

# **WEST VIRGINIA LEGISLATURE**

## **2017 REGULAR SESSION**

**Introduced**

### **House Bill 2088**

BY DELEGATE COWLES

[Introduced February 8, 2017; Referred  
to the Committee on the Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 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:*

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new  
2 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.**

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

4 (b) Every child in foster care has the inherent right to be nurtured by foster parents who  
5 have been selected to meet his or her individual needs, and who are provided services and  
6 support, including specialized education, so that the child can grow in its ability to enable the child  
7 to reach his or her potential.

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

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

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

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

17 (g) Every child in foster care has the inherent right to receive help in overcoming

18 deprivation or whatever distortion in his or her emotional, physical, intellectual, social and spiritual  
19 growth may have resulted from his or her early experiences.

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

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

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

28 (k) Every child in foster care has the inherent right to receive a high quality of child welfare  
29 services, including involvement of the natural parents, where appropriate, and his or her own  
30 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.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.