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Child and Family Therapist  
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Casey Family Programs, Community Advisory Board Chair, Tacoma Washington

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Adolescent Services Work Group, Division of Children and Family Services, Washington  
National Wraparound Initiative Advisory Group  
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- Don has been a trainer since 1993 initially in Family Preservation Services (intensive in-home family strengthening services) and since 1995 in “Wraparound,” providing training throughout Washington, Oregon and California.
- National Wraparound Conference: 1996 San Jose, CA.
- Has provided training through Northern California Training Academy, UC Davis and The California Project for Youth Permanency, CPYP, since 2002
- Trainer and consultant in Family Search and Engagement to numerous CASA and Residential Service Agencies, since 2003
- National Resource Center for Permanency and Family Connections, (NRCPFC, Hunter College, New York) Consultant-Trainer to numerous Child Welfare and Human Services Agencies throughout USA. 2003-On Going.
- Building on family Strengths National Conference, PDX, OR. 2004 & 2005
- Through NRCPFC trained each Child Welfare Region in Louisiana post Katrina and Rita, 2007. Georgetown University System of Care Training Institutes: San Francisco, 2004; Nashville, 2008.
- Presentation to Courts and Agencies, Arlington, VA. 2009
- Current Consultant to several state projects receiving federal funds for Fostering Connections to Success and Increasing Adoptions Act of 2008.



# **Family Search & Engagement**

## **A Comprehensive Practice Guide**

**Including:**

- **Stages of the process**
- **Youth, Family, Worker Perspectives**
- **Internet Search Sites & Helpful Search Tips**
- **Case Examples and Illustrations**
- **Practical Tools**

**A Collaborative Product of**  
**Catholic Community Services of Western Washington and**  
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There are two lasting bequests  
We can give our children:  
One is roots.  
The other is wings.

--Hodding Carter Jr.

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## Essential Understandings

Children and youth of all ages, regardless of the complexity of their needs and circumstances long for a loving and lifelong connection to family. Those who are separated and disconnected from family often experience frequent mental health and behavioral issues, placement disruptions, school failures and risks to health and safety. Children and adolescents who journey from foster home to foster home, hospital to residential care and in and out of juvenile detention facilities are frequently displaced and in crisis. They are young, alone and lonely for a family, a home, a school with friends and a neighborhood. Without the stability of a permanent family they are missing the “anchor” that family can provide, and they are without the needed guidance to prepare them for adulthood. All too often they have lost not only their parents but also brothers, sisters, grandparents, aunts, uncles and cousins. As children grow and develop, a sense of identity begins to form. Much of that identity is rooted in *family* identity.

“The Family. We were a strange little band of characters trudging through life sharing diseases and toothpaste, coveting one another’s desserts, hiding shampoo, borrowing money, locking each other out of our rooms, inflicting pain and kissing to heal it in the same instant, loving, laughing, defending, and trying to figure out the common thread that bound us all together.”

-Erma Bombeck

Think of a child who spends Christmas with one foster family one year, and a different one the next, or a child who spends the holidays with staff in his residential home. If the only hugs a child receives are “sideways” hugs from well-meaning staff with professional distance, the results can feel quite hollow. It’s painful to think about youth who have birthday after birthday in an out-of-home placement with no family member to celebrate with – often without receiving even a card or a call from parents, grandparents or siblings. Ironically, while the youth struggles to get through such holidays alone, there are very likely family members who are thinking of and missing him or her. And while the youth is struggling to form a healthy sense of identity, she may end up ultimately identifying with individuals who influence negatively, as the need to belong to someone – anyone is so overpowering at this stage of development.

“The greatest disease is to be nobody to anybody.”

-Mother Teresa

Keeping the deep and enduring need for family in mind, it is important to understand that although “Engaging Family Members” is described as a stage (four), it is also an overarching principle, ongoing throughout the process. It is the heart and soul of this practice, it is the primary need, the critical goal and it is unquestionably the essential outcome.

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### Purpose of this Manual

Family Search & Engagement (FSE) is a set of practices designed to locate, engage, connect, and support family resources for youth. A major goal of this practice is to move youth from a place where they don't hear "I love you" to a place where they can hear it and feel it everyday. This comes from family, relatives, and others who love them. Frequently, although not always, these youth are involved in the child welfare system, have experienced multiple placements with non-relatives, and have lost contact with their extended family members.

"The essence of living is discovering. Indeed, it is the joy of discovery that makes life worth the effort."  
Vijay Krishna

This manual is intended to support the implementation of these complex practices by providing both an identification of the issues and activities involved and a variety of practical tools to assist the practitioner in the day-to-day work. It is the product of a collaborative process among agencies, practitioners, family members, and youth who have experienced the practice. See Appendix for list of contributors.

### Organization of the Practice Guide (or "Yikes – that looks overwhelming!")

Though the Practice Guide is organized into eight stages, and the stages are described in a certain order, please note that this is **not a linear process**, and that many activities within stages occur concurrently, and can occur with remarkable momentum. In addition, some stages may not be needed, depending upon the circumstances leading to the process of family engagement and establishing family connections. For example, while it is important to "set the stage" by clearly establishing the purpose of your interventions with a child and family members, it may not be necessary to then move directly into a "discovery" stage. The stage of "discovery" may already be well underway. For many children and youth, there is less of a need for a "family search", as the whereabouts of relatives may be well known. The need at that point may be to organize and review the information at hand, and move forward, engaging family members and orienting them to the purpose of the process

In the example shown, the FS&E worker has worked through stage one, skipped stage two, moved into stage three and on to four quite swiftly. Depending on the quantity and quality of information at hand in the beginning, this may take only a day or two. As the relatives begin talking with and meeting with the FS&E worker, a new family member or natural support (e.g. a past next-door neighbor) may emerge, resulting in additional "discovery" activities – stage two. In any process, as new potential family members are discovered, there will be opportunities to re-visit "discovery". As the time comes for Amber to

**Example:** Amber is having a rough time, and seems to have a great need right now to know who she is and who 'her people' are. The FS&E worker would like to gather some favorite family stories for her, and even put together a photo album. He is also hoping to get together with a few family members to brainstorm about other ways he can support her and help her feel less alone. "Would you be willing to come to a lunch meeting on Saturday?"

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spend some time with family members she may not have seen for some time, there will be preparation involved (stage five). In stage six, the family members begin working together to consider specific roles for those willing and able to be directly involved, and as more family options become apparent, stage five may be revisited, as there might be the need to prepare for new visits. The point is this – it's important not to be overwhelmed by the number of stages. This is quite simply a way to more clearly explain distinct activities that may be needed when working with a child, youth and family, without describing too many elements at once. And it is important to emphasize that this process is designed to proceed with urgency, balanced with due caution, resulting in rapid progress toward family connections and permanency.

### **Limitations of the practice guide**

The authors created this practice guide to support staff in completing each phase of FSE. Although the guide is a valuable tool for those who work independently, the best application is to use it in conjunction with comprehensive training with activities and demonstrations with real life applications. Hands-on training formats have shown themselves to be most effective in teaching the information and skill sets that lead to successful outcomes. The authors would like to share some concerns and misconceptions for those that use the practice guide without training.

- Family Search and Engagement is not just about finding family. “Finding” or locating family members, while essential, is just the tip of the iceberg and is often one of the easiest components. Inviting, engaging and sustaining family connections tends to require the most highly developed skills.
- In order to achieve successful outcomes all phases of FSE should be considered and addressed. We find that workers often run into challenges when they have skipped preparation stages, failed to communicate with other professionals connected to the youth or have not engaged the extended family properly in long term planning in order to sustain connections.
- Workers often feel that they have to carry the full responsibility of FSE activities when this does not have to be the case. In training we emphasize various ways to collaborate with other professionals and incorporate FSE activities into mental health treatment plans, school IEP, and juvenile justice probation plans and residential staff independent living plans.
- In order to avoid the “revolving door” of youth returning to care, training in the last stage of FSE is devoted to reviewing permanency plans and discussing the “lessons learned” from reunification plans that didn't last. Training focuses on how to involve extended family and professionals to assemble comprehensive multi-faceted plans. While the guide provides some help with this, FSE training includes clinical discussions geared toward development of options for individualized permanency plans around unique situations and actual challenges.

For information regarding technical assistance and training please refer to the Appendix for the current list of trainers or training resources.

### **Target Audience**

## **Family Search & Engagement: A Comprehensive Practice Guide**

This manual is intended for use by those individuals who are actually doing the work of locating, contacting, engaging, connecting, and supporting family members on behalf of children and youth. Other materials are available to assist various agencies, departments, policy-makers, etc., to understand the value of implementing these practices on behalf of children and youth. Technical assistance is often needed to support program development, funding strategies, staff training and support, and interfacing with other agencies that may be involved with the youth and families.

If you are doing this work, it is hoped that this manual will be of practical assistance to you and the children and youth you serve.

### **Gender References**

For the purpose of convenience, individuals in the text will be identified as “he” or “she” as referring to people of either gender. The text will avoid artificial constructs such “he/she” and “his/hers.”

## Setting the Stage

**GOAL: The Team will have a clear understanding of the Family Search & Engagement process (FSE) and how to support FSE activities safely and successfully.**

### Teamwork and Collaboration

Many workers feel isolated, often working independently to meet the needs of the children and families they serve. Workers express concerns about numerous responsibilities and time constraints making it difficult to complete all that is expected of them. They state that often best practices take a back seat to handling the crises of the day, appearing in court, writing reports, face to face visits and attending various meetings, etc. Recognizing the time constraints workers experience, teaming with others can take advantage of sharing responsibilities, expertise, and various tasks associated with this work. Family search and engagement activities can be incorporated into different planning meetings as well as existing treatment, independent living, safety/crisis and educational/vocational plans of other professionals.

### Creating the Family Search and Engagement Team and Its Intent

- The FSE worker creates a team to support the process.
- The FSE worker should identify the many people that know and care about the youth to be part of a team that will plan and coordinate his care.
- This team should include all the professionals that work with him such as:
  - Child welfare worker
  - Therapist
  - Probation officer
  - School counselor
  - Mental health case manager
  - Teacher
  - Family specialist
  - Guardian Ad Litem/Court Appointed Special Advocate
- Other people that know and care about the youth should also be invited to participate on the team such as:
  - Youth peers
  - Neighbors
  - Relatives
  - Youth pastor
  - Former foster parent
  - Scout leader
  - Previous teacher
  - YMCA group leader
  - Sports coach
  - And others...
- The FSE worker provides an orientation about this process.
- The team collaborates through each FSE stage to reach the goals it sets.

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### Children express their need for family connections (including fictive kin) in many ways

- The youth often will openly express a desire to have a family. Look for ways the youth expresses a desire to reconnect with his family or to be able to visit family for birthdays, holidays, and so forth.
- Many times youth express a desire to maintain the limited family connections they have.
- There is a desire to reestablish family connections. Sometimes youth may talk about family members that once visited them.
- They may talk about other youth receiving calls or letters from family members when they are not. They may also talk about how they feel when they see others that receive visits from family members or others that get to leave the facility for holidays or other family activities.
- The youth sometimes may act out instead of expressing his feelings. There are, of course, behavioral expressions of feelings directly related to a lack of family connections. Typical behavioral expressions include depression, runaway, aggressive outbursts, and suicidal behaviors. Many times through these nonverbal behavioral expressions the youth is crying out for some kind of a connection to their families.
- Many times a youth's placement is in jeopardy because of troubled behaviors he demonstrates. Aggressive outbursts, runaway or suicidal behaviors, for example, often increase when the primary need for family connection remains unmet. Sometimes the pattern of placement disruption becomes very apparent as the length of stay in each foster home decreases. In these instances one can almost predict the length of stay in the current foster home based on the pattern of the previous placement(s). FSE efforts that have connected youth to their families have increased placement stability. Additionally, placement stability studies have demonstrated that relative placement and kinship are almost twice as stable as placements with non-relatives.

Call it a clan, call it a network,  
call it a tribe, call it a family.  
Whatever you call it, whoever  
you are, you need one.  
*Jane Howard, "Families"*

### Common Myths, Mindsets, and Barriers

There are a number of common concerns that people have expressed that often cause delays in family search and engagement. The following represent some of the most common concerns, myths and mindsets:

- "We already do this." New search tools and engagement strategies have emerged along greater expectations and requirements to connect children and youth with family.
- Cultural Fit—"Middle Class Bias". Sometimes people settle into a "middle class bias" and are more comfortable in facilitating visits with relatives of the same socio-economic status as the foster home in which the youth has been residing. Cultural,

No pessimist ever discovered the  
secret of the stars or sailed an  
uncharted land, or opened a new  
doorway for the human spirit.  
Helen Keller (1880 - 1968)

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social, and economic differences need to be acknowledged without inhibiting family connections.

- “This child has no family.” Often professionals believe that a youth does not have family because there is no record of any relatives in the file nor can the youth recall any family. FS&E workers often locate as many as forty relatives for such youth.
- “Teenagers don’t want or need family.” It is often assumed that because a youth may be angry at his parents or a relative that he does not want or need to connect with any relatives or natural supports.
- “This child is not adoptable.” Studies and nationally recognized programs have demonstrated that not only the possibility but also the value of adoptions of older adolescents by people including relatives and natural supports.
- “TX should be completed or the child should be stabilized before searching for or involving family in planning or visits.” More and more mental health and residential care providers are learning that family connections can help stabilize youth and should be incorporated in therapeutic or treatment plans.
- “Placements are easier to access and are more stable than relatives.” Studies have demonstrated that relative or kinship placement can increase placement stability. Additionally, once relatives are cleared they can become respite resources and have been utilized as crisis resources for foster parents.
- “The youth’s behavior is too challenging for the family.” While it is true that many youth in care have complex needs, it is also true that the majority of youth receiving mental health outpatient services reside at home with their families.

### Assessing Urgency

When children grow up in a community surrounded by family they have the ability to access many resources in the most normative setting. When youth become isolated from family and natural supports, they lose access to the very people that could support them through crises and help they grow up through young adulthood. For every child disconnected from family there is a need to act with urgency. However for some the need is extremely high. One tool to assist this assessment is contained in the Family Search & Engagement Face Sheet found in the Tools Appendix.

**Orientation and Discussion of Intended Outcomes:** There are three categories of desired outcomes that the team usually discusses:

1. Healthy family members are found and connections are established and activities with the youth are increased (letters, phone calls, visits to support the youth and participate on the team);
2. Following family engagement, stabilization can be demonstrated through positive movement from the most restrictive placements to less restrictive placements into foster or kinship homes;
3. The permanency plan changes to include a permanent family resource that makes a commitment to the youth and takes on either guardianship or adoption as the youth lives with the family.

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### **Teaming Partnership and Permissions**

The FSE worker will set the stage for communication and collaboration.

- It is important that all team members have an opportunity to ask questions and discuss any apprehension. It is better to openly discuss concerns as a team to have an opportunity to reach mutual understanding.
- The team discusses how they might partner and work together to complete the FSE activities.
- Permissions and protocols for contacting family members are discussed and agreed upon.
- FSE workers must know clearly the child welfare worker's preferences and expectations around decision-making. Some child welfare workers, especially those who have developed a trusting relationship with the FSE worker and/or provider organization, may allow greater latitude than others. For example, those with strong relationships may agree to have a FSE worker complete the first part of the search and begin initial contacts and engagement with everyone who is located, while another child welfare worker may ask to be updated as soon as any preliminary information has been obtained.
- The FSE worker and Child Welfare Social Worker (CWS) clearly discuss guidelines around contacting family members. The CWS has legal responsibilities that the FSE worker recognizes and he will only contact those family members that the CWS has approved.
- Team members will expect the FSE worker to communicate any concerns to them. It is his responsibility to share information and to offer to facilitate team meetings to keep everyone up to date.
- Ideally the team will communicate frequently and meet regularly to review progress, share responsibilities, and plan for the future.

### **Communication Protocols and Parameters with Currently Engaged Family, Social Worker, the Team, and Other Professionals**

- Successful FSE efforts solicit the contributions of existing family members and professionals who know and care about the youth.
- It is helpful to develop a plan around communication protocols, so that FSE workers, child welfare workers, guardians ad litem, and others have mutual agreement and understanding of the importance of returning phone calls and written communications in a timely manner.
- FSE worker helps team to understand that very little information about the youth will be disclosed while contacting family members. Instead the object is to gather information about as many family members as possible.
- Team members should have an understanding of who can be contacted and when discovery information about new family members will be shared. The team should know that when possible the FSE worker may visit a family member in their home in order to gather more information.
- Communication protocols should contain contingency information, e.g. the names and contact numbers for supervisors so that communication will not be interrupted,

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even if the FSE worker, child welfare worker, guardian ad litem or other individual involved in decision-making is unavailable.

- Guidelines will be discussed regarding the approval of new family members for visitation as well as clarification of background clearance procedures.
- The team should rest assured knowing family visits involving the youth will only occur with appropriate permissions and approvals.
- Be aware that once family members have been contacted they will want to be kept in the communication loop.

### **Safety Considerations**

- Precautions must be taken so that family members are not prematurely given information about the youth's residence.
- It is important that from the first contact that relatives understand that family members have to be approved by the Child Welfare Agency before they can visit.
- After speaking with a family member on the phone, be aware that their excitement may lead them to contact other family members.

### **Supervision**

Family Search and Engagement provides many opportunities to connect youth to relatives and natural supports. Staff should regularly review their work with a supervisor to gain approval and to verify when background checks may be necessary and that legal protocols are followed. The following are best practice supervision considerations:

- Staff should routinely review their interventions with their supervisor.
- Staff should seek supervision when they encounter a complex situation or when they are utilizing an “out of the box” intervention.
- Supervisors should be available and accessible to staff 24/7.

### **Determine the Extent and Timing of the Youth's Initial Participation**

- The FSE worker speaks with the team to see if they have any concerns about involving the youth in the process. Address these concerns and discuss best ways this can be presented to the youth.
- The FSE team determines the right opportunity to talk with youth. In some instances the team may identify the therapist or a foster parent to have an initial conversation with the youth.
- If the youth has in some way expressed a desire to have more contact or involvement with family members, then this can be an easy bridge to conversation about FSE activities.
- In cases in which the youth is angry or apprehensive, the FSE worker should be sensitive to his feelings and not push the FSE agenda. Instead take “baby steps” and find unique ways to be curious about his family.
- In orienting the youth about FSE care must be taken to paint a realistic picture and not over-sell the idea. It would be better to “under promise and over deliver.” The youth may become impatient with the process and get discouraged. There have been times when youth have taken matters into her own hands and have run away

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to be with family members, sometimes ones that have not been approved by the Child Welfare Agency.

- On the other hand, family visits should not be used as rewards for good behavior nor should they be taken away as a consequence. They should be seen as necessary parts of the treatment plan and process.
- See Trouble Shooting Section for ideas around working sensitively with youth that are either ambivalent or hesitant to participate in the FSE process.

Here is what those involved may be experiencing during this stage:

YOUTH	CURRENT PLACEMENT	STAFF supporting this process	FAMILY/ CONNECTIONS
Some youth do not know that staff are planning to look for family. Others know, and emotions range from being against it, to feeling skeptical and cautious, to feeling a renewed sense of hope for the future. When interested, youth can be a fantastic support.	May not understand why this is needed – may feel that current situation can be stabilized, so why rock the boat more. Others may want to be a part of finding connections from the outset, and see themselves as a key change agents. They may need support in understanding their value in the process, as well as preparing for potential behavioral changes.	It’s a big task ahead, with feelings ranging from anxiety and overwhelm with managing the process (logistics to communications to relationships), to extreme excitement about the possibilities.	Current connections may be skeptical based on past history. Attitudes can range from being against, to wait-and-see, to being a leader in the process. They may need support understanding their impact in the process, especially their relationship with the youth.

### Sample Tools:

- The Family Search & Engagement Data Tracking Sheet can begin documentation of identifying information, an Urgency Assessment, and key contact people.
- The EMQ Connectedness Model can demonstrate family connections the youth has and discuss the value of identifying family and fictive kin resources that can not only contribute to the stabilization and treatment planning for the youth, but also support a sustainable permanency plan.
- In a team setting, there is an opportunity to discuss a comparison of a few life domains (i.e., social, family, educational/vocational) between a youth living with family and a youth living in residential. It is helpful to talk about the different ways that family, friends, neighbors, church and community resources play natural roles in helping the youth grow up, learn social skills and provide support.

### Summary

The key elements for success in Setting the Stage are recognizing the youth’s need for family connections, creating a family search and engagement team, and orienting the team to the family search and engagement process, including permission, partnership and communication protocols and safety considerations. Helping the team understand the perspectives of the youth and other team members will assist in a smoother and more successful team process.

### Examples of Teaming and Collaboration: Stories from the field

While working with other child and family serving systems such as schools, community mental health and juvenile justice, look for opportunities to incorporate extended family and natural supports to supplement educational/vocational and treatment planning. Are there former teachers or professionals that could participate in IEP meetings or volunteer to be a tutor? While reviewing mental health treatment plans, are there opportunities to involve extended family, youth pastors or peers to support treatment goals? In meetings with juvenile justice, ask the probation officer about people that have been supportive in the past. Does the P.O. know of former staff, foster parents or relatives that the youth looked up to or respected? Additionally, former teachers and professionals sometimes take a special interest and volunteer by mentoring the youth in various capacities. There are professionals and extended family members that can be resources who can make a contribution in the youth's life. The following are some examples.

- **Dennis** was an eight year old boy in foster care who was struggling academically and socially. In one IEP meeting the teacher told the team, "The only positive thing going on in his life is his association with his church". The teacher was encouraged to contact the Bishop of the boy's church who in turn referred a retired couple from their church, the Hyltons (retired primary school teachers). This energetic couple agreed to form a reading group for Dennis and a few peers. The Hyltons met with the group twice a week at school and it didn't take long before it became a big hit that the students looked forward to attending. The Hyltons helped these children improve their reading skills and their social skills. They also took a special interest in Dennis supporting him at school and church and before the end of the school year they completed foster care licensing to provide occasional respite. Later when Dennis was united with his Uncle Jake, the Hyltons remained involved, often inviting Dennis to spend a weekend with them, providing a much needed break for Uncle Jake and a weekend of fun for Dennis and the Hyltons.
- **Marisol** was a 16 year old who had a history of gang involvement and illegal activities and was living in a group home in Los Angeles. Teresa, the PO, had participated in numerous treatment and independent living planning meetings in Marisol's behalf. After Marisol completed her probation she told Tia her DCFS worker how much she appreciated Teresa and that she would miss her. Marisol and Teresa shared an interest in horses and Teresa lived on a small ranch. Tia consulted with her supervisor about the possibility of Teresa mentoring Marisol because of the mutual interest in horses and gained her approval. Tia was instrumental in facilitating Marisol's visits to the PO's horse ranch where she would spend Saturdays caring for and riding the horses. When Marisol was 17, Tia participated in a family search and engagement project with her county and located her father and his side of the family, whom she had not previously known. Marisol and her father's family hit it off when they discovered their mutual affection for horses. Her father's family raised horses outside of Sacramento and Marisol fit right in. Teresa and Marisol continue their friendship and their love for horses.

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- When the DCFS worker, Ana, first asked Carina, the mother of 14 year old **Darin**, if there were any extended family that might be a mentor for Darin or provide some support for the family, she responded, “No”. Carina then explained, “Ever since we joined the Mormon Church my family discontinued communicating with us (she and her six children)”. Darin was involved with multiple systems: child welfare, mental health, developmental disabilities and juvenile justice. A month later when Carina was diagnosed in the final stages of terminal cancer and was told that she had weeks to months to live, she consented to Ana’s request to contact family for support. With Carina’s health rapidly declining, Ana and the therapist contacted Carina’s 5 adult brothers and sisters that were spread out from New York to Wyoming who all said they would attend a wrap-around-family group decision making meeting to be held in Washington State. At this meeting the needs as well as the living arrangements of all six of Carina’s children were discussed. Carina died three months later knowing that her last wish would be granted, that all of her children would grow up in a loving home with their extended family. Darin remained living with his step-father while many friends from the church and community maintained supportive connections and collaborated with the ongoing professionals around his care.

## Discovery

**GOAL: To make initial contacts and explore records in order to complete a family tree (or connectedness chart). The intent is to identify as many resources as possible (initially 40 would not be unusual).**

### Conversations with the youth and others as appropriate

- The youth can be a wonderful source of information about family and sometimes has information that the professionals do not. Sometimes the youth may also know how to contact or reach family members even if she doesn't know a phone number or address.
- While talking with the youth, it is important to gather information while not building up unrealistic expectations. The first conversation is not about finding a place to live. Start with talking about creating a family tree.
- Contact the family members that are already known to the youth with the purpose of gathering names and information of other family members.
- There may be other persons that the youth and others know about that can be contacted in order to get more names and information.
- A list of "others" that may know of family members includes: siblings also in the system, former foster parents, previous social workers of the identified youth, social workers that worked with siblings or cousins of the youth, other professionals that worked with the youth at one time (teachers, foster parents, residential staff, family doctors, etc.).

A discovery is said to be an accident meeting a prepared mind. Albert Szent-Gyorgyi (1893 - 1986)

### Begin documentation of contacts and quality of relationships

- Accurately record names and information about family members so they can be referenced again if necessary. If this information is documented appropriately, the information will remain intact even if the CWS or the FSE worker changes.
- Document the quality and strength of family relationships. This information will be useful later when the team decides which family members may be the most appropriate to begin family engagement activities.
- In addition to names, numbers, and addresses, it is also helpful to indicate circumstances or temporary barriers that might be important for others to know for future follow-up. (For example, Aunt Mary is interested in visiting or allowing Johnny to come visit her but she is scheduled for knee replacement surgery and will be more available in the near future.)
- It is also important to document illegal or inappropriate activities of family members for safety precautions.

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### Exploring files and records

- Explore all of the case files, including court reports and psychological evaluations. Write down any names or partial names, phone numbers, addresses, Social Security Numbers, and birth dates that are uncovered.
- The original file when the child first entered care can often provide information of family members and others that were originally considered to be potential resources.
- Sometimes juvenile justice records, health, and mental health reports may be in other locations.

The real voyage of discovery consists not in seeking new landscapes but in having new eyes.  
Marcel Proust (1871 - 1922)

### Due diligence and permissions

- It is important to work with the team and to receive permission to contact family members in the discovery stage. It is also important to know which family members, if any, should not be contacted.
- It would be essential to be familiar with the guidelines in your location about contacting parents whose rights were terminated.
- When an adopted child is relinquished, determine any local policies and procedures regarding contacting the birth parents.
- The Child Welfare Agency has both the authority and obligation to seek resources for the child with or without the youth's permission.

