
**House Children and Youth Committee
September 13, 2012
House Bills 2499 and 2500- Family Finding and Family Conferencing
Testimony of
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Good afternoon, my name is Todd Lloyd and I am the Child Welfare Policy Director at Pennsylvania Partnerships for Children (PPC). We are a statewide, independent, non-partisan child advocacy organization that uses research and data as the foundation for our public policy work. For 20 years, PPC has effectively advocated for public policies to make Pennsylvania one of the top ten states in the nation to be a child and to raise a child. I'd like to thank Chairwomen Harper and Bishop for the opportunity to present testimony this afternoon on the important child welfare practice reforms proposed in House Bills 2499 and 2500.

Before I comment directly on the two pieces of legislation, I'd like to explain PPC's work in child welfare, our collaboration with a nationally respected partner in child welfare issues, and the significant reforms we helped lead in recent years to support children and youth in foster care.

Four years ago, PPC created the Porch Light Project initiative to spearhead public policy reforms that ensure all children grow up in families where their needs for safety, permanency and well-being are met. The Porch Light Project is guided by a Leadership Council that includes a diverse group of state and national experts, legal and judicial officials, county children and youth directors, human services directors, former foster youth, parents and state legislators from all four caucuses. The Leadership Council provides advice on public policy reforms and advocacy efforts. The Porch Light Project has helped enact worthwhile policy changes such as voluntary post-adoption contact agreements and the Children in Foster Care Act, a free-standing act that consolidates all the different requirements for the care of children in foster care into one place and requires that children are notified of what they are to be provided. We also advocated for the full implementation of the federal Fostering Connections to Success and Increasing Adoptions Act to help support older youth in foster care – a common-sense, money-saving policy improvement that was enacted as part of the most recent state budget.

PPC also has a powerful national partner that supports our child welfare work - Casey Family Programs (CFP) - the largest national operating foundation whose sole mission is to provide, improve and ultimately prevent the need for foster care. CFP is a valuable resource for information, research and best practices that help advise our statewide efforts to improve child welfare policy. CFP also provides support and technical assistance to the Department of Public Welfare's Office of Children, Youth and Families (OCYF), the Administrative Office of Pennsylvania Courts, Office of Children and Families in the Courts, and the child welfare divisions in Allegheny and Philadelphia counties.

In addition to the policy achievements I already mentioned, Pennsylvania has made a number of significant policy and practice changes over the last five years that have led to a 30 percent reduction in the number of children in foster care. This would not have been possible without the commitment of the General Assembly, state and county child welfare staff, private providers, and the children and their families.

Even with all of Pennsylvania's recent success, there is still more that can be done to improve child welfare practice statewide and produce better outcomes for children and families served by the system. Family conferencing and family finding are two strategies that would improve practice and outcomes for children and families. My own experience in the field has demonstrated this to me. Beginning nearly 15 years ago at York County Children and Youth Services, I was part of a small team that worked over a period of two years to implement Family Group Decision Making (a family conferencing model) within the child welfare and juvenile justice agencies, which included being trained on the practice and facilitating family conferences. I was able to see firsthand how family conferencing not only positively impacts families but supports better functioning of the child welfare agency. I later worked for the University of Pittsburgh's Pennsylvania Child Welfare Resource Center, where we promoted the use of family conferencing and other practice strategies across the state through training and technical assistance work. Today, the use of these practices across county children and youth agencies and among private providers is much more common than a decade ago, but the need to use them more routinely with all families remains.

PPC supports the expansion of family conferencing and family finding as strategies to routinely engage all families involved with the child welfare system, and we appreciated the opportunity to work with Rep. Moul and committee staff last fall to advise the development of HB 2499 and HB 2500. While we recognize that many of our suggestions were incorporated into the bills, we have some concerns about certain provisions. Not only will I address those concerns today, but I will share more specifically why these practices are important.

House Bill 2499 – Family finding

Family finding involves a number of practice strategies employed by child welfare professionals to identify extended relatives and friends of the family, or kin. Family finding taps the resources within extended families to support parents and children who have come to the attention of the child welfare system. It is important that those within the natural support network of families be identified and relied upon because children are best cared for within their families and communities.

The concept of looking to kin as a resource is not entirely new, but there have been some recent developments that have significantly increased the breadth and scope of these search efforts. Probably the most significant is that we now know more about the negative effects on children served in foster care when we remove them from the familiarity of their families, schools and larger communities in an effort to promote their safety, permanency and well-being. This recognition has contributed to a shift in perspective among those working within the child welfare system and a growing awareness of the need to identify and intentionally involve kin, so children and families are better served.

Other drivers of this change are the resources and initiatives of OCYF and the Administrative Office of the Pennsylvania Courts (AOPC). The heightened emphasis placed on family finding by leaders has spurred the use of new practice models, training and tools that have expanded the ability to identify extended family. For example, powerful software packages that are available in each county can be used to search public records to identify extended relatives. Improved models

of engagement have led to better interviewing techniques and identification of relatives and kin who can be supportive. Finally, judges are placing greater emphasis on looking to kin first when making foster care placement decisions.

