

EQUITY FOR ALL KIDS



To: Members of the Judiciary Committee
From: Rachel White, JD, Child Welfare Policy Director
Re: HB 369- Foster Parents Right to Intervene
Date: February 6, 2020
Position: Oppose

Thank you for the opportunity to provide testimony in opposition of HB 369- Foster Parents, Pre-Adoptive Parents, and Caregivers- Right to Intervene. ACY has the greatest respect for resource parents providing care for youth in the custody of the Department of Human Services however we believe that this bill has unintended consequences that are not in the best interest of children.

Existing Maryland statute requires foster parents to be notified of all hearings for the youth in their care and also the opportunity to be heard in court to speak to the special knowledge they possess from the day to day interactions of youth in their home. The main issue is whether this is happening in practice, legislation cannot control for this. This can be improved through training caseworkers and judicial personnel on the rights of foster parents and instilling accountability mechanisms to ensure that it is being implemented in practice.

With respect to sharing information, there is no doubt that foster families are critical members of the team. It is imperative that all information necessary to provide care to the child be shared with the caregiver, a requirement already in statute. Whether failure to share that information is a training or enforcement issue is unknown. It is imperative that protected information is that which may be personal to the child's family, and not pertinent to the care of the child remains confidential.

Just as the information in a home study isn't released to a biological parent, details about a biological parent that are irrelevant to the care of the child should remain confidential as well to continue to foster a collaborative relationship between parents and caretakers. Making the openness of this information a matter for the court to decide resonates as an opportunity to undermine a child's best interests.

For the reasons stated above we ask that you issue an unfavorable report to HB369: Foster Parents, Pre-Adoptive Parents and Caregivers – Right to Intervene. This bill has the potential to promote animosity between foster parents and the parents of the children they care for, conflict that is antithetical to the team work that best serves children and results in the achievement of timely permanence.

1 North Charles Street Suite 2400 | Baltimore, MD 21201 | www.acy.org | 410-547-9200 |

Advocates for Children and Youth builds a strong Maryland by advancing policies and programs to ensure children and families of every race, ethnicity, and place of birth achieve their full potential.