrant, or living in a residential treatment facility. You are not disqualified if you are on probation, though.<sup>189</sup>

## TRANSITIONAL HOUSING PROGRAM PLUS (THP+)

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### What is the Transitional Housing Program Plus (THP+)?

THP+ is a program designed to help you live on your own once you have left foster care by helping you with housing and other services.<sup>190</sup> The THP+ program is run by local county governments.<sup>191</sup>

### Who is eligible for THP+?

You are eligible for THP+ if:

- you are between the ages of 18 and 24;<sup>192</sup> and
- you have emancipated out of foster care in a county that has chosen to participate in the THP+ program.<sup>193</sup> Sometimes counties will offer THP+ to youth that emancipated from foster care in a different county, but are now living in their county.<sup>194</sup>

### How long can I get THP+ Services for?

You cannot receive THP+ services for more than 24 months.<sup>195</sup> You also cannot receive THP+ if you are over the age of 23.

### Does it cost anything to stay in THP+ housing?

This depends on the program. You will need to check with the individual program to find out how much it costs. You may be charged monthly rent, but the cost is regulated by California law.<sup>196</sup>

### Does every county have a THP+ program?

Unfortunately, no. Counties choose whether or not to participate in the THP+ program. To find out if your county participates in the THP+ program, you can contact a transitional housing coordinator in your county. See the section of this booklet called **Useful Resources** for more information.

## ACCESS TO AND SEALING OF RECORDS

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### Can I get my juvenile court record sealed?

Yes. You can seal your records if you are a dependent (300) status offender (601), or delinquent (602)<sup>197</sup>. You can get them sealed:

- five years after your last juvenile court contact. That means five years after the juvenile court jurisdiction ended or the first time you were ordered to appear before your probation officer, whichever is later.

or

- after you turn 18,

but,

- if you've committed certain serious crimes, you will not be able to seal your records.<sup>198</sup>

For more information about sealing your records, see the **Useful Resources** section of this booklet.

### How do I get my juvenile court records sealed?

Your records won't be sealed automatically. *You* must do something to get them sealed. A petition must be filed with the juvenile court asking the judge to seal your records.<sup>199</sup> Contact your dependency or delinquency attorney for information about sealing your records. You can also get information on record sealing from the probation department, the social service agency or the juvenile court in the county where your case was handled. (WIC 826.6) The Public Defender's office or your local Legal Aid office may be able to provide you with free legal help to seal your record. The probation department, social service agency or the juvenile court may be able to give you referrals to other agencies for free legal help to assist you in sealing your record.

### What can I say to people who ask me if I have a juvenile court record?

After your juvenile court records are sealed, you can *totally deny* having a record. In other words, the law says that you can say that the juvenile court case never happened. You can also deny having a sealed record. You can even deny being arrested, detained, or having any contact with the juvenile court.<sup>200</sup> This rule is to help you avoid the stigma of having been involved with the juvenile court.

### After my records are sealed, can anyone look at them?

Only with your permission. If you want someone to look at your record, you'll have to ask the court to let it happen.<sup>201</sup> Keep in mind it could take months to seal your whole record. This is the time it takes for the court to contact all the agencies with information about you.

### Will the records ever be destroyed?

Yes, if your records can be sealed. But when they're destroyed depends on whether you had them sealed and your juvenile court status. Records that the law does not allow to be sealed cannot be destroyed. The Juvenile Court must order that your juvenile court records (all records and papers, any minute book entries, dockets and judgment dockets) be destroyed as described in the chart below. You can also ask the court to order any agency that keeps any of your records after the juvenile court

records are destroyed to destroy the agency records they have kept<sup>202</sup>. You may also request that the records be released to you before they are destroyed.<sup>203</sup>

## WHEN JUVENILE COURT RECORDS ARE DESTROYED

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<b>Juvenile Court Status</b>	<b>When Juvenile Court Records Are Destroyed</b>
Section 300 <i>Dependent</i>	At age 28 <sup>208</sup> , or 5 years after they're sealed. <sup>209</sup>
Section 601 <i>Status Offender</i>	Sealed records destroyed after 5 years. Unsealed records destroyed at age 21. <sup>210</sup>
Section 602 <i>Delinquent</i>	For certain serious crimes, records cannot be destroyed. At age 38, for records of all other crimes. <sup>211</sup>



## USEFUL RESOURCES

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- **Office of the State Foster Care Ombudsman<sup>212</sup>** (877) 846-1602  
<http://www.dss.cahwnet.gov/ombudsman/fosteryouthhelp@dss.ca.gov>

