

**Foster Parent Liability Checklist:
Information You Need To Know Before Agreeing to Foster**

- **GET ANSWERS TO THESE QUESTIONS AND HAVE AN APPROPRIATE AGENCY REPRESENTATIVE SIGN OFF ON HIS OR HER RESPONSES.**
 - **MAKE SURE YOU ARE PROVIDED WITH COPIES OF ALL POLICIES THAT OUTLINE YOUR RIGHTS AND RESPONSIBILITIES AS A FOSTER PARENT, INCLUDING ANY FOSTER PARENT BILL OF RIGHTS AND GRIEVANCE PROCEDURES.**
1. **If I am accused of breaching my responsibilities as a foster parent, if I am accused of maltreating a foster child by the State social services agency, or if social services performs an investigation into my home due to an allegation that I have acted improperly in my role as a foster parent:**
 - a. **What are my rights to know that I have been accused?**
 - b. **Who will inform me of the accusation, and how will I be informed?**
 - c. **What rights do I have to be present when a foster child who may be the subject of the investigation is interviewed?**
 - d. **What rights do I have to be notified of an interview of my own children (if applicable) and to be present when they are interviewed?**
 - e. **What other rights do I have during the investigation? Specifically:**
 - i. **Right to a foster parent advocate?**
 - ii. **How do I obtain an advocate?**
 - f. **How long will the investigation last?**
 - g. **How will I be informed of the outcome of the investigation?**
 - h. **What will happen to the children in my home? What is the process for determining if they are to be removed?**
 2. **If I am found to have breached my responsibilities as a foster parent or to have maltreated a foster child:**
 - a. **What rights do I have to file a grievance? What is the process for filing that grievance?**
 - b. **Who hears the grievance?**
 - c. **What rights do I have to an attorney or foster parent advocate at the grievance hearing?**
 - d. **What rights do I have to present evidence or confront those who say I have done something wrong?**

- e. **What can the person or committee hearing my grievance do if I am found not to have done what I am accused of?**
 - f. **If my grievance is denied, how would I appeal?**
 - g. **How far “up the chain” can I appeal? Can I get a court hearing?**
- 3. **If the state social services agency believes I have maltreated, neglected, or abused a foster child, what happens to that information?**
 - a. **Is it put on any kind of registry or in any database?**
 - b. **Who would have access to it?**
 - c. **What is the evidentiary standard for determining that I have maltreated a foster child?**
 - d. **Who makes that determination?**
 - e. **How would I be notified of it? What details would I be told?**
 - f. **How would I challenge it?**
- 4. **If I believe the agency is mistreating me or is violating my rights as a foster parent:**
 - a. **What is the process for filing a grievance or complaint?**
 - b. **Am I entitled to assistance from a foster parent advocate or attorney?**
 - c. **What is the process for presenting my grievance or complaint? Who hears it? How long from the time I file must it be heard?**
 - d. **What power do those hearing my grievance have to give me relief or to order the agency to grant my request?**
 - e. **If I am not satisfied with the outcome of that hearing, how do I appeal? How far “up the chain” can I go? Can I get a court hearing?**
- 5. **What happens if a foster child, birth parent, or someone else makes a claim that I have injured or harmed a child in my custody?**
 - a. **Will the State provide me with an attorney free of charge?**
 - b. **Does the State provide me with liability insurance? If so, how do I go about getting it? What does it cover and what is not covered, and in what amounts?**
 - c. **If a court finds I did something that harmed a child and am legally responsible for damages, will the State pay, or will I have to pay?**