

You Are Not Alone

A Guide to Sexual Health, Pregnancy and Parenting While in Foster Care

Lawyers For Children wishes to express our gratitude to Anna Schissel, Esq., Mary Ellen Shea, LMSW, and Lauren Kernan, for creating this handbook, and to the young people and members of LFC's staff who have generously provided their comments and suggestions. We also wish to offer sincere thanks to Lesley Ehlers for her outstanding artistic design.

Lawyers For Children is a nonprofit organization providing critically-needed, top-quality legal representation and social work services to thousands of children and young people in foster care in New York City every year. We advocate on behalf of our clients in foster care, abuse, neglect, termination of parental rights and custody proceedings. In addition, Lawyers For Children engages in policy and reform efforts to benefit all children in foster care throughout New York State. To learn more about LFC, visit our website at www.lawyersforchildren.org, call us at 212-966-6420, or write to Lawyers For Children at 110 Lafayette Street, 8th Floor, New York, NY 10013.

TABLE OF CONTENTS

INTRODUCTION

HOW DO I FIND MY LAWYER? • 5

WHAT WILL THIS HANDBOOK TELL ME? • 6

YOUR RIGHT TO SEXUAL HEALTH CARE

SERVICES YOUR AGENCY SHOULD PROVIDE • 7

MAKING YOUR OWN HEALTHCARE DECISIONS • 8

SEEKING CARE OUTSIDE YOUR AGENCY • 10

CONFIDENTIALITY • 11

EMERGENCY CONTRACEPTION • 12

HOW TO PAY FOR HEALTHCARE SERVICES WHILE IN
FOSTER CARE • 13

MORE QUESTIONS? • 13

YOUR RIGHT TO PREGNANCY-RELATED CARE AND ABORTIONS

KEEPING CARE CONFIDENTIAL • 15

PREGNANCY • 16

CHOOSING AN ABORTION • 18



YOUR RIGHTS AS A PARENT IN FOSTER CARE

ADOPTION • 20

CHOOSING TO PARENT • 20

CARING FOR YOUR BABY • 21

YOUR RIGHTS AS A FATHER IN FOSTER CARE • 22

SEPARATION FROM YOUR BABY IN FOSTER CARE • 23

VOLUNTARY PLACEMENTS • 25

NEGLECT/ABUSE PROCEEDINGS • 27

HOUSING OPTIONS FOR PARENTS IN FOSTER CARE • 29

CHILD CARE OPTIONS FOR PARENTS IN FOSTER CARE • 32

TRANSITIONING OUT OF FOSTER CARE • 33

MEDICAID COVERAGE FOR YOUTH AGING OUT • 35

SIGNING YOURSELF OUT OF CARE • 37

HOUSING OPTIONS FOR PARENTS AGING OUT OF FOSTER
CARE • 39

RESOURCES FOR TEEN MOTHERS AND FATHERS

SEXUAL HEALTH PROVIDERS • 43

PREGNANCY SERVICES • 44

PREGNANCY-RELATED COUNSELING • 45

SUPPORT SERVICES • 45

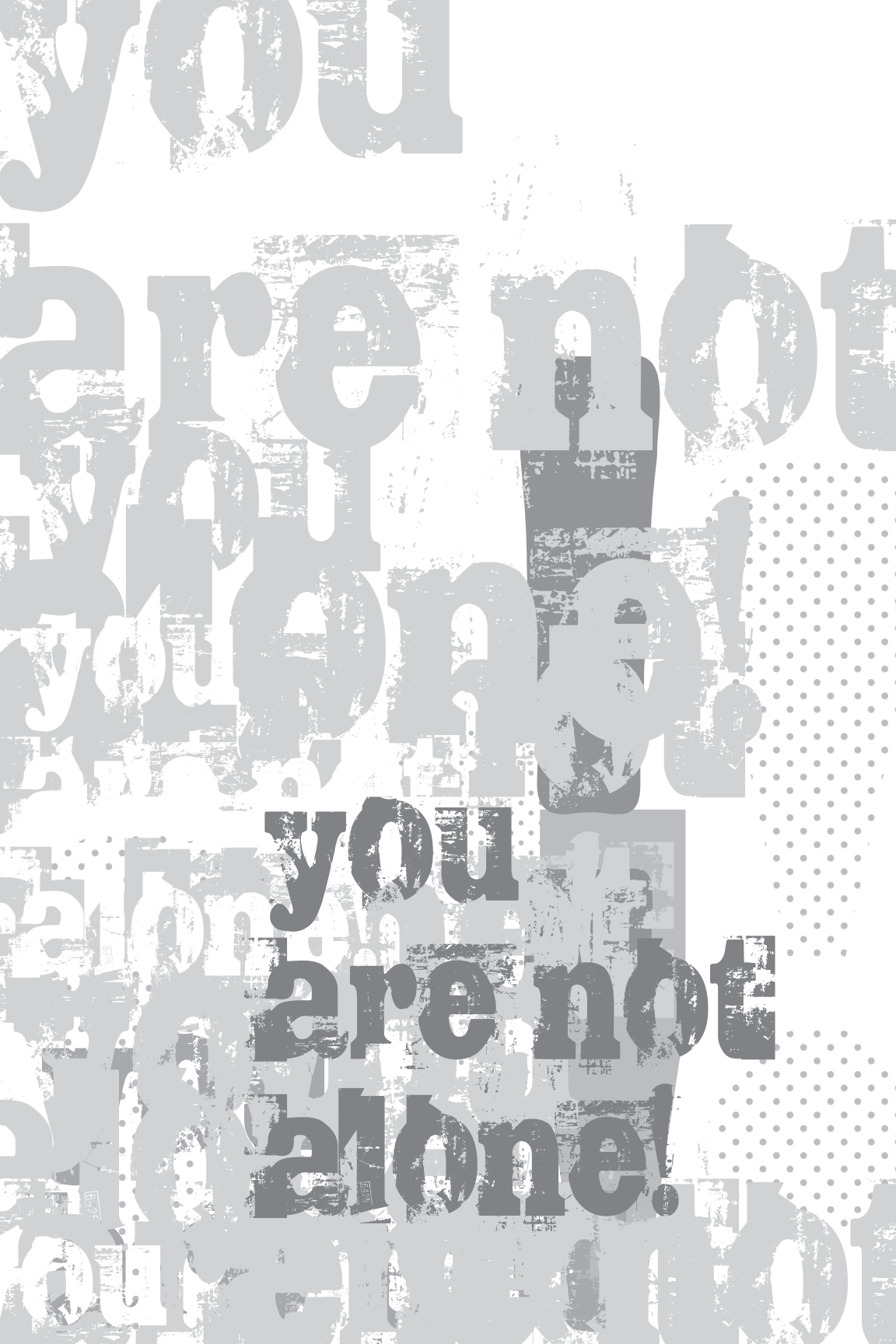
TEEN FATHER SERVICES • 46

LEGAL INFORMATION AND SERVICES • 47

HOME VISITING NURSE PROGRAMS • 48

CHILD CARE SERVICES • 48





you

are not

alone!

you
are not
alone!

you are not

INTRODUCTION

HOW DO I FIND MY LAWYER?