Contact information for county offices may be found at:  
[www.fosteryouthhelp.ca.gov/pdfs/CountyContacts.pdf](http://www.fosteryouthhelp.ca.gov/pdfs/CountyContacts.pdf)

### County Ombudsman Offices

<b>Alameda</b>	<b>(510) 268-2365</b>
<b>Fresno</b>	<b>(559) 253-9450</b>
<b>Kern</b>	<b>(661) 631-6071</b>
<b>Los Angeles</b> (Foster Care/Relative Homes)	<b>(888) 889-9800/ (626) 938-1718</b>
<b>Los Angeles</b> (Group Homes)	<b>(888) 445-1234/ (213) 893-7988</b>
<b>Los Angeles</b> (Emancipation Issues)	<b>(626) 229-3849</b>
<b>Los Angeles</b> (Probation)	<b>(877) 822-3222/ (526) 940-2515</b>
<b>Orange</b>	<b>(714) 245-6015</b>
<b>Riverside</b>	<b>(909) 358-3236/ (909) 358-3134</b>
<b>Sacramento</b>	<b>(916) 875-2000</b>
<b>San Diego</b>	<b>(858) 694-5319</b>
<b>San Francisco</b>	<b>(415) 401-4449</b>
<b>San Mateo</b>	<b>(650) 802-6465/ (650) 595-7663</b>
<b>Santa Clara</b>	<b>(408) 436-7600</b>
<b>Solano</b>	<b>(707) 438-0110</b>

### Other Offices

<b>Medi-Cal Ombudsman</b>	<b>(888) 452-8609</b>
<b>Medi-Cal Ombudsman</b> (Dept. of Mental Health)	<b>(800) 896-4042</b>
<b>California Youth Authority</b> Ombudsperson Office)	<b>(916) 262-1467</b>

- **Community Care Licensing (CCL)**

More information on CCL is located at: [www.ccl.dss.cahwnet.gov/res/pdf/childres\\_rolist.pdf](http://www.ccl.dss.cahwnet.gov/res/pdf/childres_rolist.pdf) and [www.ccl.dss.ca.gov](http://www.ccl.dss.ca.gov)

### Statewide Children's Residential Program Offices

(916) 445-4351 / (310) 665-1940  
All Counties

### Northern California Children's Residential Program Regional Office

(916) 263-4700

Counties: Amador, Calaveras, El Dorado, Nevada, Placer, Sacramento, San Joaquin, Solano, Stanislaus, Tuolumne, Yolo

**Chico Children’s Residential Program Local Unit**

(530) 895-5033

Counties: Butte, Colusa, Del Norte, Glenn, Humboldt, Lake, Lassen, Modoc, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, Trinity and Yuba

**Central California Children’s Residential Program Regional Office**

(408) 277-1289

Counties: Monterey, San Benito, Santa Clara, Santa Cruz

**Fresno Children’s Residential Program Local Unit**

(559) 243-8080

Counties: Alpine, Fresno, Inyo, Kings, Madera, Mariposa, Merced, Mono, Tulare

**Rohnert Park Children’s Residential Program Local Unit**

(707) 588-5026

Counties: Marin, Mendocino, Napa, Sonoma

**San Bruno Children’s Residential Program Local Unit**

(650) 266-8800

Counties: Alameda, Contra Costa, San Francisco, San Mateo

**Pacific Inland Children’s Residential Program Regional Office**

(951) 782-4207

Counties: Riverside, Imperial, and San Bernardino

**Orange County Children’s Residential Program Local Unit**

(714) 703-2840

County: Orange

**San Diego Children’s Residential Program Local Unit**

(619) 767-2300

Counties: San Diego

**Los Angeles and Tri-Coastal Counties Children’s Residential Program Regional Office**

(323) 981-3300

Counties: Los Angeles, Ventura, Kern

**Santa Barbara Children’s Residential Program Local Unit**

(805) 682-7647

Counties: San Luis Obispo, Santa Barbara

**Los Angeles Metro and Valley Children’s Residential Program Regional Office**

(310) 568-1807

County: Los Angeles

**Woodland Hills Children’s Residential Program Local Unit**

(818) 596-4334

County: Los Angeles

- **California Youth Crisis Line** (24 hours a day). **(800) 843-5200**

The Youth Crisis Line can answer questions about:

- food • health care • drug treatment
- child care • where to stay • where to get legal help

It's confidential. You can also call just to talk.

