

Keeping Families Together



Capacity Building Center for Courts | U.S. Children's Bureau

Child & Family Services Review Round 3

This spotlight is drawn from *CFSR Round 3 Report for Legal and Judicial Communities*, which summarizes states' performance in meeting safety, permanency, and well-being needs of children and families as a result of the federal Child and Family Services Reviews (CFSRs) conducted between 2015 – 2018. The report shares results in four areas in which the legal and judicial communities play a key role: achieving timely permanency, promoting and maintaining family relationships and connections, meaningfully engaging families, and **keeping families together (this spotlight)**.

What the Federal Reviews Assessed

The federal reviews assessed states' efforts to keep families safely together and prevent children from entering the foster care system using the following information:



Performance on Safety

Outcome 2: *Children are safely maintained in their homes whenever possible and appropriate.*



Performance in two practice areas associated with Safety Outcome 2:

1. Services provided to the family to protect children in the home and prevent removal or reentry into foster care. 2. Concerted efforts to assess and address the risk and safety concerns relating to the child(ren) in their own homes or while in foster care.

When families come to the attention of the child welfare system, keeping them safely together to avoid unnecessary separation is a fundamental priority. The Family First Prevention Services Act, H.R. 253, 115th Cong. (2017):

- explicitly supports keeping children safely with their families, when possible, to avoid the trauma of removal and foster care placement, and
- seeks to prevent child abuse and neglect by strengthening the protective capacity of families.

Round 3 of the federal government's Child and Family Services Reviews (CFSRs) assessed how well states keep families safely together by:

- preventing children's placement in foster care, and
- ensuring children's safety at home and while in foster care.

As a lawyer or judge handling child welfare cases, understanding the CFSR results in this area can support your inquiries into efforts of the child welfare agency to keep families safely together.

This spotlight highlights:

- ✓ what the federal reviews reveal about how well states keep families safely together,
- ✓ states' practice strengths and concerns relating to keeping families together, and
- ✓ how the legal and judicial communities can incorporate practice changes to:
 - ▶ help keep families together,
 - ▶ prevent children's placement in foster care, and
 - ▶ ensure children's safety at home and while in foster care.

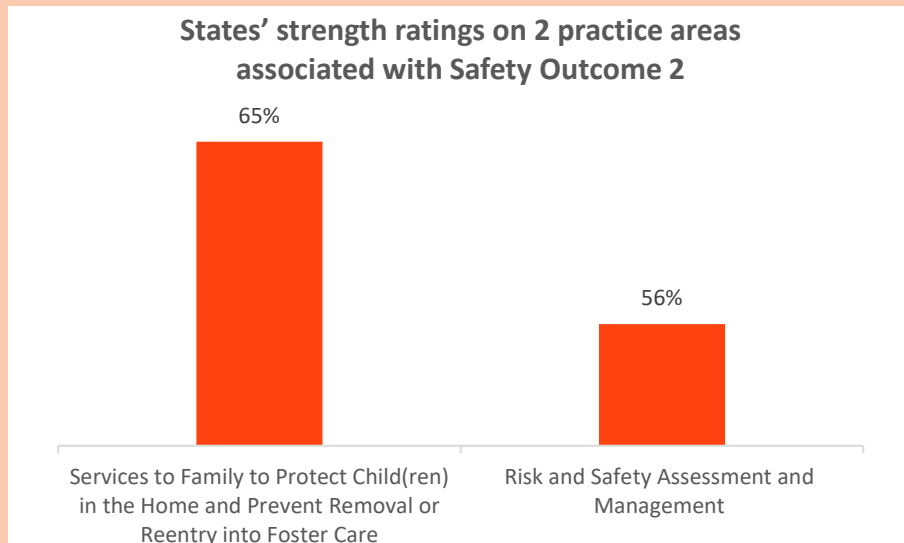
What the Federal Reviews Tell Us

No state achieved substantial conformity with Safety Outcome 2

2. The CFSRs examined states' child welfare system performance on Safety Outcome 2: Children are safely maintained in their homes whenever possible and appropriate.

