

Protect Disabled Parents' Rights

H.1711/S.1083:

An Act prohibiting discrimination against adults with disabilities in Family and Juvenile Court proceedings

PARENTS WITH DISABILITIES SHOULD NOT BE DENIED THE RIGHT TO PARENT THEIR CHILDREN.

Parents with disabilities, especially psychiatric or intellectual disabilities, inappropriately lose custody or parenting time at alarming rates due to disability discrimination.

H.1711/S.1083 will require courts to...

- Determine if a parent's disability causes actual harm to a child based on evidence, not assumptions.
- Explain in writing if a parent's disability is a negative factor in custody and parenting time decisions.
- Assess if the harm can be avoided with adaptive equipment or supportive services for the parent

H.1711/S.1083 will not cost the state money and may even save taxpayer dollars by preventing unnecessary foster care placements.

FEDERAL LAW IS NOT ENOUGH.

The US Departments of Justice and Health and Human Services entered into a settlement agreement with Massachusetts Department of Children and Families (DCF) to address disability discrimination.

➤ Moms with disabilities are **significantly more likely to stay in abusive relationships** out of fear of losing their children.

➤ **Nearly one in 10 children** in the U.S. are at risk of being removed from their home by a child welfare agency simply because their parent has a disability.

➤ While 6.2% of parents in the U.S. have a disability, **19% of children** in foster care have a parent with a disability.

➤ Stereotypes and biases about military service and mental health disabilities can **deter veterans** from seeking treatment and lead to errors in custody cases.

H.1711/S.1083 - sponsored by Senator Lovely and Representative Khan & co-sponsored by:

Senators Lovely, Barrett, Moore, Gobi, Timilty, Comerford
Representatives Khan, Howard, Gentile, Williams, Dykema, Sabadosa, Ultrino, Lewis, Linsky, Murray, Murphy, Cutler, Malia, Galvin, O'Day, Sena, Uyterhoeven, Keefe, Ciccolo, Stanley, Higgins

Supported By:

The Arc of Massachusetts
The Asperger/Autism Network
The Association for Successful Parenting
Center for Living & Working
Central West Justice Center
Citizens for Juvenile Justice
Disability Law Center
Disability Policy Consortium
The Disability Resource Center, Inc.
EasterSeals Massachusetts

Epilepsy Foundation of New England
Friends of Children
Justice Resource Institute, Inc.
Kiva Center
Lurie Institute for Disability Policy
Massachusetts Developmental Disabilities Council
Massachusetts Law Reform Institute
Massachusetts Association of Mental Health

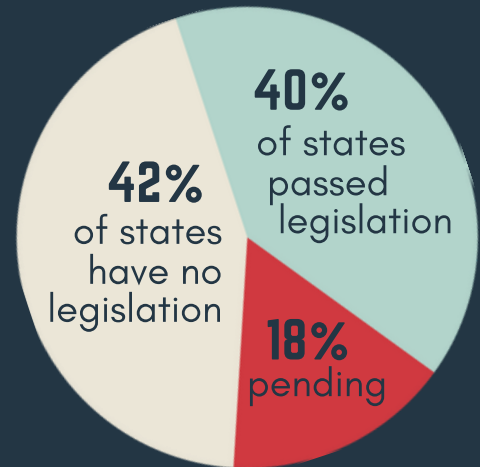
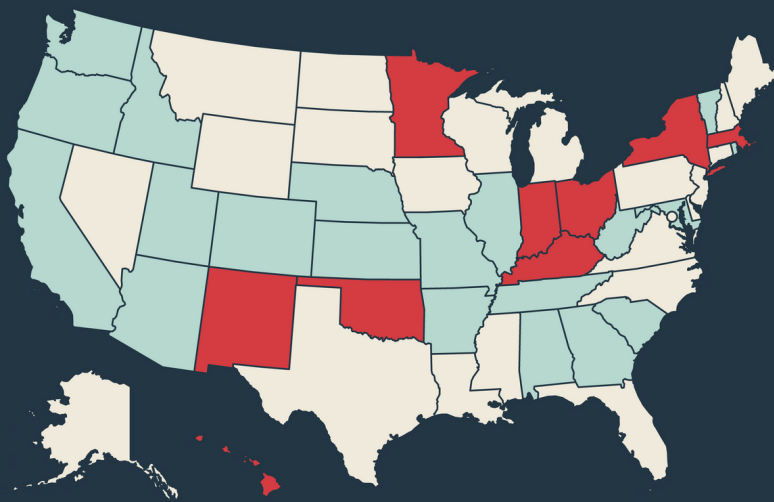
Mental Health Legal Advisors Committee
Metro Boston Recovery Learning Community
MetroWest Center for Independent Living
Southeast Recovery Learning Community
Stavros
United Arc, Inc.
Veterans Legal Services
Wildflower Alliance

For more information or to co-sponsor, please contact:

Johanna Wakelin/Sen. Lovely's office (Johanna.Wakelin@masenate.gov)
Caitlin Rougeau/Rep. Khan's office (Caitlin.Rougeau@mahouse.gov)
Kate Nemens/Mental Health Legal Advisors Committee (knemensemhlac.org); 857-301-7949



ONLY 20 STATES HAVE PASSED LEGISLATION TO PROTECT DISABLED PARENTS' RIGHTS



THERE ARE 4.1 MILLION PARENTS WITH DISABILITIES IN THE U.S.

1 IN 10 KIDS
HAVE A PARENT WITH
A DISABILITY



10% OF PARENTS
IN THE UNITED STATES
ARE RAISING
CHILDREN
WHILE LIVING
WITH A
DISABILITY



31 STATES INCLUDE DISABILITY AS GROUNDS FOR TERMINATION OF PARENTAL RIGHTS

