

Foster Parents and Relative Caregivers – Notice of Court Proceedings

Rhode Island Department of Children, Youth and Families

Policy: 700.0095

Effective Date: October 8, 1984 ——— *Revised Date: January 22, 2013* ——— *Version: 3*

The Department of Children, Youth and Families, in accordance with the federal Adoption and Safe Families Act of 1997 (PL 105-89) and Rhode Island General Law 14-1-30.2, provides notice to foster parents and relative caregivers with whom children in the care of the Department are placed, of any review or hearing held in Family Court with respect to those children. This includes all hearings scheduled both prior to and subsequent to commitment resulting from dependency/neglect/abuse petitions and all hearings related to termination of parental rights petitions. Caregivers are important to the child and can provide valuable information to the Family Court. They have the right to attend these court proceedings and to present verbal reports or file written reports with the Court regarding the children in their care.

Related Procedure

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Procedure from Policy 700.0095: Foster Parents and Relative Caregivers – Notice of Court Proceedings

- A. The Department's primary service worker notifies foster parents and relative caregivers of any court proceedings regarding children in their care.
 - 1. Primary service worker sends a Notice of Court Proceedings (DCYF #083) and the Foster Parent Court Hearing Report Form (DCYF #083A) to the caregiver two weeks prior to the date of scheduled proceedings.
 - 2. Primary service worker files a copy of each notification letter in the Department case record, and sends a copy to the Department's Office of Legal Counsel for the legal file.
 - 3. Situations arise in which court proceedings are scheduled with little advance notice. If it is not possible to provide written notification to the caregiver within two weeks of a court proceeding, the worker notifies the caregiver verbally once the primary worker is informed of a court date. Worker documents this verbal notification to caregiver in a Case Activity Note.

- B. The Notice of Court Proceedings (DCYF #083) notifies caregivers of their right to attend Family Court proceedings regarding children in their care and their right to file a written or verbal report with the Court to convey information relevant to those children.

- C. The Foster Parent Court Hearing Report Form (DCYF #083A) allows caregivers who are unable or do not wish to attend the Family Court proceedings to provide information to the Court on the well being of the child in their care.

- D. In accordance with Rhode Island General Law 14-1-30.2, foster parents and relative caregivers are not deemed to be parties to the proceedings and therefore are not entitled to:
 - 1. Present testimony through the presentation of witnesses.
 - 2. Question or cross-examine witnesses in any such Court proceedings.

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TITLE 214 - DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

CHAPTER XXX - OLD REGULATIONS WHICH WERE NOT ASSIGNED

CHAPTER-SUBCHAP-PART

SUBCHAPTER XX - OLD REGULATIONS WHICH WERE NOT ASSIGNED

CHAPTER-SUBCHAP-PART

PART 1198 - FOSTER PARENT NOTICE OF COURT PROCEEDING

Type of Filing: Repeal

Agency Signature

Agency Head Signature

Agency Signing Date

Department of State

Regulation Effective Date

Department of State Initials

Department of State Date