



Manuel  
Garcia

*A Young Mother's Guide  
to Surviving the System*



## *My Life Chose Me*

*Here came a surprise to the world  
Something like you,  
No big bad thang  
Just a little girl with game  
Didn't choose her mother  
Damn straight not the brother  
Liven a life she'd be happy to change  
But it's self confidence she had to  
gain!  
Liven life as a hustle  
Ended up doin' time  
Prayed to God  
To listen to her cries  
Never got a chance to go to school  
Never got to live by rules  
Because my life chose me*

*Briauna Lathan*

*January 5, 1992*



MY LIFE CHOSE ME

# *A Young Mother's Guide to Surviving the System*

A BOOK BY...

**BABY MAMAS UNITED**

**A PROJECT OF**

**THE CENTER FOR YOUNG WOMEN'S DEVELOPMENT**

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**Dedications:**

This book is dedicated to our children, to our mothers, and to our sisters.

To those databases and faces, so often forgotten about.

To every mama who had to fight to keep her family together.

To every mama locked up, who whispers a prayer for her baby miles away, beyond the wall.

For every young mother who has been judged and doubted by those around her, who said she was not ready.

To all of our children, torn apart from their mothers, confused and lost in the night.

For all of us mothers, who sleep with sacrifice and awake to struggle, every day, all day.

For our babies.

For all of you mothers who had to teach yourselves how to take care of your young, we hope this book helps you out.

Know that you are not alone,

Know that you can make it past your current situation, and know that you can navigate for yourself a truthful & safe destination.

# MISSION

*We made this book so that mothers and their families would be better able to understand their rights. So many mothers have lost their children, because of lack of information and access to resources. It is our dream that this book provide young mothers with some information that will help them make better decisions, and better understand their situations.*

*Our mission in writing this book is to try and give mothers a better chance of keeping their children. We also hope children who have been taken from their mothers through CPS or due to their mothers incarceration will read this book. Maybe they might understand a little better why mom wasn't able to be there. And hopefully this book will help keep families together, and more kids will get to stay with their moms.*

*When the system gets involved in your life, everything gets so complicated it feels like you are drowning. This book is like a life vest we are throwing you so you can get back above water and breathe. There is so much you need to know, and we know sometimes it can be overwhelming, We hope this book breaks some things down, to better your odds of keeping your babies.*

*We wanted to write this book to the best of our ability so that it can reach all women, all colors and all ages. We hope that this book will bring peace to a lot of broken homes and families. We take this book very seriously, because we have family that is and has been involved in these systems, and this book is something that we know will impact some of the choices they will make in the future.*

*To my mothers who are locked up, we feel for you most because we have to be your voice. It's easy, because as mothers we feel the same things when it comes down to our kids. We know that by you being behind them bars, you are not given the opportunity to be the best mom you can be but we also know that just because you are not there does not mean that you are a bad mom. So keep your head up and never give up on your child.*

*To all my ladies who are dealing with the system, this book is made for you.*

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*I would like to thank Sophia and my sisters here at the Center because you believed in me when I didn't. I want to dedicate this book to my kids, Lay'Jon & Tababris. You keep mommy going and keep my heart so deep in what I do, and I owe you. To my Man, who is my backbone, you are the one who pushes me to do better. You allow me to challenge myself every day, and believe it or not, you make me prove myself wrong sometimes. Last but not least, I dedicate this book to myself and to those who never had faith in me and said I wasn't going to be something, this is to you--I DID IT!!!!*

*- SHAQUAY*

*This book is also dedicated to my son Santana Marcos and his father, my love, who supported me the entire time we were putting this book together, and sacrificed their time with mommy, I love you, baby boy, you are my strength and my reason for living. If it wasn't for you, Santana, I don't know where I'd be. Te quiero mucho. To my family for never giving up on me, for everyone who has helped me get to where I am today, and those who we lost on the way.*

*- SOPHIA*

*I want to dedicate this book to all the young mothers out there who are fighting to get your children back. Please never give up the fight for your kids. They need you more than you'll ever know. Don't allow the system to keep you and your children apart. I did and that was the biggest mistake of my life.*

*I also want to dedicate this book to my 2 children that I lost--Livy Nieto and Carlos Nieto. Your Mama has now got her life together I only wish that I could of done it when I had you both. I am now dedicating my life to helping out young mothers who were once in my situation for I never want a mother to go through the pain I went through and still go through. Livy and Carlos, I love you and I pray that you haven't forgotten about me and will some day want me back in your precious lives. Forgive me for the mistakes I made, please.*

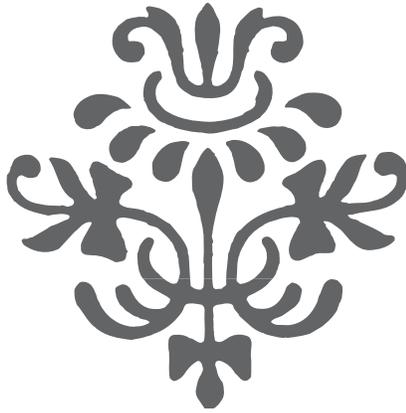
*Also to my baby Leah Eleni Felix-Michel. I am now the parent I should always have been. You keep me on the positive road that I am going on. I love you, baby girl.*

*To my family, for never turning your back on me and always loving me when I couldn't even love myself. I am finally living a lifestyle you all can be proud of. Sky's the limit baby and today I am reaching the sky in a positive way.*

*To my prima Tara Contreras, I haven't given up on you and I never will. I love you and I'm waiting out here for you .*

*I want to thank the Center for giving me a job and allowing me to be part of this book and letting me bring Leah to work every day.*

*- RACHEL*



*Before you read this book, please know the information in this book is general information. Please don't rely just on the information in this book to make important decisions in your case. **PLEASE SPEAK WITH AN ATTORNEY!** This book is in no way a substitute for an attorney. This book is supposed to provide you with general background information. Things will vary depending on the specific facts of each individual case. Please consult your lawyer.*

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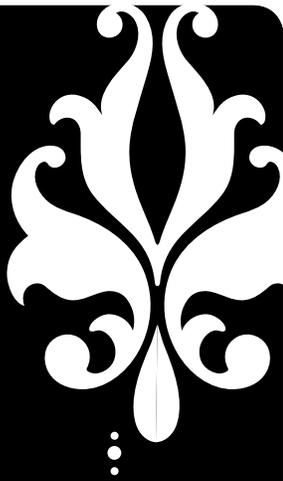
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# Bill of Rights

for  
YOUNG  
INCARCERATED

According to the United Way of the Bay Area and the San Francisco Juvenile Probation Department, nearly one-third of the girls in San Francisco's juvenile justice system are pregnant or parenting. Currently there are no policies in place to guide the treatment of these young women or to protect their rights as parents. Many young women who become incarcerated are not given the chance to fully participate in the lives of their children while behind bars.

As young women came to CYWD to participate in groups and activities, it hurt us to hear the echoes of breaking hearts as girl after girl would say "I miss my child so much" and share their pain. A group of young mothers came together one afternoon to discuss the barriers that formerly incarcerated parents face, and began exchanging stories of the injustices they experienced while locked up as pregnant women and young mothers. Story after story we realized these were not isolated incidents but a trend in young women being neglected by a system that they most likely were a product of as children in foster care and would stay in their lives, even after they moved on into adulthood, by taking their children away from them.

What became of these discussions is the "Incarcerated Young Mothers Bill of Rights" a ten-point declaration to reclaim the rights of pregnant and parenting incarcerated mothers in San Francisco. This is the beginning of their group, The Young Mothers Organizing Project's journey to change the system one step at a time.

We want to thank all of the young women who made this possible by being brave women who were not afraid to share your stories: Patty, Ashley, Kim, Scarlet, Shani, Tiara, Mischa, Esmeralda and Karla Elisa who challenged the idea of what could become of this project and never gave up that vision.

We are the voices of young mothers dealing with not seeing their children while incarcerated.

We are young mothers who have been being shackled during visits with our children; some of us denied the right to see our children at all.

Many of us did not get proper prenatal health care while in the system. We now dedicate ourselves to informing other young mothers about their parental rights when incarcerated and also on the outside.

We believe that too many young women denied these basic human rights.

We believe that young women need to know how their children are doing while they're locked up.

We believe they need to be able to attend Dependency Court hearings. Decisions are being made without them being present, that affect the future of their children and family. We believe that young women know what is best for their families.

We believe that for young families incarceration is not a solution. Seeing our children shouldn't be a privilege but a right! We deserve and demand the right to be treated with dignity & respect. We are demanding that the Juvenile justice system change the policies that discriminate against young mothers.

If these injustices are allowed to continue we will see its effects for generations to come.

There has already been enough suffering and damage done.

**-The Young Mothers Organizing Project**

## **YOUNG INCARCERATED MOTHERS' BILL OF RIGHTS**

1. We have a right to be treated with dignity and respect.
2. We have a right to be mothers, and not to be discriminated against because of age or offense.
3. We have a right to regular check-ups and proper prenatal care and nutrition.
4. We have a right to have somebody with us while we are giving birth.
5. We have a right to not be handcuffed and shackled during labor.
6. We have a right to recovery in the hospital after birth.
7. We have a right to see, touch, and speak with our children.
8. We have a right to be informed about our children's well-being and safety.
9. We have a right to have support and advocacy while incarcerated, and to be informed of our rights as parents.
10. We have the right to access information and education, such as prenatal and parenting classes, so that we are able to be the best parents we can be.



# *On The Outs*

## SECTION 1

BEFORE YOU BEGIN READING THIS BOOK, IT IS SO IMPORTANT THAT YOU KNOW WHAT YOU CAN SAY TO WHOM. PLEASE READ THIS SECTION SO YOU CAN BE WISE AS TO WHO YOU TALK TO AND WHAT YOU SAY. LIKE YOU'VE HEARD BEFORE, WHAT YOU SAY CAN AND WILL BE USED AGAINST YOU.

### **A. MANDATED REPORTERS**

#### **What is a mandated reporter?**

A mandated reporter is someone who is required by law (Penal Code Sections 11164-11174.3) to report to Child Protective Services any neglect or child abuse that they know of.

#### **Who are mandated reporters?**

Penal Code 11165.7 defines mandated reporters as: teachers, teachers aides, instructional aides, employee of public schools, administrative staff of public school, staff of public or private day camp, administrators and employees of public or private youth center, youth recreation center or youth organization, child center staff, Head Start teachers, public assistance workers, foster parents, group home personnel, transitional housing staff, social workers, probation officers, parole officers, police, doctors, nurses, public health employee, coroners, people who develop film, correctional facility staff. These are some of the many mandated reporters.

TO PROTECT YOURSELF, BEFORE YOU DISCLOSE ANY INFORMATION, ASK THE PERSON YOU ARE SPEAKING WITH IF THEY ARE A MANDATED REPORTER. If they say yes, be careful what you say to them. If you give them reason to believe your child is being abused or neglected, they have to report to CPS so that CPS can begin an investigation.

### **Who is not a mandated reporter?**

**YOUR ATTORNEY IS NOT A MANDATED REPORTER!!** Your attorney is required to keep everything confidential. So, your attorney is the one person you should disclose information to. Tell them all the details surrounding your case so that they can fight for you, and your child.

If you tell your attorney that you are going to hurt someone, or do something to harm your children, they could take it upon themselves to call the police or CPS. They shouldn't do this if you are talking about the past, but if you say you will do something harmful in the future, that is when they could decide to tell someone something.

Though you may reveal information to your attorney about past actions in confidence, if you express to your attorney that you are planning to do harm to someone, they may have an ethical obligation to tell the appropriate authorities about your plans. So if you are talking expressing a desire to hurt someone, or yourself, they could take it upon themselves to tell someone about it, so be careful what you say.

### **B. BREAKDOWN OF THE COURTS THAT DEAL WITH MINOR CHILDREN AND CUSTODY**

Make sure you always know what is going on in court. Don't ever walk out of court not understanding what happened. **ASK QUESTIONS!!** Know what court you are at, why you are there, and the name and purpose of each hearing. We hope these answers can help you, but make sure you ask your attorney about **EVERYTHING**, and make sure you know what's going on.

#### **What is family court?**

Family court handles any case falling under the Family Code. Typical cases are divorces, legal separations, annulments, child support, and custody matters.

#### **What is probate court?**

Probate court can be a separate court, like in some states and larger counties, or it can just be a department, which is assigned to handle probate matters. Probate matters include guardianships for children who are not a part of the foster care or juvenile justice systems. Probate court hears cases involving placement of minor children where a petition is filed by a relative to take custody of them. For example, if your mom feels like you are not doing a good job with your child, and wants to become the legal guardian of your child, she would



go to probate court to try and establish guardianship. Or, if you get locked up and want to grant someone temporary custody, they would go to probate court to file for legal temporary guardianship, which can only be granted by a judge in probate court.

#### **What is dependency court?**

Dependency court is a juvenile court handling matters falling under the Welfare and Institutions Code. Typically, it involves Child Protective Services (CPS) removing the child from the home or care of the parent. Once CPS removes them from the home, those children are made dependents of the court (this is why it's called "dependency court"). In dependency court, a parent is offered the opportunity to reunite with the children if certain conditions are met.

When you go to dependency court you will have a detention hearing, a jurisdictional hearing, and a dispositional hearing. If reunification is offered, you will also have review hearings. These are all explained on the following page.

#### **What will happen in dependency court?**

When you have a court hearing, you should come early because it's always best to check in with the court officer, and also talk with you attorney about what is going to happen in the courtroom. When you go into the courtroom your attorney and everybody involved in your case will be there. Your social worker may be there also. Sometimes the court may not be able to give your case the attention it needs, so they will reschedule

your case. This is called a continuance. Be sure to ask your lawyer before you go into court what is going to happen, because every time you go to court it may be a little different.

### **What is a detention hearing?**

The first hearing you will have is called a detention hearing. The first time you go to court, the courts will ask you if cannot afford your own attorney, would you like a court-appointed attorney, who will represent you for free. You will meet the lawyer and he/she will give you a piece of paper that is called a petition. This is the paper which has all the allegations (charges) listed on it. The allegations are what CPS is accusing you of. If your child has been taken away from you the court will decide at the first hearing whether to let the child return home right away or not. This is the time when the court will be asked to make sure the child is safe. This is also the time when the court will make the orders about when you can see your child if your child is not going home with you. Nothing serious will be decided this day; you will come back for major decisions. Make sure you write down when your next court date is.

### **What happens when you go to your jurisdictional hearing?**

This should be your next court hearing. This is the point when the court is going to decide if the allegations (charges) are true. If the court decides that they are true then, your child will become a dependent of the court, which means your child is in the system. Being in the system does not necessarily mean that your child will live with someone else; it just means that the court is allowed to make orders to protect your child's safety. If none of the allegations are true then your case will be dismissed (thrown out). However, the charges CPS accused you of will still be on file with CPS.

It is important that you come prepared to your jurisdictional hearing. You need to fight the CPS charges. If you have letters from neighbors, family or organizations that will help show that what CPS is saying is not true, this is when the judge will see them. Give them to your attorney beforehand. Also try and have as much support as you can in the courtroom with you (family and friends).

### **What will the court do at the dispositional hearing?**

At this hearing the court will decide what things you



*I'm jewnbug  
Thug  
Girl  
4 Life resisting system conformities.*

*Thriving on ambition  
Hustling 2 make mo then endz meet  
Utilizing every resource & opportunity for excellence in community.  
Gambling by taking risks with sum  
type of faith "u" just might win.*

*A welfare queen  
On & off welfare b4 i was a teen*

*A baby mama  
Takes my story & creating drama  
Cuz i'm an expert  
Not your falsehood classified filling  
Your lying  
I live life  
I breath life  
I know life  
I learn life*

*Cuz my life iz my education  
My experiences are my degree!!*



should do to make things better for your family and your child. Sometimes the dispositional hearing (dispo) happens at the same time as the jurisdictional hearing.

At the dispositional hearing, the court will decide where the child should live. This is called the placement. The first question is, will the child stay with you or someone else? If not you, who should the child stay with? If your child is living with someone else, this is called out-of-home placement. This is when you need to try your best to get your child placed with family or a friend you trust. Do all you can to keep your children out of foster care. If you have no one with whom your child can live, your children will go into temporary foster care until your case is over.



# Rachel's Story

*Sometimes you don't realize what you have and how much you love your children and can't bear to live without them until they are taken away from you. That's what happened to me and I'm about to share the saddest part of my life with you all.*

*My name is Rachel Maria Felix. I am a 26-year-old Latina. When I was 15 years old I found out that I was pregnant. I was in the 9th grade. October 3, 1995, I gave birth to a healthy baby girl named Livy Amerret Nieto. I don't regret having my daughter. I only wish that I would have waited until I was older, smarter, wiser, and ready to give up my lifestyle of drugs and gangs.*

*Two years later I got pregnant again. On November 6, 1997 I gave birth to my son, Carlos Arthur Nieto. My children's fathers and I suffered from a very heavy substance abuse problem. This caused a very unhealthy environment for our family. We were both using drugs and were not the parents we should have been to our 2 beautiful children. They suffered so much due to the lifestyle we chose to live.*

*On December 3, 1999, 3 days before my 20th birthday the police killed my baby's dad, Juan Gabriel Nieto. They beat him to death and he died on the scene. When this happened, I was so lost, sad, angry, and alone. The love of my life was gone and was never coming back. The pain I felt and still feel is unbearable. When this happened I fell heavier into my addiction. My babies lost their daddy; I lost my best friend and the love of my life. I know how it is to grow up without a dad, for I too lost my dad at the age of 5.*

*Being a young single parent is very hard. I was struggling to make ends meet and get all my*

If your child is not placed with you, the court will tell you where, when, and how long you can visit your child. This is also where the court will give you your reunification plan. They will tell you what classes or things you need to do in order to get your children back. The department should provide these services for you.

You will need to take care of some things before they return your child to you. These things are called reunification requirements. They may include things like drug/drinking programs, parenting classes, and counseling, etc. All the classes and requirements the court assigns you are part of your case plan.

**MAKE SURE** you do everything the courts ask of you. Never miss a class or visit and arrive early to all appointments. If for some reason you cannot make it, make sure you call your **CPS** worker and let her know **IN ADVANCE**. If you miss or arrive late to appointments or classes, the court will think you don't care about your child, and they will use it against you.

If your child is living with you, you still need to follow the case plan requirements to get your case dismissed. If you don't complete the requirements of your case plan, there is a good chance CPS will take your children from you, so make sure you handle your business and do all the court asks of you.



*bills paid. I could not get a job that paid enough money to support my family for I lacked in job skills. So I turned to selling dope to make ends meet and support my family. That was the biggest mistake I made in my life. When I chose to start dealing, I placed my babies and myself around the wrong type of people and very dangerous situations.*

*On August 16, 2001 I was raided by the Feds and was busted with dope. That day CPS came into my life. I could say that CPS took my kids from me, that's partly true, but the fact is that I gave my children to CPS for the lifestyle I chose to live. I didn't realize that at the time, nor did I want to admit that.*

*I got locked up for 9 1/2 months. When I got out my CPS worker told me that I had 18 months to reunify with my children, and they were not going to use my jail time against me. I was once again struggling with my substance abuse problem. I did get help and did what was required of me in order to get my babies back, but it was too late. They did use my jail time against me and my babies got adopted out. I believe the system wasn't fair, but I will admit I wasted a lot of time when I was fighting for my kids.*

*I cannot have any contact with my babies. I haven't seen them since 2003. I now watch them grow through pictures, and that kills me.*

*I wish I could turn back the hands of time and do everything the right way. I really envy the woman who is being blessed with the opportunity of raising my children.*

*The reason I am telling my story today is because I do not want anyone to have to go through the same mistakes I have made in my life and the pain I have caused my children and myself.*

*Never give up the fight. Do whatever it is you must do to get your children back with you where they belong. My only wish is that when the time comes and I can look for my children, they will want to see me and have me in their life.*

*On August 9, 2005 I gave birth to my daughter Leah Eleni Felix-Michel. I am now the parent I should always have been. I now want to help young women who are in situations I was once in because I never want a mother to live with the pain I live with inside my heart every day. I have made many mistakes in my life and because of them my children have suffered severely. I pray one day they will be able to forgive me, and allow their sister and me to be in their life.*

*Sky's The Limit Baby  
Rachel Felix*



your attorney and make a game plan which is specific to your case--all cases are different.

