

# NEW MEXICO FOSTER CHILD AND YOUTH BILL OF RIGHTS



Children, Youth &  
Families Department  
STATE OF NEW MEXICO

**Every child/youth in foster care is endowed with the rights that inherently belong to all children. In addition, because of the unique circumstances facing foster children/youth, special safeguards, resources, and care are also necessary.**

Below you will find a list of rights every child and youth in foster care in the Children, Youth and Families Department (CYFD). These rights must be explained by the

caseworker to every child and youth in a way they can understand. These rights are to be reviewed, in detail, upon entering foster care and at a minimum of every three months.

Additionally, these rights are to be clearly posted in all CYFD and service provider offices. They are to be provided to all employees working with children and youth in foster care, and to all foster parents.

1. To be informed of your rights in foster care by your caseworker and to receive a written list of those rights.
2. To have your privacy protected and your right to confidentiality adhered to, as outlined in the New Mexico Children's Code.
3. To receive an explanation of why you came into foster care and why you are still in foster care by a CYFD caseworker.
4. To be free from physical, sexual, emotional or other abuse, including exploitation and corporal punishment.
5. To advocate for yourself and to speak to people involved in your case without negative repercussions.
6. To make a report to Statewide Central Intake (1-800-797-3260) if you feel you are being or have been abused and/or neglected.
7. To be represented by a guardian ad litem or youth attorney in all judicial matters (hearings and mandatory meetings) conducted in your abuse/neglect case so that your interests are safeguarded and to attend and participate in all court hearings as coordinated through your attorney.
8. To be informed of how to contact your caseworker and others involved in your case.
9. To contact your attorney, caseworker, and CASA when you want.
10. To have a minimum of at least one monthly visit with your caseworker, which includes private time between you and your caseworker.
11. To receive medical, dental, vision, and behavioral health services.
12. To make choices about behavioral health services and medications, unless court ordered, after age 14.
13. To live in a safe, healthy, and comfortable home where you are treated with respect.
14. To have foster parents who are trained and licensed, and who receive support and supervision from CYFD and/or private agencies.
15. To receive healthy food, adequate clothing, and appropriate personal hygiene products.
16. To have your personal belongings secure and transported with you.
17. To participate in developing your permanency plan and express where you want to live or have placement, including the ability to express concerns or request a placement change.
18. To be placed with your siblings who are in foster care unless it is contrary to your safety and/or wellbeing.
19. To maintain regular contact with your siblings, whether or not they are in foster care, unless it is contrary to your safety and/or well-being.
20. To maintain family connections and have regular and ongoing contact (by phone, through letters, and in person) with parents, relatives, and other important people in your life, unless you don't want to, it is contrary to your safety and/or wellbeing, or it is prohibited by a court order.
21. To be informed by a CYFD representative when contact with important people in your life is being monitored or prohibited, and the reasons it is being monitored or prohibited.
22. To remain in the same school you were enrolled in before entering foster care and to remain in the same school throughout your time in foster care unless it is in your best interest and to be provided with transportation arrangements so you can stay at the same school.
23. To attend and participate in school meetings, including parent/teacher conferences and Individual Education Program (IEP) meetings.
24. To participate in extracurricular, cultural, spiritual, and personal enrichment activities.
25. To be involved in the development of your treatment plan, life skills plan, transition plan, and visitation plan and to receive factual information about the treatment decisions made by the agency that affect your life.
26. To have a plan for your future, including a life skills plan and transition plan; to be offered services to help you prepare to become a successful adult.
27. To an annual credit check from age 14 to 18.
28. To initiate a review of any prudent parenting decision made by your foster parents, at age 14 and older.

**If you feel your rights have been violated, contact us:**  
[cyfd.advocacy@cyfd.nm.gov](mailto:cyfd.advocacy@cyfd.nm.gov)  
or (505) 681-2486