



**Engaging Families:
It's Not Just the Job of Human Services**

6th Annual Child Welfare Conference
Keeping Families Together: Removal
Prevention and Timely Reunification
April 7-8, 2010



What Is Family Engagement?

- It is a structured and deliberate approach to partnering with families
- It recognizes that
 - All families have strengths
 - Families are the experts about themselves
 - Families deserve to be treated with dignity and respect



What is Family Engagement? (Con't)

- Families making well-informed decisions about keeping their children safe when supported.
- Improving outcomes when families are involved in decision-making.
- Having a team make the decision rather than a lone individual can result in more creative and high-quality decision making.



Family Engagement Requires

- A shift in the belief that agencies alone know what is best for children and families
- Allowing the family to fully participate in decision-making
- Straight talk to communicate with others



Family Engagement is not

- A service/treatment planning meeting where services have been pre-determined
- Minimizing valid concerns for safety
- An additional CPS investigation or foster care hearing
- Summoning the child and family to court



Family Engagement Meetings

- Purpose – A team collaboratively develops ideas and establishes a decision with the child and family **throughout** the family's involvement with the agency.
- Structure – The meeting is facilitated by a trained individual that is not the social worker for the child or family



What is the Role of the Facilitator?

- Focus the group on an individual task
- Move the group through the problem solving decision-making process
- Strive to develop a consensus with all participants, but always with agency staff in attendance
- Encourage professional development in agency staff



Who Attends the Family Engagement Meeting?

- Parents
- Child, if age appropriate
- Relatives
- Friends or relevant supports identified by the family
- Caregivers for the child
- Professionals involved with the family
- Relevant community partners




Benefits of Family Engagement

- Shared decision-making
- Family is more likely to comply with a plan it helped to develop
- Can prevent children from coming into foster care
- More relative and community placements



Strategies for Engaging Youth and Families

- Advocate for youth/family involvement in decision-making process from the very beginning, before it is too late for them to be part of meaningful change.
- Create a safe environment
- Listen ... really listen to what youth and families are saying; be willing to assist other participants in hearing and learning from them
- Provide youth/families with information & support to succeed in decision-making

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- Family Engagement is Not:
 - A one-time event
 - A specific program
 - Family Engagement Is:
 - An attitude
 - An ongoing process
 - An essential **BEST PRACTICE**




Engaging **Everyone** in partnering with families **Requires**

- Leadership
- Collaboration
- Accountability



Why Are Courts Involved in Child Welfare Cases?

- Federal Legislation
- 1980
 - Adoption Assistance and Child Welfare Act
 - States take federal \$\$ for child welfare
 - State Courts oversee quality services to families
- Mid 1990's
 - Federal Funding for the Victims' Act Model Courts & Court Improvement Project (CIP)
- 1997- Adoption and Safe Families Act (ASFA)

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- 2005 – Federal Deficit Reduction Act
 - State courts & state child welfare agencies are to collaborate & cooperate
 - 2006 - Safe and Timely Interstate Placement Of Foster Children Act – Public Law 109-239
 - Receiving state required to complete the ICPC home study process within 60 days



Child and Family Service Reviews

- The CFSR process was developed over several years
- What is it? -A review of state child welfare process and procedure through
 - Onsite review of 65 cases in 3 jurisdictions – both in home and foster cases
 - Stakeholder interviews
 - A look at statewide data from Agency computer system
 - A look at state court process and procedures involving these cases



CFSR Areas for Onsite Review

- Safety
 - Outcome 1 – children protected from Abuse and Neglect
 - Outcome 2 – children are safely maintained in their homes whenever possible and appropriate
- Permanency
 - Outcome 1 – Children have permanency and stability in their living situations



- Permanency (con't)
 - Outcome 2 – the continuity of family relationships and connections is preserved for children
- Well-Being
 - Outcome 1 – families have enhanced capacity to provide for their children's needs





- Well-Being (con't)
 - Outcome 2 – children receive appropriate services to meet their educational needs
 - Outcome 3 – children receive adequate services to meet their physical and mental health needs




How Can the Court Process Help to Engage Families?


- Safety Outcome 1 – children are protected from Abuse and Neglect
 - The CFSR assesses how quickly & thoroughly the agency investigated complaints
 - Courts can help through the effective use of “**Reasonable Efforts**” findings
 - Could agency have avoided bringing the child into care through quicker action?