"When you make the finding yourself - even if you're the last person on Earth to see the light - you'll never forget it."

Carl Sagan

Here is what team members may be experiencing during this stage:

YOUTH	CURRENT PLACEMENT	STAFF supporting this process	FAMILY/ CONNECTIONS
Youth often times may still have the wait-and-see attitude. At this point, they may begin to question and ask more. More connections may be revealed. In some situations, the youth will not yet know of the searches.	As discussions move to action, concern about stability may increase – will this escalate the youth? What does this mean for this place and my relationship?	Balancing due diligence and permissions with the urgency of finding connections. Staff may be excited to see what may happen, and anxious about asking family to become a part of the youth's life. However, some staff may feel reluctant to make any sort of contact with certain family members.	Those who are contacted may experience a full range of emotions that go back many years. Expect anything, from complete joy to anger at the system for removing the child.

### Skill Sets

- A sense of urgency that is assertive
- Phone skills that are not a sales pitch
- Interpersonal Skills, friendly but not invasive
- Letter writing skills

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### Sample Tools

- Phone scripts may be used, along with paired practice making “cold calls.”
- Sample draft letter is available in the Appendix, or could be constructed by the FSE team.
- See Tools Section of the Appendix for list of internet search sites.

### Summary

Successful completion of this stage results from genuine curiosity and thorough searching. All people, especially the youth and people who have been a part of the youth’s life at any point, should be seen as potential holders of information, hints, or keys that will lead to additional information. With proper discovery procedures, permissions and diligence, each youth should gain or regain as many as forty or more possible connections in her life.

### Examples of Search and Discovery: Stories from the field

There are numerous successful search stories in which workers have discovered keys that unlocked the doors to finding family. The following are actual stories that illustrate some of the uncommon keys to discovery.

- **Milana**, a child welfare worker, struggled for months to find family for Douglas, age 15, who was born while his teen mother, Mary, was in foster care. (Mary relinquished Douglas to the foster parents that raised her and they planned to adopt him.) Mary herself had entered the system as a failed adoption. The adoptive parents died when she was 15 and no records could be found about her birth or adoptive families. To complicate matters it was rumored that Mary was later killed in a drug related incident and there seemed to be no record of her existence. Douglas now was in a similar failed adoption situation and was in his 17<sup>th</sup> placement. At staffing Milana expressed her concerns for Douglas and her inability to locate any relatives. In staffing, a co-worker remembered that she worked with one of Douglas’ cousins who was now a young adult. When Milana contacted him she learned that he was currently working for a group home. He then informed her that he and his 24 aunts, uncle and cousins would be interested in seeing Douglas and being a support to him. Milana then asked if he knew remembered his aunt and if he could recall any information about her death. He replied, Aunt Mary lives in Chicago, has remarried and has three other children. Milana contacted Mary who broke into tears stating, “I have been waiting 13 years for this phone call.” She explained that she was told that Douglas would be adopted and the best thing she could do was to allow him to form a new relationship with his adoptive family. “I stayed away because I thought it was the best thing I could do for him”. Milana completed background checks and soon Douglas was visiting his mother and three younger siblings.
- **Tavita** was 14 and had not had any family contact for the past ten years. The only family information Lyn, the worker, had was that his father (also named Tavita) was in the Snake River Correctional Facility. Lyn contacted the correctional facility and explained to his counselor that she wanted to know if Tavita Sr. would provide information

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about his family. The counselor facilitated letter communication and Tavita Sr. sent Lyn 6 pages of family contact information. Lyn then started getting calls and letters from Tavita's family expressing their interest in meeting young Tavita. Lyn met these family members and 30 days later introduced Tavita to his family that he had not seen since he was 4 years old.

- **Lisa** was frustrated because she had been unsuccessful in locating any of Tameka's, age 13, relatives. Tameka had been removed from her mother, Latonya, at age 3 after a number of in-home interventions failed to reduce the concerns of neglect. Latonya reportedly had moved out of state, was actively "using" and living on the streets in Los Angeles. The only information of the father was that Latonya knew him briefly in high school and that his name was James. While mining the original case file, Lisa discovered the names of the initial foster family that cared for Tameka when she first entered the system. Lisa spoke with the foster parent and although she couldn't remember any of Tameka's family, she stated that her daughter Barbara actually attended the same high school as Latonya. Lisa spoke with Barbara and found out that she knew Latonya's boyfriend, James. Lisa located James and after explaining the situation convinced him to take a paternity test. It was confirmed that James was the father. Lisa worked with Tameka and her therapist around the reunification with her father. Eventually Tameka was introduced to James and her new family. James's Mother thought Tameka looked just like James and as the matriarch welcomed her into their family.

## Review of Discovery Information

**GOAL:** The team will review newly found family resources, invite them to participate on the team, and identify ways they can make a significant connection or contribution.

**All discovery information is reviewed by the key players.**

- It is important to look at all relatives as possible resources who might be able to help the youth in ways other than placement resources.
- Identify family members known to the system that have histories that will prevent them from participating in the plan or from interacting with the youth due to court orders or specific harmful behaviors. These family members may be resources for additional information only.
- Each identified person can be considered for many possible supportive roles and activities:

Information only	Respite care
Planning	Placement
Phone, email, cards, or letters	Financial support
Visiting the youth	Emotional support
Taking youth on outings	Family pictures and stories
Allowing youth to visit them	Other...

### Reviewing and Planning

There may be 40 or more names to review – aunts, uncles, grandmothers, grandfathers, former friends, previous connections. Now that they can be contacted, or have initially been contacted in some situations, the team determines the next course of action. This can be a rigorous task for the team, but is critical in the process. The team reviews the potential resources and connections as well as their limitations. The focus is not solely on placement, but on connection. If this is not done carefully, potential connections may be scared away if they feel there is only an interest in placement. The whole range of possibilities should be explored. Keep all possibilities alive.

*“Where would we be if throughout history, our greatest minds had feared that which they could not confirm? Embrace the unknown with caution, but not with fear.”*  
Karyn Somerfield

To make all this work effectively, communication with the team is critical. As the current state of potential connections (e.g.: adult cousins that are stable in life or grandparents who are near end of life) and the youth’s needs (e.g.: placement, visits, or transportation) are reviewed, considerations include logistics and parameters for initial involvement, legalities and privacy. Safety planning takes a heightened role in this stage. Some programs may require supervisory review at this stage.

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**Logistics.** Where do the people contacted live? How can they become a part of the team? What is the team asking of them at this point? Where is this person in their own life? What is their interest level? The team must assess and invite with success in mind. Missteps here can interfere with reconnections or potential connections.

**Legalities.** Throughout the process, due diligence remains critical. This includes making sure that releases of information are obtained; court and other permissions are granted; and, HIPPA compliance and confidentiality are upheld. Background checks are completed with child welfare assistance. If this area is not handled appropriately, the connection process can be delayed for months.

**Safety.** Safety considerations are discussed and strategies developed. There may be very little information on some of the potential connections. When the team is ready to share the information with the youth (if youth does not know specifics already) and invite these folks to be a part of the team and the youth's life, several safety factors must be reviewed:

- How fragile is the youth? It may be that the team must immediately plan for a reaction from the youth, which could include physically acting out, running away, or withdrawing. Often times the negative behavior is itself due to the need for connection. The team must evaluate whether moving forward with connections in spite of the behaviors exhibited will be in the youth's best interests.
- What is known about the person? The team also must consider the reliability and stability of this new person who has agreed to be a part of this child's life. What sort of past guilt may be there? What sort of reactivity or impulsivity is there? What sort of personality is there?
- Past histories and criminal records must be considered carefully. Identify family members known by the system to have histories that will prevent them from participating in the plan or interacting with the youth.

The end result of this stage can be very rewarding and invigorating. While there are many things to cover and prepare for, the bottom line is that the team identifies newly found family members and connections to be invited to participate and readies itself for the implications.

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The table below highlights what some of the team members may experience at this stage:

YOUTH	FAMILY/Potential Connections	CURRENT PLACEMENT	STAFF doing this process
<p>The youth may feel hopeful, depressed, elated, sad and overall confused. There may be a mixture of all these emotions and also feelings that things will not change. The youth may behave very well or act out his anxiety. Knowledge that work is underway to seek out family connections is likely to elicit changes in behavior.</p>	<p>The family may be experiencing some anxiety about meeting a family member from the past, or a family member that they may have heard negative stories about. They will likely need support with their own process: facing past “skeletons” or feelings of guilt and helplessness. As they become more engaged in the process they will want to be informed about each development.</p>	<p>The family or group home or foster care staff will also have mixed feelings. They may have concern that the youth may be disappointed. They may be upset because the youth is showing behaviors both positive and negative. They may be experiencing the beginning stages of loss, thinking about how the child may be moving on, and loosening their connections with the child in defense of their emotions. They may be resistant to the process or may be supportive.</p>	<p>Staff may be hopeful and hesitant. They will be hopeful for potential placement options, and they may also be experiencing concern that the youth may be rejected. They will want to be open to the needs of the child, the placement, and what each is experiencing. They should be planning for stabilization during this potentially chaotic period. Staff may be concerned themselves about “is this the best way to move forward/the best thing for this youth?”</p>

### Tools

- Connectedness maps with child, extended family, and others: continue building on the connectedness map already begun with the youth. Begin maps with new contacts. See Appendix.
- Family photos: these can be excellent tools, especially before or during initial visits.
- Child Time Line: can gather much lost information here – the chronological depiction of significant life events of the youth and family.
- Safety Plan and assessment: constantly update according to process
  - Family History records
  - Information gathered from files
  - Discussions with DA’s and others aware of family concerns
  - Internet search information
  - Evaluation of child’s concerns
- Consider structured interviews using predetermined questions so that nothing is forgotten or overlooked.
- Written documentation of team meeting minutes and action plans.
- Legal tools:
  - Background Checks
  - Releases of information
  - Court approvals
- Organized way of tracking connections and the process. See Connections Tracking Form in Appendix.

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### Summary

Success for this stage occurs when all potential connections have been thoroughly reviewed by the team, specifically in terms of what they can bring to the youth's life and vice versa. The more thorough the team has been with investigations regarding legal issues, confidentiality, safety, strengths, benefits and history, the more likely the connections will be meaningful and long-lasting.

### Examples of Teaming with Community Partners: Stories from the field

There is an increase in the number of workers who involve foster parents, group care and residential staff in family search and engagement activities. The change in philosophy is to consider people who can make a connection with the youth and in some manner have a positive influence in his life. This is a dramatic change for some workers who previously only looked at family (or other community resources) as placement resources. Often foster parents are part of a larger network that might know the original foster parents (the youth's initial placement) or other parents that have fostered the youth's siblings or cousins. Either of these foster parents may have links to the youth's family of origin. Foster parents can assist workers in locating relatives and building the family tree. Additionally, there are times when residential staff interact with a youth's relatives on the phone or have facilitated visits at their facilities. More and more residential facility staff are taking an active role in family centered practices and supporting family search and engagement activities.

- Anne, a case worker had been trying to locate relatives for **Arturo** who was almost 18 and living in a residential facility. She happened to talk with after-hours staff at the facility. Anne was told that an aunt had visited Arturo at the facility a couple of months before and that his mother periodically called. When Anne asked Arturo why he hadn't shared this information he said that he wasn't sure if she would approve of his family's involvement especially since his mother was living on the streets and still "using". When Anne asked if Arturo had his mother's contact information Arturo said no but then reached in his wallet and gave her his aunt's cell phone number. Anne was able to contact the aunt who provided contact information on many family members including his mother. A family team meeting was held before Arturo's 18<sup>th</sup> birthday. Nine of Arturo's family members attended. The meeting was lively, as family members fully engaged Arturo in planning and decision making. The atmosphere was celebratory, and Arturo shared that for the very first time he wasn't dreading his 18<sup>th</sup> birthday. By the end of the meeting, Arturo had a number of viable options. One uncle offered to help ensure he wouldn't lose his connection with his mother. An aunt who lived alone offered the room above her garage in exchange for "heavy lifting now and then". In the end, Arturo had many options for a successful transition when he turned 18 instead of "aging out" unprepared all alone.

Many states have involved private agencies and providers in family search and engagement training. In addition, more residential providers are taking an enthusiastic role in finding family and supporting connections and are achieving successful outcomes. After Dory, a social worker, featured 16 year old Marlana on a TV adoption program "Wednesday's Child" she was surprised how many calls she received from extended family members who recognized her. Teaming with a residential provider they contacted the relatives and started engaging them in Marlana's life. A very devoted residential staff, Jeremy, gave up

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his Thanksgiving and part of his Christmas day to ensure that Marlena was “home for the holidays” visiting relatives instead of remaining on campus. They continued supporting these family connections with many having continued several of which have sustained involvement. Marlena’s Aunt Natalie is considering a kinship placement.

In some communities, private agencies are taking the lead in family search and engagement using their own resources to train residential staff to be family search specialists. These staff quickly become experts at locating and engaging relatives. When Karen, a residential staff “family search specialist”, learned of a grandparent’s death of one of her youth, Jamal, she got permission from the social worker to take him to the funeral services. She tactfully prepared Jamal to attend the services and meet his relatives (most of which he had never known). Jamal met his grandmother, many cousins, aunts and uncles and it didn’t take long for him to feel a real family connection. Karen took lots of pictures of Jamal with his family and he also took pictures as well (with the disposable camera Karen provided him). They also came prepared with 3x5 cards printed with Jamal’s name, Karen’s agency email, phone number and address. This way they could continue contact through Karen. Karen took an address book that his relatives signed and provided contact information. Karen followed through with contacting these relatives and Jamal began corresponding with his family. The social worker and Karen planned a family team meeting with his new found family.



**My nephew,  
My son!**

## Engaging Family Members & Natural Supports

**GOAL: The FS&E Worker and other professionals will actively welcome and engage newly found family members and other natural supports, as well as family members previously, currently or even slightly involved with the child (as appropriate). This group of professionals and natural supports works together as a team, and subsequently evaluates and determines how and when to engage newly found family members and natural supports. Decisions to involve new family members is based on safety, the child and family members' interest, preferences, the anticipation of a supportive and caring relationship, and their capacities to add strengths and support to the child.**

The stage has been set – there is an agreement among team members about locating and engaging new family members, and reengaging existing but minimally involved family members. The team has been clear that the current situation is not acceptable as there is a child who is growing up without permanent family connections, and it is likely that this child is lonely and struggling. It may be helpful at this time for the team to formally reaffirm its mission to ensure that the child has lifelong family connections and a permanent family to live with.

### **Balancing Caution with Urgency**

This stage may bring out tremendous passion in the team, as new possibilities become revealed. Working with urgency comes naturally, as the excitement builds with each new family connection. This is also a time of challenges, and there is the risk of moving so quickly that important steps in the process may unintentionally be overlooked. Throughout this stage of the process it is essential that the FSE worker communicates frequently and completely with all team members. For youth who are court dependents, close partnering with the Child Welfare social worker, guardian ad litem, and courts will be imperative, as will obtaining permissions throughout the process and at each decision point. Part of the importance of clear communication with child welfare workers lies in ensuring that they have the information they need in order to do their job well and so that they can report back to the courts as needed. The challenge is, at the same time, to move forward without delay.

During this evaluation and engagement stage, it is important that everyone involved be informed as the process proceeds. It can be difficult to receive a preliminary call for information about a niece, nephew, cousin or grandchild and not know when to expect a call back. In order to keep the momentum moving, and extend invitations for involvement as appropriate, there must either be direct access to the child welfare worker or the FSE worker must have been given clear permission to proceed.

### **Youth Involvement**

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The involvement of the youth at this point in the process will depend on her age, developmental stage, clinical stability, preferences and other variables. While those variables need to be considered, it is imperative to note that our youth often feel hopeless, lonely and alone. Behavior is often related to those feelings, and rather than waiting for a youth to “stabilize” before family connections are considered it is essential to keep in mind that family connections often are what bring a youth hope and bring about stability. Some youth will settle down to see what might happen when they learn that family members are being contacted and that there may be an opportunity to have some type of interaction or relationship. Others will experience anxiety and may have a more difficult time in the short run.

And at times, though less frequently, youth will say they do not want to have contact with their family members. Further exploration often reveals the fear the youth has of being rejected, particularly if their perception is that they are in out-of-home care because of rejections by family in the past. Risks, fears and concerns must be carefully discussed and appropriate strategies developed. There is an art to talking with youth about seeing a long lost parent, uncle or sibling. With some youth it may help to share information as it is available and verified (with prior permission). With others, it is better to share very little until family members have been engaged, background information is complete and favorable, and the team has approved at least initial contact with the youth.

It is important to remember that children and youth will have a very difficult time if the process of discovering and engaging family members begins and then stalls or comes to a halt. Young people have great difficulty when it seems nothing is moving forward. Children and youth will also often struggle if they know there have been efforts to engage family members and no one has kept them informed (appropriate to developmental age and situation). Even if there is little to report, it is essential to check in with the youth to let them know what is or is not happening. Most importantly, it is critical to work with a sense of urgency so that the process does not lose momentum, resulting in the youth potentially losing hope.

### An Example—Part 1

One recent example involved 14 year-old “Amber”. Amber had been struggling in school and in her (many) foster homes. Her angry and aggressive behavior had resulted in numerous moves from foster home to foster home. She was being referred to the state mental health division for long-term residential placement, as those working with her were running out of foster care options. After settling (somewhat) into a short-term foster home, Amber’s FSE worker met with her. When the subject of her family was broached, Amber angrily told her FSE worker that her family had never done anything to help her, all they ever did was leave her in foster care, and she wanted nothing to do with anyone. This FSE worker wisely listened, and then said, “OK. What if I just need some information about who your family members are? Do you care if I get some of that?” The girl, who was (age appropriately) somewhat oppositional responded with “Whatever. I don’t care what anyone does. I just don’t need to know anything about it.”

With the child welfare worker’s permission, the FSE worker began the process of locating family members discovered through the search process. After locating several relatives, the FSE worker casually said, “Well, I think I have a phone number for your grandma and your Aunt Alma. I was thinking I might call them. If I reached them, would you want to know that?” Again, Amber stated that she didn’t care, but followed by mentioning, “I had an aunt that used to live by the Dairy Queen. I wonder if that’s her”. A day later, both the grandma and aunt had been reached and reluctantly invited the FSE worker to meet with them the following evening at the grandma’s home which was in a neighboring county. They both expressed concern about getting too involved, but agreed to meet when they learned that the FSE worker was just trying to learn more

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about Amber's family, so that Amber could know "who her people are, what talents they have, and what they like to do".

During the time spent with the family members, the FSE worker shared information about Amber, but limited it to Amber's talents (she's very athletic and can run for miles without stopping) with limited information about her struggles (she tends to have a hard time in school, but at the same time her teacher's say she is very bright. She has a very quick wit and loves to write poetry). Sharing a small bit of information helps family members begin to feel an attachment. While it is important to avoid sharing too much information, and especially too much information about a child's difficulties, it is also important not to paint an unrealistic picture. By the end of the visit, the grandma was sharing photos with the FSE worker, and both women cried saying they had worried about Amber from the moment her mom went to prison and lost her.

After gentle questioning about Amber's mom, the FSE worker learned that she had last been in contact two years before, and at that time was living in Eastern Washington. The grandma gave her the last known address, saying she knew Amber's mom would love to know how her daughter was doing. Other information pertaining to other aunts, uncles and cousins was also shared with the FSE worker, in addition to information about a past neighbor and close friend of Amber's mom. They explained that they had never known Amber's father.

The following day the FSE worker again met with Amber. After chatting about Amber's frustration with school, and her desire to return to a school she attended while in a previous foster home, the FSE worker asked "hypothetically", if she had met with Aunt Alma and Grandma, would Amber want to know anything? Amber's response was "maybe, but probably not". The FSE worker went on to ask, "Even if your Grandma still had your kindergarten and first grade school pictures on her living room wall?" Amber's surprised response was, "she still has pictures of me? Did they say where my mom is?" and from that point on, the FSE worker and Amber were able to have conversations about Amber's family members, about talents and strengths, and eventually about similar strengths Amber saw within herself. At the end of the visit with Amber, the FSE worker met with Amber and the foster parent together to check in on how things were going. The conversation about Amber's grandma and aunt was casually mentioned. The FSE worker then spoke for a few moments with the foster parent before leaving the home. It was important for the foster parent to know that Amber may have some anxiety or unrealistic expectations, and that whether her thoughts or feelings are positive, negative or both, the foster parent may see some related behaviors.

At this point, the FSE worker will likely begin searching for a current address and phone number for Amber's mom. In this instance, parental rights had been terminated when Amber was seven years old, and Amber last saw her mother at the age of six. Her last memory of her mother was when she lost a baby tooth and her mother showed her a dollar left under her pillow by the tooth fairy.

Throughout this process, the FSE worker must maintain regular (often at least once daily) contact with his immediate supervisor. Also, the FSE worker needs to check in with the child welfare worker, and quite possibly the guardian ad litem. If at any point it appears the FSE worker is plunging ahead without continuing permissions, or that he is minimizing risks or leaving out information, trust between team members will be eroded and the entire process will take a giant step backward. Inclusion of immediate or extended family members previously thought to be "not a resource" is sometimes a difficult shift for social workers, guardians ad litem, and court personnel. Frequently team members will need to be reminded that it is important to be open and inclusive when considering involvement of newly found family members. Even those who may never be considered as a family for the youth to live with bring many strengths, resources and helpful information to the team.

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If safety of the youth is an issue, or if court orders prevent contact, it may be necessary for adult team members to meet with the family member for the purpose of information gathering without participation of the youth. Even parents who are incarcerated can and do contribute to the process, and they often appreciate the opportunity to help their child. Incarcerated parents have often been extremely helpful in providing information about family history, family members, and memories or stories of family strengths.

### **Welcoming New Family Members to the Team**

It is essential to create a welcoming and inviting environment when meeting with newly found family members, particularly those who may be fearful of anyone connected with the child welfare system. Team members or the FSE worker must ensure that the meeting time and place are convenient for family members (evening and weekend times may be most appropriate), and that meetings are held in natural settings. It is often best for the FSE worker or team members to offer to meet in the family member's own home, or to meet in a nearby restaurant, for example. Family members may be reluctant to meet in a provider agency or child welfare office, and if this is where meetings are scheduled to take place, a critical family connection may be lost as a result. If this is an initial meeting with the family member, it may be better to meet one-on-one, rather than overwhelming the family member by involving several team members.

Stress strengths within the family from the very beginning of the conversation, e.g. speaking with a child's uncle, "I've heard that you and your brother love to sing. Is the rest of your family musical as well?" If the meeting is in the family's home, it is helpful to comment on something positive as you are entering the home (the lovely shade tree in the front yard, the beautiful drive down country roads, and the friendly dog on the porch). The purpose of the visit can be discussed. The FSE worker makes a conscious effort to use family friendly, strength-based and normative language and to avoid use of jargon. Focus on ways to join the family. Assure the family that your visit is not an evaluation, but an opportunity to get to know each other.

As the conversation progresses, the FSE worker will discover and make a note of areas of strength that the family member may bring to the table, and also will begin to get a sense of the potential for a relationship or possibly even a family to live with. However, it is imperative to avoid any mention early on about our hope that the child will eventually return to live with a family member.

### **Engaging Family Members**

If the family member has not had contact with the youth in some time, it's helpful for him or her to hear about the youth's strengths, interests, talents or hobbies. If there are common interests and strengths, mentioning them can help the relative begin to feel a bit connected with the youth ("Did you know that Darien seems to be musical as well? Last month he started singing with the school choir. Since then, he's been more enthusiastic about getting to school as well. Music seems to be a real motivator for him, and he has a beautiful voice."). As the conversation progresses, the FSE worker can emphasize the child's need

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to know where he comes from, who he belongs to, and who his “people” are. It’s helpful to let the family member know that the child has had a rough time, and to explain that often youth who are desperately lonely for family and struggling to develop a sense of “identity” will have difficulties with behavior (may be quite depressed, and/or may have issues with anger). While being strength based, it is important also to be realistic; but again, at this stage information must be kept fairly general.

Some attempts to contact family members or friends may be met with a less than enthusiastic response. Sometimes those reached by telephone are stunned and react negatively. Others fear financial repercussions. At times, a father may have a new family who has never known of his first child. Even if an initial conversation is unsuccessful, remember that at this stage the goal is to be positive and engaging as you contact as many family members as possible. If a family member hangs up without hearing more than a few sentences, send a thank you note, expressing appreciation for the time and understanding the difficulty and surprise the family member must have experienced in being contacted. Include contact information inviting the family member to call back if they might be able to share any information in order to help the child. Persist even when progress seems slow or difficult. The next call may lead to the pot of gold at the end of the rainbow. A child who feels alone deserves as many calls as it takes.

### An Example—Part 2

In our example with Amber, above, the FSE worker needed to work in partnership with the child welfare worker to reach agreement about involving Amber’s grandma, aunt, mother and eventually other friends and family. Because rights had been terminated, it was initially difficult for the child welfare worker to accept the importance of the information Amber’s mom would bring to the team. After discussing the advantages as well as the risks over the telephone, the FSE worker had permission to try to meet with Amber’s mom, but was then to share the information with professional team members so that the extent of Amber’s involvement with her mom (if any) could be discussed and agreed upon.

As so often happens, Amber’s mom “Andrea” cried when the FSE worker reached her by telephone. She expressed her guilt over losing Amber, and explained that she was 15 years-old when Amber was born, and that three of the men she dated had been abusive to Amber. When she was almost 19, she was sentenced to three years in prison for multiple drug and theft convictions. She asked to see Amber, and the FSE worker explained that at this point she was just looking for information that might help Amber. Andrea offered to meet anytime after work, explaining that she had recently completed an AA degree, has been married for three years and works in a child care center. She asked that the FSE worker tell Amber that her mom had loved her always, and that she had a 3 year-old baby sister. The FSE worker thanked her, gave Andrea her cell phone number, and asked if she could call back the next evening (after checking in with the child welfare worker). Calls such as the one made to Andrea can have an immense emotional impact, and it is important to be clear about when she could expect a call back. In addition, it is essential to make that call even if decisions about next steps have not yet been made.

The next steps would involve a conversation with the child welfare worker and other team members as appropriate. Amber’s team agreed that it would be helpful for the FSE worker to travel to Andrea’s home to meet her and also to gather information about Amber’s father and his side of the family. It was further decided that the FSE worker should invite Aunt Alma and Grandma “Annette” to join the team, first meeting with them to explain the purpose of meeting as a team, as well as the process. The team meeting was set for a Thursday evening, as that was the time most convenient for Annette and Alma. Each situation is unique. In Amber’s situation, it was too soon for her to be involved in team meetings, as she had not yet had visits with her newly found relatives. Amber would soon be included in the team meetings however. In another situation, a youth may have visits with a family member one day and attend a team meeting the next. Each situation will be different, based on any number of variables.

