

Legal Services Offices

Statewide Legal Services:

(860) 344-0380 (Central CT & Middletown)

1-800-453-3320 (All other regions)

Other Legal Services Programs:

Hartford, Hartford County:

Greater Hartford Legal Aid

999 Asylum Avenue
Hartford, CT 06105
(860) 541-5000
FAX: (860) 541-5050

Greater New Haven Area:

New Haven Legal Assistance Association, Inc.

426 State Street
New Haven, CT 06510
(203) 946-4811
TDD: (203) 946-4811
FAX: (203) 498-9271

Visit us on the internet:

www.slsct.org
www.ghla.org
www.nhlegal.org
www.connlegalservices.org
www.larcc.org



This pamphlet was produced by the Legal Assistance Resource Center of CT in cooperation with CT Legal Services, Greater Hartford Legal Aid, New Haven Legal Assistance Association, and Statewide Legal Services.

The information in this pamphlet is based on the law as of October 2003. We hope that the information is helpful. It is not intended as legal advice for an individual situation. If you need further help and have not done so already, please call Statewide Legal Services (see above) or contact an attorney.

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Throughout Connecticut:

Statewide Legal Services *(see left)*

Connecticut Legal Services:

Administrative Office: (860) 344-0447

Offices:

211 State Street
Bridgeport, CT 06604
(203) 336-3851

587 Main Street
New Britain, CT 06051
(860) 225-8678

153 Williams Street
New London, CT 06320
(860) 447-0323

20 Summer Street
Stamford, CT 06901
(203) 348-9216

85 Central Avenue
Waterbury, CT 06722
(203) 756-8074

872 Main St., P.O. Box 258
Willimantic, CT 06226
(860) 456-1761

CLS Satellite Offices:

Danbury (203) 348-9216
Meriden (860) 225-8678
Middletown (860) 225-8678
Norwalk (203) 899-2451
Norwich (860) 447-0323
Rockville 1-800-413-7796
Torrington 1-800-413-7797

AIDS Legal Network for CT

999 Asylum Avenue
Hartford, CT 06105
(860) 541-5040 or 1-888-380-3646

If DCF Is

Your Legal
Guardian



If DCF is your legal guardian...

If you are committed to the Department of Children and Families (DCF), it means that a judge has decided that DCF should be your legal guardian. DCF is a state agency which exists to protect children and teens and to help their families stay together if possible. But sometimes the judge may decide it is not possible for you to stay with your family and you may have to live with a relative, or in a foster home, group home, or shelter. In some cases, you might have to go temporarily to a larger place which cares for children and teens, like a residential home or hospital. You should know you are not alone and that there are people who can help if you need it.

If you are not sure whether DCF is your legal guardian, ask a counselor, a DCF worker, your parent, or your lawyer. They can find out for you.

You have legal rights and there are certain things that you should expect from your DCF worker while you are in DCF's care.

This booklet offers a look at many of your rights. If you have questions after reading this, you can call one of the numbers listed in this pamphlet.

How do you become committed to DCF?

It usually happens when a judge makes a legal decision that your parent has not taken proper care of you or has hurt you or that your parent needs special help to care for you. The judge can then make DCF your legal guardian if it is in your best interest. DCF will be responsible for you in all the ways a parent is. This is called a "commitment." Your commitment must be reviewed by the judge at least once a year. But if you are in DCF care for 15 months or more, the court will need to decide whether you should return home soon or whether another permanent placement would be in your best interest.

You have the right to agree or disagree with any permanency plan. You also have the right to ask the court to revoke, or end, your commitment at **any** time. Generally, DCF has a very important duty to help you get into a permanent home as soon as possible, whether it be your parents' home (the first choice, if possible), adoption, or long-term foster care.

These decisions are made at meetings called hearings held at a Juvenile Court. The judge and lawyers for you, for your parent, and for DCF always attend. Your parents have the right to be there. Your lawyer will tell your point of view to the judge. But, if you want to be at the hearings, check with your lawyer.



DCF can be your legal guardian only until you are 18. However, if you are attending school full-time, have good grades, and wish to remain involved with DCF, you may continue to be financially supported by them and to receive other help from them until you are 23. DCF may also help to pay for part of your education after high school, such as college or trade school.

You have the following rights:

- ✓ **To have enough food; clean clothes; a clean bed; adequate housing; comprehensive health care**, including counseling if you need it; the attention of people who will listen to you; and to be **treated with dignity and respect.**
- ✓ If you are placed out of your home, **to live in the least restrictive, most family-like setting**, as close to your own home as possible, and with your siblings and relatives if possible. If you and your brothers and sisters cannot live together, you have the right to visit them regularly.
- ✓ **To be safe from being hurt by staff, foster parents or other children.** Staff members, caregivers, foster parents and other children may not physically, sexually or verbally abuse you.

Your Rights!



✓**To have a DCF worker.** Generally, you have a right to see your DCF worker in person every two weeks. During the other weeks, the worker should contact you or your caregiver by telephone to see how you are.

