

Understanding Foster Care

A Handbook for Parents



North Carolina Division of Social Services
Family Support and Child Welfare Services
Raleigh, NC

Introduction

If your children are about to go into foster care, you will want to read this handbook. It explains many things you will face in coming months. If you still have questions after reading this handbook, ask your social worker, who can answer most questions for you.

The **Department of Social Services (DSS)** provides many different services to people of all ages in your community. When this handbook refers to DSS or to a social worker, it is referring to the staff of the Children's Services Section. These are the professionals you will work with when your children enter foster care.

Your social worker, _____,
Social worker's name
can be reached at (____) _____.

An alternative number is (____) _____, for
_____, your social worker's
Supervisor's name
supervisor.

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I. Understanding Foster Care

A. Why Children Are Placed in Foster Care

The Department of Social Services (DSS) will move children to a safe place:

1. When it is not safe for them to stay in their own homes, or
2. When a parent or caregiver cannot take care of them.

That safe place is foster care.

The primary goal of foster care is to provide a safe, temporary place for children to live until they can be in a permanent home. Children of any age (up to 18 years old) may be placed in foster care.

If you voluntarily agree to have your children placed in foster care, it may be because of an emergency in your family or some other special reason. This means that you know you need some time without your children to work out things. If this is the case, you sign a voluntary placement agreement form giving permission for your children to enter foster care.

If your children are removed from your home by DSS without your agreement, it is because a juvenile court judge and a social services agency thought your children were not safe at home. The social worker recommended to the judge that your children be removed, and the judge issued an order for your children to be removed. You will hear people say your children are **abused, neglected, or dependent.** It is important to understand what these words mean. **None of them means you are a “bad” parent, but they do mean that some bad things did happen to your children. There are some things you must make better in your home.**

The legal definitions of abuse, neglect, and dependency are complicated. The definitions presented on the following page are brief, in order to give you a basic understanding. If you want more details, the legal definitions are available in the North Carolina General Statutes Section 7B-101. Your social worker and your attorney will have a copy of the General Statutes.





Definitions

- **Abused.** When children are abused, they have been seriously hurt, either physically or emotionally. This may include any type of sexual abuse. You, or someone else taking care of your children, either hurt your children or allowed them to be hurt.
- **Neglected.** When children are neglected, they have not received proper care or supervision. This may include children who do not receive necessary medical attention, who are inadequately fed or clothed, or who are inappropriately disciplined. Children who are left alone for long periods of time can be considered neglected children. Also, children may be considered neglected if they are living in a dangerous environment where drugs are being used or manufactured or where there is domestic violence. Neglect is the reason most children are removed from their homes in North Carolina.
- **Dependent.** When children are dependent, they have no adult who is able to take care of them. Dependency usually occurs when a parent dies, is sick or cannot meet the needs of the child for some other reason.

B. Different Types of Care

Your children may or may not live with a foster “family.” There are seven types of foster care placements. All of them (except some kinship placements and all interstate placements) are licensed by the State of North Carolina. Your social worker and his or her supervisor will decide which type of placement your children will receive. Please offer suggestions and opinions on the type of foster care that might be best for your children. Your social worker will consider your suggestions when making decisions.

1. Kinship Care

Please let DSS know if a relative can take care of your children. The court may allow your children to live with their aunt, uncle, grandparents, or another relative.

2. Emergency Foster Care

When DSS takes custody of your children, they may spend a short time in emergency foster care. This may be a family home or a group home. Your children can stay in these homes only for a short time.

3. Family Foster Care

In this case, your children will be taken care of by a family trained and licensed to take care of children who have been separated from their own parents.

4. Group Homes/Residential Facilities

Some children will be placed in group homes or residential facilities, depending on what best suits their needs. Here your children will be taken care of by house

parents or residential child care workers. Your children may attend a school at the facility.

5. Treatment Programs

Your children may have special physical or emotional needs that require professional treatment. If so, they may live with other children receiving special care. This care is provided by specially trained residential child care workers.

6. Therapeutic Foster Care

Some children need assistance with behavioral mental health or substance abuse problems, but do not need to be in a treatment program. In this case, a foster family is trained to provide specialized care to children with these special needs.

