

FOSTER CARE LAW

A Primer

HARVEY SCHWEITZER
JUDITH LARSEN

Carolina Academic Press



Foster Care Law A Primer

Adam McCormick



Foster Care Law A Primer:

Foster Care Law Harvey Schweitzer, Judith Larsen, 2005 Foster Care Law A Primer introduces social work professionals and attorneys to the most significant and typical legal problems that may arise from the moment a neglected or abused child enters the foster care system to the child's exit from it. The authors look at law through the eyes of the main participants: the foster child, the foster parents, biological parents, public foster care agencies, private foster care agencies, and the courts, and describe the legal relationships that each has to the other. In explaining the problems most likely to occur, they note the legal authorities that must be consulted and ways that courts and legislatures have resolved the issues. The book presents numerous aids to help social work professionals cope with the legal milieu: a glossary of legal terms, an appendix describing how to find cases, law journals, and legislative material, and a flow chart describing the legal life of a foster care case. Moreover, the text provides reader-friendly descriptions of the legal context. Lawyers will welcome explanations of the intricate legal relationships between such entities as public foster care agencies, their private contractors who provide foster homes, federal funding agencies, and the courts. A pertinent selected bibliography and an appendix dedicated to liability issues will give any lawyer a running start to resolve a particular foster care case. This ground-breaking book gives an overview of this complex field because each state has its own practices, laws, and local rules that govern both foster care systems and court process. The authors have untangled this confusing web and shown the patterns that prevail overall. The book will work for anyone trying to make sense of the foster care system in any state. This book does what few child advocacy books do. It deftly communicates real-life practice, policy, and law to front-line social workers without sounding like a training manual. It is a book that should truly help us lawyers and social workers do our jobs better. Prof. Daniel Pollack, JD, MSW, Wurzweiler School of Social Work, Yeshiva University.

The Systematic Mistreatment of Children in the Foster Care System Lois Weinberg, 2014-07-16 The Systematic Mistreatment of Children in the Foster Care System tells the stories of 10 children in the foster care system from diverse ethnic and cultural backgrounds and the efforts by advocates to find them permanent places to live, appropriate schooling, and other essentials they need to survive. The children's case studies highlight the difficulties in placing and maintaining them in healthy living situations with supportive educational, mental health, and other services. The book shows how children fall, sometimes over and over again, through the deep cracks that exist within and between the various agencies of the multi-agency system of care that was designed to help them. Appropriate placement and services for children in foster care typically requires the coordination and collaboration of several agencies, including the juvenile court, child protective services, CPS, school districts, and departments of mental health, DMH. The Systematic Mistreatment of Children in the Foster Care System shows how these agencies frequently fail to meet their legal obligations to children in the system and what can be done to address these failures and the outcomes they produce. The Systematic Mistreatment of Children in the Foster Care System includes an introduction to the child protective services system, the

general route by which children in the United States are removed from their parents custody because of abuse and neglect the major components of the Individuals with Disabilities Education Act and the problems in getting foster children s educational needs met the difficulties in securing stable out of home placements strategies for stabilizing home placements problems in funding for out of home placements strategies for advocating the removal of children from inadequate out of home placements legislation and practices for bringing about needed policy changes and much more Equally valuable as a professional tool and as a classroom resource The Systematic Mistreatment of Children in the Foster Care System includes introductions to specific issues presented in each chapter case studies that illuminate the issues presented subsections for each case study chapter entitled Prevention Intervention Advocacy Considerations and What Had Gone Wrong boxed items highlighting practical strategies laws and other relevant information and a conclusion and summary of each chapter

Child Welfare for the Twenty-first Century Gerald P. Mallon, Peg McCartt Hess, 2014-09-09 The Adoption and Safe Families Act ASFA which became law in 1997 elicited a major shift in federal policy and thinking toward child welfare emphasizing children s safety permanency and well being over preserving biological ties at all costs The first edition of this volume mapped the field of child welfare after ASFA s passage detailing the practices policies programs and research affected by the legislation s new attitude toward care This second edition highlights the continuously changing child welfare climate in the U S including content on the Fostering Connections Act of 2008 The authors have updated the text throughout drawing from real world case examples and data obtained from the national Child and Family Services Reviews and emerging empirically based practices They have also added chapters addressing child welfare workforce issues supervision and research and evaluation The volume is divided into four sections child and adolescent well being child and adolescent safety permanency for children and adolescents and systemic issues within services policies and programs Recognized scholars practitioners and policy makers discuss meaningful engagement with families particularly Latino families health care for children and youth including mental health care effective practices with LGBT youth and their families placement stability foster parent recruitment and retention and the challenges of working with immigrant children youth and families

