

New Mexico Foster Child and Youth Bill of Rights



Every child in the foster care system is endowed with the rights inherently belonging to all children. In addition, because of the unique circumstances facing foster children, special safeguards, resources and care are also necessary.

Below you will find a list of rights that are to be given to every child and youth in custody of the Children, Youth and Families Department. These rights must be explained by the caseworker to every child and youth in a manner in which they can understand. These rights are to be reviewed, in detail, upon entering custody and at a minimum of every six months. Additionally, these rights are to be clearly posted in all CYFD and service provider offices. They are to be provided to all staff working with foster children and youth, and to all foster parents.

- 1. To be informed of your rights in foster care by your caseworker and to receive a list of those rights in written form.**
- 2. To have your privacy protected and your right to confidentiality adhered to, as outlined in the New Mexico Children's Code.**
- 3. To be explained why you came into foster care and why you are still in foster care by a representative of CYFD.**
- 4. To be free from physical, sexual, emotional or other abuse, including corporal punishment.**
- 5. To stay safe and avoid exploitation.**
- 6. To advocate for yourself and to speak to persons involved with your case without negative repercussions.**
- 7. To make a report to Statewide Central Intake (1-800-797-3260) if you feel you are being abused and/or neglected.**
- 8. To be represented by a guardian ad litem or youth attorney in all judicial matters (hearings and mandatory meetings) conducted in your abuse/neglect case so that your interests are shared and safeguarded; to attend and participate in all court hearings as coordinated through your attorney.**
- 9. To be informed of how to contact your caseworker and other professionals involved in your case.**
- 10. To contact your attorney, caseworker and CASA when you want.**
- 11. To have a minimum of at least monthly visitation with your caseworker, which includes private time between yourself and the caseworker.**
- 12. To receive medical, dental, vision and behavioral health services.**
- 13. To refuse medical and behavioral health services and medications, unless court ordered, after age 14.**
- 14. To live in a safe, healthy and comfortable home where you are treated with respect.**





- 15. To have foster parents who are screened, trained and licensed, and who receive adequate support and supervision from CYFD and/or private agencies.**
- 16. To receive adequate and healthy food, adequate clothing and appropriate personal hygiene products.**
- 17. To have all your personal belongings secure and transported with you.**
- 18. To have a permanent plan for placement, to participate in developing this plan, and to have choice in placement or the right to request a placement change.**
- 19. To be placed in a home with your siblings who are in custody unless it is contrary to your safety and/or well-being.**
- 20. To maintain regular contact with your siblings, whether or not they are in custody, unless it is contrary to your safety and/or well-being.**
- 21. To have regular and ongoing contact (by phone, through letters and in person) as soon as possible after entering custody with biological parents, relatives and other important people in your life, unless it is contrary to your safety and/or well-being and prohibited by a court order or you choose not to.**
- 22. To be informed by a CYFD representative when contact with important people in your life is being monitored or prohibited, and the reasons it is being monitored or prohibited.**
- 23. To remain in the same school you were enrolled in before entering into custody and to remain in the same school throughout your stay in custody; to be provided with transportation arrangements to ensure continued enrollment in the same school.**
- 24. To attend and participate in school meetings, including parent/teacher conferences, Individual Education Planning (IEP) meetings and Next Step Planning meetings.**
- 25. To participate in extracurricular, cultural, spiritual and personal enrichment activities.**
- 26. To be involved in the development of your treatment plan, life skills plan, transition plan and visitation plan; to receive factual information about the treatment decisions made by the agency that affect your life.**
- 27. To have a plan for your future, including a life skills plan and transition plan; to be offered services to help you prepare to become a successful adult.**
- 28. To an annual credit check from age 14 to 18.**
- 29. To initiate a review of any prudent parenting decision made by your foster parents, at 14 and older.**