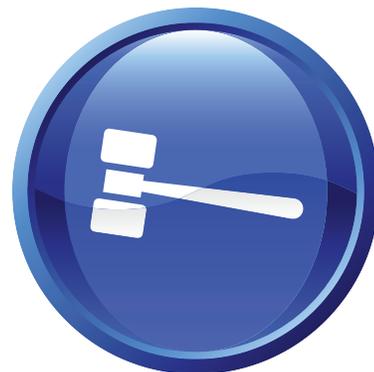


KNOW YOUR RIGHTS

A Guide for Youth in Nebraska's Foster Care System



This handbook is intended to provide general information, not legal advice. If you have questions concerning what you read, please speak with your guardian ad litem or attorney.

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This guidebook is intended to help foster youth understand their rights and the services available to them while they are in the system and once they leave the system.

to do a common thing uncommonly well brings success - *e.e. cummings*

A judge doesn't really know what it is like to live in foster care. We try to be helpful to youth who appear in court, but in the end, it is YOUR life. Neither you, nor anyone else, can change the past. But, you can decide how you choose to live your life today – just like anyone else.

This guidebook is a tool for you. It is a "one stop" booklet with all sorts of helpful information you need to know to have the present and future you deserve. Some of you may be returned home, others may not. Still, this book is helpful to your present situation and your future.

In the guidebook, you will find information about your rights and how to get help if you need it. You will find information about the court process and who, including yourself, is involved. If you are getting ready to leave the foster care system, you will find information about preparation to live as an adult, former ward funds, housing, employment, medical care, and college or other further education.

Our hope is that you build on your strengths, talents and interests. You need to make the most of the opportunities available to you now. Please, speak up. We want and need to hear from you. While being in foster care unfortunately may be a common thing, what you do with your life while you are in foster care can be done uncommonly well and bring you success. Best of luck to you.

Honorable Douglas Johnson
Separate Juvenile Court of Douglas County



Nick V.

Know the **SYSTEM**

Know Your Rights

As a youth in foster care in Nebraska you have some important legal rights.

1. You have the right to be protected from physical, sexual, verbal and emotional abuse.
2. You have the right to services to help you and your family.
3. You have the right to live in a safe, healthy home with adequate food and clothing.
4. You have the right to have a placement plan that is in your best interest and that will help you get to a permanent placement as soon as possible.
5. If you are 14 years or older, you have the right to notice of hearings about your case.
6. You have the right to receive medical, dental and vision treatment or services when necessary.
7. You have the right to attend school.

In 2003, the Governor's Youth Advisory Council developed a Foster Care Bill of Rights. These rights are important rights that you can advocate for, however not all of the rights in the Bill of Rights are your actual legal rights, protected by law. Your rights protected by law are the seven rights listed to the left.

Foster Care Bill of Rights

1. Every child in foster care in Nebraska should be protected from physical, sexual, verbal, and emotional abuse and from spiritual neglect; and
2. Every reasonable effort should be made to enable a child to remain in his or her biological home, including provision of financial and other assistance or services as needed; and
3. Every child in foster care in Nebraska should have a placement plan that reflects the child's best interests and that is designed to facilitate the child's return home in a timely manner or a permanent placement appropriate to the needs of the child; and
4. Every child in foster care in Nebraska should receive an explanation, appropriate to the age of the child, as to why he or she has been placed in the custody of the Department of Health and Human Services and, if age appropriate, should be allowed to attend court hearings, speak to the judge, and be heard by the court; and
5. Every child in foster care in Nebraska should be placed in a home where the shelter or foster caregiver is aware of and understands the child's history, needs, and risk factors and the child should know in return what is expected of him or her in the foster placement by the foster caregiver; and
6. Every child in foster in Nebraska should expect to live in a safe, healthy, and comfortable placement, to receive adequate, healthy food and adequate clothing and to be treated with respect; and



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7. Every child in foster care in Nebraska should receive medical, dental, vision, and mental health screening assessments and testing upon adjudication into foster care and should then receive whatever treatment or services are identified as necessary as soon as practical; and
8. Every child in foster care in Nebraska should be able to attend school and participate in extracurricular activities and personal activities consistent with the child's age and development, should have social contacts with people outside of the foster care system, such as church members, friends, and teachers, and should be able to attend religious services of his or her choice; and
9. Every child in foster care in Nebraska should receive at least monthly communication from his or her caseworker and should receive honest and timely information about the decisions the department is making that affect his or her life; and
10. Every child in foster care in Nebraska should be free from repeated changes in placement before his or her return home or permanent placement; and
11. Every child in foster care in Nebraska should be able to visit and talk with biological parents, brothers and sisters, grandparents, and other friends and relatives who are important to the child, unless restricted by the court.

Getting the Help You Need

If you don't think you are being properly taken care of the first step you should take is to talk to your case manager, your guardian ad litem or your attorney. Another good step is to take your concerns to team meetings. If this doesn't answer your concerns, you can call your case manager's supervisor.

Ombudsman Office

The Ombudsman office helps make sure problems within the foster care system are solved. If you think your foster home or group home is not really taking care of you, call the Nebraska Ombudsman Office at: 1-800-742-7690 or email them at ombud@unicam.state.ne.us.