7. Interstate Foster Care Placements

Sometimes, your children may be placed in a foster care placement outside North Carolina. This usually happens when you have a relative living out of state who is willing and able to care for your children.

In many of the above placements, the caregivers are reimbursed for the money they spend on your children’s expenses. Many foster caregivers also use their own financial resources to help take care of your children.

A social worker will visit your children frequently while they are in foster care. In fact, many different social workers may visit your children while they are in foster care. They will explain to your children who they are and what they do.

C. Foster Parent Training and Standards for Foster Homes

1. Foster Parent Training

By law, individuals must receive 30 hours of training before they can be licensed as foster parents in North Carolina. Every county in North Carolina provides their own version of training, so topics may vary. However, the following subjects must be covered:

- General orientation to foster care
- Communication skills
- Understanding the Dynamics of Foster Care and Adoption Process
- Separation and loss
- Attachment and trust
- Child development
- Behavior management
- Working with Birth Families and Maintaining Connections
- Lifebook Preparation
- The Impact of Placement on Foster and Adoptive Families
- Teamwork to Achieve Permanence
- Cultural sensitivity
- Confidentiality
- Health and safety

Every two years, foster parents must have 20 more hours of training to keep their license. Included is training in First Aid, CPR and Universal Precautions. **Your children are cared for by trained caregivers.**

2. Standards for Foster Homes

Foster homes must meet certain standards to make sure they are safe for

your children. Every foster home must pass a fire and building safety inspection every two years. Every foster home has a telephone, smoke detectors, and fire extinguishers. Foster parents and their children are required to have medical exams. The home will also have enough space for your children to live and play safely.

D. Length of Foster Care

Regardless of the type of placement your children receive, foster care is intended to be temporary. Foster care is not designed to be a permanent plan for children. If it is impossible to let your children come home, your social worker will work with you to make other permanent plans for your children, such as adoption or permanent placement in a relative's home.

One year is a long time in the life of a child. Children need to be where they are going to grow up as soon as possible. In North Carolina, the goal is for children to be returned to their families or placed in another permanent home within one year or less. By working with your social worker, you can help your children's stay in foster care be as short as possible.

II. How DSS Works

A. Protecting Children and Helping Families

DSS social workers do many things, but they are always working toward two goals:

- Protecting children, and
- Helping families.

Once your children have been placed in foster care, DSS will provide services to help you make your home safe. But DSS cannot make the changes happen - that is up to you. It is important that you make the changes necessary to ensure your home is safe for your children. Please work with your social worker.

You and your social worker will meet with many people who care about your family, including teachers, therapists, and other professionals.

Another group of people involved in foster care is called the **Permanency Planning Action Team**. Your county may have another name for this team. No matter what it is called in your county, **you are a member of this team**. This team holds a **Family Centered Meeting** on a regular basis to make sure that your children do not stay in foster care any longer than necessary. It will help make sure that you and your children get what you need.

This group meets at least every six months while your children are in the custody of DSS. **Please attend these meetings**, ask questions, and let other members of the team know what you are doing to make your home safe. You may bring your attorney or other people with you, such as friends, relatives, or other people who are supportive to you. Please

tell your social worker who you plan to bring with you to these meetings. If you bring your attorney, DSS may want its attorney present as well. **If you do not know when and where this team meets, ask your social worker.** Please refer to Appendix A for a checklist that will help you prepare for a meeting of the Permanency Planning Action Team or any other Family Centered Meeting.

B. How Your Social Worker Can Help You

It is important that you work closely with your social worker. Your social worker will provide support and help you get the services you need to help make your home safe. Your social worker will:

- **Explain** why your children were removed from your home.
- **Develop** a written plan with you called the **Out of Home Family Services Agreement**.
- **Discuss** your concerns with you (including housing, money, job, substance abuse, and relationship issues).
- **Refer** you to other places to get help.
- **Visit your children** and the people taking care of them.
- **Relay any concerns you have** about your children's care to the people taking care of your children.
- **Arrange** for you to **visit with your children**.
- **Talk to other agencies** you and your children are involved with to ensure the services you and your children need are being provided.