As a young person in foster care, you have a lawyer who was assigned to protect your rights and advocate for your wishes. Your lawyer will probably work for Lawyers For Children or the Legal Aid Society. Both of these offices represent young people. The most important thing to know about your lawyer is that he or she works for YOU. Your lawyer's job is to represent you and to protect your legal rights. At Lawyers For Children, this means that your lawyer will find out what you want and try to make it happen.

If you do not know how to get in touch with your lawyer, ask your caseworker for your attorney's name and phone number. If you want to find out on your own, you can call Lawyers For Children and Legal Aid directly:

Lawyers For Children

1-800-244-2540 or 212-966-6420
www.lawyersforchildren.org

WEB

Legal Aid

212-312-2260
www.legal-aid.org

WEB



WHAT WILL THIS HANDBOOK TELL ME?

All young people face choices that affect their sexual health. Young people in foster care are in the same boat as other teens and young adults when it comes to the complicated decisions they have to make. In order to make choices that are right for you, it's important that you have all the information first. This handbook is designed to let you know what your legal rights are as a young person in foster care when it comes to sexual health, pregnancy and parenting.

This handbook raises questions that many people need help answering. The most important thing to remember is that **YOU ARE NOT ALONE!** Your lawyer or social worker can always talk to you about these issues confidentially and can refer you to a number of great health education resources. At the end of this handbook, you will find a directory of health care providers throughout New York City who provide free or low-cost sexual health and pregnancy-related care to young people, confidentially.

It is important for all teenagers to know that you have the right to get certain kinds of health care even if you don't want to tell your parent, foster parent, or caseworker about it. This handbook outlines what you need to know about when you can get health care on your own and how to keep your health care decisions private.



YOUR RIGHT TO SEXUAL HEALTH CARE

Your Rights & Services

SERVICES YOUR AGENCY SHOULD PROVIDE

Foster care agencies are supposed to provide young people in foster care with the services listed below, but if they don't provide you with these services, ask your caseworker about them or tell your lawyer that you are not receiving the services you need!

- You should receive age-appropriate sex education, counseling on your reproductive rights and information about reproductive health services as soon as you turn 12 or become sexually active, whichever comes first.
- Your agency must provide birth control for you if you are 12 or older and you request it (or if you're younger than 12 but you are sexually active).
- All girls should be referred to a gynecologist as soon as they turn 12, start puberty, or become sexually active – whichever comes first.
- All girls ages 9 and older – whether sexually active or not – should be vaccinated against human papillomavirus (HPV), which can cause cervical cancer and other health problems.
- Agencies must provide emergency contraception (also known as the morning-after pill) to any young woman who requests it. Emergency contraception can prevent you from becoming pregnant if you have had unprotected sex during the previous 5 days (120 hours), but the sooner you take it after unprotected sex, the better the chance that it will prevent a pregnancy.
- If you decide to tell an agency staff member that you are pregnant, the agency must act within 1 week to counsel you on all of your options and give you the opportunity to meet with a health care provider, counselor or your attorney if you need help deciding what to do.



IMPORTANT

If your agency doesn't provide you with these services, make sure to ask your caseworker about them or tell your lawyer that you are not receiving the services you need.

MAKING YOUR OWN HEALTH CARE DECISIONS

If you are 18 or over, you can make all of your own health care decisions.

In New York, young people 17 and under (including young people in foster care) have the right to make certain medical decisions, like those relating to sexual health care, on their own and the right to keep that care confidential and private. In addition, if you are 17 or younger you can access the following sexual health services confidentially, without the permission or involvement of a parent, agency or other guardian:

- Birth control (including condoms and “the pill”);
- Emergency contraception (sometimes called “the morning-after pill” or “Plan B”)—if you are 16 or younger, you will need a prescription, which you can get from your health care provider, but if you are 17 or older you can get emergency contraception over the counter at drugstores;
- Pregnancy-related care;
- STI (Sexually Transmitted Infection) tests and treatment;
- HIV tests;
- Abortion services; and
- Sexual assault care.



If you are younger than 17 and want confidential care, your health provider must first determine that you understand three things before he or she can treat you and keep that care private:

- 1.** The condition for which you seek treatment,
- 2.** The nature and purpose of the different available treatments, and
- 3.** The risks and benefits of the different available treatments (including the option of not getting treatment at all).

Once you turn 18 (whether you are in foster care or not), you have the right to make all medical decisions on your own, and you have the right to keep information about your medical care confidential.



Know
your
rights!

SEEKING CARE OUTSIDE YOUR AGENCY

You have the right to see a doctor who is not working with your agency to make sure that your reproductive health information stays private. For example, if you want to be tested for a sexually transmitted infection (STI), you don't have to tell your caseworker or foster parent. You can get tested on your own and you can keep your results private. You can go to any of the centers listed in the resource guide at the end of this handbook for confidential, low-cost (or free) testing. You can also call (800) 232-4636 or visit <http://www.nyc.gov/html/doh/html/std/std2.shtml> for a list of confidential HIV and STI testing sites in New York City.

WEB

Your foster care agency is required to provide you with referrals if you decide not to see an agency doctor and you ask for help finding a doctor outside the agency. If you don't want to ask your foster parent or agency for help, you can find a doctor on your own. You can always ask your attorney or check out this handbook's resource guide. You can also go to any doctor who takes Medicaid and use your Medicaid number to get care.

If you have any difficulty getting help finding an outside doctor (including getting your Medicaid number), you should contact your attorney. If you need to see a doctor for emergency contraception, because you think you may have an STI, or for any other time-sensitive treatment, your caseworker cannot tell you that you have to wait for an appointment with the agency doctor. You have the right to receive prompt treatment, and you can go outside the agency to get it.



**YOU HAVE THE RIGHT
TO RECEIVE PROMPT
TREATMENT, AND YOU
CAN GO OUTSIDE THE
AGENCY TO GET IT.**



Your health
information is
confidential

CONFIDENTIALITY

By law, your doctor is never allowed to give your information to your caseworker unless you have given permission. This rule applies whether you see an agency doctor or a doctor outside your agency. Sometimes, however, doctors and nurses working for your agency do share confidential information without the required permission from you. If you think your doctor shared your medical information without your permission, call your attorney.