The first court date after the dispo will be at 6 months. There also may be 12-month & 18-month hearings during the reunification time.

However, your dependency status reviews will ONLY be extended if you are actively participating in your case plan, and the court believes that there is a good chance that at the end of the 12- or 18-month extension, your child will be back in your care.

The court will only extend reunification time if they feel that you can complete all of the requirements of reunification in the time given, and that at the end of that time, it is realistic that you will be able to have your child back living with you, in your care. The judge must be 100% convinced that at the end of that 12 or 18 months you will have completed all of the requirements of your case plan to reunify with your kids (classes, drug programs, housing , etc.) and that based on the facts of your case, you will be able to have your child back in your care and provide a safe and stable living environment for your child. The 12 & 18 months reviews are given if you need more time, but you must be on top of stuff to prove to the court you deserve that extended time.

**WE TELL YOU THIS NOT TO DISCOURAGE YOU BUT TO LET YOU KNOW THE REALITY. TREAT YOUR REUNIFICATION TIME LIKE YOU ONLY HAVE SIX MONTHS.**

The purpose of these reviews hearing are pretty much all the same. It's to have the court decide if you've been working your case plan and if it's safe for your child to return to your care. Bring all letters from programs and classes to show that you have been attending, and any other proof that you have been doing well. Try and have some support in the courtroom as well--family or friends.

#### **What are reunification services?**

Reunification services are the services that the child welfare department MUST give you in order to help you try to reunify (get back together) with your children who are in the foster care system, or have been placed temporarily in someone else's care while you are fighting a CPS case. These services include things like visitation, therapy, parenting classes, drug/alcohol treatment programs, and employment assistance.

### **C. REUNIFICATION**

#### **What is reunification?**

After CPS has removed your children from your care, the court will demand that you do some things in order to prove to them that you should keep custody of your children. These things the court asks of you are part of your case plan, and are reunification requirements. This means that in order to keep your child in your custody you must do every last thing that the court asks of you. If you do not, you could lose custody of your child forever.

#### **What happens at a review hearing?**

During reunification time the court will have a hearing every 6 months. Those hearings are called dependency status review hearings (DSR). Here's what they're about:

1. To make sure you're working on your case plan and fulfilling all of the requirements of the court.
2. To make sure that the department has referred you to the services you need to do your case plan.
3. To decide if your child can be returned to you or your case can be dismissed.
4. To make sure that your child is being well taken care of.

Normally, you have only 6 months reunification time if your child is three or under. Sometimes, though not often, the time may be extended. Please speak with

Family reunification services will only be provided when a child has been placed out of the home, or is in the care of someone other than the natural parents, and under the supervision of the juvenile court. When a minor has been placed in foster care, family reunification services may be provided to both parents.

**COMPLETE AND TAKE ADVANTAGE OF all of the services the court provides for you. These services are supposed to help you. If you need more help than CPS is providing you with, make sure to let your attorney, the judge and CPS know that you need more help. Remember, the purpose of these services is to give you everything you need so that you can work to get your kids back, so make sure you are getting what you need.**

#### **How do I ask for reunification services?**

In most cases where CPS has gotten involved in a child's life, these services should be provided automatically to the child's parents. If you do not feel you are getting the services you need, tell your lawyer and the judge on your case.

Insist to the court that you want your children back, but you need help. For example, if getting a full time job is a requirement for you to get your kids back, and you are having trouble finding a job, let your lawyer and the judge know that you need help finding a job. But don't wait too long, if you have six months to get a job before your next court date, and a month has passed and you still have no job, get at your attorney and the court. Let them know you need help ASAP--the clock is ticking.

The child welfare department is required to make "reasonable efforts" to get you and your child back together. Yes, we know they will not always make these "reasonable efforts" automatically, so make them do their job. Talk to your social worker, your attorney, and the judge. Let it be known loud and clear that you want your children back, but you need help. Make sure that you document everything; all requests for any reunification services, and any other help, need to be in writing. If you make any phone calls to follow up, write down the time that you called, who you talked to and what happened in the conversation.

Also, something called family reconciliation services (FRS) or family preservation services (FamilyPres) is offered on a voluntary basis at no cost. Youth and families may contact their local division of Children and Family Services office and request services. Family reconciliation services (FRS) are available 7 days a week, 24 hours a day. Families are offered services within 4 hours of their request. Families who need further help can receive crisis counseling in the family home for up to 15 hours within a 30 day period. Contact Family Reconciliation Services or Family Preservation Services in your county so can find out exactly specific services are available for you.

The judge will not force FRS or Family Pres on you. It is up to you if you want it. They can help you get the services you need to keep your family together. If FRS or Family Pres were offered to you instead of CPS involvement and supervision, it is a good idea to do FRS or Family Pres or else your CPS case could be re-opened.

#### **What happens during reunification?**

This is your time to take advantage of the services CPS is offering and to get yourself to a place where you are ready to parent your child on a full-time basis. As discussed above, you only have a limited time to prove to the court that you are ready to get your children back. It is important to remember that when children are under **three years of age**, the court **normally only allows 6 month reunification time total**. If you don't work with CPS during the first 6 months that your child is in the system, there is a very good chance you may lose your kids.

Please don't think that because the court can extend reunification time to up to 18 months that you can get away with not doing what is asked of you in that first six months. **THOSE FIRST SIX MONTHS OF REUNIFICATION TIME ARE THE MOST IMPORTANT TIME TO GET YOUR KIDS BACK. Sometimes judges won't care that you are trying your best; they will only look at what you were able to get done.** They will look at the facts, and if the facts lead the judge to believe that you are able to complete what is required of you, then that is when they might give you some more time. If you are not attending required classes, or if you are arriving late to appointments, the court may not extend your time and may **terminate your parental rights**.



You must work twice as hard as you think you should to get your kids back. The courts are not going to make it easy for you. So be ahead of the game and do all they ask.... and then some.

Make sure you keep copies of everything, and make a diary just for your case. Keep track of every class you go to, all visits with your child, all phone calls regarding your case; keep track of everything. Also, get letters of recommendation from any of your teachers, or staff in the agencies or community organizations that are helping you. These letters will help you in court.

From the beginning, you need to let it be known that you do want your kids, and that you will do whatever it is that you have to do in order for you not to lose your kids or your rights. If you are a juvenile, your social worker and attorney are supposed to guide you through the family reunification plan process step by step. As soon as you receive copies of your family reunification plan, that day you need to start contacting services in your area to find out where you can attend all your court-ordered classes and services.

Please remember, reunification is your last shot. If you fail to reunify with your children within the time the court gives you, you may lose your parental rights forever.

**How long can youth and their families receive reunification services?**

Just like we explained above, you have 6 months to comply with the reunification requirements of the court. After that 6 months, you may get an extension to 12 months. The maximum you can extend your reunification services is to 18 months. Read the answer to the above question “What happens during reunification” so you can understand what it takes to get these extensions in reunification time which are often unlikely.

**What does it mean if your parental rights are terminated?**

You are no longer considered the parent of the child. You have no right to see your child ever again. You have no right to make decisions regarding your child, and you have no right to any information about your child. Unless a family member adopts your child, your family has lost all rights to your baby also.

*“It took me a year to get my son back. In the meantime he was placed in a foster care with my brother for a year I wasn’t able to talk to him or to see him unless it was supervised by a CPS worker I had visits with him every week for an hour in a small room when it was time to go he would throw himself on the floor and cry and ask me “mama you don’t love me anymore I promise I’ll be good”. That really broke my heart so I started the process to get my son back.*

*I had to take drug tests every week which that wasn’t a problem for me. I had to complete 10 classes of women’s group, 10 classes of parenting skills, and 10 classes of anger management. I had to go to court every month and keep my visits with my son. But still after that for 6 months CPS was still on my ass watching all my moves and everything else so my advice to all you mothers is to think twice on what you do and take your children where ever you go no matter if you compare to be all up in the court system. So good luck I hope it don’t happen to you.”*



**If the court terminates reunification services, what does that mean for me and my baby?**

If the court thinks that you are not doing what they ordered you to do, or if your time runs out in the reunification period, the court will order that the department does not have to provide any more services to you. This is called termination of services. You can continue in the services but the department will not pay for you to go any longer. When the court terminates reunification services, it means that the time to reunify with your child has run out, so they need to figure out what to do with your child. This does not mean that your parental rights have been terminated.

### **What happens after the court terminates reunification services?**

After the court terminates reunification services, the court will make what is called a permanent plan for your child. This means the court will decide what to do with your child on a long-term basis.

There are three options for a **permanent plan**: adoption, legal guardianship, or long-term placement in foster care. **The hearing where the court will decide which of these three options will happen to your child is called a .26 Hearing.** Here are some more details about each of these possibilities:

- **Termination of parental rights and adoption:** Unfortunately, this is often the first thing the courts will try to do. There will be a hearing where the court will decide if your parental rights should be terminated. You will have a chance to fight.

**Do all you can to keep your parental rights from being terminated.** If your parental rights are terminated and your children get adopted, it's a done deal. You will not be able to get your kids back. **DO ALL YOU CAN TO KEEP YOUR CHILDREN FROM BEING ADOPTED OUT!!!** Make the courts try all other options first. You will have to fight hard, but it's worth it. Don't lose your children to adoption.

- **Legal guardianship:** TRY YOUR BEST to have the court give legal guardianship to a friend or family member whom you trust. This means that a guardian, often a family member, will act as a parent while your parental rights are on hold. However, you will not have lost your parental rights. After you do what is required of you, you can petition the court to terminate the legal guardianship, and you could go back and be the legal guardian and mother to your child. Usually legal guardianship is appointed to the person whom the child has been staying with while reunification was going on.

- **Long-term foster care:** If your child goes to long-term foster care, you can still one day get your kids back, but it will be harder.

If your child goes into long-term foster care or legal guardianship, the court will continue to have 6-month reviews to see if you have done all that is required of

you. These hearings that continue every 6 months are called post-permanency hearing reviews. These hearings are like check-ups on your case. They are so that the court can see your child is getting all they need, that you are doing what you should be doing, and that the placement of your child is a good one. The court will also determine if your child should get visits from you, how many visits and how long they should last.

At one of these **post-permanency hearings**, the court could decide to dismiss your case and you could get your children back, so don't give up. Keep going to court, and keep doing all of the requirements of your reunification plan, even though it was terminated. If you couldn't complete your reunification requirements in the time given to you, when you go to get your kids back you will have more to prove. As the classes you were taking ended, find some more to take somewhere else. Find some extra NA or AA meetings to attend. Find employment, get stable housing and get everything ready for your baby to come home. You don't want to give the judge any reason to keep your baby away from you.

Lastly, this is **SO IMPORTANT! Make sure you keep on visiting with your child.** Always come early to visits. Keep informed about your child. Make sure you know how they are doing in school, where they are in childcare at, if they have been sick, etc. You are still the mother and have the right to know everything about your child. This will also show the court you are a concerned and involved parent. Don't give up--if you handle your business, there is a chance you'll get your child back.

**If I have lost parental rights to a child already, or been involved with CPS, and now I have a second child where CPS is involved, can I still get reunification services? How will my past CPS case affect my new case?**

This depends on how serious the last CPS case was. The more times you have been involved with CPS, the more seriously CPS is going to take any reports that you are not taking care of your children. Also, the way that your last CPS case ended will have an effect. If CPS investigated you but decided not to open a case against you, or if there was an open case but it was closed because you did everything CPS asked you to do, this will have less of an effect on what's going on

now. But if you never did what CPS asked you to do the last time they were involved in your life, it might make it harder for you to prove that you are now able to parent your child.

If you have already had a child taken away from you in a previous CPS case, there is a good chance that if CPS gets involved with your second child, you may not receive any reunification services. Let's say, for example, you had a child taken away by CPS. And say, for instance, you give birth to another child and this child is born with drugs in their system. Because of your previous case with CPS for your first child, and how you dealt with that past case, you are not guaranteed reunification services with your second child. They might just remove the child from your care and not give you any reunification services.

Based on your situation, they will determine if you will be granted any type of reunification services. If they determine that you don't get any services, your child may be placed into foster care home and be put up for adoption. To keep this from happening, try to have one of your family members or a friend get custody.

Basically, if you've had any previous CPS case at all, the court will be harder on you. Knowing this, you have to work twice as hard.

### **What is child neglect?**

Child neglect is the failure to provide for your child's basic needs--food and shelter, appropriate supervision, medical needs, educational needs, and emotional needs. This could include inattention to your child's emotional well-being and allowing your child to use alcohol or other drugs.

### **How do I prove that I am on the way to reunification and I should be allowed custody of my child?**

#### **• Start working on your case right away.**

Judges and lawyers wanted to see positive changes in your life. If you are homeless, they want to see that you are working towards housing or at least can stabilize yourself at a family member's house or in a program. If you have a substance abuse issue, they want to see that you are in treatment. The more structured the program, the better. If you have had a substance abuse problem for some time, inpatient treatment programs show that you are dedicated to getting more extensive support. Do not wait to be court ordered to find help for your problems.



## *Fears*

*Fear is the hardest thing for me. I fear being alone without love from any one. It's like me being in a dark place with nowhere to go, no one to tell me or take my hand and say it's gonna be alright. My fear takes the best of me sometimes. I lose my breath and start to panic cuz I feel I have lost that person. I have lost the only one that I thought could love me the way I needed to be loved. Fear that I'll never see them again and if I do I fear that they would just walk past me like I was never there. I hate the word fear and the word love cuz right now they're both taking a tool on my life.*

*Paulette*

*This is a poem from voices from e pod published by Homeless Prenatal Program Jail Outreach Project*



### **• Show that you have people that have your back and believe in you**

It is never too late or early to start asking people to write you letters. Because your court dates will always be calendared at least 14 days from your last court date, it is always good to begin asking members of your community to write you a letter of reference as soon as you leave the courtroom. When you ask someone to write you a letter let them know it is a letter of reference and what you want them to document.

# REUNIFICATION CALENDAR

<p><b>1)</b> Your child get's taken into protective custody.</p>	<p><b>2) Detention Hearing</b></p> <p>Within 48 hours you will have your Detention Hearing. Your charges will be read, and an attorney will be appointed to you.</p>	<p><b>3) Adjudication Hearing</b></p> <p>Within 15 days you'll have your Adjudication Hearing. The judge will decide if the evidence supports the allegations you are being accused of.</p>	<p><b>4) Disposition Hearing</b></p> <p>Your CPS worker will have a case plane set up for you and it will be presented to you in court. It will also be decided where your child will stay until you have completed everything in your case plan.</p>	<p><b>5) 90 Day Hearing</b></p> <p>This court date is to make sure that you are following through with your case plan. Make sure that you bring any and all verification of the classes that you have been attending. If your teachers are willing to write you letters of how you are doing in class that will also look good for you.</p>	<p><b>6) 6 Month Hearing</b></p> <p>This is another review hearing, once again to make sure that you are doing all that you are expected to be doing, and to also make sure that your worker is referring you to all the places you need to get your child back. You will only get an extension if you are actively participating your case.</p>	<p><b>7) 12 Month Hearing</b></p> <p>You will only have this 12 month hearing if the court feel's that you still need more time to complete the things required of you in your case plan.</p>	<p><b>8) 18 Month Hearing</b></p> <p>By this court date you should have completed all of the requirements of your case plan, classes ,drug program, housing, ect. If this is all completed then you should be getting your child back.</p>
<p><b>1A)</b> Try and get in contact with a family member or friend that will be willing to take your child. The person who is trying to get your child can not have a felony on there record, and must pass a back round check.</p>	<p><b>2A)</b> COME PREPARED TO ALL YOUR COURT DATES. DRESS NICE AND SHOW UP EARLY THAT WAY YOU'LL HAVE TIME TO SPEAK WITH YOUR ATTORNEY, SO YOU HAVE SOME TYPE OF IDEA WHAT IS GOING TO BE HAPPENING.</p>	<p><b>3A)</b> If the allegations are found to be true then you are going to have to fight to get your child back.</p>	<p><b>4A)</b> If you suffer from a substance abuse problem you need to get yourself treatment. It will look good if you come into court and have verification that you are trying or better yet are in a drug program. The courts will be very impressed that you did it on your own.</p>	<p><b>5A)</b> By now you should be having your visits with your child. Make sure that you are always at least 10 minutes early. <b>Never</b> show up late, and <b>Never</b> miss a visit with your child.</p>	<p><b>6A)</b> There is a chance that if you are doing all that you should be doing and have really impressed the courts with all the hard work you are doing and they can see that you are sincerely trying to change your life you could get your children back at this court date. But only if your doing what you need to be doing and then some.</p>	<p><b>7A)</b> You will only be given this extra time if the courts can see that you are actively participating in your case plan. You are close to running out of time to get your kids back.</p>	<p><b>8A)</b> If you have not completed the requirements in your case plan then you will not be getting your child back. Your next court date may be to terminate your parental rights. So don't let this happen. If you have gotten this far in your case and still have not completed the things in your case plan things are not going to be good.</p>
<p><b>1B)</b> If you are taken into custody try to bail out. You will have a better chance of</p>	<p><b>2B)</b> Have positive people come with you to support you. Never be disrespectful to anyone inside the court room.</p>		<p><b>4B)</b> Enroll your self in Parenting classes, Anger Management classes, Nutrition classes, any type of class that you will benefit from. Keep a record of all classes that you are taking, and also of your attendance. Try your best not to miss any classes and bring all verification to all your court dates.</p>	<p><b>5B)</b> It will look good when you have your weekly visits with your child if you bring crafts to do with them be creative, bring things to make picture books, finger painting, bring a camera and take lots of pictures then develop them and make a book of your visits and let your child take it with them. Make the visits fun don't let them see you crying.</p>	<p><b>6B)</b> If your child is under the age of 3 years old then you wont be getting an extension so don't be wasting any time.</p>		

## LETTER OF REFERENCE & GOOD CHARACTER

**Please know that one thing you will really need through all court proceedings, and when fighting allegations, is a letter (or letters) of reference and good character. Please read this on how those letters should sound, and who to get them from. Do not go to court without them.**

The minute you become involved in the system, find an advocate who can help you document your journey. Because a judge only knows who you are from the information he gets from the CPS worker and/or your child's lawyer, letters from people in your community can create a complete picture for the judge to determine how to rule.

### **Who could write me a letter of reference?**

It's always good to have at least 3 letters of reference from 3 different community members. These people should know you well and have interaction with you a lot. Remember that when you ask someone to write you a letter, you are always taking a risk that they will have your best interest in mind. Never ask someone you do not have a good relationship with to write you a letter, no matter how desperate you are for support

### **Some people you may want to ask are:**

- **A case manager:** Judges only take the letters of case managers seriously if the case manager has known you longer than a month and a half. Case managers should document if you are on time and show up to all your appointments. They should discuss accomplishments you have made since you began case management and how you talk about your children. Case managers should also discuss what they are working with you on. Case managers can also be great advocates when it comes to discussion why things aren't going well. For instance, if you the judge told you that you had to secure housing before you can get your kids back, and you are waiting on government assisted housing, your case manager can talk about this process. A case manager can also ask for certain services to be appointed to you. If you were told by the judge that you should find a treatment program but it's been hard for you to find one on your own, your case manager can ask that



the judge order your social worker or attorney to find you one. An example of a good case manager letter is at the end of this book.

- **A clergyman, priest, deacon or minister:** If you have been going to a church and interact with the congregation, these community members can also write you a very compelling letter. When you go to church or to a faith-based organization it shows that you are dedicated to something by choice, and your judge can see that you are serious about making a better life for you and your child.

- **Treatment center staff or a sponsor:** Getting letters regarding your conduct and attendance that can show your dedication to becoming clean and sober is very important if substance abuse is involved in your case. If you are in an inpatient treatment program, the letter should talk about your ability to get along with others, the responsibilities that you take on in the program, and how long you have been clean. If you are in outpatient, the letter should discuss your attendance at meetings and your progress in staying clean and sober.

