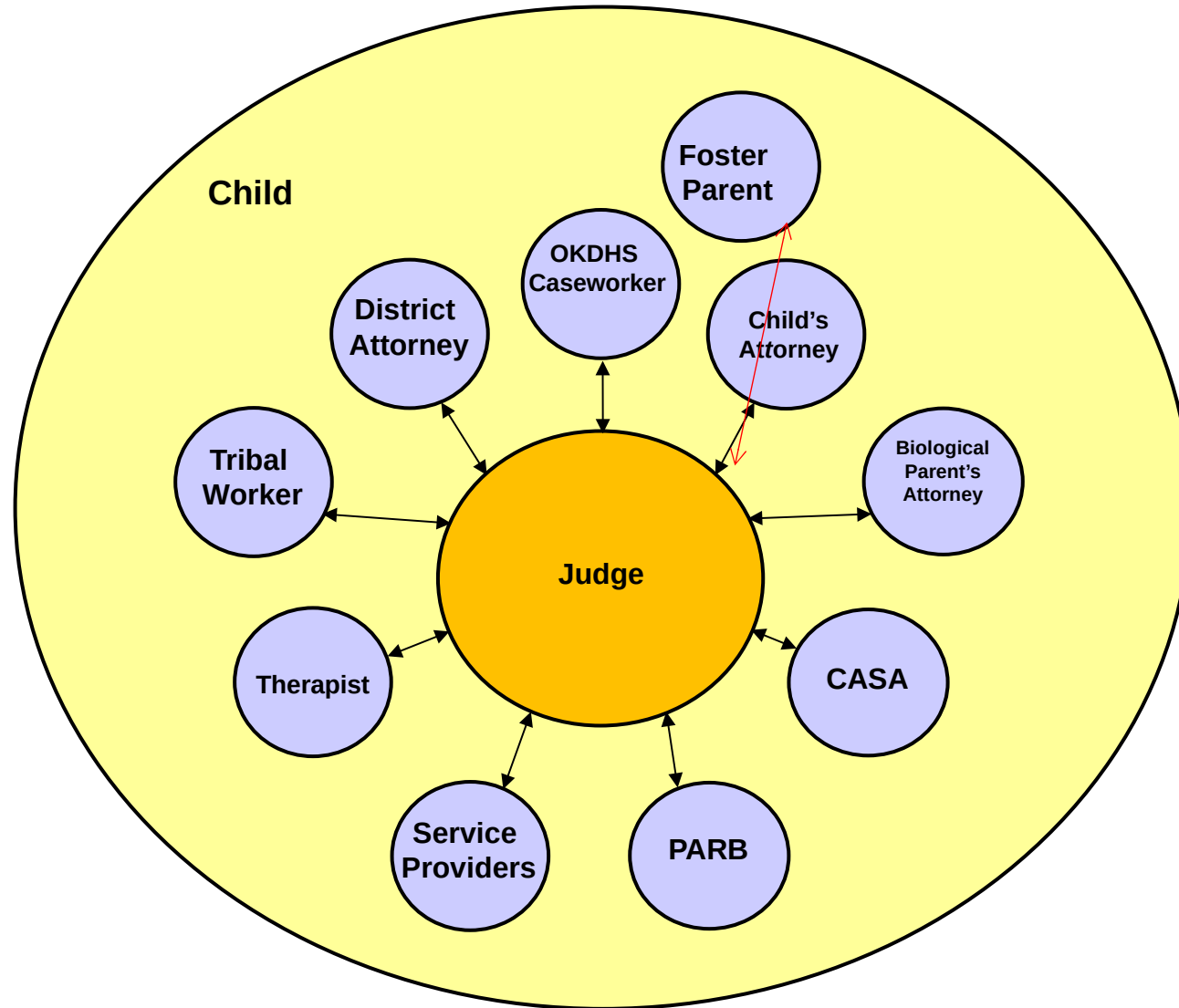
