

**Legal Guide for Pregnant
Teens in Florida**
**Information for Pregnant
Teenagers and Their Families in Florida**
First edition 2009

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FINDING LAWYERS OR LEGAL SERVICES

www.floridabar.org • 1-800-342-8011

FINDING LEGAL SERVICES IN YOUR AREA

www.floridalawhelp.org

CHILD ABUSE HOT LINE

www.dcf.state.fl.us/abuse • 1-800-962-2873

DOMESTIC VIOLENCE HOT LINE

1-899-500-1119

TEEN CRISIS INTERVENTION/COUNSELING/ RUN-AWAY/FAMILY HELP

www.floridanetwork.org • 1-888-922-4324

BIRTH CONTROL/FAMILY PLANNING/ PREGNANCY TEST/ ABORTION INFORMATION

www.plannedparenthood.org • 1-800-230-7526

HEALTH DEPARTMENT/FAMILY PLANNING/STI/ PREGNANCY TESTING/HEALTH CARE

www.doh.state.fl.us

HEALTH SERVICES FOR PREGNANT WOMEN AND GIRLS

www.healthystartflorida.com • 1-800-451-2229

FAMILY SERVICES INFORMATION AND REFERRAL

www.211florida.org • 211

TELEPHONE COUNSELING FOR PREGNANCY/ ABORTION OPTIONS

www.yourbackline.org • 1-888-493-0092

LEGAL SERVICES FOR ABORTION WITHOUT NOTICE TO PARENTS

www.pathproject.net • 1-877-352-7284

ABORTION PROVIDERS

www.floridaabortion.com

www.prochoice.org • 1-800-772-9100

ABORTION FUNDS

www.nnaf.org • 1-866-592-1901

naf@prochoice.org • 1-800-772-9100

ADOPTION INFORMATION AND PLACEMENT

www.adoptflorida.com • 1-800-962-3678

info@chsfl.org • 1-800-247-4600

HEALTH INSURANCE FOR LOW- INCOME CHILDREN IN FLORIDA

www.floridakidcare.org • 1-888-540-5437

HEALTH CARE FOR LOW- INCOME PEOPLE IN FLORIDA

www.myflorida.com/accessflorida

BENEFITS FOR LOW-INCOME PEOPLE IN FLORIDA

www.myflorida.com/accessflorida

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) FOR LOW-INCOME PEOPLE IN FLORIDA

www.myflorida.com/accessflorida

MEDICAID FOR LOW-INCOME PEOPLE IN FLORIDA

www.myflorida.com/accessflorida

FOOD STAMPS FOR LOW- INCOME PEOPLE IN FLORIDA

www.myflorida.com/accessflorida

CHILD SUPPORT ENFORCEMENT

www.myflorida.com/dor/childsupport

1-800-622-5437

Computer Access

Computers are generally available in public libraries. Anyone can use them during library hours. Most school libraries also have computers that can be used by students. Keep in mind that if you share a computer with other members of your household they may be able to tell what websites you have visited.

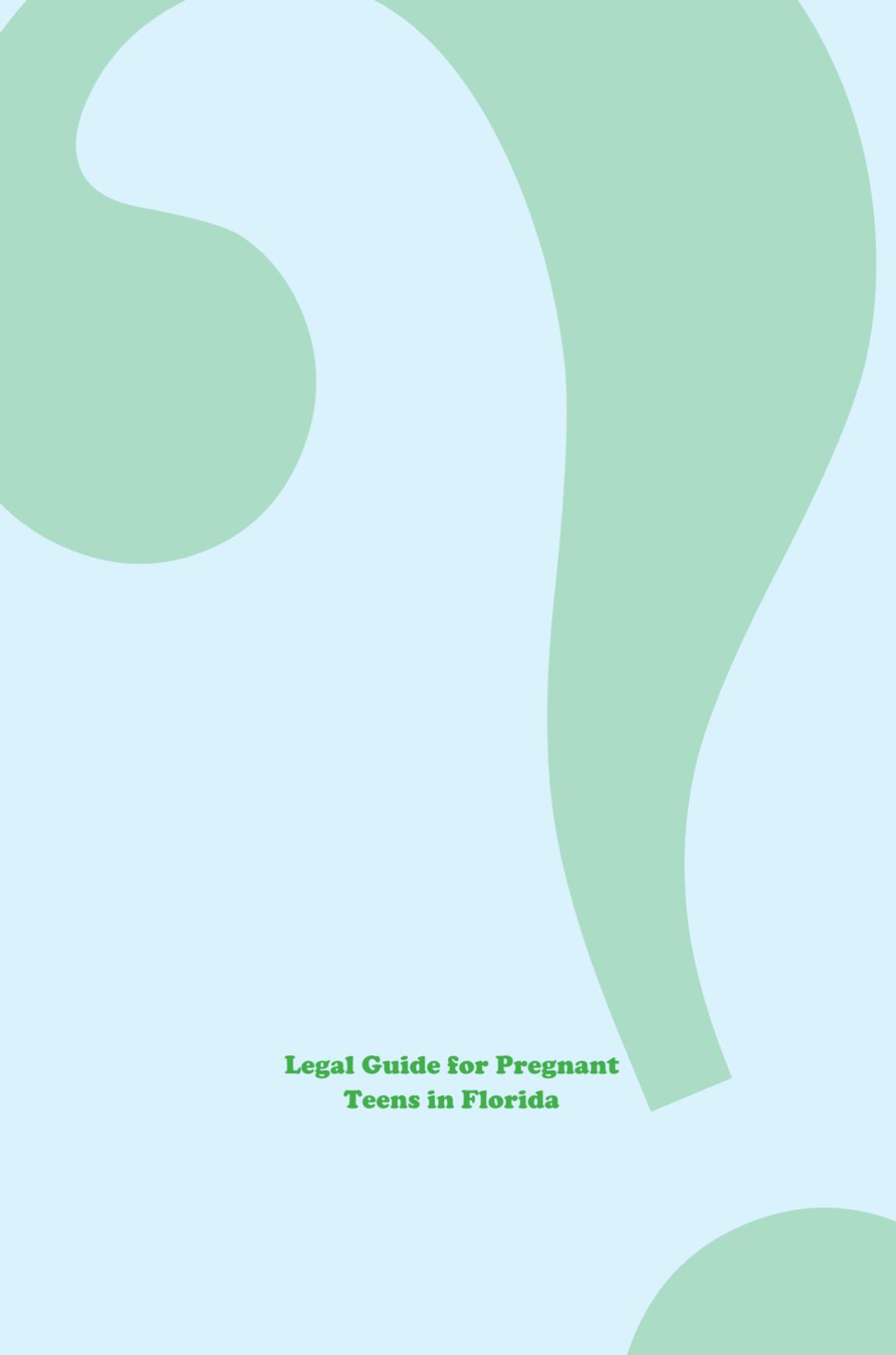
Acknowledgments

The Legal Guide for Pregnant Teens in Florida is designed to address many of the issues faced by a pregnant teenager in Florida. Topics range from information about reproductive options to school attendance, housing, and relationship issues. The emphasis is on information about pregnancy, abortion, adoption, and parenting. The Guide is intentionally neutral on the choices a pregnant teen has to make. Whenever possible a teen is directed to hotlines and websites that will guide her to resources in her community, such as Healthy Start or Planned Parenthood, that can provide the help she needs.

The Legal Guide for Pregnant Teens in Florida is modeled, with permission, on *Pregnancy and Parenting: A Legal Guide for Adolescents*, copyright 2006, published by the School of Government, The University of North Carolina at Chapel Hill. The principal author of the North Carolina guide is Anne M. Dellinger. Without her vision, persistence, and wisdom, these guides would not have been possible. The authors wish to thank the School of Government, University of North Carolina for granting copyright permission.

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**Legal Guide for Pregnant
Teens in Florida**

Introduction

1. Who is this book for?

This book is for girls and young women living in Florida who are under 18 and are pregnant or have a child. Other people who may want to read this book are your parents, your partner (your boyfriend or former boyfriend), and his parents.

You probably have plenty of questions at this point. For example, what will you do about your pregnancy? Will you have the baby or end the pregnancy? Will you keep the baby or decide for adoption? How will you get health care and other services? What are your partner's rights and duties? Will you be able to stay in school? Can you get a job? Where will you live? Can you get married? How can you keep yourself safe and get help if you need it? If you are from another country and have the baby in the U.S., does that make you or the baby a U.S. citizen? And, what can you do if you do not speak English well enough to understand the doctor?

This book will help you understand the law in Florida and find answers to these and other questions. It provides lots of resources, telephone numbers, and websites, including how to find a lawyer, that you can use to find the help you need.

2. How can this book help me?

If you are reading this book, chances are you are faced with difficult times ahead. This book is intended to help you know your options and where to get the help you need. We hope it is widely available to teenagers.

This leads to a note of caution. Do not try to be your own lawyer. Do not read the book and try to figure out what a judge might decide in your particular case. When the book recommends you see a lawyer, please do that.

Also, it is important for you to know that the authors are not trying to steer you toward one decision or another, or push any particular resource or service at you. We just hope the book helps you to figure out what you want and need. So, study the book carefully to get a sense of where you are and where you need to go. And good luck!

Talking about information outlined in this book with an adult you trust might help you. Even though it can be difficult for adults and teenagers to talk, some adults do want to help you. Sometimes it is hard to get the conversation going, so here is a way to start: "Listen, I have a serious and private issue that I would like to talk to you about. Do you have some time for me?"

If talking to your parents is too hard or you are too scared to try, some resources listed in this book may help you talk to them if you choose to do that. Keep reading.

We tried to avoid legal terms whenever we could, but there still may be some that you do not understand. You can look them up in a section at the back of the book called "What Does That Word Mean?" If you have questions about something else in the book, you may want to show it to an adult you trust and ask her or him to explain.

3. What if I have questions the book does not answer or need to hire a lawyer to help me?

In a few situations, Florida courts offer free legal assistance (those situations are discussed in this book). Usually, however, to get legal advice you must hire a lawyer or find one who will advise you for free or at a reduced rate. If you cannot afford a lawyer, you may qualify for free legal services. To find a lawyer or Legal Services in your area, contact the Florida Bar's Legal Referral Service at 1-800-342-8011, or go online to www.floridabar.org. You may also go online to www.floridalawhelp.org to find Legal Services in your area.

The Difference between Adults and Minors and Why It Matters

4. Who is an adult?

A person 18 years of age or older is an adult. Adults have more legal rights than a person under 18. Without asking anyone's permission, adults can vote, marry, work at any job, sign a lease or other contract, leave home, or join the military. Adults must support themselves though and have more legal duties than younger people. They have to keep their legal promises—pay their bills, for instance. And, they usually get heavier penalties if they break the law.

Karen asked to be emancipated, but the judge turned her down. Her parents do not want her. What should she do?

Counselors at the Florida Network of Youth and Family Services may be able to help Karen with her plans. The Department of Children and Families (DCF) may become involved if her parents try to put her out.

5. Who is a minor?

In Florida, a minor is anyone under the age of 18. Babies, second-graders, 17-year-olds—all these people are minors. In general, minors have fewer legal rights than adults.

A few minors become legal adults while they are still under the age of 18 though. They are called “emancipated minors.” (In this book, when we say “minor” or “minors,” we mean unemancipated minors.)

There are three ways, besides turning 18, that you can be emancipated:

- * if you get married (a parent's or judge's permission is required—see the section on “Marriage”),
- * if you join the armed services (a parent's or guardian's permission is required), or
- * if you are at least 16 and your request to a court to act as an adult is approved.

Being pregnant or having a baby does not emancipate you in Florida. But remember you do not have to be emancipated to get medical care and treatment for you or your child.

6. What are the reasons I might or might not want to be emancipated?

You might be wondering why a minor would want to be emancipated. If you truly do not have parental involvement in your life, being emancipated would make some things easier for you, such as getting a bank account, signing a lease, receiving benefits, or not having to provide parental notes or permission slips at school. These would be considerations to talk over with your lawyer, if you decide to try to become emancipated.

If you are in foster care, as you approach your 18th birthday, you will legally be able to get a bank account, get an education loan, or sign a lease for yourself even if you are not emancipated. Your caseworker will help you with these matters.

There are some reasons you might not want to be emancipated. Here are the legal rights that you will lose if you become emancipated:

- * Your parents will no longer have to support you, give you money or a place to live, or help you make decisions. (They still can if they want to, but they are not required by law to do this anymore.)
- * If you are in the U.S. without legal documentation, emancipation could cause you to lose one good chance to become a U.S. citizen.

U.S. law gives “special immigrant juvenile status” (SIJS) to minors who are being protected by a state court or have been committed to a state department or agency because they have been abused, neglected, or abandoned. Eventually, many minors who get the special status can become U.S. citizens. But, emancipated minors are not eligible for the special status. (For more information on SIJS, see the section on “Changing Your Immigration Status.”)

7. How do I ask a judge to let me act as an adult (emancipate me)?

In Florida, you can only ask a judge to emancipate you if you are at least 16 years old and live in the state. If you believe that being on your own is the best thing for you, then contact your local Legal Services office. To find a lawyer or Legal Services in your area, contact the Florida Bar, Legal Referral Service at 1-800-342-8011, or go online to www.floridabar.org. You may also go online to www.floridalawhelp.org to find Legal Services in your area.

An adult must file the request for emancipation on your behalf. This adult does not have to be one of your parents. Any adult you trust may file the petition on your behalf. Your lawyer can help you think of someone who could do this for you. The request will set out basic information about you and the reasons why you believe being able to act as an adult would be the best outcome for you. Your parents will be notified and will receive a copy of your request.

A hearing, which is a formal meeting with a judge, will be scheduled. Your family may attend and speak if they want to do so. The judge will ask questions about your situation and will want to know how you are doing in school and how you plan to provide food, clothing, and shelter for yourself. If you will be a parent, the judge will be interested in how you will be able to care for your child. Be prepared to answer the judge's questions. Your attorney will help you with this.

If you lose your case and the judge denies your request to be emancipated, then you will continue to be treated as any other person your age is. Keep reading this book for resources that can help you deal with difficult family issues.

Parents' and Children's Duties

8. What must parents do for their minor children?

The law says that parents have to take care of and supervise a minor child. They must see that the child has food, clothing, and a place to stay. They must also see that the child gets health care and goes to school until age 16. Parents must not abuse or neglect a child or let anyone else do that. Each parent has this duty even if you live with only one of them. Your parents have these duties to you until you are 18, get married, or are emancipated. They have these duties even if you are pregnant or have a child of your own. If you are a parent, you and your baby's father have the same duties to your child.

Cheryl and her parents have a big fight. She runs away from home but is returned by the police. If she runs away again, will there be worse consequences? Not automatically, but past behavior will be a factor considered by the Department of Children and Families (DCF) if a case comes to their attention. For more information, see question 10.

9. Can my parents throw me out of the house?

Parents are not supposed to do that. If your parents cannot care for you or do not want to care for you, they are supposed to find another responsible adult to care for you or get the Department of Children and Families (DCF) involved in your situation, but they are not supposed to let you or make you be on your own without adult care or supervision.

10. Do minor children owe their parents anything?

Yes. Minors must let their parents supervise and control them. For example, you do not have a right to leave home without permission unless you are being abused or neglected. If you are not safe with your family or you do not have food, clothing, or a place to stay, you should contact an adult you trust. The Florida Network of Youth and Family Services can help you and your family—whether you are living with them or not—get all available services to stay together and get along. Call 1-888-922-4324 or go online to www.floridanetwork.org to find them in your area.

If you are not safe with your family, the Department of Children and Families (DCF) will look into your situation and decide what the best response is. But, if you run away without good reason, police officers can take you into custody and bring you home. Or, a judge can order you to go home or place you somewhere else under adult supervision. But, your parents cannot force you to have a baby or force you to have an abortion. They cannot force you to give your baby up for adoption either. Keep reading this book for more information on these points.

Dealing with Pregnancy

11. What should I do if I am or might be pregnant?

If you have been sexually active and miss your period or you test positive with a home pregnancy test, then you may be pregnant. Here are the next steps you should take:

- * If possible, tell your parents. If you cannot talk to them, consider telling another adult you trust. A teacher, school guidance counselor, or school nurse would be able to help you get started making decisions and getting the resources you need.
A counselor you get through the Florida Network of Youth and Family Services or a health care provider can help you figure out how to tell your parents and may be willing to be with you when you tell them. To find the Florida Network nearest you call 1-888-922-4324 or go online to www.floridanetwork.org.
- * See a doctor. Florida law allows you to see a doctor on your own and in private about pregnancy. You may go to your regular doctor or to the health department. To find the health department in your county, go online to the Florida Department of Health at www.doh.state.fl.us and click on your county on the map.
- * If you do not know what you want to do about your pregnancy, talk to the staff at Planned Parenthood or another family planning clinic or counseling center. They will explain your options to you and discuss having a baby or having an abortion without pushing you in any direction. They will help you accomplish whatever your decision is.
To find the closest Planned Parenthood clinic go to www.plannedparenthood.org or call 1-800-230-7526. Another resource for telephone counseling is www.yourbackline.org. Telephone counselors trained to counsel you about all of your options and offer emotional support to you and your baby's father can be reached at 1-888-493-0092.
- * The health department and Planned Parenthood will provide many tests and counseling for free or will charge only what they believe you can pay. If you go to a doctor's office, there may be a charge. If you are worried about the cost or anything else, ask about it when you make an appointment or go to a clinic. If you are concerned about privacy, be sure to ask whether your parents will get a bill for your visit from the doctor's office. They will not get a bill from the health department or from Planned Parenthood.