Child Abuse/Neglect Hotline

If you or someone you know is being abused or neglected, call the Child Abuse and Neglect Hotline at 1-800-652-1999. This hotline is available 24 hours per day, 7 days a week. You can make anonymous reports, or if you choose to give your name, it will be kept confidential unless a court orders disclosure of the reporter's name.

The Court **PROCESS**

Almost every child who is placed in foster care has a case that goes to juvenile court or county court. There are four ways that youth enter the foster care system:

Abuse/Neglect

You may become a state ward or may be removed from your home if the Department of Health and Human Services finds that you are at risk of being harmed in the home. These cases are referred to as 3(a) cases.

Status Offender

You may become a state ward if you commit status offenses. Status offenses are things that are against the law if you are a child, but not if you are an adult, like curfew violations and truancy. These cases are referred to as 3(b) cases.

Juvenile Offender

You may become a state ward is by committing a criminal offense. These cases may be referred to as OJS or delinquency cases.

Mental Health

You may become a state ward or may be removed from your home if you have mental health concerns that put you at risk of harming yourself or others. These cases are referred to as 3(c) cases.

The Court Process: Hearings

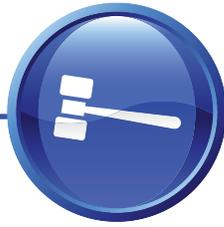
Your case will go through different hearings depending on what type of case you are involved in. If you have an upcoming court date, and you aren't sure what type of hearing it is, ask your case manager, your guardian ad litem or your attorney.

Temporary Custody or Detention Hearing

The judge has to sign an order for temporary custody within 48 hours of your removal from the home. After an order is signed by the judge, the date and time for the hearing will be set by the judge, usually a few days after the order is signed. The purpose of this hearing is to make sure that your removal from the home was necessary and that the decision process was fair. The court will determine if there is a risk to your safety if you were sent back home. If there is a risk, the court will enter an order to remove you from the home.

Adjudication Hearing

The adjudication hearing generally occurs within 90 days of your removal from the home. Attorneys present evidence, parties can have their attorney question witnesses, and then the judge makes a decision. If the judge finds that the petition has not been proven, you will be returned to your parents. If the judge decides there was abuse and neglect, or that you have committed offenses, or suffer from mental health concerns, he or she then directs that a plan be developed to address the concerns. This next decision takes place at the Dispositional Hearing.



Disposition Hearing

The disposition hearing generally occurs within 30 days after adjudication. At this hearing the judge decides what is best for you and puts it in a court order. This is called a case plan. The plan could be to send you home if you will be safe, or the plan could order you to be placed in a safe foster care home or other placement. The judge may also order the caseworker to provide certain services for you and your family, and may order you or your parents to participate in these services. Usually if the case is an abuse neglect case, the parents are ordered to participate in services. However, if you are a status offender or a juvenile offender, you will be ordered to participate in services, not your parents.

Review Hearing

Review hearings generally occur at least every 6 months after the initial dispositional hearing. The purpose of this hearing is so the court reviews the status of your case. This will include looking at progress made by you and your parents, determining whether court ordered services were provided, allowing for changes to be made to the case plan, and making sure that the case moves forward and you spend as little time as possible in temporary placement.

Permanency Hearing

The permanency hearing is generally held within 12 months after your removal from the home. This hearing is very similar to a review hearing; however, it will emphasize your permanent living situation. The judge will decide whether you and your family are receiving and participating in the services that will help you and your family fix the problems that led to your removal. A permanency goal could be: returning you home (called reunification), adoption, or guardianship. Keep in mind that the judge may also change previously set permanency goals at this hearing.

Termination of Parental Rights (TPR)

A petition to terminate parental rights may be required to be filed if you have been out of your home for 15 of the last 22 months, unless the judge finds an exception under the statute. In abuse or neglect cases, if your parents do not correct the conditions that led to your removal, the state may decide to file a motion to terminate your parent's right to raise you. The judge would then have to find that there were grounds to terminate parental rights and that it would be in your best interests. Termination of Parental Rights means that a parent no longer has any legal rights to a child and is no longer responsible for the child. This is a permanent situation that may discontinue any more contact between you and your parent(s).

The Court Process: Who's Involved

The Judge

The judge is the person who conducts the court hearings. He or she will listen to each side and will make a decision that is in your best interests.

Your Caseworker

If child abuse is suspected, one of the first people you will meet is a caseworker from the Nebraska Department of Health and Human Services. He/she is generally called a Protection and Safety Worker (PSW). He or she has the job of providing and coordinating services on your case and keeping in contact with you and your family on a regular basis. The PSW has your best interests in mind; therefore, it is important that you develop a strong working relationship with this person. The caseworker will attend all hearings and will make recommendations about what kinds of services should be provided to you and your family.

Guardian Ad Litem (GAL)

The GAL is the attorney who legally represents your best interests and your legal interests. The GAL is responsible for investigating the allegations presented in your case, interviewing the professionals working with you, and making recommendations to the court regarding what is in your best interest. The GAL will visit you and other persons involved in your case. If you believe you are not getting this help from your GAL, you should tell the judge in your case.