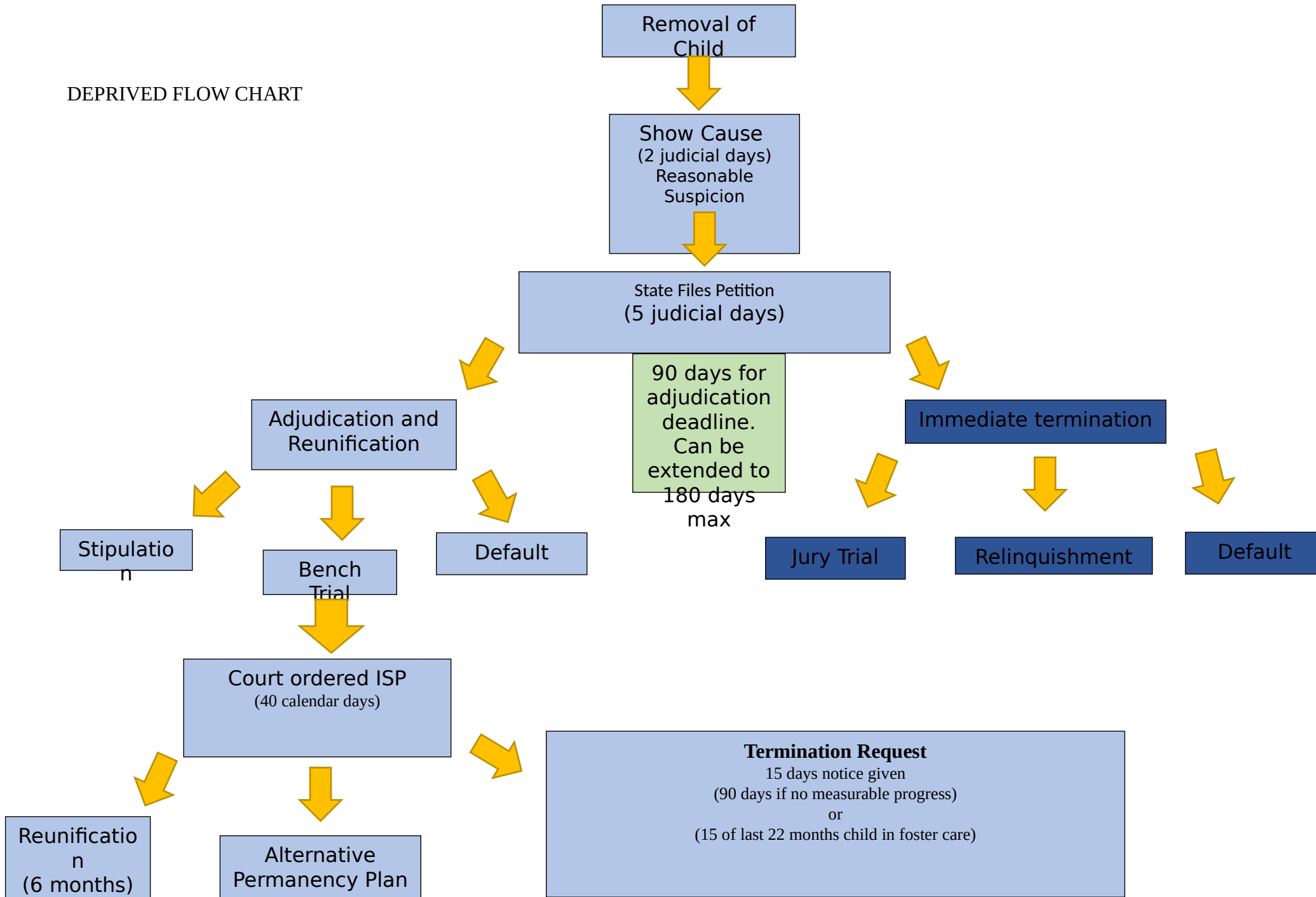


