Reducing Trauma for Children by Preserving Connections

Right from the Beginning

CJI Permanency Planning 2013

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Minnesota Department of **Human Services**

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Potential trauma children experience during a placement

- **Surprise, shock, anger, disbelief**
- **Negative view of foster care or social workers**
- **Loss of control, sense of powerlessness**
- **Loss of trust, world is not safe**
- **Confusion**
- **Fear of the unknown or lack of information**
- **Guilt, it is their fault**
- **Separation, grief and loss of parents, home, school, pets, friends, possessions, culture**

How does relative placement reduce trauma

- **Ask the child about relatives, their preferences,**

- **Provides familiarity, reduces the unknown**

- **Comfort of family, lessens the sense of loss**

- **Supports the child's relationships and cultural connections**

Is Kinship Care Good for Kids?

Children in Kinship care:

- Experience greater stability

- Report positive perceptions of placement and fewer behavioral problems

- Respects cultural traditions

- Research debunks old fears about the risk of placing children with kin

Center for Law and Social Policy, 2007

http://www.clasp.org/admin/site/publications/files/0347.pdf

Relative Search* – Due Diligence

Responsible agencies shall exercise due diligence to Identify and notify adult relatives:

- **Prior to placement**
- **Within 30 days after the child's removal**
- **Court order or voluntary placements**
- **Maternal and paternal relatives of the child's parents – Paternity does not need to be adjudicated**

Sample notice letters are on SSIS

*Minn. Stat. section, 260C.221

Relative Search* - Due Diligence

Agency efforts (due diligence) to identify relatives:

- **Includes getting information from the child, who they have lived with or had contact**

- **Must meet active effort requirements and placement preferences for ICWA cases**

- **May use internet and other reasonable means**

- **Release from parents are not required**

*Minn. Stat. section, 260C.221

Relative Search* - Notices

Notice must include:

1. Child's need for foster care placement, the option to be placement resource and the possible need for a permanent placement

2. Relative's responsibility to keep the agency and court informed of their current address to receive notice of permanency progress review hearing and permanent placement

3. Relative's decision to not be identified as a potential permanent placement resource or participate in planning for the child at the beginning shall not affect whether they are considered for placement later

*Minn. Stat. section, 260C.221

Relative Search* - Notices

Notice requirements:

4. **Relative may participate in the care and planning for the child. Care and planning includes but is not limited to:**

- **Participation in case planning for the parent and child**
- **Identifying the strengths and needs of the parent and child**
- **Supervising visits**
- **Providing respite and vacation visits for child**
- **Providing transportation for appointments**
- **Suggesting other relatives who might be able to help support the case plan**
- **Helping maintain, to the extend possible, the child's regular activities, and contact with friends and family**

*Minn. Stat. section, 260C.221

Relative Search*- Notices

Notice requirements concluded:

5. **Family foster care licensing requirements, including how to complete an application, request a variance from licensing standards and supports available**

6. **Relative's right to ask to be notified of any court proceeding regarding the child, to attend hearings and of the relatives right or opportunity to be heard by the court.**

*Minn. Stat. section, 260C.221

Relative Search*- Disclosure

Agency may disclose private data:

- **Necessary to facilitate possible relative placement**

- **To ensure the relative is informed of the needs of the child so the relative can participate in planning for the child and support services to the child and family**

*Minn. Stat. section, 260C.221

Relative Search* - Disclosure

Agency efforts when parent will not give agency information about relatives:

- **Engage parent in understanding requirement is to expand the safety and support for the foster child.**

- **Ask juvenile court to order the parent to provide necessary information**

*Minn. Stat. section, 260C.221

Relative Search*

Agency efforts when parent makes explicit request about a specific relative due to safety reasons:

- **Bring the request to the attention of the juvenile court to determine if the request is consistent with the best interest of the child**

- **Not contact relative when the court finds that contacting the specific relative would endanger the parent, guardian, child, sibling or any family member**

*Minn. Stat. section, 260C.221

Placement decision

When removal from the parental home is necessary, relatives are the first considered for placement

[Minn. Stat. section 260C.212, subd 2]

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Placement decision:

Relatives are the first considered for placement, County agency must make an individualized determination to select a home that meets the needs of the child, including:

- Current behavior
- Medical
- Educational
- Developmental
- History
- Religious and cultural
- Connections with community, school, faith

- Interest and talents
- Relationships to current caretakers, parents, siblings and relatives
- Reasonable preference of the child

[Minn. Stat. section 260C.212]

ICWA and Tribal Placement Preferences

Any local social service agency or private child placing agency considering placement on a Indian child shall make active efforts to identify and locate extended family members.

