

What to Expect at a Fair Hearing

At the Fair Hearing, you may speak for yourself or have someone else (such as a relative, friend, or an attorney) speak for you. In some cases, Family Court may assign someone to speak for you. At the hearing . . .

- You tell (or your representative tells) the Hearing Examiner why you think CFSA should not remove the foster child from your home.
- The CFSA employee who approved the foster child's removal from your home tells the Hearing Examiner why it is necessary to change the child's placement.
- The Hearing Examiner uses all this information, along with laws, regulations, and what is in the foster child's best interest, to decide whether or not the child should stay in your home.



If You Disagree with the Fair Hearing Outcome

After the Fair Hearing, you will get a letter stating the Hearing Examiner's decision. If you do not agree with the decision, tell CFSA in writing **within 10 calendar days**.

CFSA must reply in writing within seven business days of getting your letter. The Hearing Examiner has 20 calendar days to

review your letter and CFSA's reply. You will then get a letter that states the Hearing Examiner's final decision. If you do not agree with it, you may ask the D.C. Court of Appeals to review the case.

For more information about Administrative or Fair Hearings, call 202-724-3748. ■



Fair Hearing Information for Foster Parents



D.C. Child and Family Services Agency
400 6th Street, S.W.
Washington, D.C. 20024-2753
www.cfsa.dc.gov

Has CFSA removed a foster child from your home?

Do you disagree? If so, you have the right to question CFSA's decision. The process involves (1) an Administrative Hearing and possibly (2) a Fair Hearing. You must start this process **within three business days of getting our official letter saying we plan to remove the foster child from your home.** This brochure tells you how to start this process and what to expect.

Step 1: Administrative Hearing

You meet informally with the child's social worker, social work supervisor, and a CFSA Administrator.

The social worker explains why the foster child should leave your home. You tell why the child should stay with you. The goal is to work together to determine what's best for the foster child.

You must write or call CFSA to ask for an Administrative Hearing **within three business days of getting our official letter saying we plan to remove the foster child from your home.** If CFSA gets your call or letter within three business days, the foster child may be able to stay with you until the Administrative Hearing. However, CFSA will remove the foster child right away if we have concerns about his/her health or safety. Even if we remove the foster child right away, you may still ask for a hearing.

CFSA must give you a date for an Administrative Hearing within five days of receiving your request. If CFSA fails to give you a date within five days, call the Office of Fair Hearings & Appeals for help.

DC Child and Family Services Agency
Office of Fair Hearings & Appeals
400 6th Street, SW
Washington, DC 20024-2753
Telephone: 202-724-7064
Fax: 202-727-5619

You can ask for a Fair Hearing only if CFSA decides the foster child must still leave your home after the Administrative Hearing. You cannot ask for a Fair Hearing when:

- The court orders CFSA to remove the foster child from your home.
- CFSA moves the foster child after getting a report of abuse or neglect in your home.
- You ask CFSA to remove the foster child from your home.

Ask for a Fair Hearing in writing to CFSA's Office of Fair Hearings & Appeals **within 30 calendar days of getting our official letter saying we plan to remove the foster child from your home.** If you cannot ask for a Fair Hearing in writing, call the CFSA Office of Fair Hearings & Appeals for help. You may also have someone else (such as a relative, friend, or attorney) write the letter for you. Your letter to CFSA must include:

- Your name, address, and telephone number.
- Your request for a Fair Hearing because CFSA is taking a foster child from your home.
- Reasons why you think CFSA should not change the foster child's placement.
- Any other information you want the Hearing Examiner to know.

CFSA must send you a letter telling the date of the Fair Hearing within five days of receiving your request. If CFSA fails to provide you with a date within five days, call the Office of Fair Hearings & Appeals for help.



Step 2: Fair Hearing

This is a formal meeting much like a court hearing. Both you and CFSA give information to a Hearing Examiner. The Hearing Examiner considers this information along with laws, regulations, and what's best for the foster child to decide whether or not the child should stay in your home.