THE COURT PROCESS

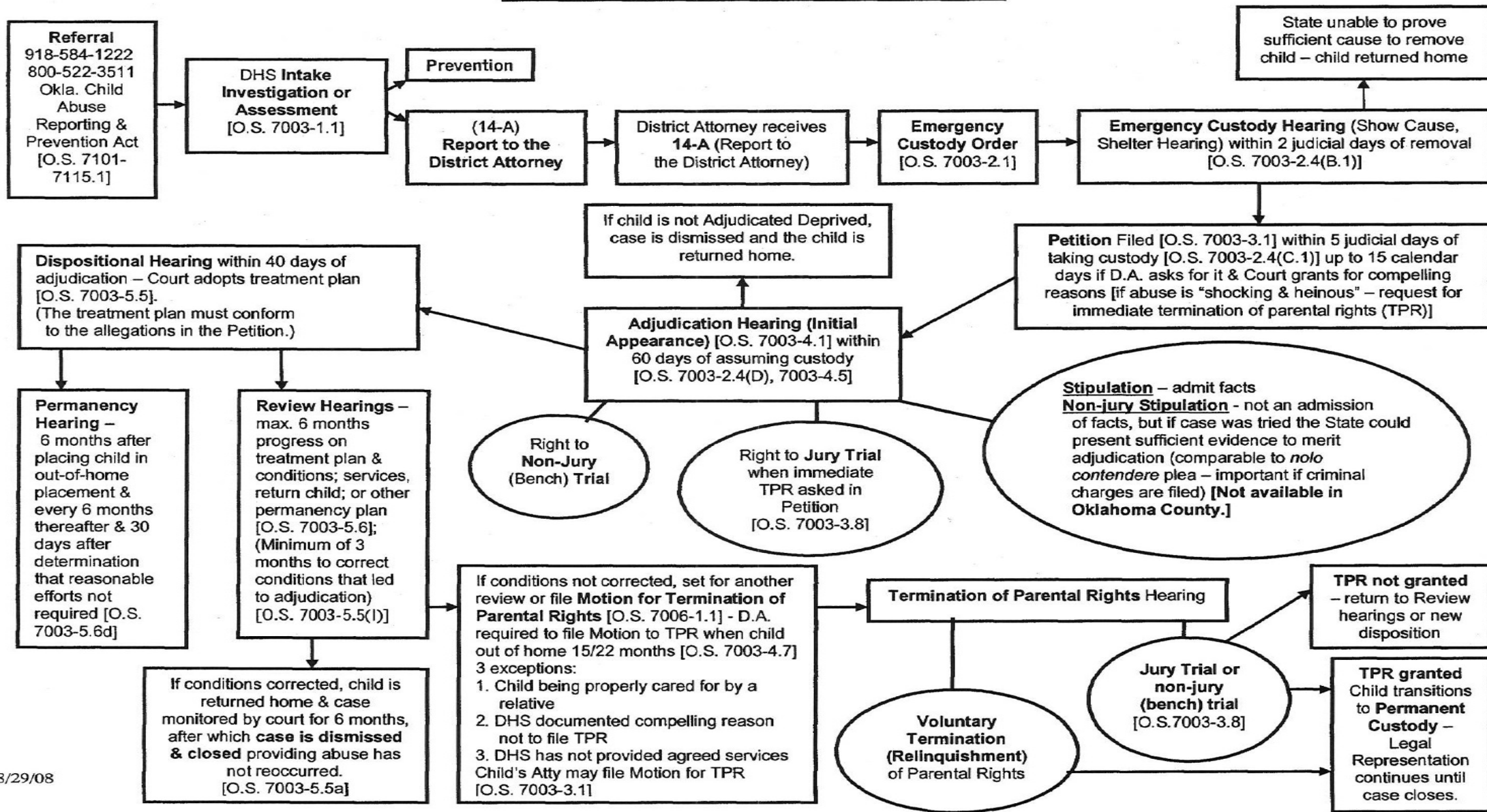


DEPRIVED FLOW CHART



Stages of a Deprived Case (Okla. Statutes, Title 10)

[Prepared by Tulsa Lawyers for Children, Inc.]



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8/29/08

FOSTER PARENT'S RIGHTS



A statement of foster parent's rights shall be given to every foster parent annually and shall include, but not be limited to, the right to:



Be treated with dignity, respect, and consideration as a professional member of the child welfare team;



Be notified of and be given appropriate, ongoing education and continuing education and training to develop and enhance foster parenting skills;



Be informed about ways to contact the state agency or the child-placing agency in order to receive information and assistance to access supportive services for any child in the foster parent's care;



Receive timely financial reimbursement for providing foster care services;



Be notified of any costs or expenses for which the foster parent may be eligible for reimbursement;



Be provided a clear, written explanation of the individual treatment and service plan concerning the child in the foster parent's home, listing components of the plan pursuant to the provisions of the Oklahoma Children's Code;

RIGHTS CONTINUED

Receive, at any time during which a child is placed with the foster parent, additional or necessary information that is relevant to the care of the child;

Be notified of scheduled review meetings, permanency planning meetings, family team meetings and special staffing concerns for any foster child placed in the foster parent's home in order to actively participate in the case planning and decision-making process regarding the child;

Provide input concerning the plan of services for the child and to have that input be given full consideration in the same manner as information presented by any other professional on the team;

Communicate with other foster parents in order to share information regarding the foster child. In particular, receive any information concerning the number of times a foster child has been moved and the reasons why, and the names and telephone numbers of the previous foster parent if the previous foster parent has authorized such release;

Communicate with other professionals who work with the foster child within the context of the team including, but not limited to, therapists, physicians, and teachers;