C. How the Foster Parents Can Help You

If your children are in a foster home, you and the foster parents are on the same team. Next to you, they may know more about your children than anyone else, since they are providing the day-to-day care for your children. You are encouraged to support the foster parents' efforts to provide the best care for your children while they are in the foster parents' home.

You have important information about your child that can be of help to the foster parents, such as food preferences and restrictions, health information, school information, likes and dislikes, special fears, etc. Sharing this information directly with the foster parents or through your social worker will make your child's adjustment to the foster home much easier.

Depending on your individual circumstances and the circumstances of the foster parents, it may be possible for the foster parents to:

- **Help** transport your child for visits.
- **Join** you and your child for visits.
- **Allow** you to visit with your child in their home.
- **Share information** directly with you or through your social worker about how your child is doing in the foster home, at school, and in the community. This information is important to keep you up to date on what your child is doing day-to-day, as well as any new information about your child's health and well-being.

You may be asked to attend a Shared Parenting Meeting. Shared Parenting Meetings are a way for you to share vital information about your child with the foster parents.

D. The Out of Home Family Services Agreement


The Out of Home Family Services Agreement is VERY important. This is an agreement between you and DSS that outlines the strengths you and your family have and what you need to do, or what needs to take place, so that your children can return home. It is important that you and your social worker **begin work on this plan early** so you know what you need to do and what your social worker plans to do. By helping your social worker identify the strengths in your family, your plan can show how you can use those strengths to help you.

The **Out of Home Family Services Agreement** is like a social contract between you and DSS. If you do everything on your Out of Home Family Services Agreement and make your home safe, a judge will take that into account when deciding if you get your children back.

To see a sample **Out of Home Family Services Agreement**, see Appendix B. Depending on the strengths and needs of your family's situation, the **Out of Home Family Services Agreement** may ask you to do things such as:

- Attend counseling sessions.
- Attend parenting classes.
- Attend AA or NA meetings.
- Get and keep a job.
- Find a safe, permanent place to live.
- Make other changes in your home.

If your social worker asks you to attend meetings or classes, you have to do more than just show up if you want to get your children back home. It is important to change the behaviors and circumstances that made it unsafe for your children to live at home.



The **Out of Home Family Services Agreement** must be reviewed and updated on a regular basis. Sometimes circumstances in your life change, and when this happens, the **Out of Home Family Services Agreement** will have to be changed as well. **You will be involved in any change to the plan.** Please be an active participant in all decisions about your children.

The **Out of Home Family Services Agreement** will include a visitation plan for you and your children. **It is important that you visit with your children as planned.** Frequent, meaningful visits between you and your children will keep your relationship strong, make this time of separation easier for your children, and make the transition back home smoother.



III. How Court Works

A. Juvenile Court

You will have to go to juvenile court to talk about what is happening with your family. There are several things you may want to know about to understand what happens in juvenile court.

1. The Petition

When DSS decides your children are not safe in your home it will petition (ask) the court for custody of your children. A **petition** is a paper stating why DSS thinks your children are not safe and should not live at home now. DSS will say your children are either **abused, neglected, or dependent**. DSS will take this paper to the juvenile court to file it legally in the Office of the Clerk of Court.

After DSS files a petition, you have the right to your own attorney to represent your side. **DSS recommends that you get an attorney.** If you cannot pay for your own attorney, you may be able to get a court-appointed attorney. You may call the clerk of court to get information on how to do this or you may ask the judge when you go to court. Your attorney can represent you in any further legal actions regarding your children in juvenile court.

Whenever a petition states that children are abused or neglected, the judge will appoint a **Guardian ad Litem (GAL)** to represent the children in court. (See section IIIB for more information about GALs.)

2. Non-Secure Custody Order

This type of order means DSS can take your children from your home immediately, before a full court hearing. This happens when DSS thinks your

children are in **immediate** danger. If the juvenile court judge approves a request for a **non-secure custody order**, your children will be placed immediately in foster care or with a relative.

A police officer or sheriff's deputy will deliver a copy of the petition to you, along with a notice of when your case will be heard in court. **Please read these papers carefully.**

3. The Seven-Day Hearing

When the judge approves a non-secure custody order, the law requires that there be a hearing in juvenile court within seven calendar days. **If you want your children returned, you MUST come to this hearing, or have an attorney represent you at the hearing.**

At this hearing the judge will decide if your children can come home or if DSS will keep custody of your children until the **adjudicatory hearing** (a full hearing where the judge makes a final decision about whether your children are abused, neglected, or dependent).