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### Relationship Building

During the initial team meeting with new family members attending, the team re-visits “setting the stage” in order to welcome new team members and ensure that the process is understood by all. It is also important to spend time focusing on strengths of all team members and talk about what each person can offer. It is most helpful (and enjoyable) when professionals are able to step outside their traditional roles to offer something unique to the child and family.

- The child welfare worker may be adept at photography, and the youth and uncle may share an interest in that area.
- The FSE worker may enjoy running, and accompany the youth as she prepares to try out for a cross country team at school.
- The guardian ad litem may be very artistic, and offer to meet together with the child and a sibling who would like to learn to work with water colors.

The intent is to begin to draw the team together – youth, professionals, and family members – working together to build on strengths, capacities, and interests as needs are identified and prioritized. Each of these activities has a therapeutic component to it:

- The guardian ad litem is spending time with the child and a newly involved older sibling as she teaches them how to work with watercolors.
- The FSE worker is running with a youth, and before, during and after, there are discussions about how the youth is feeling about seeing her grandma and aunt for the first time in years, her desire to see her mother again and what the plan for the next few days will be. She might also talk about the relationship between exercise and stress management.
- The child welfare worker may bring cameras on an outing with the uncle and the youth, and they may discuss photography and take pictures throughout the visit that both the uncle and the youth can keep.

Each of these activities is helpful in a number of different ways. The visits are being “supervised and observed” by a professional, but this is done in a way that feels natural and enjoyable to all, and takes place in the community rather than an office. Pressure is taken off the child and the family members when there is some sort of activity planned; even if the only purpose is to help to “break the ice”. And the time spent is likely to be enjoyed by all (including the professionals).

### Team Planning to Meet Needs

As visits progress and relationships build, discussions naturally begin to take place among team members, family members, and during team meetings pertaining to needs and strengths of the youth, family members and team members. For the youth, the most basic needs tend to be around health and safety, a family to belong to, success in school and at least one good friend. As these needs are discussed, strengths of family members are again emphasized. An uncle who has a strong connection with the youth through photography lives near a school the youth once attended and wants to return to. He would like to be considered as a possible family member the youth could live with. His friend and neighbor has offered to help in any way she can (e.g. transportation to school). His sister

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lives in another state, but she and her husband have offered to come help install a second bathroom in the uncle's small home. The uncle's son offers to help his cousin get to know people again at school, if he comes to live with them. This is an important moment in teaming.

The FSE worker must encourage the enthusiasm and creativity, while reminding everyone that this could be one option that is explored, and that it is important to develop a number of options (plan A, plan B, plan C and plan D). Very often a plan that sounds perfect will run into an obstacle during the final stages of implementation. Even if Plan A ends up being the one implemented (the youth moves in with his uncle), back-up plans are needed in the unlikely event that something happens to the uncle. Alternatives can be presented as a contingency plans and normalized. Most parents have some arrangement in place in the event that something unexpected should happen to them.

As information is gathered, the FSE worker and child welfare worker will partner to complete all due diligence for additional family members that become involved. This will include background checks and home assessments, as described in the preceding section. This work may be done concurrently, as options are being evaluated. Family Search and Engagement is not necessarily a linear process. While options are being explored, visits may be occurring between the child and family members (see next section) and at the same time background checks may be submitted and interstate compact agreements (ICPCs) completed, if necessary.

Throughout this time it is very important for the FSE worker to maintain regular face to face contact with the youth so that she knows what is happening. Once a child or youth has been united or reunited with a parent or family member, or even knows that this is the plan, the suspense of not knowing what will happen next can be stressful. Without clear and frequent communication the child may begin anticipating (I think I'll probably be moving in with my uncle next week. I get to live with my cousin and go back to my old school.). If it does not work out with the uncle, the child may become very disappointed. One can never predict what might happen to slow the process or quickly require a switch from plan A to plan B, so it is important to be clear with everyone that there is more than one option. When more than one relative is interested in being considered, it is wonderful, but the uncertainty may be a bit stressful for a child.

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Here is what team members may be experiencing during this stage:

YOUTH	CURRENT PLACE- MENT	STAFF supporting this process	FAMILY/ CONNECTIONS
Response to finding family and other connections will likely intensify. The possibility of meeting and speaking to those who used to be a part of the youth's life, or those new to the youth's life, can bring many emotions to the forefront of thinking. Youth will need support, connection, and check-ins while going through his time.	Group home staff, foster parents may be experiencing their own increase in anxiety, ranging from concern about their own resident's safety (will this new family come here? What kinds of behaviors can the expect from the youth?), to questioning how they should talk to the youth now that the process is occurring. Ongoing communication is essential.	May have the urge to forge ahead and move quickly to connections. Staff may need support around meeting family and potential connections "where they're at." Between relationship building, managing due diligence and consents, and expending the emotional energy of the work, staff will need their own supports during this time.	Previous family and connections can play an important role in bringing people together. A whole range of emotions may be experienced. On the other side, newly connected family and others may be experiencing intense emotions, including joy, guilt, apprehension, and defensiveness.

### Tools

During initial conversations with the family, "tools" might include a camera, photos of the child, a note or letter to or from the child, drawings, or anything else personal that will help the youth and family member begin to feel a sense of connection. This may be a good time to start a scrapbook or photo album with the youth, as even family members who do not remain involved may write a letter or send a photo of the youth as a young child. One very creative child welfare worker in Louisiana created life-books with the youth and then scanned the information and saved it on a CD (printing a hard copy and a CD copy for the youth).

The best "tool" however is to sincerely enjoy engaging family members and show how much you care. Everyone involved must be approached with compassion and enthusiasm. The team needs to be careful not to appear bureaucratic or brusque, as some of the families have had negative experiences with the "system," and may quickly react if they perceive that they may be getting "more of the same." It is important to remember that everyone should feel better for having participated in the process: the incarcerated parent who is only able to help by providing information, the parent who has had rights terminated and is not allowed contact but has contributed family photos, and the grandparent who is ill and can't help at this time but feels great relief from knowing that his or her grandchild is being reconnected with family members.

For Example—A young man meeting his aunt and uncle for the first time; a youth who hasn't seen his grandparents, parents or siblings in some time will often treasure photos to illustrate and reinforce his memory of an enjoyable afternoon at the beach or in a park with family members. "James" was a young man of 17 who worked hard to promote a "tough-guy" attitude. His identity was reflected in his clothing, his hairstyle, piercings and tattoos. James was very much alone in the world, until a much older sister was located and engaged. She had not seen James since he was removed from their family as a kindergartener, and she had grieved deeply for the loss of her baby brother. James continued to exude "tough guy" attitude, even as he arrived at a restaurant to see his sister for the first time in 12 years, and to meet his young niece, who was now a kindergartener herself. As he exited the car, and swaggered toward the door, he was greeted by exuberant squeals of de-

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light, as his niece exclaimed, “he’s here, he’s here, it’s Uncle James!”, and ran to him wrapping her arms around his knees in a big squeeze. Photos of that meeting were treasured by James, immediately going up on a bulletin board. James had a new identity. He was now *Uncle* James, and the photos he and others could see every day reinforced that over and over.

### Summary

Stage four success is best determined by the art of engagement. Sensitivity to each family member’s needs and strengths is key to helping the process along, patiently preparing one step at a time. Partnership with all parties involved with open and complete communication at each step will ensure that important issues, including permissions, are not overlooked and that several plans of action are in place.

It is important to keep in mind that the art of engaging family members does not come naturally to everyone. There are essential engagement skills, some of which may be based more on individual personality characteristics than on education or training acquired. Successful “engagers” tend to be energetic, outgoing and friendly with a sense of adventure, curiosity and resolute tenacity. At the same time they tend to use good judgment and are meticulous around confidentiality and safety. The best engagers are clear communicators, and partner well both internally and with external team members such as social workers and guardians ad litem. While these are characteristics that are important throughout the course of all interventions, if the early phases of welcoming and engaging family members are successful, the entire process of service provision has a healthy head start.

Part of the art of engagement involves withholding judgment as well as appreciating and enjoying differences among family members and friends. Successful engagement comes from a strength-based perspective. When arriving at the home of the uncle who lives in a lower income neighborhood in a home in need of a few repairs, the FS&E worker can comment with enthusiasm on the lovely flowering plum tree in the front yard while meeting and greeting the uncle.

A note about supervision and support. Because the process is designed to proceed rapidly, there must be easy avenues for access to supervision, and supervision must be available “after hours”. Supervisors must greet the process with openness and an adventurous enthusiasm. The supervisor’s role is to envision opportunities while minimizing risk and encouraging innovation.



This is MY  
Grand-  
daughter!

## Preparation for Initial Meetings That Will Include the Youth

**GOAL: To assure safe and productive initial contact between youth and family.**

There are family members that have been identified and engaged successfully. The team is now ready to introduce the youth to the family members. This next step is of great importance to both the youth and the family. There are many emotions that both are experiencing. Taking care during this step is of great importance.

Plans are only good intentions unless they immediately degenerate into hard work.  
Peter Drucker (1909 - 2005)

New members have joined the team and may have different ideas about the role they would like to play in the youth's life. This is an opportunity for discussion prior to the youth meeting the family members so you can set the stage appropriately. The most important thing you can do is help this youth develop connections. Connections can be viewed as maintaining long lasting relationships. Members of the team may have the expectation of placement. Have these conversations with the family before the initial meeting with the youth.

### Discuss roles and expectations, parameters of initial meetings

- The initial meeting provides a first impression for the family and youth that will hopefully lead to greater family connection opportunities. It is an opportunity to have more intimate conversations about the youth's strengths and needs as well as the family's interests and strengths. The initial face-to-face meeting will provide information about the family member's relationship with the youth that could be obtained in no other way.
- The main objective is for the youth and the family to have a pleasant experience that will naturally encourage further family engagement.
- The team identifies the best person(s) to schedule, facilitate and participate the initial meeting. Encourage youth input regarding whom to invite.
- Whenever possible the FSE worker invites relevant members of the team (e.g.: the Child Welfare social worker) to participate in this meeting so that she can witness the emotions that are typically present during a family reunion.
- These meetings are held in comfortable locations conducive to natural family gatherings.
- Anticipate all potential outcomes and plan accordingly. Review the youth's safety plan and make any needed updates as a team.

"Children Need Their Families,  
Families Need Their Children"

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### Safety planning and structuring meetings for success

- Initial meetings with family members are set up after they have been approved by the team.
- Child Welfare workers along with other team members decide when background clearances or other screenings need to be completed before visits.
- When the new family member is someone the team or the youth have never met, the team may plan a brief pre-meeting without the youth. Sometimes these meetings can conveniently be held just prior to introducing the youth and new family member.
- During an initial visit, the FSE worker remains with the youth or within sight of the youth for the entire time. Some of our youth have complex needs and an alert FSE worker can provide sufficient and appropriate support if necessary. (Some examples of complexities include histories of runaway, aggressive outbursts, depressive or overanxious feelings.)

### Prepare professionals around expectations for meetings (contingency planning)

There are considerations that the team might make for contingencies. The following are some considerations and suggestions:

- What if the family does not show up for the visit? The FSE worker and the family have exchanged home and cell phone numbers and, hopefully, a phone call can provide an explanation and recommendation for alternate plans. If the family cannot or does not make the visit, the FSE worker can still take the youth to lunch or spend time together. They would talk to get a sense of how the youth is handling things.
- What if the youth or family member gets angry or aggressive? Sometimes the youth may have some unresolved feelings toward a family member (a parent that left her in care or is not making progress on his substance abuse treatment plan) and may feel the need to express those feelings towards the family member. Many times the FSE worker can anticipate this and can prepare both the youth and the family member for this possibility. At anytime during the visit that the FSE worker feels that the visit is not going well, he can decide to shorten or end the visit.
- What if the youth does not want to return home or runs away? After meeting with the family, the youth may not want to return to the residential facility. The FSE worker engages the family to encourage the youth to return to the facility. Sometimes with the promise of scheduling additional visits and encouragement from loving family, the youth can be persuaded to return. When a youth actually runs away, the FSE worker follows standard runaway protocol after efforts by the FSE worker and the family to locate the youth or wait for her return to the family's home are unsuccessful.

### Prepare foster parents or residential staff for normal anxious or reactive behavior pre and post visit.

- Residential staff and foster parents can greatly influence the effectiveness of family connections in a youth's life. Hopefully they have been oriented to the goals of FSE and understand how they can support FSE efforts.

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- Encourage foster parent or key residential staff participation in the team planning especially around structuring successful visits.
- If a youth is concerned or apprehensive about reaching out to family they can help the youth talk about their feelings. As they recognize their temporary role in the youth's life they can help the youth develop appropriate relationships with family members to create life long connections.
- Their support, before and after visits, is essential to the success of FSE. It is important that they understand that it is normal for youth to experience some level of anxiety before visits.
- Their reaction to the youth's expression of feelings after a visit can support the youth to continue family visits and connection. Staff that interpret the youth's after-visit expressions as misbehavior, however, can have a detrimental effect on FSE. Those staff may benefit from support and education from the team.
- If the foster parent has taken on guardianship and is prepared to provide a life long relationship, then the family connections created are for the purpose of providing additional ongoing support and enhancing the youth's sense of identity.

### **Prepare the youth and discuss his expectations (reality vs. fantasy)**

- The team, youth and new family member need to know that the purpose of initial meetings is to just get to know each other.
- When appropriate the team may facilitate phone calls, letters or email between the youth and new family member before the initial meeting. Many times an exchange of pictures or letters can help break the ice for the initial face to face meeting. (These letters can be sent via the FSE worker or Child Welfare social worker to conceal the location of the youth.)
- The team prepares the youth to decrease the level of anxiety that he might be experiencing around the meeting. Some youth may have unrealistic expectations about going home with the family member or may have apprehensions about meeting the family. It's best to talk with the youth before the visit to find out what their expectations might be and to prepare the youth and address these concerns appropriately.

### **Talk with family members around their expectations and prepare them (reality vs. fantasy).**

- Just as the team did with the youth, they prepare the new family resource by talking with them before the visit about their expectations.
- Before the visit the team provides a general understanding of the youth's strengths and needs.
- The team provides a basic understanding of the youth's developmental and emotional age. This is explained in a manner that is factual but does not label the youth.
- Help the family to be sensitive to the youth's expectations around this visit. It is important to focus on having a pleasant time and enjoying this visit. Care should be taken so that the family does not set up unrealistic expectations that may be upsetting to the youth.

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### **Initial visits are brief, supported and occur in natural settings (fun)**

- Many times shorter initial visits are less stressful on the youth and family. An example may be a casual restaurant (typically at a pizza parlor) where the youth could get up and play a video game or eat if he is uncomfortable making conversation.
- If possible avoid holding initial visits at the residential facility or child welfare office; instead, use a casual restaurant or park.
- Avoid using social work jargon, such as calling this a “supervised visit.”
- Structure the visit to allow sharing of photographs, telling funny or interesting stories about the family or the youth’s childhood that she may not recall.
- The Child Welfare social worker or FSE worker may choose to hold the initial visit in the new family member’s home out of convenience for the family. Prior to such a visit, the FSE worker assesses aspects of the family’s social-economic status, condition of the home, and neighborhood that might take the youth by surprise. The FSE worker prepares the youth for these encounters.
- There are times when the youth or family may be traveling a considerable distance for the initial meeting and the day may be designated for an extended visit or multiple visits. The FSE worker continuously assesses how the youth is coping with the experience. If necessary the FSE worker can shorten visits or rearrange them to be as successful as possible while minimizing stress and anxiety.

### **Initial visits with the youth are opportunities to create memories.**

- When meeting a group of people (e.g.: family reunion, picnic, wedding, funeral) bring an address book.
- If appropriate bring cards that the youth can pass out with the address that the family can use correspond with him. (The youth can use the FSE worker’s email address and the email can be screened for appropriateness.)
- Bring a camera and extra film. Sometimes the youth prefer to have a disposable camera (or two) that he can use to take pictures of family members. If the youth is too shy to take photos, the FSE worker can offer to take pictures.
- The FSE worker asks the youth prior to the visit if she would like to bring anything she would like to share with the family. Sometimes the youth’s art work or crafts are excellent items to share or can be displayed.
- In planning the initial visit, the FSE worker prepares for follow up visits or possible other next steps. For example, in preparing the family for the initial visit they could discuss how the visit will end with a suggestion to plan a follow up visit. If the family knows this in advance it will reduce pressure and potential awkwardness at the end of the visit.

### **After-visit discussion and planning, debriefing.**

- It is normal for a youth to be anxious before a visit and upset following it.
- The team can anticipate mixed feelings and be prepared to support the youth after the visit.
- It is appropriate to plan an activity or an opportunity for the youth to talk about his feelings after the visit. Concerns can be addressed and energy can be channeled

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in the right direction accordingly. For example, some youth may just want to talk, others might want to write their feelings in a journal or write a letter to the family. If the youth has a history of instability or emotional concerns, the team may plan to have a therapist ready to work with the youth following the visit.

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The table below highlights what some of the team members may experience at this stage:

YOUTH	CURRENT PLACE- MENT	STAFF supporting this process	FAMILY/ CONNECTIONS
This may be the peak of anxiety for the youth, as visits are to begin. Reactions may range from physically acting out to elaborate displays of appreciation and happiness. The youth will need substantial support managing the strong emotional experiences of connecting.	May be concerned about the speed of things happening, whether too slow or too fast, as well as the potential risks involved. They may need support and reinforcement around the role they play in supporting the youth during this intense time.	As with other team members, staff may be experiencing a range of emotions. Staff must balance the excitement and potential with maintaining all safety and legal considerations. The pressure at this time can be immense, and staff may need their own support, personal and supervisory.	Family may enter the meetings with feelings ranging from excitement to suspicion. The intensity of the initial meetings and emotions and events from the past may be difficult to manage together. They will also need their own supports during this time.

### Tools

- Continue use of the Connectedness Maps with the youth and family members. Additional information should be added to the maps.
- Initial Meeting Photos
- Developmental Information
- Safety Plans

### Summary

The key to stage five is preparation, preparation, preparation. Thinking of all people involved who have an interest in the life of the child and family, and including each in the preparation process is key to success. Discussions of safety planning, contingency planning, parameters, feelings, roles, expectations and debriefing occur with the youth, family members, team members, foster parents or residential staff, and other professionals.

Examples of preparing for initial visits: Stories from the field

- Celeste suddenly could see that she inadequately prepared **Denzel**, age 12, for an initial visit with his aunt and uncle. Denzel’s aunt and uncle lived in part of a large city that had a history of high crime and violence. As they drove closer to their home she could tell Denzel was uneasy. Once at the humble home, Celeste could not get Denzel to get out of the car. She went into the home and spoke with Denzel’s aunt and uncle but after 20 minutes they too became frustrated and asked Celeste, “What’s the matter? Does he think he is too good for us?” It took Celeste almost an hour but with the help of his auntie’s fried chicken dinner they were able to coax Denzel out of the car. The dinner saved the day and once Denzel began to know his aunt and uncle he agreed to a second visit. The visits became more regular and after a couple of months they were able to joke about their first meeting. Celeste started a new practice of preparing for initial visits. She now exchanges pictures between her youth and family members (including their home and pets).

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- Frankie, eight year old **Ted**'s foster parent for the past three months, proved to be a godsend! Ted's adoption had "failed" and the adoptive family had returned him to the state. Ted's birth mother had a history of drug involvement, noncompliance to treatment and when her marriage to Don ended in divorce years ago they both thought it would be best to allow their 4 year old son to be adopted. Gary, the worker, decided to contact Don to check into his current situation and to explore family resources. Don reported that he had remarried, that he was gainfully employed and doing well. When he learned that the adoption had failed he inquired about the possibility of Ted returning to live with him and his new family. Ted was excited about seeing his dad, and in his first conversation he asked if he still had Shadow his dog from four years ago. Ted couldn't believe that they were still together! Frankie volunteered to support the visits and traveled with Ted to see Don and his wife. Gary worked with his supervisor and presented a plan to the judge for Don and his wife to adopt Ted. It took four months but everything was approved legally. During the four months Frankie helped "coach" Don and his wife how to care for Ted. Today Ted lives with his dad, new family, and Shadow.
- When Roland, a case worker, found 15 year old **Jacob**'s (non-custodial) father Tom living Wisconsin he said he thought that Jacob had been adopted years ago. What Tom didn't know is that the adoption had failed and Jacob had been returned to the state's custody. Tom agreed to fly in to Cleveland with his new wife for an initial visit. Roland arranged to take Jacob to meet Tom and his new wife by the pool at their hotel the next day. Roland thought that it would be a good idea to have lunch together and then see how lunch went before committing the rest of the afternoon and evening. It was a very emotional reunion at the poolside and Roland had to brush away the tears. It had been over ten years since Tom had seen his son and the resemblance was striking. Tom put his arm around Jacob and then next thing Roland knew they were walking away and disappeared into the hotel. Roland's life flashed before his eyes but in a couple of minutes they all returned accompanied by Tom's new wife. Tom explained that he had wanted to check out Jacob before he introduced his wife. The rest of the day and evening went very well. Jacob eventually moved to Wisconsin to live with his father. From then on when preparing youth and family members for initial visits Roland reviewed a few ground rules and suggested that they all stayed together as a group.



Family reunion!

## Building Relationships and Sustaining Connections

**GOAL: The family and team will identify, develop and support a plan for this youth to have life-long connections and live as a member of his family**

Successful long-term connections are sustained through time and troubles. In earlier stages, system supports (i.e. child welfare, agencies, staff) have played a significant part in setting the stage. This is the step that will bridge the initial visit and early preparation work to the point in which the decision making is transitioned to the family. This occurs in both deliberate and subtle ways.

*"If you cannot get rid of the family skeleton, you may as well make it dance."  
George Bernard Shaw*

### Review Current Status

Importantly, the team is in place to assist in the progress of the developing relationships. Communication and engagement are more important than ever. The hope is that relationships evolve in such a way that relative and natural connections develop and the youth is invited into a more permanent living arrangement with the relative. As noted in previous stages, the many ways family can connect with the youth outside of placement should not be minimized. It is very often these other connections that add to the support network so that together, a placement can be successful over time. Many of the tools and ideas touched throughout the earlier stages of the guide are fully put into practice in this stage. This is the true heart of engagement. It is often the most difficult part of the entire Family Search and Engagement Process. After the first meeting and as the family takes the lead, the relationships are being supported to weather the difficulties with the support of professionals as needed.

*"In every conceivable manner, the family is link to our past, bridge to our future."  
Alex Haley*

### Bringing Clarity to the Support Plan

Reinforcing connections is critical, as the team will most likely experience unplanned occurrences. Family and natural connections may fluctuate and have second thoughts, while brand new connections may unexpectedly develop.

*"The greatest good you can do for another is not to share your riches but to reveal to him his own."  
Benjamin Disraeli*

For example, there may be one strong connection showing great promise for the youth to reside. The team, while nurturing this relationship, will continue to pursue a larger network of connections for the youth. The importance of contingency planning can not be underestimated. The complexities of life often intervene in unfortunate ways and it would be unfortunate to leave a youth with yet another potentially devastating disappointment in his life.

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The pursuit of multiple connections often yields more and unexpected options for the family.

Planning most likely will include visits and comprehensive home-family studies. The family takes a more active role in both the logistics and the legalities, with the system and staff support shifting toward support roles. This shift allows the youth and family to begin to bring the roles the team has talked about into reality. More than likely, the legal implications and logistics will continue for a significant time, well after the current system supports on the team have left.

The subtleties of this stage can be tricky for staff who, in the beginning of the process, were the ones that may have made it happen. True success comes with the ability to now fade into the background and allow the long-term team to take the reigns. As in every stage, legal considerations remain critical, and as plans are developed the courts, child welfare, or other agencies will need to see that all areas have been addressed. As transition becomes reality, the team should be able to identify timelines, resources, needs, back-up plans, and other factors that play a part.

*An Example—A youth struggling with outbursts that often involve throwing items, yelling, and cursing. Still, a charming, hopeful personality and love for the outdoors and “helping people and animals who got picked on like me” have helped establish ties with family. This youth may have a weak placement option with an aunt, she would like to do it, but two school age children and a sick parent have left her busy as a caregiver. There are two strong “visiting resources” with another aunt and a grandparent and two others - an uncle with strong financial means and an adult cousin who works in social services - who are willing to provide help with financial and career exploration. At first glance, it may appear that there are people willing to be involved, but no one able to provide a home for the child.*

However, strong team involvement might reveal that the barriers to the “placement” option are the individuals uncertainty about how to provide care to their own children, a sick parent, and this youth with mental health challenges. The youth may have a particular strength in caring for vulnerable adults and animals. Further review of the team members might reveal that the relative who is able to assist with employment training is connected with a group that provides animal-assisted therapy to seniors. The relative feeling unable to be a strong placement option may suddenly realize that the youth can spend time with the family members 12 hours a week helping others. And, the youth could potentially participate and help the relative with her parent. Thus, not only is a barrier removed/reduced, but a strength is added - a resource is given to the relative! Without asking, this might never be revealed. Suppose the youth really shines in the work with the relative offering help with employment. This is a period of time in which the relative develops a relationship with the youth and the youth is recast as a strong, empathetic helper rather than merely a troubled child struggling with mental illness.

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Team members may be experiencing the following:

YOUTH	CURRENT PLACEMENT	STAFF SUPPORTING THIS PROCESS	FAMILY/ CONNECTIONS
<p>The youth may be experiencing a lot of emotions. It would be important for the child to have as much stability as possible by maintaining current connections with prior family, friends, staff, extended family, therapists, or anyone connected to the youth. The youth may be excited and hopeful. The youth may also be experiencing the reality that the family they fantasized about is not the family they have. All families have good and bad, and the youth may not be ready to understand the many complexities of his family. The youth may be struggling with attachment difficulties that impact her ability to really connect, which may impact the family's perception of the child. The youth's behaviors may range from overly charming to disruptive.</p>	<p>The current placement may be feeling abandoned, underappreciated, and may even reject the youth. They may also be available to work collaboratively with the identified family, giving them information on what works with the child and what does not. They can be a great resource for the family and others involved with the success of the child.</p>	<p>Staff may also continue to have mixed emotions regarding the new family placement. They can be very excited and also very cautious. They will want to continue an unconditional relationship with the family, prior or current placement, the youth, and other professionals on the team. They will be building bridges and relationships among all team members. They will encourage others to build relationships as well. Staff may need to provide transitional support to the new family/team.</p>	<p>The family may be experiencing concern along with high expectations. They may not have a clear picture of what behaviors to expect of the youth. They may need coaching on unconditional relationships. They may need to understand attachment disorders and be prepared for the youth rejecting them. They may be drawn in by the youth's charm and not be prepared for when the youth acts out, and tests them. They need to be prepared for the wide range of behaviors that may be displayed. Stabilization and educational planning are crucial.</p>

Prepare for the possibilities, and support the process with excitement and energy. Give the family opportunities to practice the plan including living together as a family and bringing supports in at time of need. Expect the unexpected – even strong planning can not predict every possible outcome. As things unfold in this stage, keep the following in mind: “families never fail, plans do,” or, “if the plan's not working, rework the plan.”