Heather goes to the doctor to see whether she is pregnant. Should she count on the doctor not to tell her parents?

Yes, the doctor should not tell unless he or she thinks that it is essential to Heather's life or health.

12. Do I have to see a doctor if I am pregnant or think I might be?

It is a very good idea to see a doctor or go to a health clinic as soon as possible if you think you are pregnant. You should go even if you do not know whether you want to have the baby or end the pregnancy. If you decide to have a baby, the sooner you are checked for any potential problems, the better the chance that you will stay healthy during your pregnancy and have a healthy baby. That is what the Healthy Start Program, described later in this book, is all about. If you decide to end your pregnancy, then the sooner you see a doctor the better, because the law limits how long into pregnancy you can have an abortion. It is much easier to get an abortion during the first 12 weeks of pregnancy. You might not know how many weeks pregnant you are, but a doctor or health care provider at a clinic can perform a simple test that will tell you.

At your appointment, you might want to talk to the doctor or nurse alone first, even if you bring someone with you. That way, you can explain your situation and say what you want to happen. You can ask the nurse or doctor your questions and tell them how much you want other people to know about your medical condition. Health care providers have a legal duty to keep your medical care confidential, but if you do not tell them differently, they may think you want the person who is with you to know all about it.

Ending a Pregnancy

13. Can I have an abortion if I am less than 18 years old?

Yes. Minors, like adult women, have a legal right to abortion. Minors also have the right not to have an abortion. No one—not your parents, not your partner—can force you to have an abortion. The decision is yours.

14. Who will be informed?

If you decide that you want an abortion and you are a minor, then your parents must be notified of your intention to have one 48 hours before it is performed unless you get permission from a judge to move forward without notifying them. Be sure to understand that, if your parents are notified, they do not have to approve or agree with your decision.

The person who made you pregnant does not have to be notified about your intention to have an abortion and does not have to approve or agree with your decision either.

If you decide to have an abortion, it is the responsibility of the doctor providing the procedure to notify your parents unless you go to court. You may tell your parents yourself, but the doctor will still need to speak directly to one of them in order to document

that they are aware of your plan. If the location of your parents is not known, then there are provisions in the law for them to be notified by mail. Generally, it is the parent you live with that will receive the notice.

If you have strong and serious reasons not to tell your parents about your plan to have an abortion, you may go to court to get permission from the court to move forward without notifying them. This court procedure is called “judicial bypass.” A lawyer will help you go to court for free. Keep reading for more information about this.

To recap, as a minor you may have an abortion either by

- * agreeing to parental notification where the abortion provider will notify your parent or guardian 48 hours in advance of the scheduled procedure, or
- * obtaining authorization in a judicial bypass proceeding that your parent or guardian does not have to be notified before the abortion can be performed.

In a few situations, the law about parental notification does not apply. These minors do not have to have parental notification or judicial bypass:

- * minors who are or have been married, or
- * minors who are emancipated, or
- * minors who already have a child who is dependent on the minor.

If you fit one of these three criteria, you do not need to involve your parents or a judge.

15. At what points in pregnancy does the law allow abortions?

Legally, any pregnant girl or woman can seek an abortion

- * until the fetus could live on its own if delivered, or
- * until the end of her 24th week of pregnancy, whichever comes first.

It is much easier to get an abortion during the first 12 weeks of pregnancy and much harder to get one later. Some clinics do abortions as early as five weeks. After 12 weeks, abortions become more complicated and more expensive. This is one reason why it is very important to go to the clinic or see a doctor as soon as you can if you think you might be pregnant. You might not know how many weeks pregnant you are, but your doctor can help you figure that out.

If abortion is necessary to preserve your life or health—for example, if being pregnant gives you dangerously high blood pressure or strains your heart—then it is legal at any time during pregnancy.

16. What should I do if I think I need to go to court?

Contact the American Civil Liberties Union (ACLU) of Florida's Providing Access for Teen Health (PATH) Project. PATH exists to help minors with the judicial bypass process. Call 1-877-FLA-PATH or 1-877-352-7284, or go online to www.pathproject.net. Your call is confidential. The person who answers the phone will explain the process, answer your questions, and put you in touch with a lawyer who will help you for free.

17. Will anyone at the courthouse help me?

Yes. You can go to the Clerk of Court's office in the courthouse by yourself. It may be easier though to see a lawyer first, so that you have someone with experience looking out for you. The PATH Project mentioned in the previous answer will refer you to a lawyer who will help you for free.

18. Will I have to pay for any part of the court process?

No. There is no charge for a judicial bypass procedure.

19. What will the judge ask me?

The judge will want to know about your life situation in order to decide if you are mature enough to make a decision without letting your parents know about it or if it would be best for you not to let your parents know. The judge could ask very few questions or a lot of them. You should be prepared to answer questions about these things:

- * your relationship with your parents and why you do not want to tell them about your plans;
- * your grades and attendance at school;
- * whether you are employed or involved in extracurricular activities;
- * your plans for your future;
- * how much you have thought about your decision and whether you have talked to any trusted adult about your situation;
- * the counseling you have received about your situation and your understanding about the medical risks and emotional consequences of an abortion compared with the medical risks and emotional consequences of a pregnancy;
- * how much you understand about the problems that could develop right after you have the abortion, such as bleeding or a fever, and what your plan is for dealing with them.

Your lawyer can help you get ready for all of these questions. If you are pregnant because you were raped or you are the victim of incest, it is important to let the judge know. Again, your lawyer can help you prepare to let the judge know about this.

Some of the questions a judge is likely to ask can only be answered if you have already been to a clinic and received counseling about your decision, so it is a good idea to go to a clinic, find out how far along you are, decide what you want to do, and then get legal help for a judicial bypass, if you need one.

20. Who will be there when I have a hearing in front of the judge?

The people who absolutely have to be there are you, your lawyer (if you want one), the judge, the court reporter (who will write down everything that is said), and the bailiff (usually a sheriff's deputy who has the job of being present whenever a judge is conducting a hearing). In some locations the court reporter may not be physically present in the courtroom, but the proceeding will still be recorded. All of these people are required by law to keep everything about you a secret, except if you are the victim of child abuse or incest. Other than that, the hearing is closed to the public. If you wanted someone else, such as a trusted adult, to come, then that person could be present with your consent. Talk this over with your lawyer.

21. What if the judge rules in my favor?

The judge has up to 48 hours after the hearing to make a decision. Some judges will let you know right away, and some will take the whole two days. If the judge rules in your favor, an order (a written document) will be issued that you can take to the clinic, or your lawyer will deliver the paper to the clinic for you. Once you have the order, you can schedule the procedure. Keep in mind that getting a judicial bypass so you may have an abortion without parental notification does not make you legally emancipated.

If Dolores will not tell her parents she is pregnant, can she get an abortion?

Yes, but if Dolores doesn't want her parents to know she must go to court and get permission not to tell her parents about her plan to have an abortion.

22. What if the judge rules against me?

There are three things you can do. One, you can appeal the judge's decision. This has been done before in Florida. Your lawyer can talk to you about this, but you will definitely need a lawyer to do this. Two, the judge may tell you what you need to do—such as go to counseling—in order to get a favorable decision, and you could do that, then ask again. Three, you may decide to talk to your parents about your situation. Before you make any decision about what to do, you should talk to your lawyer. If you do not yet have a lawyer, you should contact the PATH Project at 1-877-352-7284 or go online to www.pathproject.net to find a lawyer experienced in appeals.

23. Will anyone know I talked to the judge about abortion?

No. The judge and court staff will not tell anyone your name or what you said or show anyone the record of your case. If you have a lawyer, the lawyer will not tell. If you bring an adult helper, be sure she or he can be trusted not to tell anyone. There is one case in which the judge must tell someone else what you said. If you are the victim of child abuse or incest, the judge will refer your case to the Department of Children and Families (DCF) to look into your situation. Your lawyer will likely discuss this with you before you go to court.

If you live in a small community and are concerned that people at the courthouse may recognize you, you can choose to go to court in another nearby county. Ask your lawyer to help you decide.

24. Is it important to decide early in pregnancy about abortion?

Yes. If you are going to have an abortion, the sooner you do it the better. Here are some reasons why:

- * Early abortion is usually easier on you emotionally and physically.
- * Early abortion costs much less.
- * Early in pregnancy you can decide between different abortion procedures.
- * Many more doctors will perform early abortions than later ones.
- * Once the fetus could live outside your body, or after 24 weeks of pregnancy, whichever comes first, you will not be able to get an abortion unless your life or health could be in danger if you continued the pregnancy.

25. Where can I get an abortion?

If you know of a responsible clinic in your area that provides abortion services, go there. If you do not know or you are not sure what you want to do, go to the Planned Parenthood clinic in your area. Planned Parenthood provides unbiased counseling and will help you accomplish whatever your decision is. If you do not know where the Planned Parenthood clinic is in your area, go online to www.plannedparenthood.org or call 1-800-230-7526. The National Abortion Federation will direct you to the nearest clinic that meets its standards. You can contact them at 1-800-772-9100 or go online to www.prochoice.org. Other websites that may be helpful are www.pathproject.net, which lists clinics by county in Florida, or www.floridaabortion.com.

26. How much will an abortion cost?

Abortion costs are different for every doctor and situation. Early abortions (under 12 weeks) usually range from around \$500 to \$600. Late abortions, around 20 weeks, can cost over \$2,000.

Funds around the state can help if you really need financial assistance, but many require that you attempt to make at least part of the payment yourself. If you need financial assistance, you should ask the clinic that you plan to go to if it works with any abortion funds. If the clinic is not able to help you, call the PATH Project at 1-877-352-7284 or go online to www.pathproject.net to get more information about funding in your part of the state. Other resources that may be able to direct you to help are the National Network of Abortion Funds at 1-866-592-1901 or online at www.nnaf.org, or the National Abortion Federation at 1-800-772-9100 or online at www.prochoice.org.

Karen's mother made her an appointment for an abortion but Karen does not want it. Can Karen get out of it?

Yes. She should tell the doctor she does not want an abortion. If she needs help, she can call the Florida Network of Youth and Family Services or the Department of Children and Families (DCF).

27. Does the person who made me pregnant have to pay for the abortion?

No. You may certainly ask your sexual partner to pay for all or part of the abortion, but there is nothing in the judicial bypass hearing that will make him do that. If this is a concern to you, discuss it with your lawyer, but you should plan to pay for this on your own or through assistance from the resources mentioned in the previous answer.

Having a Baby

28. If I am going to have a baby, do I need to see a doctor?

Yes. Having medical care from early in pregnancy until you have the baby and recover from delivery will best protect your health and the baby's health. Most teen mothers do well physically. However, pregnancy risks are somewhat greater for teen mothers and their babies than for adult women, especially for young teens.

It is best if you can talk to your parents and have them take you to a doctor. Counselors at Planned Parenthood or the Florida Network of Youth and Family Services can help you figure out how to tell your parents that you are pregnant. If your parents cannot help or if you do not tell them you are pregnant, you can see a doctor on your own. Teens can legally make decisions about medical care during pregnancy (prenatal care), when the baby's born (labor and delivery), and after giving birth (postnatal care).

If you and your family are unable to arrange for your medical care or you need help to do that, a good place to start is your local Healthy Start Program. Florida's Healthy Start Program is a statewide program designed to help mothers have healthy babies and improve the overall health of mothers and infants.

- * There is no charge for Healthy Start services.
- * Healthy Start will direct you to many local resources that provide various kinds of assistance, including medical help, childbirth education, dental care, and assistance with transportation.
- * You can be referred to doctors, counseling, and classes.
- * In many areas, baby supplies will be provided to those in need, including diapers, cribs, etc.
- * The free prenatal risk screen helps direct you to the services you need, and an infant risk screen helps to determine need for any special baby care. All information is kept private.

The prenatal risk screen is available through your health care professional when you go for your first prenatal visit. If you are pregnant, you should have this screening test to make sure there are no risk factors that could result in problems. To get in touch with the Healthy Start Program in your area of Florida, call 1-800-451-2229 or go online to www.healthystartflorida.com. Click on "Find a Healthy Start Coalition." When the map appears, click your county, and local contact information will be provided.

There is another toll-free number you can call in Florida to put you in touch with pregnancy services. If you dial 211 from anywhere in the state, you will reach telephone operators who can guide you to a wide variety of human services in your area. Included in the many social agencies listed with Family Help Line 211 are pregnancy/parenting support agencies that may provide a variety of services, including maternal/infant supplies, pregnancy testing, classes, supportive counseling, etc. All calls are confidential. The operator will connect you with a counselor from your county. You may also go online to www.211florida.org.

If you do not have health insurance, ask for help in checking your eligibility for Florida KidCare. It is Florida's program for providing health care to anyone under 19 in the state. To get in touch with KidCare in your area, call 1-888-540-5437 or go online to www.Floridakidcare.org.

Another source for you may be Medicaid. This is a broad program to help low-income people pay for their medical expenses. You are likely to be eligible for it. (If you are an immigrant, see the section in this book on "Citizens and Immigrants.") Also, you should know that hospitals must take care of anyone in active labor, even if she cannot pay. To check on Medicaid, ask for help from your Healthy Start coordinator, the Department of Health, or the Department of Children and Families (DCF) in your area.

29. Are there places to stay until I have the baby?

Yes. There are places in Florida where you can go and stay until you have your baby. Your Healthy Start coordinator can help you find what is available in your area and determine if you are eligible for financial assistance to stay there. Some have a connection to a church and some do not.

In most situations you will need a parent's or guardian's consent to enter a maternity home. Maternity homes do not require or expect someone living there to place her baby for adoption, although some people do.

30. What choices can I make about my baby?

As a new parent you can choose to raise the baby as your own. (See the next section in this book, "Bringing Up Your Baby.") Or, you can choose to let someone else be the baby's parent. The sections in this book on "Giving Up a Baby" and "Arranging Adoption for Your Baby" discuss that possibility.

Bringing Up Your Baby

31. Am I legally old enough to be a parent?

There is no legal age requirement for being a parent. Teen parents can and do raise children. A parent of any age who does not care for a child well enough, though, can lose parental rights to a child for a period of time or forever.

32. What does having parental responsibility for a child mean?

Having parental responsibility for a child means that you take care of the child and make sure that he or she has the basic things all children need. A child needs food, clothing, health care, and a safe place to live. A child needs a responsible person to care for him or her and to provide guidance and supervision appropriate for the child's age. Above all, a child needs a loving and responsible parent.

33. Who will have parental responsibility for my child?

You and the baby's father will have parental responsibility for your child. You will each have the legal responsibility to make sure that your child has the basic things that all children need. Regardless of your age or whether you are married, you each have a legal responsibility to support the child to the best of your ability. Unless a court decides that it is in the best interest of your child not to see one of you, you each will have the right to have the child be with you at least part of the time.

If you get along with your child's father, you may be able to agree about how to make major decisions about your child and about sharing time with your child. In general, the law prefers that parents share responsibility for their child and jointly make major decisions about the child. The law also prefers that parents agree about where the child will live and how time with the child will be shared.

If you cannot agree with your child's father on major decisions about your child or about how to share your child's time, either of you may ask a court to establish a parenting plan that settles those matters. You may have seen on TV or heard older people talk about having "custody" of a child. In Florida, this is now referred to as a "parenting plan." A parenting plan is a written document that establishes the relationship between the parents of a child for all of the decisions that will have to be made about the child as he or she grows up. The parenting

plan establishes who your child's father is if that has not been done, the support obligation of each parent, and a time-sharing schedule that sets up the time the child will spend with each parent, including nights and holidays. Parents can develop and agree to a parenting plan and ask a court to approve it or, if they cannot agree, they can ask the court to establish it for them.

