

# Maryland Resource Parents for Change (MRPC)

Advocating for legislative changes that are in the best interest of children in foster care.

For 2021, MRPC wants to change Maryland law to **give judges more information about children in foster care** by allowing the people most knowledgeable about the children—their full-time caregivers—to be part of the court process.

2021 updated proposal, based the current law in Washington, DC: *“If the child has been living with a person other than the parent, the person shall receive notice of the neglect or termination proceedings and, if the child has been with them for 12 months or more, the person may, upon his or her request, be designated a party to the proceedings. If the child has been living with the person less than 12 months, upon the person’s request, the judge may, at his or her discretion, designate the person a party to the proceedings which pertain to the determination of neglected child.”*

Proposed changes to the law:

- Applies to all long-term caregivers of children, including foster and kinship parents
- If they opt in, caregivers may...
  - Not be asked to leave (“kicked out”) of court proceedings that relate to a child in their care
  - Present evidence to the court
  - Rebut incorrect or incomplete evidence that is presented to the court
  - Call an expert (such as a psychologist) to provide professional opinion
  - Hire a lawyer to assist with ensuring court has up-to-date information
  - Ask the court to consider options in the best interest of child

Under current Maryland law, federal guidelines, and common practice:

- Foster parents may make a statement to the court without the ability to present evidence to back up their comments. Maryland foster parents are routinely discouraged from exercising that right or denied it altogether.
- Caregivers may be escorted out of the court proceedings— regardless of how long a child has been in their care.
- Federal guidelines require that child welfare identify a permanent home for a child (return to family, guardianship, or adoption) when they have been in care for 15 months out of 24 months. **Maryland is the 4<sup>th</sup> worst state in the nation** in finding homes for children in a timely manner, according to a federal report. A child lingering in care is not good for birth families or foster children, who can be permanently damaged by extended periods in care.

Reasons foster parents and other caregivers should be a party to their foster child’s court case:

- **Better information for judges:** Full-time caregivers have first-hand knowledge of a child’s wellbeing and can best attest to a child’s behavioral, emotional, educational, and physical needs. Social workers are only required to see foster children once a month, and children’s lawyers or other advocates see the child far less. Foster parents can verify, enhance, or, if necessary, correct the record.
- **More accountability for counties:** The high turnover for case workers can result in important information about birth parents and foster children not being recorded at all or “forgotten” in the written issues. Caregivers are not allowed to see court reports and other documents so they cannot report any misinformation to judges. Allowing foster parents to comment on reports generated by child welfare provides a level of accountability.
- **Better care for foster children:** Giving caregivers access to more information about a child’s case can help them, as the primary caregiver, tailor healing interventions to better meet the children’s specific needs. Foster parents are often purposefully not given information about the foster child’s family situation that impact the child’s health and behavior.
- **Improved foster parent retention:** Research shows that foster parents who feel included in the process and informed about what is going on are more likely to continue working as foster parents.
- **Party status is common nationwide:** More than 20 states allow foster parents to be part of the court process.

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