- ▶ Across the 50 states and the District of Columbia, 55% of 4,067 cases substantially achieved this outcome.
- ▶ States' performance on the two practice areas associated with Safety Outcome 2 (percentage of strength ratings):

1. Services to Family to Protect Child(ren) in the Home and Prevent Removal or Reentry into Foster Care (65%)
2. Risk and Safety Assessment and Management (56%)



What some states are doing well

- ▶ Courts are thoroughly reviewing the appropriateness of services agencies provide families to prevent child(ren)'s entry or reentry into foster care.
- ▶ Services are being provided in the home, which sometimes added another source of *safety* monitoring.

What some states need to improve

- ▶ Agencies and courts need to consider appropriate *safety*-related services to prevent children from entering foster care.
- ▶ Safety services need to be provided timely.
- ▶ Concerted efforts must be made to engage parents in services, facilitate access to services, and assess progress.

How to Get Involved



✓ Learn more.

Read the [full CFSR report for judicial and legal communities](#). How is your state and jurisdiction doing? What reforms are needed? What are other jurisdictions doing to address areas in need of improvement?

Visit the [Children's Bureau's](#) and the [Capacity Building Center for Courts'](#) websites for information on the Child and Family Services Reviews.



✓ Join or initiate systems change.

Join collaborative systems reform work between courts, attorneys, and child welfare agencies already happening in your jurisdiction. Take the initiative to create and lead systems change. For example:

- ▶ Help your state develop Title IV-E prevention plans by sharing your experiences working with families. Help states implement these plans by ensuring reasonable efforts have been made to prevent removal, including providing evidence-based supportive services.

- ▶ Develop a judicial inquiry protocol for responding to removal requests.
- ▶ Explore providing early legal representation before child welfare system involvement. Appoint attorneys for parents and children before a dependency petition is filed to provide legal services that address issues that could lead to family disruption (housing, educational advocacy, employment, paternity, other civil legal help).
- ▶ Establish attorney practice standards to ensure quality legal representation for children and parents.
- ▶ Explore amending your state’s Title IV-E plan to enhance attorney representation. Incorporate out-of-court advocacy as part of quality legal representation to help attorneys understand client’s strengths, needs, and resources; and to identify and advocate for services and supports.



✓ **Seek ideas and inspiration.**

- ▶ Iowa’s 7 Judges 4 Questions Pilot Project works to keep children in their homes by having judges ask social workers four questions before approving a request to remove a child from the home. Data for six jurisdictions using the four questions showed about half of requests to remove children from their home were needed, and more children who entered foster care were placed with relatives/kin.
- ▶ Michigan is using Title IV-E funds to support a pilot project in three counties to provide early legal representation to children and families before a legal petition is filed or before a preliminary hearing. Attorneys work with the family as part of an interdisciplinary team to address ancillary legal issues that could prevent the child’s removal or expedite permanency.



✓ **Improve your own practice.**

Steps to take include:

- ▶ Identify and address threats of harm through quality safety plans to reduce safety concerns.
- ▶ Provide families appropriate safety-related interventions to help keep families together and build family protective factors.
- ▶ Implement child welfare agency practice and safety models with the legal and judicial communities.
- ▶ Emphasize quality legal representation for parents and children.
 - Use in-court advocacy (filing petitions and motions in court, ensuring clients’ voices are heard, advocating for services and supports) to help keep families together and promote timely permanency.



✓ **Get involved in your state’s federal Child and Family Services Review.**

Contact your local Court Improvement Program (CIP) administrator or CIP multidisciplinary task force member to learn more about the federal Child and Family Services Review and how to get involved.



This document was produced by the Capacity Building Center for Courts (CBCC) with funding from the Children’s Bureau. CBCC focuses on building the capacity of court improvement programs to improve child welfare practice in the courts and legal community.