A judge will make these decisions about your child based on your child's best interests. Without knowing the facts and circumstances of your particular situation, it is hard to say what a judge will decide is best for your child. Usually, a court will order shared parental responsibility. This means both parents have full rights and responsibilities for their child and major decisions about the child are jointly made. This is the typical legal relationship most parents who are not together have with each other about their child. Depending on the facts of a case, a judge may decide to establish "sole parental responsibility" instead, based on a finding that showed shared parental responsibility would be detrimental to the child. Sole parental responsibility means one parent makes the decisions about the child. This might occur because one parent is in jail for a long time or is too mentally ill to be a parent or the parents cannot agree about major decisions for their child. If a judge finds that it is not in the best interest of the child to see one of his or her parents at all, the judge may give 100 percent of the child's time to the other parent.

If there is a dispute about your child's parenting plan or time-sharing schedule, you will need a lawyer's help. Do not sign anything regarding your child's parenting plan or time-sharing schedule without understanding what it means. If you cannot afford a lawyer, you may qualify for free Legal Services. To find a lawyer or to find Legal Services in your county, contact the Florida Bar's Legal Referral Service at 1-800-342-8011 or go online to www.floridabar.org. You may also go online to www.floridalawhelp.org to find Legal Services in your area. If you think you may be in danger from the child's father, get help right away. (See the section in this book on "Being Safe").

Kate and Tom are teen parents of a six-month-old and are not together anymore. Tom supports the child as best he can and wants to see the baby. Can Kate refuse to let him visit with the baby? No. Tom has a right to be a part of the baby's life as long as he fulfills his responsibilities as a parent. If Tom and Kate cannot work it out, a judge will set a time-sharing schedule as part of a parenting plan.

34. Can my child be placed with someone else?

Yes, that is possible if a judge decides that neither you nor the baby's father is able or willing to care for the child. The judge will decide what is best for the child and may approve placement with another person or an agency such as the Department of Children and Families (DCF). Before the judge makes a final decision, the Department will try to see if there is a relative of your child who is willing and able to care for your child. If that is not possible, a responsible adult who is not a relative but who is willing and able to care for the child may be approved by the judge. If that happens, generally, the agency is supposed to work with you to give you an opportunity to get your child back. This is covered in more detail in other sections of the book.

35. What if my child's father does not return the child to me after a visit?

Keep in mind that, until a child's paternity has been established, the mother can have the child physically returned to her by the sheriff's office or by going to court for an order directing the child to be returned to her. Often, in such cases, a judge will decide to establish a parenting plan that sets up when the child will be with each parent.

If you think your child is not safe with his or her father, call the police or sheriff's office and tell them why you are worried. You can also call the Florida child abuse hotline at 1-800-962-2873 or go online to www.dcf.state.fl.us/abuse. If you call either the police or the hotline for child abuse, the police or the Department of Children and Families (DCF) will stay involved until they are satisfied your child is safe, so you cannot change your mind and decide that you do not want them involved. If you are not sure what to do, talk to an adult you trust.

36. Can I manage school or work and still care for a child?

Yes, probably you can. Most parents—even adult parents—have someone else care for their child sometimes. This could be a relative, a friend, or a licensed person who keeps children in the home or at a child care center. As a parent, you are responsible for finding a safe place to leave the baby with people who are good caretakers. (See the questions on abuse, neglect, and dependency in the section on "Being Safe.")

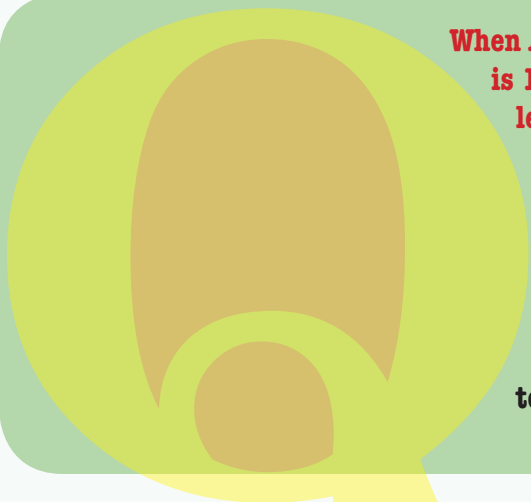
It is possible to get help to pay for licensed child care. The Department of Children and Families (DCF) can tell you whether you are eligible. The teen parent program coordinator at your school should also be able to help you arrange child care and transportation for you to attend school and have the baby cared for while you are in class.

Jennifer will not let Matt see their baby because he is not paying support. Is that okay? No. Paying child support and the right to see your child are separate legal matters.

37. How can I learn to be a good parent?

There are several ways you can learn to be a good parent:

- * Talk with your parents, relatives, friends, or trusted adults who you think are good parents or who have good parents about what makes good parents.
- * Watch family members, child care workers, or others whom you think care for children well. You may also want to ask those persons for advice.
- * Another thing you can do is think back on what you respected or disliked about how you were treated as a child. Try to treat your child the way you would like to have been treated.
- * You should also be sure to use available resources. The Healthy Start Program (www.healthystartflorida.com or 1-800-451-2229), the Family Help Line (211), the Department of Children and Families (DCF), the Department of Health, and the teen parent program at your school may offer parenting classes or put you in touch with a resource that does. Some counties in Florida offer classes about what to expect in giving birth and how to be a good parent for an infant. Also, public libraries have books on parenting.



**When Anna
is 18, can she and her child
leave foster care?**

**Anna can. She will have to
show the court that
approved the baby's
placement in foster care
that she can care for and
support her child in order
to have the child go with her.**

38. What will my newborn baby need?

Your local Healthy Start Program can help you get ready for the baby through good health care. It can also assist you in getting some of the things you will need after the baby is born. Properly caring for a baby requires full-time attention. If you are not going to care for your baby full time, you must plan for child care assistance.

Here are some of the programs that may be available for a low-income mother and child:

- * Temporary Assistance for Needy Families (TANF) is a government program for people who have children but who do not have much money. It gives families cash and other kinds of help. TANF has rules concerning where you live, getting an education, and pursuing a job. You can apply for TANF at the local office of the Department of Children and Families (DCF) or online through www.myflorida.com/accessflorida.
- * Food stamps allow people who do not have much money to buy groceries. You can apply for food stamps at the local office of the DCF or online through www.myflorida.com/accessflorida.
- * The Women, Infants, and Children program (called "WIC") gives food and other nutrition help to teens and women who are pregnant and to babies and young children. Ask your doctor how you can get WIC.
- * The teen parent program in your school can help you with day care and with transportation for you to stay in school and your baby to be in day care.
- * Florida KidCare provides health insurance for children under 19, based on age and income. To find KidCare in your area, call 1 888-540-5437 or go online to www.floridakidcare.org.
- * Florida Medicaid helps low-income people pay their medical expenses. There are special Medicaid programs for pregnant women, infants and children, and emergency care, all of which might be of help to you. You can apply for Medicaid at your local health department, local office of the DCF, or online through www.myflorida.com/accessflorida.

You can, of course, apply for any of these programs on your own, but your Healthy Start coordinator will be familiar with all of them and can help you make a successful application.

Giving Up a Baby

39. What if I do not have an adoption plan but feel that I cannot take care of my newborn baby?

You may plan to keep your baby but, very soon after delivery, feel that you cannot do it. Some new mothers feel so overwhelmed or desperate that they are tempted to abandon the baby. If you feel this way, call your Healthy Start coordinator, who will help you find services that may be able to help you cope.

If you feel that keeping the baby is not working for your situation, there is a way to give the baby to someone else without risking harm to the baby and legal risk to yourself. Above all, do not just leave the baby somewhere. If you do, the baby might be harmed and, even if the baby is okay, you would probably be committing a crime (abandonment).

You can give up a baby who is less than seven days old without breaking the law about abandonment and with no questions asked. To do this, you or the father can take the newborn to a hospital, an emergency medical service (EMS) station, or a fire station within the first seven days of the baby's life and hand the baby to someone who works there. Do not leave the baby outside or alone. If you live in a rural area, you might want to call and make sure someone will be at one of these locations. The law requires the people who work at these places to take the baby without asking you questions—even your name—and without reporting you to law enforcement or the Department of Children and Families (DCF), unless there is a reasonable basis to believe the baby has been a victim of child abuse. Just taking the baby there is not evidence in and of itself of child abuse. If you take the baby to a fire station, they will take the baby to a hospital right away. The hospital will check the baby, provide any needed treatment, and contact the Department of Children and Families (DCF). The DCF will then arrange care for the baby and begin the court proceedings for permanent placement of the baby, most likely with adopting parents. If you cannot care for an older child, keep reading in this section.

40. Can I get my newborn back if I give up the baby?

You may be able to get the baby back, but you would have to work with the agency—probably the Department of Children and Families (DCF)—that took the baby. The law assumes that, when you took the baby to the hospital, EMS station, or fire station, you meant to give the baby up permanently. Giving the baby up permanently means consenting to termination of your parental rights. You have an opportunity to ask the court to let you have the baby back. You can ask the court to consider letting you have the baby back before the proceeding to terminate your parental rights and place the baby someplace else is finished. If you change your mind, you must notify the agency—and the court, if the agency has already started a proceeding about the baby. Do this as quickly as you can. It is not possible to say exactly how long this opportunity will be possible, so you must act as quickly as you can. It is very likely that you will have to work with the DCF and receive supportive services to get the baby back. If you do not act before your parental rights are terminated, you will not be able to get the baby back. If you think this is what you want to do, contact a lawyer or Legal Services as soon as possible.

41. What if I think I cannot care for an older child?

If you cannot care for your child and he or she is more than seven days old, get in touch with your Healthy Start coordinator or the teen parent coordinator at your school. Explain your situation and ask for help. They will help you assess your situation and see what services might be available to help you cope. They may refer you to the Department of Children and Families (DCF), or you may get in touch with the DCF yourself. Go online to www.dcf.state.fl.us to find the office nearest you. If you are unable to care for your child on an ongoing basis, the DCF will look within your family to see if there is a relative who is willing and able to care for the child. If there are no suitable family alternatives and you are unable to care for the child, the DCF may place the child in foster care. Without knowing the particulars of your situation, it is hard to say what exactly will happen. The important thing to know is that, if you cannot care for your child, you need to let someone know so your child can be cared for and you can receive help. The goal will be for you to receive help and continue to be your child's parent. If that is not possible, then other solutions, such as adoption, can be put into place, but these will not happen immediately just because you reach out for help.

42. What if someone else thinks I cannot care for my child?

Anyone who sees a parent not willing or able to care for a child must report that to the statewide child abuse hotline. The person reports that he or she has "cause to suspect" that a child is being abused or neglected. The person who knows about the situation does not have a choice; they must report their belief that your child is not safe. Depending on what is said, it will be investigated by either the Department of Children and Families (DCF) or by law enforcement, or both.

If someone makes a report to the DCF hotline about your child, a social worker will visit you. He or she will ask to see your child and talk with you about your child. Then, the DCF might decide there is not a problem. Or, the DCF could provide services you need to be a better parent. If there is a serious problem that keeps your child from being safe or healthy, the DCF might suggest that you let the child live with a relative or other person for a while. In the most serious cases, the DCF may remove your child and place her or him in the care of a relative or foster care. This action will have to be approved by the court and you will have an opportunity to participate in that proceeding.

The goal of the law in Florida is very clear: the best thing is for a child's parents to be able to be adequate parents and care for the child. If you are not able to do that, the first response is to work with you and provide available services to help you function as an adequate parent. If that is not possible, the focus will be on getting another permanent placement for the child.

43. How does a person lose parental rights?

You can voluntarily give up parental rights, or a judge can take away your rights—the legal term for this action is “terminate parental rights.” Every case has to be approved by a judge, based on the particular facts and circumstances of that case. Your parental rights will only be terminated without your consent if the judge finds that you, as a parent, have done or not done certain things that mean it would be best for the child to end his or her relationship with you as a parent. Keep reading to find out what these things are. Without knowing the particulars of your situation, it is hard to say exactly what a court will decide. Remember that the goal of the law is to provide services to help you be able to function as an adequate parent or, if that is not possible within about one year, to find another permanent placement for the child.

Giving up your parental rights or having a court terminate them is a very serious matter. If you can be located, you will be notified of the court proceeding to terminate your parental rights and you will have an opportunity to participate in the proceeding if you want to do so. It is critically important that you have the services of a lawyer to help you, and the court will appoint a lawyer for you if you cannot afford one. The lawyer will advise you and present your side of the case. You should arrange for a lawyer, either on your own or through the court, as soon as you receive any documents about the case. To find a lawyer or Legal Services in your area, contact the Florida Bar’s Legal Referral Service at 1-800-342-8011 or go online to www.floridabar.org. You may also go online to www.floridalawhelp.org to find Legal Services in your area.

44. Why might a mother or father lose parental rights?

Your parental rights might be terminated for any of the reasons that follow, but this book cannot tell you what will definitely happen in your case. You should see a lawyer as soon as you can if you find yourself in any of these situations and you do not want to lose your parental rights.

In general, you may lose parental rights by abandoning your child, which means failing to provide for the child’s care when you are able to do so and making little or no effort to regularly, substantially communicate with the child.

Alternatively, if the mother or father of a child cannot be found after a search for at least 60 days, the court may find that the parent has abandoned the child.

You may lose parental rights by abusing or neglecting your child—which, in general, means physically hurting the child or allowing someone else to do that. It can also mean exposing the child to harm by not providing adequate food, clothing, shelter, or health care. This includes exposing your child to harm, before or after he or she is born, because you have a chronic and severe alcohol or drug abuse problem.

In some cases, you may lose parental rights if you are in jail for a significant part of your child’s life until he or she is 18 or if you are in jail for certain serious crimes.

You may lose parental rights if your child has already been placed out of your care and you did not accomplish the goals you agreed to with the Department of Children and Families (DCF) to become an adequate parent. This can come into play after nine months of court involvement or foster care.

If you have more than one child and you lose your rights to one of your children, or you do something that could have caused you to lose them, then a court may consider whether that is enough proof that there is a serious risk of harm to another child.

It is important to emphasize that, although these are all reasons why you can lose your parental rights, it does not mean that you will lose them. Termination of someone’s parental rights without his or her consent is always decided on a case-by-case basis. A court can find in a particular case that the harm that has been done, or the risk of harm, is so great that the parent involved should not be given a chance to improve. Keep in mind, though, that ending your parental rights is a last-resort answer. If reasonably possible in your situation, caseworkers from the DCF will work with you to develop a plan to deal with the issues that block you from being an adequate parent. A chance to improve might include such things as attending a parenting class or being in treatment for drug abuse. Taking positive steps—and making substantial improvement—to overcome the obstacles in your life that might otherwise cause you to lose your parental rights will be an important factor in the court’s decision about your case.

Sharika has a baby when she is 15 and loses her parental rights to that child. Does that mean she cannot have and keep a child in the future? No. For more information, see question 42 in the section on “Giving up a Baby.”

45. Are there more reasons why an unmarried father might lose parental rights?

Yes. In addition to the reasons already given, an unmarried biological father has to take positive steps to establish his paternity or he may lose his parental rights. The father of a child, regardless of his age, who does not want to lose parental rights to his child must take actions to keep his right to the baby. He must acknowledge that the baby is his, he must maintain contact with the baby, and he must support the baby to the best of his ability, including paying a fair share of the expenses related to the mother's pregnancy. If he receives a court notice about termination of parental rights or a plan to place the baby for adoption, he must respond to it or he may lose his rights as a parent.

If the mother of a child is not married at the time of birth and identifies the father of her baby, then he may have an opportunity to sign an acknowledgment of paternity and have his name placed on the birth certificate. Otherwise, if he is or might be the father of a child and he wants to be a part of the baby's life, he must identify himself in time by acknowledging his paternity on a written form and sending it to the Office of Vital Statistics. The form—and help filling it out and filing it—is available in many places, including the local health department and the Clerk of Court's office. A person can also go online to any of those places and get the form. The baby's father must also maintain regular contact that develops a substantial relationship with the baby. He will have to support the child until the child graduates from high school or becomes at least 18 to the best of his ability. If the mother of his child does not want to keep the child, he will have to care for the child himself or make arrangements for the care of the child.

Arranging Adoption for Your Baby

46. How can I put my baby up for adoption?

The best way to go about this is to work with an adoption agency that will help you make an adoption plan. The agency will give you counseling to make sure that adoption is the right outcome for you. They will help you select adoptive parents if you want to be involved in that and they will help you understand the formal consent process. There are several adoption agencies in Florida. Your Healthy Start coordinator will work with you to find an adoption resource that you are comfortable with. You can get in touch with the adoption information center for Florida at 1-800-962-3678 or go online to www.adoptflorida.com. The Children's Home Society has offices all over Florida. Its website is www.chsfl.org. You can also email the Society at info@chsfl.org or call 1-800-247-4600. You may work on an adoption plan and have it ready to implement as soon as the baby is born, but you cannot give your consent to the adoption until the hospital or birth center where you gave birth releases you or until 48 hours after the baby is born.