Be given, in a timely and consistent manner, any information regarding the child and the child's family which is pertinent to the care and needs of the child and to the making of a permanency plan for the child. Disclosure of information shall be limited to that information which is authorized by the provisions of Chapter VI of the Oklahoma Children's Code for foster parents;

Be given reasonable notice of any change in or addition to the services provided to the child pursuant to the child's individual treatment and service plan;

RIGHTS CONTINUED

Be notified by the applicable state agency in a timely and complete manner of all court hearings, including notice of the date and time of any court hearing, the name of the judge or hearing officer hearing the case, the location of the hearing, and the court docket number of the case;

Be informed of decisions made by the court, the state agency or the child-placing agency concerning the child;

Be considered as a preferred placement option when a foster child who was formerly placed with the foster parent is to reenter foster care at the same level and type of care, if that placement is consistent with the best interest of the child and other children in the home of the foster parent;

Be provided a fair, timely, and impartial investigation of complaints concerning the certification of the foster parent;

Be provided the opportunity to request and receive a fair and impartial hearing regarding decisions that affect certification retention or placement of children in the home;

Be allowed the right to exercise parental substitute authority;

RIGHTS CONTINUE D



Have timely access to the appeals process of the state agency and child placement agency and the right to be free from acts of harassment and retaliation by any other party when exercising the right to appeal;



Be given the number of the statewide toll-free Foster Parent Hotline;



File a grievance and be informed of the process for filing a grievance; and



Receive a copy of the liability insurance policy the Department of Human Services maintains for every Department-contracted foster home placement.

COMMON COURT PROCEEDINGS OF WHICH A FOSTER PARENT MAY BE A PARTY

OBJECTION TO
REMOVAL HEARING

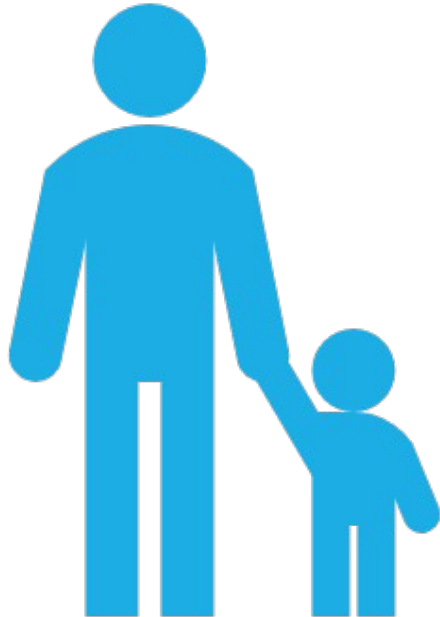
COMPETING
ADOPTION
HEARING OR 'BEST
INTEREST HEARING'

WHAT THE COURT CONSIDERS IN AN OBJECTION TO REMOVAL HEARING

- The court shall conduct an informal placement review hearing within fifteen (15) judicial days on any objection filed by a party, foster parent or group home pursuant to this section. The court may order that the child remain in or be returned to the home of the objecting foster parent or group home if the court finds that the placement decision of the Department or child-placing agency was
 1. arbitrary,
 2. inconsistent with the child's permanency plan or
 3. not in the best interests of the child.



BEST INTEREST HEARING



- A. During any permanency hearing, if it is determined by the court that a child should be placed for adoption, the foster parent of the child shall be considered eligible to adopt the child, if the foster parent meets established eligibility requirements pursuant to this section.
- B. If the child has resided with a foster parent for at least one (1) year, the court shall give great weight to the foster parent in the adoption consideration for the child unless there is an existing loving emotional bond with a relative of the child by blood or marriage who is willing, able, and eligible to adopt the child.

BEST INTEREST HEARING CONTINUED

- C. In making such determination, the court shall consider whether the child has become integrated into the foster family to the extent that the child's familial identity is with the foster family, and whether the foster family is able and willing permanently to treat the child as a member of the family. The court shall consider, without limitation:
 - 1. The love, affection, and other emotional ties existing between the child and the relatives of the child, and the child's ties with the foster family;
 - 2. The capacity and disposition of the child's relatives as compared with that of the foster family to give the child love, affection, and guidance and to continue the education of the child;
 - 3. The length of time a child has lived in a stable, satisfactory foster home and the desirability of the child's continuing to live in that environment;
 - 4. The physical and mental health of the relatives of the child as compared with that of the foster family;
 - 5. The experiences of the child in the home, school, and community, both when with the parents from whom the child was removed and when with the foster family;
 - 6. The age and preference of the child;
 - 7. The long-term best interests of the child; and
 - 8. Any other factor considered by the court to be relevant to a particular placement of the child.