- **Staff of your child's daycare center or school:** This can be helpful to prove that you have always done your best to take care of your child. This letter should discuss your relationship with your child, if you dropped off and picked up your child everyday, if you took your child to school every day and your participation in school. If you were on a committee or attended all of the school functions, make sure this is listed in the letter. The letter can also talk about your child's behavior in school. Don't ask a teacher or staff member that you have not had a good relationship with.

### **To whom should these letters be addressed?**

You can always address these letters to "To whom it may concern", but they should always be given to your attorney so they can distribute it to everyone involved in your case. It is very important that all parties in your case get a copy of your letters, otherwise your letters may not even be considered by the judge. It is your attorney's responsibility to make copies of your letter and give them to everyone, but you may want to double check and make sure they do.

## D. CUSTODY

### What does it mean to have “custody” of my children?

There are two kinds of custody. If you have “physical” custody, this means that your child is living with you on a regular basis. If you have “legal” custody, that means you have the right to make decisions about how your child will be raised—about things like your child’s education, medical care, and religion.

### What is split custody, how does that work?

If you have “sole” physical custody that means that your child is only living with you. If you have “joint” physical custody that means your child spends part of the time living with you and part of the time living with the other parent.

If you have “sole” legal custody, you are the only one who can make decisions about your child’s education, medical care, and religion. If you have “joint” legal custody, you have to make these decisions together with someone else.

There is no set amount of time that a parent with joint physical custody has to have the child living with them—it can be most of the time, or only a little of the time, but it has to be consistent. For example, some kids live with mom during the week and spend weekends with dad, or some kids will spend the school year with mom, and summer with dad. You can divide the time the kid spends with each parent, however is best for you.

### Don't you have to have some paperwork to establish custody, even if you have never had to fight anyone for custody? What is it and how do you get it?

When a baby is born, that baby’s mother and father both technically have custody of the child. However, unless one of them goes to court, there will be no official paper signed by a judge that talks about who has custody.

If you want to go to court about custody of your child,



you can go to the family law facilitator’s office at the courthouse in the county where the child lives. Also, if the other parent was abusive to you, you may qualify for a domestic violence restraining order. This type of order can protect you from your abuser and can also award you sole physical and legal custody of your child. If you don’t have any disagreement with your child’s father, you may not need official paperwork to establish custody, even if you are not married to him.

### Besides me, who can fight for custody of my child?

In family court cases, only the mother or the father of the child can get custody. However, there are many other kinds of cases outside of family court.

One type of case is a guardianship case, which is usually done in probate court. In that kind of case, any adult can ask the court to be made the guardian of a child. The guardian gets legal and physical custody of the child.

Another kind of court case is a CPS (Child Protective Services) case, where the parents are being accused of abusing, neglecting, or abandoning the child. The legal name for this kind of case is a “dependency matter.” In a dependency case, the Judge has to decide if the child has been abused or neglected or abandoned. If so, the Judge can take custody away from the parents and give custody to someone else.

Generally, it would be just the parents fighting for the kids, because they have parental rights. However, if a

parent hasn't been involved and there another person who has played a big part in the child's life, as in a primary caretaker, then they can also fight for custody. This might include grandparents, uncles, cousins, etc. This doesn't mean that they will get custody; the child's parent has first priority to remain the legal custodian of the child. In most cases the parent only loses custody if they abuse or neglect or abandon their child.

### **What are grandparents' rights?**

Grandparents can, and often do, ask the probate court to grant them guardianship of a child. If you don't agree that they should be the guardians of your child, you have the right to tell this to the court. If the judge decides that it would be harmful in some way for your child to live with you, the guardianship may happen even if you don't agree to it. If a grandparent is made a legal guardian by a court, then they have the right to have the child live with them and to make decisions about the child. However, these are legal rights of a guardian, not a grandparent. Grandparents actually have very little rights of their own. For example, a grandparent can't get involved in a family court case. This is because the only people who have custody rights in family court are the parents of the child.

### **How can I keep my child out of dependency court?**

To avoid ever getting involved with the courts and having your child in CPS take good care of your child. Don't use drugs be the best parent you can be love your child, enroll your child in school and take them to school every day. Don't ever harm your child or put them in a dangerous situation. If you are out running the streets and selling drugs and bringing your child around all that then there is a good chance that your children may be taken from you.

### **What if you are fighting a member of your family for custody of your child? How do you prepare for that?**

You may want to talk to a lawyer for legal advice. You should also be doing everything you can to show the court that you are responsible enough to take good care of your child. Make sure that you have housing for you and your child; that you have a source of income to pay for things like food, rent, and clothing; that you have signed up for MediCal or other health insurance for yourself and your child; that you have found day care, babysitting, or a school for your child if they will need it. Also, if you think you might wind up getting into a fight over custody, you might want to start keeping notes on everything you do for or with your child.

Keep a notebook where you write down the days and times that you visited with your child or talked to him or her on the phone. **Keep** receipts for anything you buy for your child— such as diapers, food, clothes, toys. Keep track of any medical appointments you have taken your child to. **The more proof you can show the court of everything you've been doing to take care of your child, the better the judge will feel about giving you custody.**

### **What if they are trying to take custody away from me? What should I do?**

This depends on the type of case that you are involved in. If it was a guardianship case in Probate Court, you need to file a "Petition for Termination of Guardianship" form where you tell the court why the guardianship is no longer needed. If the other parent of your child got custody in family court, you need to go to the family law facilitator for help getting the custody order changed.

If your rights were taken away from you in dependency court (the court that works with CPS), then it is very important that you work as hard as you can and as quickly as you can to get custody back. This is because the dependency court actually has the power to terminate your parental rights, or to cut you off from your child on a permanent basis. If you have an open dependency case, you should have a free lawyer assigned by the court to represent you. It is very important that you stay in touch with your lawyer and with your child's social worker.

In any case where CPS decides to get involved in your life, CPS is required by law to serve you or notice you with papers and to let you know about any hearings in your case. It's CPS's job to let you know about your case, but don't make it hard for CPS to find you or contact you, because it will only backfire on you later. The judge can decide to go on with your case even if CPS can't find you. The court will look at it like you've been "evading services," and this looks very bad to the court, so don't duck CPS if you know they are trying to notice or serve you.

CPS is also required to set up visitation between you and your child. Visitation is only denied in extreme cases of abuse neglect or sexual abuse; this is determined case by case.

CPS and your worker's goal is to work in the best interest of the child. This does not necessarily mean that

they will work to keep you and your family together. **IT'S ON YOU TO KEEP UP WITH YOUR CASE.** No one will give your kids back to you; you have to earn them back.

To begin your personal fight to establish custody, make sure you keep a positive attitude towards your worker and the courts and the foster parents. Never give up.

If you have a drug abuse or alcohol abuse problem the courts may require that you complete an outpatient or in patient drug program before you gain custody again. You may also need to attend parenting classes. All this is a benefit to you and will help you become a better parent to your child. By doing this you are showing that you are willing to comply with the courts to get your child back. These will all be part of RE-UNIFICATION ( see pg.6)

**REMEMBER, YOU HAVE A RIGHT TO SEE THE REPORT CPS HAS MADE AGAINST YOU. Ask your attorney.**

**What do I do if my child is a “ward of the court”? Can I still get custody?**

“Ward of the court” means that a court has decided it needs to get involved in a child’s life on an ongoing basis. In a dependency case, this might mean that the court has actually taken the child away from you and put him or her into foster care. You may still be able to get custody back, but it is very important to work actively on this. In a dependency case, you basically only have 6 months to prove to the court that you are working to solve the problems that caused CPS to get involved in your life.

**What are my rights now that I don’t have my child?**

Even if you don’t have your child living with you, you still have a right to have some kind of relationship with your child, unless your parental rights were legally terminated. Most courts will allow you some kind of regular visits with your child. These visits might have to be supervised by a social worker or therapist at first, but if these visits go well then usually you can work towards unsupervised visits. You could have to pay for your visits to be supervised. If you want to have your child come back to live with you eventually, it is really important that you visit with him or her. Try your hardest to show up on time for the visits, and to pay close attention to your child during the visits. If



you are always late for visits, or if you don’t use that time to work on strengthening your relationship with your child, it is going to be much harder for you to get custody back.

**How will my criminal case affect my ability to get custody of my child?**

Again, this depends on how recent your case was and what you were accused of doing. Just having a criminal record is not enough grounds for CPS to open a case against someone. There has to be a connection between your criminal record and some kind of risk to your child. If you have been accused of some kind of violent crime, it will definitely make it harder for you to get CPS out of your life.

**What happens after I get my kids back? How long does the CPS case stay open, and what does CPS have the right to do?**

Once you reunify with your kids, your case may stay open for a year. You will be monitored and you must continue on with your parenting classes, random drug testing, and in home visits from your worker. You must continue to meet all the requirements that were in your case plan. If you do not comply with these things then your child will once again be removed from your care.



If your case is dismissed, you still may be asked to do Family Pres Services, which is a voluntary program. It may be a good idea to still take advantage of these services. Sometimes there can be many benefits to these programs, so look into specific programs in your county, and see how it could benefit you before you just say no.

#### **What do I do if it looks like I might lose my kids?**

If it looks like you will lose your children because you were somehow unable to complete your reunification plan, there are a few things you could do:

- **1st: Do all you can to keep your children from being adopted.** Your parental rights have to be terminated in order for your children to get adopted. It is extremely rare to get your children back after they've been adopted out. If you think your rights were illegally terminated, consult an attorney who specializes in adoption law.

- **2nd: Try your best to get your children to go to a friend you trust, or family member, who can become their legal guardian.** This way your parental rights are

not terminated. This way you can visit with your children (in most cases--sometimes there are restrictions depending on the facts of your case).

- **3rd: If your kids cannot go to a friend or family member, try and get them into long term foster care instead of being adopted out.** This way, again, your parental rights are not terminated. This way you can visit with your children (in most cases--sometimes there are restrictions depending on the facts of your case).

If your parental rights have been terminated, you may appeal. You must understand that what you are appealing is the termination of parental rights, not the adoption. A child can only be adopted if the parental rights of the biological parents have been terminated. So if you appeal the termination of your parental rights, and succeed, this would stop the adoption.

You should talk to your lawyer as soon as possible about whether you can appeal. Do not wait--the clock is ticking.

Most important thing: keep doing everything that the court asked you to do, and then some. Since you couldn't complete your reunification requirements in the time given to you, when you go to get your kids back you will have more to prove. As the classes you were taking end, find some more to take somewhere else. Find some extra NA or AA meetings to attend. Find employment, get stable housing and get everything ready for your baby to come home. You don't want to give the judge any reason to keep your baby away from you.

Lastly, this is **SO IMPORTANT!** Make sure you keep on visiting with your child. Always come early to visits. Keep informed about your child. Make sure you know how they are doing in school, where they are in child-care at, if they have been sick, all of the questions you are wondering about. Ask the person who is taking care of your child. You are still the mother and have the right to know everything about your child. This will also show the court you are a concerned and involved parent. Don't give up. If you handle your business, there is a chance you'll get your child back.

**If my child has been adopted out, is there anything that I can do?**

Unfortunately, there is not much you can do if your children get adopted out. Your legal parental rights have been terminated, the people who adopted your child are recognized as the parents, and they now have all the rights. You can speak to an attorney about the facts of your case and see what you may be able to appeal the termination of your parental rights, but most adoptions are final. If you want to appeal, you should talk to your lawyer as soon as possible—do not wait.



**WHAT CAN YOU DO IF YOUR CHILDREN HAVE BEEN ADOPTED? ADVICE FROM SOMEONE WHO HAS BEEN THERE**

If your children have been adopted out, you can contact your social worker or the attorney that handled your dependency case. If you don't know who they are, or how to contact them, call or go to the dependency court in the county that handled your case. Tell the people at dependency court your full name, your date of birth, and the year the case was handled. Based on that information they should be able to pull the file that has all of the records from your case.

Once they access your file, it will have the names and contacts of your attorney, your social worker, your child's social worker, and other details. Once you have those names and contacts, call or write letters. Tell your social worker you want to write to the people who adopted your child, to see if they will let you know how your child is doing. Be careful when writing this letter—you don't want to scare the adoptive parents. Be polite and acknowledge them as parents too, even if you don't feel that way in your heart.

Your social worker cannot release any information about the people who adopted your child, including their address. But you can send them a letter through your social worker, who may or may not send it to them. In your letter to the adoptive parents, ask for an update on your child, pictures, anything they might be willing to send you.

Don't count on a response; the adoptive parents may not want anything to do with you. But it's worth a try. If you don't get a response, still write letters to your child, and keep them in a safe place. Most adopted children will go looking for their biological parents at some point in time, and it will mean a lot to them to know you tried to keep in touch.

## **GUARDIANSHIP, POWER OF ATTORNEY & CAREGIVER'S AUTHORIZATION AFFIDAVIT**

### **What is power of attorney?**

This form lets the caregiver make decisions about your child until you are released. This form must be notarized, but it is not a legal custody agreement. As long as the caregiver is an immediate relative they may receive Cal-Works for the child. If the caregiver is a friend of the family they will not be eligible for Cal-Works.

### **What is a caregiver's authorization affidavit?**

The caregiver's authorization affidavit is a form that a qualified relative can sign. It allows the relative to enroll your child into school and authorize medical care. This form is good for a year and can be renewed. It can also be revoked at anytime. This type of authorization is for temporary situations. The caregiver is not automatically eligible for welfare or other public benefits.

### **What is guardianship?**

Guardianship is a court process. This process must be done through probate court. A judge will give someone who is not the child's parent custody of the child. For this to happen the person who wants guardianship must go to the courthouse and file a petition. Then the courts must approve it. Once the courts approve that person as the child's guardian, that person is now responsible for the child's well-being and everyday needs. This person is taking on a very important job, and will have obligations. They will also be responsible to the courts. A legal guardian is like a substitute parent. Your rights as a parent are not terminated but are on hold during the time the guardianship is in place.

### **Who can be a legal guardian?**

Your family, friends of the family, or other people who are approved by the courts. Before a person becomes a child's guardian, the courts must approve them. First, they will do a background check.

### **How do I terminate a legal guardianship?**

In order to end a legal guardianship, you must go to probate court and fill out a "Petition for Termination of Guardianship" where you tell the court why the guardianship is no longer needed.



### *Lost but found*

*Sweetness delicate  
Innocent and loving  
I love you before you were even born  
You're the seed of hope being  
planted inside me.  
You're a gift from up above.  
To see the amazing lil' person you've  
turned into makes me feel good.  
You're a flower that yet ain't bloomed  
You're the eyes and smile  
I look forward to  
You're the future Queen  
of the new generation  
You're the next nurse, doctor, lawyer  
Your generation, you're a young girl  
who within time will be a lady and a  
strong women. You're my all.  
My daughter I love you.*

*Elvia Esquide*





# *Locked Up*

## SECTION 2

### A. ARREST

#### **If I am pregnant what should I request of the arresting officer?**

Officers may not honor your requests, but it doesn't hurt to try.

- If you are pregnant, make sure to let the arresting officers know. Say it loud and clear.
- Ask them to be gentle with you, and if they aren't, do your best to protect your stomach. Ask if you can be handcuffed in front, not behind your back. Explain to them that you need to have your hands in front of you to protect your stomach if you fall.
- Make sure you are allowed to go to the bathroom--remind them that holding your bladder while pregnant can harm the baby.
- Ask to make a call to your baby's father or family, as soon as possible.
- If you begin cramping, ask to see a nurse or go to the hospital. Should you start to bleed, **INSIST** on going to the hospital.
- If the officers deny your requests, or harm you in any way, remember their names and badge numbers and make a written complaint whenever you are able to.
- Never run from a police officer--this will make your situation worse. You can also catch another charge. This will make it take longer for you to be reunited with your child

#### **What do the police normally do when they arrest a parent with a child?**

The law does not require the arresting officer to make arrangements for your child at the time of your arrest, although he may allow you to make a phone call. **In California, a new law requires that you be permitted two extra phone calls at booking to make arrangements for the care of your children, so make sure to ask for these right away.**

If your child is not picked up by a caregiver you have designated, she will probably be placed in an emergency shelter through Child Protective Services (CPS). If your child is placed in CPS, have a relative go to CPS immediately and bring proof of their relationship with the child (birth certificate, signed letter from you or the other parent, etc.). CPS will release your child to a parent, guardian, or responsible relative who poses no risk or danger to your child. They will conduct an emergency assessment of the child's relative that includes a criminal background check, verification of relationship to the child and a visit to the home. If CPS does not place your child with a relative within 48 hours, they must file papers to make your child a dependent of the court.

Call or write CPS and let them know where you are. Make sure CPS knows the names of all relatives on both sides of the family who may be able to care for your child. This way if your child's placement changes, she can still be placed with a family member.

**RESEARCH:** *A study done by the American Bar Association found that policies and procedures specifically addressing children of arrestees might not exist in most agencies. The ABA study found that law enforcement officers make a variety of decisions in the field--calling in CPS, taking the child to the police station, or informally placing the child with the neighbors, relatives or friends.*

### **What should I do if I am arrested and I have a child present?**

There is no exact police protocol for arresting a parent with a child. But it doesn't hurt to request any of these things:

- No handcuffs in front of my child, please.
- Can I call a family member to come get my child?
- Can I reassure my child that everything is OK, and say goodbye?

Tell your child everything will be OK, tell your child who will be coming to get them, tell them you love them, tell them whatever you need to in the short time you have that you think might comfort them.

Some police officers may try and scare you by threatening you, saying you will take away your child. They have no right to take custody away from you. That can only be determined by the courts. They can call child protective services to come get your child, but child protective services usually will try and contact a family member to come and get your child. Try and keep a family contact list with you in case something happens to you with your child.

Don't say anything that can incriminate you. Don't make excuses, or give them explanations--anything you can say can be used against you. Always be polite and respectful--respect will get you further than an attitude. **REMEMBER, DO NOT LET THE POLICE SCARE YOU!** They do not have the right to take your parental rights from you. Only the courts can do this, and you will have your chance to fight to keep your child.

Just because you've been arrested in front of your child, **DON'T GIVE UP.** Don't think that because you made a mistake in front of your child, that they are going to take your child away from you. Remember, you are that child's mother and you have the right to fight to keep custody of your child.

Keep a written record of how everything went down during your arrest as soon as you get a chance to. If the police say anything to hurt your child, or if they are mean to your child, make sure to remember their names and badge numbers and make a complaint. Children have no part in the bad decisions we make, and they should not have to endure any kind of abuse from anyone, especially the police.

### **What should I request if I'm going to jail and my family or friend have my child?**

You are entitled to two phone calls at booking to make arrangements for your child. You can also let the arresting officer know that you have a child who is with a family member or friend, and ask can you can contact them. Someone might choose not to tell the police officer about their child because they may have fears of getting CPS involved. In such a case, wait until you get your free phone calls and then contact whomever has your child.

### **What if my child is at school or daycare when I am arrested?**

You need to get in contact with a family member or friend as soon as possible and have them pick up your child before CPS comes and picks up your child. You'll only have a short amount of time to do this. If your charge is sales and they got you selling dope out of your house they may also charge you with a child endangerment charge and not permit anyone to get your child they will be taken into protective custody.

### **Are there some alternatives to getting locked up, so that I can stay with my child?**

**THESE ARE CALIFORNIA DEPARTMENT OF CORRECTIONS STATE-OFFERED PROGRAMS:**

### **What is CPMP?**

CPMP stands for Community Prisoner Mother Program. CPMP allows eligible women to move to a CPMP facility, but they must meet certain requirements. Mothers go from a prison setting into a community-based facility for the remainder of their sentence. After some prison time has been served a mother can request to be transferred to the program.

### **What are the requirements?**

- Child must be under the age of 6, or the mother must be pregnant when applying for the program.
- Must have 6 years or less to serve before your earliest possible release date.
- Must not have been convicted of specified violent crimes.
- Must have been the primary caretaker of your children before incarceration.
- Must not have been found by the dependency courts to be an unfit parent.

CPMP is for low risk inmates. It allows you to finish your sentence in a residential setting, living with and taking care of your children. CPMP is a program which mothers apply for. If you are eligible, you must sign a voluntary agreement for placement into the program. The program has classes in parenting skills, substance abuse, educational and vocational training. Mothers must also participate in group, individual and family counseling, and health care diagnosis and services.