### Tools

- Family Reunions: great opportunities to build the extended connections, strengthen the bond, and for the youth and family to experience each other in “real” settings.
- Funerals: may be more somber, but same context as reunions hold true.
- Family Documents: solidifies history and scope of their family.
- Photo albums: may be the first introduction to the family, showing the youth any physical resemblances, and telling a pictorial story of the family history/culture.
- Safety/Stabilization Plan: preparing for acting out and emotions that become overwhelming so that all know how to provide appropriate support.
- Families' knowledge of other relations and family histories: oral history and everyone's own knowledge held inside becomes more important as planning begins to move primarily to family and long term connections.
- Team, SW, Current Placement, Family, DA, Friends, and other people connected with the child.

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### Summary

Success for this stage is defined by how well the formal supports can let go and assist the family in progressively taking over all decision-making. Making sure that proper supports are in place for the family includes providing all the necessary information regarding placement options, legal supports, informal supports and long-term resources, so the family can move forward with less and less assistance from professional staff.

### Examples of building relationships and sustaining connections: Stories from the field

- While conducting a child and family team meeting Patti got the feeling that the professionals and family members didn't grasp the urgency of this meeting and the fact that **Becky** would be 18 in two months, transitioning out of foster care and state custody. Patti wanted everyone on the team to have a greater sense of ownership of the plan but it felt as if everyone was just sleep walking through the planning process. Patti then stopped writing on the treatment plan, held it in the air and in a loud voice asked, "Whose plan is this?" Becky furrowed her eyebrows and said, "Yours?" and a few of the family members agreed with Becky. Patti then apologized to the team as she ripped it into pieces saying, "I'm very sorry! I have been doing this all wrong!" She then proceeded to remind the group that, "In order for this to plan to work it has to be Becky's plan, Uncle Jim and Aunt Meghan's plan," and if everyone didn't feel like it was their plan then she had to start all over. This time as she began re-writing the plan everyone started speaking up and participating with greater sense of ownership.
- Heather was very pleased that 17 year old **Cam**'s uncle Phu had just agreed to allow Cam to work with him on Saturdays in his landscaping business. The plan was that group home staff would transport Cam 35 minutes away to his uncle's business, getting him there by 6:00 AM and picking him up at 6:00 PM. A month later at the team meeting at the group home Heather asked how things were going. Phu complained that Cam was arriving late on Saturdays and that it was not allowing him enough time to get his work done. He said that if this continued he would not be able to allow Cam to work with him on Saturdays. The treatment team began brainstorming different ideas and plans to get Cam across town on time. After listening for a while Phu stated, "If you just let him spend the night on Friday we would not have this problem." Cam went from spending the one night to spending the weekend to eventually living at his Uncle Phu's home.
- **Curtis** (age 13) had been in and out of foster care for two years. Jessica, the worker, had tried to return him home twice before but he didn't stay home long. For the past two months she and Reia, Curtis' single parent mother, had been assembling a team of natural supports. Jessica and Reia knew that in order to make this return trip longer and more successful they had to fortify the plan. They involved a Scout Leader because Curtis liked camping. The Scout Leader lived a block away and had a son Curtis' age. In addition to the weekly Scout meetings and monthly campouts they convinced the Scout Master to be a "warm line" resource. This

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meant that if Jessica and Curtis were arguing she could call and he would either talk to Curtis or drop by the house to help settle things down. (Reia promised to bake him cookies anytime he dropped by the house.) School was another challenge because Curtis sometimes overslept and missed the bus. When this happened he and Reia would get into a fight. When Reia and Jessica learned that Tony, a school playground supervisor, was the most influential person at school to Curtis, they met with him. He agreed that if Reia was having a hard time getting Curtis up in the morning she could call him at school and he would talk Curtis into getting ready and getting on the bus. Jessica and Reia also recognized that Reia needed a couple of supportive resources of her own so they spoke with a neighbor friend and her pastor and they agreed to be warm line resources for her. Jessica and Reia invited these four people (and all of the professionals involved) to a team meeting at their home. Everyone discussed their major concerns until they felt that through the professionals and the new natural supports their concerns would be addressed. They felt that this plan would enable Curtis to stay at home and not have to return to foster care... and the plan was successful. Curtis did not return to foster care again.



Being together, doing together,  
staying together!

## Staying Together: Sustaining Life Long Connections

**GOAL:** The family will have the resources they need to stay together.

At this point, the youth is either living with family or in another permanent situation; is on the verge of living with family or another permanent situation; or has established new family or long term connections that will support the youth throughout life. In this stage, the plan is reviewed to ensure that stability has been secured and that all contingencies have been anticipated. Planning includes:

**Legal:** legal status is explored including reunification, adoption, guardianship, kinship foster care possibilities. Often the legalities of placement, background checks, home inspections, safety checks, and court procedures, are the parts of the process that take the most time. Including legal representatives and social workers is critical to ensure smooth long term success. The team should include all contingency options in this process, so that anyone who is in the youth's life is cleared to provide support in emergency situations.

*Where would we be if throughout history, our greatest minds had feared that which they could not confirm? Embrace the unknown with caution, but not with fear."*  
Karyn Somerfield

**Financial:** In many situations, finances are key to address, and can be a stumbling block to long term plans. Families already in poverty, or a family member who moves from a foster care provider to adopting can lose funding that has supported the youth living with them. The team addresses financial assistance and all available resources are utilized. Potential crisis is reviewed, with long-term supports and financial roles identified. Contingency planning should include the "what ifs" and risks of the youth joining the family, exiting the system, and thereby losing eligibility for some resources.

**Safety:** Thorough attention to safety concerns is essential for long term success. This includes the areas mentioned above, as well as reviewing other risk factors. Possible risks include mental health issues, behavioral risks, responses to youth's actions, runaway behavior, verbal, physical, and substance abuse, and any others identified. The family members and other informal resources are organized to support each other with contingency plans in all areas. Written documentation and safety planning are the strongest ways to organize this process.

**Anticipating future formal needs:** With any process, there may be times that family and long term supports may need formal support again. Anticipate those times now so that significant concerns are not left unattended until too late. Formal resources are in place, or are identified for the future, to support the youth and family. The goal of this step is to support the continued success with family, and to avoid future separation. This may include planned formal support follow-up with the family as needed.

Here's what team members may be experiencing at this stage:

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YOUTH	CURRENT PLACEMENT	STAFF supporting this process	FAMILY/ CONNECTIONS
<p>Youth may be experiencing feelings of satisfaction, completion, and happiness – a sense of new found future and happiness. This may play out in positive behaviors and a new sense of energy and focus. Youth may also be experiencing a high level of anxiety and fear, as the youth struggles with having a sense of future, family, and stability. Youth equilibrium could be off, leading to more testing behavior.</p>	<p>At this point, placement staff see their role in this youth's life coming to an end. This may lead to a feeling of fulfillment and success, as well as feelings of loss and fear that the youth will not succeed without them/their structure.</p>	<p>This could be the most fulfilling part of the process. Staff may see the mission of their work, the reason why they do this, being reinforced. Staff may also be experiencing difficulties letting go of their own support of the youth and family.</p>	<p>As with the youth, the family may be experiencing a sense of fulfillment and new promise for the future. They may also be experiencing a strong sense of anxiety and concern about taking on the responsibility. They may be wondering if this will work out, and if they can handle it.</p>

### Tools

- Safety Plan
- Contingency Plans
- Legal Documents

### Summary

To assure long term success, the family is equipped with plans which include the resolution of legal, financial, safety and possible future need issues. They understand how to support each other and how to locate additional resources when or if necessary.

### Examples of sustaining life long connections: Stories from the field and lessons learned

Sometimes even the best laid plans fail. We wish every story had a happy ending but sometimes even our best plans don't work out in the way we hoped they would. However, sometimes the introductions we make can pay off later. Some reunification efforts end with the child returning to care. Even when that happens, it is important to remember that the child experienced a number of successful months living with family and living in the community. Isn't it a successful outcome if the youth is able to live at home in the community for several months instead of remaining solely in residential or foster care? Many youth have lived in multiple placements. Unfortunately some have learned that when the going gets tough in one placement, they are moved to another foster home. This sense of "learned transience" needs to be acknowledged and incorporated into the planning process.

- **Tyrell** was 14 and had been in state's custody since age 6. His father was killed in a car accident when Tyrell was four. His mother was a recovering alcoholic and when home based services could not address the safety and neglect issues Tyrell was placed into foster care. Tyrell and his mother lived in Oregon and the state had tried reunification with his maternal grandmother and his mother but after both tries he ended up back in state custody. Tyrell told everyone that he longed to return to California and live there. When Tyrell was 14 the wraparound facilitator and the state worker, Dave, were able to contact the paternal side of the family and discovered that he had 11 aunts and uncles. The last time any of his paternal relatives

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saw him was at the funeral services for his father when he was four. Dave was able to facilitate a California trip with Tyrell to meet his relatives who set up a series of family dinners and gatherings in three different homes. Tyrell had a wonderful time meeting aunts, uncles and cousins, seeing photos and hearing story after story about his extended family. Although several family members were willing to stay connected through email, phone and letters, none felt that they could take him in care for him at that time. When Tyrell was 15, the state reunified him again with his mother. Many of the original issues of neglect were now no longer concerns because he could take care of himself while his mother had stable housing and employment. The state was able to dismiss the dependency and Dave did not hear from Tyrell for some time. When Tyrell was almost 18 he called Dave from California to report that he had been living with one of his uncles and was enrolled in high school. Dave learned that shortly after the state had returned him to live with his mother, Tyrell contacted one of his California uncles (that he visited with Dave). Tyrell said that things were much more predictable living with his uncle and that at the end of the school year he would be getting a GED.

- **Portia** (14) and her brother Marcus (12) came into care after repeated incidents of domestic violence by their father and episodes of relapse by their mother. From the time the children were 7 and 5, the state worker(s) had utilized in home services to support the mother but it seemed as though she could only hold things together for a few months and then the children would end up back in foster care. The worker was successful in pulling together a team of natural supports and extended family. She worked with a couple of the mother's friends who were fantastic supports. She also involved Portia's grandmother who was quite stable and even had some financial resources. Together they planned to bring home Portia first and then when things were stable enough they would bring home Marcus. Things went quite well for the initial 3-4 months and the team decided to bring home Marcus. There were challenges but with the team's support the family made adjustments and seemed to be doing well. In the seventh month the mother relapsed and overdosed when both children were home. Things deteriorated and the state had to place both youth back into foster care. The team felt as if they had failed and were about to give up when Portia reminded them that this was the longest amount of time (almost 8 months) she had lived with her mother and that even though she had to return to foster care she was glad that she got to live with her brother again even though it was relatively brief. The team then realized that this was a successful intervention and began to plan again with the mother and the team. They began to measure success differently. Their new way of thinking involved increasing the number of months she could live successfully with her family.
- **Beija** was almost 18, living in a high security residential facility for girls. Her mother was a resident of an adult mental health facility and her father was an illegal immigrant whose family lived in Mexico. Beija was involved with all of the major child-serving systems (mental health, juvenile justice, special education, child welfare, etc.) all of which believed she was destined to "graduate" (transition) into an adult residential facility. The team had tried to reunify her with her grandmother Luz in Mexico when she was 16, but that lasted just five months and ended when her

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grandmother couldn't put up with her defiance, skipping school and smoking pot. She returned Beija to the state of Arizona. Recognizing they had very little time they asked Beija what she wanted to do and she replied that she wanted to live with her Grandmother. The team decided to explore the idea enough to consider one last shot. They spoke with Grandma and other extended family about the idea and gathered information about what worked last time and what did not. They learned that Beija had friends who were a good influence and that there were a number of supportive aunts and uncles in addition to the grandmother who was the matriarch. They learned that the previous plan had not woven all of the strengths (friends, professionals and extended family) together. This time, workers traveled to Mexico and met with all of the identified resources. They developed educational and vocational opportunities, but most importantly they identified three places where Beija could stay. Grandma Luz would be the primary place but also uncle Emilio's family and aunt Liahona's family would provide breaks, respite, or even alternate residences. There were a number of planning meetings and visits before Beija returned to Mexico. Nine months after she returned to Mexico, Beija was still living in Mexico with family, but not with any of the identified resources. Instead she was living with a cousin in a neighboring village attending school and working part time.

## Documentation

**GOALS: To inform the clinical process, to inspire others, to validate the effectiveness of this strategy.**

**Document initial status of family connections** for the youth and the reasons for initiating Family Search & Engagement

- Youth demographic data: age, gender, school grade, etc.
- Youth's current living arrangement
- Youth's current connections
- Youth's desires for family and other connections
- Legal status of the youth

**Document family resources contacted** and engaged during this intervention

- Who was contacted and how are they related to the youth
- Where are they located
- What was the outcome of the contact

**Document outcomes for youth.** Positive outcomes for youth could include:

- An increase in the number and quality of relationships with family members or other people important to the youth
- Increased knowledge and understanding of her family history, values, traditions, accomplishments, and culture
- Opportunities to meet and spend time with newly located family members
- Reduction in disruptive behaviors or critical incidents
- Change of placement to live with relatives

**Document staff time and costs** associated with this intervention

- Who was involved and for how many hours?
- Was staff travel involved?
- Were there travel or other costs associated with family members?
- Internet fees incurred
- Other costs

**Document other data points needed** by the agency/system

- Total number of youth served
- Aggregate outcome data
- Aggregate costs
- Savings recovered due to placement changes

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- Other

### Summary

Staff, agency executives, policy makers, and funding sources will want to know the effectiveness of this practice, both in terms of improved outcomes in the lives and well-being of youth and in terms of costs and benefits to the agency. Acquiring and analyzing data can produce useful information both to improve the practice itself as well as to inspire increased efforts across the nation to reconnect youth with their families.

## Background

### Why Search for Family?

Youth deserve to have a loving family to help them grow up and get on their own two feet. They are at a disadvantage if they have to learn how to grow up on their own. Family provides a sense of identity and belonging and will be there throughout their life through the ups and downs and celebrations and tribulations. Families are primary sources of learning about relationships and help youth determine what kind of family they might have. The best way to learn about families is by being part of one. Many youth spend years in group care or residential placements and miss out on this essential learning and development.

Studies demonstrate that youth “aging out” of state custody at age 18 typically have very poor outcomes. Youth can greatly benefit from having family resources they can rely on to help them through young adulthood to increase their chances for survival.

Casey-Harvard Study (Former Foster Children in Washington and Oregon Suffer Post Traumatic Stress Disorder at Twice the Rate of U.S. War Veterans)

- Each year 20,000 young people between the ages of 18 and 21 must leave the foster care system when they become legal adults and many are left without any support, family connections, or skills they need to succeed in life.

Aging Out Studies

- Foster care is supposed to be a temporary haven for children living in unsafe conditions. But about one-quarter of the 500,000 children in foster care in the U.S. end up in the system until they become adults.
- Two-thirds are unable to function successfully on their own... Mark Courtney, University of Chicago.
- According to the Child Welfare League of America, 25% become homeless, 56% are unemployed, 27% of male children end up in jail with two years.
- See information from PBS special on aging out: <http://www.pbs.org/wnet/agingout/index-hi.html>

### History

**Catholic Community Services of Western Washington (CCSWW)** is a large not-for-profit comprehensive multi-service organization in the state of Washington. CCSWW has a long history of maintaining an unwavering belief that children need their families and families need their children. Since 1974, with the inception of the original “Homebuilders” Program in their Tacoma, Washington location, CCSWW has continued to explore and develop innovative approaches promoting safety, stabilization, child and family well being and permanency. In 1990 the organization began serving youth and families with complex needs using a much more comprehensive and collaborative “Wraparound” approach, funded by the mental health system and child welfare. The strengths-based, team driven, family driven, individualized approach resulted in impressive outcomes, leading to the lowest hospitalization and residential placement rates in the state for children and youth in the counties where Catholic Community Services implemented Wraparound. More impor-

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tantly, children and youth remained with or returned to immediate or extended family safely, with long-term positive results.

Early in the year 2000, the Pierce County Regional Support Network (mental health system) and the Division of Child and Family Services (child welfare system) came together in a partnership to address the needs of children and youth presenting in crisis in the community. Their interest was in creating a 24/7 immediate response stabilization team using a strength-based, collaborative, family driven and individualized approach. The goal was to bring immediate safety and stabilization to youth that had disrupted from out-of-home care or were at risk of immediate psychiatric hospitalization due to a risk of imminent harm to themselves or others. The service would also respond to youth in crisis due to a failing adoption, severe family conflict, or sudden release from a facility (i.e. juvenile correction) with no plan in place. Unlike a typical crisis team offering a very short-term intervention, this service would provide up to 90 days of stabilization services with the hope of fewer repeated crises and better stabilization of the child's living situation. The new team was named "FAST" (Family Assessment and Stabilization Team), in order to communicate the sense of urgency the team would promote in order to implement changes needed in the child/youth's life to bring about stabilization.

Though the primary focus of FAST was on safety and stabilization, both Child Welfare and Mental Health share the belief, as does CCSWW, that children should grow up with family whenever possible. What was learned very quickly was that no matter what the cause of the crisis, nearly always "family" was the answer. Given their decade of experience using a Wraparound approach, this was not surprising to staff and leadership. What was clearly reinforced however was the realization that *in the field of child welfare, mental health and social services, our more traditional approach of ensuring that a child is "stabilized" prior to returning to family or even re-engaging family members is often backward.* Over and over again, youth in crisis who were also disconnected from family would tell FAST staff "I just want my family". Family connections, or even the knowledge that family will be contacted, often brings a youth hope. While risks, anxieties, fears and concerns are thoroughly discussed and strategies for safety are immediately implemented, making connections between youth and family members often brings about the most sustainable stability.

Family connections are no less important for youth approaching age 18. Even children who have been raised in a predictable and stable environment within their own family need a great deal of help to prepare for adulthood, as well as emotional and financial support as young adults. The need for family doesn't go away at age 18 or 21, and "discharge to self" as a result of aging out of foster care is a lonely, frightening and difficult way to enter adulthood. In a very large study completed by the Annie E. Casey Foundation, statistics pertaining to youth who had aged out of foster care were dismal. Only 46% graduated from high school, and fewer than 20% were self-supporting. The Juvenile and Family Court Journal reported in 2006 that only 13% of former foster youth go on to college, compared to about 60% of all high school seniors. The National Campaign to Prevent Teen Pregnancy found that by age 19, nearly half of young women in foster care have been pregnant, compared to 20% of their peers raised within their own families. By age 19, 46% of teen girls in foster care who had been pregnant have had a subsequent pregnancy. In a study of 659 adults between the ages of 20 and 33 who had been placed as children in foster care, 54% reported mental health problems during the past year (Casey Family Pro-

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grams, 2005). After leaving foster care, these adults were three times more likely than the general population to be living below the poverty level, and 22 times more likely to experience homelessness.

Given these dire outcomes for children and youth who reside in foster care, it is clearly imperative that tremendous efforts are made to re-unite children and youth with parents and/or extended family whenever possible, and as early on as possible. And obviously, the ultimate goal is to prevent placements altogether through supporting and strengthening the child's parent(s), and if placement is necessary, successful engagement of healthy extended family members up front. We must continually ask, "What would I want for my own family/children?"

Patricia Miles is a well-known national consultant who works with agencies and communities across the country around large-scale implementation of integrated, strength-based, consumer-driven systems of care (AKA Wraparound). Miles talks about looking for the "unmet need" for children and youth with troubled or destructive behaviors. She presents a belief that the greatest unmet need is for children and youth (as well as adults) to have family and friends to belong to. In the absence of "belongingness," children experience a profound sense of loneliness. Accordingly she explains, the greatest root cause of troubled behaviors is loneliness.

We know that **every** family has healthy family members. We know too, that most children and youth have well over 50 living relatives, and that very often immediate and extended family members (including original parents) are interested, willing and able to become involved in some way with the child. It is essential that we expedite the location and engagement of family members, that we are meticulous about completing every step of due diligence and permissions along the way, that the child or youth, family members and professionals team actively to ensure that decisions are made together. As we approach the point of the child spending time with the family member, we must ensure that safety planning is comprehensive, that preparation for any eventual relative placement is thorough, and that services and supports are solidly in place so that new relationships or placements are successful and sustainable.

Though "FAST" is referred to throughout this introduction, family search and engagement is not equivalent to a "FAST" intervention, and search and engagement of family members is certainly not a new strategy (like many providers, CCSWW has located and engaged extended family members for the past 15 years as an essential component of developing strong natural supports for families served using a Wraparound approach). The search is one strategy used for a portion of youth who come to us, whether it is through FAST or Wraparound or another service, where there are few, or no supportive family connections.

In 2003, Catholic Community Services of Western Washington was invited to share information on family search and engagement with EMQ in San Jose, California. Over the years, a partnership developed. Both organizations recognized the need to develop some written materials on family search and engagement, and embarked on an adventure together to create a practice guide to be shared with all who were interested.

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Eastfield Ming Quong, Inc., a non-profit 501(c)(3) corporation, operating as **EMQ Children & Family Services (EMQ)**, is one of the largest private, non-profit comprehensive community mental health and social service agencies serving children and families in California. EMQ is the result of the merger of Ming Quong Children's Center and Eastfield Children's Center in 1985 when the corporate name was changed to Eastfield Ming Quong, Inc. The combined agency is 139 years old, with a strong tradition of developing and implementing highly effective, community-based services and supports for California's most vulnerable and needy children and families. In fiscal year 2007, the agency is projected to serve over 7,000 children, adolescents, and families across 20 California counties, with a staff of approximately 625 individuals.

EMQ initiated the first Wraparound program in California in 1992 funded through AB2297 (Cunneen) in collaboration with Santa Clara County and CDSS. The subsequent legislation (SB163) was based on the original design and allows counties to use the state share of foster care funding to support intensive in-home services called Wraparound. Following the passage of SB163, EMQ, through its Family Partnership Institute (FPI), began providing technical assistance to CDSS to develop the Standards found in ACIN 99-I-28. A Technical Assistance contract was developed for the FPI to provide TA across California to assist CDSS, counties, and provider agencies in the planning, implementation, and ongoing support of Wraparound programs as defined by SB163 (W&I Code Sections 18250-7). EMQ now operates Wraparound programs in four California counties: Santa Clara, Sacramento, San Bernardino, and Los Angeles. In 1996 EMQ hosted the Fourth National Wraparound Conference held in the San Jose Convention Center and attended by national Wraparound experts and participants from across the U.S.

## **Appendix**

### **Tools**

Child Tracking Data Sheet

The EMQ Connectedness Model

Sample Scripts

Connection Tracking Form

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**Child Tracking Data Sheet**

Family Search & Engagement  
Child Tracking Data Sheet

Child Information	
First Name:	Last Name:
Record Number:	SSN:
Age:	Sex:
	Ethnicity:
Years in Custody:	# of Placements:
Siblings:	# of Current Adult Connections:
Legal Status:	VFM    FM    FR    PP    Freed    Other:
Urgency Assessment	
Safety Risk (circle number)	3 – High: Imminent danger of harm from self or others 2 – Medium: Risk factors are present 1 – Low: Few, if any, risk factors are currently present
Loneliness (circle number)	3 – High: No loving or meaningful relationships are present 2 – Medium: Some meaningful relationships exist 1 – Low: Several meaningful and enduring relationships exist
Placement Sta- bility (circle number)	3 – Very Unstable: Placement change is imminent 2 – Moderately Stable: Change is likely, but not imminent 1 – Stable: Placement change not currently being considered
Aging Out (circle number)	3 – Approaching aging out of system with no adult connections 2 – Approaching aging out of system and has some connections 1 – Not yet approaching aging out of system
Number of Relatives Found:	Number of lasting connections made:
Caseworker Information	
First Name:	Last Name:
Phone:	Supervisor:
Email:	Phone:
Additional Comments, Notes	

**The EMQ Connectedness Model**

**Using the EMQ Connectedness Model**

**(Draft version with Purple, Brad Norman, 1/30/2008 10:36 AM)**

Many mental health professionals were trained to use a genogram, which is a derivative of a medical tool that was used to trace genetically transmitted disorders. The genogram, although widely used by physicians, social workers, and other therapists, has really not evolved to meet the more sophisticated understanding of the connectedness that matters just as much as biological or genetic lineage.

The EMQ Connectedness Model is designed to be used collaboratively with a child and family to explore areas of relation that might not otherwise be discovered. Humans and families are extraordinarily complex and multidimensional beings. As such, the Connectedness Model and its diagramming process are designed to capture some part of this in a manner that fosters engagement, empowerment, genuine inquiry, and the desire to truly understand the internal life of our children and families. The diagram becomes a living representation, which is owned by the child and family who co-participate in its creation. The very act of creating the Connectedness Diagram can yield results that are surprising—not only to the facilitator, but to the youth and family, as well. A successful connectedness diagramming process can go far in showing how genuinely the facilitator wants to understand who and what matters most to the youth and family.

---

“To the world  
you may be one  
person, but to  
one person you  
may be the  
world.”

---

It is also a way to communicate cultural sensitivity to families who may define “family” beyond a nuclear family unit.

Invariable questions that the connectedness diagram raises include:

- Who loves whom?
- Who teaches whom?
- What do they teach?
- What do they learn?
- Who matters most to a child or family?
- Who is missing?
- Who is being missed?
- To whom is the youth or family spiritually connected?
- From whom do they receive psychological support or nourishment?
- Who are their cultural connections?

What matters most to humans are our human connections. Bereft of these connections, we wither and fail to grow. With a rich network of interpersonal connectedness, a human is encouraged, supported, motivated, made capable of living life more fully, and of sharing both joy and pain. In many ways, human interconnectedness is at the core of the EMQ Matrix model. As the saying goes, “To the world you may be one person, but to one person you may be the world.” This is potentially true of any person who shows up on the connectedness diagram.