Your Attorney

Youth generally only have their own attorney in juvenile offender and status offender cases. The court process is complicated, and an attorney will advise you and advocate for your rights at every stage of the court process. This can include helping you get services you may need to help correct the problems with your situation. If you cannot afford an attorney, the court will appoint one for you at no cost to you.

You should meet with your attorney before every hearing and ask him/her to help you understand your rights. Your attorney should tell you about the hearings you are going to attend and what to expect. He or she should advise you about decisions you will need to make. If you are not getting this help from your attorney you should tell the judge in your case.

Your Parent's Attorney

In an abuse and neglect case, your parent(s) will have an attorney that advises him/her and advocates for his/her rights. If your parent(s) cannot afford an attorney, the court will appoint one for him/her at no cost.

County Attorney

The county attorney files the petition and is responsible for beginning the abuse and neglect case. The county attorney works with the caseworker from the Nebraska Department of Health and Human Services in your case to make recommendations to the court regarding your best interest.

Court Appointed Special Advocate (CASA)

These people are specially screened and trained volunteers appointed by the court to assist you and the judge. They gather information about you and provide recommendations to the judge. The CASA volunteer's only role is to advocate for your best interests and safety. Not every child will have a CASA volunteer.

Foster Care Review Board

These are five member panels of citizens who regularly review the cases and plans of children in out-of-home care to make sure that the children's best interests are protected. These local boards meet in locations all around the state and review the plans of children in their own communities. Your parents and your placement will be notified of any hearing reviewing your case and have the right to attend and send in written comments.

Placement

Unless there is an emergency, the State must try to safely keep you in your home by providing services and other help to your family. You cannot be placed out of your home until a determination has been made that you cannot safely live in your home. If you can't remain in your home these are placement alternatives:

Non-Custodial Parent

If your parents are divorced or separated, it may be possible for you to live with the other parent.

Approved Relative

You can live with a relative who is approved by the Nebraska Department of Health and Human Services or who is licensed for foster family care.

Family Known to Child or Parents

Sometimes you can live with a close family friend or another person that the family knows but is not related to. This person has to be approved before you can live there.

Licensed Foster Home

You can live with families who are licensed through the state to provide foster care. Foster homes are licensed for a certain number of children, so some homes will only have one foster child at a time, other homes may have several children.

Agency Based Foster Home

This is similar to licensed foster care. Agency based foster homes have 24 hour support available through an agency.

Treatment Foster Home

You could live in a treatment foster home if you need more assistance and more supervision than is provided in traditional foster care. Treatment foster parents have more training than traditional foster parents. Usually only one youth is placed in a treatment foster home and you receive additional mental health, medical or substance abuse services.

Group Home

A group home is a home where several youth live together and are supervised by staff 24 hours per day. Group homes provide a more structured environment than foster homes. Generally group home placements are only available if you are 12 or older.

Group Home A

Group Home A is very similar to a group home except that the staff are required to be awake 24 hours per day.

Treatment Group Home

Treatment Group Homes provide a 24-hour mental health and/or substance abuse services. Treatment group homes are not locked facilities but they must have 24-hour awake staff. Treatment group homes must provide you with 21 hours of therapeutic activities every week including individual, group, and family therapy.



Enhanced Treatment Group Home

Enhanced Treatment Group Homes are similar to treatment group homes but are designed to help you if you have more needs than can be met in a treatment group home. Enhanced Treatment Group Homes provide care if you have emotional disorders or significant disruptive behavior disorders.

Residential Treatment Center (RTC)

A residential treatment center provides 24-hour services in a facility if you have severe mental health and/or substance abuse disorders. A residential treatment center provides lots of therapy and a very controlled environment with lots of supervision and structures. Staff at an RTC must be awake 24 hours per day. In an RTC setting, you have least 42 hours of therapy each week, including individual, group and family therapy.

Emergency Shelter Placement

If you need a short-term or emergency placement, you may live in emergency shelter care. Emergency shelters provide supervision 24 hours per day. You might go to a shelter when you are first removed from your family home, until a foster home is available. You should never be in a shelter placement for more than 30 days at a time.

Detention

This is short term, secure placement (locked facility) for juvenile offenders. You may live in detention if you are waiting for a parole revocation hearing or who are waiting to be transferred to a more restrictive placement.



Permanency GOALS

Every youth who is a ward of the state of Nebraska will have a permanency plan and concurrent plan. A permanency plan is the main focus of a case. It's the goal that everyone works to achieve in a case. A concurrent plan is an alternate to the primary plan. A concurrent plan is developed in case the main permanency plan doesn't work out. The following are different permanency and concurrent plans you could have.

Family Preservation

Family preservation means keeping you with your family instead of placing you in foster care or other out of home placements. Family preservation is the first permanency goal the State will consider if you can live safely in your home.

Reunification

Reunification means returning you to your parents. For any state ward in out of home placement, reunification will be the first permanency goal considered.

Adoption

If you can not be returned to your natural parents, the first alternative the State will look at is adoption. Foster parents or other family members can adopt you if you are a foster child in their care. In order to adopt a foster child, the judge must terminate the parental rights of your biological parents. Adoption must also be in your best interests. If you are over 14, you must consent (agree) to adoption.

