YOUR RIGHTS, YOUR LIFE.

A Survivor’s Guide to the Foster Care System for Teens in Nevada
Hi. My name is Samantha. Sam for short. I used to live at home with my parents, but there were problems ... Now I live with a foster care family. It’s different from my house, but I know I am safe here. I miss my parents and my house, and I hope to go back home someday.

The staff of Legal Aid Center of Southern Nevada wishes to extend its sincere thanks to the two young volunteers who made this book possible. Sabina Manzini donated her talent for research and narrative writing and Lauren Nelson donated her talent for graphic design. Sabina and Lauren are members of Girl Scouts of the USA and they earned the organization’s coveted “Gold Award” for their work on this project. Because of their dedication, this vital information will be more accessible to the thousands of children who pass through the Clark County foster care system each year.

Thank you to the R&R Partners Foundation for their assistance in bringing this project to life.
WHY AM I HERE?

HOW CAN THIS BOOKLET HELP ME?
Having Protective Services in your life will bring changes to your world. Some of the changes will be good. Some of the changes you won’t like.

Many strangers will want to talk with you about things you’d rather not talk about, but these people are here to help you.

You probably have a lot of questions. This booklet will try to answer some of those questions for you and make your involvement with Protective Services a little less confusing.

In this booklet, you will learn that you have rights, no matter how old you are. You will learn what some of those rights are. You will also learn about some special laws that are there to help and protect you.

Use the information in this booklet to learn about what could happen, so you will know what to expect.

Use the information in this booklet to try to prevent the changes you don’t want to happen.

Remember, you have a VOICE! Use the information in this booklet to make sure your voice is heard at every step along the way.

IF YOU THINK YOUR RIGHTS ARE BEING VIOLATED, OR IF YOU FEEL LIKE NO ONE IS LISTENING TO YOU, ASK FOR AN ATTORNEY. YOU CAN ASK YOUR CASEWORKER, YOUR FOSTER PARENTS, THE JUDGE OR ANYONE INVOLVED IN YOUR CASE TO HELP YOU GET ONE, YOU CAN ALSO CALL 386-1070. PRESS “0” FOR THE OPERATOR AND ASK TO BE CONNECTED TO CAP.
WHERE WILL I LIVE?

When you are first removed from your home, you may be brought to a place called Child Haven. Child Haven is a small campus made up of several different cottages.

In the old days, some kids stayed in Child Haven for days, weeks or even months. Nowadays, your stay at Child Haven is likely to be only a few hours.

Where do you go from there?

In the old days, if the judge said it was unsafe for you to go home to your parents, you would be brought to a foster home. Being placed in a home with adults and other kids you don't know can be upsetting.

Now, thanks to a wonderful law, you have the right to be placed with a relative or adult friend rather than in a foster home. The adult friend is someone you know and like, such as a neighbor, a teacher or a pastor.

Your caseworker should ask you about people you might like to live with until you can go home. They will need to have a background check, which can usually be done quickly, and if they pass, you can be placed with them right away.

Sometimes, workers ask the parents for names of relatives and friends, but forget to ask the kids.

So, if no one has asked you where you want to live, and you are in a foster home reading this booklet, speak up. Give your caseworker a list of people you would like them to check out for you.

Many times, there are no friends or family members available and foster care is the only choice. This booklet will give you information about what foster care is like (good and bad), and what rights you have in foster care.
I met a counselor who helped me talk about my feelings because I was upset.

Then I met the judge, the person who will make the final decision on what will happen to me and my family.

It’s hard to keep all the people straight. I look back and realize the one who was there the whole time was my lawyer.

The people I wanted to see most were my parents, but they had to straighten up and do what the judge said before I could go home.
WHO’S WHO? WHAT’S WHAT?

ABUSE
Child abuse is when the person responsible for taking care of a kid hurts or injures a kid. This can be hitting a kid, not taking care of a kid or abusing a kid sexually.

CHILD PROTECTIVE SERVICES (“CPS”)
One of the first people you’ll meet is a CPS investigator whose job is to find out if your home is safe for you.

CHILDREN’S ATTORNEYS PROJECT (“CAP”)
Most kids are assigned their own attorney. Your attorney will talk for you in court and will tell the judge and the caseworker what you want and try to get those things for you. Your attorney will also help you solve any problems you may have with where you are living or at school. Everything you say to your attorney is private, and he or she cannot tell anyone what you say unless you say it’s OK.