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## The Connectedness Diagram

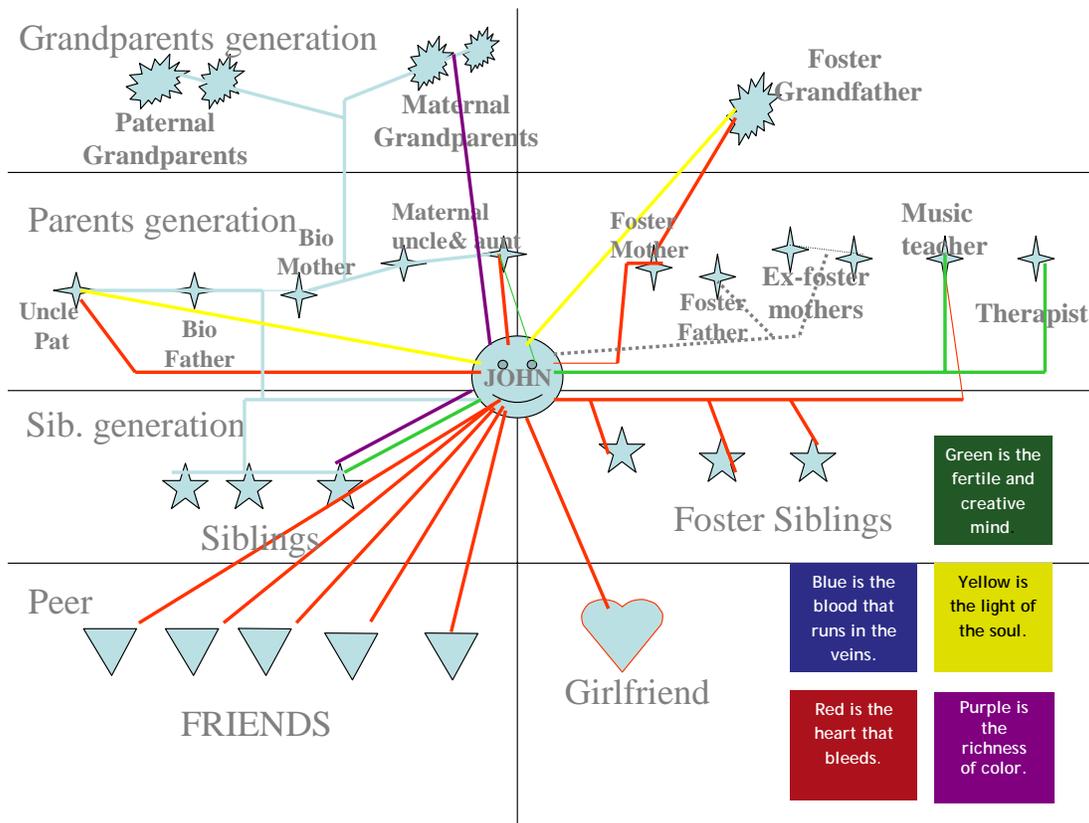
The Connectedness Diagram is quite simple but can be quite nuanced and subtle (see sample diagram below). It begins with a genogram in which a child's biological relationship is diagrammed in the traditional way using horizontal tiers for the child's generation (excluding peers), parents' generation, and grandparents' (and older) generation. This is done in the color blue, a mnemonic for the blue of the blood that runs in the veins.

**Blue is the blood that runs in the veins.**

The blue portion of the Connectedness Diagram is very similar to the traditional genogram in that it represents the biological connections and the genetic endowment the child has inherited. Unlike the genogram, the Connectedness Diagram pays very close attention to whom the person loves and by whom the person feels loved. These connections are represented in red, a mnemonic for the heart that bleeds.

**Red is the heart that bleeds.**

There may be some concordance between the biological relatives and those to whom the child is connected by love, but there may be others outside of the family (e.g., friends, teachers, coaches, foster parents) to whom the child feels a deep heart connection. There may be unrelated surrogate grandparents who provide much of the love that a child must have in order to flourish. Oftentimes, the child has a considerable amount of love for siblings, which can be both a source of support and strength and a place to discharge natural filial altruism. Facilitators may need to be reminded that many children are as much in need of someone to care for as they are in need of being cared for themselves.



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**Green is the fertile and creative mind.**

In addition, children have an inherent need to learn and even perhaps to teach. This is symbolized in the mnemonic green, representing the fertile and creative mind. For example, the child may have a relationship with a school-teacher, maybe a music teacher or a coach, to whom she also feels a heart connection. In this case, there is no biological or legal relationship with this adult in the child's life but, nonetheless, it is a relationship that could potentially be mobilized to support the child and family during a time of crisis. These connections, involving both those from whom the child learns and those the child teaches, are equally important. Often an older sibling who appears quite incapable of taking care of herself will take very good care of a younger sibling and teach her things that she herself needs to put into practice. For example, you may find a sibling who teaches her younger siblings not to abuse drugs; this impulse could be mobilized to understand why the older sibling herself does not practice what she preaches. Furthermore, it is important to understand the content of what is learned and what is being taught. If a child draws a green line to a history teacher, what it is about history that has engaged the child to this degree, and is there something that might be mobilized as a strength, a support, or an activity that could be used as part of the individualized child and family plan?

As well, there is the spiritual dimension that is diagrammed in the mnemonic yellow, representing the light of the soul. By nature, humans have a spiritual dimension, even if they do not care to acknowledge it. Many children and families, however, are very open in discussing their spiritual relationships with others. In many cultures, spirituality is a central aspect of an individual's every day. This dimension is particularly important in that it can often provide a healing power that is greater than what any psychological or psychiatric intervention could ever provide. This is particularly true when working with addictions and other unhealthy compulsions, but it can also be true in healing and building constructive relationships. The spiritual dimensions of a person's life should be explored gently and thoroughly. The Connectedness Diagram gives a way to do this neutrally, while never imposing a spiritual perspective on anyone.

**Yellow is the light of the soul.**

**Purple is the richness of culture.**

Finally, there are the connections that bring to people an understanding and appreciation of their cultural heritage. Culture, here, is used in its broadest sense to go beyond race and ethnicity to encompass the spectrum of history, traditions, values, and beliefs that pertain to this individual in the context of his or her family and environment. The connections may be unilateral or bilateral with the exchange of information occurring in either or both directions between the identified youth and the other.

At the end of the connectedness process what the family, facilitator, and transition team end up with is a multicolored diagram called the Connectedness Diagram. It shows those connections of the heart, mind, body, soul, and culture that are unique and important to the individual child and family. In our experience at EMQ, this methodology yields a robust discovery process while at the same time building engagement and true understanding. EMQ practitioners use it routinely.

## Sample Scripts for Phone Calls



### First Telephone Call Scripts With Relatives:

#### First “cold call” attempt

Hi, my name is Patti, is this Jon Smith?

[if a female answers]

Did I reach the Smith residence)?

[yes]

Great, I’m so glad I reached you! I work with Catholic Community Services, Family Preservation and we’re working on a family tree project with a relative of yours and I’m having a heck of a time figuring out who’s who. Can you help me for just a few minutes? (They almost always say yes!) Thank you, I promise not to keep you long.

#### Leaving a telephone message before you’re sure if you have the right number

Hi, I hope I’ve got the right phone number? I’m looking for a Jon Smith who used to live in Sequim, WA. If I have reached the right person I have some information about a relative of yours. Would you please call me back and let me know for sure. Thank you so much, call me anytime at 555-123-1234. I really appreciate your help!

#### Calling back a relative that left me a message. Sometimes we have sent a letter to the relative and they have called us after reading the letter.

Thank you so much for leaving me a message (and responding to my letter). Are you in a place where you can talk right now because I am so excited for Jordan to find out more information about his family? Remember the questions (from the letter) that Jordan had, such as who he looks like, how many cousins he has, family reunions... Your help sharing this information could really make a difference in Jordan’s future

#### If they don’t return a call from your letter

I am calling to follow up on the letter that I sent you a week ago. I can imagine this must be a difficult phone call to receive. Are you in a place where you can talk right now because I am so excited for Jordan to learn more information about his family. Remember the questions from the letter that Jordan had, such as who he looks like, how many cousins he has, family reunions...what would you like to tell me?

#### Allow time for the person called to explain their situation, to tell their story about Justin.

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### **If the person asks about Justin's situation**

- I know that you must have questions. I really can't answer them right now. There may be a time in the future where we could talk to you and answer some of your questions. Again I realize that this is difficult but my primary concern right now is to help Justin get answers to some of his questions. Your help with this information could make such a difference in his life.

### **Or**

- I really wish I had the ability to talk with you more about Justin but right now I'm trying to piece his family tree together. After I do that, I can forward your information on to his Social Worker and let her/him know that you have more questions and ask them to call you. I'm sure you understand that the State is entrusted with the safety of your nephew so right now all I can tell you is that he's curious about who he looks like, wants to know if anybody else in the family loves to sing, and we would like him to know that he has family out there.

One of the things that might really help our conversation today is if you could tell me one of the things you are most proud of about your family. A story or something someone has done in the past that was very special to you.

What about family reunions and gatherings? What are your family traditions? Do you know who plans them (reunions)?

Try to get their name and contact information. Perhaps put them on a conference call with the family member who plans the reunions or other family gatherings.

After you have their agreement to stay on the line they might want to just tell you their view of things. As they do whether you it's the information you want or not continue to thank them for their great insights. If people feel you value their opinion they will warm up more and eventually give you the information you're looking for. It seems that everyone in a family has a different take on how things got to where they are. Throughout their telling of the story you will learn names, strengths, needs and possibly options.

### **If they ask about how to have contact with Justin**

I want to assure you that I am going to share your information and how to contact you with the rest of my team. It sounds like you're offering to help Justin more. Let me write down the things that you are willing to do and I will share that with the rest of my team.

### **If they cannot have any contact with the child**

This may be your one of the few opportunities you may have to do something to really help Justin. The information that you share with me could truly improve this child's life. (Default back to questions about family.)

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### **If person sounds upset**

- I can't imagine what you must be feeling right now. I am so sorry for what your family has been through.

**Or**

- Is it ok for us to talk just a little bit or should I call back tomorrow morning? I really do understand this is difficult, but if it's ok I just want to be able to give Justin a few answers to questions; sometimes he really feels lost. Can you imagine what it must feel like to not be able to ask a relative "was my dad a good basketball player too?" Thank you, I really appreciate you giving me a little of your time, and Justin really appreciates it too.

### **Ending the call**

You might think of some more things that are important for Justin to know over the next few days, or you might know other family members who would like to share information with Jordan. Please feel free to contact me at \_\_\_\_\_. Thank you so much for sharing this important information, it is really valuable for Justin. The simple act of sharing this information may dramatically affect his life.

Sample Scripts for Letters



## Example Letters to Relatives

### Dear Mr. and Mrs. Fuego,

I am writing to you about your nephew Brad Fuego. I am the Family Liaison here in Clark County, Washington. Brad has not had much contact with his extended family and asked me to help him locate them. He would like to re-connect with his relatives and is hoping that he could write to you, his aunt and uncle as well as his cousins. You may not know it but he is going to graduate in June and he would love to see you at his graduation.

I know my letter may come as a surprise to you, for that I apologize. This may be a sensitive topic, but please know we are just supporting Brad to regain a sense of family. I will try to reach you next week by phone; hopefully you will have had time to think about reconnecting with Brad.

Sincerely,

**Nicole Smith**

Catholic Community Services, Family Support Specialist

(360) 567-2211

Email: [nicolem@ccsww.org](mailto:nicolem@ccsww.org)



### Dear Ms. Vanhouten,

My name is Ace X, and I am a caseworker that has just started working with your son Jim. It seems as though we have lost the ability to communicate with you and share how Jim is growing up. Jim talks about his family all the time, and he would appreciate any kind of contact from his family. I have enclosed a pre-paid phone card for you to use to reach me.

On a personal note, I am very concerned for Jim as he is struggling in school and doesn't seem to have very many friends. My belief is that he would do much better if I could connect him with more people that care about him and want him to be successful. I look forward to talking with you and hope you might give me some information that will assist me in helping Jim.

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Sincerely,

**Ace Deck 555-354-3544**

Detroit Children and Family Services  
Detroit, Rock City



**Dear Bonnie,**

I am writing about James Woodrow Persons Jr.'s (d.o.b. 12/65) son, Jordan, who I believe may be a relative of yours. I am the Family Support Specialist in Clark County, Washington.

I do not know how much you know about Jordan, and this letter may come to you as a surprise. I apologize for any possible pain this letter may cause. I am writing because Jordan would really appreciate some information about his father's extended family; such as who he looks like, how many cousins he has and if there are family reunions. You can imagine the sorts of questions that a boy would have about his family and culture.

I will call in a week to make sure you received this letter. In the meantime, if you would like to talk to me sooner, please feel free to write or call me. I am also enclosing a copy of Jordan's family tree and a general family story page so that Jordan can learn about the Persons Family. Thank you in advance for helping Jordan discover a greater sense of identity.

**Sincerely, Nicole Smith**

Catholic Community Services Family Support Specialist  
(360) 567-2211  
Email: [nicolem@ccsww.org](mailto:nicolem@ccsww.org)



**Dear Ms. Tran,**

I would like to speak with you about your nephew, Phillip. We have lost track of most of Phillip's relatives and would love to share with you how he is growing up. Phillip has pleasant memories from his early childhood of family gatherings and seeing relatives during the holidays. However, he hasn't had any communication with family for quite some time now and would appreciate hearing from them. I want to help Phillip complete a family tree that identifies his relatives on both sides of the family and hope you can help. I have enclosed a pre-paid phone card for you to use to reach me. Please call me at the number

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below and I will continue to try to reach you. On a personal note, I am very concerned for Phillip and it is important that you reach me as soon as possible.

Sincerely,

**Phoenix Bird**

(714) 216-5252 pager

County of Orange, CA, Children's Services.



### Letter or phone script example:

**Hello Connie,**

My name is Brian, I work for Stanford Home for Children as a family therapist. I have recently begun working with your granddaughter, Lisa.

I'm not sure when your last contact was with Lisa, but I found your name in her file. It is my understanding that Lisa has not had very much contact with her family recently. In my experience in working with children I have discovered that their sense of connection with family members is extremely beneficial. You may know that Lisa will be turning 9 on March 28<sup>th</sup>, and it would mean so much to her to receive a birthday card from her family. I don't want to put you on the spot, but would you be open to sending her a card? Do you know other family members that might also send her a card for her birthday?

- **(Try to get names and addresses of people who might also send a card to wish her happy birthday.)**
- **(Open the door to further possible contact or connections. Mention the possibilities: approved visitation, phone contact, writing letters, etc.)**
- **(Open the door to CFT process. "In the near future I will be developing a support network for Lisa and would like to invite you to a meeting to help plan around her needs.)**

Closing:

This is the address you can send a birthday card to Lisa. The name of the social worker is \_\_\_\_\_ and her address is \_\_\_\_\_. I look forward to calling you back to let you know how much Lisa appreciated your card. In the meantime if you would like to contact me about any questions or if you have other names of people who I might connect. My name and phone number is \_\_\_\_\_.

## **Example Letters to Former Foster Parents, Professionals and Teachers**

There are many professionals that worked with a child that become a natural support in another capacity. The following are people that can be a resource or provide helpful information.

- Former foster parents, especially the ones that cared for the youth when the youth initially came into care.
- Sometimes residential staff may have had contact with family members even after the youth left their facility. Additionally, these staff sometimes become foster parents, natural resources or even guardians.
- Former psychiatrists, therapists or counselors that previously worked with the youth.
- School staff and teachers where the child previously attended.



**Dear Mrs. Smith,**

I am the social worker currently working with James Peach who was a student of yours when he was in first grade at Sherman Elementary School from 2000 to 2001. I am searching for information that would help me identify and locate his birth family and other relatives. James is very interested in learning more about his family and we would appreciate any helpful information that you could share. Please contact me at my number below. Thank you in advance for taking a few minutes to share any information that you think may be helpful.

Sincerely,

Tom Jones, DCFS  
1234 Kalakaua, Honolulu, HI 98765



**Dear Mr. and Mrs. Jones,**

I am the caseworker currently working with James Peach who I believe you fostered from age three to five. I'm sorry if this letter upsets you in any way. I am writing because James has not had any contact from his family (cousins, aunts, uncles or grandparents) for about ten years. Now that he is 17 he is hoping to reconnect with his family. Do you happen to have any pictures of James or special memories of his childhood that you might share? We would also appreciate any information that could help us contact any of his family members. I will call in about a week to make sure you received this letter. Until then, please feel free to call me if I can answer any questions. Thanks in advance for being willing to help with James.

## **Family Search & Engagement: A Comprehensive Practice Guide**

PS, I will be trying to contact you in the next week. You can reach me at 360-567-2211

Sincerely,

**Tom Jones, Care Coordinator**

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## Connection Tracking Form

### Connection Tracking Form (sample)

	Connection 1	Connection 2	Connection 3	Connection 4
Date initially contacted				
Location				
What connection do they have?				
Involvement Potential				
Legal: clearances, consents, etc. needed				
Safety issues				
Other				

# Family Search & Engagement: A Comprehensive Practice Guide

## Internet Search Tools and Tips

### Internet Search Tools and Tips

Catholic Community Services of Western Washington

This guide to internet search tools and tips contains some of the most commonly used search tools and resources as well as some helpful search tips. As one can imagine, the list of search resources on the “world wide web” is almost endless. Through our Technical Assistance experience and with the help of our staff many people have contributed their search preferences and insights. This compilation should not be confused with a comprehensive review of everything available on the “www” but will hopefully introduce many to the resources that are available. It should also be noted that this information is accurate as of November 2007. We have discovered that websites changes frequently or get taken over by other (larger) sites (companies). “Some are here today and gone tomorrow or free today and charge a fee tomorrow.” With that said we hope you find this guide helpful.

### Free Internet Search Sites

The free search sites you encounter on the internet are those that provide information very similar to what you would obtain by calling “411” directory assistance or looking in the “white pages” directory. Many sites will advertise “free searches” but only give limited information and try to get you to purchase a “premium” search. The use of these sites is fairly intuitive and prompts you to enter basic information: first and last name and state where the person resides. Some have “advance search options” which are helpful if the name you are searching is common. Advance search options allow you narrow the search results by entering city, zip code, age, birth date etc. You are asked to enter as much information that you can and the successful search results will provide you with the address, phone number and sometimes offer a map to the house. We recommend using the free searches before using pay per search sites.

The following is a list of a few of the most popular free search sites. All sites will offer other premium searches that charge various rates for additional information (public records, social security or background check searches). These sites do not require you to purchase anything to get the free search results.

[www.zabasearch.com](http://www.zabasearch.com) Search by name, city, state and birth year. Provides name, address, phone and map to get to address. Also offers reverse search (enter 10 digit phone number to get an address).

[www.mama.com](http://www.mama.com) Search by name, city and state. Provides name phone and address. Also offers reverse search. Offers premium searches provided by [www.intellius.com](http://www.intellius.com)

[www.anywho.com](http://www.anywho.com) Search by name, street, city, state and zip. Provides name, address, phone number and map Offers address and reverse searches.

[www.dogpile.com](http://www.dogpile.com) Search by name city and state. Provides name, address, phone number and map. Also links to Intellius.com

[www.reversephonedirectory.com](http://www.reversephonedirectory.com) Search by name, city and state. Search by address and it will provide name of resident living at that location. Also reverse search by entering phone number to find address and name of resident. Cell phone number search can be purchased for a premium.

[www.google.com](http://www.google.com) May provide information in addition to the address and phone number. It can link you to newspaper articles, interest groups or other publications connected to the person’s name. (To reduce the amount of non-related search results see Boolean search hints below.) Google search examples include finding a mother who played softball for a community college (her name

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was listed on a college site and in sports articles), and finding information on a father who was connected to “Knights of Columbus” and a local scouting troop as a leader.

### Helpful Internet Search Hints

Staff have offered a number of search hints that they have found helpful. Using several variations of the spelling of the name, or variations of the address as indicated below will provide you with more search responses to evaluate. Below are some of the strategies they tried when the initial search attempt did not provide any information.

- Use middle initial if available.
- When entering a birth year it can be approximate.
- Sometimes entering two spelling variations can be helpful. Separate them with a comma (Don, Donald Smith).
- Sometimes entering too many key words can restrict the number of results. (If you don't get any information when you enter the city and the state, scale back and enter just the state.)
- Try variations of the spelling of the first or last name. Sometimes the wrong spelling gets entered into a document, or account.
- Try using the first four letters of the last name. This will increase the number of “hits” for that name but it may also include what you are looking for.
- When searching for a more common name, include additional information such as city, state, year of birth or age.
- If the last name contains a space, try it without a space (Santa Cruz, santacruz).
- Sometimes entering the first letter of the first name can be helpful.
- When entering an address, try dropping the thoroughfare (Blvd, Street, Ave, etc.) or the direction (instead of West Torrance, enter Torrance).
- If you know the zip code, use it instead of the city name, but still enter the state.

### Boolean Searching on the Internet

The Internet is a vast computer database. As such, its contents must be searched according to the rules of computer database searching. Much database searching is based on the principles of Boolean logic. Boolean logic refers to the logical relationship among search terms, and is named for the British-born Irish mathematician George Boole. For an internet tutorial on Boolean Searching tips please go to [www.internettutorials.net/boolean.html](http://www.internettutorials.net/boolean.html)

- Using “or” will search one term or the other, or both (Juan or John Gonzalez).
- Using “and” will retrieve searches where only both names searched are present. (Mary and Don Smith)
- Using “not” will eliminate some results that are commonly grouped together (Joey not Joseph Smith)
- Using “quotations” will search exactly what you specify within “ “
- Using +plus +signs will ensure these words are included in your search.
- Use -minus-To exclude (or separate) words from your search.

### Fee Based or Premium Internet Search Sites

The following are examples of fee based resources. The majority of the times these searches will provide extensive and more detailed information than one would receive via a free search. Some search engines will not charge you if they do not locate the person.

Typically fee searches provide the following information:

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- Current address and up to 10 year history with available listed phone numbers!
- Relatives, roommates and neighbors
- Bankruptcies and tax liens
- Small claims and civil judgments
- Home value and property ownership

[www.ussearch.com](http://www.ussearch.com) Charges \$49.99 per search or \$25.00 by contracting with the business. They offer several options including single search for \$9.95, a 24 hour pass for \$19.95, a three day pass for \$39.95 or a 30 day reunion pass for \$149.95. USSearch.com also provides a live search specialist that will manipulate the search criteria to get the best match for information. You can also email the search specialist if you have questions about the search results. (This is the \$25.00 search.) This is the most commonly used fee based service that our agency uses when we get stuck and can't locate someone. To see an example of their report go to [www.ussearch.com/samples/consumer/sample-3165.html](http://www.ussearch.com/samples/consumer/sample-3165.html) .

[www.intelius.com](http://www.intelius.com) Multiple options that can be purchased. There is a per search cost of \$7.95, a 24 hour unlimited search option for \$19.95, and a 3 day unlimited search option for \$39.95 days. Intelius also offers an option to group discount rate and volume rate (x100 searches for \$x). Our agencies also use this site because of its flexible options. An example of their reports can be obtained at their website.

Once again there are multiple fee based search services. Some search resources are listed below along with their fees and options.

[www.usatrace.com](http://www.usatrace.com) \$41.99 for each search.

[www.people-search.com](http://www.people-search.com) Options, \$29.99 for 25 searches; \$24.99 for 15 searches; \$19.99 for 10 searches.

[www.publicrecordsnow.com](http://www.publicrecordsnow.com) Options: 9.95 for your first search but after filling out a survey you get a \$10 "instant cash back reward"). Options: 24 hour pass for \$14.95 or a 30 day search pass for \$39.95

[www.peoplefinder.com](http://www.peoplefinder.com) Links to Intelius.com

### General Information about Categorical Search Sites

**Google.com** is a favorite search engine and there are numerous others that work similarly. To conduct a categorical search simply type in a topic such as "free people search," "free white pages," "inmate locator services," "obituary search," or "public records" and you will find a list of these search resources that can be experimented with or explored. Additionally, you can add state or other qualifying information to these categorical search requests to get even more detailed information. For example, "Arizona obituary search" or "inmate locator federal prisons". This is an easy way to find multiple search resources as well as new resources that have been developed.

### Genealogical Sites

There are multiple genealogical sites that can be helpful. Through these sites you can search records in the following categories: birth, marriage, death, obituary, Social Security Death Index, and census.

The two most commonly used genealogy based websites are listed below. Both are very helpful in researching information on family members and their services are FREE.

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[www.familysearch.com](http://www.familysearch.com) Family Search has an automated help site assistant that walks you through locating records of deceased relatives. It is a very intuitive process that provides hints on search strategies and assists you in locating birth, christening-baptism, marriage, death and census records, and obituaries that can provide information that will lead you to living relatives. For example, obituaries often list names of relative survivors.

Sometimes you can find family tree information that families have already posted. They also have Family History Centers located throughout the nation who have helpful experts who can provide assistance. The website provides locations of these centers.

[www.ancestry.com](http://www.ancestry.com) Ancestry provides many of the resources mentioned above. A map tool can be used that allow you to point and click on states that branch out into counties and resources that help expand your search. You can pay for a membership and access premium search services on this site as well.

### Obituary Search Tips and Resources

There are a number of other sites that can be helpful in obituary searches. As indicated previously many times information about surviving relatives is written in the obituary.

Additional helpful search hints:

- Find out as much information about a family member's death from talking with known family members. It's helpful to know the death date, city, county, state, etc. Google search the newspaper for that city and state. Contact the newspaper, provide them the information you have and ask if they can do an obituary search for you. If they can't, ask them how you can access this archived information.
- Library reference desk workers are valuable resources. Ask them to help you with an obituary search and provide them the information: death date, city, newspaper and name of person. They usually charge a nominal fee and can fax you the results.
- If you can obtain a death record, sometimes it lists the contact person (who submitted the information) or the funeral home where the services took place. You can search these resources for more information. For example, funeral homes keep records of the services they provide and often will have contact information of survivors, and sometimes copies of obituaries. Simply Google the funeral home to get their phone number and speak with anyone who will help you.

### Other Helpful Obituary Search Sites:

[www.obitlinkspage.com/](http://www.obitlinkspage.com/) A free site that provides a state directory and obituary resources: "Obituaries provide a wealth of information about our ancestors and relatives. The biographical information contained in an obituary (such as names, dates, and place of birth death and marriage) can be extremely useful to genealogists and people researching their family histories. To facilitate finding your obituary, we have organized the site by State and Country, which provides the best obituary resources, archives, and databases on the Web."