- **California Youth Connection (CYC)** **(800) 397-8236**

CYC is an organization to help you speak out about the needs of foster youth. CYC was started by foster youth in 1988 to give you a voice about issues that affect you. CYC members work on legislation, speak to the legislature and other policy makers, and work on statewide committees and in their own communities, to improve the foster care system. CYC is youth run and each year youth put on two statewide conference where CYC members from all over California come together to discuss issues. CYC builds leadership skills and gives you a network of current and former foster youth for peer support. You can join CYC at age 14 and remain a member until age 24. Many Independent Living Skills Programs have CYC chapters. To find out if there is one in your county, contact your county Independent Living Program or call the CYC statewide office.

- To find out about your county's **Independent Living Programs** call the office in your county. More information can be found at:

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

- To find out about your county's **Transitional Housing Programs** call the office in your county. More information can be found at:

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

- For more information about **Sealing Your Records**, you can visit:

[http://www.youthlaw.org/fileadmin/ncyl/youthlaw/publications/seal\\_access\\_records/Sealing\\_of\\_JuvenileRecords\\_Handout\\_Alameda.pdf](http://www.youthlaw.org/fileadmin/ncyl/youthlaw/publications/seal_access_records/Sealing_of_JuvenileRecords_Handout_Alameda.pdf)

or

[http://www.youthlaw.org/fileadmin/ncyl/youthlaw/publications/seal\\_access\\_records/Sealing\\_JuvenileRecords\\_JD.pdf](http://www.youthlaw.org/fileadmin/ncyl/youthlaw/publications/seal_access_records/Sealing_JuvenileRecords_JD.pdf)

- Other helpful numbers for your **county** include:

(County agencies: please fill in names and numbers for the court, Medi-Cal, after care programs, CASA, and any other services you have found useful.)

\_\_\_\_\_

(Name)

\_\_\_\_\_

(Telephone Number)

\_\_\_\_\_

(Name)

\_\_\_\_\_

(Telephone Number)

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(Name)

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(Telephone Number)

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(Name)

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(Telephone Number)

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(Name)

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(Telephone Number)

## DEFINITION INDEX

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*The number refers to the page number that has a definition for the word.*

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## ENDNOTES

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1. The following abbreviations refer to United States (federal) law:

CFR	Code of Federal Regulations
INA	Immigration and Nationality Act
USC	United States Code

The following abbreviations refer to California law:

BPC	Business & Professions Code
CC	Civil Code
EC	Education Code
FC	Family Code
GC	Government Code
HSC	Health & Safety Code
PeC	Penal Code
PrC	Probate Code
VC	Vehicle Code
WIC	Welfare & Institutions Code
CCR	California Code of Regulations
RC	California Rules of Court

The following abbreviations refer to California administrative documents:

ACWDL	All County Welfare Directors Letter ( <a href="http://www.dhcs.ca.gov/services/Medi-Cal/eligibility/Documents/00-61.pdf">http://www.dhcs.ca.gov/services/Medi-Cal/eligibility/Documents/00-61.pdf</a> )
ACIN	All County Information Notice ( <a href="http://www.dss.cahwnet.gov/lettersnotices/PG1011.htm">http://www.dss.cahwnet.gov/lettersnotices/PG1011.htm</a> )
DSSM	California Department of Social Services Manual of Policies and Procedures, Division 31, Child Welfare Services Manual

3. WIC 16001.9(a)(8)
4. DSSM 31-002(g)(1); 31-020
5. 22 CCR 84072.2; WIC 16001.9(a)(8)
6. 22 CCR 89372(a)(4)
7. WIC 300
8. WIC 601(a), (b)
9. WIC 602
10. WIC 315-16; 319
11. WIC 334
12. WIC 355; 356
13. WIC 358; RC 1451
14. WIC 358(b); 358.1

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15. WIC 366.21(c)
  16. WIC 364(a); 366(a)
  17. WIC 366.21
  18. WIC 399
  19. WIC 293(a)--(c); 366.21(b)
  20. WIC 366.21(f)
  21. WIC 366.21(g)(1)
  22. WIC 366.21(g); 366.26(b)(1),(3)
  23. WIC 366.26(b)(3), (5)
  24. WIC 366.26(c)(1)(B): The court can consider guardianship only if the court finds that one of the following situations exist: (1) the child lives in a residential treatment facility; adoption is unlikely, and continuation of parental rights will not prevent finding the child a permanent family placement once the child leaves the facility; (2) the parents have maintained regular visitation and contact with the child and the child would benefit from a continuing relationship with the parents; (3) the child is at least 12 years old and the child objects to termination of parental rights; (4) exceptional circumstances prevent the child's current caretakers from adopting and the removal of the child would be seriously detrimental to the emotional well being of the child; or (5) at each and every hearing at which the court was required to consider reasonable efforts or services, the court found reasonable efforts at family reunification were not made or reasonable services were not offered or provided to parents.
  25. WIC 366.21(g)(3); 366.26(b)(5)
  26. WIC 366.3(d), (j)
  27. WIC 366.26(b)(1)
  28. FC 8602
  29. FC 8604; 8605; 8606
  30. FC 8616
  31. WIC 16115, *et seq*; WIC 16120(a)(1)
  32. WIC 16120.1
  33. WIC 16121
  34. WIC 366.26(i)(3)
  35. WIC 366.21(g); 366.26(b)(3): For children who are not dependents in the juvenile court, guardianship proceedings are governed by PrC1500 *et. seq.* and are handled in the family or probate division of the Superior Court.
  36. WIC 11363(a)
  37. PrC 1600; FC 7002(a), (b)
  38. WIC 293(a)(4); 294(a)(3); 295(a)(4); 349; 366.21(a), (b)
  39. WIC 399; 16001.9(a)(17)
  40. WIC 353.1; 388
  41. WIC 399; 16001.9(a)(17)