CORPORAL PUNISHMENT
Corporal punishment is hitting a kid.

COURT-APPOINTED SPECIAL ADVOCATE (“CASA”)
The court may assign you a CASA. The CASA’s job is to talk to everyone and tell the judge what he or she thinks would be best for you. The CASA also may do things like arrange visits with your siblings or take you out for fun.

DEPARTMENT OF FAMILY SERVICES (“DFS”)
The DFS caseworker takes over from CPS when it’s been decided that your home is not safe. He or she will help your mom and dad get the services they need to make your home safe again. Your caseworker can also help you get services you need, such as counseling or even a tutor.

DISTRICT ATTORNEY (“DA”)
This is the name used for DFS’s attorney. The DA’s job is to present your family’s case to the judge.
FICTIVE KIN
Fictive kin are people you are not related to by blood, but who have a special place in your life. Fictive kin may be your neighbor, a friend’s parents, a teacher, a pastor or even your coach. If you cannot live with your parents, you may be able to live with fictive kin.

FOSTER PARENTS
Foster parents are trained and licensed to take care of you after you are taken out of your home. You may have only one set of foster parents the whole time, or several sets of foster parents. They may be single people or couples, and they don’t have to be strangers. Family friends and relatives can get licensed to be foster parents, too.

JUDGE
The judge is the decision maker. Everyone, including you and your attorney, will tell the judge what they think should happen to you and your family. The judge will then decide what he thinks is in your best interest. The judge has the last word on such things as where you live, how often you visit family and when it is safe for you to go back home.

NEGLECT
When a kid has been abandoned; not given proper care and supervision; or lacks food, schooling, a place to live or medical care, this is called “neglect.”

SIBLING
This is your brother or sister.

SPECIAL PUBLIC DEFENDER
These are the free attorneys for people who can’t afford to pay for attorneys themselves. The judge may appoint a special public defender to represent your parents in court.

THERAPIST
A therapist is a counselor who can talk to you about how you are feeling or acting. You will often feel a lot of different emotions if you are taken from your home, and you may not know how to deal with them. A therapist can help.
HOW IT FLOWS

STEP 1: PROTECTIVE CUSTODY HEARING
This hearing takes place within 72 hours of your removal from home. Your parents have to go to court, and the judge will decide whether it is safe for you to go home. If not, the judge will ask about other temporary placement choices, such as relatives or fictive kin.

STEP 2: PLEA HEARING
If the allegations against your parents are serious enough, the DA will file a formal petition or complaint. Your parents are NOT being charged with a crime, but at this hearing, they will be asked to admit, deny or plead “no contest” to the allegations. The judge may appoint attorneys for them. This hearing takes place 10 days after the protective custody hearing.

STEP 3: GOING TO TRIAL
The trial is when the DA has to prove that the allegations against your parents are true. You may have to go to court to testify about what happened. You’ll likely have a CAP attorney to help you. If the judge finds that the DA did not prove the case, he or she will dismiss the petition and it’s over. You get to go home. This is supposed to happen within 30 days, but most times it takes a lot longer.

STEP 4: REPORT AND DISPOSITION HEARING
This hearing takes place about 15 days after a parent enters a plea or after the judge sustains the petition at trial -- meaning the judge finds the allegations against your parent(s) to be true. During the time between the entry of plea or trial and this hearing, the DFS caseworker and your parents will decide what services are needed to make it safe for you to go home. These services might include drug treatment, parenting classes or domestic violence classes. At the hearing, the judge reviews the case plan to see if it makes sense. If it does, the judge will order your parents to complete the plan. At this and most hearings, the judge can decide where you are going to stay while your parents work their case plans. The judge may place you with your parents, with relatives or with fictive kin. If you have an attorney, you should tell your attorney what you want.

STEP 5: PERMANENCY REVIEW HEARINGS
Permanency Review Hearings are very important, and you will want to be there. The DFS caseworker will give the judge a report telling how everyone is doing, including you. These hearings are held every six months. At the 12-month mark, the judge will look closely at your parents’ progress. If they have completed most of their plan, the judge may let you go home. But if they have not worked their case plan or are still doing things, such as drugs, the judge will consider terminating their parental rights.
**STEP 6: TERMINATION OF PARENTAL RIGHTS ("TPR")**
If your case reaches this step, chances are you have been in foster care for a long time, and your parents have been given a lot of time to get their case plan done. Now, the DA files a petition to terminate their parental rights. This means they would no longer be your legal parents and you would be free for adoption. Your parents may either fight TPR by going to trial or just agree to give up their parental rights. This is called a “relinquishment.”