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- Would “Family Engagement” by agency have helped earlier when the family came to the attention of the agency?
 - And “**Contrary to the Welfare of the Child**” findings
 - Is there a better place for the child to be?
 - Was a “family” placement available?
 - This should be part of attorney & GAL questions and arguments to the court
 - And CASA reports

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- How does agency prevent **Repeat Maltreatment**?
 - Applies to any child in the family – in care or not
 - Court has oversight of children who may not be in care – sister of a truant child
 - Includes all children at home under a child protective order
 - Includes children in Care no matter where they are – foster placement – residential placement




- Repeat Maltreatment (con't)
 - What is agency doing on an **ongoing basis** to ensure the safety of each child?
 - Checks of their homes/residences
 - Separate meetings with the children and foster parents and others in home
 - Could the child tell you anything if s/he were in court?
 - Holding family meetings?




Safety Outcome 2 – children are safely maintained in their homes whenever possible and appropriate

- Safety Outcome 2 –
 - What services are being provided to protect children in the home and prevent removal or re-entry into foster care?
 - Is family involved in decision-making process?
 - Are family engagement meetings being held?
 - If it is about the problems of a child that **may cause him/her to come into care**, Court should ask about mental health, education-related, or behavioral related services being provided the child – **child should be in court**




- **One area of inquiry** is about child safety during visitation by parents or other family members
 - Could plan have been developed in a family engagement meeting?
 - Was visitation sufficiently monitored?
 - What do child and parents say about the visits and how they went?
 - Were other family members included in the visit?
 - Could they have supervised visitations?




Permanency Outcome 1 – Children have permanency and stability in their living situations

- What about the stability of placements?
- Are changes in placement in child's best interest?
- Have changes been discussed with the parents.
 - Before child was moved?
 - Could parents/family have helped prevent the disruption?
 - What are the reasons for the change?
 - Are changes aimed at achieving the goals for the child?




■ Questions that Court could ask the child/parent/family member

- Any problems with placement?
- Is it a temporary setting?
- Is care provider unable to continue to care for child? Why?
- Has child been a runaway? Why?
- How was family included in deciding on placements?




■ **Bad changes** would be **unexpected** or **undesired placement disruptions**


- moves because child is in inappropriate placement
- moves to more restrictive placement when not essential to achieve permanent goal, temporary placements, etc.




- **Setting of Permanency Goals**
 - What is/are the **goal(s)**?
 - Are they clear in the written plan?
 - Who participated in developing the plan?
 - Parent – child – family members - GAL - lawyers?
 - Was it in a family engagement meeting?
 - Did they receive timely notice of meeting?
 - What do they have to tell you about plan?
 - When did GAL meet with and talk to family?




- **Is Permanency Goal appropriate?**
 - If goal is APPLA, agency needs to explain to court why others were excluded
 - Court needs to ask
 - What does the child have to say about the other goals that were excluded?
 - What do family members have to say about the other goals that were excluded?



- **Are concerted efforts being made to achieve goal in a timely manner?**
 - Reunification, Guardianship, Permanent Placement with Relatives
 - The input of child and family is critical here
 - They should be able to tell court about services child and parents are receiving
 - Including child and family allows them to feel and be more involved in decisions that impact child's life




- What kind of services?
 - Did Agency assess for independent living skills?
 - Is child receiving appropriate independent living skills services – post high school, life skills classes, employment training, financial planning skills training, transitional living services?
 - Does child have an independent living worker?
 - Did agency move to this goal too quickly?
 - Once APPLA is goal, Court rarely reconsiders it.
 - It should be reconsidered each time – things change



Permanency Outcome 2 – the continuity of family relationships and connections is preserved for children


- Permanency Outcome 2
 - How close is foster placement to family?
 - Face to face contact by child and parent is important
 - Are siblings kept together?
 - Why, if they are not? Are reasons valid? Lack of foster homes is not one. Safety, large number (5 or more) are, as are needs of one of kids




- Visitation by child with parents and siblings
 - Court needs to ask questions here as this issue has been found to be **a good predictor of success in reunification**
 - How often? The more the better
 - Quality of visits
 - If visitation not possible, what did agency do to promote continuity of relationships with parents and siblings?



- More visitation as reunification approaches
 - Comfortable atmosphere – appropriate length – unsupervised? – Siblings included? – Separate visits with siblings?
- Preserving connections for child–
 - Extended family – neighborhood – school – teams – groups like boy/girl scouts – tribal connections for Native Americans
 - For Native Americans – notice to tribe
 - Court needs to ask about these issues
 - So do attorney, GAL and CASA



- Relative Placements
 - What were agency efforts to identify, locate, and evaluate relatives of both parents – Including *Fathers*
 - What does the family know about the father and paternal relatives?
- Relationship of child in care with parent
 - Did agency promote, support, and/or maintain positive relationships between child and mother, father, & other primary caregiver(s) from whom child was removed ?
 - This is more than just visitation



- Examples
 - Did parent participate in school activities, case conferences, doctor appointments, after school sports, etc. ?
 - Were therapeutic opportunities between parent and child provided where appropriate?
 - These could have all been discussed and decided upon in family engagement meetings

Well-Being Outcome 1 – families have enhanced capacity to provide for their children’s needs

■ Well-Being 1


- Did agency assess needs of parents, child, and foster parents upon entry into foster care and on-going to Identify services needed to achieve case goal and address issues related to agency involvement with family and then provide them?
 - Court can ask questions here about child and to the child

■ Were appropriate services provided to meet the identified needs of the child?