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42. WIC 361.3(a)
  43. WIC 349; 317(c), (e)
  44. WIC 317(c); RC 5.660(b)
  45. WIC 317(c),-(e)
  46. WIC 317(d), (e)
  47. *In Re Kristen B.*, 187 Cal.App.3d 596, 608; 232 Cal.Rptr. 36, 43 (1986).
  48. RC 5.530; *Charles S. v. Superior Court*, 168 Cal.App.3d 151, 156; 214 Cal.Rptr. 47, 50 (1985)
  49. RC 5.530; *In re B.G.*, 11 Cal.3d 679, 693; 114 Cal.Rptr. 444, 454 (1974); *In re Joshua S.*, 205 Cal.App.3d 119, 122; 252 Cal.Rptr. 106, 107 (1988)
  50. WIC 295(a)(6)
  51. WIC 346
  52. WIC 366.21(c); 355(b)(1)
  53. WIC 16000(a)
  54. WIC 16501.1
  55. WIC 16501.1(d)
  56. WIC 16501.1(c)(1); DSSM 31-205
  57. WIC 16501.1(a), (f); DSSM 31-206
  58. WIC 16010(a); DSSM 31-206.35
  59. WIC 16501.1(d); 11405(b)(2)
  60. WIC 16001.9(a)(19); 16501.1(f)(12)
  61. WIC 16501.1(f)(16)(B); DSSM 31-206
  62. DSSM 31-525.61; 31-525.64; 31-525.7
  63. WIC 16501.1(f)(12)
  64. WIC 16001.9(a)(19)
  65. WIC 16501.1(f)(13)
  66. WIC 16507.4(b) (2)
  67. WIC 300; 319(e); 361.2(e)
  68. WIC 361.2(e); DSSM 31-405
  69. WIC 16001.9(a)(9)
  70. WIC 16001.9(a)(9)
  71. ACIN I-80-05
  72. WIC 16001.9(a)(9); ACIN I-80-05
  73. WIC 16001.9(a)(9)
  74. 22 CCR 84072(c)(20), (21)
  75. 22 CCR 83072(c)(6), 84072(c)(11), 89372(c)(16); ACIN I-80-05



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76. WIC 16001.9(a)(6), (8), (9); ACIN I-80-05
  77. ACIN I-80-05
  78. ACIN I-80-05; 22 CCR 83072(c)(6); 84072(c)(11); 89372(c)(16)
  79. 22 CCR 83072(c)(3),(4),(6)
  80. DSSM 31-320.2
  81. DSSM 31-320.31; 31-320.4
  82. DSSM 31-320.414
  83. WIC 362.1(a); DSSM 31-340.2; WIC 16001.9(a)(6)
  84. WIC 16507(a); DSSM 31-345; WIC 16001.9(a)(6)
  85. WIC 16501.1(f)(5)
  86. WIC 16501.1(f)(8)
  87. WIC 16002(b); 16001.9(a)(7)
  88. WIC 16002(b); 16501.1(f)(8); 16501.1(g)
  89. WIC 16001.9(a)(4)
  90. FC 6925. Minors may not give consent to sterilization procedures (permanent prevention of reproduction including vasectomies, tubal ligation, hysterectomies etc.)
  91. FC 6926
  92. FC 6929
  93. FC 6927
  94. FC 6928
  95. FC 6924(f): Minors may not consent to receive psychotropic medications, psychosurgery or shock treatment.
  96. WIC 16001.9(a)(5)
  97. WIC 369
  98. WIC 14005.28; ACIN I-117-00; ACWDL 00-61;
  99. FC 6925
  100. FC 8604, 8605
  101. WIC 16002.5, 16004.5
  102. WIC 300, 305, 309
  103. WIC 307.4
  104. WIC 317(b)
  105. WIC 11400(t)
  106. WIC 16501.25(b)(1)
  107. WIC 16501.25(b)(1)
  108. WIC 16501.25(b)(2)-(3)

