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## **Examining the Benefits and Challenges of Placing Children with Relatives**

By Hon. Leonard Edwards (ret.)

Child welfare agencies and juvenile courts place thousands of children in out-of-home care every year. Current federal and state policies declare that relatives should be the preferred placement when children must be removed from parental care. Preference for relatives is a recent development. Around the year 1900, most children were placed in orphanages and other forms of congregate care. During the 20th century federal and state policy turned to foster care as the preferred placement. Policy makers viewed relatives suspiciously. *The apple doesn't fall far from the tree* was a frequent refrain. Over the past 30 years federal and state policies have shifted again, now favoring relatives over non-relatives and congregate care.

With the passage of The Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351), federal policy not only firmly declared a preference for placement with relatives. The legislation mandated that relatives receive notice of child protection proceedings; gave them a voice in those proceedings; and identified best practices for locating extended family members. This legislation singled out family finding, family group conferences, and guardian navigators as best practices for locating family members and engaging them in the child protection process. The legislation also offered federal grants for local jurisdictions to implement these practices.

### **Why Prefer Relatives?**

Numerous factors contributed to the change in federal and state placement policies. Substantial social science research indicated that relative placement had advantages for the children. The research revealed that:

- Children in relative care tend to be just as safe as, or safer than, children placed in foster care.
- Relative placements provide more stability than placement with foster families, and if the child has to move, it is likely he or she will move from the home of one relative to another.
- Siblings more often remain together in relative care, and are more likely to visit one another even if they reside in separate relative homes.
- Relative caregivers are more likely to continue the ties with the child's birth family.
- Children in relative care are more likely to remain connected to their community, including their school.
- Relative caretakers facilitate parent-child visitation more easily since the caregivers will likely favor reunification and will be less likely than foster parents to compete with the parents for permanent custody of the child.

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## Resources

*Why Should the Child Welfare Field Focus on Minimizing Placement Change as Part of Permanency Planning for Children?*

Recent studies conducted by Casey Family Programs and other organizations have found that placement stability is a key predictor of youth success in foster care.

The publication reviews current studies to summarize why it is so important that children placed in foster care experience as few moves as possible.

It demonstrates that minimizing placement change will:

- minimize child pain and trauma
- lessen child attachment, behavior and mental health disorders
- decrease school changes and increase academic achievement
- maximize continuity in services, decrease foster parent stress, and lower program costs
- increase the likelihood that a child will establish an enduring positive relationship with a caring adult

The complete publication is available at:

<http://www.casey.org/resources/publications/MinimizingPlacements.htm>

## Children in the Recession: Exploring the Impact of the Great Recession on N.C. Children and Youth by Action for Children North Carolina

### Executive Summary

As children grow they depend upon a number of supports to help them successfully transition into adulthood: stable homes, economically secure families and access to quality learning environments where they gain the skills they need to become the workers, innovators and entrepreneurs of tomorrow.

For children and young adults who have recently weathered the most severe economic downturn of the postwar period, the recession has weakened those supports and caused many to fail altogether. As a result, our children now face greater economic and household distress, are bolstered by fewer public investments and encounter weaker employment and educational opportunities as they transition into the workforce.

This report examines the impact of the Great Recession on North Carolina's children and young adults. Key findings indicate:

***More families face economic insecurity in the wake of the recession.*** More than one in five children in North Carolina now lives in poverty. As unemployment rose across the state, the number of children living in families where no parent had full-time, regular employment increased 19 percent to 753,000 in 2009.

***Increased foreclosures and housing instability threaten children's social and educational support networks.*** Between 2007 and 2009, as many as 119,000 children were impacted by foreclosure in North Carolina. Foreclosures and housing instability create disruptions in children's lives that can diminish their health and educational outcomes.

***Although investments in children's health insurance held, key work supports and early education declined amid budget shortfalls.***

While American Recovery and Reinvestment Act (ARRA) funds helped bolster some state investments during the economic downturn, critical work supports and educational programs were diminished greatly due to state budget gaps. Funding for subsidies that help secure quality child care for working families, individuals looking for employment and those enrolled in school or a job training program declined 40 percent between the 2007 and 2010 state fiscal years.

***The recession has erected educational and employment obstacles that endanger young people's ability to achieve financial independence and assume adult roles as workers, spouses, parents and citizens.***

Youth ages 16-24 have the hardest time finding work in the current labor market, and have the highest unemployment among North Carolina workers in the aftermath of the recession, 20.5 percent. Persistent, high unemployment delays youths' entry into the labor force and impedes their transition to adulthood.

