



April 2014

## Straight From The Heart Newsletter

### Taxes \* Adoption Credit 2013 \* Claiming Foster Children

The adoption credit for 2013 is \$12,970. This is a nonrefundable credit (may reduce your tax to zero, but if the credit is greater than tax due, excess is not refundable).

Credit may be allowed for a "special needs" child without any expenses. All three of the items below define eligible special needs child:

1. Child was a citizen or resident of the US at the time the adoption process started; and
2. A state has determined that the child should not be returned to the parents' home; and
3. A state has determined that the child will not be adopted unless assistance is provided to the adoptive parents.

#### **2010 REFUNDABLE Adoption Credit**

It is still possible to amend your 2010 tax return to include the Adoption Credit, which will be refundable. Following 2010, the credit is no longer refundable. When the credit is NON-refundable, the credit will reduce your tax liability to zero, but if the credit is larger than your tax liability, the excess is not refundable.

#### **Foster Children**

A foster child who is placed with a family by an authorized placement agency or by judgment, decree, or other order of any court of competent jurisdiction may be a qualifying child to be deducted on your tax return. This is true as long as the five tests for a child to be your qualifying child are met. These include:

- Relationship
- Age
- Residency
- Support, and
- Not filing a Joint Return with a spouse

Check with the IRS to see exactly what the above categories entail.

### Prudent Parent Standards

"The Reasonable and Prudent Parent Standard is the standard characterized by careful and sensible parental decisions that maintain the foster child's health, safety, and best interests. This standard supports the empowerment of a caregiver to exercise common sense and good judgment to assess circumstances events in which a foster child may participate. "

ACIN no 1-17-13

Please follow the link below to read up on RPPS and how to use it in your home in a safe, thoughtful and prudent manner.

[Link to RPPS](#)

### Birth Certificates

Revised to update policy on birth certificates. The new policy states, "If the court orders or terminates reunification services, the court will then order that the child's caregiver receive the child's birth certificate. If the child is 16 years of age or older, the court may order that the youth receive his or her birth certificate instead."

If you are filing tax returns and including your foster child, you can ask the social worker for the social security number and they will give it to you.

### Program Guide

"Upon request, the SW may give a child's SSN to a caregiver for the purpose of claiming the child on the caregiver's income taxes."

## Legislative Update AB 2391 Link

This is a proposed piece of legislation that will potentially affect our children and families that would like to adopt their foster children when reunification fails. Please read!

Sometimes we find proposed laws that effect foster children and their caregivers. We may not all agree on them, but it is important to educate ourselves and be proactive in stopping what we think is harmful and supporting what we think will help.

We leave that decision up to you!

### **Current law**

"After Reunification services are terminated and a section 366.26 hearing is set, the permanency and stability of the child become paramount and the relative placement preference is only relevant when a change of placement is necessary."

*ADVOKIDS 2012*

### **Proposed Law**

Gives more rights to relatives to be considered for preferential placement throughout the reunification process, not just at the beginning of the case or when a child needs to be moved from one placement to another.

The caregiver has a preference at the end of the reunification period if the child has been in the home for a substantial period of time and a bond exists. We think that preference should continue.

We will be sending an oppose letter to the author and if you would like to contact the author and find out more information for yourself, follow the link below.

So often legislators make decisions without talking to the foster and adoptive parents of the children their laws will effect. It might be helpful for him and your own legislators that will vote on this bill to hear your opinion from the trenches!

Most adoptions in the state are done by foster families.

There is no voice for caregivers or foster children in Sacramento. Let them hear your voice on behalf of your children and your family.

**Remember confidentiality laws when writing!**

Assemblyman Ian Calderon

## Process for Releasing Your Home Address To Birth Parents

### Rule 6.1.17

### Confidentiality of Foster Homes (Welf. & Inst. Code, § 308)

E. A foster parent may at any time authorize the release of his or her address, thereby waiving the confidentiality of that foster family home.

1. Any such authorization must be in writing, be personally signed and dated by the foster parent, identify the specific individual(s) the foster parent is authorizing release of the foster family home address to, and include a statement that the foster parent is aware of the confidentiality provisions of the law and is voluntarily waiving them.

2. Any such authorization must be provided to the social worker who must maintain the authorization in the HHSA file. The social worker must advise the attorney for the child, if any, and any CASA of the authorization within three court days. The authorization will not go into effect for a period of seven days unless both the social worker and the attorney for the child, if any, concur that waiver of the confidentiality of the foster family home will not endanger the child's safety, protection, physical or emotional well-being. At any time before the expiration of the seven days, the social worker or the attorney for the child, if any, may apply to the juvenile court, with notice to all parties, for an order directing that the address of the foster family home be kept confidential and the reasons therefor.

3. Any such authorization may be withdrawn by the foster family at any time before the actual release of the address of the foster family home. Such withdrawal will not be effective unless communicated to and received by the social worker handling the case before the actual release by the social worker of the address of the foster family home.

We changed this law to protect our homes and keep them as a sanctuary for our families and our foster children. Please think carefully before you give up your right to confidentiality.

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## SFTH Email List

If you know of other foster/kinship or adoptive parents who are not currently on our email list and would like to be please have them email us at [patricialboles@gmail.com](mailto:patricialboles@gmail.com) .

We send out Placement Alerts from the North County placement specialists, upcoming trainings and special events, items community members would like to donate for free to foster families, respite needs, SFTH Give Away announcements and our Newsletter. (PJ giveaway coming soon)

## Movement, Muscles, and Messes

This is a wonderful new partnership between SFTH and the University of St. Augustine, which is a school for occupational and physical therapists here in San Marcos. Come and meet other children and caregivers, get ideas to stimulate development, discuss questions and concerns and receive resources.

### **We will have a summer session for watch for the emails!**

It often takes many months for services to begin due to Medi-cal approval so this is an awesome opportunity to help our children while we wait for Services.



## Extra Curricular Funds! UPDATE!

### Still have \$ left but going fast!

We have been given some money from Sleep Train for extracurricular activities for our foster children. We can fund \$100.00 per foster child, per year towards extracurricular activities such as sports, dance lessons, art classes etc... as long as there is funding. Fill out an application, get approval, pay for the item and then bring us a receipt and we will issue you a check immediately!

## BODY CHECK POLICY

We have been hearing complaints of workers asking foster parents to undress children at regular monthly visits again. This is not the policy of the agency. Please read the information below and follow the link from the Program Guide. It is important to elevate if this is happening to your foster children.

As part of the investigation authorized by W&IC 328, whenever a child is alleged to have been physically abused, the SW will conduct a body check at the following time(s):

- the first face-to-face contact
- whenever there is any suspicion of abuse to the child or to the child's sibling
- on a regular basis, when a previously-abused child has been returned to the home of the perpetrator (or the perpetrator has been permitted to return to the home of the child).

**Body checks are not to be conducted unless there is reason to believe that the child has been abused AND the SW has consent, exigent circumstances, or a court order.**

*If your social worker is insisting you undress the child during a routine visit, this is not the policy of the agency and you need to elevate this to the supervisor or manager.*

[Link to SD County Body Check Policy](#)