If you decide to share your health information with your caseworker, keep in mind that foster care agencies are required to keep your reproductive health information confidential, meaning they cannot share it with anyone without your written permission.

The one exception to this rule is HIV/AIDS information. If the agency receives HIV/AIDS-related information about you, the law requires the agency to disclose it to your foster parents, prospective adoptive parents, another foster care agency if you are transferred to that agency, and your attorney.

EMERGENCY CONTRACEPTION

If you are 16 or younger, you will need a doctor's prescription to get emergency contraception (EC). You should get your Medicaid number from your caseworker and ask for assistance finding a provider (either at your agency or outside it) who can see you immediately. If you don't want to involve your caseworker, you can go on your own to any of the adolescent-friendly health clinics listed in the resource guide at the end of this handbook. You can then take the prescription to any drugstore and use your Medicaid number to pay for the medication. Some health clinics also keep a stock of EC and can give it to you on site.

You might want to consider asking your doctor in advance for a prescription for EC. Many doctors will give you a prescription so that you'll have it if you need it.

If you are 17 or older, you do not need a doctor's prescription to get EC. You can go to any pharmacy and purchase it directly from the pharmacist. You can use your Medicaid card or number to pay for it. You'll need ID for proof of age, so if you do not have an ID, you can ask a caseworker to accompany you to the pharmacy with proof of your date of birth. If you do not have an ID and do not want your agency involved, call your attorney for help.



HOW TO PAY FOR HEALTHCARE SERVICES WHILE IN FOSTER CARE

All young people in foster care are automatically enrolled in Medicaid, a type of public health insurance. Medicaid pays for ALL reproductive health care, including pregnancy-related care, sexual health care and abortion services. If you have a baby while in foster care, your baby will automatically be enrolled in Medicaid.

When planning for your discharge from foster care, in addition to all of the transition planning your agency should help you with, the agency should also set up future appointments for medical and gynecological exams, and assist you in ensuring that you get any necessary medications following your discharge.

MORE QUESTIONS?

Whenever possible, it is best to talk to a trained health care professional you can trust with questions about your sexual health. Please refer to the resource guide at the end of this handbook for a list of adolescent-friendly clinics and health centers in each borough of New York City that provide free or low-cost sexual health services for young people. You can also talk to your attorney or the social worker that works with your attorney about your sexual health.



YOUR RIGHT TO PREGNANCY-RELATED CARE AND ABORTIONS

If you are pregnant, you can consent to all pregnancy-related care on your own and keep it confidential. This includes pregnancy tests, pregnancy counseling, prenatal care, childbirth, and abortion services. If you decide to carry your pregnancy to term, “pregnancy-related care” can include most of the kinds of health care you might need.

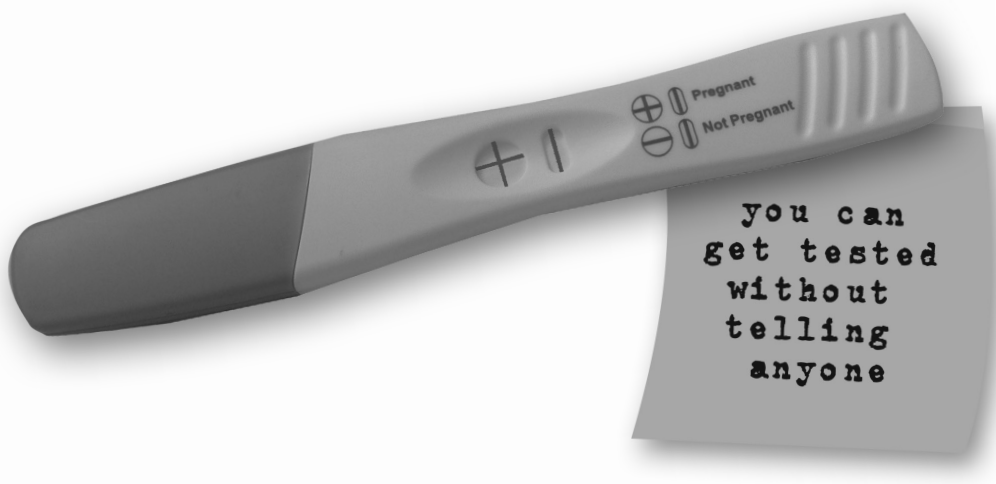
Finding out you are pregnant while you’re in foster care can be overwhelming. Remember that you have options: abortion, parenting, and adoption.



KEEPING CARE CONFIDENTIAL

Most teens in foster care receive medical services through agency health providers. When you receive sexual health care through your agency doctor or provide sexual health information to your foster care agency, the agency is supposed to keep that information confidential, meaning that they cannot share it with anyone unless you give written permission. This means that if you find out you are pregnant, your doctor is not supposed to share this information with anyone (including your caseworker, your parent, or your foster parent) without your written permission, even if the doctor works for your foster care agency.

However, you should know that when you see an agency provider or provide sexual health information to your agency doctor, information about your care may in fact be shared with caseworkers, agency staff, prospective foster parents, and certain other people even though it should be kept private. If you suspect that you're pregnant and you want to decide whether and when your agency or caregivers learn about it, it is a good idea to get your Medicaid number and seek care from a provider not affiliated with your agency. If you have problems doing this, speak with your attorney.



PREGNANCY

In the same way that your agency doctor shouldn't share information about your pregnancy, your agency caseworker is not supposed to tell anyone about your pregnancy without your written permission. Unfortunately, in practice, they often do. If you find out that you're pregnant, but you aren't sure what you want to do, and you want to talk to someone who you are certain will keep your information private, you can always seek counseling outside of your agency. To talk to someone outside of your agency, check out the resource guide at the end of this handbook for a list of adolescent-friendly health providers all around New York City. You can call and make an appointment to speak with a counselor about your options confidentially.

If you think your private information is not being kept private, contact your lawyer!



**CONSULT
WITH YOUR
DOCTOR IF
YOU ARE
TAKING ANY
MEDICATION**



Good to know:

If you are pregnant and considering carrying the pregnancy to term, but you are taking medications, keep in mind that some medications can cause harm to a developing baby and that doctors recommend that pregnant women not take those medications if they are planning to carry the pregnancy to term. Sometimes, there are alternative treatments pregnant women can receive, and sometimes they can take medications with close medical monitoring. If you learn you are pregnant and you take ANY medications regularly (prescription or non-prescription), speak with your doctor immediately to find out if the medications you take may be dangerous to your baby and to decide how you should proceed.