- Examples would be mentoring programs, recreational services, teen parenting education, preparation for adoption or other permanency goals, improving social skills or self-esteem
 - Could agency have learned these from family?
 - At family engagement meetings?

■ Were child and family involved in case planning?

- Before the fact not after agency decided on the plan
- Inclusion of child must be age appropriate
- Did child help in selecting possible adoptive parents? – may reduce failed adoptions
- If not involved, why not? Court should ask




- Caseworker visits with child
 - How often?
 - What was quality of visits – face to face?
 - Where did they take place? At home, school, parks, over lunch?
 - Did worker talk with child alone?
 - Was GAL or CASA included?
 - What if child in another state? Who does visit? Worker in other state? child's worker?




Well-Being Outcome 2 – children receive appropriate services to meet their educational needs

- Well-Being Outcome 2 –
 - Educational needs of child
 - Were they assessed at initial contact and on an ongoing basis and were needs addressed?
 - What does child say about this?
 - For young children – developmental delays
 - What school records were considered? Teachers contacted? Included in discussions?
 - Was family included in any of these meetings?




Well-Being Outcome 3 – children receive adequate services to meet their physical and mental health needs


- Well-Being Outcome 3
 - Were the physical health and dental health of the child assessed and addressed?
 - What does child say about this?
 - What services provided? Annual physicals? Annual dental check ups? Test for lead?
 - Were foster parents informed of needs to help address them?
 - Did parents or family members attend and have input in these appointments?



- Were the mental/behavioral health needs of the child assessed and addressed?
 - How?
 - Substance abuse should be addressed here



- Is notice of hearings properly provided to **parents, foster parents, pre-adoptive parents, and children**?
 - What about family members?
 - By whom? Is proof of service in court file?
 - Are above people given an opportunity to be heard in court?
 - Are court hearings set at a time that meets child's schedule – after school?



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- Some information provided in this presentation came from work done for the ABA Resource Center on Children and the Law
 - The information on Family Engagement is provided with permission from a presentation by Paul D. McWhinney, ACSW, Director, Division of Family Services, Virginia Department of Social Services
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VISITATION PROTOCOL

**Court Improvement Project
Conference**

**Bethesda, Maryland
October 15, 2008**

Judge R. Michael Key

Troup County's Protocol

Troup County's Protocol

- The children shall be provided meaningful and safe Family Time from the time they enter care until the reunification is accomplished or until further order of the Court. The Agency shall provide as much Family Time as possible consistent with the best interests of the child, both in terms of frequency and duration, and to provide that opportunity in such a place and manner so as to make it as natural as possible.
- The Family Time Default Provisions contained herein are merely as the minimum Family Time and, when possible and appropriate, provision of more Family Time shall be made.

Troup County's Protocol

- Family Time Plans should be based on the unique facts of each case, allowing for variation from the Default Provisions where certain factors, or "special circumstances", are present. However, whenever there is a variance from the Default Provisions that result in *less* family time, the reason for the variance should be articulated to all relevant parties to the case, factually based, appropriately documented, and approved by the Court.
- Should there be a conflict between what is in the best interest of the child and what is in the best interest of the parents, the best interest and well-being of the child shall always take precedence in developing and implementing the Family Time Plan.

Troup County's Protocol

- Wherever used herein, the term "Family Time Plan" shall mean and refer to the schedule developed and implemented for the time the child, parents, and, where applicable, siblings spend together.
- An initial period of Family Time, consistent with the duration provided for in the Default Provisions, should be made available within the first five (5) working days following physical removal of the child from the home.

Troup County's Protocol

- At the shelter care hearing, the court shall put in place, or ensure that the agency has put in place, a meaningful Family Time Plan. This Family Time Plan shall remain in place until adjudication or until the plan is changed in accordance with the decision model provided for herein. Except to the extent special circumstances that justify a variance are established at the shelter care hearing, the pre-adjudication family time plan should, at a minimum, provide for family time substantially in accordance with the Default Provisions.
- In developing the Family Time Plan, there shall be a presumption that the Family Time shall not be supervised. The presumption may be rebutted based on evidence presented at the 72-hour hearing or any other subsequent hearing where Family Time is addressed.