If your parents go to trial and WIN, it means the judge is willing to give your parents more time to work to get you home. If your parents go to trial and LOSE, it means the judge will not give your parents any more time to get their act together. This is the court’s way of saying “enough is enough.”

**YOUR WISHES WITH REGARD TO TPR ARE VERY IMPORTANT, AND THE JUDGE WILL WANT TO KNOW WHAT YOU WANT TO HAPPEN. IF YOU DON’T HAVE AN ATTORNEY YET, THE COURT WILL MOST CERTAINLY WANT YOU TO HAVE ONE NOW.**

**STEP 7: PERMANENCY**
The court holds an adoption or guardianship hearing. – OR – If you are 16 or older and don’t want to be adopted, you will remain in foster care and transition into an independent living program. If you are 14 or older, you cannot be adopted unless you say it’s OK.
YOUR LAWYER IS THE ONE PERSON WHO WILL FIGHT FOR YOU UNTIL YOU GET A PERMANENT SOLUTION. EVEN IF YOUR FOSTER CARE FAMILY OR YOUR CASE WORKER CHANGES, YOUR LAWYER ALMOST ALWAYS STAYS THE SAME.

YOUR LAWYER ALWAYS KEEPS YOUR SECRETS.

YOUR LAWYER WILL ALWAYS TELL YOU THE TRUTH ABOUT WHAT'S GOING ON.

HE OR SHE WILL ALSO TELL THE JUDGE WHAT YOU WANT.
Q. HOW DO I GET AN ATTORNEY?
A. Just ask! Call Legal Aid Center of Southern Nevada at 702-386-1070, press “0” and our operator will connect you to the Children’s Attorneys Project (“CAP”). You can also ask the judge when you are in court, and the judge will send your case to us. You can also ask your caseworker to help you get an attorney. Remember, you do NOT need anyone’s permission to have an attorney. It’s your RIGHT, and it’s FREE.

Q. WHY DO I NEED A LAWYER?
A. Because this is all about you! Almost every decision the judge makes – where you live, where you go to school, how often you see your parents or your siblings, whether you go home or get adopted – affects your life and your happiness. Your parents will have lawyers to fight for them. Even DFS will have a lawyer to fight for it. Yet, the most important person – YOU – doesn’t automatically get a lawyer to fight for what you want. CAP lawyers are specially trained in child welfare law. We work hard to get what you want by working with the other people involved in your life. We can also file motions in court and argue your case all the way to the Supreme Court if necessary.

Q. WHAT THINGS WON’T MY ATTORNEY DO?
A. Your attorney WILL NOT
• Tell anyone what you’ve told him or her unless you say it’s OK.
• Tell anyone what he or she thinks is best for you. Your attorney’s job is to tell everyone what you think is best for you.
• Tell the judge, your parents, your caseworker or anyone else anything that you don’t want those people to know. Everything you and your attorney talk about is confidential.
• Get you out of doing your homework and chores.

Q. WILL MY BROTHER AND I HAVE THE SAME LAWYER?
A. Most of the time, yes. But, suppose you want to go home to your parents, but your brother is really angry with them and wants to stay in foster care. This is called a conflict, and we would assign different lawyers to each of you. Your lawyer would fight as hard as possible to get you home, and your brother’s lawyer would fight as hard as possible to keep him from having to go home.

Q. I AM 17 AND I’VE BEEN IN FOSTER CARE FOR THREE YEARS. I HAVE MOVED AROUND A LOT AND LIVED WITH DIFFERENT FOSTER FAMILIES. I AM BEHIND IN SCHOOL AND I AM AFRAID I WON’T HAVE ENOUGH CREDITS TO GRADUATE. WHAT ARE MY CHOICES?
A. You have several. If you are still in school, there are online programs you can do to make up your missing credits. You can go to school and take online courses at the same time. You can also choose to go to adult high school. A lot of our older clients who are credit deficient like Desert Rose Adult High School, especially if they are so far behind that there is no hope of graduating with their class. If you work hard, you can make up credits surprisingly quick. Plus, it’s an actual school, so people are there to help you understand the work and pass the tests. Adult school provides a chance to meet older students who are in the same situation as you. If school really isn’t for you, you can study for your G.E.D.
Q. MY SISTER AND I WERE PLACED IN THE SAME FOSTER HOME AT FIRST, BUT THEN SHE GOT MOVED TO ANOTHER FOSTER HOME. NEITHER OF US IS HAPPY ABOUT THIS, BUT WHAT CAN WE DO ABOUT IT?