If DSS keeps custody of your children, your children will most likely stay in foster care. If the judge says you can keep custody, your children may go home with you. **Even if your children are allowed to go home with you after this seven-day hearing, you must come to the adjudicatory hearing.**

Before the adjudicatory hearing, more non-secure hearings may be held, once in seven business days and then every thirty days, unless you give up your right to those hearings. **Ask your attorney whether you should give up this right.**

4. Adjudicatory Hearing

You MUST come to this hearing. A sheriff's deputy or policeman will bring a paper called a **summons** to your home telling you the date of the hearing. At this hearing the judge will listen to you, DSS, and the Guardian ad Litem (GAL). The judge will decide if your children have been abused, neglected, or dependent.

5. Dispositional Hearing

The **dispositional hearing** may take place at the same time as the adjudicatory hearing or may be scheduled for a later date. At this hearing the judge will decide what will happen to your family as a result of the adjudication. The judge will decide whether your children will return home or stay in foster care.

The judge may order you to do certain things, or that your children receive certain services. **It is your responsibility to do whatever the judge requires in order for you to get your family back together.**

6. Review Hearings

If the judge awards custody of your children to DSS, he or she will set another court date within six months. **You must attend this hearing and explain to the judge what progress you have made toward bringing your children home.**

The judge may decide to leave the children in foster care or to return custody to you. The goal of each court hearing is to ensure that your children are in a safe, permanent home within a reasonable period of time.

After this hearing, there will be another court hearing within six months and at least once a year for as long as your children stay in DSS custody. At each hearing, the judge must ask about the identity and location of any missing parent

and about any relatives willing and able to provide proper care and supervision for your children in their home.

The court may review this custody decision in less than six months or a year if either you, DSS, or another interested party asks for a review by filing a motion for review with the court.

7. Permanency Planning Hearing

A **Permanency Planning Hearing** must be held within at least twelve (12) months after your children's placement. As with all hearings, you will receive notice of when the hearing will be held and the purpose of the hearing. At the permanency planning hearing a plan will be developed to achieve a safe, permanent home for your children within a reasonable period of time. At the end of the hearing, the judge will make specific findings as to the best plan for your children and issue an order to ensure that plan happens. The permanent plan may be to:

- Continue to work toward return of your children to you,
- Place your children in the custody of a suitable relative, or
- Proceed with termination of parental rights so that the children can be adopted by someone else.

Please refer to Appendix C for a checklist to help you prepare for court.

8. Termination of Parental Rights

It is important that you make timely steps and changes toward making your home safe for your children. It is also important that DSS, the GAL, and the judge know about any changes you have made.

After a period of time, if DSS feels **you are not making efforts or progress** toward making your home safe for your children to return, DSS may petition the court for a **Termination of Parental Rights (TPR)**. **If the judge orders the termination of your parental rights, you have no rights to your children. They are no longer legally your children.** They will be adopted by another family.

A TPR is serious because you will not be able to get your children back afterwards. Please work with your social worker, the GAL, your attorney, and the judge so that a TPR is not necessary.

9. Relinquishment

Sometimes parents recognize that they cannot provide their children with a safe, permanent home within a reasonable period of time. If this is the case in your situation, you have the option to **voluntarily relinquish (give up) your parental rights** to your children so that they can be adopted by another family. If you decide that you want to ensure that your children are in a safe and permanent home by relinquishing your parental rights, ask your social worker to help you do this. There will be legal papers for you to sign, but you will not have to go to court.

B. Other People You Need to Know About

One of the other people you need to know about is the **Guardian ad Litem (GAL)**. Whenever a petition states that children are abused or neglected, the judge will appoint a GAL to represent your children in court. Sometimes a GAL may be appointed when children are declared dependent, but not always. The **GAL does NOT work for DSS**. The GAL's role is to focus on your children's rights and needs.

