

## Kinship care issues

### The FCRB's recommendations:

- Identify and recruit relatives and non-custodial parents within the first 60 days of a child's placement, and assess their previous relationship with the children and ability to safely care for the children, so that delayed identification of these prospective placements does not result in unnecessary moves.
- Identify paternity in a timely manner so the father and paternal relatives can be considered.
- Conduct a home approval study, a reference check, background checks, fingerprinting, etc. on all relative placements, prior to the child being placed.
- Develop a training curriculum for relative caregivers. Include information on the child welfare system and information on the intra-familial issues specific to relative care. This is a core recommendation.
- Provide relative caregivers access to round-the-clock immediate and effective support when issues arise, and provide them with health and educational records on a timely basis. Continue the Kin-nect Support Line created by NFAPA.
- Ensure that a relative placement is not selected simply because of biological connections, but rather because it is a safe, appropriate placement that is in the child's best interest.

### Background:

The Nebraska Family Policy Act states that when a child cannot remain with their parent, preference shall be given to relatives as a placement resource. It also requires that the number of placement changes that a child experiences shall be minimized and that all placements and placement changes shall be in the child's best interest.

The federal Fostering Connections to Success and Increasing Adoptions Act (P.L. 110-351, 2008) requires "due diligence" in identifying relatives within the first 30 days after a child is removed from the home. See the section of pre-hearing conferences on page 68 for how those can be used to help with such identification.

Some children in foster care receive daily care from relatives instead of from non-family foster parents, in a practice known as **relative or kinship care**. Kinship care was put in place to allow children to keep intact existing and appropriate relationships and bonds with appropriate family members, and to lessen the trauma of separation from the parents.

### Statistical findings:

Nebraska has increasingly utilized relative placements, with 965 (20.8%) of the 4,620 children in out-of-home care on December 31, 2008, placed with a relative. This compares to 13.0% of children reviewed in 1998.<sup>1</sup>

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<sup>1</sup> Statistics are from the Foster Care Review Board's tracking system.

### **Additional rationale:**

Paternity had not been established for 605 (18.7%) of the 3,236 children reviewed in 2008. Paternity was undocumented, and therefore likely not determined, in another 27 of the children's cases. The father's and the paternal relative's suitability as a placement for the child cannot be considered until paternity is identified.

If a maternal or paternal relative is an appropriate placement, the children suffer the minimum disruption possible and are able to remain placed with persons they already know who make them feel safe and secure. Thus, relative care can be especially beneficial when children have a pre-existing positive relationship with a particular relative.

Relative/kinship placements are not appropriate in the following circumstances:

- If the relative cannot establish appropriate boundaries with the parent.
- If the relative is in competition with the parents for the children's affection.
- If there is any indication that the relative has abused other children, was abusive to the child's parents, or allowed the child's abuse.

The FCRB finds that many children are moved to relatives who are virtual strangers due to decisions that are based only on familial ties, not on the children's attachment needs or best interests. **Many case managers have the misperception that it is DHHS policy that whenever a relative is found, children must be moved to the relative's home regardless of whether it is in the child's best interest.**

An additional issue with relative placements is that many relatives do not go through the full licensure process, as they are given "approved" status. Thus, they do not receive the type of training that other foster parents receive on the foster care system and the types of behaviors that abused and neglected children can exhibit. Many relative caregivers who have gone through the foster parent licensing process have commented on how helpful this information has been to them. Many relatives have indicated that special training on the intra-familial issues present in relative care would be very helpful as well.

Although DHHS policy is to quickly identify relatives and determine their suitability as a placement, this does not appear to be consistent in practice. Paternity is not identified consistently. Sometimes there are delays in identifying relatives, sometimes there are delays in assessing relatives as potential placements, sometimes relatives who appear to be suitable placements are not utilized, and sometimes children are placed with relatives that appear to not meet minimal standards for care giving.

Nationally, children in foster care who are placed with relatives are more likely to reunite with parents, have fewer total foster care placements and a lower probability of return to foster care after removal. Children in relative placement settings, however, tend to remain in foster care longer and are less likely to resolve their foster-care stay via adoption.

Since relative placements often have specific needs that non-familial placements do not face, the Nebraska Foster and Adoptive Parents Association created the Kin-nect Support Line (1-888-848-4546). This is a 24 hour statewide, toll-free line for relative caregivers. It provides emotional support, information, and referrals for training and support groups.

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