

The Annie E. Casey Foundation

Family to Family Initiative



Team Decisionmaking Can Support Safe and Stable Kinship Care: A Guide for Using TDM to Identify, Educate, and Engage Kinship Families

Federal and state policy supports the practice of finding kin for children who cannot live with their own parents. Kin can provide a safe and stable placement for children in state custody. They can also support the family's reunification efforts and be involved in children's lives regardless of whether placement is needed. Kinship care not only reduces the trauma of separation for children, but also provides them with a connection to an adult they know, and with links to their cultural and familial bonds.

The Fostering Connections to Success and Increasing Adoptions Act (FCSIAA) of 2008 contains several provisions that can strengthen kinship care practice. Agencies that use team decision-making should know the provisions of the Act, understand how TDM teams can support effective implementation, and advocate for kinship systems that can help support quality kinship care.

The following requirements apply under FCSIAA; included are some options for utilizing TDM to meet some of the law's mandates:

1) Notice to Relatives – states must make a diligent search for relatives of the child and provide notice to relatives within 30 days of the removal of the child from the custody of the parents, with exceptions for family or domestic violence considerations. Systems using TDM can revise their TDM protocol so that it becomes the vehicle to:

- Identify and document known maternal and paternal relatives through the use of a family tree;
- Develop a plan with specific steps for continued diligent search for relatives after the initial TDM;

- Engage relatives who participate in TDMs in discussions about the types of support they can provide to the family;
 - Educate relatives about their options (full disclosure) and/or refer them to community agencies or kinship units that can provide them with in-depth education about options; and
 - Generate action steps for notice of relatives on the maternal and paternal sides of the family in a manner that is consistent with state notice policy.
- 2) **Waivers for Licensing/Approval of Relatives** – the Act reaffirms the ability to waive non-safety licensing standards for kin on a case by case basis. The TDM can be an initial place to explore basic kin home issues, including whether there are barriers to meeting licensing standards, and if so whether they can be waived so relatives can be licensed as foster parents. (This may require additional training of frontline workers and TDM facilitators, or adjusting TDM protocols to ensure licensing staff are at the table.) The TDM process can facilitate linkages to community resources to remove barriers to licensing and to licensing staff who can help to facilitate approval.
- 3) **Subsidized Guardianship** – *at a state's option*, states can provide federal Title IV-E subsidies to relatives who assume permanent custody of children exiting the foster care system when both reunification and adoption have been ruled out. The TDM model envisions that all recommendations for guardianship as a permanent plan (whether or not subsidy is available) are made at a Permanency TDM meeting. TDM can be the forum in which to educate caregivers about their options through the use of a comparison chart, and if subsidized guardianship is an option in the state, to provide full and factual information about adoption and guardianship and the implications of each option. When caregivers need further support to make the decision, the TDM team can facilitate linkages to community resources or specialized kin units.
- 4) **Keeping siblings together** – the Act requires states to make reasonable efforts to place siblings together and when placement together is not possible, to ensure that siblings can regularly visit with each other to maintain connections. TDM protocol should include an expectation that (1) when relative options are considered, there be a specific standard for exploring those options that are most likely to keep siblings together; and (2) at every TDM, the team explore the status of all siblings placed separately and ways to unify sibling groups. While the timing of the meeting may prevent the TDM team from being able to make comprehensive, conclusive kin placement plans, including considerations around keeping siblings together, the meeting is an appropriate venue to make provisional plans and recommendations to be followed up on following the TDM meeting. Under the law, the agency will be required to provide specific justification when siblings cannot be reunified.

In addition to the structural changes an agency can make to its TDM-related practice to comply with FCSIAA, as summarized above, the TDM process can help support an agency's kinship practice in three key ways: supporting early and continuous identification of relatives, educating relative caregivers about their options, and facilitating engagement of relatives to ensure they have the capacity to meet the needs of the children in their care.

TDM Teams Can Help Identify Relatives

- Before meetings, frontline managers can support their staff to help birth families identify and invite extended family to TDM meetings to provide family support and potential placement if needed.
- The TDM scheduler can be trained to ask the family's worker, at the time the meeting is requested, whether fathers, paternal relatives, and other kin have been invited.
- During meetings, facilitators and other team members can model and reinforce the importance of identifying relatives not only as placement resources, but also as supportive resources for families during times of crisis and, if necessary, to support reunification efforts (even if placement with kin isn't a viable option).
- Facilitators can model respectful but urgent and continuous efforts to identify extended family members who are important in the child's life and who can help the family through crises.
- Facilitators can reinforce the importance of exploring multiple relative options, including relatives of the father, as well as fictive kin (friends and neighbors). Management can introduce tools for workers such as relative checklists and online search tools to guide exploration of the range of options available.
- Frontline workers and facilitators can help parents overcome initial resistance to identifying family members by focusing TDM discussion on the needs, relationships, and safety of the children. Facilitators can help to reinforce the message that if parents do not name relatives, a child will be placed with a stranger. If parents refuse to allow kin to participate in the initial placement TDM, the facilitator can gently inform them that their relatives' input will likely be heard outside of the meeting. They can also assure them that if they wish, the facilitator can excuse relatives after relevant information has been shared.
- Frontline workers and facilitators can assure parents that a thorough assessment for safety and capacity to care for the child will be done before a placement

occurs. In particular, relatives that may pose a threat to the safety of the child due to family or domestic violence concerns can be excluded from consideration as a support and/or placement for the child.