The GAL is a volunteer from the community. The GAL will want to talk with you and your children about your family. The GAL will make a written report to the judge stating what he or she thinks is best for your children. An attorney will represent the GAL in court. All GALs in North Carolina receive 20 hours of training before becoming a GAL.

GALs have access to most records (DSS, school, hospital, psychological) concerning your children.

C. Returning Custody to You

The judge makes the final decision on when (or if) your children will be returned to you. The judge will consider how hard you work to meet the requirements of your Out of Home Family Services Agreement and court orders. The GAL and/or DSS may recommend to the judge that your children be returned to you. If you do not feel you are ready for your children to come home yet, please tell the judge.

If the judge allows your children to come home, you will need to plan this process with your social worker. This is a happy time but it may also be a hard time. Your social worker may continue to work with you after your children are home.

The judge may also order DSS to continue to have custody during a “trial placement” period to make sure you are ready and able for full custody of your children. This means your children will live with you, but DSS still has **legal custody** of your children.

It is OK to ask for help after your children come home. There are many services DSS can provide you with after your children return home.

D. Criminal Court

Juvenile court is different from criminal court. All of the decisions discussed so far are made by a judge in juvenile court.

However, in cases of abuse or neglect, the State of North Carolina may bring criminal charges against the person who abused or neglected your children. This happens most often when children have been physically or sexually abused.

If your children have been abused, DSS must send a written report to the **district attorney**. The district attorney will decide if your children’s case will be taken to criminal court.



IV. Your Family's Rights

A. Your Rights

You are still the parent of your children and you continue to have rights as a parent even though your children are not living with you. You have the right to:

- Visit your children unless a judge orders otherwise.
- Be told when your children move to another home.
- Be told how your children are getting along.
- Have your concerns listened to and to get a response to them.
- Approve any surgery or serious medical care your children need unless it is an emergency and you cannot be reached.
- Be told as soon as possible if any emergency procedures are performed.
- Consent to your children's marriage.
- Have input on the Out of Home Family Services Agreement.
- Attend agency reviews of your children's case.
- Have an attorney represent you in court.
- Receive notice of and attend any court action held about your children or your parental rights, **unless the court acts in an emergency.**

B. Your Children's Rights

Just as you have rights, your children also have rights. Your children have a right to:

- A safe environment.
- A home where they are loved.
- Visit with you while they are in foster care (unless a judge orders otherwise).
- Expect you to show up for visits.
- A permanent home within a reasonable period of time.
- A trusting relationship with you.
- **NOT be abused, neglected, or dependent.**
- Receive services from DSS to help them while they are in foster care.

V. Your Responsibilities

A. Visiting Your Children

It is very important for you to visit your children while they are in foster care. If possible, you should have regular contact with your children, unless the court orders you not to see your children. Your social worker will help you plan these visits. Visitation plans are written with your Out of Home Family Services Agreement.

The visits might be at DSS, where your children are living, in your home, or at another place. When a date is made for you to visit, **your children want to see you and expect you to come.** If you cannot visit, please tell your social worker as soon as possible. This way your children will not be disappointed.

Visits are very important for you and your children. For this reason, you are expected to be **sober and drug free, to use appropriate language,** and to allow your children to have their own feelings about where they are staying. **Please discuss any concerns you have about the place where your children are living with your social worker, but NOT where your children can hear what you say.**

When the visit is over, ask your social worker when you can visit with your children again. **Sometimes it is hard to visit your children, but it will help you get your children back home.**

It is important for you to talk to your children about what is happening, because they may be confused. Explain to your children that nothing is their fault.

When you cannot visit your children, you may be able to write them a letter or

call them on the telephone. Your social worker will help you contact your children. Please refer to Appendix D for a checklist that will help you prepare for visits with your children.

B. Responsibilities to DSS

While your children are in foster care, DSS will play an important role in your life. Please work with your social worker to get your children back.

1. Tell DSS About Your Children

You can help your children feel better by telling your social worker about your children.

Tell your social worker about:

- Your children's favorite foods.
- Your children's favorite activities.
- Any health problems, including allergies, that your children have and about any medications they are taking.
- Your children's school experiences and educational needs.
- How your children show emotions.
- The names of your children's doctors and dentists.
- Any other information you think is important.

