

**Where Will I Go To School?**

If your foster home is in your school district, you will continue to go to the same school. If you move out of the district, you should still be able to go to your school, if you are old enough to travel there on your own, or your foster parent is able to take you there. You might also switch to a school that is closer to the place that you are staying. You should not miss any school just because you have temporarily moved out of your home.

**What Are My Rights?**

You have the right to be heard. Talk to your ACS caseworker, your foster care social worker, and your lawyer. Make sure you let them know how you feel and make sure they answer your questions. It is their job to listen to you.

You have a right to your own lawyer and to talk to that lawyer in private. Your lawyer's job is to listen to you and to tell the judge what you think, feel and want. Your lawyer can explain to you why you have been removed from your home and why a case has been filed in Family Court.

You have the right to ask the judge to send you home. The judge has to have a hearing on your request within three days.

You have a right to attend meetings at ACS and to be part of the planning for your family. You have a right to express your wishes. You have a right to speak to your lawyer outside the meetings and to have an adult come to the meetings with you to help you feel more comfortable. Also your lawyer can be with you at certain meetings which are called "Service Plan Reviews".

You have the right to ask the ACS caseworker to see if relatives or friends that you suggest might be able to care for you in their homes.

You have a right to be well cared for in foster care, to get proper food and clothing, to go school and to get medical care.

You have the right to be placed with your siblings whenever possible, as long as it is safe and in your best interest for you to be together.

You have a right to be placed with your child, if you have one.



**NYC Administration  
for Children's Services**

Michael R. Bloomberg, *Mayor*  
William C. Bell, *Commissioner*

# Children's Rights

## Questions And Answers For Young People Going Into Foster Care



# Children's Rights

## What is ACS?

"ACS" stands for the "Administration for Children's Services." The ACS caseworker's job is to make sure that children are safe in their homes and that they are not being harmed by the adults who are caring for them.

## What is Foster Care?

Foster care is a temporary place for children to live when it is not safe for them to stay in their own homes. You might live:

- With an adult friend or relative in their home;
- In the home of someone you do not yet know; or
- In a group home or residential treatment center with other young people your age;

ACS will try to place you in your own neighborhood, so it is easier to see your friends and stay in your own school. ACS will also try to place you with your brothers and sisters. You can also ask the caseworker to call relatives or friends to see if they can care for you.

## Why Am I Going to Foster Care?

Someone has told ACS that they think you have been hurt, or that you are in danger of being hurt by an adult in your home. The ACS caseworker has gotten information about what is going on in your home by talking to the adults and children there, and to other people who have information about your family.

The ACS caseworker has decided that it is not safe for you to stay at home. In most cases, the caseworker has gone to court to ask for the judge's permission to place you in foster care. If you are in immediate danger, though, the caseworker can place you in foster care before asking for the judge's permission. If this happens, the caseworker must go to court the next day the court is open to get the judge's permission.

## Who Can I Talk to If I Have Questions or Problems in Foster Care?

Within three days after you are placed in foster care, there will be a meeting for all of the people who are making plans for you and your family. Your parents, relatives and friends who want to help your family can also be there. You can come to the meeting, too. You can talk as much or as little as you want at the meeting. You also have the right to speak to your lawyer outside the meeting.

## You Can Always Call Your ACS Caseworker. It is the ACS Caseworker's Job to Listen to You.

You may also have a foster care social worker who is responsible for making sure that you are being well cared for in your foster home. You can talk to that social worker, too, at any time.

You can also call the ACS Parents' and Children's Rights Unit if you have questions. The telephone number is (212) 676-9421 or (212) 676-9035. And, you can always call your lawyer to talk about any problems or questions you have about foster care.

## Why Do I Have a Lawyer?

When ACS asks the judge for permission to place you in foster care, the Judge will assign a lawyer to represent you. That lawyer is also called a "law guardian." Your lawyer's job is to listen to you, speak for you in court, and be certain that the judge hears your side of the story and knows what you want.

If you are being separated from your parent only because your parent is a victim of domestic violence, a caseworker must take you to court to meet with your lawyer on the day the case is filed in court.

ACS has a lawyer in Family Court, so do your parents and so do you. The Judge will listen to all the lawyers and to all the facts that led ACS to place you in foster care and then decide whether you have been harmed or are in danger of being harmed.

If the judge decides that you have been harmed or are in danger of being harmed, the judge will also make a plan for your care.

Most likely your lawyer will work for either The Legal Aid Society or Lawyers for Children. You can ask your caseworker or foster care social worker for your lawyer's name and phone number. You can also find out the name of your lawyer by calling The Legal Aid Society or Lawyers for Children.

### The Legal Aid Society:

Manhattan (212) 312-2260  
Bronx (718) 579-7900  
Brooklyn (718) 237-3100  
Queens (718) 298-8900  
Staten Island (718) 981-0219

### Lawyers for Children:

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

## When Can I See My Parents and My Brothers and Sisters?

ACS must try to keep you and your brothers and sisters in the same foster home. If you cannot be placed together, ACS will set up visits for you.

ACS will also set up visits with your parents. ACS guidelines recommend that children be able to visit with their parents every week for at least 2 hours, in a comfortable place. The Family Court judge can decide to increase or decrease visits and where the visits will take place. ACS can not set up visits if the judge decides that the visits might cause you harm.