47. Who has to agree to my baby's adoption?

You and the baby's father—if he has done the things explained in this section—will have to agree to adoption. If the sexual activity that led to your baby was a crime—for example, rape or incest—then the man who made you pregnant has no rights as a father and his consent is not needed. If your parental rights to the child who is being adopted have already been terminated, your consent to the adoption is not needed. If either parent of a child cannot be identified or located or has died, there are procedures for a court to approve the adoption of the child without that parent's consent.

Emily wants to have her baby adopted. Jason, the baby's father, goes by Emily's to see the baby every week and he gives Emily most of the money from his part-time job. He and his family do not want the baby placed for adoption. What happens? Only Emily and Jason, not their families, have a say. If Jason does not agree to adoption, then no adoption can take place, but Emily can have the baby stay with Jason.

48. Do my parents have to agree to my baby's adoption?

No. You and perhaps the baby's father, but not either of your parents, decide whether to let the baby be adopted. The law allows a minor to make an adoption plan and sign a consent form agreeing to adoption, just as an adult can.

49. Do I have to say who the father of my baby is?

In most situations, yes, you do. If you want to place your baby for adoption or the court becomes involved with the placement or custody of your baby for some other reason, you will have to answer questions about who is, or might be, the baby's father. Neither you nor the baby's father has a right not to be known to the court as the baby's parent until the baby is placed for adoption. But, all court proceedings related to your child are closed, and the information given in them is confidential. Because the law requires that both parents' rights be considered before an adoption can take place, it is very important that you let the adoption agency or family you choose know who is, or might be, your baby's father.

50. How do I agree to my baby's adoption?

Once you are sure that adoption is the outcome that you want, you have to give your formal consent. You will sign a consent form in front of two witnesses and a notary public (someone who is licensed to accept signatures in a legal document). You are entitled to have at least one witness who does not work for or have a personal relationship with the adoption agency or adoptive parents if that is what you want. You may not sign the form until 48 hours after the baby's birth or you are released to go home from the hospital or birth center where you gave birth. The baby's father can sign his consent form at any time after the baby's birth.

If you are under 15, your parent or legal guardian must also witness your consent. If you are under 15 and without a parent or guardian, the court will appoint someone called a guardian ad litem to make sure this is what you want and to witness your consent in place of your parent.

51. Can I consider placing a child for adoption and then change my mind?

Yes. You can talk to an agency or person about placing your child for adoption, and even say that you will agree to adoption, and still keep the baby. You can and should take as much time as you want before deciding.

52. Can I consent to placing a child for adoption and then change my mind?

After you sign the formal consent explained above, getting the baby back will depend on how old the baby is at the time he or she is placed with adoptive parents. If the baby is less than six months old and you signed a valid consent, in general you cannot change your mind afterwards. The only way you could get the baby back is to prove in court that the consent you signed was obtained through fraud or duress—that is, you were tricked or forced to sign the consent. Keep in mind that the purpose of requiring witnesses to your signature is to make sure you are not tricked or forced to give consent to adoption, so this is not usually an easy thing to prove.

If your baby is over six months old when you sign the consent, you may change your mind and withdraw your consent within three business days after you sign or before your baby is placed with adoptive parents, whichever occurs later. You must notify the agency responsible for the baby's placement in writing by certified mail that you withdraw your consent. If at all possible, you should get a lawyer to advise and help you with this.

53. What if I want to place the baby for adoption and the father does not consent?

If the baby's father has acknowledged that the child is his and supports the child and maintains contact with him or her, then he can keep the child and raise the child. The baby's father also has that right if you and he are married or were married, or if he has adopted the baby. If the father of your baby has not supported the child or maintained contact with the child, a court can find that his consent to adoption is not needed.

54. Can my baby's father consent to an adoption and then change his mind?

The baby's father, if he has done the things just described, has the same right to withdraw his consent that you do, within the same timelines.

55. What if the father of my baby agrees to place the baby for adoption?

Sometimes the father of the baby will agree that it is best for the baby to be adopted. He can give his consent to adoption after the baby is born. His consent is required to be signed in the presence of a notary public (someone who is licensed to accept signatures in a legal document) and two witnesses, just as yours is.

If he does not want to say that he is the father but agrees that the baby can be adopted, he can sign a statement that he is not the father. After that he will not receive any notice about what happens to the baby, and his consent to adoption will not be needed. He can do this before the baby is born.

56. Can I choose who adopts my baby?

In most cases, yes, you may choose who adopts your baby, but your choice must be approved by a court as part of the adoption process. The adoption agency will tell you about people on its waiting lists who want to adopt and show you pictures or arrange a meeting between you and them. You can ask to place your baby with a relative or someone you know. If you do not have anyone in mind, the adoption agency or the Department of Children and Families (DCF) will find a placement. But, be clear that whoever is selected as the adoptive parent or family must be approved by the court. All adoptions must go through the court to be legal and binding. That is for the baby's protection.

You will not have a say in who adopts your baby if a court finds that your parental rights should be taken away and your child is placed for adoption for that reason. In that case the DCF will choose the adoptive family, subject to the approval of the court.

57. If I do not pick the person or family, can I find out about them?

Maybe. If you want to know how much you can find out, ask the Department of Children and Families (DCF) or the adoption agency you plan to use, before you place the baby with them, what they will tell you. The law says that an agency must answer your questions about how it handles adoptions. An agency could choose to show you pictures or let you talk to the adopting person or couple by phone or meet them. If you care about these things, ask the agency whether it will allow them.

58. Does it cost anything to place a child for adoption?

No. There are no charges for the person placing the child.

59. Can the people adopting my baby give me money?

It is against the law to give or take money for a baby. But, the people adopting the baby can help cover your living expenses while you are pregnant and for a short time afterward if a doctor says you need it. They can also pay your counseling, medical, and legal fees. Accepting money for living expenses is a serious matter, but it does not force you to go through with an adoption, if you change your mind within the legal time limit.

60. After adoption, can I stay in touch with the child?

It depends on how things work out. If this is important to you and if the adopting parents agree, you may ask the court that approves the adoption to order that there be post-adoption contact. The court will have to decide if this will be in the child's best interest. The parents adopting the child can ask the court to change the order if the situation changes. But you cannot undo the adoption if the adopting parents do not let you have contact, and you cannot keep them from moving away from you. If you do not want contact with a child you give up for adoption, you can make that known to the adoption agency and the court. Your decision will be respected.

61. Can I find the child when she or he is grown? Can my child find me?

If you and your grown child both want to contact each other, it will probably happen. If you think you might want that to happen, you should register with the adoption registry maintained by the Department of Children and Families (DCF). How you do that and what it means will be explained to you at the time you give your child up for adoption. Basically, the registry functions as a go-between, so if an adopted child and a biological parent want to find each other, the information in the registry can be released to put them in touch. Another way that can happen is to get a court order to open adoption records. The court will decide based on the best interest of the person who was adopted and the preference of the biological parents who gave consent to the adoption. A person under 18 who wants to find a birth parent must have the consent of his or her adoptive parents to start this process.

Also, there are national organizations called "adoption registries" that can get birth parents and their grown children together. If you tell a registry that you are trying to find a child whom you placed for adoption and the child also tells that registry that he or she would like to be contacted, the registry will put you in touch with each other.

62. What if I do not want the child to contact me?

There is no guarantee that your child cannot find you, either through his or her own search or because a court opens the adoption record. But it is more likely that you will not be contacted if

- * you use an adoption agency to place your child,
- * you say on the agency's background information form (which you fill out at the time of the adoption) that you do not want future contact with the child, or
- * you say on the form that, if your child wants to contact you, you want the agency to use a go-between. The go-between would get in touch with you but not identify you to your child unless you gave permission.

Marriage

63. Can I get married?

Maybe, but not as easily as you could if you were 18 or emancipated. Be clear that, whatever your age, no one else can make you get married. No one can be married against her or his will. You have to agree to the marriage.

If you are over 16 (that is, you have had your 16th birthday) and under 18, you can marry anyone—not just the other parent of your child—with the consent of your parents or legal guardian. Their consent must be written and signed in the presence of a notary public (someone who is licensed to accept signatures in a legal document). If both of your parents have died or you have been married before, you do not have to get parental consent to be married.

If you are pregnant and over 16 and under 18 and you want to marry the father of your baby, you may get married without your parents' consent if the marriage is approved by a judge. A doctor will have to provide written proof of your pregnancy.

If you are under 16 you may not get married, even if your parents would consent. There is one exception. If you are under 16 and pregnant or you are the father and want to marry the other parent of your baby, you may get married with the court's permission.

To get married, you must apply for a marriage license at the courthouse. If the license is issued, it will allow you to get married three days later. If you have a Social Security number, you will have to give it when you apply for the marriage license, but you can get married without a Social Security number. You may get married even if you are not a U.S. citizen. In emergencies, the three-day waiting period can be waived

by a judge. You can also get married without waiting if you have taken an approved marriage preparation course. The clerk at the courthouse will help you complete an application for a marriage license and an application for the court's permission to get married if you need that.

**Ashley,
who is 17,
and Juan, who
is 15, want to get
married before their
baby is born. Can they?**

**Yes, if a judge agrees that is
best for Juan and if Ashley's
parent consents. When Juan
is 16, they can marry if his
mother or father agrees.**

Getting Support for Your Baby

64. What are the rights of a child whose parents are not married?

Parents, married or unmarried, must care for a child. (See “What must parents do for their minor children?” in the section on “Parents’ and Children’s Duties.”)

Your baby’s rights do not depend on whether you are married to the father. What matters for the baby is that you have the man who is his or her father legally established as the father. This is called establishing paternity.

65. How can paternity be established for my baby?

Your baby’s paternity can be established in any of these ways:

- * The father agrees to let his name be put on the baby’s birth certificate.
- * The father signs a statement in the presence of a notary public (someone who is licensed to accept signatures in a legal document) acknowledging his paternity.
- * The father acknowledges his paternity on a special form and submits his name to the Office of Vital Statistics as the baby’s father.
- * A court declares who a baby’s father is.
- * You begin a court proceeding to establish paternity and ask a court to make the father take a scientific (DNA) test, and the test shows that he is the father. This proceeding may be conducted by the Department of Revenue. If you are receiving public assistance or you request the assistance of the Department of Revenue’s Child Support Enforcement Program, or if you are under 16 when the baby is born, you may not have a choice about whether a proceeding to establish the baby’s paternity is started.

66. When can I establish paternity?

Most fathers acknowledge paternity at the hospital when the baby is born. Most agree to have their name put on the baby’s birth certificate. It is a formal acknowledgment of paternity, given after the consequences are explained, and signed in the presence of a notary public (someone who is licensed to accept signatures in a legal document) and two witnesses. If the baby’s father does not agree to put his name on the birth certificate as the father, you can begin a court proceeding to have him tested and declared by the court to be the legal father of your child. This can be done any time before the child is 18—and maybe later.

“Child support” is money for a child’s living expenses that a court orders a parent to pay. If your baby’s father does not agree to legally acknowledge his paternity, you should take steps to have paternity established as soon as possible in order to make sure you can get child support for your baby. This is especially true for teen parents, because it is common for young, unmarried mothers and fathers to lose touch.

Even if the father is going to school now and not working, you should consider establishing paternity because, in the future, he may be able to support the child, put the child under his health insurance, or provide other benefits.

Tyrone is only in 10th grade, but his name is on his baby’s birth certificate. Does he have to pay child support? Yes, if he can. But, a judge would prefer that he graduate before working full time.

67. Do I have to identify my child's father to get cash assistance (Temporary Assistance for Needy Families)?

To get Temporary Assistance for Needy Families (TANF), or cash assistance from the government, you have to say who you think the baby's father is and help the government locate him if you can. Child support enforcement workers will then try to establish paternity and get child support from the baby's father to repay the government for the TANF money you received.

However, you have a right not to identify the father, if there is a good reason why it might be harmful—for example, if he has been violent toward you or the baby. If you are afraid of him, be sure to tell the TANF worker that this is why you are not identifying the baby's father. Otherwise, the worker may think that you are trying to save the father from having to pay child support, and you could be denied TANF benefits for that reason.

68. If a father is under 18, does he have to support his child?

Yes, if he can. But, before a judge orders any parent to pay child support, the judge must know that the parent can pay. Many teen parents do not have the money.

69. How do I get child support?

Call the Department of Revenue at 1-800-622-5437 or go online to www.myflorida.com/dor/childsupport. Child support enforcement case managers can help you

- * find the baby's father;
- * prove he is the father—by DNA testing, if necessary;
- * get a judge to say how much the father should pay;
- * collect money from him; and
- * make sure that the judge's child support order is carried out.

70. What can I name the baby?

You can give the baby any first or middle name. There are some rules for the last name though.

- * If the mother is not married at the time of the birth, she may generally choose the baby's first and last names.
- * If the mother is married and both parents agree on the names, they select the first and last name of the baby, and the names can be anything they want.
- * If the mother is married and the parents do not agree, the baby's last name is listed as both parents' last names (assuming they are different) with a hyphen (dash) in between. No first name is put on the birth certificate until the parents agree or a court selects a name.
- * If the mother is married but only one parent has sole parental responsibility for the baby, that parent may select the baby's names.

When her mother left, Tara moved to her pastor's home. Can he get a check for her and her baby?

Yes. The Department of Children and Families (DCF) can make him the adult responsible for the Temporary Assistance for Needy Families (TANF) check.

Getting Health Care for You and Your Baby

71. Can I get health care for my baby?

Yes. You can consent (agree) to any health care for your child. Since you are a parent legally responsible for your child's needs, you must be allowed to consent to the child's health care. Of course, the health care provider treating your child must be sure that you (like anyone consenting to treatment) understand the child's condition, what can be done for the condition, and the risks and benefits of treatment.

72. What health care can I get for myself?

Without a parent's permission, doctors and nurses can only see minors to prevent, diagnose, or treat four conditions:

- * pregnancy (this includes family planning or birth control, pregnancy testing, prenatal care, and labor and delivery);
- * certain infections or diseases you can pass on to others, including HIV/AIDS and other sexually transmitted infections (STIs, also sometimes called Sexually Transmitted Diseases, or STDs);
- * emotional disturbances (if you are over 13 you may receive treatment in an office setting but no medication may be provided to you and you cannot place yourself in an in-patient or residential treatment facility); and
- * alcohol and drug use.

Doctors and nurses can help you with these conditions in the following ways:

- * prevention—for example, by prescribing birth control and teaching you how to use it to prevent pregnancy;
- * diagnosis—for example, by testing you for pregnancy or STIs; and
- * treatment—for example, by arranging for counseling, prescribing antibiotics for STIs, or taking care of you while you are pregnant.

Marti is 17 and wants to talk to her doctor about birth control but does not want to tell her mother. Can Marti do this?

Yes. Marti can get birth control under a law that lets doctors help a teen prevent pregnancy if a teen asks.

73. What else do I need to know about getting health care on my own?

You should know that under the law:

- * No health care provider has to treat a minor without parental consent. But, parental consent is not needed in emergencies, and hospital emergency room staff must help anyone who shows up with a medical emergency.
- * Many doctors and health care facilities will wonder whether you can pay. Hospital emergency room staff cannot refuse emergency care because a patient cannot pay.

What you pay for the services and medicines you receive at Planned Parenthood or the Department of Health will depend on how much you can afford to pay and, in some circumstances, may be free. They will talk with you about your financial situation and follow guidelines to see if you owe anything.

There are also health care programs, such as Florida KidCare and Medicaid, that may help you pay for your care. If you are pregnant, your Healthy Start coordinator can help you get in touch with these resources. (See the section on “Having a Baby.”)

Even if you have one of the four conditions listed under “What health care can I get for myself?”, nurses or doctors cannot treat you without a parent’s permission unless they think that

- * you understand what they are saying,
- * you are capable of deciding about your health care, and
- * no one is forcing you to make one decision or another.

Health care providers will probably encourage you to tell your parents that you are seeking medical treatment. Under some circumstances, such as when your life is at risk, the law requires that they do so.

Parents sometimes find out about a minor’s medical appointment and ask the minor’s health care provider about it. The law says that the doctor or nurse may—but does not have to—give the parent information. If you are worried about this, ask your health care provider how he or she would handle this situation.

74. Can I get family planning (birth control) for myself?

Yes. Birth control and family planning mean the same thing: using something so you do not get pregnant if you have sex. (Family planning and birth control are also called “contraception.”) This book does not encourage you to have sex. If you are sexually active, you can take steps to avoid getting pregnant or contracting a sexually transmitted infection (STI) or disease (STD). A doctor, Planned Parenthood, or the Department of Health can give you birth control or prescribe it for you without permission from your parents. To find Planned Parenthood in your area, call 1-800-230-7526 or go online to www.plannedparenthood.org. To find the Department of Health in your county, go online to www.doh.state.fl.us.