Pictures of your family, your children's favorite toys, and other personal items will help your children feel less alone. It is important that you give the social worker all the medications your children are taking. Please provide clothing for your children. If at all possible, items your child takes into foster

care will be returned to you if your children return home.

Shared Parenting Meetings are an opportunity to share valuable information about the care of your child with the child's foster parents.

2. Signing Forms

DSS will also ask you to sign many forms:

- **Financial agreements. You are expected to pay for part or all of your children's care.** The Child Support Enforcement Program will contact you about this.
- **Consent for medical care** if you cannot be reached in case of an emergency.
- **Permission for your children to travel.**
- **The Out of Home Family Services Agreement.**

C. Responsibilities to the Foster Parents

Your role with the foster parents is very important, and they may have a lot to offer you. The foster parents will work with your social worker and keep your children safe. You may or may not meet the foster parents. If you do, please work together with the foster parents and DSS. **It is hard for children when they do not see everyone working together.**

While they care for your children, the foster family will do many of the things you are used to doing. They will take your children shopping for school clothes, fix meals, sign report cards, and meet your children's personal hygiene needs, such as haircuts. They will only do this while your children are in their care. Foster parents are taught to work in partnership with you and the social worker. **Whatever you can do to help them will help your children.**



D. Statement of Understanding

Parent's Signature

I _____, agree that I
Parent's Signature

have been given the booklet "Understanding Foster Care: A Handbook for Parents," and that I understand the material contained in this booklet.

Social Worker's Signature

I _____, have given
Social Worker's signature

the booklet "Understanding Foster Care: A Handbook for Parents," to _____,
Parent's names

parent of _____,
Children's names

and have explained the book to the extent necessary for the parent to understand this book. I agree to answer any further questions the parent has about the content of this book.



Conclusion

Hopefully, this book has answered most of your questions about foster care. If you have other questions, please call your social worker or your social worker's supervisor at the numbers listed in the introduction to this booklet.



VI. Appendices

Appendix A

Family Centered Meeting Checklist

- Know the date, time, and place that the Family Centered Meeting will be held for your children.
- Ask your social worker any questions you may have about what to expect at this meeting.
- Look over your Out of Home Family Services Agreement to see what you have agreed to do and note what you have done or any questions you have.
- Arrange for transportation to the Family Centered Meeting or ask your social worker for help with transportation.
- Invite anyone you want (your attorney, relative, friends, etc.) to attend the Family Centered Meeting with you.
- Tell your social worker who will be coming with you to the Family Centered Meeting.
- Be on time for the Family Centered Meeting.

Appendix B: Sample Out of Home Family Services Agreement

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Appendix C

Court Preparation Checklist

Before Court

- Know the date of your court hearing.
- Ask for time off work for court (it may take all day).
- Talk to your social worker about court.
- Talk to your attorney about court (if you have an attorney).
- Gather any documents necessary (make copies if necessary).
- Get directions to the courthouse.
- Arrange transportation to the courthouse.

On the Day of Court

- Dress in clean, neat clothing.
- Try to get to the courthouse early.
- Remember to bring any documents requested or necessary.
- Be prepared to tell the judge about your family.



Appendix D

Visitation Checklist

- Know the date, time, and place for your visit with your children.
- Arrange for transportation to the visit or ask your social worker if there is help with transportation.
- Take your children pictures, toys, or clothing that you may have gotten for them.
- Be on time for the visit.
- Ask your children how they are doing and tell them what you are doing. Be honest and positive.
- Think of things that you and your children can do together during the visit that will be meaningful.
- When it is time for the visit to end, say goodbye to your children and let them know you will be back for the next visit. Good-byes should be short and unemotional.
- Talk with your social worker about the visit and discuss plans for the next visit.



Appendix E

Resource List with Phone Numbers

Statewide:

- **North Carolina Division of Social Services,
Foster Care and Adoption Policy Team:
1-919-733-9464**
- **CARELINE (toll free): 1-800-662-7030**

Local:

- **Legal Assistance:**
- **Parenting Classes:**
- **Housing Information:**
- **Help with Substance Abuse Issues:**
- **Employment Information:**
- **Counseling Services:**
- **Support Groups:**
- **Other:**



Notes
