



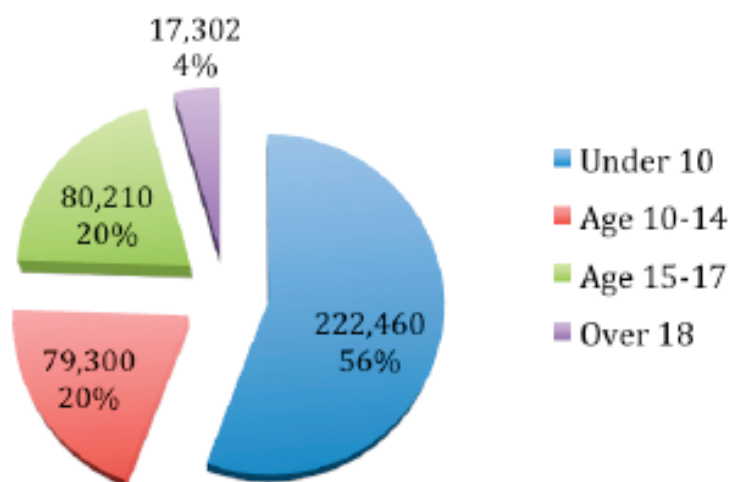
Writing for Teenagers in Foster Care About Their Legal Rights

Teenagers in foster care need to know what rights they have. Writing for teenagers in foster care about those rights is, to say the least, challenging. The writer must be thoroughly familiar with the law, be succinct, and be deeply in touch with the gamut of emotional aspects of the lives of their audience. The successful writer cannot be judgmental or patronizing and must be keenly aware that teenagers are in constant motion—alternating between feeling vulnerable and invincible, inconsequential and essential. The perspective needs to be honest and real-life. It is no easy task to convey adult information and wisdom. It requires the writer to get into the teenage mind artfully, and offer just the right combination of substance and style.

This article briefly identifies and reviews some of the recent legal materials written specifically for teenagers in foster care.

1. *Legal rights of teens in out-of-home care* (January, 2011). Youth Law Center. <http://www.ylc.org/wp/wp-content/uploads/teenmanual2011.pdf>
2. *A teen's legal guide to foster care in Oregon* (2013). Youth, Rights & Justice. <http://www.youthrightsjjustice.org/media/2183/Teen%20Guide%202013.pdf>
3. *Legal rights of teens in foster care*. (n.d.) The Children's Aid Society. http://www.childrensaidsociety.org/files/upload-docs/19-Foster_Care.pdf
4. *Handbook for youth in foster care*. (2010). New York State Office of Children and Family Services.

Children and Youth in Foster Care on September 30, 2012
n=399,546



http://www.youthinprogress.org/documents/Youth_in_Care_Handbook_english.pdf

5. *Knowing your rights: A handbook for kids in foster care*. (2011). Children's Law Center of Minnesota. http://www.clcmn.org/wp-content/uploads/2009/07/CLC-Knowing-Your-Rights.CLCMN_.2012.pdf
6. *Handbook for youth in foster care*. (2012). Wisconsin Department of Children and Families. http://dcf.wisconsin.gov/memos/num_memos/DSP/2012/2012-12attach.pdf
7. *Your rights, your life: A resource for youth in foster care*. (2011). Washington State Department of Social and Health Services Children's Administration, The Mockingbird Society. <http://independence.wa.gov/pdf/YourRightsbooklet.pdf>

These, and other similar handbooks, introduce teenage readers to their rights and responsibilities, as well as mentioning such things as the structure of the department, the fair hearing/grievance procedure, skills for daily living, and a list of helpful resources. In addition, there is discussion about legal terms, confidentiality, housing or independent living, employment, education, finances, and health care options. The length, style, and content of each of these manuals are affected by how it is intended to be used, and by the audiences it targets.