A. Your lawyer can definitely help you with this. There is a law that says siblings need to stay together unless the court finds a very good reason for separating you, such as one sibling physically or sexually abusing the other. If your caseworker separates you, your lawyer can ask the judge to keep you and your siblings together. If you are separated, the court will issue a visitation order guaranteeing you the right to see your siblings. This is the law.

Q. MY RELIGION IS DIFFERENT FROM MY FOSTER PARENTS. DO I HAVE TO GO TO CHURCH WITH THEM?

A. No. This is a big issue. Foster parents do not have the right to make you go to their church. You have the right to go to the church of your choice – or not go to church at all. Your parents have the final say in your religion, not your foster parents.

Q. I LIKE THE SCHOOL I WAS IN BEFORE I GOT REMOVED, BUT MY FOSTER HOME IS ZONED FOR A DIFFERENT SCHOOL. DO I HAVE TO CHANGE SCHOOLS?

A. No. Being removed from your parents is hard enough, but having to give up your friends, your favorite teachers and making up missing assignments just makes it worse. So there is a law that allows foster kids to keep going to their home school if they want to, and getting there isn’t unreasonably hard. Your lawyer can fight to get you placed in a home near your old school. Judges like to see kids succeed in school and are happy to help. Some kids want to change schools, because it means getting off to a fresh start.

Q. I AM 13, AND MY BROTHER IS 8. DO WE HAVE TO GO TO COURT?

A. When you are older than 10, you will be encouraged to go to all review hearings. Younger than 10, if you want to you can still go to court. Going to court can be good. It gives the judge a chance to know you as a person and find out how you are doing and what he or she can do to make your life better. When a judge is making an important decision about your life, it’s really helpful for you to be there. Then you are not just a name on a piece of paper.
Q. I MESSED UP, AND NOW MY FOSTER MOTHER SAYS MY PUNISHMENT IS I CAN’T VISIT MY PARENTS THIS WEEKEND. CAN SHE DO THAT?

A. No. Visiting family is a right, not a privilege that can be taken away.

Q. I HAVE TOLD POLICE, CASEWORKERS AND ATTORNEYS WHAT HAPPENED, AND NOW I HAVE TO GO TO COURT. WHY DO I HAVE TO TELL MY STORY AGAIN?

A. The judge is the person who decides what will happen to you and your parents. That’s why the judge needs to hear your story from you. It’s also part of our law that your parents get to hear your story, and their attorneys get to ask you questions. There is a great program called Kids’ Court School that will prepare you to testify. There is an article about it in this book. Also, if you are under 14 and freaked by the thought of having to tell your story in front of your parents, your attorney can file a motion to have you testify out of your parents’ sight.

Q. I GOT MAD AND PUNCHED THE WALL, AND NOW THEY WANT TO PUT ME IN A MENTAL HOSPITAL. WHAT ARE MY RIGHTS?

A. If your foster parent or caseworker thinks you might hurt yourself or others, they can take you to a hospital for a mental health evaluation. If you are placed in a mental hospital even for short-term treatment, you will get an attorney. If they want to keep you more than five days, your attorney will talk to the judge about getting you out as soon as possible. Also, you have the right to get a second opinion from an independent doctor about whether you really need to be hospitalized.

Q. WHAT HAPPENS IF MY FOSTER PARENTS KEEP THE REFRIGERATOR OR FOOD PANTRY LOCKED?

A. Under the law, you have the right to receive “adequate, healthy, appropriate and accessible food.” If your refrigerator or food pantry is locked and you can’t get food, then let your caseworker or attorney know right away. Locked refrigerators violate your right to accessible food. If the problem doesn’t get solved, your attorney will let the judge know.

Q. ALL MY FRIENDS ARE HAVING A SLEEPOVER, AND I CAN’T GO. I AM TIRED OF BEING DIFFERENT. WHY CAN’T I SPEND THE NIGHT AT A FRIEND’S HOUSE?

