

Foster Parent Rights Checklist

Make Sure You Know How to Exercise These Fundamental Federal Rights

1. **Right to notice and opportunity to be heard in court and in related proceedings.**
Federal: 42 USC 671(a)(16), 42 USC § 675 (5)(G).
2. **Right to a fair hearing before the state agency to any person whose claim for benefits is denied or is not acted upon with reasonable promptness.**
Federal: 42 USC 671(a)(12)
3. **Right to periodic review of foster care standards to ensure they are reasonably in accord with reasonable national standards.**
Federal: 42 USC 671(a)(10), (11).
4. **Right to periodic review of the adequacy and appropriateness of amounts paid as foster care maintenance and adoption payments.**
Federal: 42 USC 671(a)(11)
5. **Right to be adequately prepared with the appropriate knowledge and skills to care for a prospective foster child and to be provided continuing preparation after placement.**
Federal: 42 USC 671(a)(24)
6. **Right to a hearing for approved out of state family members whose adoption is delayed or denied.**
Federal: 42 USC 671(a)(23)(B)
7. **Right to have amount of adoption assistance payments set by agreement of agency and adoptive parents.**
Federal: 42 USC 673(a)(3)
8. **In a child abuse investigation, right to be advised of complaints and allegations.**
Federal: 42 USC 5106a (b)(2)(A)
9. **Right not to be discriminated against in foster parenting or adoption on the basis of race, color, or national origin of either the foster parent or the child.**
Federal: 42 USC 671(a)(18)

Take Steps to See What Other Fundamental State Rights You May Have

1. **Right to receive information about child before and during placement**
2. **Right to contact attorneys, GALs, service providers, therapists, former foster parents, teachers, and other professionals to discuss the child**
3. **Right to advocate for child without fear of retribution.**
4. **Right to an adequate grievance procedure**
5. **Right to provide input regarding child's case plan and permanency planning.**
6. **Right to preference in placement and adoption**
7. **Right to have assistance of an advocate when grievances arise**
8. **Right to have 24/7 contact with a case manager.**