Minn. Stat. § 260.761, subd.7

Indian Child Welfare Act, Active Efforts Best Practices, (DHS 5572)

Agency considers relative placement:

- **Without delay, right from the beginning**
- **Whenever a child must move**
- **Whenever a child is returned to foster care**

[Minn. Stat. section, 260C.221

Relative Search*- Review Hearing

At a regularly scheduled hearing, no later than 3 months after placement - <u>report to court</u>:

- **Efforts to identify maternal and paternal relatives, engage relatives, and document that they have been properly notified**

- **Document agency's individual determination using the 10 best interest factor that selects a home that meets the needs of the child**

- **Disclose data about particular relatives identified, searched for and contacted. (Consult with County Attorney about specific data practices questions)**

*Minn. Stat. sections, 260C.193, 260C.201, 260C.202, 260C.212 and 260C.221

Relative Search* - Review Hearing

At a regularly scheduled hearing, no later than 3 months after placement :

- **If the court is satisfied that the agency has exercised due diligence, the <u>court may find</u> that the agency has made reasonable efforts to conduct a relatives search to identify and properly notify relatives**

- **If the court is not satisfied that the agency has exercised due diligence, the <u>court may order</u> the agency to continue its search and notice efforts and to report back to the court**

*Minn. Stat. sections, 260C.193, 260.202 and 260C.221

Relative Search*- Review Hearing

After the finding that the agency has made reasonable efforts to conduct a relative search, the agency:

- **Has the continued responsibility to appropriately involve relatives who have responded to the notice**

- **Consider placement with a relative anytime the child must move or be returned to foster care**

*Minn. Stat. sections, 260C.202 and 260C.221

Relative Search* - Permanency

When the agency decides to move toward permanency, the agency:

- **Sends written notice to relatives, adults with whom the child has resided and adults who maintained a relationship or visited the child, or**

- **May ask the court to modify the duty to provide notice, or**

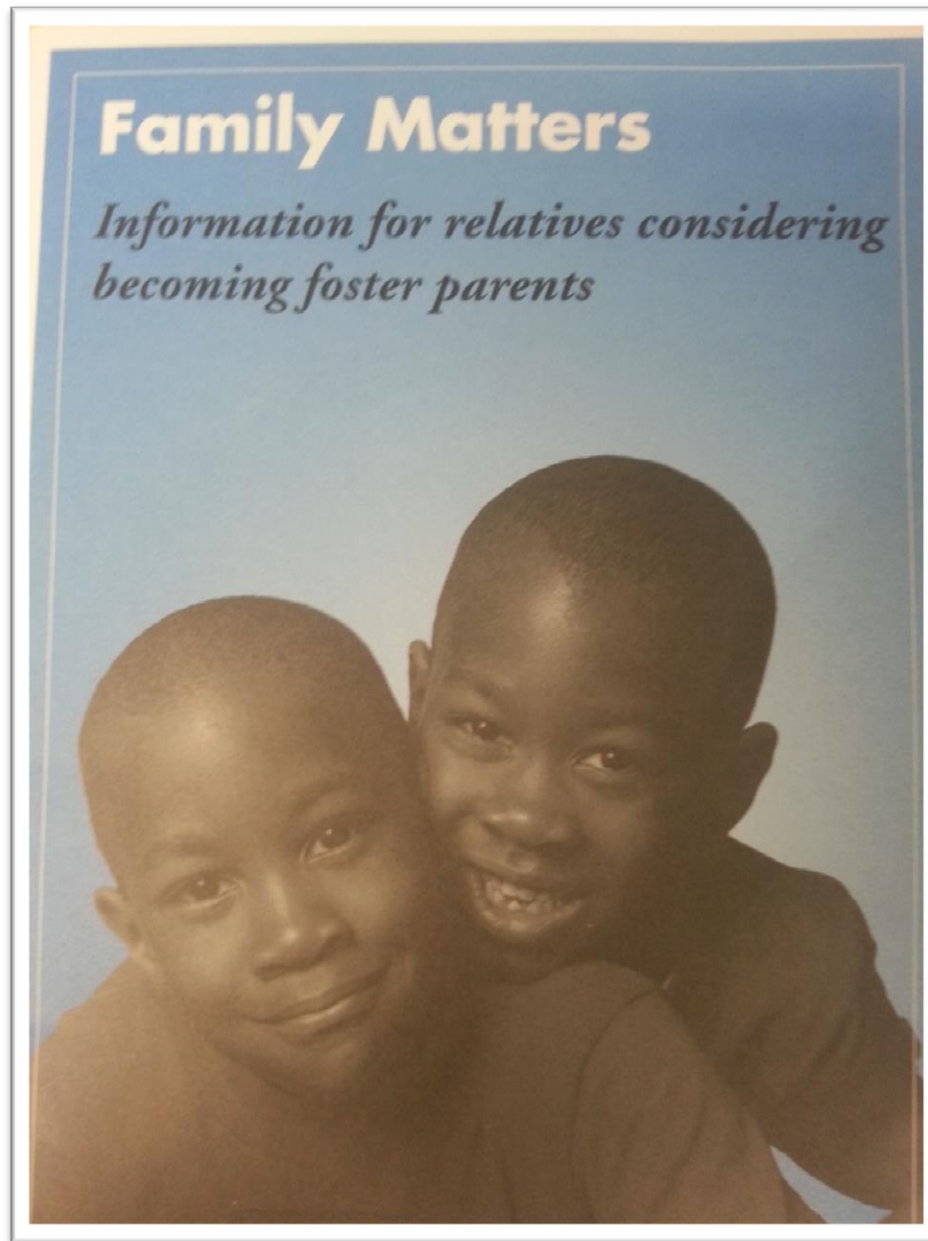- **May ask the court to relieve the agency of the duty to provide notice at permanency**

*Minn. Stat. section, 260C.221 – call ann 2013

Relative Search* - Permanency

At any time during the course of the juvenile protection proceedings,

the court may order the agency to reopen it's search for relatives when it is in the child's best interest.

*Minn. Stat. section, 260C.221

DHS
Family Matters
Brochure –
DHS - 4672

How to talk about concurrent planning

How to support relatives in court

Hope this training has been helpful.

THANK YOU.