



WASHINGTON

Topics:

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HOW THE STATE CAN REMOVE CUSTODY

Statute: §§13.34.180; 13.34.190; 13.34.132¹

Grounds: Abandonment or extreme parental disinterest, abuse/neglect, mental illness or deficiency, alcohol or drug induced incapacity, felony conviction/incarceration, failure of reasonable efforts, sexual abuse, abuse/neglect or loss of rights of another child, child judged in need of services/dependent, child’s best interest, felony assault of child or sibling, murder/manslaughter of sibling child, identity or location of parent unknown, parent is a sexually violent predator, aggravated circumstances.

WHAT THE LAW SAYS ABOUT SEPARATING A MOTHER FROM HER BABY

It appears pursuant to state law that upon the birth of her child, the foster teen possesses legal custody to the extent that she has the right to bring legal proceedings on her newborn’s behalf The Revised Code of Washington 26.21A.205 (Proceeding by minor parent) thus sets forth that a minor parent, or a guardian or other legal representative of a minor parent, may maintain a proceeding on behalf of or for the benefit of the minor's child. Attorneys and judges can attempt to ensure that teen parents are not forced to sign a voluntary placement agreement. The agreement can have dire consequences for a young mom in care who wishes to keep her baby after emancipation ² Some foster teen moms may need a chance to “catch their breath” after their baby’s birth. The alternative of temporary foster care is available through the state and services that have the foster teen sign a voluntary agreement to hand over custody for a limited time only. When the separation is over and the foster teen is ready to resume responsibility for childcare, the infant is returned to her pursuant to the terms of the temporary foster care contract she signed. The foster teen should obtain legal counsel to assist and advise as to the temporary foster care alternative.

¹ National Center for State Courts' Knowledge and Information Services.

² <http://www.jrplaw.org/Documents/Teens%20Aging%20Out%20of%20Foster%20Care%20in%20Oregon.pdf>

unfitness; statutory definition of “dependent child” has number of components, including statutory definition of developmentally disabled child, level of services required for child's care, whether those services can be provided for in-home, and parent's assent that services appropriate to child's needs cannot be provided in-home. RCWA 13.34.030(2)(d), 13.34.030 note.

RESOURCES

Department of Social Health Services

PO Box 45130 Olympia, WA 98504

Phone: (800) 737-0617

<http://www1.dshs.wa.gov/>

Legal Resources

TeamChild

1120 East Terrace 203 Seattle, WA 98122

Phone: (206) 322-2444

Fax: (206) 381-1742

<http://www.teamchild.org>

Organization Email: questions@teamchild.org

The Teen Parents and the Law (TPAL) program is based on a national teen court curriculum and serves to teach teen parents life skills through the prism of civic education. The intensive program takes place over a number of weeks and covers topics such as landlord-tenant law, consumer protection, child custody, child abuse and neglect, domestic violence, voter registration, and state mandatory education requirements. The program is designed to teach teen parents the skills to be effective parents and self-advocates. In April 2005, the Administrative Office of the Courts held a 'train the trainers' program on the TPAL curriculum for Family Court staff members. Ten Family Courts were supplied curriculum materials and are either implementing the program or are in the planning stages of implementation.⁶

Northwest Justice Project

401 Second Ave. South Suite 407 Seattle, WA 98104

Phone: (206) 464-1519 or (888) 201-1014

www.nwjustice.org

⁶ <http://www.abanet.org/abanet/child/statesum/allstate.cfm?y=2005>



Transitional or Independent Living Program

Child Youth Teens – Adolescent Pregnancy and Parenting Program

Yakima, WA 98901
Phone: (509) 453-6681

Schools Public - Teen Parent Program

5th And Pioneer, Ridgefield, WA 98642
Phone: (360) 313-4446

Institute for Family Development (formerly Behavioral Sciences Institute), developers of the HOMEBUILDERS Program

34004 16th Ave South, Suite 200 Federal Way, WA 98003-8903
253-874-3630 Seattle
253-927-1550 Tacoma
253-838-1670 FAX

Provides a range of innovative and cost-effective in-home services to children and families, including HOMEBUILDERS® Intensive Family Preservation and Reunification Services (IFPS), Parent Child Interaction Training (PCIT), and Functional Family Therapy (FFT). The Institute's Intensive Family Preservation Services and Reunification Services, Parent Child Interaction Training, and Functional Family Therapy, are all demonstrated to effectively address the growing problems of family dissolution, child abuse and neglect, juvenile delinquency and family conflict.

Washington State Children's Administration

115 Washington Street PO Box 45710 Olympia, WA 98504-5710
Phone: (360) 902-8262
Fax: (360) 902-7903

YMCA of Greater Seattle

Independent Living Program (Region 4)
2100 24th Ave S. Suite 250 Seattle, WA 98144
Phone: (206) 749-7577

Independent Living Program offered through Catholic Family & Child Service

5301 Tieton Drive, Suite C Yakima, WA 98908
Phone: (509) 965-7100 or (800) 246-2962

Nurturing Network

<http://nurturingnetwork.org/contact.html>

APPLE PARENTING /BUILDING YOUNG FAMILIES

1102 J Street SE Auburn, WA 98002

Phone: (253) 939-0870

We cover topics like pregnancy and delivery, newborn care, child development, behavior management, life skills (budgeting, menus), health and safety and continuing education.