Legal Guardianship

Legal guardianship will usually not be considered a permanency goal until you are 14 years old. Guardianship will be considered when: (1) all efforts to reunify have been exhausted and unsuccessful, or the court finds no reasonable efforts are required, (2) all efforts to adopt have been unsuccessful, (3) you are 14 or older and won't consent to adoption, (4) you have a relationship with prospective guardian and have lived successfully for at least 6 months with the guardian. Legal guardianship does not require termination of parental rights.

Long Term Foster Care

Long term foster care is exactly what it sounds like – the long term plan for you is to continue to live in the foster home you are currently living in. Long term foster care can be selected as a permanency goal only when all efforts to achieve reunification, adoption or legal guardianship are unsuccessful. You must also have lived successfully in the foster home for at least one year before long term foster care can be selected as the permanency goal.



Independent Living

If you are 16 or older, you must have an independent living plan, however that doesn't mean independent living is your permanency goal. Independent living is generally only available if you are 16-19 years old and will be considered when it appears that reunification, adoption, legal guardianship and long term foster care are not appropriate permanency goals.

Self-sufficiency with Supports

If you experience disabilities, and you are currently receiving and will continue to need a supervised living situation as an adult, your permanency plan may be self-sufficiency with supports.

Things to think about when giving your opinion about a permanency option:

1. If you are adopted or if your guardianship is finalized before you turn 19, you are not eligible for former ward benefits. This is especially important if you plan to attend college because former ward benefits provide you with health insurance and money to live on while you are in college. If your adoptive parents or guardians are willing and able to help you pay for college, then you might not need former ward benefits.
2. Long term foster care may seem like a good idea because you would be eligible for former ward benefits and education vouchers, but long term foster care doesn't have the certainty that adoption or guardianship has.
3. You can get some benefits for college or training even if you are adopted or get a guardian before you turn 19. If you are adopted or get a guardian after you turn 16, you can get educational training vouchers up to \$5000 per year for college tuition.



“Being in foster care does not inhibit a person; it offers them the opportunity to GROW.”

- Nebraska Foster Youth

Living **INDEPENDENTLY**

Every youth 16 years or older who is a ward of the state must have an independent living plan.

Nebraska has a former ward program that helps youth continue their education after their discharge from the custody of the Department. Former ward benefits include information and referral, health care coverage and financial assistance. To be eligible for the program, you must: (1) Be age 18-20, (2) Be single, and (3) Be a former court ward of the Department who was in out of home care at the time of your discharge. This means former ward benefits are only available if you age out of the system. If you are adopted or enter into a guardianship before you turn 19, you are not eligible for former ward benefits. Also, you must apply for the former ward program BEFORE you age out of the system if you want to receive benefits after you age out. Talk to your case manager about getting former ward benefits.

The former ward program also requires that you are enrolled in college, or vocational or technical training. You may be enrolled part time or full time, but you must regularly attend class and you must maintain a passing average. There are a few exceptions to this rule. Talk to your case manager to see if you fit within one.

Former Ward Program Benefits

If you are eligible for the former ward program, here are the benefits you *may* be able to receive:

- Information and referral to other programs such as HEALTH CHECK, Nebraska Medical Assistance Program, AABD or Food Stamps and other public assistance programs
- Medicaid health care coverage
- Financial assistance up to \$351.00 per month to help pay for living expenses.

Education

High School

Getting through high school is not easy, but it's definitely worth it. Graduating from high school gives you the opportunity to go to college and improves your chances at getting a good job.

- **Moving to a New School**

Moving to a new school can be tough. If you have to move to a different foster home or group home, you can talk to your case manager and GAL about staying in the same school.

- **Grades and Graduating**

Getting good grades in high school is important, especially if you want to go to college. Good grades will help you get scholarships that can pay for college. If you are having trouble getting good grades or meeting the requirements to graduate, talk to your school counselor or case manager. **Finishing high school is the best thing you can do and it's a decision you will never regret.**

College

You can go to college! Even if your grades are not great, there are colleges that will accept you. If you want to get out of the system and make a good life for yourself, the best way is to go to college. Getting into college can be difficult, but once you are accepted you are set for the next four years! There is money available, you can live on-campus, eat on campus and when you graduate you can earn much more money.

Everyone understands that college is usually the only way to get where you want to go. Most foster youth want to go to college. Here's the sad part – most foster youth don't go to college. Most don't seem to know how to turn their thoughts into action. Is this you? If so, then now is your time to make college a reality. Ask for help. Make people help you. Don't settle for less than you deserve. Make this happen!

When you turn 18 you will be on your own, and that can be a joyous time... but it will be better if you have a place to sleep and a plan for your future. Here's what you need to do:



Get Active in School

Decide that you want to go to college now, and start preparing. It doesn't matter whether you are in the 6th grade or the 12th grade, start taking classes that challenge you. Get the best grades you can. Participate in other activities that interest you. Colleges want to see a person who goes out and does stuff. Join a club, volunteer in your community, run for student office – if there is no club doing what you're interested in, start one!



Use Your Resources

Getting into college can seem overwhelming and complicated, but it's not as bad as it seems! Your school counselor has the information you need to know about deadlines and applications for college. They can help you find the right college for you, and tell you what colleges are looking for, but you have to get their attention. Make an appointment to discuss your college plans, and follow up with meetings as you are going through the college application process – your counselor is your best resource.