A. You can. It might feel like you are different, but if there are things you want to do, like stay at a friend’s house, your caseworker and attorney can help you. Your caseworker needs to check out the people you want to stay with to make sure you will be safe with them. If your foster family knows the family you want to stay with really well, the caseworker may be OK with just taking their word. The key is to speak up and don’t just assume you can’t.
I'm David and I'm in foster care. You should know that there is an important law in Nevada. It's a bill of rights for kids in foster care.

The law says that if we have brothers or sisters, we have a right to live together unless there is a very good reason why not.

We have a right not to be hit or spanked, and a right to have privacy.

We have a right to go to our own church, temple or mosque – or none at all.

This law says that as a foster kid, I have the right to call my caseworker, family and lawyer.

We have the right to be treated with respect and dignity.

This law helps us all.

Call Legal Aid Center – Phone # 702-386-1070

Every kid in foster care should know about it.
SHELTER 101

You might find yourself at a number of “emergency shelters” during your journey. Chances are, you will either love them or hate them. There are two in which you may already have stayed or have heard stories about other kids who have stayed there. In case you haven’t, we have pulled together an introduction to both of them:

CHILD HAVEN

When you have to leave your home, this will be the first place you land. You probably won’t stay here very long – it might only be a few hours, but how long you stay and how often you come back will be different depending on your situation. Child Haven is run by staff rather than by foster parents. Child Haven is made up of several different buildings called cottages. There’s also a visitation center on the Child Haven campus.

WESTCARE

WestCare is a shelter for older kids. Most of the time you will come to know WestCare as one of the first places you stay and will usually only be there for the night. However, WestCare also serves as a shelter for kids who run away from home or from their foster care placements. Like Child Haven, WestCare is run by staff rather than by foster parents. A second way you may come to know it is through the programs they run, including a transitional living program for girls ages 16 – 21.
Hi, I’m Kaylee and I’m in foster care. My story is personal and I don’t like to tell it, but I know I have to let people know about what I went through.

When I was at home, my mom’s boyfriend would sometimes touch me. It was always icky when he was around, and I hated it when he touched me. I told my mom, but she didn’t believe it.

One day, when it was just me and my mom’s boyfriend at home, he tried to put his tongue in my mouth. I pushed him away. He said he would hurt me if I told anyone. I ran outside crying while he laughed at me.

I was scared, but I didn’t want it to happen again, so I told my story to a teacher at school. She helped me get away from him.

I hope my mom figures things out and gets rid of her sicko boyfriend. I love my mom so much and need her to be on my side. This really sucks.

Today, I have a counselor and a lawyer. They both say that anytime someone touches your body and you don’t like it, it’s wrong. Your body belongs to you alone.
KIDS’ COURT SCHOOL

So you’re going to court? How do you feel about that? Ready or ... not? If you’ve never been to court before, it can be pretty scary and you might have no idea what to expect. Luckily, there is a fantastic program that has been designed to help young people prepare for their day in court.

WHAT?

Kids’ Court is a program that was designed to help kids who are going to appear in court. Once you’ve had the experience of being in Kids’ Court, you will be better prepared to be in a real courtroom.

WHERE AND WHEN?

Kids’ Court takes place at the University of Nevada Las Vegas (UNLV) in their William S. Boyd School of Law. It consists of two one-hour sessions. Older kids usually do both sessions on the same day, while younger kids usually do one session one week and the second session the following week if possible.

HOW?

Kids’ Court tells the story of a young boy whose bike was stolen.

1. In the first session, the story is told about a boy who comes home from school on his bike, leaves it on the porch, and the bike disappears. Using a model courtroom and the characters in the boy’s story, you are introduced to all of the different positions and jobs of all the people involved in a trial and how they fit together in court.

2. In the second session, it is time to go to court. You will go to the UNLV model courtroom, which looks just like a real court. Using the same story about the stolen bike, you will play the part of either the judge or a witness. The aim is to try and get you used to being in court and to teach you ways to cope with any nerves.

WHY?

• Learn about the court, judicial processes and roles of all courtroom participants
• Learn ways to reduce stress while testifying
• Take part in a model trial
• Learn to feel more comfortable in court so you can tell your story the way it should be told
FOSTER CARE VS. ADOPTION/GUARDIANSHIP

At 14 years old, you can decide whether you want to start (or continue) looking for an adoptive family or remain in foster care until you can get independent living services and leave the system completely. It’s one of the big decisions you will have to make along this road. The goal is for every kid in foster care to find a forever family – your birth family if possible. If that’s not possible, adoptive families become the people who will be there for you forever, not just until you turn 18. We have put together a few of the pros and cons of both sides to get you thinking. Perhaps you have some of your own reasons too.