The Audience

Of the nearly 400,000 children in foster care on September 30, 2012, 20 percent were between the ages of

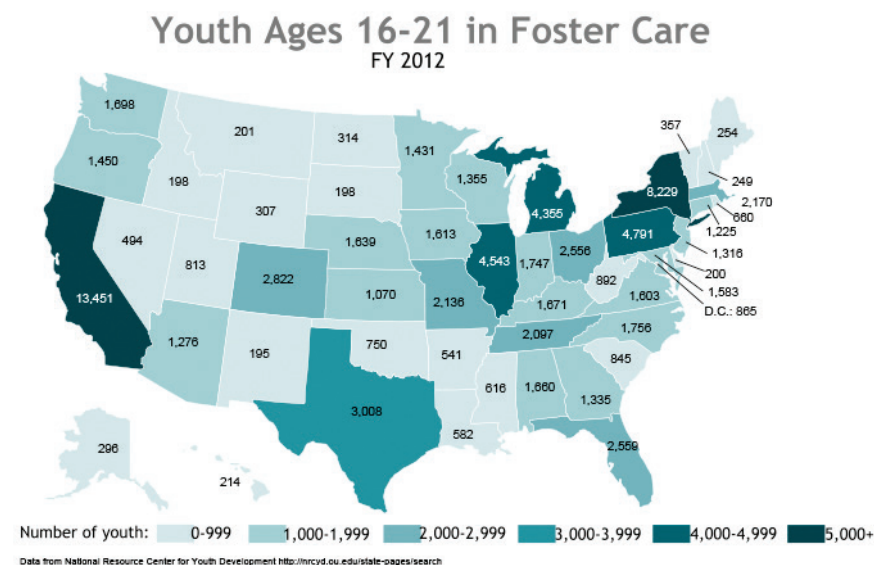
10 and 14; 20 percent were between the ages of 15 and 17, and 4 percent were 18 or older. However, during all of fiscal year 2012, a total of 23,439 youth turned 18, 19, or 20, and aged out of foster care (see <http://www.acf.hhs.gov/sites/default/files/cb/afcarsreport20.pdf>). The challenges of aging out of foster care are well-documented. Too often, those who exit foster care do so without the family and social networks that so many young people rely on, and are expected to make it on their own.¹ Whether foster youth are just curious or are actually in the process of aging out of foster care, it is clear that good information about their own legal rights is critical to their well-being.

The Manuals

The manuals reviewed here range in length from a simple two-page pamphlet (#3), to an 82-page, detailed handbook on various facets of foster youths' lives (#4). Some seem geared toward younger audiences (#5, #6), some are more technical, focusing on the procedural details of the courts (#1, #2), while others strike a balance between readability and honesty about the difficult situations in which foster teens may find themselves (#4, #7).

All address foster youths' basic rights and needs: a contact case-worker, safety, medical care, school attendance, etc. Some include rights regarding quality of life—to be treated with dignity and respect, to be given fair rules, to be involved in major decisions about their own lives, etc.

All provide helpful contacts and a space for other important numbers. Washington State's booklet, among others, has a deeper level of interactivity. It is located on a web site dedicated to independence for youth in foster care (independence.wa.gov). The web site is an engaging tool that has videos, resource tabs, and easily accessible contacts where visitors can direct questions.



Most of the manuals take a stance of encouraging self-advocacy, but also lay out the responsibilities of other professionals: social workers, lawyers, courts, foster families, among others. A manual's tone may relate to how well these contacts and networks actually function on behalf of foster youth. For instance, New York's handbook is divided into clear sections with titles like "Everyday Life," "Big Questions," and "Legal Issues"; it uses boxes to set off useful information, and it includes helpful quotes from other foster youth about their experiences of the system and of using the manual itself.

Next Steps

It would be helpful to hear from youth who have used these documents to see what worked for them. The *Casey Young Adult Survey* (2008) makes several recommendations for information emancipated youth might need upon exiting foster care. Some of the greatest needs identified were related, but not exclusive to legal rights within the foster system, including creating a written transition plan; compiling a file of important personal documents and phone numbers;

information about addiction and substance abuse; obtaining a high-school diploma or GED; and, advocating for mental health services.²

In general, those resources that acknowledge each youth as a whole person seem to be most accessible and useful, in part because they communicate that someone really cares about that youth's legal rights. **P**

Daniel Pollack is professor at Yeshiva University's School of Social Work in New York City. He can be contacted at dpollack@yu.edu, (212) 960-0836.

Kate Elias is a social worker and editor in Seattle and currently works at a youth and community development nonprofit agency.

Reference Notes

1. Hook, J., & Courtney, M. (2011). Employment outcomes of former foster youth as young adults: The importance of human, personal, and social capital. *Children and Youth Services Review*, 32(10), 1855-1865.
2. <http://www.casey.org/Resources/Publications/CaseyYoungAdultSurveyThreeYears.htm>