Rosaria is an undocumented immigrant who lives in Miami. She has a new baby who was born in Florida. Can she get help from the Department of Health or the Department of Children and Families?

She can get some types of health care for herself and for her child at the Department of Health, and she can get food from the Women, Infants, and Children (WIC) program. Her baby is a U.S. citizen who may be eligible for government health insurance, food stamps, or other help, depending on how much money Rosaria and her family have.

75. What do I need to know about family planning (birth control)?

If at all possible, ask a doctor, nurse, or health care counselor about birth control before having sex. Doctors and nurses should talk with you privately about having sex, using birth control, and preventing sexually transmitted infections (STIs) that can be passed on during sex. They should tell you how a female becomes pregnant and answer your questions. If you want to include someone else in the discussion, you can, but you may still want to ask some questions alone first. Sometimes, it is really hard to start this conversation with a doctor or someone in the doctor's office that you have known for a long time. If you feel this way, go to Planned Parenthood or the Department of Health.

Wherever you choose to go, it is likely that your health care provider will encourage you to not have sex and to talk to your parents about sex. If you want to know about birth control, however, they should also tell you about the different kinds available to you and either give it to you or help you get it. If a doctor or the staff in the doctor's office do not want to share this information with you, then go someplace else—such as Planned Parenthood or the Department of Health—where you can learn about how each type of birth control works and how well it works.

There are several different types of birth control, including pills that you swallow, patches that you wear, and shots that last several months. There are also small rings that you place inside your body once a month and tiny rods that the doctor places under your skin—you cannot feel them when they are in place—that prevent pregnancy for up to three years. You may have to try several different types of birth control to find the one you can use comfortably and regularly. Your health care provider will teach you to monitor any side effects you might experience and what to do if you do not like the birth control method you are currently using.

In general, birth control will keep you from getting pregnant, but will not protect you from getting a STI or sexually transmitted disease (STD), which are passed from one person to another through sexual contact. Your health care provider will tell you about different kinds of sexual contact and how to keep your risk of being infected low. Keep reading to learn more about minimizing your risk of STI or STD.

76. If I have sex without using birth control, is there anything I can do to not get pregnant?

There is a form of emergency birth control that you can use after sex to prevent pregnancy. It is called by different names, including “emergency contraception” or “the morning after pill,” but they all mean the same thing. It is actually two pills sold in drug stores under the name “Plan B.” The most important thing to know about this type of birth control is that it only works if you take it soon after having sex. If at all possible, take it immediately after unprotected sex—that is, sex without birth control. It is most effective if you take it within 24 hours of having sex. It becomes less effective after that and will not work at all after five days.

Any man or woman over 18 (the age limit may change to 17) can buy Plan B without a prescription in a drug store, but it is behind the counter, so you will have to ask for it and show an ID to prove your age. Not all drug stores have it, so it is best to call ahead. A drug store that does not have it should be able to tell you one that does. If you are under 18 (the age limit may change to 17), you may still purchase Plan B but must have a prescription in order to buy it. You can get a prescription from your doctor. The pills will cost somewhere between \$10 and \$50, depending on where you get them. You can go to Planned Parenthood or the Health Department and get a prescription and the pills there. Even if you are not currently having sex, you can get Plan B to keep with you in case you need it later. You might need it if your partner is using a condom that leaks or breaks or comes off during sex. Or, if you are the victim of rape or sexual assault, emergency birth control can be used to prevent pregnancy.

77. Should I ask about family planning (birth control) if I am pregnant?

Yes. Health care providers should tell you what kinds of birth control you can use when you are no longer pregnant. They should explain exactly how to use the method you choose and prescribe it or give it to you. If they do not tell you these things directly, you can ask them to tell you. This is a good idea even if you are not planning to have sex again.

78. What about the infections that can be passed along by having sex?

Infections that can be passed from one person to another are called “infectious” or “communicable” diseases. If they can be passed along by sexual contact with another person, they are also called “sexually transmitted infections,” or STIs. Gonorrhea and chlamydia are examples of STIs.

People with STIs may not know they have them, because these infections do not always include signs or symptoms. Even so, STIs can be passed along to other people, and they can make you very ill if not properly treated. Many people believe that if they avoid sexual intercourse they are not at risk to give or receive a STI. This is not necessarily true. You may give or receive a STI through sexual contact involving your mouth, your genitals, or your rectal area.

79. Is HIV a sexually transmitted infection?

HIV is an infection that causes a person to develop AIDS. It is considered a sexually transmitted infection (STI) because it can be passed to others sexually, as well as in other ways.

80. Do I have to be tested for HIV?

In most cases, the law requires that you specifically agree to HIV testing before it can be done. As a pregnant woman, you will be tested for HIV unless you say you do not want to be. You must receive private, confidential counseling about the tests and the test results both before you agree to the test and after the results come back.

81. What health care can I get for sexually transmitted infections, including HIV, and do I need my parent's permission?

You can get health care for sexually transmitted diseases (STDs), including HIV, without your parent's permission. This type of care can

- * prevent STIs—by providing you with advice on how to avoid getting them and passing them on.
- * diagnose STIs—by providing you with examinations and tests to find out whether you have an infection, and if so, which one.
- * treat STIs—by providing you with the proper medicine. (You must also avoid having sex while being treated for a STI.)

82. What should I know about sexually transmitted infection (including HIV) prevention, testing, and treatment?

Whether or not you are having sex, you can ask a doctor or nurse about sexually transmitted infections (STIs), including HIV. You should ask about STIs and HIV before having sex. Health care providers should talk with you privately and answer your questions about these infections, how they harm you, and how they are spread. They should explain the different kinds of sexual contact, because not everyone knows what counts as sexual contact. If you want to include someone else in the discussion, you can, but you may still want to ask some questions alone first.

If you are having sex, your doctor or nurse should talk with you about preventing STIs, even if he or she encourages you to talk with your parents about sex or not to have sex in the future. With your consent, health care providers can examine you and order tests to diagnose STIs. If you have a STI, they should explain proper treatment and why it is necessary. They should teach you how to prevent giving the STI to other people. Health care providers should also talk with you about preventing unintended pregnancies. If they do not tell you about these things, then you can ask them to tell you or you can contact Planned Parenthood at 1-800-230-7562 or go online to www.plannedparenthood.org to find out this information.

83. What if I am pregnant and have a sexually transmitted infection?

It is important to diagnose and treat sexually transmitted infections (STIs) during pregnancy. You can consent to STI (including HIV) testing any time it is needed during a pregnancy. Testing for some STIs is required as part of health care for pregnancy. It is also sometimes required at the time of the baby's delivery. HIV counseling is also required during pregnancy, and testing will be done unless you say no. HIV testing must include confidential counseling both before the test is done and after the results come back. HIV can be passed from mother to baby at delivery, so if HIV is a concern during your pregnancy, there are special things that doctors will want to do to help protect the baby from HIV during the birth process.

Casey is 16. She thinks she has a sexually transmitted infection (STI) and her friends encourage her to get help. She does not want to tell her mom. Can Casey get tested for STIs?

Yes. Casey can get tested—and treated—for STIs without telling her mom.

84. Is health care for sexually transmitted infections, including HIV, different because they can be passed to other people?

Yes, there are important differences, because they are serious infections that can be spread to other people. Here are some of those differences:

- * Health departments provide free counseling and testing for certain sexually transmitted infections (STIs), including HIV. They also provide free medicines for STIs such as gonorrhea, syphilis, and Chlamydia, but not for HIV.
- * In most cases, the health care provider will tell you that you must contact your sex partners, so they can be treated too.
- * HIV and many other STIs are “reportable” infections. This means that your doctor or nurse must tell the people in charge of the state public health system that you have been infected. This information cannot be given to anyone else (except in certain situations, such as when the laws about child abuse have to be followed, or when you have said it is okay for your doctor or nurse to share it). Protecting this information about you is called “keeping it confidential,” and it is an important part of health care.
- * Because HIV infection is a very serious condition, some doctors or nurses will strongly advise that you ask a parent or other caring adult to help you, especially when you receive your test results. You can ask doctors and nurses about this before they do the test.

A Place to Live for You and Your Baby

85. Where can my baby and I live?

Perhaps you are wondering about things, such as:

- * whether you may or must keep living in your parents’ home,
- * whether you can get housing on your own, or
- * whether you are eligible for housing assistance from the government.

This section will help answer your questions. If you are under 18, you are expected to be under the supervision and guidance of a responsible adult. Until proven otherwise, that will be your parents. If your parents are shown to be unable or unwilling to provide for your basic needs and provide the supervision and guidance you need, you will be placed under the supervision of another adult. If you cannot live with your parents or another loving relative, finding a safe and decent living situation that you will like is probably the toughest part of your situation to figure out. It is not hopeless, but it is tough. Keep reading!

Joan cannot live at home after she tells her parents that she is pregnant. Her parents say that they are unprepared to care for her themselves during that time, and they arrange for Joan to stay in a maternity home. Is that okay?

Maternity group homes offer housing and social support to pregnant teenagers and new mothers who cannot live at home. They may be one solution to the housing problems of pregnant girls who cannot live with their parents.

Living with Your Parents

86. Can my parents make me leave home because I am pregnant or have a child?

Yes and no. If you are under 18, regardless of whether you are pregnant or not, your parents cannot kick you out or put you out on your own and wash their hands of you. If you are under 18, your parents must provide shelter for you. But this does not mean that your parents have to let you live in their home. They may arrange for you to stay somewhere else (as long as the place meets basic needs) where you will be under the supervision and guidance of a responsible adult. Until you are 18, you are expected to live where your parent or guardian tells you to live. Examples of places where your parents could arrange for you to stay are

- * with a relative or a family friend,
- * in a boarding school,
- * in a maternity home, or
- * in some other place where treatment is provided (such as a hospital or a group home).

Your parents cannot make you live in a place that could be harmful to you, such as a home where you would be exposed to drug or alcohol abuse. If your parents do not provide you with a safe place to live under adult supervision or have placed you in a place that is harmful to you, your situation may come to the attention of the Department of Children and Families (DCF). (Read the section on “Being Safe” to see what might happen in that case.) Your pregnancy or the birth of your child does not change your parents’ legal duty to provide shelter for you and care for and supervise you. Your parents do not have the same legal duty to a grandchild though. They do not have to provide a place for their grandchild to live or support her or him. Keep reading through this section to see what your options are.

87. What if I want to leave my parents’ home?

Experts believe that, in most cases, it is better for a teen mother to live at home with her parents after her baby is born. This belief is based on studies showing that young mothers who live with their parents are more likely to finish high school (possibly because live-at-home teen mothers receive more encouragement and more help with child care).

Because of this belief that home is usually the best place, many laws and funding programs try to encourage young mothers to stay at home. For example, leaving your parent’s home may keep you from getting money from the government—Temporary Assistance for Needy Families, or TANF—to help support your child. Under federal law, an unmarried parent who is under 18 and has custody of a child older than 12 weeks must be in school or pursuing a General Education Development (GED) certificate and must live at home or in an approved, adult-supervised setting in order to receive government assistance.

88. Do I always have to live in my parents’ home to get cash assistance (Temporary Assistance for Needy Families, or TANF) from the government?

Not always. There are two exceptions to this rule. You do not have to live at home if

- * you are a teen parent who is married or emancipated, or
- * living in your parent’s home puts your or your child’s physical or emotional health at risk.

89. What if it is not safe for me to live at my parents' home?

If you feel you are in immediate danger, walk out of the house. Call 911, go to the house of a friend and ask for help from their parents, call the police, or call any adult you trust. If your wits are scattered and you do not have a way to call for help or you do not know who to call, go to a store or public place (such as a library or fire station) that has a "Safe Place" sign (see graphic) and ask for help. The people who work there will call someone to come and help you.

If your situation is not an emergency but you or your child are at risk of physical or emotional harm, call the Department of Children and Families (DCF) through the child abuse hotline at 1-800-962-2873, or go online to www.dcf.state.fl.us/abuse. You may also ask an adult you trust, such as a teacher, to place the call for you. If you cannot live at home because physical or emotional harm might come to you or your child, the DCF must help you find a suitable, adult-supervised place to live.

Sometimes teenagers who have parents who do not meet their needs may be mad at their parents or feel ashamed of them, but at the same time they do not want to get their parents into trouble, so they say nothing. This is a tough, tough situation and more than any teenager should have to deal with, but please ask for help. There may be services to help you cope with your parents' problems, even if your parents will not accept help for such things as alcohol or drug abuse.



90. What if my parents and I just cannot get along?

There are all different shades of not getting along. If you are having serious trouble with your parents or other family members, reach out for help. Discuss the issues with an adult you trust, talk about them with your Healthy Start coordinator, or discuss them with your lawyer. Every area of Florida has counseling services and "time out" places. The goal of these services is to help preserve families and help you receive meaningful adult guidance and supervision. The Florida Network of Youth and Family Services can put you in touch with services that may help you in your area. Call 1-888-922-4324 or go online to www.floridanetwork.org. There is a map under "Find Help." Click on the place you live, and the site will direct you to the agency in your area. You do not have to leave home to get help for you and your family. Either way, they are set up to help teenagers with family problems.

91. What about living with my boyfriend's family?

As long as your parents are responsible for you, they would have to consent to that arrangement. Also, your boyfriend's family must have a responsible adult who is able and willing to take care of you. Keep in mind that you will have to abide by his parents' rules, not just by what you and your boyfriend want. Also, because of your age, someone may object to your being in a continuing sexual relationship with your boyfriend and may accuse your parents of neglect. In that case, the Department of Children and Families (DCF) may become involved.

92. What about living with my boyfriend?

In general, if you are living with a boyfriend or man you are not married to, the Department of Children and Families (DCF) will not consider you to be living in an appropriate adult-supervised arrangement. If you are under 18 and your boyfriend is over 18, he could face serious legal consequences and perhaps be arrested on criminal charges for having you live with him, even if that is what you want.

93. Where can I live besides my parents' home?

Your options may be limited. Usually, the best alternative is to find loving relatives who will agree to have you live with them and be responsible for you. Usually, your friends do not have any more independent resources than you do, so staying with them does not work out to be a good long-term plan. If you are moving from place to place, it is very hard to stay in school, to find and keep a job, and to keep up with appointments for your child and yourself, including appointments that keep you eligible for benefits such as Medicaid and Temporary Assistance for Needy Families (TANF). It is even hard to keep up with your mail. For those reasons and perhaps more, you need an adult to help you if you have no place to stay where your needs will be met. Reach out to the adults we have talked about before, your Healthy Start coordinator, your teachers, your friends' parents, the Florida Network of Youth and Family Services, the Health Department, the Department of Children and Families (DCF), or someone at your church. Or, if you are facing a real emergency, go to a place that has the yellow "Safe Place" sign and ask for help. (See graphic on page 33.) The adults in places with these signs will call someone to meet with you and help you make a plan for yourself and your child.

94. Can my parents keep my child while making me live elsewhere?

Your parents may not keep your child (their grandchild) while you are forced to live somewhere else, except in the following situations:

- * you are in detention, jail, or prison;
- * you are in a hospital or other treatment place and cannot care for the child; or
- * the court has placed your child with them.

Renting Your Own Apartment, House, or Mobile Home (Trailer)

95. Can I rent a place for myself?

Probably not. Owners and rental agents for apartments, houses, and mobile homes usually will not sign leases with minors. Also, utility companies that provide water, electricity, natural gas, and heating oil usually will not start these services in a minor's name. This is because, under the law, a minor is not responsible for a contract that he or she signs. So, even if you signed a lease for housing, the landlord probably could not collect the rent money if you did not pay. One exception to these general statements is that if you are aging out of foster care, you can sign a lease that is binding on both you and the landlord in preparation for living on your own after you turn 18. Your case worker will be involved in this process because it is generally not something that you can accomplish on your own.

You may have an adult relative or friend who is willing to sign a lease for you so that you can have your own place. If so, the adult is listed as the person renting the apartment, house, or trailer. He or she is the tenant, which makes him or her legally responsible for the rent and for paying for damage to the property. You and your child are listed as occupants. An adult who signed for your apartment, house, or trailer would be taking on a big responsibility, and it is important for you to know that. It is also important for you to understand a few laws and legal definitions about renting a place to live.

96. What is a lease?

A "lease" is a contract or legally enforceable agreement between a landlord (the owner of the property) and a tenant (the person who is renting the property). In the lease, the landlord and tenant agree on the rules for the rental of the property. Once the landlord and tenant both sign the lease, they are required to do what the lease says (unless the lease says something that is illegal under the landlord-tenant laws of Florida).

Rental leases can be either written or spoken, depending on how long the landlord and tenant agree the lease will last. It is usually much better to have a lease in writing. That way, everyone is clear about their responsibilities under the lease and many misunderstandings can be avoided.