Check Out These Websites

The websites listed below contain a lot of useful information on planning for college, applying for college, and paying for college. The more information you have, the better prepared you will be. For more information on getting into college, go to Appendix B in the back of this guidebook.

- <http://www.educationquest.org>
- <http://www.actstudent.org/testprep/>
- <http://www.mapping-your-future.org>
- <http://www.studentaid.ed.gov>

Other Alternatives

If you can go straight into a four-year college, great! If not, there are many other ways to get an education. You could go to community college for two years and transfer to a bigger school, or even go to a vocational (job) training school. You also don't have to apply for college right after high school. If you've been out of school for a while, you can still apply for college. If college is not for you, there are also job-training programs you can attend. Whatever your choice, you can find ways to help you pay for your education. Remember, you will earn more money and be more secure if you get more education.

Getting a GED

GED stands for General Educational Development. It is a test you can take to get an "equivalency certificate." Most people treat this the same as a high school diploma, however not everyone does. A GED can be helpful, but it is not the same as a high school diploma and some colleges will not accept a GED. Finishing high school is the best thing you can do and it's a decision you will never regret. If for some reason you can't finish high school, consider getting your GED.

In order to take the GED test, you must be at least 16 years old and have withdrawn from school. To find out more information on GED requirements and test centers, visit the Nebraska Department of Education website at: www.nde.state.ne.us.



Employment

Getting a Job

Finding a job can be a difficult process. Going to college is the best way to gain the skills you need to find a good job. There are other programs that can help you gain skills and find a job.

Nebraska Workforce Development

The Nebraska Department of Labor maintains these websites that help match people with jobs and training opportunities that are available in the state of Nebraska. There are also several Workforce Development offices across the state. Workforce Development offices can help you find a job or job training. To find the office nearest you, go to <http://www.dol.state.ne.us/> and click on office locations.

- <http://nejoblink.dol.state.ne.us>
- <http://traininglink.dol.state.ne.us>

Newspaper Classified Ads

Every newspaper has a classified ads section that lists job opportunities in the area. Many newspapers are also available online. The websites for a few Nebraska newspapers are listed here (right).

For a listing of all online newspapers in Nebraska, go to www.usnpl.com/nenews.html and click on the link to your local newspaper. If your town doesn't have an online newspaper, you can always look through a paper copy. Your school library or city library will usually have a copy that you can look through or you could buy a newspaper at local grocery stores or convenience stores.

Omaha

- www.omaha.com

Lincoln

- www.journalstar.com

Grand Island

- www.theindependent.com

Kearney

- www.kearneyhub.com

North Platte

- www.nptelegraph.com

Scottsbluff

- www.starherald.com

AmeriCorps

AmeriCorps is a national service network that provides full and part-time job opportunities to youth and adults. You will be paid while in the program and when you complete the program, you receive scholarship money for college or vocational training. For more information contact them at 1 (800) 942-2677 or go to their website.

- <http://www.americorps.org>

JobCorps

Job Corps is a no-cost education and vocational training program that helps youth ages 16-24. At Job Corps, you can enroll to learn a trade, earn a high school diploma or GED and get help finding a good job. You can live on campus and they provide you with free food, books and even spending money. If you're interested or find out more information, call 1 (800) 733-JOBS or 1 (800) 733-5627.

- <http://jobcorps.dol.gov/>

Housing

Once you leave foster care, you'll need a place to live. Your independent living plan will include housing plans and your case manager will help make sure you have a place to live, but ultimately once you're no longer a state ward it is your responsibility to find a place to live.

College

If you are in college, your housing should be taken care of. You should be able to live on campus in the college housing. Talk to the Dean of Student Services at your college if you need a place to stay during winter and spring breaks. You may be able to stay in the dorms.

JobCorps ■

If you get into Job Corps, then you can live at Job Corps. To read more about Job Corps, look in the employment section of this guidebook or call 1 (800) 733-5627 for more information.

- <http://jobcorps.dol.gov/>

Low Income Housing ■

Some towns have low income housing available. There are income requirements to live in low income housing, but if you qualify your rent will be based on your income which means you will be paying less than if you were renting from a private landlord. Some towns only have low income housing for families, so if you are single and don't have children you might not qualify. To find out if there is low income housing available where you live, contact your local Housing Authority. The website also has links for rental assistance, subsidized apartments and other housing services.

- <http://www.hud.gov/local/index.cfm?state=ne>

Homeless Shelters ■

Living in a homeless shelter is another option. You may think that you would never be so poor that you would need to sleep in a homeless shelter, but if you don't plan ahead, you might be grateful just to get a night in a homeless shelter. The website has a list of the homeless shelters in Nebraska.

- <http://www.nde.state.ne.us/TITLE1/TextOnly/ShelterInfo.htm>

Health Care

Free Health Insurance

The easiest way to get health care coverage is to go to college! Under the former ward program, if you are enrolled in school your Medicaid can continue until age 21. Medicaid covers things like doctor visits, eyeglasses, dental care, prescribed medication, mental health care and more. Remember that you must apply for former ward benefits BEFORE you age out of the system in order to get the benefits after you age out. Talk to your case manager about applying for the former ward program. Unfortunately, if you are not enrolled in school, you are not eligible for former ward benefits.

