



So... I have some questions about foster care and pregnancy... 🙄

A OK. What's going on?

I'm in foster care, and I think I might be pregnant. What can I do?

A If you think you might be pregnant, take a pregnancy test as soon as you can. Pregnancy tests do not require a prescription and they are almost always right. You can get a home pregnancy test at many stores, including a grocery store, drug store, or big box store like Target or Walmart. You can also get a test for free if you take one in a doctor's office since it is covered by your medical insurance as a foster youth. If you receive a positive result, you are very likely pregnant.

You have the right to get information and advice about birth control, family planning, and pregnancy tests without an adult knowing or giving permission. You also have the right to safe transportation to reproductive and sexual health related services.

I just found out that I'm pregnant. Now what?

A Finding out that you're pregnant can be scary. Remember that what happens next is completely up to you. If it feels safe, you can tell a trusted friend, family member, social worker, partner, or other adult. It can be helpful to have support, but you do not have to tell anyone that you're pregnant. You have the right to keep your pregnancy, and your decision about whether to continue or end it, completely private.

What if I'm thinking about ending my pregnancy?

A There are many reasons why ending your pregnancy might be the best choice for you. In California, you have the right to get an abortion. You don't need anyone's permission, not even your parent, guardian, partner, social worker, or probation officer.

Can I decide to continue my pregnancy and keep and raise my child myself?

A Of course. You have a fundamental right to keep and raise your child. You have this right even if you are under 18 and/or you are in foster care.

Would my child automatically go into foster care because I am in the foster care system?

A No. Unless a child welfare agency has removed the child from your custody by taking you to court, your child is not in the foster care system.

Can my baby and I live together in a foster placement?

A Yes. Whenever possible, child welfare agencies should place you and your child together in a family-like setting. Child welfare agencies should also try to help you learn the skills you need to provide a safe, stable, and permanent home for your child.

If you are over 16 years old, you may also be placed with your child in supervised transitional housing. This includes THP-M housing programs for youth 16 to 18 years old, or THP-NMD housing programs for youth 18 to 21 years old. If you are a nonminor dependent, you also have the option of living with your child in a Supervised Independent Living Placement (SILP).

What services and financial resources are available to me as a parent in foster care?

A Your social worker or probation officer should provide you with support and services as you learn to be a parent. These might include childcare, parenting classes, or child development classes. If your child lives with you in your foster care placement, your caregiver will receive additional money to help care for your child. If your child is not in foster care, your caregiver will receive what is called a monthly “infant supplement.” If you are a nonminor dependent living in a SILP, you can receive the infant supplement directly.

If you or your caregiver/placement receive foster care payments, you should also be eligible for an expectant parent payment during the seventh, eighth, and ninth months of your pregnancy. This includes foster youth in a group home (STRTP), SILP, Transitional Housing Placement (THPP) or home-based foster care. If no one knew you were pregnant before the seventh month of your pregnancy, you should still receive all three payments.

There are also county-specific programs that give more funding to foster youth with children. Check with your dependency attorney, public defender, or social worker to find out what other supports might be available.

Can child welfare automatically start an investigation about my child’s safety because I’m in foster care?

A No. The child welfare agency cannot start a child welfare investigation about your child unless someone has made a child abuse report to the hotline. If a report is made, your lawyer should be notified within 36 hours of the report. Your child should not be automatically considered “at risk” due to your previous placement history, past behaviors or any health or mental health diagnoses before your pregnancy.

Can child welfare take my child away from me because I am a foster youth?

A No one can take your child away from you just because you’re under 18 or live in foster care. In order for the child welfare agency to remove your child from your custody, they must prove two things in court:

1. Allowing you to continue having custody over your child would be harmful to the child’s health, safety, or well-being; **and**
2. That the child welfare agency has made what are called “reasonable efforts” to provide you services designed to prevent the removal of your child from you and that these efforts have not worked. “Reasonable efforts” include reaching out to your network of extended family.

If the child welfare agency tries to make a custody arrangement for your child, you should be able to talk with your lawyer before any change is made.

If I lose custody of my child to the foster care system, where will my child live?

A If the dependency court removes your child from your custody, you have a right to give input to the court and your child's social worker on where you think your child should live while out of your care. The court will check to see if your child's other parent can care for your child. The court may also check to see if your child can stay with other relatives or nonrelative extended family members before considering a foster home.

Do I have a right to visit my child even if I don't have physical custody?

A Yes. You have the right to visit your child. This right may not be taken away unless a court decides that visiting is harmful to your child's best interests.

If my child goes into foster care, can I get them back later?

A If your child has been removed from your custody by the dependency court, you should receive a case plan with family reunification services, including visitation. These services should address the reasons why your child was removed. Your child's social worker should work with you to help you complete the terms of your reunification plan and regain custody.

If I'm a foster youth parent who isn't the parent who gave birth, what rights do I have?

A Generally, you should have the same rights as the parent who gave birth. However, some of these rights may depend on whether you have established "parentage." Parentage is the legal term used to describe who a child's legal parents are. You should consult with your attorney about parentage, custody, and visitation to find out more about your rights and what services and supports you can get.

If you need any more information, here are some additional resources you might find helpful:

All-Options: <https://www.all-options.org>

The National Center for Youth Law's Teen Health Rights Guide: <https://www.teenhealthrights.org>

THIS FACT SHEET IS FOR PREGNANT OR PARENTING FOSTER YOUTH IN CALIFORNIA'S FOSTER CARE SYSTEM. IF YOU'RE WORKING WITH A LAWYER OR OTHER ADVOCATE WHO NEEDS TO KNOW WHERE THE AUTHORITY FOR THESE RIGHTS COMES FROM. SEE **YLC'S** FACT SHEET FOR ATTORNEYS: [RIGHTS OF PREGNANT AND PARENTING FOSTER YOUTH IN CALIFORNIA](#).

Thank you!