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<th>FOSTER CARE – PROS</th>
<th>FOSTER CARE – CONS</th>
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<td>You may form a strong bond with your foster parent; they may want you to stay until you turn 18, but they may not be able to adopt you for financial or other reasons.</td>
<td>You may move around a lot. If foster parents want you out, all they have to do is give a 10-day notice and there’s nothing you can do about it.</td>
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<td>You can ask to move if you have problems.</td>
<td>Every time you move, there will be new rules, new personalities, new foster kids to have to get along with, new neighborhood, new friends, etc.</td>
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<td>There are financial benefits to staying in foster care until you turn 18. You get scholarship money, financial support and rental assistance. You also get an additional money bonus when you graduate high school or earn your GED.</td>
<td>You will still have caseworkers, CASAs, youth support workers, even the judge telling you what you can and can’t do. It’s like being raised by a committee!</td>
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<td>If something isn’t going right for you, you’ll still have your attorney to fight for you in court.</td>
<td>You still have to go to court every six months and have your progress reviewed by the judge.</td>
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<td>At 17, you may be offered an independent living contract. Instead of living in a foster home, DFS will pay you money each month so you can learn how to budget and save. You can live with an approved person in the community while you work and/or go to school.</td>
<td>There’s no free $$$$$. You have to follow all the rules, or it can all disappear. You are still a ward of the court, and your caseworker and the judge still rule your life. It can be very difficult to get approved for an independent living contract.</td>
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## Adoption – Pros

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<th>PROS</th>
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<td>No more moving around. You have a permanent home and a permanent family.</td>
<td>Once you get adopted, you can’t say, “Oops, I want a do-over!”</td>
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<td>No more caseworkers saying you can’t spend the night at your friends, unless their parents agree to be fingerprinted. Embarrassing!</td>
<td>If your adoptive parents say you can’t spend the night with a friend or something else, you’re stuck. No court to appeal to.</td>
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<td>You may not get independent living money, but unconditional love is priceless.</td>
<td>If your adoptive family moves out of state, you don’t get to say no. That may be good or bad.</td>
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<tr>
<td>Adoptive parents support their adoptive children emotionally and financially just as if they gave birth to them. You have the same legal rights as their biological children.</td>
<td>Some kids see adoption as being disrespectful or hurtful to their biological parents.</td>
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OTHER LEGAL ISSUES

DELIQUENCY
My name is Jesse, and I was caught stealing clothes at a store in the mall. Security called the police, and I was taken to juvenile detention in handcuffs. I had to spend the night in detention because my foster parents refused to take me back. I was so scared! Then I had to appear in court before an entirely different judge. My CAP attorney was with me at court, too, but a different attorney, a public defender, represented me on the shoplifting charges. I was told I could have a trial if I wanted, but I ended up admitting to shoplifting. My CAP attorney told the judge about what I was going through, being taken away from my parents and living with strangers. She also gave the judge some good ideas about where I could live. The judge listened and ordered me placed with a family friend, which is what I wanted. He put me on probation for a year and made me pay for the stuff I stole out of my allowance. The judge told me if I got into any trouble while on probation, he could have me locked up. You may not like being in foster care, but getting in trouble with the law while in foster care only makes things worse. So before you do something stupid like I did, my advice is stop, think and don’t do it. The clothes were not worth losing my allowance and possibly even my freedom.
IMMIGRATION
It’s me, David, again. I was born in Mexico, and my parents brought me here when I was 8 years old. My parents had to go back to Mexico, but I stayed in foster care in Nevada. I am 16 now and would like to become a United States citizen one day. My attorney told me there are special immigration laws that help and protect foster children who cannot live with their parents and cannot return safely to their birth country. He is helping me apply for what’s called “Special Immigrant Juvenile Status.” This would allow me to live and work here legally. So, if you were born in another country, let your attorney know right away. He or she can explain your legal rights and answer your questions.
WHAT HAPPENS WHEN I TURN 18?

On your 18th birthday, you are legally an adult. If you are still in foster care, that means making some decisions about your life and what you want to do.

You have choices, and your attorney can help you figure out which one is best for you.