[www.obitcentral.com/](http://www.obitcentral.com/) Obituary Central is a FREE search site and advertises as the headquarters for finding obituaries and performing cemetery searches. It list resources by state.

[www.ancestorhunt.com/obituary\\_search\\_engines.htm](http://www.ancestorhunt.com/obituary_search_engines.htm) Ancestor Hunt is another FREE resource that provides a data base to newspapers by state that can be accessed. They also provide other helpful information.

[www.legacy.com/Obituaries.asp](http://www.legacy.com/Obituaries.asp) Fee based service provides obituary and guest book information from 400 major news papers. For \$2.95 you can view the full record of the obituary they have on record.

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[www.godfrey.org](http://www.godfrey.org) Godfrey Memorial Library is a fee based search resource that is recognized as a very source of obituaries and other genealogical resources and information. Memberships can be purchased that allow different levels of access to resources that range from \$35.00 to \$110.00 dollars annually. The purpose of the Godfrey Memorial Library is to promote the study of family history making genealogical and historical resources available to all on a national and international level by continuing the expansion, modernization, and distribution of the collection of print, electronic manuscript and other information media as technology develops.

### Public Records and Data Bases

[www.virtualgumshoe.com/](http://www.virtualgumshoe.com/) is a favorite website that is a directory of both free and fee based search sites. On the home page you can either enter a category or search topic (adoptions, military, prisoner, libraries, etc) or you can select “view all free public records categories” which will provide a multitude of FREE search categories and individual search sites.

Many states and counties have automated public records and can be accessed either on line or on location. We recommend that you Google the court records for a certain county or state and find out how to access these records. For example, if you Google “Clark County, WA court records” you will find the website [www.clark.wa.gov/courts/clerk/access-records.html](http://www.clark.wa.gov/courts/clerk/access-records.html) . This site provides information how to access these public records and list the following court records available as well as information how to access them:

Civil, In House 2004-2007; Offsite 1999-2003; On Microfilm 1890-1996  
Scanned images - 1997 to present

Criminal, In House 2001-2007; Storage Offsite 1998-2000; On Microfilm 1894-1996  
Scanned images - 1997 to present

Dependency, In House at Juvenile 2006-2007;  
Juvenile Storage 2004-2005; Storage Offsite 1999-2003; On Microfilm 1989-1996  
Scanned images - 1997 to present

Domestic, In House 2004-2007; Storage Offsite 1999-2003; On Microfilm 1890-1996  
Scanned images - 1997 to present

Juvenile Offender, In House at Juvenile 2005-2007; Juvenile Storage 2004; Storage Offsite 1999-2003; On Microfilm 1889-1996  
Scanned images - 1997 to present

Paternity, In House 2006-2007; Storage Offsite 2000-2005; On Film 1800-1996; Scanned images - 1997 to present

Probate, In House 2005-2007; Storage Offsite 2000-2004; On Film 1890-1997; Scanned images - 1997 to present

### Other Government Records Searches

**Google US Government Search.** To search across content from U.S. government sources on Google U.S. Government Search, enter a query into the search box and click the "Search Government Sites" button. This launches a search across U.S. federal, state and local government sites with domains such as “.gov” “.mil” and others. This site includes U.S. federal, state and local sites with

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domains such as .gov, .mil as well as select government sites with .com, .us, and .edu domains (eg. .usps.com, .ca.us and .ndu.edu).

### Other Helpful Search Resources:

[www.myspace.com](http://www.myspace.com) MySpace is a popular [social networking website](#) offering an interactive, user-submitted network of friends, personal profiles, blogs, groups, photos, music and videos internationally. Youth have been able to locate their cousins or other family members via MySpace. It is a very popular medium that youth frequent. In August of 2007, MySpace had about 68 million unique visitors to its site.

[www.facebook.com](http://www.facebook.com) Facebook, a very similar social networking website, is growing faster than MySpace: Its audience has more than doubled since last year, when it began allowing people who weren't students to become members. This newer internet resource may become a better search tool because it allows a broader and older audience to participate and connect.

[www.classmates.com](http://www.classmates.com) Classmates allows people to stay in touch with others that attended the same high school. There are over 40 million members and it is "the largest site on the web devoted to helping friends reconnect". In addition to locating the person by the high school they attended, sometimes through talking with someone that went to the same high school you can locate the "missing person" you seek.

It helps find former schoolmates & coworkers and allows them to check to see if there's a class reunion. It is another social networking website with an older and broader (age range) audience than MySpace.

[www.myfamily.com](http://www.myfamily.com) People Finder (\$29.99/3 months, \$9.99 one time). This site has provided private family web sites to help people stay connected with those who matter most. It provides a family web site for sharing photos, stories, news, family history and family tree information, etc.

### Prison locator services

There are several ways to locate inmates. You can simply Google "Department of Corrections" plus the name of the desired state and it will inform you how to locate prisoners in that state. There are a number of sites that are helpful in locating prisoners or inmates in the various correctional institutions (county jail, state or federal prisons, etc).

[www.vinelink.com](http://www.vinelink.com) One of the most commonly used internet resource is Vinelink. The site is the most comprehensive and provides an easy to navigate search by state. By selecting a state you see which data bases are available on line or you see a phone number to contact for more information for that state.

<http://www.inmatesplus.com/> Provides a helpful guide that summarizes search resources for many states.

[www.bop.gov/](http://www.bop.gov/) Federal Bureau of Prisons website: will provide assistance for inmate locator, facility locator as well as an address directory. You can search for inmates or contact the correctional facilities for assistance in locating someone.

### International Search Sites and Resources

[www.FamilyLinks.icrc.org](http://www.FamilyLinks.icrc.org) The aim of the International Committee of the Red Cross Family Links website is to help those separated by conflict or disaster to find information about their loved ones in order to restore contact. While this resource is primarily designed to help those families that have experienced conflict or disaster, there may be occasion when a failed international adoption could have originated from one of these countries.

[www.icrc.org/eng/tracing\\_offices\\_ns](http://www.icrc.org/eng/tracing_offices_ns) Tracing offices of recognized Red Cross and Red Crescent National Societies. This PDF file lists offices that can be resources to assist in locating relatives

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living in other countries.

[www.iss-ssi.org/](http://www.iss-ssi.org/) International Social Services (ISS) International Reference Centre for the Rights of Children Deprived of their Family. The International Social Service (ISS) is an international non-governmental organization dedicated to helping individuals and families with personal or social problems resulting from migration and international movement.

[ISS's national branches, affiliated bureaux](#) and correspondents in over 100 countries facilitate communication between social services to resolve these problems. The location and contact information for the USA Branch located in Baltimore:

International Social Service, USA Branch

200 East Lexington Suite 1700

Baltimore, MD 21202

Phone (443) 451-1200, Fax: (+410) 230-2741, E-mail : [iss-usa@iss-usa.org](mailto:iss-usa@iss-usa.org)

[www.iss-ssi.org/About\\_ISS/documents/ListeBranches-BApoursiteinternet\\_000.pdf](http://www.iss-ssi.org/About_ISS/documents/ListeBranches-BApoursiteinternet_000.pdf) This PDF file contains the contact information for the different countries that have an ISS Branch Office or an Affiliated Bureau. They can be contacted for helpful information and possible resources.

### Final Search Tips

Remember the goal of any search is to find someone you can speak with who can give you helpful information. Don't spend too much time on the internet searching. Pick up the phone and call someone! Don't forget to talk with the people you already know such as the youth, former foster parents and case workers or other professionals because they may know how to contact the person you seek or they may give you information on other family members that have helpful information.

***Good Luck and Happy Searching!***



# Celebrate!

## References & Resources

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## Family Search & Engagement: A Comprehensive Practice Guide

### Training and Technical Assistance Resources

#### Catholic Community Services of Western Washington (CCSWW)

CCSWW pioneered the practice initially called “Family Search” (now Family Search & Engagement) and has provided the direct service in Washington and Oregon. They have provided training in many other states as well. Contact:

Mary Stone-Smith, MA, LMHC  
Vice-President  
Catholic Community Services of Western Washington  
5410 North 44<sup>th</sup> Street  
Tacoma, WA 98407  
(253) 759-9544  
[maryss@ccsww.org](mailto:maryss@ccsww.org)  
<http://www.ccsww.org/preservation/index.php>

Don Koenig  
Director, Training and Technical Assistance  
CCS Family Preservation  
9300 Oak View Dr. NE  
Vancouver, WA 98662  
(360) 567-2211  
Fax: (360) 567-2212  
[donk@ccsww.org](mailto:donk@ccsww.org)

#### EMQ Children & Family Services (EMQ)

EMQ has implemented the practice of Family Search & Engagement in four large California Counties (Los Angeles, Sacramento, San Bernardino, and Santa Clara), as well as providing training in other counties and states. Contact:

Brad Norman, LCSW  
Director  
Family Partnership Institute  
EMQ Children & Family Services  
251 Llewellyn Avenue  
Campbell, CA 95008  
(408) 364-4083  
[bnorman@emq.org](mailto:bnorman@emq.org)  
[www.emq-fpi.org](http://www.emq-fpi.org)  
[www.emq.org](http://www.emq.org)

Gerry Rodriguez, Ph.D.  
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Family Partnership Institute  
EMQ Children & Family Services  
251 Llewellyn Avenue  
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## Family Search & Engagement: A Comprehensive Practice Guide

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California CASA Association	Kara Hunter, Trainer

# Engaging Fathers in the Child Protection Process: The Judicial Role

By Judge Leonard Edwards

## I. INTRODUCTION

Non-custodial fathers appear only infrequently in child protection proceedings.<sup>1</sup> Several reasons stand out including difficulty in locating the father, the mother's ambivalent feelings about engaging the father, the social worker's ambivalence about working with the father, state legislation and court rules that may not emphasize engaging the father, the father's reluctance to engage in court proceedings, and a general feeling throughout the court process that a father's participation is not valued.<sup>2</sup>

1 Many terms are used to describe legal proceedings brought on behalf of allegedly abused, neglected, or abandoned children, including abuse and neglect proceedings, juvenile dependency, children in need of protection, and child protection. I will use child protection throughout this paper.

2 "I think fathers come into system expecting the worst and often get discouraged if they feel like they are not treated fairly . . . They expect to be discriminated against and often don't try once they receive the slightest hint that we are relegating them to the traditional role of 'breadwinner' and excluding them from more satisfying roles of nurturer and caretaker." E-mail from Judge J. Robert Lowenbach (ret.) to author, Sept. 30, 2008 (on file with author); "I think there is an inherent bias in our system that suggests that no matter what a father does, the father will not gain custody unless the father is married, living with the grandmother, etc. In other words, we accept the concept of single mothers raising kids, but don't accept the concept of single fathers raising kids." E-mail from Gary C. Seiser, supervising deputy, Juvenile Dependency Division of the San Diego County Office of County Counsel and co-author of *California Juvenile Courts Practice and Procedure* (e-mail on file with author); "Fathers reported feeling unfairly treated by the child welfare system and courts. Many feel that even when they try to be involved, courts make the process more difficult and unfairly require them to jump through hoops and prove their commitment and sincerity, even when they were not involved in the maltreatment that led to child welfare intervention." J. Kendall, K. Kessen, & J. Reynolds, *Engaging Dads in Child Welfare Cases*, 26 CHILD LAW PRACTICE, ABA, 2007, at 108-110.

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Despite these obstacles and despite the fact that some fathers will present problems for the parties and for the court process, after 26 years as a judge, primarily in juvenile court deciding thousands of child protection cases, I have concluded that fathers are important to the child and to the legal process.<sup>3</sup> Moreover, the juvenile court judge can play a critical role in engaging fathers in the child protection process. This article will explore the following areas:

- Why it is important to engage fathers in the child protection process;
- The judge's role in determining the father's identity and in establishing paternity;
- The judge's role in monitoring agency actions concerning the father's identification, location, notification, and support;
- The judicial role in engaging fathers in the child protection process including strategies judges can use both in and outside the courtroom. These include the judge's oversight of the children's services agency (the agency) actions, the importance of court-appointed legal representation for indigent fathers, the importance of identifying the father's extended family, the use of mediation and other group decision-making processes to assist in the engagement process, the negative impact the adversarial process can have on the father's engagement, the importance of father-child visitation, the importance of services to engage the father, and special problems relating to the incarcerated father;
- Comments from judicial officers who have considered the engagement issue with highlights from jurisdictions that employ excellent practices;
- Safety considerations for the mother and child as the father is brought into the child protection process should he present dangers to one or both.

The article will emphasize that judges must take a leadership role for fathers to become involved in the child protection process. Whether the issue is identification or location of the father, ensuring that the father receives all the rights to which he is entitled, or employing strategies to engage the father with his child, the judge plays a critical role in making certain that the father is a fully engaged participant in the child protection system.

## II. MAKING FATHER ENGAGEMENT A PRIORITY

Understanding why fathers are important in child protection cases is the first step to engaging them more fully in the legal process. If the child protection system does not have a role for fathers, if fathers are nothing more than an irritant to all the other participants, then developing strategies to engage fathers would seem to be a waste of time. We know from experience that some mothers are reluctant to reveal the father's

<sup>3</sup> NATIONAL CHILD WELFARE RESOURCE CENTER FOR FAMILY-CENTERED PRACTICE, CHILDREN'S BUREAU, FATHER INVOLVEMENT IN CHILD WELFARE: ESTRANGEMENT AND RECONCILIATION (Summer 2002), at 1-2. (hereinafter FATHER INVOLVEMENT).

name or location. Many mothers have had violent or unhealthy episodes with the father, and others have a new romantic relationship and want to forget about their child's biological father. Some mothers may want to protect him from involvement with the court.<sup>4</sup> Still others are reluctant to bring the current abuse or neglect episode to the father's attention, fearing he will ask for custody.<sup>5</sup>

We know that some social workers are ambivalent about finding the father.<sup>6</sup> Some have had negative experiences with fathers and suspect that the father is not interested in the child in any case. Still others fear that bringing the father into the child protection case may introduce another abusive person or possibly increase conflict between the parents.<sup>7</sup> Social workers know that engaging fathers will result in more work, will be more costly to the agency, and many find that working with mothers alone is easier.<sup>8</sup> We also know that the legal system, including the judge and the attorneys, may not place a high priority on locating or engaging the father, particularly if he is not married to the mother, is incarcerated, or has a violent or criminal history.<sup>9</sup>

For legal, social, economic, and developmental reasons, as well as just plain common sense, fathers need to be engaged in the lives of their children<sup>10</sup> unless they pose a threat of harm to them. Absent any risk of harm, the judge in the child protection case must take steps to ensure that fathers participate in the court process.<sup>11</sup>

*Protecting the father's legal rights.* Legally, the father has a right to participate in the proceedings. Whether he will be identified and receive notice of the proceedings will vary from case to case and state to state, but his involvement may result in better outcomes for the child including avoidance of out-of-home placement altogether or relative placement.

<sup>4</sup> See, for example, *G.P. v Florida*, 842 S.2d. 1059, 28 Fla. L. Weekly D1008, 2003 in which the court of appeals held that a mother had a constitutional privacy right to withhold the name of her child's father.

<sup>5</sup> L. Harris, *Involving Nonresident Fathers in Dependency Cases: New Efforts, New Problems, New Solutions*, 9 JOURNAL OF LAW & FAMILY STUDIES, 2007, at 299-397.

<sup>6</sup> K. MALM, J. MURRAY, R., & GEEN, *WHAT ABOUT THE DADS? CHILD WELFARE AGENCIES' EFFORTS TO IDENTIFY, LOCATE AND INVOLVE NONRESIDENT FATHERS*, (The U.S. Department of Health and Human Services, Office of the Assistant Secretary of Planning and Evaluation, Washington, DC, 2006), at ix, 85-86.

<sup>7</sup> *Id.* at 25.

<sup>8</sup> In focus groups sponsored by the Annie E. Casey Foundation, caseworkers indicated they preferred working with single mothers than with fathers, particularly when there were multiple fathers. See J. Rosenberg, & W.B. Wilcox, *THE IMPORTANCE OF FATHERS IN THE HEALTHY DEVELOPMENT OF CHILDREN*, (U.S. Department of Health & Human Services, 2006), at 33.

<sup>9</sup> FATHER INVOLVEMENT, *op.cit.*, note 3 at 1-2.

<sup>10</sup> "... the evidence is clear that most children do best when they receive the emotional and financial support of both parents." PARENTING OUR CHILDREN: IN THE BEST INTEREST OF THE NATION, A REPORT TO THE PRESIDENT AND CONGRESS, (Submitted by the U.S. Commission on Child and Family Welfare, Sept. 1996), at 1; "A healthy, positive and ongoing relationship with a father, father figure or male role model is a critical aspect of every young person's development." A. Green, *Policy and Practice Reform to Engage Non-Resident Fathers in Child Welfare Proceedings* (Part 1) 10 CHILD COURTWORKS, August 2008; D. Popenoe, *Life Without Father*, in LOST FATHERS, (C. Daniels, ed., St. Martin's Griffin, 1998), at 33-49; S. McClanahan, *Growing Up Without Father*, in LOST FATHERS, (C. Daniels, ed., St. Martin's Griffin, 1998), at 87-108.

<sup>11</sup> "Putative fathers must be located and brought into court process as quickly as possible." NCJFCJ, *ADOPTION AND PERMANENCY GUIDELINES: IMPROVING COURT PRACTICE IN CHILD ABUSE AND NEGLECT CASES*, (2000), at 10 (hereinafter ADOPTION GUIDELINES).

State laws differ on father's rights, but many states include notice provisions for both parents.<sup>12</sup>

Whether the father participates will be determined by a number of factors including whether the father receives notice and comes to court. Thereafter, his participation will be determined by factors such as whether he was married to the mother, whether he lived with the child and held her out as his own, whether there is an existing custody order, whether he has acknowledged he is the father, whether he asks to participate in the proceedings, and similar considerations, which will be discussed in Section III.

Failure to provide the father his legal rights may have serious negative consequences for everyone involved in the child protection system, and particularly for the child. If the court process does not include the father, in some states he may be able to attack the proceedings when he discovers what has happened. The father's "late arrival" in the proceedings can have an enormous impact on the outcome for the child and can delay permanency for months and years.<sup>13</sup> In some situations the child protection process must start over from the beginning to give the father a fair opportunity to reunify with his child. If the father was never served with notice of the proceedings, even an adoption could be overturned.<sup>14</sup>

*Promoting children's social well-being.* Socially, research reveals that children have better outcomes when they have two parents involved with their upbringing.<sup>15</sup> A father can be a critical person in a child's life and help a child understand who he is and how he fits into the social scheme of the world around him. The father's family provides an additional resource for the child socially, emotionally, and financially. Indeed, the father's family, on average, will provide the child with one-half of her relatives. Studies of families show that this can mean scores if not hundreds of potential relative connections.<sup>16</sup> Federal law encourages placement of children in so-called kinship foster care (with relatives).<sup>17</sup>

12 Many states base their statutes on the Uniform Parentage Act of 1973 which provides that once the parent-child relationship is established between a man and a child, the rights and duties inherent in that relationship are the same as for all other parents and children. *See for example*, California Welfare and Institutions Code section 311 (West, 2008), "The probation officer shall thereupon notify each parent or each guardian of the minor of the time and place of the hearing . . ."

13 "Timely resolution of paternity issues is both in the best interests of the child and essential to avoiding delays at subsequent points in the court process." ADOPTION GUIDELINES, *op.cit.*, note 11 at 10.

14 For example, *see* State ex rel. DHS v. Rardin, 134 P.3d 940 (Or. 2006); In re Shaiesha O., 887 a.2d 415 (Conn. App. Ct. 2006); In re Deztiny C., 723 N.W.2d 652 (Neb. Ct. App.) 2006; In re Dylan Z., 697 N.W.2d 707 (Neb. Ct. App. 2005).

15 M. PARKE, ARE MARRIED PARENTS REALLY BETTER FOR CHILDREN? WHAT RESEARCH SAYS ABOUT THE EFFECTS OF FAMILY STRUCTURE ON CHILD WELL-BEING, (Center for Law and Social Policy, Washington, DC, 2003); S. McLanahan, & G. Sandefur, GROWING UP WITH A SINGLE PARENT: WHAT HURTS, WHAT HELPS, (Harvard University Press, Cambridge, MA, 1994); W. Horn, & T. Sylvester, FATHER FACTS, 4<sup>th</sup> ed., (National Fatherhood Initiative, Gaithersburg, MD, 2002), at 15.

16 L. Edwards, & I. Sagatun-Edwards, *The Transition to Group Decision Making in Child Protection Cases: Obtaining Better Results for Children and Families*, 58 JUVENILE & FAMILY COURT JOURNAL, Winter 2007, at 8-9 (hereinafter *Group Decision Making*); K. Beck, L. Edwards, D. Meyers, & J. Walter, *Finding Family Connections for Foster Youth*, 27 ABA CHILD LAW PRACTICE, Oct. 2008, at 113-125 (hereinafter *Finding Family Connections*).

17 42 U.S.C. section 671(a)(19) (2008).

As of 2002, kinship placements provide homes for more than 400,000 children, with grandparents providing over one-half of those homes.<sup>18</sup> New federal legislation places even greater emphasis on identifying extended family members and including them in placement and permanency planning discussions.<sup>19</sup>

*Providing financial resources for the child.* A father can bring financial support directly or through child support to the caretaker.<sup>20</sup> The father may also be able to provide health and dental insurance. If the father dies, the child may be entitled to receive Social Security benefits and/or a share of his life insurance or other assets if he dies intestate, and some or all of those benefits if he has a will. The chances of entering college, completing high school, and finding job opportunities are enhanced with a father's involvement in a child's life. The father's extended family offers additional opportunities for economic support.

*Promoting healthy child development.* A father's presence can give the child a sense of belonging to a complete family. Young boys, in particular, look to the father to see who they will some day be. Failure to know who one's father is can lead to a lifetime of questioning and searching for one's "roots."<sup>21</sup> A father's involvement also will impact future generations. Researchers have concluded that fathers' participation in their children's lives will benefit the father as well as the child. Fathers who participate in the child rearing process are more likely to become societally generative at midlife.<sup>22</sup> Indeed, "[t]he quality of a young adult's life may be linked, for better or worse, with the quality of the fathering he or she received as a child."<sup>23</sup> Additionally, many national policy makers have concluded that the father should be involved in child protection proceedings, and that his identification and engagement should be promoted as early as possible in the court process.<sup>24</sup>

Finally, our common sense tells us that fathers should be involved in their children's lives. We do not need data or studies to conclude that a father's involvement will improve the child's quality of life.

18 U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES, REPORT TO THE CONGRESS ON KINSHIP FOSTER CARE, Washington, DC (2000), at vi.

19 H.R. 6893, THE FOSTERING CONNECTIONS TO SUCCESS AND INCREASING ADOPTIONS ACT OF 2008, sections 102, 103 and 104.

20 Children in father-absent homes are five times more likely to be poor. U.S. CENSUS BUREAU, CHILDREN'S LIVING ARRANGEMENTS AND CHARACTERISTICS: March 2002, P20-547, Table C3. (Washington, DC: GPO, 2003).

21 The literature is replete with stories of persons searching for their fathers. See ALEX HALEY, ROOTS (1976); S. Kershaw, *In Adoptee's Search for Roots, Loss and Gain Collide*, THE NEW YORK TIMES, Aug. 11, 2008, at A17; <http://www.rootsweb.ancestry.com>.

22 G. Valliant, *Foreword* to HOW FATHERS CARE FOR THE NEXT GENERATION, by John Snarey, Harvard University Press, 1993, at xii. "Societally generative" in this context refers to the power within a man to be productive socially and in his own life.

23 Snarey, *id.*, at 149.

24 ADOPTION GUIDELINES, *op.cit.*, note 11 at 10; L. Edwards, *Improving Juvenile Dependency Courts: Twenty-Three Steps*, 48 JUVENILE AND FAMILY COURT JOURNAL, 1997, 1-24, at 6.

### III. IDENTIFYING FATHERS AND DETERMINING PATERNITY

“Father” is a term of art. There are different types of fathers, with different names, and the laws in many states treat each type of father differently.<sup>25</sup> These statements are counter-intuitive for the person on the street. After all, we all think of father as the child’s male biological parent. He is the man who provides the reproductive material that joins with the female egg to form a fetus. But whether the law will acknowledge him as a father entitled to all of the legal rights and protections given to the mother will be determined by other factors such as: was he married to the mother at the time of conception? If not, did he acknowledge that he is the child’s father? When did he do so? Was he present at the child’s birth? Did he acknowledge paternity at the hospital or place his name on the birth certificate? Did he live with and support the child after birth? Did he attempt to have contact with and support the child after birth? Was he prevented from doing so? Does more than one person claim to be the father? Did he register on a putative father’s registry? Depending on the state law and answers to the issues raised above, biological fathers in some jurisdictions may find they have fewer rights than they would in others.

The judge must sort all this out and declare who the father is and what legal status he will have with regard to the child before the court. To accomplish this task, the judge must aggressively pursue the issue of paternity from the outset of the case.<sup>26</sup> As often as not, the information the social worker collects before the initial hearing will be incomplete regarding the father’s identity, location, and legal status. The judge’s first task is to obtain as much information from the mother as possible. The following courtroom exchange typifies the judge’s role in determining the identity and location of the father from a reluctant mother. (Please note that names used in the dialogues are fictitious and do not pertain to any persons involved in specific cases.)

25 “There is no standard definition for ‘father’ in statutes across the States.” *The Rights of Presumed (Putative) Fathers*, Child Welfare Information Gateway, U.S. Dept. of Health and Human Services, ACF, Children’s Bureau, at 2, available online at [http://www.childwelfare.gov/systemwide/laws\\_policies/statutes/putative.cfm](http://www.childwelfare.gov/systemwide/laws_policies/statutes/putative.cfm). In summary, an *alleged* father is someone the mother or someone else has identified as being the father; a *biological* father is the man whose sperm impregnated the mother and produced the child; a *presumed* or *putative* father is someone who is married to the mother at the time of birth or who because of his relationship to the mother and the child or because of a hospital declaration is given special legal consideration over all others claiming to be the father of the child. (This paper will use the term *putative* instead of *presumed* throughout.) A *de facto* father is a man who has served in the parental role even though he is not the biological father, nor is he married to the mother. Finally, California has a special type of father called a *Kelsey* father. He is a biological father who has tried to establish his paternity, but who has been frustrated by the mother, relatives, or the court process. In California, a so-called *Kelsey* father will be given special consideration by the court process. See *In re the Adoption of Kelsey S.*, 1 Cal.4th 816, 4 Cal.Rptr.2d 615 (1992). See generally, M. Mathews, *Am I My Child’s Parent? Recent Developments in the Law of Parentage*, 23 CHILDREN’S LEGAL RIGHTS JOURNAL, Summer 2003, at 44-51.