CHOOSING AN ABORTION

If you decide you do not want to parent, one of your options in addition to placing the baby in an adoptive home is to have an abortion. Regardless of your age, you can obtain a confidential abortion in New York State on your own, without getting permission from a parent, foster parent or your foster care agency. It is a crime for a doctor to release medical records relating to your abortion to your parents or other legal guardians without your permission.

In New York State, a woman has the legal right to obtain an abortion up to 24 weeks of pregnancy. The procedure gets more complicated later in the pregnancy. If you need help deciding whether to continue the pregnancy, seek counseling as soon as you learn you are pregnant.



It is important for you to know that all foster care agencies – even those with religious affiliations – are required by law to provide teens in their care with information about how to obtain the full range of family planning services, including birth control, emergency contraception, and abortion care. This means that if you want to get an abortion, your caseworker **CANNOT** tell you that he/she doesn't have to help you because you are placed with a Catholic agency.

You can also refer to the resource guide at the end of this handbook for adolescent-friendly health clinics where you can get this information on your own. If your caseworker or foster parents are trying to stop you from getting **ANY** pregnancy-related services, you should call your attorney immediately.

Remember that whatever your decision about your pregnancy, your foster care agency is not permitted to notify your parent, foster parent or guardian without your written permission.

IT IS YOUR
DECISION

YOUR FOSTER CARE AGENCY
is **NOT** PERMITTED TO
NOTIFY YOUR PARENT,
FOSTER PARENT OR
GUARDIAN WITHOUT YOUR
WRITTEN PERMISSION.



YOUR RIGHTS AS A PARENT IN FOSTER CARE

ADOPTION

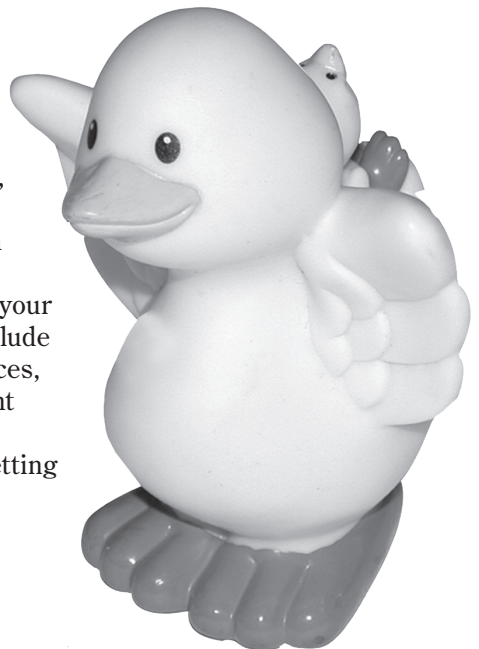
Just because you decide not to have an abortion doesn't mean you have to become a parent. You can always consider placing the baby in an adoptive home. Speak to your lawyer or social worker about how to proceed if you want to explore the possibility of adoption.

CHOOSING TO PARENT

The first thing to do if you decide you want to be a parent is to make a prenatal appointment with a health professional. Talk to your health professional about making a plan for the medical care you'll need while pregnant and after you give birth.

You should know that if you decide you want to be a parent while you are in foster care, you have rights, just like all parents. Your baby will NOT automatically be placed in foster care. It is true that parenting while in foster care can be complicated, so as soon as you have decided to parent your baby, you should begin to educate yourself about your rights and the services available to you.

Parenting while in foster care can be difficult, but there is help available to you. According to ACS policy and state law, if you have a child, you are entitled to preventive services from your agency – services that begin during your pregnancy. Preventive services are designed to keep you and your child together and healthy, and can include parenting classes, housekeeping services, home management services, and parent aide services. Ask your caseworker or attorney for more information about getting preventive services.



In addition to the support you are entitled to from your agency, there are organizations in New York City that provide special support for young mothers, including home visits from a nurse, breastfeeding assistance, classes, and case management. This support usually begins during your pregnancy and continues through your child's second year. See the list of Resources for Teen Mothers and Fathers at the end of this handbook for the contact information of agencies that provide such support, including Healthy Families New York, the Northern Manhattan Perinatal Partnership, the Nurse-Family Partnership, Room to Grow, and the Visiting Nurse Program.

CARING FOR YOUR BABY

If you decide to parent, it is important for you to know that minors who are parents can make all health care decisions for themselves on their own, not just those relating to sexual health services. They can also make all health care decisions for their child(ren) on their own.

Before you can make decisions about your care and your baby's care, the doctor still has to determine that you understand (1) the condition(s) for which you or your baby need treatment, (2) the available treatments for the condition(s), and (3) the risks and benefits of the available treatments. But as long as you understand these things, you are the one who can make medical decisions for yourself and your baby – not your caseworker, your parent, or your foster parent, and you can control who else has access to your medical information and your baby's.

Your baby will automatically be enrolled in Medicaid; use your baby's Medicaid number at her pediatrician and other medical visits.



YOUR RIGHTS AS A FATHER IN FOSTER CARE

Becoming a father can be overwhelming at any age and in any situation, but for a teenager in foster care, it comes with an additional set of challenges. You can negotiate them with planning, preparation, and the help of your attorney or social worker.

If you are a teen father in foster care, like other teen father, you have full parental rights unless a judge decides that you may harm your baby. This means that you have the right to visit with your child and even ask the court to give you custody of your child.

It can be difficult to coordinate visits with your child if you are a father in foster care, but your foster care placement should make reasonable accommodations for you to make sure you can visit – like allowing you to come home after curfew if your baby lives so far away that you can't get back before curfew. If your group home, foster parent, or other placement is not willing to work with you to make sure you can see your baby, contact your attorney for help.