Mother-baby Residential Facilities

Birthright of Longview, Inc.

2551 Colorado St. Longview, WA 98632-1851

Phone: (360) 423-2900 or (800) 550-4900

FRIDAY HARBOR

Inter-Island Crisis Pregnancy Center

425 Argyle Way, Stes B & C Friday Harbor, WA 98250

Phone: (360) 378-4787

Substance Abuse Health & Treatment Resources

PYT is an initiative of SAMHSA (the Federal Substance Abuse and Mental Health Services Administration) focusing on developing transition service systems for youth with behavioral or emotional difficulties (2002-2006). PYT projects are in ME, PA, MN, UT, and WA. The National Technical Assistance Center for Youth Transition at the University of South Florida coordinates PYT Project activities and evaluation. On this web site, learn more about the PYT initiative and individual projects and access an extensive collection of web links, e-newsletters, and other publications ntacyt.fmhi.usf.edu

Friends of Youth

Family Resource Center Campus

16225 NE 87th Street Suite A-6 Redmond, WA 98052

Phone: (425) 869-6490

Fax: (425) 869-6666

Childcare Assistance

Liaison between the National American Academy of Pediatrics and all State Early Education and Child Care activities are listed below.

FAAP (District 8)

Mercer Island Pediatric Assoc P S

2553 76th Ave SE Mercer Island, WA 98040-2758

Phone: 206-275-2122 ex

Fax: 206-275-0860

E-mail: dsg@mipakids.org

Child Care and Development Fund (CCDF)

The primary Federal program specifically devoted to childcare services and quality. It enables low-income parents and parents receiving Temporary Assistance for Needy Families (TANF) to work or to participate in the educational or training programs they need in order to work.

http://www.acf.hhs.gov/programs/ccb/ccdf/ccdf06_07desc.doc

http://www.clasp.org/publications/faq_tanf_repro_health.pdf.

Provides some answers to frequently asked questions about how to use TANF funds for pregnancy prevention and teen parent services. The paper addresses the purposes for which TANF can be used, what TANF cannot pay for, the population that can be served, and numerous other TANF issues that pertain to teen parents. (Levin-Epstein, J. (1999) Frequently Asked Questions: Tapping TANF for Reproductive Health or Teen Parent Initiatives. Center for Law and Social Policy).

Building Capacity Project Washington

This project seeks to expand access to certain hard-to-find forms of child care (including infant care, middle-school child care, before- and after-school care, evening and weekend care, and care for children with disabilities) by providing training so that first-time care providers may gain licensing, and existing child care centers may expand their capacity.

TANF (Temporary Aid to Needy Families) Funds

Washington's TANF is known as WorkFirst

Assistant Secretary for Economic Services

Washington Department of Social & Health Services

PO Box 45070

Olympia, WA 98504-5070

Phone: (360) 902-7808

FAX: (360) 902-7848

Department of Social & Health Services
PO Box 45070
Olympia, WA 98504-5070

TANF is time-limited public assistance payments made to poor families, based on Title IV-A of the Social Security Act. The program provides parents with job preparation, work, and support services to help them become self-sufficient.

TANF/AFS (Adult and Family Services) or other

TANF legislation includes two rules specific to minor parents (parents under age 18). One rule requires that minor parents live in an approved arrangement, usually with their parents. The other rule requires that minor parents typically participate in education leading to a high school diploma or GED.

The living arrangement requirement to receive TANF says that a state is prohibited from spending federal TANF funds on assistance to an unmarried, minor, custodial parent unless she lives with a parent, legal guardian or other adult relative or is approved for an exception. The law recognizes limited exceptions to this rule including situations in which a parent, legal guardian, or other adult relative is not available or when such a placement could result in harm to the minor parent and/or her child. When residing with a parent, legal guardian or other adult relative is inappropriate, the state must "provide, or assist the individual in locating, a second chance home, maternity home, or other appropriate adult-supervised setting." Alternatively, the state may determine that a teen parent's independent living arrangement is appropriate and that it is in the "best interest" of her child to make an exception to the general rule.⁷

Washington State's Building Capacity Project

This TANF-funded project seeks to expand access to certain hard-to-find forms of child care (including infant care, middle-school child care, before- and after-school care, evening and weekend care, and care for children with disabilities) by providing training so that first-time care providers may gain licensing, and existing child care centers may expand their capacity.

According to the Center for Law and Social Policy (http://www.clasp.org/publications/ehs_teens.pdf), Early Head Start programs can facilitate relationships in the medical community and help provide information to teen parents about the medical needs of their children with disabilities. Teen parents of children with disabilities are likely to experience the health care system more acutely than other

⁷ <http://www.spdp.org/reprexpl.htm#mla>



parents—they may be in more situations requiring parental decision making, and they may face specific issues around consent that adult parents do not encounter. The legal ambiguity resulting from a teen’s age can be difficult. While teens may legally be empowered to make medical, educational, and mental health decisions (related to disability) for their children, they may not legally be able to do so for themselves. The same legal ambiguity can affect the teen’s lack of knowledge about a child’s disabilities in general. Teens’ lack of knowledge is sometimes due to the fact that they are not the primary caregivers, at least not for the purposes of medical attention.