

Some Rights of Youth with Colorado Dependency and Neglect Cases

Dependency and Neglect cases are often called D&N cases. They are court cases that try to help children and families. If you are a youth with a D&N case:

You have the right to be told when and where D&N hearings in your case will take place.

You have the right to have someone of your choosing attend the D&N hearings and many meetings in your case.

You have the right to a guardian *ad litem* or GAL, a lawyer who works for what is best for you. Your GAL's name is _____ . Your GAL's telephone number is _____ .

You have the right to a GAL who tells the court what you want to have happen in your case.

Your GAL has the right to:

- lots of information, in order to learn what is best for you;
- take part in all hearings, just like your parents and the State; and
- ask a higher court to check some things that happened in a lower court, to see if the lower court did the right thing.

During the early part of your D&N case, a court will decide if you are dependent or neglected, which basically means your family needs the State's help. This part is often called adjudication. During this part of your case:

- your GAL has the right to say that your case cannot be dismissed, meaning cancelled;
- your GAL has the right to a jury trial; and
- if plans called informal adjustments or deferred adjudications are talked about, you have the right to be told all your rights, and to agree or disagree with these plans.

If the court decides that you are dependent or neglected, the court will most likely hold a dispositional hearing, where the court will discuss a treatment plan for your family. You have the right to be involved in making the treatment plan.

Later in your D&N case, if you are not living with your parents, the court will have a permanency planning hearing, or PPH for short, where the court will discuss a plan for your future.

- Before the PPH, you have the right to be told when and where the PPH will occur, and you have the right to be told all your rights.
- You have the right to play a part in making your future plan.

If you are 12 or older, you cannot be adopted unless you agree to be adopted.

Please talk with your GAL about your comments and/or questions!



Some Safeguards for Youth Who Reside in Foster Care in Colorado

If you are a youth residing in foster care (not the division of youth corrections (DYC) or a state mental health hospital), in addition to the rights outlined in “Some Rights of All Youth with Colorado Dependency and Neglect Cases,” you should have the following things during reasonable times of the day, if they work with the foster home’s routine:

- Appropriate and reasonable adult guidance, support, and supervision in a safe, healthy, and comfortable place where you are treated with respect and dignity.
- Freedom from physical abuse, sexual abuse, emotional abuse, other abuse, or physical punishment.
- Enough healthy food, enough clothing, and enough allowance.
- Needed medical, dental, vision, and mental health services.
- Freedom from prescriptions or other chemical substances, unless authorized by a doctor.
- Freedom to contact people who are working to help you, including case workers, attorneys, supporters, court-appointed special advocates (CASAs), and probation officers (POs).
- Freedom to contact the child protection ombudsman, county DHS, or state DHS with any questions, concerns, or violations of the things listed here, and to speak to those people and/or people in those offices privately.
- Freedom from threats or punishment for making complaints.
- Making and receiving private telephone calls and sending and receiving unopened mail, if doing so fits your permanency goals.
- Freedom to attend religious services and activities.
- Permission to maintain a bank account and manage your income, if doing so is appropriate for your age and development, and permitted by your case plan.
- Freedom from being abandoned or locked in a room.
- Appropriate education, access to transportation, participation in school, cultural, and personal activities that fit your age and development.
- Freedom to work and develop job skills, in line with your permanency goals.

Please turn the page for more ...



...Some More Safeguards for Youth Who Reside in Foster Care in Colorado

- Freedom to contact people outside the foster care system, such as teachers, church members, mentors, and friends in line with your permanency goals.
- Freedom to attend independent living classes if you meet the age and other requirements.
- A safe place to store your personal belongings.
- As fits your age and development, participating in, and reviewing, your case plan. If you are 12 or older, receiving information about your out-of-home placement and case plan, including any changes to your case plan.
- Confidentiality of all juvenile court records, as required by the law.
- Fair and equal access to available services, placements, care, treatment, and benefits based on your treatment plan.
- Freedom from discrimination or harassment because of your race, ethnicity, national origin, religion, sex, sexual orientation, gender identity, mental or physical disability, or HIV status.
- If you are 16 or older, access to information regarding available education choices, including the classes necessary for job and education programs after high school, and information about programs to help you pay for education after high school.
- Staying in the school you attended before you were placed, unless staying in that school is not in your best interests.
- Staying with your parent or legal guardian unless your welfare and safety or the public would be put in danger. As soon as possible, a court deciding where it is in your best interests to live.
- Placement in a home where your caregiver knows and understands your history, if your history matters for your care.
- Successful handling of your case.
- Planning that aims for your safe return to your family or move to another forever home.
- If you are 12 or older, and as fits your development, being involved in meetings where decisions are made about your future.
- Having DHS bring together your family and other supports to meetings where plans for your future are decided.
- Placement in the least restrictive setting that fits your needs.
- Living with, or visits with, your brothers and/or sisters.

Please talk with your GAL about your comments and/or questions!