

# Protect Disabled Parents' Rights

## H.1852/S.1164:

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.1852/S.1164 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.1852/S.1164 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.

➤ Parents 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 6.7% of parents in the U.S. have a disability, families with a parent with a disability are **disproportionately involved** in the child welfare system.

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

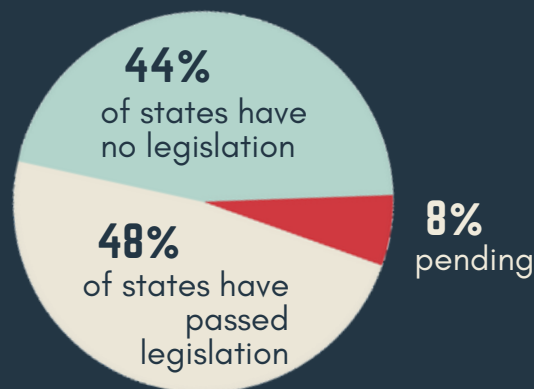
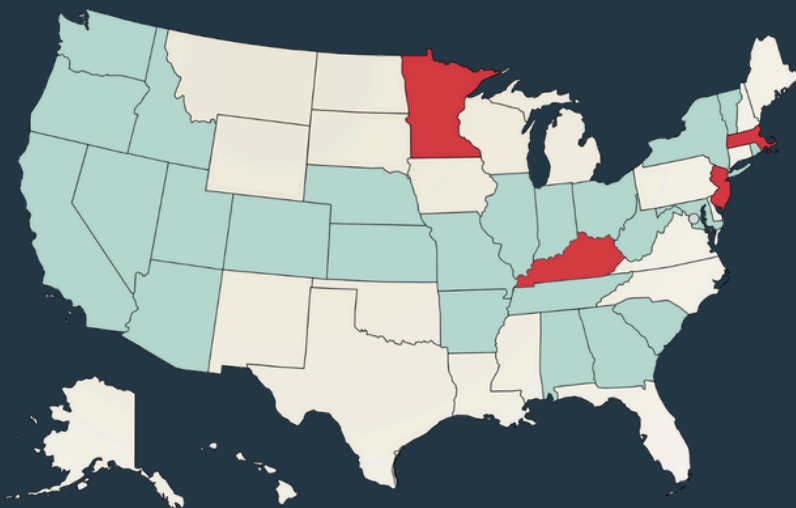
**H.1852/S.1164 is sponsored by Rep. Jay Livingstone & Senator Joan Lovely; and co-sponsored by:**

Senators Joanne Comerford, John F. Keenan and Michael O. Moore

The Arc of Massachusetts • The Autistic People of Color Fund • Autistic Self Advocacy Network  
Center for Living and Working, Inc. • Citizens for Juvenile Justice • Communities for People  
Disability Law Center • Disabled Parent Project • Disability Policy Consortium • Easterseals Massachusetts  
Lurie Institute for Disability Policy • Massachusetts Association for Mental Health  
Massachusetts Law Reform Institute • Mental Health Legal Advisors Committee  
National Alliance on Mental Illness Massachusetts • Stavros Center for Independent Living  
The United Arc • Veterans Legal Services • Wildflower Alliance



# ALMOST HALF THE COUNTRY HAS LEGISLATION TO PROTECT DISABLED PARENTS' RIGHTS.



## THERE ARE 4.4 MILLION PARENTS WITH DISABILITIES IN THE U.S.

**1 IN 10 KIDS**

**HAVE A PARENT WITH A DISABILITY**



**42 STATES**

**INCLUDE DISABILITY AS GROUNDS FOR TERMINATION OF PARENTAL RIGHTS.**



**For more information  
or to co-sponsor,  
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