If you do not qualify for Medicaid, you may be eligible for General Assistance. Every county in Nebraska is required to provide General Assistance, including health care, to those who do not qualify for other public assistance programs, such as Medicaid. There are income restrictions and there are usually restrictions on what type of care you can get and what providers you can use. General assistance can also provide cash assistance for things like rent. Look in the phonebook or contact the city office where you live to find out where the general assistance office is in your county.

If you are working full time, you may also be able to get health insurance through your employer.

Family Planning and Sex Education

Youth have a right to get birth control. Talk to your case manager or medical doctor if you are sexually active or may become sexually active so that you can get information about birth control. If you become pregnant, you have a right to make your own decisions regarding your pregnancy. Talk to your case manager or medical doctor right away if you suspect you are pregnant.

You also have the right to talk to someone if you have any questions or concerns about sexuality. Talk to your case manager to get a referral to sex educator or counselor.



As my pen touches the page I realize that the possibilities that could spew forth from my mind straight down to the ink bleeding onto the unblemished white have limitless power. Power to hurt, to heal, to change. Actions may speak louder than words, but what motivates the soul to cry out to our hearts? What sparks in us the desire to achieve? Often enough the force is the word, either spoken or written. Words are both timeless and immeasurable in the capacity to ensnare imaginations and to initiate the depths of creativity to flow from the controlled realms of the mind and reach the shores of our inner most being. In the power of word can be found the beginnings of love, hate, war, peace, healing, hope, sorrow, humanity, passion, self-discovery. A single word could alter the history of the world, think about the world if only all people would stop and think of the consequences of not just actions but of the consequences allocated by every word, written, spoken, or even murmured. Wars may have never been fought; hatred may have never been spread. The question to ask is whether to use the power of the word for growth or for destruction?

I choose growth.

-Nebraska Foster Youth

APPENDIX A:

Definitions of **COMMON TERMS**

Abused, Neglected, and/or Dependent Minor

A child who has been harmed, or is at risk of being harmed by physical violence or emotional abuse, by someone responsible for caring for him or her; or a child who has been harmed, or is at risk of being harmed, because the person responsible for him or her does not provide the necessary care for the child.

Allegations

These are statements of what is believed to have happened and reasons why you need to be in the State's custody.

Appeal

When an attorney asks a higher court to review a case if you or another party disagrees with the decision.

ASFA

The Adoption and Safe Families Act provides federal regulations that govern federal foster care law. ASFA was enacted to remedy problems with the child welfare system.

Case Plan

This is a written plan for your care and treatment, for any family services to be provided, and for your future care prepared by the Nebraska Department of Health and Human Services. As a youth you can actively participate in creating the case plan. It includes a placement goal, developed by the caseworker, which could be to return you to your home, or find other living arrangements.

CASA

Court Appointed Special Advocate. They are volunteers who speak for your best interests and safety.

Dependency Case

Any juvenile who is homeless or destitute, or without proper support through no fault of his or her parent, guardian, or custodian.

Due Process

Refers to fairness in the court process according to the laws.

Evidence

Proof or testimony submitted to help the court determine the truth or falsity of alleged facts.

Finding

A decision made by a judge.

FGC

Family Group Counseling. This offers a new approach for families in which children have been maltreated. The process is based on the belief that families and communities must partner together to ensure child safety and well being. FGC is a facilitated process through which an extended family works to develop safety plans that protect their children.

Foster Care

Out of home care in a family setting provided to a child who is involved in an abuse or neglect case, who has been removed from his/her home. Foster care may include living with a relative or with a family the child does not know.

GAL

Guardian ad Litem. This is the attorney who legally represents your best interests.

Hearing

A formal proceeding where issues of fact or law are to be argued in a court before the judge. This is very similar to a trial.

ICWA

The Indian Child Welfare Act is both a state and federal law, which regulates placement proceedings involving Indian children. If you are a member of a tribe or eligible for membership in a tribe, your family has the right to protection under the ICWA. These rights apply to any child protective case, adoption, guardianships, termination of parental rights action, runaway/truancy matter, or voluntary placement of children. The goal of the act when it passed in 1978 was to strengthen and preserve Native American families and culture.

Judge

One who conducts or presides over a court and decides disagreement between parties. The judge will be making the final decisions about your case.

Minor

This is a person who is under the age to make legal decisions. In Nebraska this age is 19 years of age.

APPENDIX B: Getting into COLLEGE

Prepare for Standardized Tests

Most colleges require that you take either the ACT or the SAT. Most Nebraska colleges require the ACT, however if you are thinking about going to a college out of state, make sure you ask which test score the college wants. The better you do on these tests, the better your chances of getting into your top choice college. Ask your school counselor or go to <http://www.collegeboard.com> for test dates. Also ask your counselor about test preparation classes or materials. Start studying early, and don't wait until the last possible test date – if you don't do well the first time, you can try again on the next test date, but only if you still have time before your application deadline.

Taking the SAT or the ACT does cost money, however both testing services will waive the testing fee if you can show financial need. Ask your guidance counselor for a form to fill out in order to get the testing fee waived.

