

H. B. 2257

(By Delegate Cowles)

[Introduced January 23, 2015; referred to the
Committee on the Judiciary.]

**FISCAL
NOTE**

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
designated §49-2-12a, relating to establishing a bill of rights for children in foster care.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
section, designated §49-2-12a, to read as follows:

**ARTICLE 2. STATE RESPONSIBILITIES FOR THE PROTECTION AND CARE OF
CHILDREN.**

§49-2-12a. Foster child’s bill of rights.

(a) Every child in foster care has the inherent right to be cherished by a family of his or her
own, either his or her family helped by readily available services and support to resume his or her
care, or an adoptive family or, by plan, a continuing foster family.

(b) Every child in foster care has the inherent right to be nurtured by foster parents who have
been selected to meet his or her individual needs, and who are provided services and support,

1 including specialized education, so that the child can grow in its ability to enable the child to reach
2 his or her potential.

3 (c) Every child in foster care has the inherent right to receive sensitive, continuing help in
4 understanding and accepting the reasons for the child's own family's inability to take care of him
5 or her, and in developing confidence in his or her own self worth.

6 (d) Every child in foster care has the inherent right to receive continuing loving care and
7 respect as a unique human being.

8 (e) Every child in foster care has the inherent right to be a child growing in trust in self and
9 others.

10 (f) Every child in foster care has the inherent right to grow up in freedom and dignity in a
11 neighborhood of people who accept him or her with understanding, respect and friendship.

12 (g) Every child in foster care has the inherent right to receive help in overcoming deprivation
13 or whatever distortion in his or her emotional, physical, intellectual, social and spiritual growth may
14 have resulted from his or her early experiences.

15 (h) Every child in foster care has the inherent right to receive education, training and career
16 guidance to prepare for a useful and satisfying life.

17 (i) Every child in foster care has the inherent right to receive preparation for citizenship and
18 parenthood through interaction with foster parents and other adults who are consistent role models.

19 (j) Every child in foster care has the inherent right to be represented by an attorney-at-law in
20 administrative or judicial proceedings with access to fair hearings and court review of decisions, so
21 that his or her best interests are safeguarded.

22 (k) Every child in foster care has the inherent right to receive a high quality of child welfare

- 1 services, including involvement of the natural parents, where appropriate, and his or her own
- 2 involvement in major decisions that affect his or her life.

NOTE: The purpose of this bill is to establish a bill of rights for children in foster care.

§49-2-12a is new; therefore, it has been completely underscored.