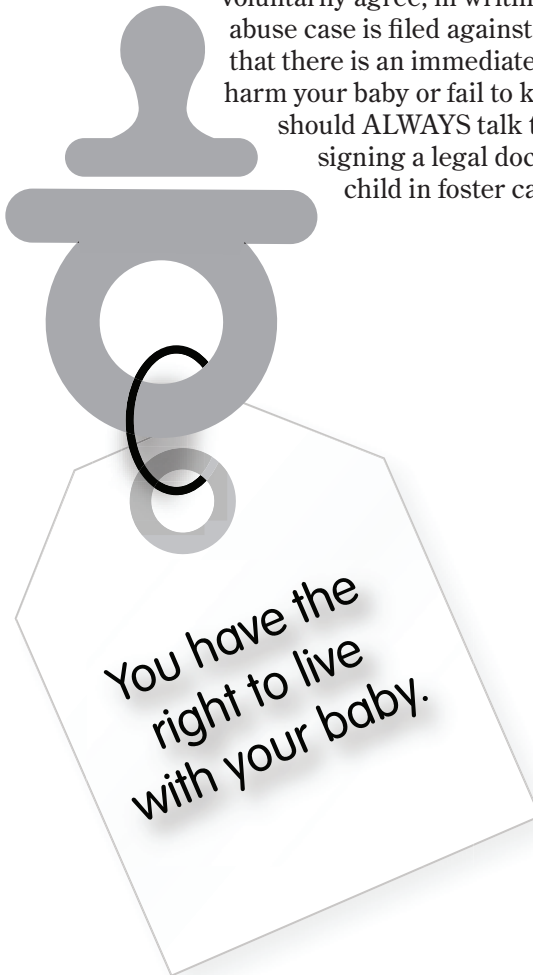
You also have a right to visit with your baby even if your baby and/or his mother are not in foster care (unless a judge orders otherwise). Like all fathers, you also have the right to ask the court for custody of your baby if you think it is in the baby's best interest to live with you. As a practical matter, if you are a father in foster care it might take time for you to find a placement for you and your baby, but your agency should look into this option for you. You should speak with your attorney if you're having any problems exercising your rights as a father.



SEPARATION FROM YOUR BABY IN FOSTER CARE

If you are a young mother in foster care, you have the right to live with your baby. A caseworker cannot tell you that you must be separated from your child because no mother-child placements are available. If you find yourself in this situation, you should call your attorney, who can go to court to get an order from a judge requiring that the agency place you and your child together. However, as a practical matter, even with an order like this in place, you may find yourself temporarily separated from your baby until a joint placement is found. If this happens to you, call your lawyer right away!

A baby born to a young mother in foster care is not automatically in foster care. Your baby can only be placed in foster care if you voluntarily agree, in writing, or if a neglect or abuse case is filed against you and a judge decides that there is an immediate danger that you may harm your baby or fail to keep your baby safe. You should ALWAYS talk to your lawyer before signing a legal document that places your child in foster care!



Unless there are concerns about your ability to take care of your baby, your baby will live with you and be in your custody. This means that the baby is your responsibility, not your foster parent's responsibility or your group home's responsibility. While you can get help from your foster parent or the staff in your group home, it's your job to make sure your baby is safe, is kept clean, is fed, and sees a doctor regularly.

If you are worried about your baby being removed from your care, the first thing to do is call your lawyer. In addition, when you first tell your caseworker about your pregnancy, you should discuss preventive services that the agency can offer you to help you prepare for parenthood. These can include parenting classes, support groups, mentoring, mental health services, educational support, job training, and assistance with obtaining child care and housing. There is also a special group at Lawyers For Children for pregnant and parenting young people.

To learn more about LFC's Pregnant and Parenting project call 212-966-6420.



VOLUNTARY PLACEMENTS

If your baby is placed in foster care for any reason, you will be assigned a new attorney to represent you as the parent of a child in foster care. You should work with your baby's agency and your attorney on the plan to return the baby to your care. Call your attorney if you have any questions or problems during this process.

You should not be pressured or forced to agree to place your baby in foster care or to give someone else custody of your child, and you should NEVER sign an agreement to place your baby in care without first speaking to your lawyer. Remember that if you do not want your child to be in foster care, the only person who has the power to order your child placed in foster care is a judge, and the judge can ONLY order your child to be placed in foster care if a neglect or abuse case is filed against you and a judge decides that your baby would be at risk of being harmed if she lived with you. Always talk to your attorney if you feel you are being pressured to place your baby in foster care.

If you voluntarily place your baby in foster care, you should be aware that some young people find it difficult to get their children returned to them after they have placed them in care voluntarily. However, you have the right to ask the foster care agency to return your baby at any time. This is called "making a demand" for your child's return. If you decide to make a demand, call your lawyer right away.



If you make a demand for return of your child, the agency must hold a conference with you and ACS and must then return your child to you within 10 days. You have a right to have the social worker from your lawyer's office at this conference to help you advocate for your wishes. If the agency does not agree that the baby should be returned to you, then within 10 days of your demand, the agency must ask a judge to hold a hearing to decide whether it is in the baby's best interest to return to you or to stay in foster care. The agency may ask for such a hearing if it has concerns about, for example, whether you have a safe place for you and the baby to live or whether services are set up that would help you to take care of your baby.

Sometimes when these concerns are raised during the conference, you can develop a service plan to work out a solution to these issues and agree on a plan for the return of your baby without needing a judge to get involved. You should always talk to your attorney about any problems you run into when trying to get your baby returned to your care.



You can always have the social worker who works with your lawyer come to an agency conference to help you present your plan for you and your baby. Make sure to tell your lawyer and social worker the date and time of the agency conference!

NEGLECT/ABUSE PROCEEDINGS

In some cases, ACS will file a neglect or abuse case against a young person who is parenting while in foster care.

If ACS files a neglect or abuse case against you, you have the right to have a lawyer defend you. If you find out that there is a plan to remove your child from your custody and care or that a neglect or abuse case is being filed against you, contact your lawyer right away. If ACS removes your child from your care, the agency must hold a conference (either before removal or immediately following an emergency removal), at which ACS will explore any relatives as resources for placement of your child before the agency looks for non-family foster homes, so be sure to give your caseworker the names of family or friends you would like to care for your child until your child can return to you.

If you have not yet appeared in court but know that ACS is investigating you or plans to remove your child from your care, you also can contact your foster care attorney or one of the organizations in the resource guide at the back of this handbook for legal and other assistance before to going to court.



If you already appeared in court on the case ACS filed against you, you were assigned an attorney by the judge. If you don't know the name of your lawyer, you can contact one of the following three organizations in New York City that provide attorneys for most parents in neglect and abuse cases. If none of these organizations has your case, you may have been assigned an attorney on the 18-b panel. Contact the Family Court in your borough to find out if you have an 18-b attorney.

Center for Family Representation

(cases filed in Manhattan and Queens)

(212) 691-0950 x228 or x247

<http://www.cfrny.org/>

WEB

Bronx Defenders

(cases filed in the Bronx)

(718) 838-7878

<http://www.bronxdefenders.org/our-work/we-fight-keep-families-together>

WEB

Brooklyn Family Defense

(cases filed in Brooklyn)

(347) 592-2500

<http://www.bfdp.org>

WEB



HOUSING OPTIONS FOR PARENTS IN FOSTER CARE

If you are pregnant and have decided to parent your baby, you will not necessarily have to move out of your foster home when the baby is born. It will depend on what you want and what your foster parent wants. If you want to stay in the foster home and your foster parent agrees, you can stay there during your pregnancy. If you want to continue staying there after you give birth and the foster parent agrees, the agency may need to file some paperwork to accommodate the request, so make sure you let your caseworker know.