Unregulated Custody Transfer of Adopted Children Marina Rakopyan, 2023-09-07 Did you know that once a week an adopted child is advertised to be given away on Internet The book *Unregulated Custody Transfer of Adopted Children* is a thought provoking and an eye opening book that uncovers the gray zone of adoption The book talks about the often overlooked issue of the terrifying reality of national and international adoption Through legal analysis and accompanying story this book sheds light on the heart wrenching reality of children who have been rehomed It delves into the lives of adoptive families who find themselves overwhelmed and unable to care for their adopted children leading to a black market of custody transfer where vulnerable children are given away with one click and with just one piece of paper to strangers This book is a must read for as it highlights the urgent need for increased regulation and oversight to protect the well being

of children in need of safe and loving homes Particular attention is given to the international adoption and the countries such as Russia and Ukraine The author has played close attention to the laws and regulations in the above mentioned countries by first hand translation and research in order to give a deeper insights into the heartbreaking reality of unregulated custody transfer of adopted children The book provides helpful insights for lawmakers legal practitioners scholars child care professionals international law scholars and students interested in human rights law adoption law and child protection

ABA Child Law Practice ,2005 *The Oxford Handbook of Children and the Law* ,2020-02-07 The Oxford Handbook of Children and the Law presents cutting edge scholarship on a broad range of topics covering the life course of humans from before birth to adulthood by leading scholars in law medicine social work sociology education and philosophy and by practitioners in law and medicine An international collection of authors presents and analyzes the law and science pertaining to reproduction prenatal life including fetal exposure to toxic substances and abortion parentage including biology based rights background checks on birth parents adoption the status of gamete donors and surrogacy infant development and vulnerability child maltreatment including corporal punishment and religious defences to abuse and neglect child protection policy and systems foster care child custody disputes between parents or between parents and other caregivers schooling including financing resegregation religious expression in public schools at risk students special education regulation of private schools and homeschooling delinquency minimum age laws and child advocacy Most chapters follow a format wherein they first describe the most debated or dynamic issues in each topical area then explain in depth the law and or science pertaining to the author s particular focus and finally offer arguments and recommendations as to law and policy in that area The normative component aims to advance discussions and debates in vital areas of contemporary child welfare law and policy The Handbook is an essential resource for scholars and professionals interested in the intersection of children and the law St. Thomas Law Review ,2004 *Children and Youth in Adoption, Orphanages, and Foster Care* Lori

Askeland,2005-12-30 Adoption and foster care is a new and burgeoning area of historical and interdisciplinary research Too often however birth parents adoptive parents foster parents social workers and the children themselves have either been ignored or demonized This comprehensive introductory resource provides an authoritative yet accessible examination of adoption and foster care as it has been practiced in the United States Within the pages of this volume the reader will find a complete view of the many individuals and groups involved as well as a thorough understanding of the various social and economic forces that have contributed to the perceptions of what children are in need of care Also discussed is the role of orphanages once the primary institution for children without parents as well as a stopgap measure for poor children needing temporary care Divided into three major sections original essays review the practice of adoption orphanage placement and foster care from the colonial period to the present day Selected primary documents including materials by children as well as an in depth bibliographic section provide crucial information and insight for high school and college students Social workers

journalists and others will also find much value in this historical overview and guide Contributors include Elizabeth Bartholet Marilyn Irvin Holt Martha Satz and Claudia Nelson Adoption and foster care is a new and burgeoning area of historical and interdisciplinary research Too often however birth parents adoptive parents and foster parents social workers and the children themselves have been either ignored or demonized This authoritative and accessible work is the first comprehensive introductory resource that gives a fuller portrait of the many individuals and groups that have contributed to the perceptions of what children are in need of care Also discussed is the role of orphanages the primary institution for children without parents as well as a stopgap measure for poor children needing temporary care Divided into three sections original essays review the practice of adoption orphanage placement and foster care from the colonial period to the present day Selected primary documents including materials by children as well as an in depth bibliography section provide crucial information and insight for high school and college students Social workers journalists and others will also find much value in this historical overview and guide Star contributors include Elizabeth Bartholet Marilyn Irvin Holt Martha Satz and Claudia Nelson *ABA Juvenile & Child Welfare Law Reporter* ,1995 **Child Welfare Law and Practice** ,2005 The Impossible Imperative Jill Duerr Berrick,Erika Altobelli,2018 The Impossible Imperative brings to life the daily efforts of child welfare professionals working on behalf of vulnerable children and families Stories that highlight the work written by child welfare staff on the front lines speak to the competing principles that shape everyday decisions The book shows that rather than being a simple task of protecting children the field of child welfare is shaped by a series of competing ideas The text features eight principles that undergird child protection practice all of which are typically in conflict with others These principles guide practice and direct the course of policymaking but when liberated from their aspirational context and placed in the real world they are fraught with contradiction The Impossible Imperative is designed to inspire a lively debate about the fundamental nature of child welfare and about the principles that serve as the foundation for the work It can be used as a teaching tool for aspiring professionals and as motivation to those looking to social work to make a difference in the world