Troup County's Protocol

- Within thirty (30) to forty-five (45) days following removal of the child from the home, if the child remains in care, the Agency shall develop a more case-specific Family Time Plan, taking into account the facts as they have developed in the case, and seeking input from the parents, the child, and the CASA or other child advocate.
- Family time plan should be developed in a family conference with as many of the following participants present and/or consulted: (1) the parents; (2) the child; (3) the CASA and/or attorney for the child; (4) family members with whom the child has a significant attachment; (5) foster parents; (5) service provider who is in a position to offer constructive comment in regard to Family Time; (6) any provider who has assessed the child; and (7) other persons demonstrating a significant attachment or commitment to the child.

Troup County's Protocol

- Whenever possible, the parents and the foster parents should be involved in the development and implementation of the Family Time Plan.
- The Family Time Plan should not be rigid, but should allow sufficient flexibility for change as circumstances warrant to ensure the safety and well-being of the child. Provided, however, that when the family time plan is changed, there should be safeguards in place to protect the rights of all parties.
- Family time plans shall not be used as a threat or form of discipline to the child or to control or punish the parent

Troup County's Protocol - Default Provisions

- Age Birth to 6 Months- 30 to 60 minutes 3 times per week.
- Age 6 to 18 Months- 1 hour 3 days per week.
- Age 18 months to 3 years- 1 ½ hours 2 times per week.
- Age 3 to 5 years- 2 or more hours 1 time per week.
- Age 5 to 12 years- 2 or more hours 1 time per week.
- Age 12 to 18 years- No specific recommendation.

Troup County's Protocol – Special Circumstances

- The default provisions provided for in Paragraph 13 hereof shall apply in every case unless, based on the unique facts of each case, a variation from the Default Provisions is warranted. In considering whether to vary from the Default Provisions, consideration shall be given to any special circumstances which might exist including, but not limited to the following:

Troup County's Protocol – Special Circumstances

- Safety, which shall always be of paramount concern;
- Any special purpose for the Family Time based on the facts of that particular case;
- The permanency plan for the child;
- Existence of a concurrent plan;
- Participation of siblings, including adults and children;

Troup County's Protocol – Special Circumstances

- Presence of domestic violence;
- The schedules and activities of the children;
- The schedules and activities of the parents;
- The relationship between the child and the current caregiver;
- The relationship between the child and the parents before removal;

Troup County's Protocol – Special Circumstances

- Transportation;
- The activities planned for Family Time;
- The reasons for removal of the child from the home;
- Other existing court orders;
- Placement of the child;
- Placement of the parent; and
- The history of the parent's exercise of parenting time.

Troup County's Protocol – Family Time for Siblings

- The particular relationship between the siblings in individual cases should always be considered because, generally speaking, sibling contact is at least as important as contact between children and their parents.
- If siblings cannot be placed together, the Family Time Plan should make specific provisions for contact between siblings. It is not necessary that all siblings be present for all family time. Considering the children's ages and activities it may be perfectly appropriate to have some family time as a complete family unit, and some spent with various parts of the family unit. Provided however that, the duration, length, or quality of family time for one child or parent should not be sacrificed on account of another child or parent.

Troup County's Protocol –

- In all matters relative to the establishment of a Family Time Plan the work of the Visitation Protocol Project, including the Domestic Violence Team Report from the Project, as it progresses shall be considered.
- In any case where reunification is still the permanency plan in the case and supervised visitation is still required six months following the removal of the child from the home, a hearing shall be held at the first available hearing date to show cause why there is still a need for supervised visitation.

Troup County's Protocol –

- At the first Citizens' Panel Review held following removal of the child from the home (usually hold four months following removal), if there is not a plan in place to move to unsupervised visitation no later than six months following removal from the home, the case shall be referred to the Court for a review of the case generally and of visitation specifically.

Two New Enhancements

- Enhancing Quality of Visitation to Promote Permanency
- Milestones to Permanency

What is a Milestone?

- A stone or marker functioning as a milepost.
- A significant event or stage in the life, progress, development, or the life of a person, nation, etc.
- Milestones are those points where time and specific events intersect.
- They are the critical stages of the case plan where decisions are made, actions are rewarded, or sanctions are administered.

Barriers

- Agency resistance
- Attitude
- Money
- Case manager time and energy
- Transportation
- Culture of supervised visitation in all cases
- Sustaining

Open Discussion.

Invite written follow-up comments to:

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The kids we serve.

- Their belongings in a bag, their hearts on a sleeve, or tucked securely away,
- Their futures not their own, but held in the hands of those who do not know them.
- Their worlds asunder; insecurity and mistrust their constant companions.
- They come to us looking for answers, for understanding, for hope, for resolution.
- What we give them will determine who they are and who they will forever be.
- Equally as important, what they become because of their having passed our way, will define our lives and our place in history.

RMK September 24, 2005