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109. WIC 16501.25(b)(3)
  110. WIC 16501.25(c)
  111. WIC 11465(d)(2)
  112. WIC 11465; 16501.25
  113. WIC 16001.9(a)(13)
  114. EC 48853(g)
  115. WIC 361(a)
  116. WIC 361(a)
  117. WIC 361(a)
  118. GC 7579.5
  119. EC 48853
  120. EC 48853.5(d)(1),(2), (5), (7)
  121. EC 48853.5(d)(3)
  122. EC 48853.5(d)(8)
  123. EC 48853.5(d)(4)(B)
  124. EC 49069.5(d), (e)
  125. EC 49069.5(c)
  126. EC 49069.5(d), (e)
  127. EC 49069.5(h)
  128. EC 48205
  129. EC 48205 (b)
  130. 22 CCR 80072(a)(5), 89372(c)(17); WIC 16001.9(a)(10)
  131. 22 CCR 89173(c); DSSM 31-420.12
  132. WIC 16001.9(a)(23)
  133. INA § 101(a)(27)(J); 8 USC § 1101(a)(27)(J)
  134. 8 CFR § 204.11(c)(1)
  135. 8 CFR § 204.11(c)(2)
  136. 8 CFR § 204.11(c)(3)
  137. 8 CFR § 204.11(a), (c)(4)
  138. INA § 101(a)(27)(J)(i); 8 USC § 1101(a)(27)(J)(i).
  139. 8 CFR § 204.11(a), (c)(6); INA § 101(a)(27)(J)(ii); 8 USC § 1101(a)(27)(J)(ii)
  140. WIC 16001.9(a)(23)
  141. WIC 10850(a); RC 5.552; WIC 16001.9(a)(22)
  142. 22 CCR 84070; 80070(c). (e)
  143. EC 49076(a)(6)

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144. WIC 827(a); RC 1423
  145. 22 CCR 80070(e)
  146. VC 12509; 12814.6(a)(1)
  147. VC 12814.6(a)
  148. VC 12814.6
  149. VC 12814.6(b)
  150. VC 17701
  152. WIC 391(a)
  153. WIC 391(b)
  154. WIC 391(c)
  155. DSSM 31-002(i)(1), 31-525.3; WIC 16001.9(a)(16)
  156. DSSM 31-002(t)(4)-(5)
  157. DSSM 31-525.86
  158. DSSM 31-525.3. Youth in voluntary foster care placements are not eligible.
  159. DSSM 31-525.33
  160. WIC 16522(a)
  161. WIC 16522(d)(1)-(3)
  162. 22 CCR 84077(a)(2)
  163. 22 CCR 89372(c)(18)(C)
  164. 22 CCR 89372(c)(18)(D)
  165. EC 49116
  166. WIC 16001.9(a)(14); DSSM 31-525.82
  167. Labor Code 432.7; Penal Code 11155.5
  168. WIC 781
  169. WIC 11155.5
  
  170. WIC 11155.5(a); 16001.9(11)
  171. FC 7050(c)
  172. FC 650
  173. WIC 303
  174. WIC 11403
  175. 2009 CA A.B. 12
  
  176. FC 7002
  177. FC 7002(c); 7120; 7122
  178. FC 7120(b)

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179. FC 7122(a)
  180. VC 12509; 12814.6
  181. FC 302
  182. BPC 25658(b)
  183. PeC 308(b)
  184. United States Constitution, Amendment XXVI
  185. WIC 14005.28; ACIN I-117-00; ACWDL 00-61, 00-20
  186. ACIN I-117-00
  187. ACWDL 00-61
  188. ACIN I-117-00
  189. ACWDL 00-61
  190. WIC 16522; DSSM 30-912
  191. 22 CCR 86001(t)(2)
  192. WIC 11403.2(a)(2)
  193. WIC 11400(r)(1), WIC 11403.2, DSSM 30-913.1
  194. DSSM 30-913.1
  195. DSSM 30-913.2
  196. DSSM 30-914
  197. WIC 389; WIC 781
  198. WIC 389(a); WIC 781(a)
  199. *Id*
  200. *Id.*
  201. *Id.*
  202. WIC 826(b)
  203. *Id.*
  208. WIC 826(a)
  209. WIC 389(c)
  210. WIC 826(a)
  211. *Id.*
  212. WIC 16164, 16165, 16001.9(a)(8)