### **What is FFP?**

FFP stands for Family Foundations Program. FFP is an alternative to sending mothers and pregnant women to state prison. FFP is an alternative sentencing option. You will spend a minimum of 12 months in residential treatment, then another 12 months in intensive after-care. The purpose of this is to make sure that you are successful in completing your probation and to help mother and child reenter society. FFP has a wide range of classes such as parenting, substance abuse, and anger management.

### **How are you eligible?**

Your probation officer has to recommend placement in FFP, and the district attorney and the sentencing judge must also agree with this recommendation. If everyone agrees to allow you to be placed in FFP, you and

your child could be placed in a residential correctional facility.

### **What are the requirements?**

- Your child must be under the age of 6, or you must be pregnant.
- You must not have been convicted of a violent crime.
- You must be found a fit parent.
- You must be the primary caretaker of your child.

### **What's the difference between FFP and CPMP?**

Before you can get into the CPMP program you must serve some prison time and be separated from your child. With the FFP you will be sentenced directly to the 12-month the FFP program.

### **How do I write a letter requesting alternative programs instead of incarceration so I won't have to be separated from my child?**

Depending on your crime, there is a chance that you may not have to serve all of your time in a correctional facility. There is chance that you may be able to complete some alternate program such as a drug program, community service, anger management, and be on probation. You also may be able to wear an ankle bracelet and do a program.

In order for any of these possibilities to happen, you have to advocate for yourself. You have to fight. Tell your attorney right away that you have a child and want more than anything to not be separated from your baby. Then write the judge a letter. Let the judge know why you want to remain with your child, AND WHY YOU BELIEVE IT IS BEST FOR YOUR CHILD TO REMAIN IN YOUR CARE. Be specific and be sincere-- this letter should be personal. Your goal with this letter is to convince a judge that you deserve to remain on the outs with your child, and will do whatever the court asks of you if you would just be given the chance. The likelihood of you actually getting an alternative program instead of incarceration is not always good, but it's worth a try.

This letter will also be good to provide to juvenile court if there is CPS involvement in your case. This letter will show that you did all you could to try and stay close with your baby. Make sure you keep a copy of this letter for your records.

# Maria's Story

On January 13th of 2005 I was arrested outside of a Taco Bell by some undercover cop. I was at first told that I was going in to be questioned about some happenings going on within my click. Of course I wasn't about to say anything but at the same time I didn't want to be uncooperative. I was taken in and because of my silence I was threatened and held for many hours. At the end I found myself being booked for a burglary charge. I was devastated because I had been in jail before but never exceeding more than a month. I was scared because I knew for a charge like burglary you can go to prison especially with previous offenses. So I was booked in that day and ended being tested to see if I was pregnant it came negative as always when I'm booked. I went to a court date that gave no info except my charges and another court date. Two weeks after being booked I was feeling sick and tired I was also coming down off of meth-amphetamines and that shit is no joke. I was on the streets for 3 years prior to my arrest and sometimes I needed that break. I knew something was different this time so I told the jail nurse. She gave me another pregnancy test and it came out positive. I never thought I could get pregnant, I never thought this would happen to me I was only 22 years old.

I found out I was 3 weeks pregnant and I was devastated. I was worried I would have my baby in prison; I was worried I wouldn't get to keep my child. I had so much on my mind and at the same time I was trying to get the sentence for my case I went through 6 months of my pregnancy before I got sentenced. They ended up giving me 9 months 7 for good behavior so I only had one month left. The last month I got into an argument with someone and ended up doing the last month in maximum security. That was probably something I will never forget all you have is your self and you're lucky if you



find your higher power. Because that's what it was for me I had to finally let go of all the pain and the hurt all the mistakes and give them to God. I could no longer manage my own life and I knew that. So I got really humble and decided when I got out I had to change for me and my child.

I found out I was having a girl that last month in jail and I was scared she would be just like me. Me the real me I know now is a beautiful intelligent women, and if she becomes that, that will just make the world a better place. I immediately went into a drug program I never went back to my old stomping grounds to many triggers. I had my daughter in rehab and I got to keep her because I committed myself to my baby girl who is now 7 months old and I would never want to lose her because of my selfishness. I graduated from my drug program and I got my life right with myself, with my family, and with my higher power. And I feel good. Life isn't easier now that I am doing right but it's realer then ever and I'm not perfect but I use the tools I have been given from recovery and from people who love me and I work my program still one day at a time.

Maria Fuentes

## B. RIGHTS WHILE LOCKED UP

The questions and answers below apply to all women locked up, whether you are in Juvenile Hall, the California Youth Authority, County Jail, or State Prison. Because some information will change depending on where you are locked up at, PLEASE ALSO READ the sections that give specific info about where you are in custody. But these things here are generally the same across the board:

### What are my rights as a pregnant woman in lock-up?

Ideally, the following are your rights. However, we also know the sad reality of the poor health care conditions

for people Locked Up in California.

- You have the right to good prenatal care and regular prenatal check-ups.
- You have the right to go the hospital if you are having any complications with your baby.
- You should be able to get extra food and snacks.
- You have the right to prenatal vitamins.
- You have the right to deliver your baby in a hospital.
- You have the right to AT LEAST 48 hours recovery time, with your baby, in the hospital if you've had a vaginal birth.
- You have the right to AT LEAST 4 days recovery time in the hospital if you have had a cesarean section birth.
- You have the right NOT to be shackled during labor, transport to the hospital, and during your recovery in hospital after birth.

### PENAL CODE SECTION 3423 STATES:

Any woman inmate who would give birth to a child during her term of imprisonment may be temporarily taken to a hospital outside the prison for the for the purpose of childbirth.

**THE INMATE SHALL NOT BE SHACKLED BY THE WRISTS, ANKLES, OR BOTH DURING LABOR, INCLUDING DURING TRANSPORT TO A HOSPITAL, DURING DELIVERY, AND WHILE IN RECOVERY AFTER GIVING BIRTH.**

Meaning, you have the right to be transported to the hospital, to give birth to your baby, and recover in the hospital free of any shackles.

**REMEMBER!! Once you give birth to your child in the hospital, you have ONLY 48 hours for a family member or friend to come and pick up your child from the hospital. If no one gets there in time to pick up your baby, your child will then go into foster care.**

**IF YOU ARE PREGNANT MAKE ARRANGEMENTS EARLY & BE PREPARED FOR SOMEONE YOU TRUST TO COME AND PICK UP YOUR CHILD.** Plan who will come to pick up your baby. Even if your delivery date falls after your release date, you never know what could happen, so be prepared.



**What if I don't have anyone to come and get my baby after I've given birth while in custody? Do I lose my child forever?**

This depends on your sentence. If you have a long sentence, your child enters foster care, and the court believes you cannot be with your child, they can terminate your parental rights. But **DON'T LOSE HOPE! YOU MUST STILL TRY!** The best thing that you can do is find a relative, a trusted friend, the father, or someone in the baby's father's family to take your child. Relatives or trusted friends can go to **PROBATE COURT** to become the **LEGAL GUARDIANS** of your child. When the court grants someone legal guardianship of your child, your parental rights have not been terminated; they have just been put on hold until you get out and are ready to get your baby back. **For more on LEGAL GUARDIANSHIP, see page 18.**

If you are not looking at a long sentence, and there is a chance that you will be released in what the court feels is a reasonable amount of time to be home with your baby, the court may give you a **REUNIFICATION PLAN**. The thing is, you usually only have six months to reunify with your child. Sometimes extensions in reunification time are given by the court.

You could get an extension to 12 months reunification time. **12 month Extensions ONLY happen if the judge strongly believes that :**

- In 12 months your child will be able to live with you, in your **CUSTODY**.
- You can complete all of the requirements of the **REUNIFICATION PLAN**.
- In your first 6 months of reunification time, you have been doing all of the things the court has asked you to do in your **REUNIFICATION PLAN**. This means you have been going to all of the groups they asked you to go to, you've been attending all school they told you to go to, you have been there for all of your visits, etc. The judge must really believe that you are trying and that you will be able to complete all of the **requirements of your REUNIFICATION PLAN**.

However, if the judge feels like it is not realistic that you will be able to have your child back in your care in those 12 months, you may not get an extension. Though it is possible to get reunification time extended to 18 months, this will not happen unless the judge feels that your child will be able to return to you and your home in those 18 months.

**We tell you this not to discourage you, but to let you know what you are up against. STILL TRY!!**

If you are not able to reunify with your child, and will remain in custody, there are some other things you could try and do.

You must first know that the courts' first move will be to try and **TERMINATE YOUR PARENTAL RIGHTS** and adopt your children out. This is always what the court does first. Tell your lawyer to fight for this not to happen!!! If your parental rights are terminated, there is no going back. **For more on REUNIFICATION, see page 6.**

If you are not able to reunify with your child, and will remain in custody, there are some other things you could try and do. Try your best to tell the courts to place your child in **LONG-TERM FOSTER CARE** until you get out. Tell them how much you do not want to lose your child. Explain that you should not have to lose your child just because you do not have anyone you can trust to come get her and take care of her.

At least in long-term foster care your parental rights are not terminated. They are just put on hold while a foster family cares for your child. Sometimes, if a child has been in long-term foster care for many years, the court could try and terminate your parental rights and adopt your child out. Should this happen to you, you will be notified, and you are entitled to be present in court and fight to keep your parental rights. **For more on LONG-TERM FOSTER CARE, see page 38.**

**If your parental rights are terminated and your child gets adopted out, there is not much you can do. But here goes a few things you could do:**

You can write letters to your child, and the people who adopted her. These letters must be sent to your social worker, who can (but doesn't have to) send the letters to the people who adopted your child. You never know, the people who adopted your child may decide that they will send you pictures or a letter back. The chances of this happening are slim, but why not give it a shot, you never know. **For more on WHAT TO DO IF YOUR CHILD IS ADOPTED, see page 17.**

**Now that I am locked up, what are my parental rights?**

Incarcerated parents must understand the importance of communicating with any caseworkers, judges, and

other professionals who handle cases that affect their child. It is your right and very important that you correspond with courts, workers, judges, and any other professional handling these cases. Keep any forms you receive, and begin to create a paper trail. If you are released, inform the courts that you are out. Let any workers know where they can contact you, so they can keep you informed of any notices, hearings and any actions about your child. If you have a CPS case and you are incarcerated, you have a right to request to be present at all court dates. Your worker must give you a two-week notice before any reviews are held. You have the right to maintain meaningful contact with your child. Case workers are legally mandated to make reasonable efforts to reunify families, like facilitating contact between parent and child. They are also supposed to assist the parent to be a better parent to their child upon release, meaning drug treatment, job training, education, and parenting classes.

Welfare and Institutions Code 361.5 provides that the court shall order reasonable services, such as maintaining contact through collect calls, transportation services, visitation services, and services to extended family members or foster parents who are caring for your child--unless determined with clear convincing evidence that this is bad for the child. The courts will consider the age of the child, the degree of the parent-child bonding, the length of the parent's sentence, and the nature of the crime, and, if your child is 10 or older the minor's attitude towards reunification services. Meaning, they will consider what your child has to say about everything.

Even though CPS case workers are legally mandated to make an effort to reunify families, we know that this doesn't always happen. Knowing this sad reality, **REMEMBER YOU MUST STAY ON TOP OF YOUR CASE, AND YOU MUST FIGHT.** Insist on your visits, insist on going to court, and make sure everyone knows that you want to be with your child.

### **What if I have an open case with dependency court? Can I still get visits with my child?**

Unless the court has determined that contact with your child would be a danger to him/her, you should always be allowed to visit your child. In fact, visitation with your child should be a part of your reunification plan while your case is open with dependency court.

### **What steps can I take toward reunification while I am locked up?**

1. Ask your attorney to help you be present at every court hearing regarding your child. Ask your relatives and friends to be present as well. Try to stay in communication with your child's social worker and let her know what you think is in the best interest of your child.
2. If your child is placed outside of the family, begin to take steps so you can reunite with your child after your release. Attend any parenting, anger management, counseling, and substance abuse programs that are offered so that you have proof that you are a fit parent.
3. Maintain regular contact with your child through phone calls, letters, and visits. Make sure to document this contact.
4. Document contact with the child's caregiver, requests for report cards, and conversations with your child's social worker.
5. While in custody, take advantage of any and all classes that you will benefit from, such as anger management, N.A, AA, Parenting, GED, and any other classes they might have to offer. Make sure that you get verification from all the classes that you have been attending. When you go to court take them with you to show the judge and your worker. That way you can show them you're trying to do all you can do to try to reunify with your child while in custody. Ask the program leaders of any classes you took to write positive letters for you. This information will be helpful in the process of getting your child back after your release..
6. Remember that the way you conduct your self while in custody will also have an effect on your case. Don't do things that will get you written up or put on lockdown. Because if you can't follow the rules in jail and stay out of trouble what's going to make them believe that you will be able to do it when you get out?

**If your child is under 3 years old you will usually only receive 6 months reunification time.** We know, this doesn't seem fair, right? Well, the courts feel that if your child is under three, they should not have to wait for more than six months for a stable living situation.

They do not want them to be moved from place to place waiting for mom or dad. This is why they only give you six months reunification time.

Even if the court ends reunification time, you should still keep doing all of the requirements of your reunification plan. This way when you get out, you can show the court that you continued doing all the court had asked of you. This will show the court your commitment to getting your child back, and will increase your chances of getting your child back. **For more information on REUNIFICATION, see page 6.**

### **What else can I do to fight for my child while in custody?**

You will have to prove to the judge and your social worker that you can be the parent your child needs you to be. While you are in custody it is important that you keep a record of every phone call and visit with your child, your child's caregiver, the social worker, and your lawyer. **Please see the LOG in the back of this book, you can use it to keep track of everything.** By keeping track of this information, you are showing that you care about what happens to your child and reuniting with your child. A judge is much more likely to believe that you called your child every Sunday if you show them a written record than if you simply tell the judge that you made the calls. Get a notebook and use it only for your child's case.

### **Write down the date and time of:**

- Each call you make to or about your child;
- Each visit you have with your child;
- Each call you make to your child's caregiver, and what the call was about;
- Each call you make to the social worker, and the subject matter;
- Each meeting you have with the social worker, and what the meeting was about;
- Each call you make to your lawyer;
- Each meeting you have with your lawyer;
- Write letters to your child and save copies of those letters. (If your child is too young to understand letters, draw pictures instead and send them to your child).

### **How do I grant someone legal guardianship when I get locked up?**

This process is the same as it would be if you were on the outs—the caregiver you have chosen needs to go to probate court and file for guardianship. Remember, if the court gives someone legal guardianship, you

parental rights have not been terminated. **For more information on PROBATE COURT see page 2 and GUARDIANSHIP see page 18.**

### **If I grant someone legal guardianship, what does that mean when I get out?**

Once you are released from custody and you are in a stable living environment for your child as well as yourself, you must go back through probate court and file a petition to terminate the guardianship. If you try to take your child without the permission of the legal guardian, and without the permission of the court, they can press child-stealing charges on you. This is why it's very important you do everything by the book.



### **Will my child remember me?**

No matter how long you have been away from your child there will always be a bond between you and your child. It may just take some time before you are able to get it back to where it was. Look through old pictures of you and your child having fun together with your child. Find out what your child is interested in and do those things together. Buy them gifts but not all the time because then they will expect to receive something from you every time that you see them. Give them your undivided attention with no interruptions, meaning don't be answering your cell phone while you are spending time with them. That way they know that they have all your attention, that means a lot to your child. There's a chance that your child might be angry with you, allow them to vent their anger. Don't be discouraged by this. You can't make up for the past but you do have the future to make a difference.

### **Can I still attend court even though I am locked up?**

**Yes, you have the right to attend all court hearings where decisions are being made about your child. For more detailed information about getting to court, please read THE TRANSPORTATION TO COURT MANUAL by LEGAL SERVICES FOR PRISONERS WITH CHILDREN.** This is where these answers came from. LSPC contact info is in the back of the book, but in the meantime, we hope these answers will help you.

### **What kinds of court dates does a mother behind bars have the right to attend and get transportation to?**

According to the California penal code you have the right to attend every hearing about your parental rights and any hearings making your child a dependent of the court. Do your best to get to court, but if for some reason you cannot, there is also a court call system in most counties where you can be present over the phone. Make sure you do request to be present. Ask your attorney to make sure you're on the transportation list for you court date so you can get there on time. You can also ask CPS or jail staff who are nice enough to check.

### **Which prisoners can be transported to courts in California to be present at hearings regarding their children?**

Penal Code Section 2625 defines prisoner as any person in custody of: State Prison, California Rehabilitation Center, County Jail or Youth Authority, any person who is confined in a state hospital for the care and treatment of the mentally disordered or any other public or private treatment facility.

All of these "prisoners" have an absolute right under Penal Code Section 2625 to be transported to court for a hearing that could terminate the prisoner's parental rights, or an adjudication hearing making the child a dependent of the court. This means any case where CPS is involved and the court will make decisions about your child and your rights as a parent.

### **How do you request transportation to your court hearing?**

Request transportation from your attorney as soon as you find out about your hearing. THE CLOCK IS TICKING. Your social worker and your attorney are the main people who can help to make sure you can attend all court hearings regarding your child. If you wish to be

present at all your court dates, notify your lawyer and they will submit an order to the jail and have transportation arranged for you to be taken to your court date.

If you cannot make it to court, make sure you give your attorney and social worker a letter they can give to the judge with anything you want to say. It is always a good idea to let the courts know that you care, and that you would have been there if you could. Also, if you cannot get to court, try and make sure you have some family or friends there at your court date to support your child.

### **Is it possible for a mother behind bars to request transportation to a juvenile court hearing on her own behalf?**

The answer is yes, it is very possible. All you have to do is submit the forms on your behalf. Be careful to send the forms off ASAP so you don't have a problem with the 6 month time frame.

### **Whose job is it to transport the prisoners to court and how long should I wait before I request transportation to my hearing?**

It's the sheriff's department responsibility in the county where your case being handled to take you to all court hearings. You should NEVER wait. As soon as you hear about your court date, put in your request. Sometimes it can take up to 2 or weeks for them to process your request, so don't wait--time is precious.

### **How will I know when I have a court date?**

Well, really, it's the social services job to contact you and let you know whenever you have a court date for your child. In some cases, the judge orders someone to tell you about your court date. You usually are served by a non-interested party, such as a correctional officer. **Or, at your first court date, they should have told you when your next court date is. KEEP A RECORD! Make sure you know about all upcoming court dates. Although people are supposed to inform you, IT IS ON YOU TO MAKE SURE YOU KNOW WHEN YOUR COURT DATES ARE.**

### **But what if I am not notified by anyone that I have a court date?**

You are supposed to be notified, but things don't always work the way they are supposed to, so remember: **ITS ON YOU TO KEEP TRACK OF YOUR COURT-**

**DATES!** Don't count on anyone, count on yourself. Make sure you know when all of your upcoming court dates are. Write it down and keep track. Make sure your requests to go to those court dates are put in early, don't wait until the day before you have a dependency Court date for your child.

**What happens if I find out about my hearing at the last minute or after my hearing and it's too late to request transportation?**

If this should happen, if you can call your attorney do it! If you cannot, then write a letter to the judge and to your lawyer telling them why you were not there. Usually the court will give you a continuance (delay) for another day. If the court does not delay your case, you may want to file an appeal. Speak with your attorney.

**Can a prisoner appeal any choice made while they were not in court due to lack of transportation?**

The answer to this question is NO. The courts don't find lack of transportation to be a good enough reason to overturn any decision, especially if the court finds that you were notified in time, and did not request transportation. They figure you were not denied your rights. Even if you did request transportation and the jail failed to provide you with that transportation, the judge still may not overturn the decision. The court is more likely to overturn a decision only when there has been some kind of PREJUDICE against the parent. Also it may be overturned if you did not receive the notification in time (0-5 DAYS) to request transportation.

Really what it boils down to is the question, would it have made a difference in the outcome of the court's decision if you had been there? If you can argue that your presence at court would have caused a different outcome, then you may be able to have the court's decision overturned.