Sometimes, a foster parent is not comfortable caring for a pregnant foster child or having a new baby in the home. Other times, young women choose to leave their foster homes when they are pregnant. In these cases, you can be placed in another foster home with a willing foster parent, or you can be placed in a special group home for pregnant young women in foster care, called a “Mother-Child” residence. These placements provide special services like medical care, daycare, parenting classes, and sometimes schooling. If you are interested in either of these options, talk to your attorney and/or your caseworker.



Currently, there are no options that permit both a mother and father to reside with their child while still in foster care. If both parents are 18 and wish to reside with their child, they should speak to their caseworkers and attorneys about family housing options.

As soon as you tell your caseworker about your pregnancy, your caseworker should schedule a Service Plan Review (SPR) or Family Team Conference (FTC) meeting to plan for your placement after you give birth.



REMEMBER that your social worker in your lawyer's office can attend these meetings with you, so be sure to let him or her know the date and time of the conference. The agency should start planning and exploring placements as soon as you tell them about your pregnancy, and they should have a placement identified by your 8th month of pregnancy. Also, make sure to let your lawyer know about your pregnancy so that your lawyer can stay in touch with the agency to be certain that the agency is working on finding the right placement for you.





If your child is placed with you in a foster home, the foster parent will receive additional money from the agency for your child (the amount is the same as the funding the foster parent would receive if your baby was a foster child in the home).

Keep in mind that your foster parent has the choice of spending this money directly on your baby, or giving the money to you for you to spend on your child. Before you give birth, your foster care agency should hold a meeting where you discuss this and decide how these responsibilities will be shared.

Whoever has the money is responsible for paying for your child's necessities, including diapers (until your child is four years old), food or formula, clothing, and child care. The foster care agency must also provide funds for you to get a crib, a high chair, a stroller if necessary, and a car seat.

CHILD CARE OPTIONS FOR PARENTS IN FOSTER CARE

As a teen parent in foster care, you are entitled to child care services to enable you to return to school and/or work.

Residential Child Care: If you are living in a Mother-Child residence, there is on-site child care you can use when you're in school, at work, or participating in other services, like parenting classes or therapy.

Subsidized Child Care: This is free or low-cost day care provided by ACS for eligible families in New York City. Child care is available for children six weeks old through twelve years old, and possibly longer for children with special needs. Eligibility depends on your income and why you need the child care. There are two types of programs covered by subsidized child care—ACS-run programs and private certified programs that require a voucher, which most people refer to as the “ACD voucher.”

Call (888) 469-5999 for NYC Child Care Resources and referrals for ACS funded programs. You can also call 311 for further information on how to apply for the ACD voucher. Your agency should always be willing and able to help you with your child care needs. If you are having problems, call your lawyer.

LYFE: The Living for Young Families through Education program helps young parents stay in school by providing free on-site child care for the children of students at many New York City high schools and alternative schools. Child care is available for children ages two months to two years. To find a high school that participates in the program, call 311 or (917) 521-3639, or go to <http://schools/nyc.gov> and type “District 79” in the search bar.

WEB



TRANSITIONING OUT OF FOSTER CARE

If you are 18 or older and preparing to leave the foster care system you should always talk with your lawyer before signing yourself out of care or before you turn 21. Your lawyer can help ensure that you receive all of the services you need and help come up with a plan that you agree to for safe housing, income and a supportive connection to an adult in your community. You can get more information about aging out of foster care by reading Lawyers for Children's handbook entitled *You Are Not Alone: Aging Out of Foster Care*. You can get a copy by calling (212) 966-6420 or read and print a copy online at www.lawyersforchildren.org.

WEB

You should also know about the special community-based supports for young parents who have left foster care and you should talk about these programs with your lawyer BEFORE you leave foster care:



IMPORTANT

**Talk about these programs
with your lawyer BEFORE
you leave foster care.**



**CALL
311**

TASA: If you leave foster care before your 20th birthday, you may be able to access assistance through the Teen Age Services Act (TASA) Program. TASA programs work with pregnant or parenting adolescents who are receiving Public Assistance or Medicaid. TASA can help you access health services, public benefits, housing, education, family planning, parenting skills classes, and vocational programs. To learn how to enroll in TASA programs, call 311 or go to:

WEB

home2.nyc.gov/html/acs/html/support_families/preventive_services_tasa.shtml

Women In Need offers transitional shelters, permanent supportive housing, supportive housing for special populations of mothers with children, job training and placement, and child care services. Unfortunately, however, Women In Need will only offer services to homeless women who have been in a shelter. You can contact Women In Need at (212) 695-4758.

If you are transitioning out of foster care, you probably have a lot of questions. Aging out requires a lot of planning and preparation and even more if you have children of your own. Be certain to stay in touch with your lawyer as questions come up.





MEDICAID COVERAGE FOR YOUTH AGING OUT

If you're in foster care and your child is living with you, you will have Medicaid coverage and your child will have Medicaid coverage under your case for as long as you're in foster care.

About two months before you age out of foster care, your caseworker should help you transfer from Foster Care Medicaid to Community (regular) Medicaid by filling out a Medicaid recertification package. If, for any reason, your Community Medicaid is delayed, there is a special grace period given to young people aging out of foster care that will provide up to four months of Medicaid coverage directly after you leave foster care. Once your Community Medicaid is active, it is good for one year, and then you'll need to renew it again every year after that. Medicaid will send you the renewal forms before the year is up, so make sure Medicaid always has your current address.



Medicaid

If you decide to leave foster care between your 18th and 21st birthdays, a special law in New York keeps your Medicaid active until you turn 21, regardless of your income or resources, as long as you continue residing in New York State. Before your 21st birthday, Medicaid will send you a renewal package to fill out if you wish to continue your Medicaid coverage.

If you leave foster care with your child before your 21st birthday, you will be entitled to Medicaid coverage but your child will not. If you wait to leave foster care until you age out at 21, you will be entitled to the special four-month grace period of Medicaid coverage but your child will not. So, if you have a child living with you in foster care who will be living with you when you leave or age out of foster care, it is very important that you make sure to fill out a Medicaid recertification package, listing your child on your form, and submit it to ACS at least two months before you leave care. If you don't, your child may end up without health care coverage for a period of time.