26 In some states the paternity enquiry is required by statute to occur at the initial hearing. See California Welfare & Institutions Code section 316.2(a) and California Rule of Court 1413(b). This is a best practice since it focuses upon a critical issue at the earliest court hearing. See also L. Edwards, *Achieving Timely Permanency in Child Protection Courts: The Importance of Frontloading the Court Process*, 58 JUVENILE AND FAMILY COURT JOURNAL, Spring 2007 (hereinafter *Achieving Timely Permanency*).

Judge: Good morning Ms. Jones. Thank you for coming to court today. As you know, we are here today regarding the legal proceedings involving your child. I have several questions I must ask you at the outset. These questions have to do with the identity of your child's father. They are so important that I am going to ask you to raise your right hand and give an oath that you will tell the truth. (The oath is administered). First, are you married?

Mother: No.

Judge: Have you ever been married?

Mother: Yes, but I think we are divorced. At least, he said he was going to get a divorce. I haven't seen him for years.

Judge: What is that person's name?

Mother: Jack Williams.

Judge: How can we contact him?

Mother: I have his address because the child support people have been getting him to pay child support for my other child.

Judge: Will you please give that information to the social worker after court?<sup>27</sup>

Mother: All right.

Judge: Who is the father of your newborn son, Charlie?

Mother: I don't know.

Judge: Ms Jones, it is necessary that I know who the father is. These are important legal proceedings and you must answer my questions. Who is Charlie's father?

Mother: I only met him once.

Judge: Where did you meet him?

Mother: In a bar.

Judge: What is the name of the bar?

Mother: I forget.

Judge: Where is the bar?

Mother: It's on the corner of 4<sup>th</sup> and Washington, downtown.

Judge: What did you call him when you met him?

Mother: He just went by "Big Al."

Judge: Did you see him there more than once?

Mother: Yea, he hangs out there.

Judge: Did he say where he worked?

Mother: No.

Judge: Did he say where he lived?

Mother: No.

Judge: Have you seen him lately?

Mother: Once in a while.

Judge: Have you told him about Charlie?

Mother: I may have told him.

Judge: Was he present at the birth of the baby?

Mother: No way!!

Judge: Has he ever seen the baby?

Mother: No way, I wouldn't let him near the baby.

Judge: Did he ever see you when you were pregnant?

Mother: I don't remember.

<sup>27</sup> This follow-up by the social worker is important. If the divorce was never finalized (and often it has not been), this man is the putative father of the child since he and she were married at the time of the conception and birth. However, someone else is the biological father of the child. If the husband can be found, he is entitled to notice. Usually, he tells the social worker or comes to court and states he is not the father and does not want to have any involvement in the case.

Judge: Did he ever talk about his family?

Mother: I don't remember.<sup>28</sup>

Judge: Ms. Jones. . . . this is very important. Did he tell you about his family?

Mother: He said he lived with his mother and aunt.

Judge: Could you show the social worker or your attorney where the bar is?

Mother: I guess so.

Judge: Could you point out Big Al to them if you saw him?

Mother: I guess so, but you have to watch out, as I hear he is dangerous.

Judge: Thank you, Ms. Jones. Ms Tompkins (the social worker), did you hear the answers that Ms. Jones gave? I order you to follow up on that information. Moreover, I order you to continue this search as long as this child's case is before the court.<sup>29</sup>

These courtroom exchanges have resulted in many fathers being identified and located for involvement in court proceedings. The judge's stature is such that answers are likely to be forthcoming, answers that may not be revealed to a social worker or even to an attorney. It takes extra time for judicial questioning, but the results are well worth it.

*Ordering the social worker to follow up.* The court can then order the social worker to follow up on the information disclosed and to investigate to locate the father and give him notice of the proceedings. At later hearings, the court can follow up on the social worker's progress.

*Questioning potential fathers directly.* Sometimes a man claiming to be the father will appear at the courthouse. The judge must be aware of the presence of anyone claiming to be a father. The person bringing parties into the courtroom may not include such a man, particularly if the mother says she does not want him in the courtroom.<sup>30</sup> Once before the court, the judge must ask a number of questions regarding paternity.

28 "Not asking about, or assuming uninvolved, or accepting 'I don't know where my child's father's family lives,' are all examples of inadequate approaches to seeking out father in the lives of children in foster care—and not just father's, but 'their families' too." G. Mallon, *Engaging Fathers in Permanency Planning: Early Identification of Paternal Resources*, National Resource Center for Foster Care & Permanency Planning, Winter 2003, 1-5, at 1.

29 This hypothetical situation reflects some real world situations. After I wrote this hypothetical court dialogue, I received the following e-mail from Judge J. Dean Lewis (ret.) about a similar situation: "I recall one case when there was a CASA volunteer present at the first hearing and when I asked my litany of questions about the identity of the father, the mother said she did not know the father's full name but did know his first name and that he worked in a bar in a town close by. The CASA volunteer went to the bar and found the man and we did a DNA test and he was the father. His mother (paternal grandmother) took custody and was thrilled to know she had a grandchild who otherwise would have been in foster care because the mother was petitioning to enter into a voluntary relinquishment of parental rights." (Sept. 26, 2008; on file with the author).

30 This may seem to be a trivial matter, but some courtrooms I have observed it is a court officer or bailiff who is designated to collect the parties for each case and then escort them into court. In most states, the proceedings are confidential, and this sometimes results in the court officer excluding persons she believes should not be permitted. The excluded person may be an unmarried person claiming to be a father, a relative, or other interested person. The court must establish a system that provides the court with information about all persons who wish to be present in any child protection case. The court can then decide who will be permitted to be present in the courtroom and for what portion of the proceedings. Another best practice is for the judge to ask the social worker whether she has had any contact with anyone claiming to be the father of the child. If that has happened, the judge should follow up with additional questions, such as "Did you offer him the opportunity to take tests to determine his paternity?" and "Did you inform him of these court proceedings and his right to be present?"

Judge: Good morning. What is your name?

Father: Good morning, Judge. I'm John Soto and I'm the father of the child, little Harry.

Judge: Well, I am going to ask you some important questions about your relationship to Ms Rivera and the child, little Harry. Would you please stand while my clerk administers the oath? (oath administered). Are you married to the mother, Ms. Rivera?

Father: No sir, I'm not, but I know he's my son.

Judge: Are you living with Ms. Rivera?

Father: No sir, she and I have had a falling out and she won't talk to me, and she wouldn't let me see the boy.

Judge: Were you present when the baby was born a few months ago?

Father: I wanted to be, but she wouldn't tell me where the hospital was.

Judge: Do you want to be a father to this child?

Father: I sure do and so does my family. My mother and father and a sister are outside the courtroom and they want to visit with the child also. My sister would love to have the child live with her, if he can't return to his mother's care or live with me.

Judge: Ms. Rivera, do you believe that Mr. Soto is Harry's biological father?

Mother: I guess so, judge.

Judge: Madam Social Worker, I order you to arrange for DNA testing to determine if Mr. Soto is the biological father of the child. I want that completed as soon as possible at department expense<sup>31</sup> with the results returned to court in 14 days.<sup>32</sup> Furthermore, in light of the financial affidavit that Mr. Soto has filled out I am appointing Mr William Frank to represent Mr. Soto through these proceedings. My court attendant will give you Mr. Frank's telephone number, Mr. Soto.

This scenario could have different answers and outcomes, but the judge is demonstrating the importance of determining paternity at the earliest possible stage.<sup>33</sup> If the father had shown ambivalence and decided he did not want to participate in the proceedings, he might decide not to participate further in the legal proceedings.

31 The issue of payment for paternity testing has been raised in several states. It is in the best interests of the child, the family, and the court process that paternity be established as soon as possible. The state has an interest in this determination and should be responsible for the cost of the testing. Since the state also has an interest in identifying fathers for child support purposes, social workers should be ready to work in tandem with child support authorities to complete paternity testing. Putting the burden on the father to arrange for blood or DNA testing or requiring him to file a paternity action is unduly burdensome and unrealistic, particularly if he is indigent; it is also time consuming. It is in the best interests of the child to have paternity established as soon as possible. Some courts have located a genetic testing site within the courthouse, which can save time in the paternity determination process. Cook County (Chicago) is a model for this practice.

32 In some courts, the question of paternity can be and is determined immediately. If the parties are living together and each claims that the person claiming to be father is indeed the father, the court could place both parties under oath, examine them about their relationship, advise the father of his right to have a formal court hearing on the issue of paternity, advise the father of the rights and responsibilities relating to a paternity determination, and make a finding of paternity. If there is any question about the issue, DNA or other testing is necessary. If the father has any questions about the legal issues, an attorney should be appointed prior to the paternity examination and finding. However, it is also true that some dependency (abuse and neglect) courts do not have the authority to determine paternity and must refer the alleged father to another court to make that determination. This is not a best practice. It slows down the proceedings and presents an additional barrier to involving the father in the court process. State legislatures or court rules should restructure the law so that the child protection court can make binding paternity determinations.

33 "The biological father of the child should be identified at the earliest possible moment . . . The courts have a responsibility to society and each child to provide swift determination of paternity as soon as possible after the child's birth." Judge Sharon Townsend, *Fatherhood: A Judicial Perspective*, 41 FAMILY COURT REVIEW, July 2003, 354-361, at 357.

*Protecting the alleged father's legal rights.* Unfortunately, some state statutes place obstacles in the way of non-resident fathers, including fathers who might be interested in connecting with their children and participating in the juvenile court child protection proceedings. These statutes may require the father to file a legal action to determine his paternity, register in a putative fathers' registry, or take other independent action to have the right to receive notice and participate in the proceedings.<sup>34</sup>

One troublesome situation involves a man who the unwed mother claims is the father and who otherwise would not qualify as a putative father under the Uniform Parentage Act.<sup>35</sup> In many states this person is called an alleged father. The best practice is for the court to order that he be served with notice of the proceedings. In some jurisdictions, the court will immediately appoint counsel to represent him, to assist in the search for his location, and to advise him of his rights.<sup>36</sup> In most states, no attorney will be appointed unless paternity is established. In some states, attorneys are rarely or never appointed for a father or mother at this or any stage of the proceedings.<sup>37</sup>

It is important that the court devote time and energy to determine whether any alleged father is the child's biological father. This means providing him notice of the proceedings and an opportunity to determine whether he is the father. Regardless of whether the court or other legal system participants believe that he is unworthy of the court's attention and efforts, the fact is that many children are born out of wedlock,<sup>38</sup> and many children in child protective proceedings come from unmarried parents. These children did not choose their parents or their parents' marital status. To punish them for their parents' behaviors is a form of abuse.<sup>39</sup> It is also unconstitutional.<sup>40</sup> These children deserve the same level of advocacy and assistance in connecting

<sup>34</sup> See, generally, Iowa Code section 232.91(1); South Dakota Codified Laws, Title 25, Chapter 25-6-1.1; Code of Virginia, Title 16.1, Chapter 11, Article 8, section 16.1-277.01B4; Florida Statutes Annot., Title VI, Chapter 63, 63.062; Idaho Code Annot., Title 16, Chapter 15, section 16-1505 (2) et.seq.

<sup>35</sup> Uniform Parentage Act, available at <http://www.nccusl.org>. Also, see note 25.

<sup>36</sup> D.C. Code section 16-2304 (and see notes 58-59 and accompanying text *infra*.) In Massachusetts, an attorney appointed to represent a father may have to locate him. See A. Cohen, *Special Considerations in Representing Parents*, CHILD WELFARE PRACTICE IN MASSACHUSETTS, Vol. II, Chapter 22, Massachusetts Continuing Legal Education, 2006, section 22.2.4(a).

<sup>37</sup> In Nevada, indigent parents do not have a legal right to representation and as a result only have representation when the judge orders it. This is also true in Indiana. In Minnesota, as of the date of this article, the Office of Public Defender has stopped representing parents so there are no state-funded attorneys for indigent parents in the child protection system.

<sup>38</sup> The National Center for Health Statistics reports that 38.5% of all births in the United States in 2006 were to unmarried mothers, another all-time high. [http://www.cdc.gov/nchs/data/nvsr/nvsr57/nvsr57\\_07.pdf](http://www.cdc.gov/nchs/data/nvsr/nvsr57/nvsr57_07.pdf)

<sup>39</sup> Our language is replete with words reflecting the negative status of children born to unmarried parents. "Bastard," "whoreson," "son of a bitch," "illegitimate," and "son of a whore" are just a few terms reflecting the negative social stigma attaching to these children that has been passed on through the centuries. Recall *The Scarlet Letter* by Hawthorne when Hester Prynne and her child return from jail and the community's response—throwing mud on mother and child. For the legal system to continue this age-old discrimination against children and their unmarried parents is unconscionable.

<sup>40</sup> "... imposing disabilities on the illegitimate child is contrary to the basic concept of our system that legal burdens should bear some relationship to individual responsibility or wrongdoing. Obviously, no child is responsible for his birth and penalizing the illegitimate child is an ineffectual—as well as an unjust—way of deterring the parent . . . the Equal Protection Clause does enable us to strike down discriminatory laws relating to status of birth."

to and reunifying with family as children of married parents. They deserve a legal system that looks out for their interests, identifies and attempts to engage their father, provides support for both parents, and assists in permitting them to know their families.

The judge's role at these early stages of the proceedings is to ensure that all potential fathers are given notice of the proceedings and an opportunity to determine their paternity and to participate fully in the proceedings should paternity be established. This is true whether the father is unmarried, incarcerated, has been violent toward the mother, or presents other concerning or dangerous behaviors. Even fathers who deny paternity may still be required to submit to DNA testing to refute or confirm their paternity.

#### IV. MONITORING AGENCY ACTIONS

The court cannot assume that the child welfare agency is doing all that it can to identify, locate, give notice to, and support the father in child protection proceedings. The Adoption Assistance and Child Welfare Act of 1980 and the Adoption and Safe Families Act of 1997<sup>41</sup> require court oversight of agency actions regarding many aspects of child protection cases. Furthermore the Child and Family Service Reviews (CFSRs) assess each state's child welfare agency on a number of measures including: (1) whether the agency made concerted efforts to involve *parents* in the case planning process in an ongoing process; (2) whether the caseworker had frequent and high quality meetings with the *parents*; and (3) whether the caseworker demonstrated concerted efforts to provide visits of sufficient quantity and quality to promote continuity in the child's relationship with the *parents* and siblings.<sup>42</sup> The CFSR assessments make it clear that the social worker is expected to work with both parents while a child's case is before the court. These federal laws and guidelines make it clear what the agency is mandated to do and that the court is expected to monitor agency compliance. Within the context of each case, the court can specify what it expects of the agency and then hold the agency accountable.<sup>43</sup>

*At the shelter care hearing,*<sup>44</sup> the court should ask what actions the social worker has taken to identify and locate the father. Has the social worker:

- asked the mother about the identity and location of the father?
- used any search technology such as the child support locator to locate the father?

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Pickett v Brown, 462 U.S. 1, 7 (1983); *See, also* Gomez v Perez, 409 U.S. 535, 538 (1973) ("a State may not invidiously discriminate against illegitimate children by denying them substantial benefits accorded children generally.").

<sup>41</sup> PL 96-272, THE ADOPTION ASSISTANCE AND CHILD WELFARE ACT OF 1980, 42 U.S.C. section 670 *et. seq.*; PL 105-89, THE ADOPTION AND SAFE FAMILIES ACT OF 1997.

<sup>42</sup> Items 13, 18 and 20, Child and Family Service Review. The CFSR results from almost every state have been disappointing in all of these measures.

<sup>43</sup> "The court must ensure that the efforts of the child welfare agency are thorough and diligent in locating and involving all legal and putative fathers." ADOPTION GUIDELINES, *op.cit.*, note 11 at 10.

<sup>44</sup> There are numerous terms used for the first hearing in a child protection case. They include shelter care hearing, initial hearing, probable cause hearing, and detention hearing. This paper will refer to it as the shelter care hearing.

- asked mother's relatives about the father and his relatives?
- asked the mother about the identity and location of any of father's relatives?
- used family finding technology to identify the father's relatives?<sup>45</sup>
- contacted any of father's relatives concerning his location?
- checked with local jail or state prison representatives to determine whether the father is incarcerated?
- checked with probation or parole authorities to determine if the father is on probation or parole?
- talked with the child or the child's siblings about contact with the father or father's relatives?

These and other questions will inform the caseworker about the thoroughness of the inquiry the court expects concerning the father's identity and location.<sup>46</sup>

*Monitoring the social worker's efforts to identify and locate the father.* The court should both support and monitor the social worker's efforts to identify and locate the father. This can be accomplished through interim review hearings where the court addresses specified issues and through reports to the court. The social worker's failure to follow through could result in the court making a finding of "no reasonable efforts" since the father's identity can lead to preventing foster care placement.<sup>47</sup>

*Giving notice to the father.* Contacting and giving the father notice that legal proceedings have commenced is another critical stage in child protection cases. State statutes differ on the type of notice that is required before the court can proceed. Some states do not require the state (agency) to give an unmarried father notice of child protection proceedings or require notice only when that person has taken specific steps such as entering his name in a paternity registry to establish his paternity.<sup>48</sup> Illinois, on the other hand, includes unmarried fathers in the definition of a parent and requires personal service at the outset of the case.<sup>49</sup> Notifying the father is so important that Illinois law gives the father the right to demand a shelter care re-hearing when he finally appears.<sup>50</sup>

45 Family finding is a philosophy that emphasizes the importance of family members as a solution to the problems facing abused and neglected children. See *Group Decision Making, op.cit.*, note 16 at 8 and *Finding Family Connections, op.cit.*, note 16.

46 This is not a trivial inquiry. In some states, failure to conduct a thorough investigation asking questions similar to those in the text can result in reversal of a termination of parental rights decision. See *In re S.P. and K.P.*, 672 N.W.2d 842 (Iowa Supreme Court, 2003); "For example, the investigator did not talk to the children or their caretaker, Scott, or to the children's mother." 672 N.W.2d. at 848.

47 On the use of the "no reasonable efforts" finding, see L. Edwards, *Improving Implementation of the Adoption and Child Welfare Act of 1980*, 45 JUVENILE AND FAMILY COURT JOURNAL, 1994, at 19-23, and L. Edwards, *Reasonable Efforts: A Judicial Perspective*, THE JUDGE'S PAGE, National CASA Association, July 2008.

48 *State v Corrigan*, 600 S.W.2d. 87, (Missouri App., 1980); Minnesota Statutes Annot., Chapter 259, section 259.49, subdivision 1; Iowa Code Section 232.91(1). But this restrictive statute has not prevented the Iowa judges from taking a much more proactive attitude toward the identification, notice, and engagement of non-resident fathers in child protection cases. See the discussion *infra* at 26-27.

49 705 ICLS 405 1-3 (11); 405 1-5(1); 405 1-5(1.5); 405 2-10(3). On the inadequacies of parental registries to inform non-resident fathers of their rights, see L. Nolan, *Preventing Fatherlessness Through Adoption While Protecting the Parental Rights of Unwed Fathers: How Effective Are Paternity Registries?*, 4 WHITTIER JOURNAL OF CHILD AND FAMILY ADVOCACY, Spring 2005, at 289-322, noting that fathers do not know about the registry and that registries are ineffective in interstate adoptions (at 321-322).

50 705 ICLS 405 2-10(4).

Only after extensive efforts can the agency use substituted service, usually publication in a legal newspaper, to provide the father with notice.<sup>51</sup> The Illinois Legislature's commitment to engaging the father is a best practice that other state legislatures should emulate.

*Ordering DNA testing to establish paternity.* When the court orders DNA or other testing to determine paternity, the court should let its expectations be known regarding who is responsible for payment for the test, the Title IVD agency or the child welfare agency, depending on which can accomplish the DNA testing more quickly or at the lowest cost. These are issues that impact the child's best interests as well as the timeliness of the court process, already under strict ASFA guidelines. If there is any question about the agency's follow-through, the court should hold an interim review to check on the progress of the testing.

*Ensuring that visits begin promptly once paternity is established.* Once paternity has been established, visitation should begin immediately unless there is reason to believe such contact would harm the child.<sup>52</sup> The agency should not wait for weeks or months to return to court to start that visitation. The agency should also consider permitting the father's relatives to participate with the father in visits. His relatives may be important in helping the father develop a positive relationship with his child. The court can assist the prompt beginning of visitation by making an order for visitation contingent upon the paternity finding without necessitating a return to court.

*Ensuring that the agency provides services to the father.* Additionally, the court should make it clear that it expects the agency to offer the father services once paternity is established. Since some fathers ask for service referrals before paternity is determined, the court should encourage the agency to permit this to occur.

## V. ENGAGING FATHERS IN THE CHILD PROTECTION PROCESS

### A. Court Involvement in the Engagement Process

*Treating fathers with respect.* When the father appears in court, the judge must treat him with respect, acknowledging his importance to the legal proceedings and to the child.<sup>53</sup> Simple courtesies can make the difference between a positive and negative court experience for the father.

Judge: Good morning Mr. Smith. How are you today?

Mr. Smith: Fine, thanks, Judge. Say, just why am I here today?

Judge: Mr. Smith, Miss Francis says that you are the father of her baby boy, Ricky. There are currently legal proceedings in this court involving Ricky, and, if you are the father,

<sup>51</sup> 705 ICLS 405 2-15, 2-16.

<sup>52</sup> It is the social worker's responsibility to bring to the attention of the court facts that might lead the court to conclude that visits would be harmful to the child.

<sup>53</sup> ". . . what I am saying is that what is very very important is treat the man with dignity and respect. The goal is for him to feel that he is being treated fairly and that he can be a part of his child's life and we will take him seriously." E-mail to the author from Commissioner Marilyn Kading Martinez, June 12, 2008 (on file with author).

you have a right to participate in those proceedings. I have a number of important questions to ask you today. Please stand and raise your right hand so that my clerk can administer the oath. Thank you.

Is it possible you are the father of little Ricky?

Mr. Smith: Well, I don't know, Judge. Miss Francis has a lot of boyfriends, and I'm not married to her, you know.

Judge: Well she seems pretty sure that you are the father. That's great news, isn't it!

Mr. Smith: I don't really know, Judge.

Judge: Being a father is a wonderful event. I want to offer my congratulations.

Mr. Smith: Thanks, Judge, but I'd like to be sure. Could I get some testing done to make certain that I'm the father?

Judge: Certainly, Mr. Smith. The social worker will arrange for DNA testing this week. Will you go to the testing center when she tells you the date?

Mr. Smith: I guess so.

Judge: Have you told your parents about Ricky?

Mr. Smith: I did mention it to my mother.

Judge: And was she happy with the news?

Mr. Smith: Yea, she was pretty excited.

Judge: As soon as the testing is completed, would you like to have visits with Ricky?

Mr. Smith: Sure, I guess.

Judge: Would you like it if your mother were also able to visit?

Mr. Smith: Sure, I guess. I know she would like it.

Judge: The social worker can refer you to a class for new fathers where you could meet with other young men to discuss what it means to be a father and how to care for your child. Would you like to participate in that class?

Mr. Smith: Sure, if I'm the father, I'll do it.

Judge: If we determine that you are the father, I may be ordering you to participate in services to show that you can be a safe and supportive parent. It makes sense to start these classes as soon as possible.

Judge: Would you like a picture of Ricky?

Mr. Smith: Yes, that would be nice.

Judge: Once the testing is complete, the social worker will provide you with one. I want you to return to court in ten days. I will appoint you an attorney once the paternity testing is complete and you are proven to be the father. Then there will be an adjudication hearing in two weeks. You have a right to appear at that hearing and all hearings thereafter. Also, it is my duty to caution you now that these legal proceedings have been brought on behalf of Ricky. He needs to have a permanent home as soon as possible. The law prefers to have him placed with a parent, but if the parents are unable to provide a safe, permanent home, it will be my task to find Ricky another permanent home. If you are the father, you will be given a fair chance to show that you can provide that permanent home, but you will only have a year or even less to do so. Do you understand?

Mr. Smith: Yes, Judge, I understand.

Engaging fathers in the child protection process involves strategic thinking and planning. For the father who enthusiastically comes to court asking to engage fully in all aspect of his child's life, participate in services, and attend all court hearings, there is little the court needs to do. The enthusiastic father, however, is the exception. More often the father is ambivalent about participating in the case, his relationship to the mother, and coming to court. Moreover, he may worry about getting involved in legal proceedings because he is an undocumented immigrant or has outstanding arrest warrants. He

may be worried about support and the obligations that accompany paternity. He also may not have a good relationship with the social worker or with the court-appointed attorney.

*Identifying and removing barriers to the father's participation.* The court can increase the likelihood that the father will show an interest in his child by identifying and removing barriers to his participation and by encouraging him to become involved with his child. The barriers include anything that makes it more difficult for the father to play a role in his child's life. For example, the court should inquire whether the father has transportation to and from the facility that will perform the DNA testing, to the courthouse, to the site for visitation, and to the location of services. The court must know how the father can be contacted. Staying in contact with homeless fathers presents unique challenges. Identifying a telephone or a mailing address to which the father has access is important. The court should ensure that language interpreters for non-English-speaking fathers are available at all critical events in the case. The court should determine whether the father's relatives are able to help the father address these barriers by providing transportation or receiving mail. The court should also find out whether the father can read the legal documents that he is given throughout the court process. This may embarrass the father (or mother), but the father's inability to read can present a significant barrier to his full participation in the case.

*Appointing qualified counsel for father early in the case.* Appointing counsel for the father is critical to his involvement in the court process. Counsel can help identify and locate the father. Counsel can take the time to explain in detail the father's rights, the consequences of the proceedings, and the urgency of taking timely action with regard to services. Counsel can inform the court about problems the father is experiencing that otherwise would escape the court's notice. Counsel can facilitate communication between the father and the caseworker, and ensure that the father's rights are upheld. The earlier the court makes the appointment, the more valuable counsel's contributions will be to the father and to the court process.<sup>54</sup>

There is no constitutional right to counsel for indigent parents in child protection cases.<sup>55</sup> State laws and practices vary with regard to the appointment of counsel for indigent parents. In a 1998 survey, the authors found that:

- 39 states provide that counsel be appointed for indigent parents;
- 6 states include provisions that counsel be appointed for parents in all child protection proceedings;
- 3 states provide only for the appointment of counsel for parents in termination of parental rights cases;

<sup>54</sup> NATIONAL COUNCIL OF JUVENILE AND FAMILY COURT JUDGES, CHILD ABUSE AND NEGLECT: REPRESENTATION AS A CRITICAL COMPONENT OF EFFECTIVE PRACTICE, March 1998, Reno, at 85 (hereinafter NCJFCJ SURVEY).