Choose the Right Colleges

College applications can take time and effort, so select your schools carefully. Do some research and find out which schools offer the courses that you are interested in taking. Each school is different, so call the school or talk to students to find out what is good and bad about each school. Also, calling the admissions office with good questions about the school shows interest and initiative – this may help you in your application. When deciding which schools to apply to, don't forget to include a few dream schools (your top choice schools) and a few safety schools (schools you feel you have a good shot of getting into) – your counselor can help you choose. You can get applications by going to the school's website, calling, or writing a letter requesting an application. Get your applications as soon as they are available so that you can have as much time as possible to complete your application.

For a complete listing of colleges, training programs, private vocational and technical schools, and schools of cosmetology, barbering and health related schools in Nebraska go to <http://www.nebraska.gov/education/html/1/16/index.phtml>.

Choose the Right Colleges

Each school has different requirements – you may have to write an essay or submit letters of recommendation – so make sure you have all of the necessary materials when you send in your application. Here are some tips for filling out your application:

- Apply as early as possible – your chances are better the earlier you send in your completed application.
- Apply electronically if possible. Check out each college's website to find out how.
- Application fees can be expensive. Apply for a "Fee Waiver" to apply for free (you may have to call the school to get an application) or ask your case manager to pay for application fees.
- Make sure you send your standardized test scores (ACT or SAT) to each school that you are applying to.
- Get documentation that proves you were a foster child, such as a statement from the court or a letter from your case manager. Include this as additional material in your application – it will help colleges understand your background and life experiences.

- If you went to a non-public school, colleges may not know how to calculate your grades. You can either write a separate essay explaining how your school works, or ask your school to provide an explanatory letter.
- You can check the “State Ward” box if there is one on the application form.

Apply for Financial Aid

Financial aid is money given either in the form of grants (free money) or loans (money you have to pay back later) to help you pay for going to school. Grants and loans may come from the federal government, the state government, or private institutions, but they are distributed through colleges. Not every school participates in every grant – check out which grants are available at each school by calling the school’s financial aid office. You will have to fill out a financial aid application for each school that you are applying to. When you are notified of your acceptance to the school, the financial aid office will send you an award letter letting you know what combination of grants and loans the school can offer you. Schools award financial aid based on your financial need as well as the costs of the school. This means that each school’s financial aid package for you will be different.

If you are in foster care, or have aged out of foster care, you are an “Independent Student.” Your foster parents are not your legal guardians for the purposes of applying for financial aid. You can skip the “Parental Income Information” section on the financial aid application. As foster youth, your financial need is high, so you should be able to get a lot of help paying for school. Applying for financial aid does not affect your chances of getting accepted to the school, so apply! Here’s what you need to do:

1

Get a PIN Number

<http://www.pin.ed.gov>

This is the first step. You need to get a PIN number to fill out your financial aid materials. Sign up on this website. They will send you your number either through email or regular mail. You will put this number on all your financial aid applications. Do not share your PIN number with anyone.

2

Fill Out a Free Application for Federal Student Aid (FAFSA)

<http://www.fafsa.ed.gov>

You must complete a FAFSA to be eligible for federal money. The easiest way is to apply online at this website. After you fill out a FAFSA, you will be sent a Student Aid Report (SAR). The SAR reports your Expected Family Contribution (EFC). The EFC is the amount of money the government expects you to contribute to your education based on your economic situation. When you send in your financial applications, each school will look at your SAR. The difference between the how much it costs to go to the school and your EFC is your financial need. As a foster youth (or former foster youth), your financial need is high! This means you will be eligible for a lot of financial aid. If you have questions about how to fill out the FAFSA, call the Federal Student Aid Information Center: 1 (800) 433 3243. Make sure you fill out your FAFSA form every year you are in school!

3

Apply for Nebraska Former Ward Benefits

Nebraska has a former ward program that helps youth continue their education after their discharge from the custody of the Department. Former ward benefits include information and referral, health care coverage and financial assistance. Former ward benefits can provide health insurance and help pay your living expenses while you are in college, but you must sign up for the former ward program before you turn 19. Read more about former ward benefits at the beginning of this section, or talk to your case manager.

Apply for Special Grants and Scholarships

In addition to financial aid from your school, you are eligible for special grants or scholarships. You just need to apply for them, and as long as the money is available, it's yours. Ask the financial aid office at the college, ask your case manager, and look on your own. The money is there and you just need to apply early enough, before it's given to other applicants.

Education and Training Vouchers

The Department of Health and Human Services has a grant to provide Education and Training Vouchers to current and former foster care youth. To be eligible for this program you must: be aging out of foster care, have received guardianship status after the age of 16, have been adopted at age 16 or older, be in out of home placement, or have been in out of home care at the time of your discharge and are now 17 to 23 years of age. The ETV program will provide up to \$5000 per year to attend private or public four year colleges, two year colleges, vocational-technical schools or specialized non-profit trade schools. To apply for the ETV fund go to www.central-plains.org or call collect to (308)-872-6176.