**THIS IS JUST SOME INFO FOR YOU. SPEAK TO YOUR ATTORNEY ABOUT YOUR APPEAL. DON'T EVER MAKE A DECISION WHETHER OR NOT TO APPEAL THE COURT'S DECISION WITHOUT FIRST SPEAKING TO YOUR ATTORNEY. EACH CASE IS DIFFERENT.**

**Will a mother who is locked up lose any good time for going to court for her child?**

NO you will not lose any good time. You have the right to be at any/all court hearings for and about your child.



## Thinking of You

*Even when you're far away  
Don't forget my pretty little face  
When our skies are blue  
Maybe even gray  
Don't forget I'm thinking of you...  
Even when we're far apart  
Don't forget about my poor little heart  
When we first met  
I knew you knew  
I could make it from the start  
You never doubt me  
I always knew  
I could be the real me  
In front of you...  
So now I say  
Even when you're far away  
Sittin' in the Bay  
While I'm doin' time in CYA  
Don't forget about me  
No matter where I go or what I do or say  
I'm always and forever thinking of you  
while doin' time in YA*

*Briaunna Lathan*



**How can my family help me?**

They can always attend court hearings to be there to support you and your child. They can also collect letters of reference and good character for you from people in your family and in your community. The court wants to see that you have a lot of support, so the more people who can show up to court for you and your child, the better.

**If my children are in foster care, can their foster family bring my children to visit me?**

This depends on whether or not there is CPS involvement. You should still be able to visit with your child in most cases. However, this also depends on whether the foster family is able to bring your child to see you. It almost always is in the best interest of the child to have continued contact with their mother, so we would hope that the foster family would bring your child to see you, but this does not always happen.

## **C. IN LOCK-UP: JAIL OR PRISON**

### **Can I get an abortion?**

You have the right to choose what to do with your pregnancy. The California Department of Corrections does not have the right to stop you from having an abortion. The California Department of Corrections Health Care Services (DCHCS) has to provide you with a “standard level of care.” In regards to your abortion and pregnancy. You must request to see a doctor, and let the doctor know that you want an abortion, and they must allow you to get an abortion.

### **How can I see my child while I am locked up in county jail?**

It varies from county to county how visitation is done. In certain county jails you may need to sign up for family visits by a certain date. You are responsible for signing up for your family visits. If you are on the mainline you may not be having a contact visit. To get a contact family visit you may have to get a court order. In some counties you just have to ask permission, or you may be able to get a contact visit if you are in parenting classes in the jail. It depends county to county. Contact your social worker and your attorney so that they can help you get a contact visit.

### **How can I see my child when I'm locked up in state prison?**

If you are in state prison and the person bringing your baby to see you is NOT the other parent or the legal guardian, then you must get a NOTARIZED letter from the person who has legal custody of your baby that says it's OK for person X to bring in baby named X to see the baby's mother named X.

The person who is bringing your baby must be on your approved visitors list, and must have a copy of the child's birth certificate in addition to the notarized letter. It also can't hurt to bring proof that the person is the legal guardian.

While many prisoners have contact visits with their children while in state prison, there are many who are restricted to non-contact visits only and others who are not allowed any visits with children at all.

### **How do I request a visit?**

You can always ask a family member who has your child to come on regularly scheduled visitation days. Keep them informed of everything that happens, such as court dates and visitation days. Make sure they come a little early so they get in on time for visits.

If your child ended up in foster care or a temporary shelter due to you being arrested, child welfare is legally mandated to facilitate parent/child visits, unless proven this is detrimental to the child. You can always ask your attorney to appeal this in court if you feel their evidence is not strong enough. Make sure your caseworker has all information pertaining to visit, hours, days. The courts can not deny you visitation based solely on the child's age. You can always appeal anything you don't agree with through your attorney.

### **Who arranges that visit if I'm in county?**

It varies from county to county how visits with your child are done. In most counties, if you are not CPS-involved, your child can come and visit you during your normal visiting hours. There are some counties that only allow the inmate to have a visit with their child once a month, which will usually be the first Monday of every month. The inmate is responsible for signing up for these family visits by a certain time or the visit will not be approved. The best thing to do is ask the officer on duty how their county does visits with children.

### **How do I make sure I won't have to be handcuffed during the visit and that they give me enough time with my child if I'm in county jail?**

The charge that you were brought in on will determine your inmate status. If you are being charged with a violent crime, then you may not be allowed to have contact visits. All your visits could be done through a glass window. If your charge is something like possession, then you will most likely be housed in minimum security where, in some counties, contact visits are allowed. It all depends on where you are housed at and what county you are in. Visits usually last from a half hour to an hour. If you want more visiting time with your child, that may have to be court ordered.



## Ashley's Story

*I went to Y.A. while I was pregnant. It was hard as can be because every day all I could think about is how my son would be taken from me soon after he was born and I had a few years to serve. I tried to detach my emotions but I couldn't deny the life I was carrying inside of me--the child I took to jail with me.*

*I had a few complications during my pregnancy and I wrote grievances that were constantly denied. My mother called the facility numerous times on my behalf and still no one heard my voice.*

*I eventually went into labor and was escorted to the hospital. For once I could breathe because the nurses were really nice. The staff I was escorted by denied me the right to breastfeed my child and told the oncoming staff to shackle me to the bed an hour or two after delivery.*

*Within 48 hours I was released and shackled while I was escorted back to the facility. For the first couple of days I could not sleep wondering what my baby sounded like when he cried or if he missed me like I missed him.*

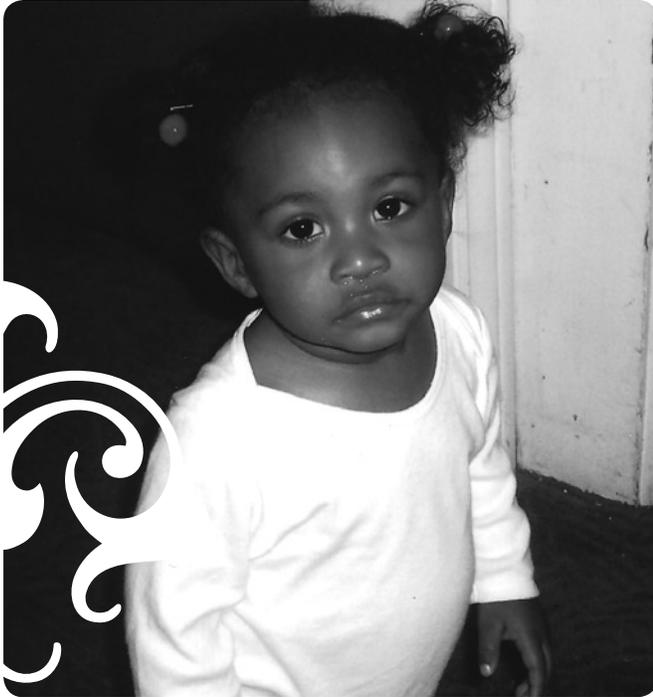
*You can't let the situation break you because it'll only make you feel worse. I've been out for two years now and my son and I are learning each other quite well.*

Ashley G.



*When I got locked I told my kids that I was away at school. They would come and visit me and wonder why are visits were through a glass window and always asked why they could only see me once a month. They started to think that when a person gets into trouble they'd get sent away to school. It also confused them because they went to school every day and they were wondering if they were getting into trouble because they were getting sent to school every day. I believe that if your child is old enough you should tell them the truth. Don't lie to your child just to protect your self because most of the time if your child is old they will know the truth anyway.*





#### **D. IN LOCK-UP--CYA**

**This section lists information specific to the California Youth Authority, but please also read section called Your Rights Locked Up.**

##### **What are my rights if I am in YA and I am pregnant?**

If you are in the California Youth Authority and you are pregnant your rights are pretty much the same as all of the other wards. You are entitled to double portions of food and you are given a pregnancy snack at dinner. You are also entitled to one extra hour of exercise.

##### **How do I see a doctor?**

Every ward has the right to fill out sick a "sick call" slip and be seen by an advice nurse the next morning. However, if you EVER have an emergency it is always best to notify staff of the emergency and they will contact the clinic immediately.

##### **Will I have my child in the facility?**

You have your child in a private hospital and will be escorted by two staff from the facility. You have the right to not be shackled during transport or during your labor, delivery and recovery.

##### **Can I breastfeed my child?**

You have the right to breastfeed after you deliver your child **WHILE YOU ARE STILL IN THE HOSPITAL**. No

one should tell you that you cannot breastfeed. If they do, make it an issue, but don't get in more trouble and get a Time Add.

##### **Can my family visit me while I am in the hospital?**

You cannot have any contact with your family while you are in the hospital.

##### **How long can I stay with my child in the hospital?**

Once the doctor releases you, your child is given the guardian you have selected. If you don't have anyone to come and pick up your child, your child will go into foster care and could be adopted out. You are then escorted back to the facility after 48 hours if you had a vaginal birth and 4 days if you had a cesarean birth. Please be prepared for someone to come and pick up your child from the hospital. Make plans early. Due to the stress of being locked up, many babies come early, so if you are pregnant start working on this now.

##### **Now that I am locked up, what are my parental rights?**

You have the right to one free phone call per month to contact your children and their caregiver. You also have the right to attend any court hearings concerning your child and their living arrangements. Your rights are not terminated just because you are incarcerated.

##### **What I can do to show my child I love them while I am locked up?**

"I try to call her and think of the time I have ahead to look forward to. I started a journal for her so that she knows how much I love her. Also it motivates me to do the best I can for myself, grow as a person and be a listener and optimistic so I can teach my daughter the same thing. What I would tell my baby about being locked up is the truth about the fast life. Explain what I did to get there and what it felt like to be in solitude away from her."

##### **How do I arrange for someone to take care of my child while I'm in Y.A.?**

Every California Youth Authority facility has a law library. There may be certain days your living unit may not be able to attend, but you can always ask your counselor, the unit Senior or the unit TTS Treatment Team Supervisor. This way you can do your own research on laws and information regarding you and your child.



It is sometimes best to have the relative or friend who will be the caregiver for your child file for TEMPORARY LEGAL GUARDIANSHIP of your child. In order to do this, the person who will be the caregiver of the child must go to PROBATE COURT. Once you are released from custody and you are in a stable living environment, you must go back through PROBATE COURT and file a petition to terminate the guardianship. If you try to take your child without the permission of the legal guardian, they can press child-stealing charges on you. For more on GUARDIANSHIP, see page 18.

**How can I see my child while I am locked up? How do I request a visit?**

Your child can come every weekend if their temporary guardian agrees to bring them during normal business hours. However, if there is a conflict of schedule you can speak to your Treatment Team Supervisor (TTS) and request a “special visit” that enables the child’s temporary guardian to bring your child when it is most convenient for them. You will be transported to the visiting room or sent on a pass but your visit may only be an hour due to this circumstance. If your child is brought during normal visiting hours, you can receive an all-day visit.

**What if I have an open case with dependency court? Can I still get visits with my child?**

Unless the judge has ordered “no contact” with your child, you have the right to receive visits and attend every court hearing concerning your child.

**Can I still attend court even though I am locked up?**

By law you have to be contacted by dependency court to inform you of upcoming court dates. You will receive a letter asking if you would like to attend court or not. ALWAYS SAY YES. This way you show the judge that even though you are locked up, you are still a concerned and active parent in your child’s life. Also keep track of your upcoming court dates. Stay ahead of the game.

**Who can help me do this?**

Your dependency court attorney, your social worker and your public defender can all help to make sure that you can attend court. Don’t let them tell you that you cannot attend court dates regarding your child; it is your legal right to be present when decisions are being made about your child. It is the responsibility of the Sheriff’s Department in the county where your child resides to transport you to court. Ask your attorney to help you do this.

**How will I know when I have a court date?**

The county your dependency court case is in is obligated to provide transportation to your court date. You can always request a legal phone call from the unit supervisor or unit parole officer to contact your public defender for more details. IN EVERY FAMILY COURT CASE YOU ARE GIVEN AN ATTORNEY AND SO IS YOUR CHILD YOU HAVE THE RIGHT TO CONTACT BOTH.

**How can my family help me?**

Ask all the family who can to be at your court dates. This will support you and your child. Ask them to bring your child to see you as often as possible.

**Can I have an abortion?**

Yes, you have the right to choose what to do with your pregnancy. Tell your counselor who is assigned on your living unit that you want an abortion. Your counselor should then pass on your request to the nurse. This is the fastest way. The second option is to fill out a request form to see the nurse, but it may take 2-3 days to see a nurse, so going through the counselor is faster. You will then be taken to the hospital in Ventura to get your abortion. Getting to hospital can take up to a month, so don’t wait, time is precious.



## *Ten Creative Ways To Show Your Child You Love Them*

- 1) Make up a simple love song with your own words to an old tune.*
- 2) Learn to say I love you in sing language and teach your child.*
- 3) Help your child make a "me" book complete with old and new pictures of your child with a list of hobbies, interest, friends, toys and pets.*
- 4) Leave a small surprise in an odd or unexpected place such as pockets or lunch box, when your child asks what's this for tell them I love you and wanted to do something special for you.*
- 5) Mail a letter or card to your child, getting mail is a special event for a child.*
- 6) Say to your child "I'm so glad God gave you to me".*
- 7) Ask your child to pick a number between 1-10 and then deliver that many kisses.*
- 8) Lay out a secret treasure hunt for your child with a map or a series of clues that will lead to one room to the next, the treasure is an I love you message, and a surprise such as a book, toy or a trip to the zoo.*
- 9) Wake your child up with a kiss what nicer or more loving way to start off the day.*
- 10) Come up behind your child put your hands over their eyes and say somebody loves you who could it be now you see the one who loves you is me.*





## E. IN LOCK-UP--JUVENILE HALL

### **What are my rights as a pregnant young mother in juvenile hall?**

If you are pregnant and in custody tell your attorney or counselor immediately. You have the right to have a doctor of your choice examine and treat you if you are pregnant, but you must pay for those services if the doctor is not provided by the facility. You are entitled to prenatal care in custody and to the cost of having your baby in an outside hospital. If you do give birth in custody, a family member must come within 48 hours and claim the child. If a family member does not claim the child in time, she will be sent to Child Protective Services.

### **Can I get an abortion?**

If you want an abortion, you must be permitted to get one. You have the right to choose what to do with your pregnancy. If you want an abortion, you must be allowed to get one, not matter what county in California you are in. You do not need the permission of your parent or guardian in order to get an abortion. In order to get an abortion you must tell medical or the nurse ASAP! Processing your request for an abortion my take some time, because you will have to be taken to a clinic, or hospital outside the facility. So you need to act quickly. If you wait too long, you may be too far

along in your pregnancy and not be allowed to obtain an abortion

### **Now that I am locked up, what are my parental rights?**

You have the right to continue parenting your child. You have the right to make parental decisions in regards to your child. You have the right to seek and make sure your child gets all the services they need while you are in custody.

**You should be able to speak with your child every day. It is important to speak with your child as much as possible so they hear your voice. If they won't let you speak with your child every day, try and negotiate as much phone time as possible with staff, your probation officer, your attorney and your social worker. MAKE SURE THEY KNOW THAT SPEAKING TO YOUR CHILDREN REGULARLY AND CHECKING ON THEIR WELL-BEING IS A PRIORITY TO YOU.**

**MAKE SURE YOU DOCUMENT EVERYTHING!!** Write down each time you speak with your child or someone about your child. If you are denied phone time, record the date and why you were denied.

**MYTH:** Teen mothers in California can't get married.

**FACT:** Teens under 18 years old in California can get married, but will need to meet certain requirements.

**REALITY:** If you are under 18 years old and you want to get married, you will need to make an appointment with a counselor, appear before a superior court judge, show certified copies of your birth certificates, and have at least one parent or legal guardian appear with you when you apply for the marriage license.

### **How can I see my child while I am locked up?**

As long as the courts have not removed your child from your care due to abuse or neglect, you have the right to have to visit with your child while you are in custody.

You must contact your probation officer and ask him/her to arrange a visit. Depending on your county, juvenile halls will sometimes have a visiting room that is child-friendly, so your child can be brought to see you during normal visiting hours. But if your county does not, don't be discouraged. Your probation officer, your attorney and/or the social worker can all help to get you your visit with your child.

**DON'T GIVE UP & BE PERSISTENT!** Keep requesting your visit and document each time you requested it and the reason it was denied. If you cannot get anywhere, contact an advocate or community agency to help you get your visit with our child.

**MYTH:** If I am a teen mom in a juvenile hall or other detention facility, I can't see my baby.

**FACT:** This is probably not true. Teen mothers should be able to visit with their children. As long as it is safe for the child to visit you and there is someone to bring the baby to see you, you and your child should be able to see each other on a regular basis.

**REALITY:** Each facility has its own rules about visitation. You will have to follow these rules, and your visitation days and times are usually determined by the facility where you are. Check in with your probation officer or counselor about rules and schedules for visitation. You should also ask your public defender or lawyer for help in making sure you get to see your child.

#### **Can I still attend court even though I am locked up?**

Unfortunately, there is nothing that specifies that youth in juvenile halls are allowed to be present at court hearings regarding their children. The law guarantees the right to be present at court to all other groups of "prisoners" who are parents--wards at CYA, state prisoners, and those in county jail.

However, if they tell you that you cannot go to CPS court for your baby, that is discrimination. You should not be treated differently just because you are a young parent. So still insist on going, and if you are denied, contact an advocate and let your attorney know. You may be in for a fight, but it's worth it. You want to be there when decisions are being made about your baby.

Make sure you let your probation officer, social worker, dependency court attorney, and defense attorney know that you want to be present at all court dates involving your child. Try and get as many loved ones and support people as you can to attend your court dates as well.

#### **Who can help me do this?**

Like we said before, you should let everyone know you want to attend court dates for your child, but the main people who can make sure you can attend are your de-

pendency court attorney, then your probation officer, who must OK it. So let it be known loud and clear that you want to be present at all court dates.

#### **How will I know when I have a court date?**

You have the right to attend all court dates regarding your child's care. In principle, your probation officer should let you know when your court dates are; however, we know that does not always happen. Your dependency court attorney should also let you know when you have a court date, so always keep in close contact with your dependency court attorney. They should know that you are in custody and they know how to contact you. Tell your public defender and your probation officer right away that you have a child in CPS court, and that you want to be present at all the hearings.

#### **But what if I am not notified by anyone that I have a court date?**

You are supposed to be notified, but things don't always work the way they are supposed to, so remember: **IT'S ON YOU TO KEEP TRACK OF YOUR COURT DATES!** Don't count on anyone; count on yourself. Make sure you know when all of your upcoming court dates are. Write it down and keep track. Make sure your requests to go to those court dates are put in early. Don't wait until the day before you have a dependency court date for your child.

#### **How can my family help me?**

Now more than ever, you need your family's support. Ask them to be present at all court dates, and write letters of support to the court. Ask them to help you keep records of all that is going on in your case. However, the best way your family can help you is by visiting you often when you are in detention. This will help you stay strong and stay focused. It also shows staff and your probation officer that you have a lot of support on the outside, which means your baby has a lot of support as well.

**MYTH:** If I have a baby, I can automatically get welfare benefits.

**FACT:** Many teen moms are eligible for welfare benefits (sometimes called "CalWorks," "CalLearn," "TANF," or "AFDC"). You need to apply for benefits at your local welfare office. If you are under eighteen, you can't get welfare unless you are living with a responsible

adult and you are going to school.

**REALITY:** The application process for welfare benefits can be a pain, but it is worth it if you don't have enough money to support yourself and your baby. There are also other programs you can apply for as a teen mom, such as food stamps, WIC vouchers, housing assistance, and free health insurance for you and your baby.

### **What can I do while I'm locked up to keep my baby?**

Make sure it is known that you do not want to lose custody of your children. Let your social worker and your attorney know that when you are released from custody, you want your children back. Ask what you can do while you're locked up so that when you get out you have a good chance of getting your children back.

Ask your attorney to help you be present at every court hearing regarding your child. Ask your relatives and friends to be present as well. Try to stay in communication with your child's social worker and let her know what you think is in the best interest of your child. If your child is placed outside of the family, begin to take steps so you can reunite with your child after your release. Attend any parenting, anger management, counseling, and substance abuse programs that are offered so that you have proof that you are a fit parent. Maintain regular contact with your child through phone calls, letters, and visits. Make sure to document this contact. Document contact with the child's caregiver, requests for report cards, and conversations with your child's social worker. Ask the program leaders of any classes you took to write positive letters for you. This information will be helpful in the process of getting your child back after your release.