✓**To have your own lawyer.** If you do not know who your lawyer is, ask your

DCF worker or caregiver, or call the Juvenile Court where your case is being heard. You have the right to meet with your lawyer before your first court hearing. Make sure you tell your lawyer what you want -- for example to return to your parents' home, to live with certain relatives, to change schools, etc.. In any meeting or hearing at Juvenile Court, your lawyer will tell the judge what your wishes and needs are. You may have the right to be in court when important decisions are being made about your future--ask your lawyer. If you are not satisfied or are unhappy with your lawyer, you should contact your caregiver, social worker or the clerk of the court.

✓**The help and services of DCF and others as written in a treatment plan.** The treatment plan is a detailed plan, written by your DCF worker with the help of other persons interested in your well-being. It describes how DCF and others will meet your needs now, and in the future. This plan must be reviewed every 6 months by your worker, his/her supervisor, and other persons caring for you (including you and your parents) to see if it is working. You must be invited to attend your plan review if you are 12 years of age or older. Your lawyer and guardian *ad litem* must also be invited. If you disagree with any part of the plan, you can ask for another meeting called a Treatment Plan Review Hearing to say why the plan should change.

✓**To ask the court for an emancipation.** Emancipation is a legal process which could make you an adult in the eyes of the law. You must live in Connecticut, be at least 16 years old, and meet other conditions that show you are mature and able to live on your own.

✓**To go to school.** All children ages 5 to 18 must go to school. However, a parent can go to your school and un-enroll you at ages 5 and 6, and at ages 16 and 17. All children have the right to finish high school. If you have any special learning needs, you have the right to an individual program to meet your needs up to age 21.

✓**To be told what to expect** by your DCF worker before you go to a foster home, group home, residential program or return to your family home. When possible, your worker should arrange a visit to a foster home or residential program before you go to live there.

✓**To worship in your own faith** and receive proper religious instruction.

✓To receive a small monthly **spending allowance** which is given to foster parents, a caregiver or residential program staff member for you.

✓To refuse services from DCF if you are over age 16. You should speak with your lawyer **BEFORE** refusing services. Refusing services is a very serious decision and could have a large, long-term impact on your life.

If you are placed by DCF in a hospital, a public or private facility, or institution:

✓**You have the right to communicate with any person, group or agency.** There may be some exceptions if DCF or the court believes that contacting certain people is not good for you. You have the right to be given writing paper and stamps if you ask for them.

- ✓ **You have the right to a lawyer** and the right to have visits from doctors, psychiatrists, and therapists if your lawyer sets up the visits. You also have the right to telephone your lawyer and to have your lawyer telephone you.
- ✓ **You have the right to have visits from your lawyer or clergyman** (priest, minister, rabbi or other) at any reasonable time. You have a right to have other visitors, such as family and friends, and the right to be told of visiting hours. There may be rules about how often and when visits can take place.
- ✓ **You have the right to a hearing if you are being sent against your wishes to any facility outside of Connecticut.** This hearing happens automatically if you do not want to leave Connecticut.
- ✓ **You have the right to any personal property** - things you brought with you, gifts you receive, or things you buy while in foster care or a residential program, as long as they do not hurt you or others and as long as they are not against the rules.

How do you ask for these things?

First, you should expect these rights to be given to you without having to ask. But sometimes you do have to ask. Talk with your caregiver or DCF worker first. Try talking to your lawyer if you still need help. Sometimes you have to take more steps to get what you need.

You have the right to complain.

If you think DCF unfairly denied you a right or a benefit that costs money, you have the right to receive a written notice of DCF's denial. You also have the right to have a meeting, called a Fair Hearing, where an impartial person will hear both sides of the story and decide whether you were treated fairly.

If you think DCF is not treating you properly in some other way or not helping you enough, for example if you are not getting

to visit your family, you are not getting counseling or support, or you do not like your placement, you may request a Treatment Plan Review Hearing.

If you are 16 or older, you can ask for either type of hearing yourself by writing a letter to the DCF at *DCF Hearings Unit, 505 Hudson St., Hartford, CT 06106-7107*. If you are under 16, you must have a parent, foster parent, guardian, lawyer or caretaker ask for the hearing for you.

The hearing must be held within 30 days of DCF getting your letter. You can bring a lawyer or other person to speak for you and you can bring witnesses. If you need advice on how to do this, call Statewide Legal Services at 1-800-453-3320 or (860) 344-0380.



Most importantly, in an emergency, call 911. If you are being hurt, you should immediately tell an adult you trust and call the Child Abuse and Neglect Hotline at 1-800-842-2288.

If your parent is in prison:

If you are involved with DCF (whether or not you are committed) and your mother is in York Prison, you have the right to visit her there regularly, unless it is not in your best interest. DCF must help you get there either in a special van or by driving you.

If your father is in prison, you have a right to visit him there also, but there may not be a children's van program to the men's prisons. You may be able to take a special bus to get there if you have an adult who will go with you. Talk to your caregiver, your DCF worker, or your lawyer if you need help visiting your father.

For further information, call:

- Child Abuse & Neglect Hotline (DCF) 1-800-842-2288
- InfoLine 2-1-1
- Statewide Legal Services 1-800-453-3320
- or- (860) 344-0380