Congressional approval of the Fostering Connections to Success and Increasing Adoptions Act of 2008 spurred family finding efforts across the country with the new requirement that relatives be notified within 30 days of children entering foster care. However, there are important distinctions between the practice of family finding and requirements around notification. This leads me to PPC's major concern with HB 2499.

There is a significant difference between using family finding practices to search for and identify relatives and kin and taking subsequent steps to notify such people that they have family members involved with the child welfare agency. The federal law clearly establishes a right for extended relatives to be notified when children enter foster care. But HB 2499 goes much further than the federal notification requirement, requiring the identification and automatic notification of relatives and kin when a child is accepted for children and youth social services. This is a critical distinction, because most children served by the child welfare system never enter foster care. Let me repeat that fact – most children served by the child welfare system never enter foster care. Many of the challenges their families are facing such as inadequate food or housing are resolved while children remain safely in their homes. In these cases, it is important for parents or caregivers to help decide which extended family members they want to involve in the services they receive. PPC strongly recommends the House Children and Youth Committee not expand notification to include instances where children are only being served in their homes. Requiring agencies to identify relatives and kin is always important, but notifying them when a child or family is accepted for services, which could involve counseling or other treatment services, is simply too broad a requirement, and it usurps power unnecessarily from the parents or caregivers.

When children enter foster care the context is fundamentally different. In these instances, it is important to notify relatives and kin as soon as possible, as they are the preferred means to assure the least restrictive or intrusive foster care option for a child. Developing a list of extended family members who could serve as potential kinship foster parents is an important reason to identify relatives and kin through family finding activities prior to children needing actual foster care placement. PPC would recommend that notification when children actually enter foster care be expanded to both relatives and kin known by the agency.

HB 2500 – Family conferencing

Another reason family finding is important before children enter foster care relates to engaging parents and caregivers in family conferencing – the subject of HB 2500.

Family conferencing is a combination of practices, techniques and values to empower families who become involved with the child welfare system to take the lead on developing a plan to promote the safety and well-being of their children. Family finding dovetails with family conferencing because parents and caregivers often need help in identifying who among their extended family and friends would be willing to come to their aid and participate in a family conference.

There are multiple family conferencing models and variations of practice within models. All of them use a group conference where extended family are able to come together at the invitation of the parents, caregivers or children to inform the development of service plans. Some models even look to the parents or caregivers to invite the professionals they want to involve. The concept of

allowing parents and caregivers to invite participation is why I cautioned earlier against automatically notifying kin outside of situations involving foster care.

PPC has concerns about prescribing the use of a specific model of family conferencing through statute. Models of practice can change over time, and local agencies need flexibility in tailoring interventions to best meet the needs of the families they serve. HB 2500 makes a specific requirement for private family discussion during the conference that allows families to meet independent from any professionals. Not all models require private family discussion. PPC recommends that private family discussion be offered, but not required, to families as part of their conferences.

To my knowledge, only the Family Group Decision Making conference model requires the use of this private family discussion. Family Group Decision Making is a model made available to families by most county children and youth agencies, but other models are also being used. These other models could be adapted to include private family discussion if the family is provided with the option. Again, PPC recommends that counties offer private family discussion during family conferencing, so that the statutory language does not inadvertently restrict the models of family conferencing that can be used.

Regardless of the model, an important aspect of family conferencing is broadening the group of individuals who are invited to the table to help families resolve the issues that have led to child welfare system involvement. It is important that families not be limited in who they invite to their conference, unless there is a safety concern over a certain individual's participation such as in the case of domestic violence. With that said, it is equally as important that that child and their immediate caregiver are able to decide who can be invited to the family conference. HB 2500 defines "family" as including relatives and relatives are defined as adults. It is important to note these definitions may inadvertently limit the involvement of siblings under 21 from participating in a family conference and grant authority to extended relatives to decide who can be invited to the family conference.

The only people who should have the authority to decide who can be invited to the conference are the child and their immediate caregivers. The use of the term family on page 4, line 3 should be amended to limit this decision-making role. As it relates to participating in a conference, siblings can be a vital source of support for a child receiving child welfare services and should not be excluded if they have the maturity to help inform the family service plan. PPC recommends inserting language to include a sibling of the child who is under age 21 to participate in the family conference if appropriate for the sibling's age and maturity. Proposed legislative language to remedy this issue was included in PPC's letter to Chairwoman Harper and is attached for your review.

PPC also recommends that your committee consider including a clear timeline for county agencies to implement the family conferencing requirements in HB 2500. While counties will need some time and flexibility to prepare to implement this statutory language, it is important to impose a deadline to ensure counties are making adequate annual progress by phasing in the offer of family conferencing to all children and families they serve.

Family conferencing and family finding are strategies that can be very effective in identifying and engaging extended relatives and kin to come together to address the needs of families who become involved with the child welfare system. It is important that these approaches be mainstreamed as part of everyday child welfare practice and not be seen as single events or isolated activities that caseworkers perform.

PPC would like to thank Chairwomen Harper and Bishop and other committee members for the opportunity to share testimony this afternoon. We look forward to working with you to improve HBs 2499 and 2500 before the legislation is advanced from committee. We commend you and Rep. Moul for your collective leadership on these important issues. I am happy to answer any questions at this time.