All future information and renewal forms from Medicaid will be sent to your discharge address, so make sure your caseworker has the address where you will be living after you are discharged from care and that you use this address in your recertification paperwork. If you move, you must make sure that Medicaid has your new address, so that they know where to send your and your child's recertification packages.




SIGNING YOURSELF OUT OF CARE

Once you turn 18, you have the right to sign yourself out of foster care and leave with your baby. Of course, like any other young person in foster care, you also have the right to choose to remain in care, with your baby, up until your 21st birthday. Always speak to your lawyer before signing any agreement to leave foster care OR any agreement to stay past your 18th birthday. If you decide to sign yourself out, it's important that you have a plan for a safe place to live and for getting all the services your baby needs.

Transitioning out of foster care is a big step, and when you sign yourself out, you are taking on a new set of responsibilities, both for yourself and for your child. Many parents transition successfully out of foster care, but some run into problems.

If you decide to sign yourself out of care, but you do not have a plan for a safe place to live with your baby and for a way to make sure your baby gets all the services she needs, you may be at risk of the agency calling in a report and ACS filing a neglect case against you. This is one of the reasons it is important to talk to your lawyer before you decide to leave foster care. If ACS files a neglect petition against you, you might not be able to take your baby with you when you leave foster care. If you need help putting a plan in place to make sure you have safe housing and all the services you and your baby need, talk to your caseworker and your attorney.

**SPEAK TO YOUR
LAWYER BEFORE
SIGNING ANY
AGREEMENT!** 



If you sign yourself out of care with your baby, but your plan doesn't work out and you want to return to foster care, you may be able to come back into foster care. To come back into care once you sign out you will need to meet the following criteria:

- You must be under 21;
- It must not be more than 24 months (two years) since your final discharge from care;
- You must not have a reasonable alternative to foster care;
- You must agree to your re-entry in foster care;
- You must agree to enroll in and attend an appropriate educational or vocational program, unless it is unnecessary or inappropriate, based on your individual circumstances;

If you are interested in coming back into foster care after having signed yourself out, contact your attorney immediately.



HOUSING OPTIONS FOR PARENTS AGING OUT OF FOSTER CARE

Finding safe and affordable housing is a challenge for anyone living in New York City. It can be even more of a challenge for young parents, who may have fewer housing options than young people without children of their own. For this reason, it is important to begin planning early. Your agency is responsible for working with you to find you permanent housing and you should start exploring your options as soon as you turn 17. Speak to your caseworker, an agency supervisor, or the housing coordinator at your agency to get planning underway. You can also reach out directly to the ACS Housing Support and Services Unit (call 212-341-8979 or go in person to the Manhattan office at 150 William St., 8th Fl.). If you're not getting the information and assistance you need, make sure to contact your lawyer immediately.



There are three main housing programs for young parents leaving foster care. Work with your agency to apply for all three housing programs; that way you can choose the one that best meets your needs.

The New York City Housing Authority (NYCHA)

NYCHA gives priority to applications from young people leaving foster care and locates apartments for them in public housing complexes. To qualify for NYCHA, you must have some form of income, you must be employed or in school, and you must pass a criminal background check. In order to get the foster care priority, your caseworker must assemble and submit your application packet on your behalf. Your application must include your child(ren) so you'll be eligible for a family-appropriate apartment.

NY/NY III Supportive Housing

This is a subsidized, semi-permanent housing program that offers tenants their own apartments as well as access to supportive services like case management, mental health services, job programs, and public benefits advocacy. Although most categories of NY/NY III are only available to single adults, young parents and their children are eligible for NY/NY III housing if the parent has a serious mental illness or if the family has become homeless after leaving foster care. Agency staff must complete the application for you to be considered for NY/NY III and you must agree to certain testing, like psychological evaluations, which will be included in the application packet. To qualify for NY/NY III, you must also have some source of income and be able to pay 30% of your income towards rent, among other conditions.

Section 8

The Section 8 housing program, which previously supported young people leaving foster care, has been suspended since 2009 and remains suspended as of the time of this booklet's publishing in 2012. Ask your caseworker or lawyer if Section 8 has become active again to see if this is another option available to you.

The ACS Housing Subsidy

This subsidy program gives rent assistance to young people who sign out of foster care before their 21st birthday and who are not living in other subsidized housing (like NYCHA or NY/NY III). The ACS Housing Subsidy pays up to \$300 per month directly to your landlord for your rent, until you've received \$10,800 in rent assistance or until you turn 21, whichever comes first. In order to qualify for the ACS Housing Subsidy, you must be on trial discharge to independent living (APPLA) with a documented source of income, and you must be able to pay 30 percent of your income towards your housing costs. Other conditions apply, so speak with your caseworker to learn more as soon as you decide you want to leave foster care prior to your 21st birthday. You can also call ACS's Housing Subsidy Office (212-442-2140) or your lawyer for help.

The ACS Housing Subsidy program also offers a "one-shot grant" that can provide you up to \$1,800 to cover a broker's fee, security deposit, first month's rent, moving expenses, and/or rent arrears (money to pay back rent to prevent you from being evicted). Speak with your caseworker or your lawyer for more information about applying.



RENT
assistance
one-shot
GRANT

In addition to these three main housing programs, there are a host of other smaller programs that have limited openings for young parents aging out of foster care, as well as programs that provide cash assistance for housing-related needs. These include apartment lotteries, “Semiperm” housing, utilities assistance, furniture grants, and programs to help homeless youth and families as well as youth and families who are at risk of becoming homeless.

For information about additional housing programs and support, as well as more detailed information about the application processes and eligibility requirements for the housing programs listed here, please consult Lawyers for Children’s *You Are Not Alone: Aging Out of Foster Care* handbook. You can get a copy by calling (212) 966-6420 or read and print a copy online at www.lawyersforchildren.org.

WEB



RESOURCES FOR TEEN MOTHERS AND FATHERS

SEXUAL HEALTH PROVIDERS

AdolescentAIDS, at the Children's Hospital at Montefiore in the Bronx, offers a range of information about HIV and AIDS as well as information about support and services for young individuals with HIV or AIDS.

(718) 882-0232

<http://www.adolescentaids.org>

Centers for Disease Control Hotline, run by the National Centers for Disease Control, offers information on a variety of issues, including sexually transmitted infections and HIV/AIDS. Open 24 hours per day:

800-232-4636 (TTY access: 888-232-6348)

To skip through the menu quickly, press 1 for English or 2 for Spanish, THEN press 1. After that, for information about testing sites, press 1; or for general questions about HIV or STIs, press 2.

Go Ask Alice! is an internet-based health Q&A resource run by Columbia University. You can look up answers to questions that other people have asked and ask your own questions, too.