Index to Legal Periodicals & Books ,2006 LGBTQ Youth in Foster Care Adam McCormick,2018-06-19

Representing an often overlooked population in social work literature this book explores the experiences of LGBTQ youth as they navigate the child welfare system Adam McCormick examines the entirety of a youth s experience from referral into care and challenges to obtaining permanency to aging out or leaving care Included throughout the book are stories from LGBTQ youth that address personal issues such as abuse bullying and harassment and double standards Filled with resources to foster resilience and empower youth this book is ideal for professionals who are hoping to create a more inclusive and affirming system of care for LGBTQ youth *Youth Law News* ,2003 **The Law Magazine and Review** ,1912 Foster Care Fundamentals Lisa K. Foster,2001 *Within Our Reach: A National Strategy To Eliminate Child Abuse and Neglect Fatalities* Commission ro Eliminate Child Abuse and Neglect Fatalities (U.S.),David Sanders,2016-03-18

Within Our Reach A National Strategy to Eliminate Child Abuse and Neglect Fatalities is the final report of the Commission to Eliminate Child Abuse and Neglect Fatalities as mandated by the Protect Our Kids Act of 2012 This report discusses the Commission s findings and presents both a comprehensive national strategy for fundamental reform and recommendations specific to populations in need of special attention including children currently known to child protective services agencies and at high risk for fatality American Indian Alaska Native children and African American children The report includes recommendations for actions by the executive branch Congress and states and counties that the Commission believes will be most effective in ending these tragic deaths today and into the future Legislators and policymakers at the State and Federal level plus advocates researchers and academics may be interested in these findings Additionally college students pursuing coursework in Social Work Sociology Native American and African American Studies and children s health and psychotherapy programs may find these findings and recommendations helpful Children Today ,1988 *Resources in Education* ,2001 *Social Welfare Policy and Advocacy* Bruce S. Jansson, Ph.D.,2019-03-11 Social Welfare Policy and Advocacy presents a multi level framework to show students how micro mezzo and macro policy advocacy can be used effectively by social workers in eight policy sectors healthcare gerontology safety net child and family mental health education immigration and criminal justice Author Bruce S Jansson identifies seven core problems within each sector and discusses the skills social workers need the challenges they face and the interventions they can use at each level of advocacy Readers will gain knowledge of social welfare policy issues and be equipped with essential tools for engaging in policy advocacy

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Table of Contents Foster Care Law A Primer

1. Understanding the eBook Foster Care Law A Primer
 - The Rise of Digital Reading Foster Care Law A Primer
 - Advantages of eBooks Over Traditional Books
2. Identifying Foster Care Law A Primer
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Foster Care Law A Primer
 - User-Friendly Interface
4. Exploring eBook Recommendations from Foster Care Law A Primer
 - Personalized Recommendations
 - Foster Care Law A Primer User Reviews and Ratings
 - Foster Care Law A Primer and Bestseller Lists
5. Accessing Foster Care Law A Primer Free and Paid eBooks
 - Foster Care Law A Primer Public Domain eBooks
 - Foster Care Law A Primer eBook Subscription Services
 - Foster Care Law A Primer Budget-Friendly Options

6. Navigating Foster Care Law A Primer eBook Formats
 - ePub, PDF, MOBI, and More
 - Foster Care Law A Primer Compatibility with Devices
 - Foster Care Law A Primer Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Foster Care Law A Primer
 - Highlighting and Note-Taking Foster Care Law A Primer
 - Interactive Elements Foster Care Law A Primer
8. Staying Engaged with Foster Care Law A Primer
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Foster Care Law A Primer
9. Balancing eBooks and Physical Books Foster Care Law A Primer
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Foster Care Law A Primer
10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
11. Cultivating a Reading Routine Foster Care Law A Primer
 - Setting Reading Goals Foster Care Law A Primer
 - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of Foster Care Law A Primer
 - Fact-Checking eBook Content of Foster Care Law A Primer
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
 - Integration of Multimedia Elements

- Interactive and Gamified eBooks

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