97. What should be in a lease?

These are important things you should look for in a lease:

- * the address of the property being rented,
- * the name and address of the landlord,
- * how much the rent is per week or per month,
- * how much the deposit is and how you can get it back (a “deposit” is money that a tenant gives a landlord before moving in, which the landlord can use to pay for damage the tenant might do to the housing unit),
- * exactly when rent must be paid,
- * how long you are renting for (this is called the “term of the lease”—for example, some leases require the tenant to rent the property for six months or a year, while other leases only call for renting one month at a time), and
- * how the tenant and landlord must notify each other about ending the lease.

A lease should also make clear whether the tenant or landlord must pay the utility bills and how the property is to be maintained. Some leases also say who—or at least how many people—may live in the house, apartment, or mobile home. The adult who helps you rent a place to live will be violating the lease if the lease names who may live in the house or apartment and you and your child are not named.

Lisa’s parents tell her that they will not care for her and her baby once the baby is born. Lisa begins to look for a place to live. She finds a mobile home, but the rental agent refuses to rent it to her because she is only 16. Can he do that? Yes, the rental agent has the legal right to refuse to rent to a minor.

Tamarra has a baby when she is almost 17 and now she wants to be treated like an adult and get her own place. Can she?

Not without her parents’ permission.

Having a baby when you are under 18 does not make you an adult in the eyes of the law. When Tamarra is 18 she will be an adult.

For more information, see question 31 in the section on “Bringing Up Your Baby.”

98. What are a landlord’s and a tenant’s main duties?

The tenant (or a responsible adult if the tenant is a minor) must pay the rent and not damage the property. In return, the landlord must keep the property in a reasonable condition. If your community has a minimum housing code (rules about health and safety in housing), then the landlord must follow that code. If the landlord does not make necessary repairs after you inform him or her of the problem and you believe that your health or safety is at risk, you should report the situation to your local housing office. It is illegal for your landlord to take action against you by, for example, increasing the rent or trying to evict you, because you or the person signing the lease reported the poor condition of the property.

99. Can I be put out of rental housing before the lease is up?

If the rent is not paid on time, a landlord may try to have a tenant put out (evicted). Some landlords try to use methods that are illegal. A landlord may not try to make you leave by hassling you, locking you out, putting your things in the street, or by turning off the electricity, gas, water, or other essential services. Instead, the landlord must notify the tenant to pay the rent or else the rental agreement will be over.

If you believe your landlord has taken an illegal action, you should contact a lawyer for advice on what you can do about it. To find a lawyer or Legal Services in your area, contact the Florida Bar's Legal Referral Service at 1-800-342-8011, or go online to www.floridabar.org. You may also go online to www.floridalawhelp.org to find Legal Services in your area.

Public Assistance for Housing

100. Can I get public assistance for housing?

You may know that some people in your community get government assistance in buying or renting a home, and you may want similar assistance to rent an apartment. Once you are 18, you may be able to get public assistance for housing. However, most public housing authorities have rules that stop you from even getting on a waiting list for an apartment or for rental assistance until your 18th birthday. And even then, you are not guaranteed housing assistance.

In the U.S, there is no legal right to safe, decent, and affordable housing. Instead, housing assistance is seen as a benefit that the government may provide if funds are available. In recent years, the federal government has set aside little money for housing assistance. As a result, many public housing agencies have cut back the number of people they serve.

Juanita begins looking for an apartment on her 18th birthday. She sees an ad for what seems like the perfect place for her and her three-year-old son. Juanita calls and listens with great excitement as the rental agent describes the apartment. During the conversation, Juanita mentions that the apartment's location is within walking distance of her son's day care center. The agent then tells her that children are not allowed in the apartment complex. Is it legal for the complex to have such a rule? An apartment complex cannot refuse to allow children, unless the housing is mainly for senior citizens. Landlords may not discriminate against adults with children under the age of 18, single mothers, or pregnant women. Also, landlords cannot make renters with children pay more or agree to different terms than renters without children.

101. What should I do if I am homeless?

If you are under 18, you cannot stay by yourself in an adult homeless shelter. But many cities and some towns in Florida have runaway and homeless youth shelters provided by the Florida Network of Youth and Family Services. Law enforcement can usually assist in telling you where the closest youth shelter is located. Another way to find the youth shelter closest to you is to go to the public access computer in the public library, go to www.floridanetwork.org, and click on the county where you are. You may also call the Florida Network at 1-888-922-4324 during regular business hours. The youth shelter staff will admit you as long as you are under 18 and will provide temporary housing in the shelter. If child abuse or neglect is suspected, the shelter staff will contact the Department of Children and Families (DCF) to arrange emergency services for you. If you have no family options, the shelter will assist you with permanent housing solutions. Staying in a youth shelter is not going to be a long-term solution for you, but it may help you over a rough spot.

The National Runaway Switchboard tries to help minors anywhere in the U.S. who have run away from home (or are thinking about it) or who are homeless for any reason. They can also direct you to the shelter closest to you in Florida for runaway and homeless youth.

The National Runaway Switchboard

- * can be reached at 1-800-621-4000;
- * takes calls from anyone, 24 hours a day, every day of the year;
- * keeps calls confidential (NRS does not have Caller ID);
- * can also be reached at www.nrscrisisline.org;
- * does not call the police—unless you ask them to;
- * is required by law to report suspected abuse or neglect to the child abuse hotline;
- * is not connected to any religious organization;
- * does not judge callers;
- * does not go out and look for kids;
- * gives messages to families;
- * will arrange conference calls between a minor and his or her family;
- * refers kids to shelter, food, and medical/legal assistance; and
- * works with Greyhound Lines, Inc., to send kids home by bus through the Home Free program.

102. Can I stay in school if I am homeless?

Yes! Whether you are homeless along with your parents or by yourself, there are special rules schools must follow to help you stay in school or get back to school. Your rights as a homeless student are discussed in the next section.

Staying in School

103. Will I be able to stay in school while I am pregnant?

Yes. You will be offered a chance to go to school as part of a teen parent program, or you may stay in the regular classroom you were in before you became pregnant. Pregnant or not, everyone has to go to school until they are 16 (unless you have been expelled or suspended for some other reason). Every school district in Florida has a teen parent program. The focus of the program is prenatal health, parenting classes, transportation, and day care. The law requires the program to include components about the merits of sexual activity and the consequences of additional pregnancies during your teen years. Your school cannot force you to change to another school or the teen parent program, and it cannot make you uncomfortable enough to want to transfer or drop out. It would be illegal, for example, for school officials to tell you that they cannot make sure you will be safe in your current school now that you are pregnant.

The teen parent program includes special transportation for your child and day care for your child so that you may attend classes. Depending on your school district, this day care may mean that you take your baby to class with you. You have a right to this service by state law.

If you think you want to change schools or programs, consider asking the principal, teachers, and counselors at your current school whether the new program is as good as the one you are in now. You will want to know whether it offers the courses you need for college or a good job.

104. What if I have to miss school because of medical problems?

If you or your child's medical problem keeps you out of school, the school must excuse the absence. Be sure to ask the doctor to provide a written excuse. Although the absence will be excused, you will have to make up the work to get credit. If it is medically necessary for you to stay home for weeks or months, ask the school to arrange homebound instruction. You are legally entitled to it.

105. Why is it important to be in school as much as possible?

You will not learn as much from someone coming by your home briefly to teach you or deliver assignments to you as you will from being in class. If you miss many school days, your grades may fall or you may lose credit, and you might even have to repeat a year.

106. If I am a parent, do I have rights at school?

Yes. First, you cannot be treated worse than other students for being a parent. Second, schools must treat young mothers and fathers the same. So, fathers must be allowed to use school-related child care centers or take parenting classes too. If you feel you are being treated differently because you are a parent, you should get advice from a lawyer. To find a lawyer or Legal Services in your area, contact the Florida Bar's Legal Referral Service at 1-800-342-8011, or go online to www.floridabar.org. You may also go online to www.floridalawhelp.org to find Legal Services in your area.

107. Can I drop out before I am 16 because I am pregnant or parenting or because my family needs me to work?

No. You must stay in school until you are 16. Your parents are responsible for finding a way for you to attend school until age 16. You can ask the teen parent program coordinator in your school, your Healthy Start coordinator, or the Department of Children and Families (DCF) about getting help in paying for child care. They can let you know about licensed child care providers or about arranging transportation for you to get to school and your child to get to day care. If your parents cannot or will not help you arrange for child care so that you can go to school, ask one of these people to help you.

If you do drop out, the school must tell you where else you can continue your education. Examples of places you could go are an extended day program in the public school system or the local community college.

Pregnant and parenting teens who finish high school have an easier time getting a job and earn higher pay. They are less likely to need government assistance and their children are more likely to graduate from high school.

Cheryl is 15 and pregnant. Can she quit school and work?

No. She cannot drop out until she is 16, and the law limits her work hours until she is 18.

108. Can I go to school if I am homeless?

Yes. Homeless students have the right to the same education as other students. You have this right whether you are homeless with or without your child and with or without your parent. These are your major rights:

- * You are entitled to be in the regular school program, not just a program for homeless students. You are also entitled to any other school programs or services you need, including transportation to school and back; services for disadvantaged children, children with special needs, or students with limited English proficiency; vocational education; programs for gifted and talented students; and school meal programs.
- * A school must let you in immediately, even if you are by yourself and you do not have the records normally required for entering school (such as proof of residency, a birth certificate, your grades in the last school, or your immunization records). In Florida, you may attend school for 30 days without your immunization records or a school entry health examination. Someone at your school will be responsible for working with you and your parents to get your records. This person can also help you schedule any immunizations you might need at the Health Department in your county.
- * You have the right to help from the school district's liaison for homeless students. She or he can help you enroll, get transportation to and from school, and pursue other rights.

Going to Court

109. Why might someone my age go to court?

You might have to go to court if you are accused of having done something wrong or if you are called as a witness. You might have to go because your family needs help or comes to the attention of the court in some way. Or, you might go to court because you need to ask for something. Examples of things you might ask the court for include:

- * child support for your baby,
- * permission not to notify your parents about your plan to have an abortion,
- * permission to get married, or
- * permission to be emancipated.

110. What should I pay attention to if I go to court?

It is very important to

- * be there on the day you are expected,
- * be on time,
- * tell the truth,
- * think beforehand about what to say,
- * speak clearly, and
- * show respect.

Keisha is excited about graduating, but her class adviser says she cannot march because she is pregnant and showing. Is the adviser right?

No. The adviser is mistaken. Not letting Keisha march would violate a federal law that forbids discrimination against pregnant students.

111. Can I get out of going to court if it is hard to get there?

If the court expects you to be there, then you should be there. If a judge ordered you to court, then you have to go. Courts never say, "Oh, never mind," if you fail to show up when you have been ordered to be there. Instead, the judge can say that you are in "contempt of court" and send law enforcement officers to bring you to court.

If you asked to talk to a judge and you do not come, the judge may also close the case and you will miss your chance to get what you need. Any time you are supposed to be in court, you should make every effort to contact the Clerk of Court if you cannot be there.

So, plan ahead. Find a babysitter, if you need one. Have backup plans, if your ride or sitter do not work out. Tell your school, your boss, or whomever you need to tell that you have to be somewhere. (Schools must excuse an absence to take part in a court procedure.)

If you still cannot get there, be sure to call the Clerk of Court's office and your lawyer (if you have one) before the time you are supposed to be there and tell them why you need to miss the appointment. It is possible, in this case, that the judge will let you come another time. You can find the Clerk of Court's phone number in the phone book (usually in the blue pages, which list government numbers).

Belinda is so nervous when she goes to court on her bypass petition she can hardly speak. What should she do? When it is her turn to speak, she should say "I am so nervous I am having trouble speaking. May I please have a moment to compose myself, and then I will answer the question?"

For more information, see question 114.

112. Can I be late to court?

No. Being late may be as bad as not coming. Be sure to know where the courthouse is and when you need to be there. It is often hard to park around a courthouse, so leave plenty of time for that.

Ask the security guard to direct you to the correct room inside the courthouse.

It is a good idea to give your cell phone number to your lawyer. Often the schedule for hearings is changed, and your lawyer can let you know about that. If you are late, call your lawyer and the Clerk of Court's office to let them know that, and tell them why.

113. How should I prepare to talk with the judge?

Practice out loud what you plan to say and practice answering questions you might be asked. If your lawyer does not offer to do this with you, ask him or her to do that. Planning how you will answer questions is a good way to reduce how nervous you will feel when you get there. But, almost everyone is nervous when they have to appear in court. The judge will take that into account when he or she talks to you.

114. How should I talk to a judge or a lawyer in court?

Here are several things you should keep in mind when talking to someone in court:

- * Listen to what the person says. Ask him or her to say it again if you do not understand.
- * Take your time before answering.
- * If you do not know an answer, say "I don't know." Lots of times a person in court feels like she should be able to answer every question she is asked. It is much better to say "I don't know" instead of trying to answer a question that you really do not know the answer to.
- * Speak clearly and loudly and slowly enough to be understood. Many people speak too fast when they are nervous. Try hard to speak as slowly as you can. Use whole sentences.
- * Do not try to be funny or sarcastic.

The three things that do not get you what you want in court are argument, anger, and tears. Try hard to show respect to everyone, even if you feel someone is not showing respect to you.

Often the things teenagers go to court about are very emotional subjects that are very important to them. Even so, try not to get so upset that you cannot explain things or the judge cannot understand you. If you do get upset, ask for a minute to compose yourself.

Going to court is never fun. It is normal and okay to feel nervous before you go and to be down after it is over, even if you get the outcome you want. Give yourself some time to get over it before you settle on how you feel about the whole experience.

115. What should I wear (or not wear) to court?

A good guide is "Do not dress up. Do not dress down. Be modest." Fancy clothes or loud, eye-catching clothes, or clothes that do not cover enough of your body might attract unfavorable attention. Your clothes should cover you from your shoulders to your knees. Do not wear halter-tops, short skirts, low-cut jeans, flip-flops, bedroom slippers, or T-shirts with slogans on them. Do not wear jewelry that sparkles a lot or that you would usually save for going out. The less make-up the better. None at all is fine. Do not chew gum.

116. What is considered respectful behavior in court?

It is good to

- * sit or stand straight,
- * look at the person talking to you,
- * wait until he or she is finished before you speak, and
- * use "sir" or "ma'am."

It is not good to

- * talk or whisper while waiting to be called,
- * use a cell phone, or
- * use bad language or talk back.

Completely turn off your cell phone! Do not just put it on vibrate. Courtrooms are very quiet and the slightest noise from your cell phone can be heard everywhere. If it goes off, it can irritate everyone in the court.

117. Should I bring someone to court with me?

Talk about this with your lawyer. If there is an adult you trust who is willing to come and it would make you feel more comfortable for this person to be there, then ask your lawyer if including this person would be okay. It is always tempting to bring a friend, but sometimes it is hard for even your closest friend not to talk about what they see or hear. Friends would need to dress as if they were going to court too, turn off their cell phones, and in general show respect just like you do. The best thing to do is ask your lawyer about it. If a friend is giving you a ride, ask the friend if it would be okay for him or her to wait for you outside the courtroom.

Working

118. Can I get a job?

Maybe. You are legally entitled to work at many jobs and many minors do work. Work permits or papers are not required in Florida. A minor cannot work as many hours as adults and cannot take certain jobs that are dangerous or that may be harmful to his or her health. In general:

- * A person 13 or younger cannot do much besides farm work, household chores, or casual babysitting.
- * A person 14 or 15 years old can only work in certain jobs, and only outside school hours. The number of hours 14- and 15-year-olds can work is limited.
- * A person between 16 and 18 years old can work longer hours, though there are still some limitations. There are some exceptions to this if the job has an exemption or waiver.

119. What are the work rules for minor parents who get cash assistance from the government?

Temporary Assistance for Needy Families (TANF) is a state/federal cash assistance program that has its own rules about work and school. Representatives at the Department of Children and Families (DCF) can explain these rules to you. In general, to be eligible for payments, pregnant teens and those caring for a young child are required to attend high school and graduate or be enrolled in a program that leads to a General Education Development, or GED, certificate.



Being Safe

120. What laws are there to keep me safe?

Florida laws try to protect you from the following:

- * abuse, neglect, and dependency;
- * sexual offenses; and
- * domestic violence.

These terms are explained below.

If you are the victim of a crime—for example, assault and battery, robbery, or rape—and you report it to the police, they will take your report and investigate it just as they would for an adult.

121. Who is an abused child?

You are abused if your parent (or someone taking the place of your parent) does any of these things:

- * seriously injures you mentally or physically,
- * knows that someone else is hurting you or there is a serious risk that they will hurt you and fails to do anything about it, or
- * sexually abuses you.