Private Scholarships

There are many scholarships from private institutions that any student can apply for. You can search for them (for free) at these websites:

- <http://www.fastweb.com>
- <http://www.fastaid.com>
- <http://www.scholarships.com>

APPENDIX C: Important **NAMES, ADDRESSES & NUMBERS**

Your Judge

Name: _____ Phone: _____

Address: _____

Notes: _____

Your Caseworker

Name: _____ Phone: _____

Address: _____

Notes: _____

Your Attorney

Name: _____ Phone: _____

Address: _____

Notes: _____

Your GAL (Guardian ad Litem)

Name: _____ Phone: _____

Address: _____

Notes: _____

Your CASA Worker

Name: _____ Phone: _____

Address: _____

Notes: _____

Other

Name: _____ Phone: _____

Address: _____

Notes: _____

Other

Name: _____ Phone: _____

Address: _____

Notes: _____

Other

Name: _____ Phone: _____

Address: _____

Notes: _____

APPENDIX D: Important **DATES TO REMEMBER**

Your Temporary Custody Hearing/Detention Hearing is:

Date: _____ Time: _____

Place: _____

Notes: _____

Your Adjudication Hearing is:

Date: _____ Time: _____

Place: _____

Notes: _____

Your Dispositional Hearing is:

Date: _____ Time: _____

Place: _____

Notes: _____

Your Review Hearing is:

Date: _____ Time: _____

Place: _____

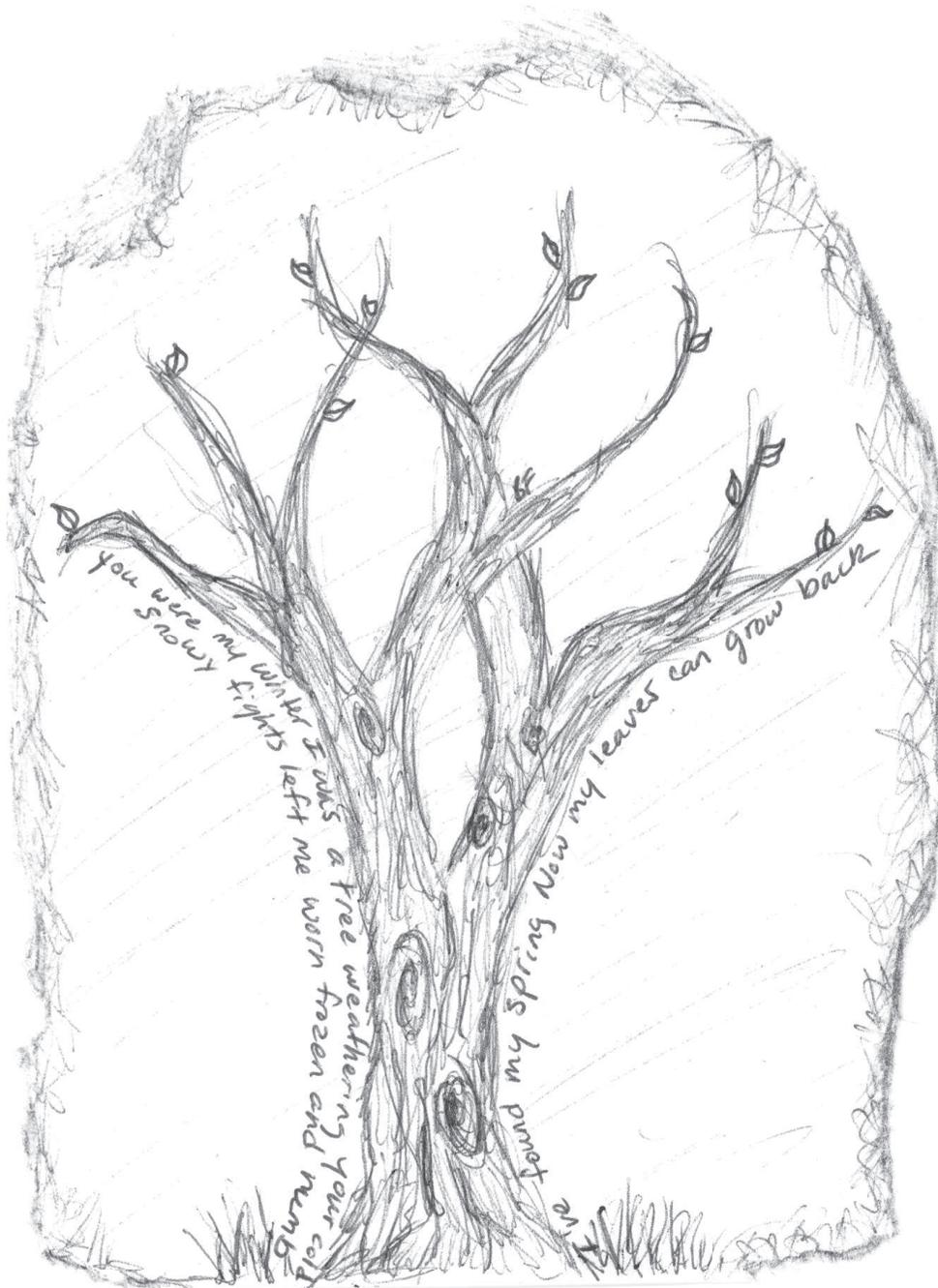
Notes: _____

Your Permanency Hearing is:

Date: _____ Time: _____

Place: _____

Notes: _____



This guidebook was written by Natalie Hueftle Nelsen. All quotes and illustrations in this guidebook are from current or former Nebraska foster youth. Graphic design by Michael Medwick, Nebraska Foundation for Children and Families.

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