<http://www.goaskalice.columbia.edu>

New York State Coalition Against Sexual Assault provides information and referrals for support, medical care, and counseling for individuals who have experienced sexual violence.

(518) 482-4222

<http://nyscasa.org/>

Planned Parenthood offers a wide array of information about sexual health for men and women.

1 (800) 230-7526

<http://www.plannedparenthood.org/health-topics/index.htm>

Planned Parenthood's website also has a special section for teenagers: <http://www.plannedparenthood.org/info-for-teens/index.asp>

Youth Success NYC provides information on health, housing, employment, and mental health.

1 (800) 230-7526

<http://www.youthsuccessnyc.org/>

PREGNANCY SERVICES

Brooklyn Young Mothers' Collective provides young mothers with a comprehensive set of services focused on their educational attainment and social development to help them to become self-sufficient adults.

(718) 596-7074

<http://www.brooklynchildcarecollective.org/>

Growing Up Healthy Hotline, run by the New York State Department of Health, offers online and telephone support for a wide range of information about health care services and health insurance options (like Medicaid) in New York State.

(800) 522-5006 (TTY access: (800) 655-1789)

http://www.health.ny.gov/community/pregnancy/health_care/prenatal/guh.htm

La Leche League provides information, support and education to new mothers concerning all aspects of breastfeeding. The website offers resources and information, as well as links to local support groups. Find your local La Leche League support group(s) on their website:

<http://www.lalecheleague.org/>

Montefiore Hospital's REP (Risk Evaluation Program) is a clinical program that offers comprehensive medical and psychological care to HIV positive youth ages 13 through 24 (including pregnant and parenting youth).

(718) 882-0232

<http://www.adolescentaids.org/healthcare/medpsy.html>

Northern Manhattan Perinatal Partnership helps deliver comprehensive health and social services and support to women and their infants beginning in pregnancy and following the child through adolescence.

(212) 665-2600

<http://www.sisterlink.com>

Planned Parenthood offers a wide array of information about sexual health for men and women.

(800) 230-7526

<http://www.plannedparenthood.org/health-topics/index.htm>

Planned Parenthood's website also has a special section for teenagers: <http://www.plannedparenthood.org/info-for-teens/index.asp>

PREGNANCY-RELATED COUNSELING

Rosalie Hall Maternity Services provide option counseling for any teen facing an unintended pregnancy who wants to receive information on her parenting choices.

(646) 784-0183

www.cgshb.org

Spence Chapin Option Counseling Hotline

(800) 321-5683

Backline offers support for young people as they make reproductive decisions. Their hotline, called Talkline, offers free, confidential counseling about pregnancy, parenting, abortion, and adoption.

(888) 493-0092

www.yourbackline.org

SUPPORT SERVICES

Big Brothers Big Sisters of New York City offers mentoring programs for young mothers and fathers up to age 20, in all five boroughs of New York City.

(212) 686-2042

<http://www.bigsnyc.org/a-programs.php>

Brooklyn Young Mothers' Collective provides young mothers with a comprehensive set of services focused on their educational attainment and social development to help them to become self-sufficient adults.

(718) 596-7074

<http://www.brooklynchildcarecollective.org/>

Bushwick Teen Mother Project helps teen mothers stay in school and make responsible and informed decisions, and assists with health and social services. They also provide parenting and child development training.

(212) 674-1740

In the Spirit of the Children offers a continuum of services to young adults exiting foster care, including parenting skills for young parents, mentoring support, medical referral services, employment and educational assistance.

(212) 410-9801

Harlem Children's Zone's Baby College is a nine-week parenting workshop for expectant parents and those raising a child up to three years old.

(212) 360-3255

<http://www.hcz.org/programs/early-childhood>

Healthy Families New York offers home-based services to expectant families, new parents, and parents in foster care with more than one child, with the goal of promoting health, self-sufficiency, and strong family relationships. Services can begin prenatally or shortly after the birth of the child, and can continue until the child is in school or Head Start. Call 311 or see website for individual program sites around New York State.

<http://www.healthyfamiliesnewyork.org/>

Room to Grow offers low-income expectant parents one-on-one parenting support, information and baby items every three months from before the baby is born through the child's third birthday. You need to be referred by one of the Referral Partners (check website).

(212) 620-7800

<http://www.roomtogrow.org/>

Sistas on the Rise is an organization in the South Bronx that supports and empowers young women and mothers of color, ages 13 to 21.

<http://www.myspace.com/sotrfamily>

TEEN FATHER SERVICES

Strive Fatherhood Program works to foster close connections between fathers and their children as well as help fathers learn to be partners in parenting. Strive offers workshops on relationship-

building, parenting, conflict resolution, financial literacy, domestic violence and anger management, employment services, and child support services.

(212) 360-1100

http://strivenational.org/strivesite/?page_id=430

Youth at Risk's Fatherhood Program supports young fathers, ages 16 to 25, who want to improve their relationship with their children. They also offer GED prep, counseling, parenting workshops, and career development.

(212) 791-4927

<http://www.nyyouthatrisk.org>

LEGAL INFORMATION AND SERVICES

Locating your attorney on your foster care case:

Lawyers for Children

(212) 966-6420 or (800) 244-2540

<http://www.lawyersforchildren.org>

Legal Aid Society

(212) 577-3300

Locating your attorney if a neglect or abuse case has been or might be filed against you:

Center for Family Representation (CFR)'s Young Parents Project

(for cases filed in Manhattan and Queens)

(212) 691-0950 x228 or x247

<http://www.cfrny.org/>

Brooklyn Family Defense

(for cases filed in Brooklyn)

(347) 592-2500

<http://www.bfdp.org/>

Bronx Defenders

(for cases filed in the Bronx)

(718) 838-7878

<http://www.bronxdefenders.org/our-work/we-fight-keep-families-together>

HOME VISITING NURSE PROGRAMS

Nurse-Family Partnership offers low-income, first-time mothers throughout New York City care and support beginning in pregnancy and continuing until the child turns two years old, through home visits by registered nurses.

Phone: (646) 672-2821

<http://www.nursefamilypartnership.org/locations/New-York>

Visiting Nurse Service of New York offers home nurse visits and monitoring for families with babies or parents with special medical needs.

(800) 675-0391

<http://www.vnsny.org/>

CHILD CARE SERVICES

LYFE: (Living for Young Families through Education) is a program run by the NYC Department of Education that operates child care centers at high schools throughout New York City to help young parents continue their education.

(917) 521-3639

<http://schools.nyc.gov/Documents/MISC/FINAL%20student%20parent%20FAQ.pdf>