122. Who is a neglected child?

You are neglected if your parent does any of these things:

- * does not meet your basic needs for food, clothing, and shelter when they could do so or refuses the offer of these things for you;
- * does not properly care for, supervise, or discipline you;
- * does not make sure there is supervision appropriate for your age when your parent has to be away;
- * abandons you;
- * does not get you medical or remedial care (such as glasses or a hearing aid);
- * lets you live in a harmful place (for example, a place that is unsanitary or dangerous, or where there are unsuitable people, drugs, or violence);
- * exposes you to alcohol or controlled substances (drugs);
- * uses alcohol or drugs in such a serious and chronic way that you are obviously badly affected by your parent's substance abuse;
- * does not protect you from people or situations that would cause harm to you; or
- * abuses or neglects your brother or sister.

123. Who is a dependent child?

Usually you might think of a dependent person simply as someone who counts on another person for some type of support. But, in Florida, being a “dependent child” has a specific legal meaning. You are a dependent child if your parent abuses or neglects you or if the court finds that

- * you do not have a parent to care for you, or
- * your parent cannot take care of you or send you to an appropriate place.

A child who has been voluntarily placed with the Department of Children and Families (DCF) or given up for adoption but has not yet been placed with adoptive parents is also a dependent child. A court may also find a child to be dependent if the child is about to be abused, abandoned, or neglected.

Being a dependent child means that a court will have to approve your placement until you are 18 or until the conditions that led the court to find you to be dependent are no longer present.

124. Who is supposed to keep a child from being abused, neglected, or dependent?

Only parents and people acting as parents (such as a guardian) have this duty. For example, if your coach, friend, aunt, or next-door neighbor hit you, it would be battery, not child abuse. (If your parent let someone else harm you, that would be abuse on your parent's part.)

But, everybody who knows or has a reasonable cause to suspect child abuse or neglect must report it to the child abuse hotline.

125. How should abuse, neglect, or dependency be reported?

Call the statewide, toll free, child abuse hotline number, 1-800-962-2873, or go online to www.dcf.state.fl.us/abuse. Some people—like doctors, health care workers, or teachers—have to give their names as part of the report. But neighbors, friends, the parents of friends, church members, and just ordinary people, including you, do not. The person answering the phone at the hotline will decide how to handle the report. If it is an emergency, they will get help immediately. The person who is investigated for abuse or neglect will not be told who made the report. If you know about a situation and you are afraid to report it, tell an adult you trust and ask them to call it in. Teachers and administrators at your school are trained in how to handle these situations, and they would be a good place to start.

126. How will the call be handled?

All reports are investigated to some degree. In some cases, child protective services workers from the Department of Children and Families (DCF) will handle the investigation and, in some cases, they will work with police or sheriff's officers to investigate.

127. What if a report is not true?

It will be up to Department of Children and Families (DCF) and law enforcement personnel to determine whether or not a report is true. If there is absolutely no basis in fact for the report, they will be able to determine that. If you think you or someone else is getting hurt or is not being taken care of, do not try to investigate yourself. Call and let a person trained in this area look into it. You cannot make stuff up, but as long as you have an honest concern—even if it turns out not to be proved—you will not get in any trouble for calling.

128. Is it a crime to have sex if I am under 18?

If you are under 18 and have consensual sex—that is, sex that you both freely choose to have—then you have committed a crime only if your partner is under 16. If you are under 16, your partner has committed a crime in having sex with you, no matter the age of your partner. This is true even if you consent to the sex or ask for it. If you are 12 to 16 years of age, the penalty for your partner who has sex with you is the same regardless of your partner's age. Florida law treats most oral (by mouth) and digital (using fingers or hands) acts the same as intercourse. The possible penalty is up to fifteen years in prison, but it is impossible to say in this book what would happen in any individual case. Sexual conduct that falls short of this is still a crime, but the possible penalty is much lower.

Florida law imposes very severe penalties on anyone having sex with a person under 12, including a mandatory life sentence if the offender is 18 or older.

If you are 16 or 17 and your partner is 24 or older, your partner commits a crime in having sex with you. Again, this is true even if you consent to the sex. This law applies unless you have been married or a court has declared you an emancipated minor.

129. What if I tell someone I am older than I really am?

In the eyes of the law it does not matter. Your true age will determine how serious the crime is for the person who engaged in sexual activity with you. Your partner's mistaken belief about your age does not make a difference under the law, whether it is because he never asked or because you said you were a particular age or because your partner genuinely believes for some reason that you are a particular age.

130. Can my sexual activity be investigated without my parents finding out?

Probably not. If the police learn that you have had sex, it is very likely that your parents will be told about it. Law enforcement officers will usually consider talking to your parents to be part of the investigation.

131. If my relationship with my boyfriend is unlawful because of our ages, will anyone report him to the police or the Department of Children and Families or tell my parents?

It is impossible to say “yes” or “no,” because there are too many possible situations. But, this information about the law may help you.

- * Almost anyone may—but very few people must—report a crime.
- * Every adult must report a reasonable suspicion of a child’s abuse, neglect, or dependency to the child abuse hot line. So, if an adult knew of an unlawful relationship and thought your parents knew of it and were not protecting you, the adult might report your parents to the Department of Children and Families (DCF) for neglect. (Remember that “every adult” includes health and social services providers and school personnel. There are no exceptions to this duty to report mistreatment of children.)
- * If the DCF learns that someone besides a parent or other caretaker may have physically harmed a minor, the DCF must tell law enforcement.
- * If you are under 16 and the man who makes you pregnant is over 21, the man must be reported to law enforcement for child abuse.
- * The law considers you abused by some sexual acts even if you think you took part in them of your own free will, or even if you asked to take part in them.
- * A doctor treating you on your own must tell your parents about it if the doctor thinks that telling them is essential to your life or health.

132. What is domestic violence between partners?

Domestic violence includes harmful acts between people who have been living in the same place in the past or are living together in the same place now. The law about domestic violence covers any member of the household where it occurs. If you have a child with someone, you are covered by the domestic violence law even if you have never lived in the same place with this person in the past and are not living in the same place now. You do not have to be related or in a legal relationship with someone to be covered by the domestic violence law. You do not have to wait until actual abuse occurs to reach out for protection. If you are afraid of someone that you know, seek help.

Domestic violence covers a number of crimes such as hitting or sexually abusing a person covered by the domestic violence law. It includes threatening to do those things, or stopping a person from leaving or communicating with the outside world for help. Domestic violence also covers destruction of personal property, such as pets or cars or cell phones, and it covers stalking a potential victim or harassing other family members.

133. What can I do about domestic violence?

If it is an emergency, call 911. The police will respond. Law enforcement officers have been trained to deal with domestic violence, and they will stay with you until you are in a safe place. Be aware that, once they get involved, it is up to them to say the emergency is over. They will not leave if you change your mind about having them involved. But, they will know what services you might need and how to help you get them.

If it is not an emergency, call the police department at its regular phone number. Or, talk to an adult you trust about it. Domestic violence is bad for the victim—such as your mother—and for other members of the household. And it has a bad effect on children who witness it. Your mother, or any woman who is over 18, can go to a refuge house where she will be safe from an abuser. She can take her children with her. Your mother should call the domestic violence hotline at 1-800-500-1119 to find the nearest domestic violence refuge.

If you are under 18 and the victim of domestic violence, you can go to the police, a “Safe Place” location (see graphic on page 33), or a public place. Call the Florida Network of Youth and Family Services at 1-888-922-4324 or the child abuse hotline at 1-800-962-2873. Any actual or potential physical abuse will be investigated as a child abuse case.

Anyone who has suffered domestic violence or is worried that he or she might be a victim of domestic

violence in the future can go to court and ask for a protective order. This order commands the abuser or potential abuser to not hurt or threaten the parent of their child or other members of their household. The court can order the abuser or potential abuser to stay away and not do harmful things. This order can be enforced by law enforcement officers (police or sheriff’s deputies). The police, family crisis counselors, or the Department of Children and Families (DCF) representatives can tell you about the process. Legal Services lawyers will help you with the process. You may also go to the Clerk of Court’s office and ask for help with this. A protective order can sort out the issues that a household, family, or an individual caught up with domestic violence has to deal with. You may ask a judge to order the person to

- * stop the abuse,
- * stay away from you and other members of your household, and/or
- * get treatment.

The judge can also decide other matters that will help avoid future abuse, such as who can stay in the place you live and who your child will stay with. Depending on the facts of your case, a judge could decide to give 100 percent of a child’s time to one parent, establish a child support obligation, and make clear that the abuser or potential abuser must leave property as it is and stay away from the victim’s residence, school, and work locations.

When Christy files for child support, Josh, her baby’s father, poisons her dog. What can she do?

That is domestic violence, and she can ask a judge for a protective order. It is also destruction of property and cruelty to animals, two crimes that she can report to the police.

Citizens and Immigrants

134. Who is a U.S. citizen? Who is an immigrant?

A citizen is someone who was born in the U.S. or who was born in another country but has become a citizen by doing something called “naturalizing.” You are also a U.S. citizen if your parents are U.S. citizens, even if you were born in another country.

People who are not U.S. citizens may be called “noncitizens,” “immigrants,” or “aliens.” Laws usually use the word “alien.” This book uses the word “immigrant” to mean someone who is not a U.S. citizen but who is living in the U.S. and plans to stay. A noncitizen who is in the U.S. but plans to return to his or her home country is a “nonimmigrant” or “visitor.”

Immigrants are supposed to have permission to stay in the U.S. They have to get this permission from a government agency called the U.S. Citizenship and Immigration Services. (This agency used to be called the INS, and sometimes people still call it that.) An immigrant who has permission to stay in the U.S. is called a “documented immigrant” or “legal alien.” An immigrant who is in the U.S. without permission is called an “undocumented immigrant” or “illegal alien.”

137. Why does it matter if I am an immigrant or if I do not speak English fluently?

Laws treat immigrants and citizens differently in ways that may be important to you. For example:

- * There are some kinds of government help that you cannot get if you are an immigrant, especially if you are undocumented.
- * If you have trouble with English, you can get free help from someone who speaks your language at school, health departments, and the Department of Children and Families (DCF), even if you are not a citizen. But, even if you are a citizen, if you have to go to court, you probably will need to take someone with you who can speak and write English.

The next section of this guide talks about the kinds of help immigrants can get from the government, and when you can get help with English if you need it.

135. If my baby is born in the U.S., is the baby a U.S. citizen?

Yes.

136. Will having a baby in the U.S. make me a U.S. citizen?

No. Even though your baby is a U.S. citizen, you will still be whatever you were before the baby was born—citizen or immigrant, documented or undocumented.

Getting Health Care and Health Insurance

138. If I am not a citizen, can I go to the doctor?

Yes. But, some doctors will not see you unless you have health insurance. If you do not have insurance, here are some ways to get health care:

- * If you have a medical emergency, any hospital emergency room will take care of you. They may ask if you have health insurance, but they will still treat you if you say no. Being in labor or giving birth counts as an emergency.
- * If you have an emergency and you cannot get to the hospital on your own, you can call 911 and ask for an ambulance or emergency medical services (EMS).

Here are some ways to get health care when it is not an emergency:

- * Health departments can help you with family planning (birth control), pregnancy tests, prenatal care, and sexually transmitted diseases (STDs) and with health care and immunizations (shots) for you or your child. They can also give you information about pregnancy and the choices you have for dealing with it. You can find the health department in your county by going online to www.doh.state.fl.us.
- * Planned Parenthood can help you with family planning, pregnancy tests, STDs, and information about pregnancy and your choices when you are pregnant. Some Planned Parenthood clinics can also perform abortions. You can find the Planned Parenthood clinic in your area by calling 1-800-230-7526 or by going online to www.plannedparenthood.org.
- * Some parts of Florida have community health centers or free clinics that will treat many different kinds of medical problems for free or for what you can afford to pay. Your county health department can direct you to them or you can go online to www.doh.state.fl.

139. If I have trouble with English, will the doctor's office staff help me?

Some private doctor's offices will not, but public clinics—such as local health departments and community health centers—are required to help you with English. Someone who speaks your language should be available to help you talk to doctors or nurses who do not speak your language themselves. Sometimes, you may need to talk on the telephone with a translator who will then tell the doctor or nurse what you said. If a doctor or nurse gives you papers or asks you to sign something that is in English, they should have someone read it to you in your language. Public clinics are not allowed to make you pay for this help, and they are not allowed to make you bring someone who speaks English with you to your appointment.

If you want to bring a family member or friend who speaks English, however, you can do that. But, the doctor or nurse is not supposed to talk to you through your family member or friend unless he or she believes three things:

- * that your friend or family member can understand what the doctor or nurse says about your health,
- * that your friend or family member will not make it harder for you to get the health care you need, and
- * that your friend or family member will keep your information private.

140. Will the doctor ask if I am a citizen?

Health care providers are not supposed to ask if you are a citizen, but sometimes they do. If a health care provider asks you, you do not have to answer if you do not want to. If the person will not treat you unless you answer, you can either answer or try to find another provider. Even if the health care provider asks and you answer, he or she is not supposed to tell anyone else what you said. If you are worried about this, ask people in your community which doctors or facilities can be trusted not to ask about your immigration status.

141. If I am an undocumented immigrant, should I give the doctor a fake name?

When people give fake names, fake birthdays, or fake Social Security numbers to health care providers, it can cause a lot of problems. Here are some examples:

- * Your medical information could get mixed up with somebody else's. This could make it hard for the doctor to take good care of you. Or, it could lead to the doctor telling somebody else your private information.
- * If you have a baby, it might get confusing in the hospital if you have a fake name on your medical records but then you put your real name on the baby's birth certificate.
- * If you have been using somebody else's name so that you could use their health insurance, you could be charged with a crime. Never use somebody else's health insurance.

All things considered, it is probably best to give the doctor your real name. Health care providers are not supposed to ask if you are a citizen or an immigrant, or if you are documented. Even if they believe you are undocumented, they should not tell anyone. Still, no one can guarantee that they will not. If you are worried about this, ask people in your community which doctors or facilities can be trusted not to ask about your immigration status.

142. Can I get health care for myself if my parents are not in the U.S.?

If you are under 18, you need permission from your parent or another adult who is responsible for you to get some kinds of health care. However, there are some kinds of health care you can get on your own.

If a doctor thinks you are able to make your own health care decisions, you will not need your parent's consent for

- * family planning (birth control);
- * health care for sexually transmitted infections (STIs) like gonorrhea or chlamydia;
- * pregnancy testing;
- * prenatal care;
- * labor and having a baby;
- * treating emotional or mental health problems, such as depression; or
- * treating drug or alcohol abuse.

If you have a medical emergency, a hospital or health clinic will take care of you, even if they cannot get in touch with your parents to get permission. They are supposed to try to get your parent's permission though, so they will probably ask you who your parents are and how they can get in touch with them.

Even if it is not an emergency, if you have a medical problem that is going to get worse without treatment, a hospital or health clinic should take care of you if they have tried to get in touch with your parents but were not able to.

If you are pregnant and want to end the pregnancy, you could ask your parents to speak with your doctor to receive notice of your intent to end the pregnancy. If that is impossible, or if you have serious reasons for your parents not to know about your intention to have an abortion, you will have to ask a judge for permission not to have your parents notified. The way you do this is explained in the section on "Ending a Pregnancy."

You may have difficulty getting other kinds of health care if your parents are not around to say it is okay. If you can, get your parents to sign a letter that says another adult is allowed to get health care for you. This can make getting health care much easier.

143. Can I get health care for my child if I am under 18 and my parents are not in the U.S.?

Yes. You are allowed to give consent for your child's health care. You do not need your parent's permission.

144. Who will pay for my health care if I am an immigrant?

Anyone can get free health care for sexually transmitted infections at Florida health departments. It does not matter if you are a citizen or an immigrant. Health department staff can give you free tests and medicines for sexually transmitted infections (STIs) like gonorrhea, syphilis, or chlamydia. They may ask you if you have insurance but, if you do not, they will treat you anyway and they will not charge you.

Here are other kinds of free care immigrants can get from health departments:

- * Immunizations (shots) that you or your children are required to have for school. Sometimes free flu shots are available as well.
- * Tests and medicines for tuberculosis (TB).
- * Tests for HIV, counseling about how to keep from getting it, or counseling about what to do if you already have it. Health departments do not give free HIV medicines, but they might be able to help you find a way to get HIV medicines.
- * Tests for sickle cell anemia.

You can also get pregnancy tests and birth control from the local health department's family planning clinic. If you do not have insurance, the clinic will only charge you what it decides you can afford to pay. It will decide how much you can pay by looking only at how much money you make—it will not ask you how much money your parents make. If it decides you cannot afford to pay anything, it will not charge you anything.

You may also be able to get free or reduced-price health care at Planned Parenthood, community or rural health centers, or free clinics.

145. What kinds of government health insurance can immigrants get?

Medicaid is a type of government health insurance that some immigrants can get. It is only for people who do not have much money. There are different kinds of Medicaid. You are most likely to be interested in Medicaid for Pregnant Women (MPW), Medicaid for Infants and Children, or Emergency Medicaid.