**DON'T SIGN ANY PAPERWORK YOU DON'T UNDERSTAND!** MAKE SURE YOUR ATTORNEY IS PRESENT AND HAS EXPLAINED ANY PIECE OF PAPER YOU SIGN. MANY YOUNG WOMEN HAVE SIGNED AWAY THEIR PARENTAL RIGHTS WITHOUT EVEN KNOWING THEY DID IT. Your attorney should explain everything. You might also want to talk to an advocate from a community organization before you sign any paperwork. Be careful.

**TRY AND BE COOL.** Remember that any "bad" behavior in Juvie could come back to haunt you. If your probation officer does not feel you should be with your child, he/she could tell the court that you behaved poorly in Juvenile Hall and that you are not ready for

the responsibilities of parenting. We know sometimes it's hard to avoid conflict, but do your best to stay out of trouble. When you feel like going crazy, think about your child, and that your negative actions will only put your child farther from you.

**MYTH:** If I'm a teen mom involved in the juvenile justice system, I can't get a restraining order to protect me.

**FACT:** This is not true. Anytime someone hurts, abuses, harasses, or threatens you, you have the right to get a restraining order. It doesn't matter if you are a part of the juvenile justice system or foster care system. All that matters is that you feel unsafe. A restraining order allows you to get extra protection from the police.

**REALITY:** A restraining order can give you powerful protection against abuse. However, the order is just a "piece of paper" unless you know how to enforce it. You will need to call 911 any time the other person may be violating the restraining order.

### **What happens to my baby when I get locked up?**

If your child is not picked up, she will probably be placed in an emergency shelter through Child Protective Services (CPS). If your child is placed in CPS, have a relative go to CPS immediately and bring proof of their relationship with the child (birth certificate, signed letter from you or the other parent, etc.). CPS will release your child to a parent, guardian, or responsible relative who poses no risk or danger to your child. They will conduct an emergency assessment of the child's relative that includes a criminal background check, verification of relationship to the child and a visit to the home. If CPS does not place your child with a relative within 48 hours, they must file papers to make your child a dependent of the court.

Call or write CPS and let them know where you are. Make sure CPS knows the names of all relatives on both sides of the family who may be able to care for your child. This way if your child's placement changes, she can still be placed with a family member.

If CPS took your child, the court will give you REUNIFICATION SERVICES. If CPS removed your child from your care, the court usually gives you things that you must do or programs you must complete in order for you to get your child back. You have a certain amount of time to complete these requirements from the court. There is a good chance you may begin to take the steps to get your child back while you are locked up. For example, if drug treatment classes are a re-



quirement of the court, you may be able to do those on the inside. Ask your attorney and your probation officer which of the court requirements you can work on while you are locked up. **ACT QUICKLY-** The clock is ticking. You usually only have 6 months to fulfill the requirements of the court, if there is CPS involvement. For more on REUNIFICATION, see page 6.

**PLEASE REMEMBER, THE BEST THING YOU CAN DO TO STAY WITH YOUR BABY IS TO COMPLETE ALL OF THE CONDITIONS OF YOUR PROBATION. BE HOME FOR CURFEW, GO TO SCHOOL, AND DON'T MISS ANY GROUPS OR PROGRAMS. IF YOU DON'T, YOU WILL ONLY MAKE YOUR SITUATION WORSE FOR YOU AND YOUR BABY.**

**ALSO, PLEASE, PLEASE PLEASE...DON'T RUN FROM YOUR GROUP HOME!!!** EACH TIME YOU RUN FROM A PLACEMENT, YOU PUT YOURSELF FARTHER AWAY FROM YOUR BABY. If you keep running from Group Homes, eventually the court won't know where to put you, so you could end up in CYA.

If you are having trouble at a group home, talk to the staff, talk to your attorney or your probation officer. See if you can make the situation better before you just run. In the long term, you will only hurt yourself by running from a group home. You will hurt yourself, and you will hurt your baby, because now she will have to wait even longer for her mom to come home.

### **What happens to me and my baby when I get out?**

This depends on how long you are in juvenile hall and the specifics of your case. Sometimes as soon as you get out you will get your child back, especially if your child is with your mom or a relative.

If you are going to an out-of-home placement, tell your probation officer, your attorney and your social worker you do not want to be separated from your child. There are some group homes and community treatment programs where young people can live with their children. Ask your attorney if and how you can be placed in such a program. There is no absolute right to be placed with your child, but you can fight to get into a placement where you can be with your child.

**MYTH:** If I am a teen mom, Child Protective Services can take my baby away from me.

**FACT:** Teen moms have the right to raise their children—just like parents of any age. Protective Services can only open a case on you if you abuse or neglect your baby.

**REALITY:** When you are a teen mom, you usually have a lot of people looking over your shoulder. Teachers, social workers, police officers, doctors, and nurses are all mandated reporters. This means that they must make a report to CPS any time they think a child may be unsafe. It is important for you to be open and honest with the adults in your life about any problems you or your baby are dealing with. At the same time, remember that as a teen mom people may be afraid you're not ready to parent a child. Even if it doesn't

seem right or fair, you may have to work extra hard to prove to people that you are a good mother to your child.

Sometimes even if there is a really good group home for you and your baby, you may not be able to go there. This is because a lot of the time if your county does not have a contract with a group home, they will not send you to that group home because they have no way of getting paid. But still try. If they say you can't go to particular group home, ask them why.

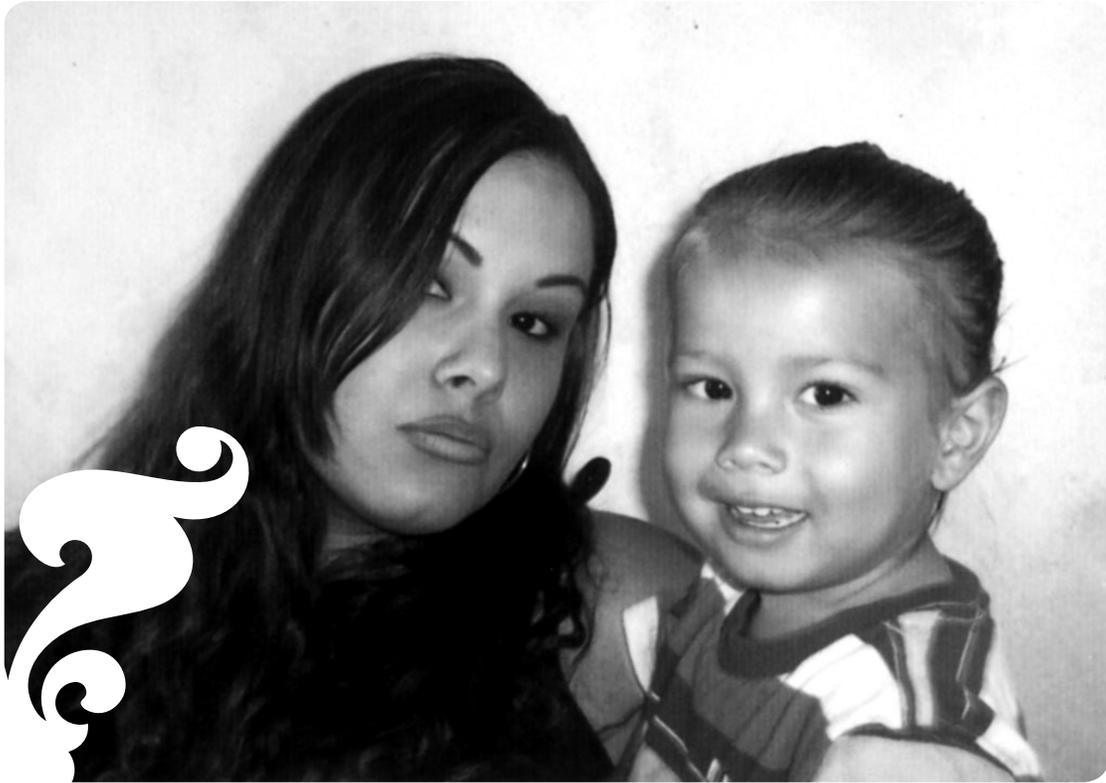
When you return home, sometimes you will have to prove to the court or your probation officer that you are ready to be a mom, and that you are able to be a good parent to your child. Especially if CPS removed your child from your care, you must make sure that you meet all of the requirements of the court. You should start working on what is required of you by the court as soon as you get locked up. Ask for reunification services.

**MYTH:** If I'm a teen mom, and my baby's daddy is older than me, he will automatically get custody of the baby if he's already an adult.

**FACT:** This is totally not true. Teen moms have all the same rights as adult moms. If you and the baby's daddy have not gone to family court about your child, then you technically still both have custody of the baby. There are two kinds of custody--physical custody (meaning the child lives with you) and legal custody (meaning you have the right to make decisions about the child's education, religion, and health care). As a teen mom, you have the right to go to court to get physical and legal custody of your child. You also have the right to get child support from the father if you are caring for the baby.

**MYTH:** If I'm pregnant or I have a baby, I can't participate in extracurricular activities at school, like clubs or sports.

**FACT:** This is totally not true. You have the right to participate in all school activities, such as sports, music, drama, clubs, dances, and field trips. Your school can't stop you from doing these things because you are pregnant or parenting. They also can't single you out and ask for a doctor's letter or other special permission to participate. If other students don't have to have a note from the doctor to participate in an activity, you don't have to have one either.



## Foster Care

### SECTION 3

**MYTH:** If I am a part of the foster care system myself, and I have a baby, my baby is automatically a foster kid, too.

**FACT:** This is definitely not true. Even if you are in foster care, your baby is not a part of “the system” unless a judge finds that you abused or neglected the baby. If anyone accuses you of abusing or neglecting your baby, CPS may try to “file a petition” on your baby. This means that they are trying to make your baby a part of the foster care system. If this happens, you have the right to a free attorney to represent you and to protect your parental rights.

**REALITY:** It is usually very difficult to convince a judge to emancipate you before you turn eighteen. The main reason young people want to get emancipated is so they can get out of their parents’ or guardians’ homes. Even if you can’t get emancipated, you may have other options for finding a safe place to live—for example, you can go to a shelter, enter the foster care system, or get an adult you trust to become your legal guardian.

#### **If I am in foster care, and I am a young mother what are my rights?**

You have A LOT of rights as a foster kid yourself—including the right to be represented by a free lawyer who meets with you regularly and tells the court what you want; the right to meet regularly with a social worker who helps you and plans with you; the right to attend all court hearings about your case; the right to have information about you kept confidential (secret); the right to keep your own property and save your own money; and the right to communicate and visit with your family if it would be safe for you to do so.

If you are in the foster care system and you have a baby, **YOUR CHILD IS NOT AUTOMATICALLY A FOSTER CHILD.** This is very important to remember, because there is a myth that if foster kids have

babies, those babies automatically become a part of the system. This is not true!!! If you have a baby, your social worker has to help you get the housing, food, clothing, medical care, and other things you need to take care of the baby.

The only way that the baby is a foster kid himself is if a court decides that you have abused, neglected, or abandoned your baby. In order for this to happen you will have to go to court, and you will have a chance to fight for your baby. (Read Breakdown of the Courts and Reunification on page 6 for more info).

**MYTH:** If I'm pregnant or I have a baby, I have to change schools.

**FACT:** This is totally not true. You have the right to stay in your same school and in your regular classes while you are pregnant and after you have your baby. If someone tries to force you to transfer to a different school because you are pregnant or parenting, they are breaking state and national laws. You can't be forced to go to a special school or program for teen moms.

**REALITY:** Many schools for teen moms have great services to support you, such as childcare in the same building. You may decide that you'd rather go to a school for teen moms. Just remember that it's your choice whether or not you do so, and no one can force you.

### **Who has the right to make decisions about my child?**

Unless a Judge has taken away custody rights to your baby, you and the baby's other parent are the only ones who have the right to make decisions about your child. It doesn't matter if you are a part of the foster care system or not—you are that baby's parent.

However, if your social worker or someone else thinks you aren't taking care of your baby, they can start a new CPS case against you. If this happens, you have the right to a free lawyer to fight CPS in court.

The judge will only open a new case on your baby if the judge decides that the baby has been abused, neglected, or abandoned. The law says that you have the same rights as any other kind of parent, even though you are a part of the foster care system. However, it is important to remember that because you are a part of the system, you have a lot more people "looking over your shoulder." Even though it's not fair, you may have

to work even harder to prove that you are ready to parent your child.

**MYTH:** Teen mothers can't get child support.

**FACT:** Teen moms can get child support payments, but only if they prove to a court who the father of the child is. This is called "establishing paternity," and can usually be done with a simple blood test.

**REALITY:** In order to get someone to pay child support, you need to open a case with your local child support agency. You do not need to have a lawyer representing you. The child support agency will interview you and arrange for testing of the father if necessary. It may take some time to start receiving payments. If the father of your baby doesn't cooperate with the process, the court can order him to pay. If you know that you'll definitely need child support, you can open a child support case before your baby is born. That way payments can start as soon as possible after the birth—but you won't actually receive any money until after the child is born.

### **I am a young mother in foster care. How do I become emancipated?**

In order to emancipate before you turn 18, you need to show the judge that you have a plan for your future. This means that you will have a place to live and a way to support yourself and your baby. This can take a lot of planning, but you don't have to do it on your own! Your social worker and your lawyer have a responsibility to help you get ready for emancipation.

You can also use the Independent Living Skills Program (ILSP) in your county for free help finding housing, jobs, scholarships for college, budgeting skills, and all sorts of other things. ILSP is a great resource, and you should definitely take advantage of if you want to emancipate. Each county has its own ILSP program. In San Francisco, ILSP is located at 225 Valencia Street in the Mission. Their number is (415) 934-4202.

**MYTH:** If I have a baby, I am automatically emancipated.

**FACT:** Having a baby does not emancipate you. There are two different kinds of emancipation that you may have heard about. The first kind is for young people who are in foster care. If you are a part of the foster care system, you will usually leave the system when you turn eighteen. This is called emancipation from

foster care. You have the right to get services from the foster care system before you emancipate, such as help finding housing, a job, or parenting classes.

Kids who are under 18 can also ask the court to emancipate them, whether or not they are in foster care. This is the second kind of emancipation, and it is for kids who want to be treated like a legal adult before they turn eighteen. To qualify for emancipation, you have to be over fourteen years old, not living in the same place as your parent or guardian, and able to prove that you are financially able to support yourself and your baby. You will also have to convince a judge that emancipation would be good for you.

**I am a young mother in foster care and they are telling me I am not ready to be a mom and they are going to take my baby. What should I do if I want to keep my child?**

Remember that the system does not automatically have the right to take your baby or to make decisions about your baby's life! This can only happen if CPS is accusing you of abusing, neglecting, or abandoning your baby. If that's what's happening, you have the right to a free lawyer to represent you in court and fight for you to raise your baby without CPS interfering. If you are afraid that someone will try to get CPS involved in your baby's life, talk to your own lawyer or call Legal Services for Children at (415) 863-3762.

**MYTH:** If I'm pregnant I could fail my classes if I miss too many days of school for medical appointments.

**FACT:** You have the right to have your absences excused if you miss school for medical appointments or illness related to your pregnancy, childbirth, and parenting. You should get a note from your doctor or your child's doctor so you have proof of the reason for your absence. If you show them this proof, your school cannot fail you or punish you for these health-related absences.

# DEFINITIONS: WHAT DO THESE LEGAL WORDS MEAN?

**Adoption** - permanent legal custody of another individual's child. Adoption takes place after the parents' rights have been terminated by the court or voluntarily relinquished by the parents.

**Affidavit** - a written declaration under oath or a statement of facts in writing signed by the party, and sworn to or confirmed by declaration before an authorized magistrate.

**Aid to Families with Dependent Children (AFDC)** - division of the county/state/federal government that presides over the welfare subsidies allocated to dependent children.

**Allegation** - a declaration or claim concerning the behavior or actions of an individual.

**CalWORKS** - California Work Opportunity and Responsibility to Kids Act; a division of state government that provides for aid and medical assistance.

**Caregiver** - the person who takes care of a child when the parent is incarcerated.

**Caregiver Authorization Affidavit** - an affidavit that has the primary purpose of declaring that an individual will receive a certain amount of authority for a child.

**Case Plan** - the court-approved plan written by the social worker. It describes your reunification requirements, including: visitation, classes, counseling or treatment you must follow before you can get your child back.

**Child Protective Services (CPS)** - county office responsible for the welfare of children who have allegedly experienced abuse and/or neglect from their primary caretakers. We have used this term generally throughout the manual to mean Department of Social Services (DSS), Department of Health Services (DHS), and Department of Family and Children Services (DFCS).

**Court Day** - days when the judge is in the courtroom. This is usually Monday through Friday, except holidays and weekends.

**Court Order** - a direction from the court on some matter.

**Custody** - daily responsibility for a child either temporarily or permanently (see legal custody and physical custody below).

**Declaration of Paternity** - a legal document that, when signed by both parents, says the man is the natural father of the child. Signing the declaration is voluntary.

**Default judgment** - a judgment entered against a defendant when the defendant fails to respond to a plaintiff's action or fails to appear in court.

**Dependency petition** - a petition filed by the juvenile court claiming that the child should be made a dependent of the court.

**Dependent of the court** - a child whom the court has decided is at risk of harm and a parent or relative cannot make decisions for the child. Instead, the court steps in to make these decisions about what happens to the child.

**Detained** - what happens to a child who has been temporarily removed from parent(s) through Child Protective Services.

**Detention** - removing a child temporarily from parent(s) through Child Protective Services (CPS).

**Detention Alternatives** - a child detained in custody can be placed in any of the following: emergency shelter, a suitable licensed home or facility, a place exempt from licensure designated by the juvenile court, a certified family home, or with a relative. (Welfare & Institutions Code 319)

**Disposition Hearing** - the hearing held once the court sustains the dependency petition and your child becomes a dependent of the court. At this hearing, the court will recommend a plan for your child.

**Distant relative** - any relative who is not the child's parent, sibling (brother or sister), aunt, uncle, or grandparent.

**Emergency Assessment** - an evaluation by a social worker of a child's relative. The social worker will determine whether the relative's home is a proper placement for the child. The assessment includes an in-home visit to assess the safety of the home and the relative's ability to care for the child, a criminal records check, and an investigation of any allegations of prior child abuse or neglect by that relative or any adult living in the relative's home.

**Emergency Response** - the actions taken by CPS immediately after they are told that a child is without her parent to make sure that someone is caring for the child.

**Emergency Shelter** - the temporary housing where CPS places a child while they locate relatives or arrange for a more permanent place for the child (and her siblings) to live.

**Family Law Facilitator** - a neutral office in the family courts which assists people through the court process when they do not have lawyers, the facilitator will not represent you in court.

**Family Reunification Services** - services provided to the child and his/her parent(s) when the child is not living with you. It is designed to address the problems that led to dependency.

**Foster Care** - out-of-home care provided to children who need temporary or long-term substitute parenting. Both the person (foster parent) and the home are licensed by the state or county and are monitored by licensing workers and/or social workers.

**Foster parent** - person providing foster care to the child.

**Hearing** - a judicial investigation which assesses abilities of the child's parents and determines the future living arrangements of a child.

**Immediate relative** - a child's sibling, aunt, uncle, or grandparent.

**Indian Child Welfare Act** - a federal law that tells the court how to handle any case about custody of a child who has some Indian or Native American blood.

**Jurisdiction hearing** - a hearing to determine whether your child should be made a dependent of the court based on allegations in the dependency petition.

**Juvenile court** - a branch of the superior court which deals with children under the age of 18. The dependency court deals with abuse and neglect cases. Delinquency court deals with acts by a youth that would be criminal if the youth were an adult.

**Kin-GAP (Kinship Guardianship Assistance Payments)** - the aid provided on behalf of children in kinship care. "Kinship guardian" means a relative who has been appointed the legal guardian of a dependent child pursuant to '366.26 of the Welfare & Institutions Code.

**Legal Custody** - the right to make decisions about a child's well-being, including the child's health, education and welfare.