- Frontline workers should engage children in discussions focusing on the identification of extended family prior to any TDM meeting. Children 12 and over should typically be present and engaged at TDM meetings regarding their placement. If they are not present, workers should ensure that plans are made to seek their input immediately. Children may have ideas parents have not revealed or do not immediately share as viable sources of support.
- Facilitators can help keep decisions about court involvement and removal of the child focused on safety concerns. Decisions about *where* to place a child should be separate from the decisions about custody and further child welfare involvement. Stated another way, criteria for decisions about removal and custody should be the same for all children, regardless of whether a relative is available to care for the child.
- TDM staff can systematically look for patterns of poor kin participation in TDM meetings and share concerns and strategies for relative participation with frontline staff, supervisors and management.

TDM Teams Can Assist with Education of Relative Caregivers

- Public agencies should have full disclosure policies and practices to ensure that relatives who step in to take care of children are fully informed of their legal and financial options, as well as the services and support available to them from the agency and the community. TDM meetings can be a good place to begin this education process, but relatives should also receive a more thorough education about options from the public agency or its community partners soon after the TDM.
- If the TDM team recommends custody and placement with a relative, they can ensure that relatives understand the option of becoming a fully licensed foster parent and what that process entails. If a relative later decides s/he does not want to become a licensed foster parent, the team can help to ensure that they understand the supportive services and financial benefits to which they are entitled. TDM protocol could include an expectation to share a kin care guide or handbook, as well as to provide a referral to a kin care specialist either within or outside the agency.
- The TDM team can ensure that relatives who are providing placement for the child have been fully educated about legal and financial options for support and that they understand the options available to them while the child is placed in their home. Sometimes relatives are afraid to “rock the boat” by asking questions. The TDM team can ensure they are made aware of at least one

targeted person in the agency or in a partner agency they can go to with questions about their roles, responsibilities and options for care and support.

- As soon as reunification is in question, the worker should call a Permanency TDM meeting, so that the TDM team can explore the options of relative guardianship and adoption with parents, youth and relatives. Continue to explore the family's understanding of these options and make appropriate plans for continued education to be provided by community partners or agency kinship unit staff. Do not wait until reunification has been ruled out! Concurrent planning is a must for kinship families.
- The family's worker, in between TDM meetings and with the team at each placement change or Permanency TDM, should continuously explore the family's questions and concerns about each of the options available to them and the implications for the ongoing relationship between the child and his or her parents. Ensure that adoption has been fully explored before permanent custody is chosen. *Address myths about adoption.*

TDM Teams Can Engage Relatives

- During the initial TDM, the team can explore relative caregivers' capacity to support quality family visits, including visits with siblings placed elsewhere, and any issues that might arise out of visitation. *Family dynamics can make visitation difficult and should be focused on the relationship between the parent and child.*
- Action plans arising from the TDM should promote continuous engagement of relatives who are already involved with children and the identification of additional relatives and fictive kin who can support the family. *Do not stop identifying and engaging relatives after the initial TDM, nor limit the focus to those relatives able to serve as caregivers.*
- Although a thorough assessment for safety of placement with kin must be conducted outside the TDM process, the TDM team should explore whether relatives who are providing placement for the child have adequate resources and support to meet their needs. This can be a particularly critical step at placement change TDMs. *If relatives are struggling with non-safety issues, help them access agency or community resources.*
- When children and youth have been in care for lengthy periods and have no relatives currently active in their lives, it's critical that a diligent search be undertaken to find kin and other key adults who have played an important role in the young person's life. When asked directly, young people can often share information about who they would like to become involved, and how to contact these persons. This is particularly urgent in preparation for placement change or

permanency TDM meetings for older youth at risk of aging out without a permanent family.

- TDM and frontline staff should work together to ensure that individuals with specialized knowledge about the resources available for kin families are invited to the TDM. Agencies should develop specific protocols clarifying professional responsibilities in this area. These should include internal kinship units, legal staff who understand legal options, community organizations serving kinship caregivers, support group facilitators, aging organizations, etc. Kinship resource guides should also be developed and shared. *Do NOT assume CPS or ongoing staff has all the information they need – specialized kin staff should be available within and/or outside the agency.*

This Guide was developed by Jennifer Miller, ChildFocus and Pat Rideout with the Annie E. Casey Foundation’s Family-to-Family Initiative.

For more information or to comment, please contact Jennifer Miller at jennifer@childfocuspartners.com

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