There is another type of government health insurance for children only. It is called Florida KidCare. It is Florida's children's health insurance program for uninsured children under age 19. Eligibility for KidCare is based on your child's age and family income. You can apply for KidCare online in English, Spanish, and Creole at www.healthykids.org/apply or call the Florida KidCare toll free number at 1-888-540-5437 to request an application and get information about the program.

146. What is Medicaid for Pregnant Women? Can I get it if I am an immigrant?

Medicaid for Pregnant Women (MPW) will pay for prenatal care and other health care that is related to pregnancy. Documented immigrants can get MPW, but usually you have to have been in the U.S. for at least five years before you can get it. (A few documented immigrants, such as refugees, can get MPW right after being allowed into the U.S. instead of waiting five years.) You cannot get MPW if you are undocumented.

If you apply for MPW, you will be asked if you are a citizen. If you are not a citizen, you will be asked to prove that you are an immigrant who is allowed to get MPW.

You can get information about Medicaid services at www.myflorida.com/medicaid and an application at www.myflorida.com/accessflorida.

147. What is Medicaid for Infants and Children? Can I get it if I am an immigrant?

Medicaid for Infants and Children pays for health care for children up to the age of 19. Documented immigrants can get this kind of Medicaid, but usually you have to have been in the U.S. for at least five years before you can get it. (A few documented immigrants, such as refugees, can get this kind of Medicaid right after being allowed into the U.S. instead of waiting five years.) You cannot get Medicaid for Infants and Children if you are undocumented.

If you apply for this kind of Medicaid for yourself, you will be asked if you are a citizen. If you are not a citizen, you will be asked to prove that you are an immigrant who is allowed to get Medicaid.

If you apply for this kind of Medicaid for your child, you will be asked if he or she is a citizen, but you should not be asked if you are. If your child was born in the U.S., he or she is a U.S. citizen and can get Medicaid for Infants and Children even if you are not a citizen and even if you are undocumented. If your child is not a citizen, you will be asked to prove that he or she is an immigrant who is allowed to get Medicaid.

You can get information about Medicaid services at www.myflorida.com/medicaid and an application at www.myflorida.com/accessflorida. You should also check Florida KidCare at 1-888-540-5437 or go online to www.floridakidcare.org.

148. What is Emergency Medicaid? Can I get it if I am an immigrant?

Emergency Medicaid is a type of health insurance that any immigrant can get—even if he or she is undocumented. This type of insurance will only pay for medical emergencies. Being in labor or having a baby counts as a medical emergency.

When you apply for Emergency Medicaid, you do not have to say if you are a citizen, but you do have to answer questions about whether you live in Florida and plan to stay here. You cannot get Emergency Medicaid in Florida if you live in another state or are just a temporary visitor to the U.S. If you are in the U.S. on a temporary visa that has not expired yet, you will not count as a resident and you will not be able to get Emergency Medicaid—but you can still get emergency health care if you need it. If you have a medical emergency, go to a hospital or call 911.

You can get information about Medicaid services at www.myflorida.com/medicaid and an application at www.myflorida.com/accessflorida.

Getting Other Kinds of Help

149. Are there other kinds of government help immigrants can get?

There are some types of help you can get only if you are documented. Others you can get even if you are undocumented.

150. What kinds of government help are available?

There are several types of help available:

- * Temporary Assistance for Needy Families (TANF) is a government program for people who have children but who do not have much money. It gives families cash and other kinds of help. Documented immigrants can get TANF, but usually they have to have been in the U.S. for at least five years. You can apply for TANF at the Department of Children and Families (DCF). You will be asked if you are a citizen. If you are not a citizen, you will be asked to prove that you are an immigrant who is allowed to get TANF. To get more information or find a DCF office near you, go to www.dcf.state.fl.us. To apply online, go to www.dcf.state.fl.us/accessflorida.
- * Food stamps allow people who do not have much money to buy food. They work the same as money at a food store. Some documented immigrants, including children who are less than 18 years of age, can get food stamps. You can apply for food stamps at the DCF. You will be asked if you are a citizen. If you are not a citizen, you will be asked to prove that you are an immigrant who is allowed to get food stamps. To get more information or to find a DCF office near you, go to www.dcf.state.fl.us. To apply online, go to www.dcf.state.fl.us/accessflorida.
- * The Women, Infants, and Children program (called "WIC") gives food and other nutrition help to teens and women who are pregnant and to babies and young children. Ask your doctor how you can get WIC.
- * Child Protective Services (CPS) helps children who are abused or neglected. It is part of the DCF. There is more about abuse and neglect in the section on "Being Safe." If you need this kind of help, you can call the statewide child abuse hotline at 1-800-962-2873 or ask someone you trust to call for you. To find the DCF in your area, go online to www.dcf.fl.state.fl.us.
- * The government often provides a lot of help to people when there is a disaster, such as a hurricane or a flood. Undocumented immigrants can stay in emergency shelters and also get emergency food and other kinds of help in disasters.

Legal Matters

151. Can an immigrant get a judge's permission to end a pregnancy without notifying her parents?

Yes. To get the judge's permission, you have to do the same things a citizen would have to do. Those things are explained in the section on "Ending a Pregnancy."

If you have trouble with English, you are probably going to need to take a friend who speaks English to court with you. You will have to fill out forms that are in English and talk to people who may speak only English. You should not count on being able to get help from the court staff—take someone with you instead.

152. Can an immigrant get married in Florida?

Yes. You will be treated just like a citizen who wants to get married. If you are 16 or 17, you may obtain a marriage license with the written consent of your parent or guardian. No one under 16 may obtain a marriage license, with or without parental consent, unless the girl is pregnant, wants to marry the father of her child, and it is approved by a judge. There is more information about this in the section on "Marriage."

When you go to get a marriage license, you will be asked for your Social Security number. If you do not have one, you will have to show a photo ID. Many court clerks are unaware that an immigrant can marry. If you are turned away, you should consult an attorney.

If you have trouble with English, you should take someone who speaks English with you when you go to get the license, or if you have to go to court to get a judge's permission to marry. You will have to fill out forms that are in English and talk to people who may speak only English.

Changing Your Immigration Status

153. If you are undocumented, is there a way you can become documented?

It is sometimes possible for an undocumented immigrant to become documented and eventually even become a U.S. citizen. You will need the help of a lawyer to do this. It is very important to find a lawyer who concentrates in immigration.

Do not ask a notary public (notaria, consultaria, or notario publico) to help you with this. In the U.S., notaries public are not lawyers and cannot do the legal work that is required to help you become documented. A lawyer who can help you will have

- * a degree showing that he or she graduated from a law school, and
- * a license to practice law in the state where he or she works.

Keep in mind that immigration is a federal area of law. This means the law is the same everywhere in the United States. Even though an attorney may not be listed with the Florida Bar, he or she may be licensed to practice immigration in another state. Check with the state bar where the attorney is licensed. If you want to find out if a person is licensed to practice law in Florida, you can call the Florida Bar at 850-561-5600 or visit the Bar's website at www.floridabar.org and click on "Locate an Attorney." The Florida Bar also offers a lawyer referral service. For a list of free immigration services go to www.usdoj.gov/eoir/probono/freelgchtml.htm.

154. What circumstances could make me eligible to become documented?

There are many different circumstances that could apply—too many to explain in this book. But there are two ways in particular that you may want to ask an immigration lawyer about: Special Immigrant Juvenile Status (SIJS) and U Visas.

155. What is Special Immigrant Juvenile Status?

Special Immigrant Juvenile Status (SIJS) is a special immigration status for unmarried minors who have been abused, neglected, or abandoned by their parents. You can qualify for SIJS only if a judge decides that you have been abused, neglected, or abandoned and that you are eligible for long-term foster care. If you qualify,

- * the judge must place you in the custody of a state agency, which in Florida will usually be the Department of Children and Families (DCF), and
- * the judge must also decide that it is in your best interest not to return to your home country.

A minor who gets SIJS will be treated almost the same as a lawful permanent resident (an immigrant with a “green card”). She or he will be allowed to work in the U.S. and may be able to become a U.S. citizen after five years.

SIJS is only for minors. In Florida, an immigrant who is 18 or older cannot get SIJS. If you think you may be eligible for SIJS, talk to an immigration lawyer as soon as possible. The process for getting this status can take a long time, and you must start it before you turn 18.

156. What is a U Visa?

A visa gives a noncitizen legal permission to be in the U.S. The U Visa is a special kind of visa that is only available to crime victims who have suffered serious abuse.

You could be eligible for a U Visa if you have suffered substantial physical or mental abuse as a result of rape, sexual assault, domestic violence, involuntary servitude (being forced to work for someone against your will), sex trafficking (being brought to the U.S. from your home country by someone who forces you to perform sex acts for money), or a number of other crimes. You do not have to be under age 18 to get a U Visa.

If you think you may be eligible for a U Visa, talk to an immigration lawyer.

Information for Parents of Pregnant and Parenting Minors

157. How can this book help parents and grandparents?

Pregnancy and parenting are usually for adults. No wonder these situations are challenges for teenagers. They need health care, and they deserve to know their choices—childbirth or abortion, raising a child, or placing the child for adoption. A girl may also need social services and special accommodations at school, at least while she is pregnant and perhaps afterward.

Your duty to your daughter or son who is under 18 will not change if he or she becomes a parent. You will still be obligated to provide adequate food, clothing, shelter, medical care, and proper supervision and guidance. But, all of this will surely become more complicated as your child herself or himself becomes a parent.

If you are the parents of a daughter under 18, you should know that whether to end a pregnancy in an abortion or to continue the pregnancy to birth is up to your daughter. You will receive notice of her intention to have an abortion unless she has gone to court and shown a judge that she is mature enough to decide without your input or there is a good reason that you should not be notified. If your daughter decides to have a child, she, and the father of her child, will be responsible for child support until the child is 18.

If you are the parents of a son who has impregnated a young woman, you should know that it will be up to the woman to decide whether to end or continue the pregnancy. Your son cannot force his partner to have an abortion or prevent her from having one. If his partner decides to have a child, he will be responsible for child support until the child is 18, whether he wants to be or not. If your son is identified by a woman as the father of her child and he denies paternity, the matter will be settled by a scientific test for paternity that he will have to take.

If your son does not take affirmative steps to identify the child as his (such as putting his name on the birth certificate or signing a formal statement of paternity), support the baby within his ability to do so, and establish a substantial relationship through consistent communication with the child beginning at birth, his consent will not be necessary for the child to be adopted if that is what the mother of the child wants. If he does those things for the child, his consent will be necessary for adoption, and he will have an opportunity to take the child and raise the child himself.

The news of sexual activity and pregnancy may come as a huge unsettling surprise to the parents of the young people. It is likely to be a stormy time around your house. If you need help getting through the crisis and communicating with your child or helping him or her sort out what to do, reach out for help. The Florida Network of Youth and Family Services counselors are good places to start to identify resources and services that may help you. You can get in touch with them by calling 1-888-922-4324 or going online to www.floridanetwork.org.

158. Do grandparents have to support their grandchildren?

As a general rule, no. If your daughter or the mother of your son's baby is unable or unwilling to take care of the child, you (the grandparent) will have some tough decisions to make. As a grandparent, you are not required under Florida law to support or care for your grandchild. But, if you want to do that and you are willing and able, the law prefers you as a caregiver over placement with unrelated adults, such as foster parents. In some cases, there may be a relative caregiver subsidy to help you with the support of the child. The legal relationship you have with your grandchild could range from being granted temporary care of the child to permanent adoption.

159. Do grandparents have rights with respect to their grandchild?

As mentioned above, if the mother and father of a child are unable or unwilling to care for their child, the child will be placed by the Department of Children and Families (DCF) with a responsible able and willing adult. The law prefers that this person be a relative of the child as opposed to placing the child in foster care. In some cases there are funds to help relatives care for children. This placement would have to be approved by the court. It might be that the court grants you custody of the child and the DCF does not stay involved, or it may be that the child is placed with you and the DCF has formal custody.

The law does provide that if a child is placed in foster care, there is a presumption the child would benefit from continued contact with his or her grandparents, and you may visit your grandchildren unless the court makes a specific finding that such visits would not be in the child's best interest. If your daughter or son is involved in court proceedings about this, be sure to ask the judge to make this clear in his or her order.

In some families there is a thorny issue about who would be the best parent for a child, your daughter or son or you, the grandparent. In Florida, as long as a parent is not abusing or neglecting the child and is physically able to care for him or her, there is no basis for the law to place the child with anyone else, even a grandparent. The law says that parents have the first claim to their child, whether or not they are married, and no matter what their ages, as long as they are able and willing to care for the child. (See "How does a person lose parental rights?" and "Why might a mother or father lose parental rights?" in the section on "Giving Up a Baby.")

Allana and her baby are in foster care. Can she keep her mom from seeing the baby and taking him out? It depends on the order of the court that approved the placement of Allana and her baby in foster care. If this is an issue, you should bring it up to the judge.

Nancy wants to put her baby up for adoption. Her mother wants to adopt the baby as her own. Does her mother have a right to do this? Can Nancy stop her mother from adopting the baby? Her mother could ask to be considered as an adoptive parent, but it would have to be approved by a court as in any other adoption.

For more information, see question 159 in the section on "Information for Parents of Pregnant and Parenting Teens."

What Does That Word Mean?

Abandonment A situation in which a child's parent or legal custodian, while being able, makes no provision for the child's support and fails to establish or maintain a substantial and positive relationship with the child. A "positive, substantial relationship" means frequent and regular visitation or communication and the exercise of parental rights and responsibilities.

Abortion When an embryo or fetus is separated from a woman's body before it can live on its own. An abortion that occurs naturally is also called a miscarriage. A planned abortion is sometimes called "induced abortion" or, more often, just "abortion." A woman who decides to end a pregnancy takes pills (medical abortion) or has an operation (surgical abortion).

Abuse Harmful treatment. This means doing or allowing someone else to do something that causes a physical, mental, or emotional injury to a child.

Appeal To ask a higher court to look over what a lower court decided and reach a different conclusion.

Birth Control This term has two meanings. It can mean planning how many children you will have. It can also mean medicines or other methods you can use to avoid unwanted pregnancy. Another name for birth control is "family planning."

Contempt of Court Disobeying a court's rules or showing disrespect. Judges can penalize people for contempt of court, including by putting them in jail.

Custody Responsibility for the care and supervision of a child and the right to have the child with you.

DCF The Department of Children and Families. Every Florida county has a local office.

Dependent Child A child who has been found by a court to be abandoned, abused, neglected, or without a parent or other legal custodian to care for her or him.

Domestic Violence Harmful acts or threats between people who have been living in the same place in the past or live together in the same place now. It includes all members of a household. It also means harmful acts or threats between people who have a child in common, regardless of whether they have been or are now living in the same place.

Emancipation The legal process of obtaining a court order that allows a child to make his or her own decisions, free from any parent's control.

Embryo A developing human between the time of conception and the end of the eighth week of pregnancy.

Expel To take away a person's right to be part of an activity, such as school.

Fetus A developing human between the end of the eighth week of pregnancy and birth.

Homebound Instruction Someone from school coming to your house to leave assignments or teach you or pick up schoolwork you have done.

Mature Having sufficient intelligence, understanding, and experience to make rational decisions.

Minor A person under 18 years old and also not married, not a member of the armed forces, and not emancipated. (See emancipation in this list.)

Neglect Failure to provide food, clothing, shelter, or medical care for a child; failure to provide age-appropriate care and supervision; or failure to protect a child from exposure to harm.

Parent A person of any age who has given birth to a child or legally adopted a child or who has established paternity for a child or is taking steps to establish paternity for a child.

Parental Rights Parents' entitlement to be with, take care of, and control their children. Parental rights can be voluntarily given up or a court may terminate them because a child has been abandoned, abused, or neglected by a parent.

Paternity Fatherhood. Paternity is established when a man legally acknowledges he is the father of a child or is declared by a court to be the father of a child.

Petition A written request to a court.

Protective Order An order issued by a court that can be enforced by law enforcement officials, such as the police or sheriff's deputies, that forbids contact, threats, or other behavior specifically included in the order between the people named in the order.

Revoke To call back or cancel.

Stalking To follow or communicate with someone more than once in a way that frightens that person and serves no lawful purpose.

TANF Temporary Assistance to Needy Families. State and federal money given to people whose income does not cover their basic needs. The money comes with conditions—for example, most minor mothers who get TANF must live in their parent's home and stay in school—and no one can get it for more than a few years.

WIC The federal government's Women, Infants, and Children nutrition program. Many low-income pregnant and nursing women and young children up to age five are eligible. Participants get nutritious food; learn about healthy eating; and are referred to other health, welfare, and social services.



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