**Legal guardianship** - when a court has given custody of a child to someone who is not the parent of that child.

**Long-term foster care** - long-term custody arrangement where Child Protective Services supervises the child's care with the foster parents.

**Minor** - anyone under the age of 18.

**Motion for modification (also known as a 388 Petition)** - a paper you can file to ask the court to look at changes in circumstances.

**Non-custodial parent** - the parent who does not have physical custody of his or her child.

**Notice** - legal information about a hearing in your child's case (when and where it will take place).

**Notarized** - swearing that statements are true under oath, before an official notary.

**Parent** - the lawful mother or father of a child. This may be by blood, marriage or adoption.

**Parental rights** - the legal rights of a parent to raise a child as s/he sees fit.

**Permanent plan hearing** - hearing to decide the best permanent situation for a child when a parent cannot raise her/his child.

**Petition** - a written request for specific court action and a hearing on the request.

**Physical custody** - refers to where the child actually lives; the person the child lives with is the one with physical custody.

**Power of Attorney** - a written agreement between the parent of child and the caregiver that gives the caregiver responsibility and authority over certain matters concerning the child (e.g., medical needs, schooling, public assistance and Medi-Cal, legal matters, etc.)

**Pro per/ pro se** - appearing on your own behalf without an attorney to represent you.

**Qualified relative** - a family member who the court recognizes as able to take care of the children

**Removed** - when the court takes the child from her parent's custody.

**Rescind/Rescission** - to revoke or annul an agreement, law, or judgment.

**Respite care** - services that offer care (i.e. child care or temporary foster care) to relieve the caregiver or parent of childcare responsibilities for a specific length of time.

**Reunify/Reunification** - the goal in dependency to bring the child and her parent or parents together again.

**Review hearing** - hearing held in order to review the previous decisions made by the court and to decide whether to retain or to change these decisions.

**Revoke** - to cancel or repeal

**Rules of court** - the rules that tell California courts what is supposed to happen in court hearings.

**Status review hearing** - a hearing held every six months by the juvenile court in order to review your child's case and to order a CPS plan for your child.

**Supervised visits** - visits between a parent and child where a social worker or other designated person is present.

**Sustain** - when the court finds a petition true.

**Terminate** - when the court cuts off or ends a course of action. Most often used with services, rights, or visits.

**Welfare & Institutions Code** - The group of laws dealing with dependency, delinquency, CPS, and drug possession and use. (IS THIS RIGHT—ISN'T DRUG POSSESSION PART OF THE CRIMINAL CODE?)

# COMMUNITY RESOURCES

THERE ARE MANY SERVICES THAT CAN HELP YOU AND YOUR FAMILY GET ON YOUR FEET. HERE ARE JUST A FEW.

IF YOU CALL ONE OF THESE RECOURSES, AND THEY DON'T HAVE WHAT YOU NEED, MAKE SURE YOU ASK THEM TO REFER YOU TO ANOTHER PLACE THAT DOES HAVE WHAT YOU NEED. ALSO, IF A COUNTY CLOSE TO YOU HAS A SERVICE YOU DON'T HAVE IN YOUR COUNTY, STILL CALL THEM UP, MANY OF THESE RECOURSES CAN STILL HELP YOU EVEN IF YOU LIVE IN ANOTHER COUNTY.

**Legal Representation**  
**American Bar Association**  
**800.285.2221 to find a lawyer in your area**

**Also look under your county for the Public Defenders Office**

## SACRAMENTO

**Low-Income Housing**  
Sacramento Self Help Housing  
Phone: (916) 444-8216

In-depth personal interviews, landlord contacts, and other practical assistance to find safe and affordable housing for Loaves & Fishes guests.

**Childcare**  
Child Action, Inc. Centralized Eligibility List (CEL)  
Phone: (916) 369-0191

Must call eligibility line to sign up for services. Provides subsidized childcare options for families with children up to 12 years of age.

**Shelters**  
Department of Housing and Community Development  
Emergency Shelter Program  
630 I Street Sacramento, CA 95811 Phone (916) 327-3652

Sacramento Family Promise Phone: (916) 443-3107  
Must call to get an intake

Maryhouse  
Phone: (916) 446-4961  
Daytime hospitality for homeless women and children. Full breakfast program, housing referral assistance, showers, telephones, mail service and toiletries.

### Community referral services

St. John's Shelter for Women and Children  
Phone: (916) 453-1482

Travelers Aid Emergency  
Assistance Agency  
Phone: (916) 399-9646

**Parent Support**  
La Familia Counseling Center  
5523 34TH St Sacramento, CA 95820-4725  
Phone: (916) 452-3601

Loaves and Fishes Jail Visitation Program  
Phone: 447-9472  
Visits those incarcerated in the Sacramento County Jails who have no visitors and provides them a caring concern and connection with the outside world. Also, provides on-site legal referral and services to guests for remedying minor legal infractions and misdemeanors.

**Substance Abuse**  
Mi Casa Recovery Home  
MAAP, INC. 2515 48th Avenue Sacramento, CA. 95822  
Phone: (916) 394-2328  
Mi Casa is a social model 30, 60 or 90-day residential substance abuse treatment facility. Transitional and permanent housing is also available during aftercare.

**Legal Representation**  
Sacramento County Public Defenders Office

700 H Street, Suite 0270 Sacramento, CA 95814  
Phone (916) 874-6056

**Free Clinics**  
Imani Clinic  
3415 Martin Luther King, Jr., Blvd. Sacramento, CA  
Phone: (916) 641-7520  
Saturday, 9:00 a.m. to 2:00 p.m.  
Free Services

South City Health Center  
7222 24th Street Sacramento, CA 95822  
Phone: (916) 395-4580  
Mon-Fri (8am-5pm)

## YOLO COUNTY

**Low-income Housing**  
Housing Authority Section 8 Low-Income  
147 West Main Street Woodland CA. 95695  
Phone: (530) 662-5428

**Child Care**  
Resource & Referral & Child Care Subsidy Program  
600 A Street Suite C Davis CA. 95616 Phone: (530) 757-5695

**Shelter**  
Wayfarer Center  
201 Fourth Street Woodland, CA 95695 Phone: (530) 661-1218

**Parent Support**  
Yolo Family Resource Center  
409 Lincoln Ave. Woodland, CA. 95695 Phone: (530) 406-7221

**Substance Abuse**  
Beamer Street Detox  
178 West Beamer St. Woodland, CA. 95695  
Phone: (530) 666-8655

**Legal Representation**  
Yolo County Public Defenders Office  
307 Second Street Woodland, CA 95695  
Phone: 530-666-8180

**Free Clinic**  
CommuniCare- Peterson Clinic  
8 North Cottonwood St Woodland CA. 95695  
Phone: (530) 666-8960

## CONTRA COSTA

**Low-Income Housing**  
Shelter, Inc.  
Rental Deposit Guarantee Program and assistance in finding low-cost housing  
1070 Concord Avenue, #200 Concord, CA 94520  
Phone: (925) 827-3598 or (925) 957-7569

**Childcare**  
Contra Costa Child Care Council  
Central Contra Costa: (925) 676-KIDS  
Eastern Contra Costa County: (925) 778-KIDS.  
Western Contra Costa: (510) 758-KIDY  
Far eastern Contra Costa: (925) 513-7900.  
Provides childcare referrals and has a childcare subsidy program.  
M-Th, 9-4. F, 9-noon.

Contra Costa County Child Care Hotline  
1-800-333-3212 or 510-412-3230  
Subsidize childcare fund prioritizes low income and at risk families

**Shelters**  
Shelter, Inc

Homeless Hotline 800- 808-6444

Provide shelter, transitional housing and permanent housing to families in need. Also have rental assistance program for move-in cost or eviction prevention.

Bay Area Rescue Mission Emergency Shelter  
& Meals Program  
200 Macdonald Avenue Richmond, CA  
Phone: (510) 215-4888

Contra Costa Crisis Center  
Phone: (925) 939-1916  
Call for hotel voucher program MUST have valid California ID

#### **Substance Abuse**

New Connections  
3024 Willow Pass Road Concord,  
CA 94519-2588

For programs in Central Contra Costa County: (925) 363-5000.  
For programs in East County: (925) 439-7111  
New Connections provides intensive outpatient and outpatient treatment services for adults and their families in Central (Concord) and East (Pittsburg) Contra Costa County.

#### **Legal Representation**

Contra Costa County Public Defenders Office  
Central/East Branch  
800 Ferry Street Martinez, CA 94553  
phone: (925) 335-8000

West County Branch  
3811 Bissell Avenue Richmond, CA 94805  
phone: (510) 412-4900

Alternate Defender Office  
610 Court Street Martinez, CA 94553  
Phone: (925) 646-1740

#### **Free Clinics**

East County  
La Clínica Pittsburg Medical  
2240 Gladstone Drive #4, Pittsburg, CA 94565  
Phone: (925) 431-1230

## **WEST COUNTY**

Brookside Community Health Center - Richmond  
1149 MacDonald Avenue, Richmond, 94801  
Phone: (510) 215-5001

## **CENTRAL COUNTY**

La Clínica Monument  
2100 Monument Boulevard, Pleasant Hill 94523  
Phone: (925) 363-2000

## **ALAMEDA COUNTY**

#### **Low-Income Housing**

Eden Council for Hope and Opportunity  
Regional Rental Assistance Program  
770 A Street Hayward, CA 94541 Phone: (510) 581-9380

#### **Childcare**

Bananas Childcare Services  
510-658-7353  
Monday, Wednesday & Thursday:  
9:30 am - 4:30 pm

#### **Shelters**

Call any of the following numbers for information on shelter sign-up and qualifications; information changes from season to season  
City Team (510) 452-3758  
Travelers Aid (510) 444-6834  
Operation Dignity (510) 893-6505  
BOSS Multi Agency Service Center (510) 843-3700  
Berkeley Emergency Food and Housing Project (510) 649-4976

#### **Parent Support**

Adolescent Family Support Programs-  
The Perinatal Council Headquarters  
2648 International Boulevard, Suite 801 Oakland, CA 94601  
Phone: 510.437.8950 or 877.427.7134 (toll free in Northern California)

#### **Substance Abuse**

Thunder Road  
390 40th Street Oakland, CA 94609 Phone: (510) 653-5040  
Treatment services for youth

East Bay Community Recovery Project (EBCRP)  
2551 San Pablo Avenue Oakland, CA 94612 Phone: (510) 446-7100

#### **Legal Representation**

Alameda County Public Defenders Office  
1401 Lakeside Drive Suite 400, Oakland CA 94612  
Phone:(510) 272-6600

East Bay Community Law Center  
3130 Shattuck Ave Berkeley, CA 94705 phone: (510) 548-4040

National Youth Law Center  
405 14th St., 15th Floor Oakland, CA 94612 phone: (510) 835-8098

#### **Free Clinics**

La Clínica de la Raza  
Oakland, CA  
Phone #: (510) 535-4000  
Optometry, ophthalmology, dental, bilingual, drop-in, family med, pediatric, WIC, OB/GYN, mental health, HIV svc, counseling, I&R, youth services. ER drop in available.

## **SAN JOSE**

#### **Low-Income Housing**

BAHA: Bay Area Homeless Alliance  
115 E. Gish Road, Suite 222, San Jose CA 95112  
Phone: 408-437-8800  
Catholic Charities Shared Housing Program  
2625 Zanker Road, San Jose CA 95134  
Phone: (408) 325-5277

#### **Childcare**

Choices for Children  
111 N. Market St., Suite 100, San Jose, CA 95113  
Phone: (408) 297-3295

Professional Association for Childhood Education  
Alternative Payment Program (PACEAPP)  
PACEAPP Main Office: 1 (800) 541-9922  
South Bay Regional Office:  
1671 The Alameda, Suite 301,  
San Jose , CA 95126  
Phone: (408) 278-1214 x 305

#### **Shelters**

San Jose Family Supportive Housing, Inc.  
1590 Las Plumas Avenue San Jose, CA 95133-1667  
Phone: (408) 926-8885

#### **Substance Abuse**

House on the Hill  
9505 Malech Road, San Jose, CA 95151 (408) 463-0942  
Mailing address for applications  
P.O. Box 21826  
San Jose, CA 95151-1826  
Residential treatment where women can stay for up to 180 days. Women with up to 2 children ages 0-5 years also welcome

#### **Legal Representation**

Santa Clara County Public Defenders Office  
70 West Hedding Street, San Jose, CA 95110 Phone: (408) 299-5500

#### **Free Clinics**

Pacific Free Clinic  
1835 Cunningham Ave.  
San Jose, CA 95122  
Phone #: (408) 705-0119  
Free Service Services: provides basic care for a range of medical

concerns; free laboratory testing; provides free medications and medication vouchers; Pacific Free Clinic offers testing for blood pressure, cholesterol, glucose, and hepatitis B to all patients--even if they do not require a full appointment.

**Rotacare Free Clinic**  
100 Oak St  
San Jose, CA 95110  
Phone #: (408) 924-0401  
Free service

## VENTURA COUNTY

### Housing

Area Housing Authority-County of Ventura  
1400 West Hillcrest Drive Newbury Park CA. 91320 Phone:(805) 480-9991

### Child Care

Subsidized Child Care Central Eligibility List  
221 Ventura Blvd. Oxnard CA. 93036 Phone:(805) 485-7878 ext.551

### Substance Abuse

Found Inc.  
830 South Olive Street Los Angeles,CA 90014 Phone: (213) 683-8300  
Inpatient treatment program

Avalon Carver Community Center  
4920 South Avalon Boulevard  
Los Angeles CA 90011  
Phone: (323) 232-4391

### Legal Representation

Los Angeles County Public  
Defenders Office  
Phone: (213) 974-2811  
Call to find out who represents your area

### Free Clinics

AltaMed Health Services Corp.  
5427 Whittier Blvd. Los Angeles, CA  
Phone: (323) 869-1900  
Family and general medicine, maternal and child health care, geriatric medicine, substance abuse prevention and treatment, HIV/AIDS services, youth services.  
Los Angeles Mission Community Clinic  
303 East 5th St.Los Angeles, CA 90013 Phone: (213) 893-1960  
Monday through Thursday, from  
7:00 AM until 4:00 PM  
Call for appointment.

## MARIN

### Low-Income Housing

Novato Human Needs Center  
1907 Novato Blvd. Novato, CA 94947  
Phone: (415) 897-4147

Provides comprehensive support services for low-income individuals and families, including emergency food, housing/financial assistance, counseling, education, and more.

Salvation Army  
351 Mission Street San Rafael, CA 94901 Phone: (415) 459-4520  
Assist with move in cost and security deposits

### Childcare

Child Care Scholarship Fund  
781 Lincoln Ave, San Rafael, CA 94901 Phone: (415) 459-4240,  
For residents of Marin County, this program provides financial assistance to families with children up to ten years of age.

### Shelters

Homeward Bound of Marin-Family Emergency Center  
(415) 454-7418, 737 East Francisco Blvd, San Rafael, CA 94901  
Provides short-term, emergency housing for 18 families - a total of 57 beds - in a separate wing of a local motel. 13 of the rooms provide emergency housing for a stay of one to 28 days. 5 of the rooms provide transitional housing for a stay up to 4 months. Best times to call are Tuesday through Saturday.

Ritter Center  
(415) 457-8182, 16 Ritter St,  
San Rafael, CA 94901  
Ritter Center offers free showers, laundry facilities, nursing and physician care, and counseling, as well as free food, free clothing, extensive information and referral services. Ritter Center offer financial assistance for rent and household crisis

### Parent Support

Parents Place  
600 Fifth Avenue San Rafael, CA 94901 Phone: (415) 491-7959  
Parents Place of Marin offers "everything to do with parenting." Call for professional advice. Sign up for a special workshop. Adult, child, and family counseling and peer support groups.

### Substance Abuse

Center Point Outpatient & Residential Treatment Programs  
(415) 456-6655, 1601 2nd Street, San Rafael, CA 94901  
Centerpoint Residential Treatment services include a residential treatment facility for adults, adolescents, women and children with counseling, job development, and transitional housing

### Legal Representation

Marin County Public Defender's Office  
3501 Civic Center Drive Rm 139, San Rafael, CA 94903  
Phone: (415) 499-6321

### Free Clinics

Gynecology/Family Planning Program of Women's Health Services  
361 3rd Street, Suite E,  
San Rafael,(415) 507-4019  
Provides a full range of reproductive and adolescent health services, gynecologic assessment and treatment, health outreach and counseling, and education to primarily low-income families. Located in the Montecito Plaza shopping center

## SAN DIEGO

### Low-Income Housing

MAAC Housing & Community  
Development Project  
22 West 35th Street,  
#200 National City, CA. 91950  
Phone: (619) 426-4592

### Childcare

YMCA Childcare Resource Services  
3333 Camino del Rio South, Suite 400  
San Diego, CA 92108  
Phone: (619) 521-3055  
Toll-free: (800)481-2151

### Shelters

Carlton G Luhman Center  
290 S. Magnolia St. San Diego,CA 92020 Phone: (619)447-2428  
Families can stay for 28 days

Hidden Valley House  
200 North Ash Street San Diego, CA 92027 Phone: (760)747-6281  
Can stay up to 45 days

Rachel's Night Shelter  
759 8th Ave. San Diego, CA 92101  
Phone: (619)236-9074  
Can stay up to 6 months-Women only,  
no children

EYE  
200 N. Ash San Diego,CA 92027  
Phone: (760)747-6281  
Provides hotel vouchers for women  
with children

### Parent Support

Family Support & Parenting Service  
Phone: (619) 286-5970

### Substance Abuse

Narconon Southern California Inc.  
1810 W. Oceanfront Newport Beach, CA 92663 Phone: 1-800-876-6378

**Legal Representation**

San Diego Public Defenders Office  
 North Office  
 400 South Melrose, Ste 200 Vista, CA 92083 Phone: (760)945-4000  
 East County Office  
 250 East Main Street El Cajon, CA 92020 phone: (760) 579-3316  
 South Bay Office  
 765 Third Ave., Room 100  
 Chula Vista, CA 91910  
 (619) 498-2001

**Free Clinics**

Beach Area Family Health Center  
 3705 Mission Blvd.San Diego, CA Phone: (858) 515-2444

Logan Heights Family Health Center  
 1809 National Ave  
 San Diego, CA Phone: (619) 515-2300  
 Services: primary care, free immunization for children under two, free HIV testing clinics, Hepatitis B and C and Syphilis tests, Hepatitis vaccinations

**SAN FRANCISCO**

Legal Services for Children  
 1254 Market St. Third Floor  
 San Francisco, CA 94102  
 (415) 863-3762  
 www.lsc-sf.org

Legal Services for Prisoners With Children  
 1540 Market St., Suite 490  
 San Francisco, CA 94102

**Low-Income Housing**

Tenderloin Neighborhood  
 Development Corp  
 201 Eddy Street San Francisco, CA 94102 Phone: (415) 776-2151  
 Provides housing opportunities to low-income and homeless individuals and families

**Childcare**

San Francisco Children's Council  
 Child Care Subsidy Services  
 445 Church Street San Francisco, CA 94114 Phone: (415) 343-3300  
 Call to sign-up for Central Eligibility List

**Shelter**

Connecting Point  
 995 Market St # 6, San Francisco, 94103 (415) 442-5134 or 1-888-811-7233  
 Telephone initial intake hours for clients: Mon to Fri 9AM to 5PM  
 Drop-in hours for clients: Mon 9am-12pm, Wed 10:30am-12pm, and Fri 9am-12pm  
 Must call Connecting Point to get into long term shelter in San Francisco

Hamilton Emergency Family Shelter  
 1525 Waller St. San Francisco CA 94117-2817 Phone: (415) 665-2354  
 YOU MUST CALL AT 11AM FOR A BED  
 OR 60-DAY BED  
 Hamilton Emergency is San Francisco's only family emergency shelter. They serve breakfast, lunch and dinner, have children's services for families staying in shelter and have a dorm style setting. Family must be in at 5pm daily and must leave every morning at 9am. Shelter from 9am to 2pm.  
 TO QUALIFY: Must have children under 18 years of age in your custody or be more than 6 months pregnant.

