

The Maine Youth in Care Bill of Rights

The Maine Youth in Care Bill of Rights provides youth in care with a resource they can use to advocate for themselves and to make sure that their rights are being honored and upheld. This Bill illustrates what caseworkers and others can do to uphold the rights of youth and provides a guide that all can use to improve the foster care system for current and future youth in care.

All children and youth in foster care have the right to ...

Have lifelong family connections, including siblings, grandparents and extended family.

- Youth have a right to visitation, ongoing contact with and/or knowledge of their parents, siblings, extended family, friends, and pets.
- Youth have a right to have a Life Book that is started when they enter care.
- A pregnant or parenting youth has a right to raise and make decisions for their children, as any other citizen does.

Live with, be loved by and cared for by those they consider family.

- Youth have the right to permanency.
- Youth have the right to be placed in their home communities, live in a safe environment and have pre-placement visits.
- Youth have the right to live with their siblings.
- Youth have the right to keep their personal belongings with them and to expect age appropriate privacy.

Be who they are.

- Youth have the right to their own identity, values, freedom to express their emotions, hopes, plans and goals, religion/spirituality.
- Youth have the right to learn about their sexuality in a safe and supportive environment.
- Youth have the right to privacy in relation to their personal journal/diary, letters, emails, telephone calls and other personal belongings, except in cases where there is just cause in supervising the youth to prevent self harm or harm to other individuals.
- Youth have the most basic right to receive care and services that are free of discrimination based on race, color, national origin, ancestry, gender, gender identity and gender expression, religion, sexual orientation, physical and mental disability, and the fact that they are in foster care.

Be included in their case planning with a team of people that advocates with them and for them.

- Youth have a right to have meaningful participation in their Family Team Meetings, treatment team meetings, court, and school meetings.
- Youth have a right to have family members or other supportive people of their choice present at their team meetings.
- Youth have a right to have monthly contact with their DHHS caseworker and have their phone calls returned.
- Youth should have access resources and be able to seek information about resources.
- Youth have a right to access their case records and expect accuracy in what is recorded in their case record.

Have an informed choice in the types of physical, dental and mental health care they receive.

- Youth have the right to have a choice and options when a treatment provider is being assigned to them.
- Youth have a right to see and understand their treatment plans, be informed about and have a say in treatment decisions being made.
- Youth have a right to be informed about medications, medication options, and have a voice in decisions about prescription of medication.
- Youth have a right to not be overmedicated, to not be punished for refusal to take medications, and to be made aware of the possible risks that come from refusing to take medication.
- Youth should be able to have visitation with people that are important to them while receiving treatment.
- Youth should be able to receive care and services that are fair, respectful, safe, confidential and free from discrimination.
- Youth have a right to access their medical records.

Have a qualified advocate (e.g., GAL, surrogate parent, mental health advocate, attorney, etc.) representing them and helping the youth advocate for themselves.

- Youth have a right to know their rights.
- Youth have a right to attend court and speak with the judge overseeing their case.
- Youth have a right to request a change in their GAL.

Participate in and receive a high quality education, including ability to participate in extracurricular activities.

- Youth have a right to an education, equal to what anyone in Maine deserves.
- Youth have a right to receive blanket consent for participation in school activities.
- Youth have a right to participate in activities that all youth enjoy, and not be restricted from these activities simply because of their status in foster care or their particular type of placement.

Receive the skills, knowledge and resources needed to be a successful adult after they transition from foster care.

- Youth in care have the right to a transition plan and process when they leave DHHS care.
- Youth have a right to obtain identification and personal records, including their social security card and birth certificate
- Youth have a right to continue relationships when they exit care with individuals who have helped them while in care.
- Youth have a right to expect and receive help in reconnecting with their birth family.
- Youth have a right to learn about how to enter into the DHHS Extended Care Agreement (V-9 agreement) prior to their 18th birthday.
- In this Transition Process, youth have a right to give evaluative comments about the services they have received to a neutral person.

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In order to uphold the rights of all youth, caseworkers, GALs, care providers, parents, and other adults are responsible to...

- Actively support lifelong family connections for youth, including siblings, grandparents and extended family.
- Work diligently to place each child with someone the youth considers to be family.
- Learn from youth who they are and ensure that youths' identity is honored and protected.
- Connect youth with a caring adult who listens to them, advocates for them, and helps them to advocate for themselves.
- Actively engage youth in case planning with a team of people that advocates on behalf of the youth.
- Meet with youth monthly and return their phone calls promptly.
- Ensure youth have full information and choice in the types of physical, dental and mental health care they receive.
- Secure living environments and services for youth that are fair, respectful, safe, confidential and free from discrimination.
- Identify a qualified advocate (e.g., GAL, surrogate parent, mental health advocate, attorney, etc.) to represent youth and help the youth advocate for themselves.
- Enroll youth in a high quality education program and promptly approve youth participation in extracurricular activities.
- Encourage and approve youth participation in activities that all youth enjoy.
- Connect youth with resources that promote the development of skills, knowledge and resources youth need to be a successful adults after they transition from foster care.
- Nurture and support youth as they exit care with continuing relationships with individuals who have helped them while in care.

Youth Signature ____/____/____
Date

Name Printed

Caseworker or Guardian Signature ____/____/____
Date

Name Printed

We would like to recognize and thank Paula Burrows, USM student and YLAT member, who led the development of this Bill of Rights with Maine youth in care and their allies.