Our state's current and future prosperity depends on how well we nurture, educate and support the positive development of our children. If left unchecked, the recession will create structural damages that will impair the prospects of North Carolina's children, young adults and economy for future generations.

## Examining the Benefits and Challenges of Placing Children with Relatives

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- Relatives are more likely to invest time and care for a child who shares a blood tie. This includes a willingness to care for the child for as long as needed.
- Placement with relatives will generally be less traumatic than placement in an unfamiliar home because the children will be living with someone they know and trust, particularly if the non-relative differs racially or ethnically from the child.
- Placement with relatives supports the transmission of a child's family identity, culture, and ethnicity.
- Placement with relatives eliminates the unfortunate stigma that many foster children experience.
- Children fare better in relative care than in foster care along numerous axes.
- The child placed with relatives knows his or her own family, sees family resemblances, and understands how he or she fits into it.

Perhaps the most compelling reason for the policy shift to relative preference has been the actions of American families taken without any state intervention. When parents find themselves unable to care for their children, they naturally turn to relatives for assistance. Currently approximately 2,500,000 children live with relatives, mostly with grandparents, all on a voluntary basis.

### Remaining Issues

Relative preference may be the law today, but significant challenges remain. First, fathers must be identified, located and engaged. Our nation's ambivalence about engaging fathers, particularly those who are not married to the mother, has resulted in fathers being peripheral to the child protection process. Yet the father's side of the family represents on average one-half of the child's relatives. If we are serious about relative placement, we must locate fathers and engage them in the child protection process.

We must also identify, locate and engage relatives. Relative preference statutes mean little without rigorous social work immediately following removal of the child from parental care. The social worker must learn from the parents who the child's relatives are, contact them, and encourage them to become involved in the child protection case. The sooner this is accomplished, the more likely that the relatives will become engaged. The law now gives relatives the right to appear before the court and speak on behalf of the child. Just as importantly, relatives have the ability to participate in group decision-making processes such as family group conferences, team decision making, family team meetings, and court-based mediation. All of these group decision-making processes have spread throughout the United States and have been recognized as best practices in the resolution of the difficult issues presented in child protection cases.

Delay in relative engagement often means that they will not be selected as placement for the child. The child protection system is notoriously slow. Fact finding hearings may take months to complete. Placement issues may take over a year. Yet in the meantime the child will be living with a family and will naturally become strongly connected to that family. The late-arriving relative often finds that the foster family will be preferred because of the connection between the child and that family.

Relative placement is good social and legal policy. However, effective implementation of relative preference requires early identification and engagement. It requires effective judicial oversight of social worker actions regarding locating and engaging fathers and relatives. It also requires opportunities for relatives to participate in decision making, preferably through group decision-making processes. Engaging relatives is a best practice, one that will serve the best interests of children separated from their parents.



## Professional Development

“Education is for improving the lives of others and for leaving your community and world better than you found it.” –Marian Wright Edelman

## Upcoming Events

- **Durham County Swearing In Ceremony**  
Monday, March 5, 6:00 pm in the Judicial Annex Basement  
Please RSVP to [Shirly.H.Smith@nccourts.org](mailto:Shirly.H.Smith@nccourts.org).
- **Webinar - A Rainbow of Life: Understanding LGBTQ Identities**  
March 21, 2012 – 3:00 pm EST  
At the conclusion of the webinar participants will be able to:
  - Explain the diversity that exist within the LGBTQ community
  - Define common concepts of sex and sexuality
  - Explain the difference between homophobia and heterosexism
  - Identify resources and serves that are appropriate for provided support to LGBTQ people. To register go to: <https://www3.gotomeeting.com/register/368344038>
- **Webinar - Differential Response & Traditional Investigations: Fact or Fiction?**  
Thursday, March 29, 12:00 pm  
*Fact or Fiction: Family Assessment is a better approach than an Investigation Response? Answer: Fiction!* This session will examine many of the practice elements and outcomes of both a family assessment and investigations, and expose the myths and realities related to both. Join us for this interactive webinar as we explore conventional wisdom and mistaken beliefs commonly held among child welfare professionals.  
To register go to: <http://www.americanhumane.org/children/professional-resources/conferences-webinars/> and click on the event you would like to attend.

## A Child's Advocate In Court



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