

Policy Title:	Rights of Persons Who Have a Child-Parent Relationship –OAR		
Policy Number:	I-A.4.6 413-010-0360 thru 0380	Version:	Effective Date: 01/02/1996

Approved By: *on file*

Date Approved:

Policy

Forms, etc.

Definitions

References

Contact

History

Reference(s):

- ORS 109.119
- ORS 418.325
- CF 996, Family Foster Home/Shelter Care
<http://dhsforms.hr.state.or.us/Forms/Served/CE0996.pdf>

Form(s) that apply:

- None referenced.

Rules:

Purpose **413-010-0360**

The State Office for Services to Children and Families (SOSCF) has established rights for persons who are authorized by the agency to fulfill the day-to-day parental role for children in the legal custody of SOSCF. These rights apply to foster parents and relatives who do not have a legal parental relationship to the child as set forth in SOSCF policy I-A.4.3, Identifying Legally Recognized Parental Relationships.

This statement of rights includes courtesies required by good practice, terms from SOSCF/Foster Parent contracts, expectations of SOSCF adoption procedures and rights established by Oregon statutes. These procedures do not establish permanent rights to a child, as the advisability of such action must be determined on an individual basis, and established through legal action.

Statutory Authority: ORS 418.005
Stats. Implemented: ORS 109.119

Definition

413-010-0370

"Child-Parent Relationship" is a relationship in which a person having physical custody of a child is supplying the child with food, clothing, shelter and incidental necessities, and providing the child with necessary care, education and discipline, and which relationship continued on a day-to-day basis, through interaction, companionship, interplay and mutuality, fulfills the child's physical needs.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 109.119

Policy

413-010-0380

(1) All foster parents and relatives who are authorized to provide care for a child in SOSCF's legal custody are entitled to the following rights:

(a) To be fully informed of their rights and responsibilities and of agency policies and court procedures which affect their relationship with the child;

(b) To be informed of the child's background and the child's physical and mental functioning in order that appropriate care and protection can be provided;

(c) To be involved in the development of the plan for a child placed with them;

(d) To receive training available to foster parents, as well as guidance and support to deal appropriately with each child placed with them;

(e) To work with the child in accordance with the service plan;

(f) To provide information and recommendations about the child's need for placement and permanency to the local Citizen Review Board or the Substitute Care Review Committee;

(g) To have information maintained by the agency about them kept as confidential as possible within statutory requirements for public records;

(h) To have access to all information maintained by the agency about them within a framework of agency rules and procedures which take into consideration others' rights to privacy, and to correct errors in those records;

(i) To receive notice at least 10 working days prior to the removal of a child except in emergency situations or circumstances beyond SOSCF's control;

(j) To be fully informed regarding service grievance procedures (see SOSCF policy I-A.5.1, Grievance Review);

(k) To be assessed to determine their suitability as a potential adoption resource for a child for whom adoption is the goal.

(2) Under ORS 109.119, a relative or foster parent who has established emotional ties creating a child-parent relationship with a child may qualify to petition or file a motion for

intervention with the court in order to request custody, guardianship, right of visitation, or other generally recognized right of a parent or person in loco parent is. However, for foster parents the statute limits this right to situations where the child-parent relationship has continued over a period exceeding 18 months.

Statutory Authority: ORS 418.005

Stats. Implemented: ORS 109.119

Contact(s):

- **Name:** CAF Reception; **Phone:** 503-945-5600

Policy History

- 12/29/1995