**Parent Support**

The Homeless Prenatal Program  
 2500 18th Street San Francisco, CA 94110 Phone: (415) 546-6756  
 Call for intake and appointment times

Good Samaritan Family Services  
 1294 Potrero Ave San Francisco, CA 94110 Phone: (415) 824-9475

Girls Justice Initiative  
 375 Woodside Ave. Bldg. W2  
 San Francisco, CA 94127  
 www.bayareagirlsjustice.org

Talkline  
 415-441-KIDS  
 free support services for families who need it. They have counselors that you can talk to 24 hours a day as well as support groups and programs for everyone in the family.

**Substance abuse**

Jelani Inc.  
 1588 Quesada Avenue San Francisco, CA  
 Phone: (415)822-5945 for intakes or (415)695-3111

Casa Aviva House Residential Facility.  
 1724 Bryant Street San Francisco, CA 94110 Phone:(415)558-9125  
 Para español mujeres parlantes con niños

Ozanam  
 1175 Howard St. San Francisco, CA 94103Phone:( 415) 621-6471  
 4 to 72 hour acute detox, to out-patient after that patient should call daily for bed availability

**Legal Representation**

San Francisco Office of the Public Defender  
 555 Seventh Street San Francisco CA 94103  
 Phone: (415) 553-1671

**Free Clinics**

Lyon-Martin Women's Health Services (women only)  
 1748 Market Street, Suite 201  
 Phone: (415) 565-7667

Mission Neighborhood  
 Health Center (Mission District)  
 240 Shotwell Street, San Francisco, CA Phone:(415) 552-3870

Southeast Health Center  
 (Bayview-Hunters Point District)  
 2401 Keith Street San Francisco, Ca. 94124 Phone: (415) 671-7000

Maxine Hall (Western Addition)  
 1301 Pierce Street San Francisco, CA 94117 (415) 292-1300



# LETTER TO CHILD'S CAREGIVER

(Your name)  
(Your address)  
(City, zip code)

Date: \_\_\_\_\_

Dear: \_\_\_\_\_:

I am writing this letter to introduce myself and let you know that I wish permission to visit with my child(ren). I would also like to request to be notified of any mail or correspondence from the court regarding my child(ren).

My child(ren)'s name and birthdates are as follows:

Name \_\_\_\_\_ Birth date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Name \_\_\_\_\_ Birth date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Name \_\_\_\_\_ Birth date: \_\_\_\_/\_\_\_\_/\_\_\_\_

The case number is \_\_\_\_\_.

I am very concerned about the welfare of my child(ren), and I believe it is in my child(ren)'s best interest to stay in contact with me because \_\_\_\_\_  
\_\_\_\_\_.

I am scheduled to return home on \_\_\_\_\_, and I want very much to be reunited with my child(ren) upon my release from \_\_\_\_\_.

Thank you in advance,

Sincerely,



# SAMPLE LETTER TO THE JUDGE

Date: \_\_\_\_\_

(Your name)

Honorable: \_\_\_\_\_

(Your address)

(City, zip code)

\_\_\_\_\_  
\_\_\_\_\_

Dear \_\_\_\_\_:

I am writing this letter to introduce myself and to request that the courts issue an order allowing me to attend court hearings concerning me child(ren) \_\_\_\_\_. The next hearing is scheduled for \_\_\_\_\_.

I would also like to request that the court appoint an attorney to represent me at these hearings because I cannot afford one.

My child(ren)'s name and birthdates are as follows:

Name \_\_\_\_\_ Birth date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Name \_\_\_\_\_ Birth date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Name \_\_\_\_\_ Birth date: \_\_\_\_/\_\_\_\_/\_\_\_\_

The case number is \_\_\_\_\_. I am very concerned about the welfare of my child(ren), and I believe it is in my child(ren)'s best interest to return to my custody because \_\_\_\_\_.

I am scheduled to return home on \_\_\_\_\_, and I want very much to be reunited with my child(ren) upon my release from \_\_\_\_\_.

Please send me and my \_\_\_\_\_ copies of the court order or any paperwork related to this matter. Please send a copy of the Order for Transport to the director at ( correctional facility) \_\_\_\_\_ or the sheriff for (county where the prison/jail is located) \_\_\_\_\_ county and to the sheriff for (county where juvenile court is located) \_\_\_\_\_ county.

Thank you in advance.

Sincerely,



## SAMPLE LETTER TO YOUR SOCIAL WORKER

(Your name)  
(Your address)  
(City, zip code)

(Date)

Ms./Mr. (Name of social worker)  
(address of social worker)

Dear Ms./Mr. (Name)

My name is (your name) and my child's name is (child's name). (Her/his) date of birth is (birth date here) and the case number is (#).

I am writing to let you know that I wish to regain custody of (child's name) and hope to be reunited with (her/him) upon my release from (name of institution) on (release date).

I am very concerned about the welfare of (child's name) and I believe it is in the child's best interest to be reunited with me when I am released. (Add reasons why your child should be with you).

I am serving a (length of sentence) sentence, which means that I will be away from my child for (months/years). Please let me know what steps I must take to be reunited with my child when I am released. It is important to me that I have visits with my child while I am away from (him/her).

I have written to the court to ask that I be transported to the hearing scheduled for (date of hearing). If I am not granted custody of my child, I would like (name of relative), who is my (relationship), to be given custody.

Thank you for your attention to this matter.

Sincerely,

(Your signature)  
(Your printed name)



# **SAMPLE LETTER TO COURT CLERK**

(USE THIS WHEN YOU DONT HAVE A LAWYER REPRESENTING YOU)

Date:

Clerk of the Court  
Superior Court of California  
County of \_\_\_\_\_  
(address of court)  
(city, state, zip code)

Re: (Child support, child custody, visitation, dissolution of marriage, etc)  
Case No. \_\_\_\_\_

Dear Clerk:

I am incarcerated and do not have an attorney to assist me with this paperwork. I am asking for your assistance with these documents.

Enclosed please find:

1. One original and two (2) copies of the following:  
LIST THE DOCUMENTS YOU ARE SENDING, USING ALL UPPERCASE  
LETTERS [for example: PETITION TO ESTABLISH PARENTAL RELATIONSHIP;  
RESPONSE; APPLICATION FOR FEE WAIVER]
2. A self-addressed, stamped envelope

Please file and stamp these documents for me and return one copy to me in the envelope enclosed with this letter. I am also requesting that you provide me with a hearing date on this matter at least six (6) weeks after the date of this letter [only include this if you are the petitioner and there is no scheduled hearing in the case]

Thank you for your attention and assistance.

Sincerely,  
Sign your name

(Print your name, include your prison/jail number) (name of prison/jail facility)  
(address)(city, state, zip code)

[Note: keep a copy of this letter until you receive a stamped copy back from the clerk



# SAMPLE LETTER TO YOUR PROBATION OFFICER

(Your name)  
(Your address)  
(City, zip code)

(Date)

Mr./Ms. (Name of probation officer)  
(Street address)  
(City, state, zip code)

Dear Mr./Ms. \_\_\_\_\_

I am writing to introduce myself and to let you know that I wish to regain custody of my child when I am released from (name of institution) on (date of release). I am very concerned about the welfare of my child and I believe it is in the best interest of my child to be reunited with me when I am released from prison. (Add your reasons as to why the child should be returned to you).

During my incarceration, my child was in the care of (name of person), who is my (mother, aunt, etc.).

Please let me know what steps I must take to be reunited with my child. My release date is only (\_\_\_\_) days/months from now, and I want to have a plan and start working on the plan before I am released.

Thank you for your attention to this matter.

Sincerely,

(Your signature)  
(Your printed name)



# LETTER TO ATTORNEY

My Information

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_, \_\_\_\_\_

Ms./Mr. \_\_\_\_\_:  
Lawyer's name

I am writing this letter to introduce myself and request to be in attendance at the court proceedings regarding the of my child(ren). I have been informed that this hearing is scheduled for \_\_\_\_\_, \_\_\_\_.

It is my understanding that you have been appointed to represent me and assist me in getting custody of my child(ren), \_\_\_\_\_. His/her date of birth is \_\_\_\_\_ and the case number is \_\_\_\_\_.

I have every intention to be reunited with my child(ren) when I am released from \_\_\_\_\_. In the event that I am not granted physical custody and or legal custody of my children, I would like custody to be given to \_\_\_\_\_ who is my \_\_\_\_\_. This individuals contact information is located at the bottom of this letter.

I look forward to discussing my case with you and working with to regain custody of my child(ren) and not have my parental rights terminated by the courts.

Please send any information that I am allowed to have regarding my case to me.  
Thank you.

Sincerely ,

Signature \_\_\_\_\_  
Printed name

I would like the following person to be granted custody of my child in the event that My rights are terminated

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_



# SAMPLE LETTER-REQUESTING ALTERNATIVE SENTENCING

Dear Honorable Judge Smith:

The first paragraph should address who the letter is for and how long they have know you, or have been working with you.

I am writing this letter on behalf of Jane Doe. Ms. Doe has been a client at our organization for the past 3 years. I am writing this letter as a character reference for Ms. Doe and to advocate for to fulfill the rest of her sentence on house arrest.

There should also be a sentence stating what the letter is for.

Ms. Doe came to our agency voluntarily. Since she has been with us she has made all of her appointments on time, and when she could not attend she called to notify me. She has also joined our women's support group and is well liked by other participants.

If you were not mandated to enroll in the program, have them note that in the letter, this shows you took initiative to work on your issue yourself

Ms. Doe has made the initiative to work towards getting her life back together. She is trying to find her family a place to live. She is currently in money management classes, has completed her life skills and parenting classes and signed herself up on the San Francisco Housing Authority waiting list. She is also taking training classes in office management so that she may be able to find a stable job to pay for an apartment. Her children are also in school and we have had many discussions about her aspirations for her children.

The letter should also discuss your participation conduct: IF you come on time, follow through on task, call when you are late, etc.

The letter should also discuss what progress you have made to change your life for the better.

We have discussed the possibility of Jane going back to jail to fulfill the rest of her sentence and believe that provided all of her progress, house arrest would be a more realistic option so that she can continue to take care of her children and complete her classes so that she can find a stable job and secure housing for her family. We have no intention of closing Ms. Doe's file and plan to assist her with finding a job after she graduates.

Please feel free to call me regarding this letter or Ms. Does participation in our program.

Sincerely,

D. Jones, ext. 10  
Case Manager

If you and your case manager are suggesting an alternative sentencing or plan to the one the court is asking of you, her/she needs to list why this plan would work best for you and your family.

Before requesting a letter from an advocate or case manager, make a list of things you suggest that he/she discuss in the letter. Think realistically about what it is you believe she should talk about in the letter. Case managers and advocates will not lie for you, so for instance, if you ask her to talk about your attendance in support group and you haven't attended, its best not to have her discuss that in the letter.

Always ask who ever you are asking to write a letter for you, WHAT THEY ARE GOINT O SAY IN THE LETTER, before you give them the name and address of the person it is going to such as the judge. If the letter is going to paint a negative picture of you, tell them you will get a character reference from someone else. (See chapter on *Letters of Reference and Good Character*,pg .)



# CAREGIVER'S AUTHORIZATION AFFIDAVIT

Use of this affidavit is authorized by Part 1.5 (commencing with Section 6550) of Division 11 of the California Family Code.

Instructions: Completion of items 1-4 and the signing of the affidavit is sufficient to authorize enrollment of a minor in school and authorize school-related medical care. Completion of items 5-8 is additionally required to authorize any other medical care. Print clearly.

The minor named below lives in my home and I am 18 years of age or older.

1. Name of minor: \_\_\_\_\_
2. Minor's birth date: \_\_\_\_\_
3. My name (adult giving authorization): \_\_\_\_\_
4. My home address: \_\_\_\_\_
5.  I am a grandparent, aunt, uncle, or other qualified relative of the minor (see back of page for a definition of "qualified relative").

Check one or both of the following boxes (for example, if one parent was advised and the other cannot be located, you check both boxes).

6.  I have advised the parent(s) or other person(s) having legal custody of the minor of my intent to authorize medical care, and have received no objection.  
 I am unable to contact the parent(s) or other person(s) having legal custody of the minor at this time, to notify them of my intended authorization.

7. My date of birth: \_\_\_\_\_
8. My California driver's license or identification number: \_\_\_\_\_

You may provide your social security number or Medi-Cal number if you do not have a driver's license or I.D.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_

---

**Warning: Do not sign this form if any of the statements are incorrect, or you will be committing a crime punishable by a fine, imprisonment, or both.**





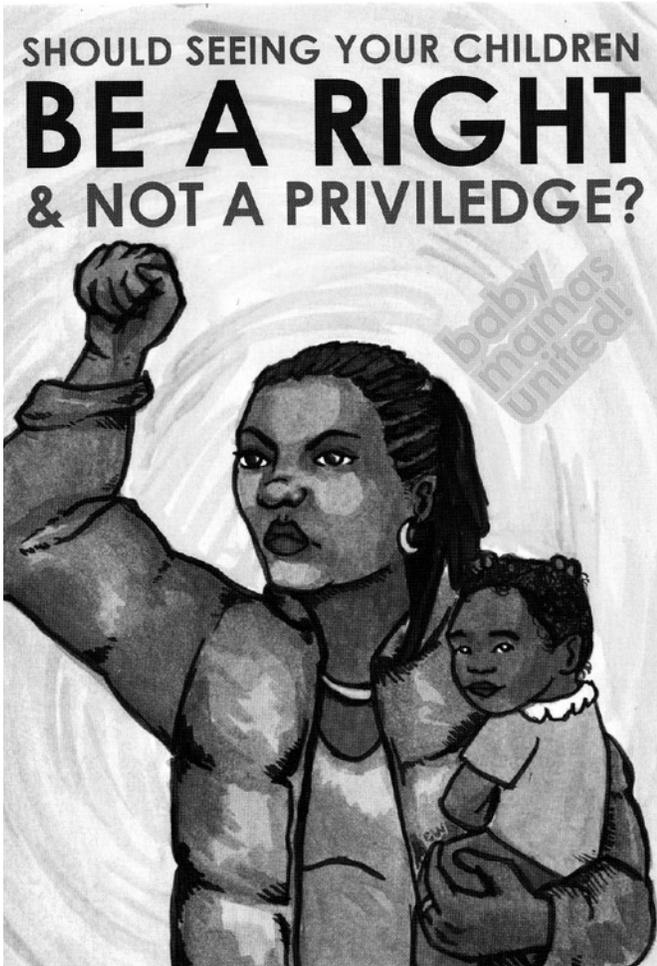












## CUT THIS CARD OUT

WITH THIS MEMBERSHIP YOU WILL RECEIVE:

Information and updates on the program and the work CYWD is doing.

Invitations to special events

Access to resources & advocacy



### BABY MAMMAS UNITED MEMBERSHIP CARD

Member \_\_\_\_\_

I am a mother. Please contact the following person in the event that I am detained or in case of an emergency.

- Ask them to let my child(ren) know that I love them
- What I am being detained for
- What facility I am in
- Any other information pertaining to my well-being

Emergency Contact(s)

1. Name \_\_\_\_\_ # \_\_\_\_\_

2. Name \_\_\_\_\_ # \_\_\_\_\_

3. The Center for Young Women's Development (415) 703-8800

### I WANT TO JOIN BABY MAMA'S UNITED!

With this membership you will receive:

- Information and updates on Baby Mama's United and the work CYWD is doing.
- Invitations to special events
- Access to recourses & advocacy
- Support from other young mothers trying to hold it down!

NAME: \_\_\_\_\_ AGE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

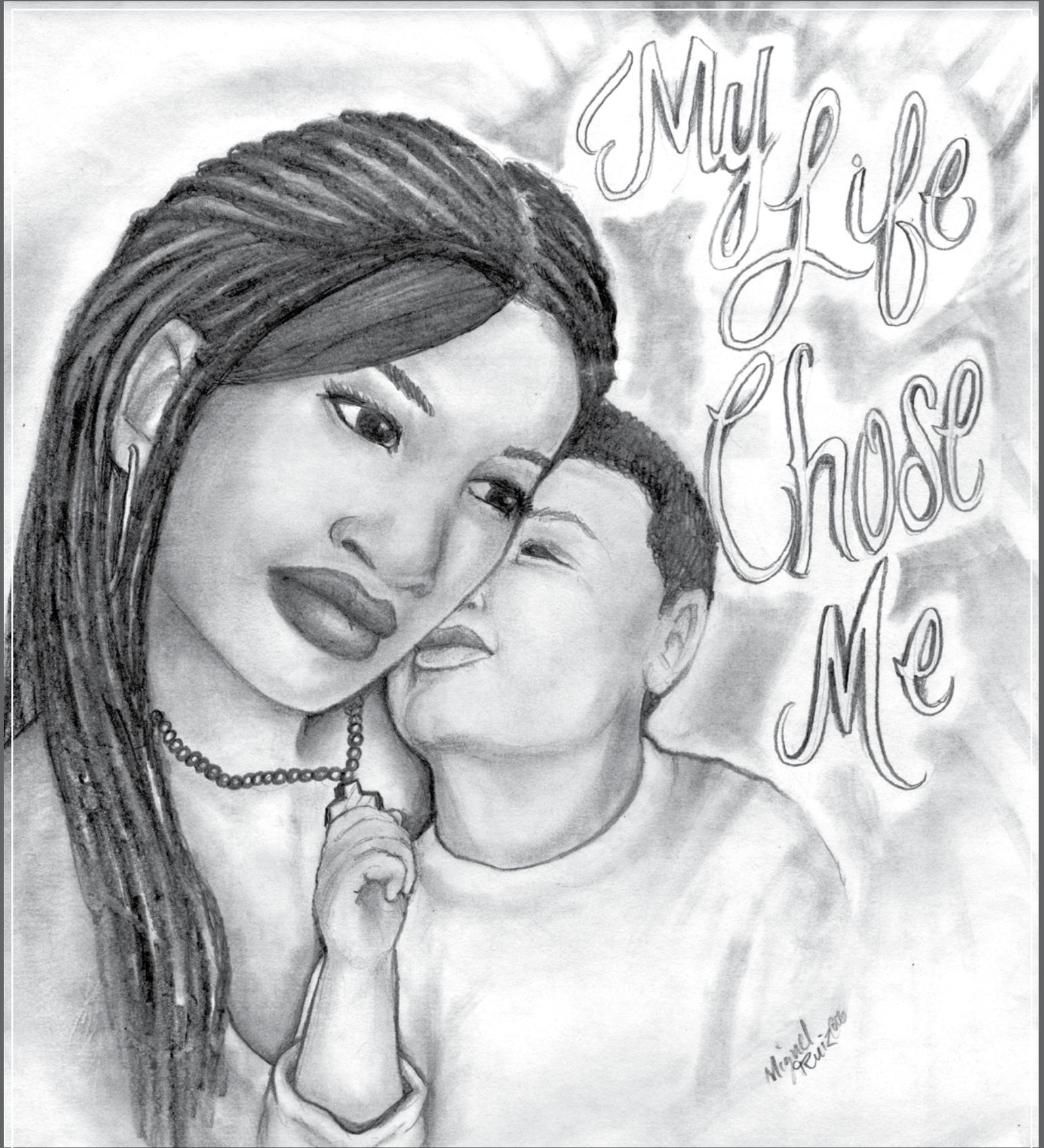
A YOUNG MOTHERS GUIDE TO  
SURVIVING THE SYSTEM

- 1.I have the right to be treated with dignity and respect
- 2.I have the right to be a mother and not be discriminated against because of my age or offense
- 3.I have the right to regular check-ups, proper prenatal care and nutrition
- 4.I have the right to have somebody with us while I am giving birth
- 5.I have the right not to be handcuffed and shackled during labor
- 6.I have the right to recovery in a hospital after birth
- 7.I have a right to see, touch, and speak to my child(ren)
- 8.I have a right to be informed about my child's well-being and safety
- 9.I have a right to support and advocacy while incarcerated and to be informed of my rights as a parent
- 10.I have the right to access information and education, such as prenatal and parenting classes, so that I can be the best parents I can be

**MAIL TO :**

Baby Mama's United Membership  
The Center for Young Women's Development  
1550 Bryant Street, Suite 700  
San Francisco, CA 94103





*A Young Mother's Guide  
to Surviving the System*