

Introduction

On February 22, 2007, Maine youth leaders in foster care along with adult allies gathered at the Black Bear Inn in Orono, Maine for the 10th Annual Youth Summit. It was at this event that an idea for a Youth in Care Bill of Rights was born. Then, at an YLAT meeting on April 6, 2007, plans were set into motion to construct the first ever Maine Youth in Care Bill of Rights. At the meeting various topics were discussed, and categories were created, which led to the assembly of a draft of a Maine Youth in Care Bill of Rights. The purpose of having a Maine Youth in Care Bill of Rights is to provide youth in care with a resource they can use to advocate for themselves, to make sure that their rights are being honored and upheld, and to improve the foster care system for youth in care currently, and for future foster youth.

Preamble

The rights of Maine youth in care are defined in law, in policies and in statements of belief. The Maine Youth in Care Bill of Rights is a written contract between the state and youth in its care that outlines the rights and responsibilities that foster youth, caseworkers, Guardian Ad Litem, care providers and able biological parents should advocate for, and that youth should expect to receive from their caregivers while in care.

A Bill of Rights will illustrate to parents and those involved in the child welfare system that in a free society, youth in care should have the same rights and privileges that all other youth enjoy. The purpose of having a Bill of Rights for Youth in Care is to improve the quality of the foster care system for all youth in care presently, and in the future. It is important for youth in care to have a document that identifies their rights and responsibilities for youth to feel empowered by knowing their rights and be able to advocate for them. A Bill of Rights will illustrate to parents and those involved in the child welfare system that the rights of youth who are in care should not stray or be revised from the rights children who are not in care receive and enjoy.

The rights outlined in the Maine Youth in Care Bill of Rights shall be guaranteed to all youth and followed in order to provide youth in care with the best experience possible.

Youth in care deserve all of these rights, not just some of them. These are rights not earned privileges based on performance, behavior, or any other condition of their status in foster care.

Fundamental Rights every child and youth in foster care has the right to ...

- Live with, be loved by and cared for by those they consider as family, and should always be able to remain in contact with their family members, whether they be biological, foster, or anyone they consider to be family, unless it's in their best interest not to have contact with these individuals. Regardless of where a child or youth lives, they still need and deserve permanent relationships and family connections, knowing that they are still part of the family even when they are out on their own, enjoying individualized attention to their daily needs and to planning their future goals, access to services to meet their needs, and enjoying privileges rather than to have to earn them.

- Be included in their case planning, to maintain communication with the individuals on their team and to be able to freely communicate with those people that they choose to advocate for them.
- Have an informed choice in the types of medical, physical, dental and mental health care they receive, and shall have the best possible outcomes from the treatment they receive, and be able to change their treatment plan to best meet their needs if not satisfied with the treatment they are receiving. Youth shall receive care and treatment with the least risk of having any negative impact on their future plans, aspirations, and possible future endeavors. Youth should have advocates to represent them and help them in making positive treatment decisions for them that are in their best interest.
- Participate in and receive the best possible education, and participate in all activities available through public education, to have continuity and stability throughout their education, and an education advocate to ensure a quality education for the youth.
- Have qualified individuals representing them in court as an advocate, or as a representative in a juvenile offense case, these representatives should always have the youth's best interest in mind.
- Receive the tools and resources needed to be a successful adult after they transition from foster care.
- Continue relationships with individuals who have helped them while in care, when they exit care.
- Receive care and services that are fair and provide safe environments and that don't discriminate against them.
- Be who they are, the freedom to pursue their own interests, and to be given the privacy and respect they deserve as they grow into a young adult.
- Participate in activities that all healthy adolescents typically enjoy throughout childhood and should not be restricted from these activities because of status in foster care or their particular type of placement.
- Be provided with a mentor who will listen to their wants concerns, advocate for them in any area of their life, and help them to learn to advocate for themselves, according to the youth's age and ability to give consent.