1. **STEP UP.** Some kids who are raised in foster homes are so tired of caseworkers and judges that their first reaction to turning 18 is GET ME OUT OF HERE! STEP UP is a program that provides help to youth who want to be independent. It can help primarily with rent payments and emergency needs, but only as long as you are working or going to school. STEP UP won’t automatically give you money for food, electricity, clothing and Internet, so you will have to be able to support yourself. STEP UP is available to age 21, but there are still rules.

2. **AB350.** If you’re like most 18-year-olds, you want to be independent, but you’re not quite ready to take the plunge. Maybe you want to go to college or haven’t even graduated from high school. AB350 is a wonderful program that actually pays you money every month to reach your life goals. You will get a special worker whose job is to help you set your life goals and then reach them. As an adult, you make your own decisions, including where you want to live – no more caseworker and no more court hearings. You can stay in and get paid until you are 21, even if you leave the state of Nevada, as long as you are making progress toward your goals and staying in contact with your Independent Living Worker.

3. **STATUS QUO.** If you are 18, still in high school and like living in your foster home, you can choose to keep things just as they are. You would still keep your caseworker and have to go to court every six months until you graduate from high school. After you graduate, you will have to choose between STEP UP and AB350.
The state of Nevada, Division of Child and Family Services (DCFS) recognizes the following rights of children and youth in foster care. These rights are intended to guide the child welfare agencies and their providers in the delivery of care and services to foster youth with the commitment to permanency, safety and well being. This Bill of Rights was developed by DCFS in collaboration with Nevada LIFE, the statewide youth advisory board.

**YOU HAVE THE RIGHT TO LIVE:**
- In a safe, healthy, stable and comfortable environment
- In a home best suited to meet all your needs
- Have adequate and appropriate clothes
- Have access to healthy food

**YOU HAVE THE RIGHT TO BE PLACED:**
- In a home with your siblings whenever possible
- In a home of a relative or stay in your own home if safe and appropriate

**YOU HAVE THE RIGHT TO:**
- Be free from corporal punishment, such as spanking or hitting
- Not be locked in any room, physically restrained or be isolated
- Be free from unreasonable searches of your personal stuff or other invasions of your privacy
- Send and receive unopened mail (unless a judge says someone else can open your mail)
- Go to religious services and activities of your choice or refuse to attend religious services
- Maintain a bank account and manage your own personal money
- Participate in extracurricular, cultural and personal enrichment activities and to have access to transportation, if realistic, for these activities
- Make contact with caseworkers, attorneys, probation officers, CASAs, and anyone else involved in your case (openly or confidentially)
- To talk to your caseworker at least once a month
- Participate and be included in your case plan and attend court hearings
- Be told about any changes in your case plan or placement
- Complete an identification kit, which includes your photo and other identifying details you would like to include that will be kept in your file by the child welfare agency. Please ask your caseworker for more information.
- To attend Independent Living Program classes (if you are 15 or older)
- To work or be trained to work, if 16 or older and it has been authorized by your caseworker

**YOU HAVE FAMILY RIGHTS TOO:**
- You can visit and contact your brothers and sisters, parents and other family members (unless a judge says you cannot)

**YOU HAVE MEDICAL AND HEALTH RIGHTS:**
- You must receive appropriate medical care, which includes seeing a doctor, dentist, eye doctor and talking to a counselor
- To take psychotropic medications only if it meets all requirements of Nevada law (NRS 4328. 197)

**YOU HAVE SCHOOL RIGHTS. YOU SHOULD BE ABLE TO:**
- Attend the school that you were enrolled in before coming into foster care, if it is realistic and in your best interests
- Have your educational records transferred quickly when you need to attend a new school
- Go to school every day
- Attend after-school and extracurricular scholastic activities that you were enrolled in before being placed in foster care
- Get help with school if you need it
- Not be identified as a foster child to other students by anyone employed at your school
- Have access to information about educational opportunities like scholarships for college and vocational school (if you are 16 years or older)

If you believe that your rights have been violated or that you are being treated differently because of your race, ethnicity, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, mental or physical disability, or exposure to HIV, you have the right to have any violations resolved. You can talk about this with:
- Your foster care provider
- An employee of the foster home
- An employee of the juvenile court
- Your guardian ad litem and or CASA
- Your attorney
- Your caseworker or other employee of the child welfare agency

Your foster care provider may impose reasonable restrictions on the time, place and manner in which you can exercise your rights if they determine that any restrictions are necessary to keep the order, discipline or safety of the foster home.

As enrolled into Nevada law by Assembly Bill 154 effective October 1, 2011