<sup>55</sup> In 1981, in the case *Lassiter v Department of Social Services*, 452 U.S. 18, the United States Supreme Court ruled that due process does not always require the appointment of counsel in termination of parental rights cases. Since child protection proceedings are less intrusive than termination of parental rights, it is logical to conclude that there is no constitutional right to counsel in child protection proceedings.

- 3 states do not provide explicitly for the appointment of counsel in statute.<sup>56</sup>

The same survey revealed that counsel is appointed at some point during a child protection case and that 11 states reported that counsel for parents is generally not appointed.<sup>57</sup> Finally, the survey concluded that appointment of counsel much of the time is inadequate to provide effective assistance for three reasons:

1. Parents' attorneys are not appointed in time to adequately prepare;
2. Parents' attorneys are not given the time, resources, and compensation to adequately represent their clients; and
3. Parents' attorneys often face a tension between zealously representing their clients and "core concepts" of morality [that] dictate care and concern for the abused child.<sup>58</sup>

The survey demonstrates that representation for indigent parents is not provided in all states, and often appointed counsel does not provide adequate representation. Appointment for non-resident fathers occurs less frequently than for mothers and putative fathers. For adequate counsel to represent non-resident fathers, standards of representation must be raised. Fortunately, some jurisdictions have set high standards for the appointment of counsel for all fathers. In the District of Columbia, the Family Court appoints counsel for all fathers (acknowledged or alleged, present or absent) at the initial court hearing in every child protection case.<sup>59</sup> Attorney names are submitted to the judge before the initial hearing, and the judge appoints counsel who are then notified of the hearing date. All this is done even before financial eligibility is addressed. Only after the father appears is financial eligibility determined. Additionally, D.C. attorney standards require the attorney to try to locate the father, and the attorneys can use court approved investigators to try to find their clients. Furthermore, if there are paternity issues, the court can order paternity testing which can be done at the court or, if the father is incarcerated, in prison or jail.<sup>60</sup>

The court should also require counsel to participate in training with a specific focus on representing fathers.<sup>61</sup> Some courts require all appointed attorneys to complete

<sup>56</sup> NCJFCJ SURVEY, *op.cit.*, note 54. States that do not have statutes requiring appointment of counsel for indigent parents include Delaware, Idaho, Kentucky, Indiana, Minnesota, and Mississippi. However, just because there is statutory law requiring appointment of counsel for indigent parents does not mean that it will be implemented by the trial courts. Nevada, for example, is currently being sued for failing to appoint counsel for indigent parents (and for children as well).

<sup>57</sup> *Id.*

<sup>58</sup> *Id.*; See also S. Garcia, & R. Batey, *Parents, Children, and the Courts: Article: The Roles of Counsel for the Parent in Child Dependency Proceedings*, 22 GEORGIA L.REV., 1079 at 1093-94.

<sup>59</sup> D.C. Code section 16-2304.

<sup>60</sup> The author secured this information from Wilma A. Brier, Esq, an attorney working with the District of Columbia Family Court, thanks to the assistance of Presiding Judge Lee Satterfield. (E-mail and references on file with the author.)

<sup>61</sup> The role of the court in overseeing the provision of legal services to indigent parents is an important one. One state has written a Standard of Judicial Administration that addresses this issue. See California Standard of Judicial Administration 5.40(c), (West, 2008) which states in part: "The presiding

training as well as observe and participate in court proceedings before becoming eligible for court appointment.<sup>62</sup> Such requirements ensure the availability of an experienced panel of attorneys for representation of parents, and particularly fathers, in child protection cases.<sup>63</sup>

*Encouraging the father to take pride in his status as father.* As the above scenario shows, the court can encourage the father to take pride in his new status as father. The court can identify and make possible some of the positive aspects of being a father, including visits, sharing with other family members, exchanging photos, and participation in doctor visits. The court can congratulate the father—pointing out that this is a major societal and family event—and the father needs to be reminded of it. This encouragement can come from any male in the courtroom:

Judge: Mr. Jones, I have just made a finding that you are Sally's father. I want to congratulate you. This is an important day for you, for your family, and most of all, for your daughter.

Mr. Jones: Oh?

Judge: Yes, having a son/daughter is one of the most wonderful events in our lives. You will be a very important person in your daughter's life, someone she will love, respect, and look up to. And she will be very special in your life.

Mr. Jones: I've never been a father before, and my father was never part of my life.

Judge: You don't want your daughter to have the same experience that you did, do you?

Mr. Jones: No, I don't.

Judge: You can change that by participating in this case and in your daughter's life.

Mr. Jones: Oh?

Judge: Yes, I am a father also and I can tell you that it has changed my life in many positive ways. There are so many things that we do together. You have a great deal to look forward to as a father.<sup>64</sup>

Unfortunately, the court can also present barriers to engagement. By failing to identify the barriers the father may face, the court can make it difficult for the father to visit, to come to court, or to engage in services. Judicial indifference can give the father

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judge of the juvenile court should: . . . (3) Establish minimum standards of practice to which all court-appointed and public office attorneys will be expected to conform. These standards should delineate the responsibilities of attorneys relative to investigation and evaluation of the case, preparation for and conduct of hearings, and advocacy for their respective clients."

<sup>62</sup> *Id.*

<sup>63</sup> The San Francisco Superior Court has developed an elaborate system for identifying qualified attorneys and ensuring that they have both training and experience before they are appointed to represent parents in child protection cases. See San Francisco Superior Court, *Local Rules of Court*, Rule 12.6-12.18.

<sup>64</sup> The suggestion for this type of courtroom exchange came from Judge Carolyn Kirkwood, Presiding Judge of the Orange County (California) Juvenile Court. Judge Kirkwood reports that one of the male attorneys in her courtroom talks to fathers about his experience as a father. Additionally, Judge Kirkwood asks fathers if they work. If they do, she compliments them on their work, on the fact that they are able to support their child, and how important their economic support is to the child's well-being. An additional suggestion is to ask the father if he had a relationship with his own father. Depending on the answer, the court can follow up with "Would you like to have a good relationship with your child?" "Yes." "I think we can help with that." Additionally, research supports the notion that connections with families can refocus a parent's attitude toward life, even after living a life of crime. Desistance (refraining) from crime is one of the byproducts. See S. FARRALL, *RETHINKING WHAT WORKS WITH OFFENDERS*, (Willan Publishing, Portland, 2002), at 8, 146, 152, 159.

the message that the court is not interested in his participation in the case.<sup>65</sup> Some courts show a bias toward alleged fathers, which harms the father and child.<sup>66</sup> Without appellate court oversight, some trial courts will continue to provide only minimal due process or support for fathers.

## B. Identify and Engage the Extended Family

Extended family can be important to engaging fathers with their children. The young father may not understand the importance of a new family member to other members of the family and to the family as a unit. However, other family members—grandparents, aunts, uncles, and siblings—understand how important a new family member is, particularly a baby. They will want to be a part of the baby’s care. They will want the baby to remain in the family. Moreover, they will likely have more influence over the father than any professional in the child protection system has.<sup>67</sup> Parents, siblings, and other relatives may be in the best position to hold the father accountable for his behavior and to ensure that he participates in the legal proceedings.

Young fathers can be uncomfortable with infants. Typically they do not know how to play with or comfort them. They have other interests—sports, employment, dating—and can’t be bothered with caring for a baby. Extended family members can help the father learn how to relate to his child, teach him how to feel more comfortable with the child, and make him understand how important this new addition to the family is to everyone. A father visiting with an infant by himself may have a bad experience and give up on his efforts to be involved in his child’s life. A father visiting with a relative can see the child in the hands of a more skilled family member and can learn from them how to be a better father to the child.

The judge can play an important role in making the extended family a part of the child protection case. The judge can insist that the extended family be told of the legal proceedings, invited to come to court, and included in visitation arrangements. The judge knows that these relatives can help engage the father in his child’s life.

Identifying and engaging relatives is sound policy. It also is the law in many states and has received emphasis in recent federal legislation.<sup>68</sup> More than 23 “relative preference” states have statutes providing that relatives are preferred to nonrelatives when a child is removed from parental care and placed out of home. Relative preference is also the

65 L. Edwards, *The Impact of Judicial Behavior in Juvenile Court Proceedings*, 17 JUVENILE AND FAMILY JUSTICE TODAY, Winter 2008, at 29. As this article demonstrates, judicial indifference sends the message that the court has no interest in the person appearing before it and will not take the time to make the court appearance meaningful.

66 See *In re Baby Boy V.*, 140 Cal.App.4th 1108; 45 Cal.Rptr.3d 198, (2006).

67 “. . . as a general rule most of the literature on desistance [reduction in criminal behavior] supports the idea that marriage and family formation is associated with desistance.” S. FARRALL, & A. CALVERLEY, *UNDERSTANDING DESISTANCE FROM CRIME*, (Open University Press, New York, 2006), at 72; and see FARRALL, *op.cit.*, note 64.

68 See, for example, California Welfare and Institutions Code section 361.3(a) (West, 2008) which states, in part, “In any case in which a child is removed from the physical custody of his or her parents pursuant to Section 361, preferential consideration shall be given to a request by a relative of the child for placement of the child with the relative.” The recent federal legislation places great emphasis on the identification and engagement of relatives. See note 19 *supra*.

practice even in some states without relative preference statutes. It is good social worker practice to identify and work with extended family members. Often the child knows these relatives, which makes placement with them less traumatic to the child. They also share DNA with the child, thus making it likely that they will treat the child with love and will extend efforts to make the child's environment more family-like. Some research indicates that relative placements are safer than non-relatives.<sup>69</sup> Statistics indicate that relatives provide a significant percentage of care for children placed out of home.<sup>70</sup> However, the court must ensure that any relative placement is safe, and that the relatives will not permit the child to have unauthorized contact with either parent.<sup>71</sup>

### C. Use Group Decision-Making Processes

An additional strategy for engaging fathers is to use group decision-making processes throughout the life of a child protection case. In a group decision-making process, family members, family friends, and professionals are convened to address issues relating to the child. Examples in the child protection process include Family Group Decision Making, Family Group Conferencing, Team Decision Making, Family Team Meetings, and court-based mediation. All are described in greater detail in other publications.<sup>72</sup>

These processes enable family members to work together to plan for their children's future. Resources within the family and among close friends are identified, family members offer opportunities for the child to remain with a family member, and fathers can see that they are part of a greater family that wants to raise its children. The father can also see that he has a part to play in the family, and that by working together with other family members, he can be an important person to his child.

Recent studies demonstrate that fathers often participate in group decision-making meetings more frequently than they appear in court. "Family Group Conferences increase the involvement of fathers and paternal relatives."<sup>73</sup> In North San Diego County, California, for example, the agency deputy director of social services reports that their staff will not convene a Team Decision Making (TDM) meeting without the presence of the father. The agency finds that father's participation and the involvement

69 *Group Decision Making, op.cit.*, note 16 at 8-9.

70 The AFCARs data indicate approximately 24% of children in out-of-home care reside with relatives.

71 NCJFCJ, EFFECTIVE INTERVENTION IN DOMESTIC VIOLENCE & CHILD MALTREATMENT CASES: GUIDELINES FOR POLICY AND PRACTICE, (NCJFCJ, Reno, NV, 1999), Recommendation 24, at 67.

72 See *Group Decision Making, op.cit.*, note 16; for a description of Family Team Meetings, see *Achieving Timely Permanency, op.cit.*, note 26 at 13-14; A. MACRAE, & H. ZEHR, THE LITTLE BOOK OF FAMILY GROUP CONFERENCES: NEW ZEALAND STYLE, (The Little Books of Justice & Peacebuilding, Good Books, 2004); FAMILY GROUP CONFERENCING (G. Burford, & J. Hudson, eds., Aldine Transaction, 2005).

73 L. Merkel-Holguin, P. Nixon, & G. Burford, *Learning with Families: A Synopsis of FGDM Research and Evaluation in Child Welfare*, in PROMISING RESULTS, POTENTIAL NEW DIRECTIONS; INTERNATIONAL FGDM RESEARCH AND EVALUATION IN CHILD WELFARE, (National Center on Family Group Decision Making, American Humane, Denver, CO, 2003), at 8. In the same publication, high rates of paternal participation were noted in Washington (at 44), Colorado (at 75), Minnesota (at 85), and England (at 127). "More than a third of the FTM's on average have had fathers present." G. Burford, & J. Pennell, *Family Team Meeting (FTM), Process, Outcome, and Impact Evaluation, Phase II Report: Autumn 2006*, American Humane Association, 2006, at 1, 20.

of his family will almost always benefit the child.<sup>74</sup> The use of any group decision-making process must be safe for all parties, using domestic violence protocols where necessary.

#### D. The Adversarial Process

The adversarial process can be harmful to families.<sup>75</sup> It does not build relationships, strengthen families, or encourage participation by fathers or other family members. Fathers (and most family members) are intimidated by the adversarial process, feel rushed by the court's attention to time constraints, and intimidated by the atmosphere. They do not believe they can speak freely in court, they feel attacked when questioned by the attorneys, and they often leave the proceedings frustrated. As a result, many fathers either do not attend or sit silently in court.

The adversarial process does not build lasting family relationships. One study indicates that in child custody cases in which resolution is reached through the traditional adversarial court process, the father will have significantly less contact with his child over the remainder of the child's life as compared to cases resolved through mediation.<sup>76</sup> Thus, an important strategy for the child protection system is to offer opportunities outside of the courtroom to resolve matters, preferably in a confidential setting where family members can work with others to address the needs of their child.<sup>77</sup>

These considerations have led one state legislature to declare that child protection proceedings should be conducted in a non-adversarial atmosphere, resorting to the traditional legal process only when necessary. This same legislature recommends that all child protection courts within the state establish mediation programs to resolve cases outside of the courtroom.<sup>78</sup>

Judges can encourage the agency to use group decision-making practices. Judges can also encourage court administration to initiate a child protection mediation program. Many child protection courts across the country have instituted mediation programs with

<sup>74</sup> E-mail from Donna Hand, Deputy Director, to Judge Susan Huguenor, Presiding Judge of the San Diego County Juvenile Court, (July 31, 2008; on file with the author). Ms. Hand also reports that social workers "tend to look toward the mother first to engage and receive services, yet sometimes the reason the father has not been involved is that he feels the child(ren) should be with their mother, while at the same time, he has not been able to tolerate the mother's behavior as relates to drugs, mental illness and/or criminal behavior."

<sup>75</sup> For further discussion on the negative impact that the adversarial process has upon families, see L. Edwards, *Comments on the Miller Commission Report: A California Perspective*, 27 *Pace Law Review*, Summer 2007, at 635-639.

<sup>76</sup> R. Emory, D. Sbarra, & T. Grover, *Divorce Mediation: Research and Reflections*, 43 *FAMILY COURT REVIEW*, January 2005; R. EMORY, R. MNOOKIN, & E. MACCOBY, *DIVIDING THE CHILD: SOCIAL & LEGAL DILEMMAS OF CUSTODY* (1992), at 197-198.

<sup>77</sup> The California Legislature has acknowledged the importance of non-adversarial resolution of family matters. Legislation stresses that child protection cases should be resolved by non-adversarial means where possible. (see California Welfare and Institutions Code section 350) as well as mandating mediation in all child custody cases (see California Family Code section 3170(a)). Using non-adversarial processes is also a recommendation from the California Blue Ribbon Commission on Foster Care, Recommendation 2E, <http://www.courtinfo.ca.gov/jc/tflists/bluerib.htm>

<sup>78</sup> California Welfare and Institutions Code section 350(a)(1) and (a)(2), West, 2008.

great success.<sup>79</sup> Family members prefer mediation to the court process. They feel as though they are listened to (for the first time) and that they can work with others to fashion a result with which everyone is in agreement.<sup>80</sup>

### E. Ensure Quality Father-Child Visits

Fatherhood can be an abstraction, somewhat meaningless to a man unless the father sees, touches, holds, and identifies a specific child as his own. In child protection cases, the reality of fatherhood usually occurs in the context of visitation. Visitation is fundamental to engagement.<sup>81</sup> The father needs to see the infant he has fathered. Perhaps he will see some family traits. Perhaps the baby will smile at him. Such small things can make the difference between engagement and disengagement. The presence of one or more family members can make a difference in visitation because they can share the infant with the father, bring more excitement and energy to the visit, as well as point out family resemblances to him.

Judges need to pay special attention to visitation between children and their parents and particularly to fathers. Frequency, duration, location, and environment (including who else is present) can make the difference between effective visitation that builds a relationship and visitation that is discouraging to the father.<sup>82</sup> Visitation once a month or once a week is not sufficient time together to build a relationship. Nor is 30 minutes sufficient to engage father and child. Meeting in a room by oneself is also not conducive to strengthening a relationship. Judges must insist that visitation take place frequently, that it last at least an hour (longer is preferable), that it occur in a family-like setting, and that others (such as relatives or supportive foster parents) be permitted to attend with the father.<sup>83</sup>

Some fathers will benefit from support or coaching before or during visits. Sophisticated supports and techniques for visiting help enhance parenting skills during visitation. The agency and the judge should consider referring fathers to visitation coaching to make visits as positive as possible.<sup>84</sup> These coaching services have served fathers well—preparing them to meet children they have not had much contact with or may not have seen at all. Coaching has been particularly useful for incarcerated fathers.<sup>85</sup>

79 See L. Edwards, *Mediation in Child Protection Cases*, 5 JOURNAL OF THE CENTER FOR FAMILIES, CHILDREN & THE COURTS, 2004, at 57-69; Louis Trosch, et al., *Child Abuse, Neglect, and Dependency Mediation Pilot Project*, 53 JUVENILE AND FAMILY COURT JOURNAL, Fall 2002, at 57-67; and the citations in *Achieving Timely Permanency*, *op.cit.*, note 26 at 12-13. If you are interested in starting a child protection mediation program, contact the author for a free DVD concerning this service.

80 L. Edwards et al., *Mediation in Juvenile Dependency Court: Multiple Perspectives*, 53 JUVENILE AND FAMILY COURT JOURNAL, Fall 2002, at 49-65.

81 L. Edwards, *Judicial Oversight of Parental Visitation in Family Reunification Cases*, 54 JUVENILE AND FAMILY COURT JOURNAL, Summer 2003, at 1-24.

82 *Id.*

83 Any visiting relatives must not pose a threat of harm to the child. See EFFECTIVE INTERVENTION, *op.cit.*, note 71.

84 M. Beyer, *Visit Coaching: Building on Family Strengths to Meet Children's Needs*, 59 JUVENILE AND FAMILY COURT JOURNAL, Winter 2008, at 47-60.

85 E-mail from Marty Beyer, dated Oct. 18, 2008 (on file with the author).

The concept of visitation should be expanded to include other locations and events rather than just time at a visitation center.<sup>86</sup> For example, judges should make orders that permit fathers to get notice of and to participate in all well-baby visits to the doctor as well as other appointments the child may have with professionals. For the school-age child, this would include parent-teacher conferences at school and sporting or cultural events in which the child participates. Church-based events such as baptisms, Sunday school, and other occasions should also be considered opportunities for meaningful father-child contact.

## F. Ensure Fathers Receive Parenting Services

Most fathers need help learning how to be a father. This is particularly true for young fathers. The judge should be prepared to refer the father to services that will provide basic information about child development and skill development for parents.<sup>87</sup> Most jurisdictions offer parenting classes, and some offer parenting classes that focus on the needs of infants. The most useful of these classes bring together fathers and their children so that the father can work and play with the child in the context of the parenting class.<sup>88</sup> Also of great use are programs that bring new fathers together to address their unique needs.<sup>89</sup> Some communities have developed mentoring programs that match experienced fathers with new fathers so that one can learn from the other.<sup>90</sup> Judges need to know what is available in the community and, if nothing appropriate is available, how such a service might be developed. Community-based organizations such as the YMCA often provide such a service. Excellent models for such services exist around the country.<sup>91</sup>

If no services specific to fathers exist, the judge can ask the agency to develop one. At some point the judge may decide that a parenting class for fathers is a reasonable service for the community to provide and insist that the agency create one. Failure to do so would result in a “no reasonable efforts” finding.<sup>92</sup>

<sup>86</sup> Edwards, *op.cit.*, note 81 at 10.

<sup>87</sup> “Getting them into court is the first essential step, and then having high quality community fathers’ programs available is certainly helpful.” E-mail from Joe Spaeth, Marin County Public Defender, Sept. 30, 2008. Mr. Spaeth’s office represents parents in child protection proceedings (on file with author).

<sup>88</sup> For an outstanding example of such parenting programs, see <http://www.celebratingfamilies.net/>

<sup>89</sup> Communities in Colorado have developed creative and effective programs for fathers including B.A.M. (Be A Man) Fatherhood Program in the Greeley/Evans area (<http://www.realdads.net/>); Got Fatherhood? Program in South Weld County (Longmont/Boulder) (<http://www.gotfatherhood.com/>), and Colorado Dads—Be There For Your Kids, a state program (<http://www.coloradodads.com/>); For some advice about maximizing the effectiveness of father’s programs, see Rosenberg & Wilcox, *The Importance of Fathers in the Healthy Development of Children*, (CD-ROM) User Manual Series (2006), Section II, Fatherhood Programs. Office on Child Abuse and Neglect.

<sup>90</sup> *Id.*

<sup>91</sup> E. Brandon, *Dudley Morgan Speaks about Marin City Fatherhood Program*, THE CENTER VIEW, (a publication of the Marin City Community Services District), Vol. X, Issue 20, Oct-Nov, 2008, at 4.

<sup>92</sup> For a discussion on how a “no reasonable efforts” finding can result in changes to the services available in the community see Edwards, *Improving Implementation*, *op.cit.*, note 47 at 3, and Appendix C, found in RESOURCE GUIDELINES: IMPROVING COURT PRACTICE IN CHILD ABUSE & NEGLECT CASES, (NCJFCJ, Reno, NV, 1995), at 167-168, and Edwards, *Reasonable Efforts: A Judicial Perspective*, *op.cit.*, note 47.

There is a related problem when the judge orders services for a father. Some fathers will balk at the idea that they should participate in any services. The father may say something like “[s]he was the one who neglected my child. Why should I have to do anything?”<sup>93</sup> The judge must be prepared to discuss the importance and value of the service being offered. One judicial colleague put it this way when speaking to a father about services: “You are a father. Now you need to learn how to be a daddy.”<sup>94</sup>

The father who appears and asks for custody raises complex issues. Assuming that he does not present a danger to the child, should the court place the child with him and dismiss the case? That would be the result had the mother died since he would be the child’s surviving parent. Should the court give no preference to the father at all and simply use a “best interests” test to determine custody? Should the court place the child with the father, maintain the child under court supervision, and thus give the mother an opportunity to use services to reunify with her child? States have responded to these issues in different ways both through statutes and appellate decisions.<sup>95</sup>

## G. Working with the Incarcerated Father

Many foster children have parents in jail or prison. Of this population there are far more incarcerated fathers than mothers.<sup>96</sup> Some of these fathers are “alleged,” that is, they are not married to the mother and have not established paternity. All of the issues discussed in earlier sections regarding identifying, locating, notifying, and engaging fathers are relevant to incarcerated fathers. The mother may finally reveal the father’s identity, but she may not know if he is incarcerated. With a name, birth date, and possibly other information, the social worker should be able to locate an incarcerated father quickly.

The court should insist that the caseworker contact the alleged father, inform him of the legal proceedings, and determine his desires about the child protection proceedings. The fact that he is in jail should not stop the inquiry—after all, we have seen that

<sup>93</sup> V. Sankaran, *But I Didn't Do Anything Wrong*, 85 MICHIGAN BAR JOURNAL, March 2006, at 1-6; and see Harris, *op.cit.*, note 5.

<sup>94</sup> E-mail from Child Support Commissioner John Schroeder, Santa Clara County (California) to the author June 4, 2008 (on file with the author).

<sup>95</sup> Pennsylvania and Maryland take the first position that the court has no jurisdiction where there is a fit parent. In re M.L., 757 A.2d 849, 853-4 (Pa.2000); *In re Russell G.*, 672 A.2d 109 (Md. Ct. Spec. App. 1996); Ohio, Michigan, Maine, and North Carolina take the second position, permitting the court to take jurisdiction over a child even if there is a fit/non-offending parent prepared to take custody. In re C.R., 843 N.E.2d 1188, 1190 (Ohio 2006); In re C.R., 646 N.W.2d 506; 518-19 (Mich. Ct. App. 2002); ME Rev. Stat. Ann. tit. 22 sections 4034-6 (2006); N.C. Gen Stat. Ann. section 7B-506(h)(2). Kansas, New Hampshire, Florida, and California take the position that the father is a preferred placement, but that the court will maintain jurisdiction. In re T.S., 74 P.3d 1009 (Kan. 2003); In re Bill F., 761 A.2d 470 (N.H. 2000); N.H. Rev. Stat. Ann., section 169-C: 19e (2006); Fla. Stat. Ann. section 39.521(3)(West 2006); L.P. v Department of Children & Families, 871 So.2d 306, 308, (Fla. Dist. Ct. App. 2004); California Welfare and Institutions Code section 361.2(b)(c); In re Patricia T., 109 Cal.Rptr.2d 904, 907, 909 (Cal. Ct. App. 2001). For a discussion of these issues, cases and statutes, see Harris, *op.cit.*, note 5 at 301-307.

<sup>96</sup> COMMITTEE ON LAW AND JUSTICE, PAROLE, DESISTANCE FROM CRIME, AND COMMUNITY INTEGRATION (National Research Council, Washington, DC, 2007).

the father's identification and participation will benefit the child in many ways.<sup>97</sup> Yet, it seems that in some jurisdictions, the imprisoned father may not even receive notice.

The best practice is to bring the incarcerated father to court, appoint counsel, have paternity established, and proceed with the case. Just because he is not married to the mother or is currently incarcerated is not enough reason to ignore him. Remember, his presence benefits the proceedings and, most importantly, the child. Hundreds, if not thousands, of foster children might have been placed with relatives had their fathers and their families been included in the child protection process. The criminal legal system requires defendants accused of petty crimes to appear in court even if they are in jail—the legal system should mandate that alleged fathers be notified and brought to court when their permanent relationship to their child is at risk.<sup>98</sup>

In some states, incarcerated fathers who indicate an interest in reunifying with their children are offered services, including visitation, to improve their parenting abilities.<sup>99</sup> Even if some of those services are unavailable in prison (counseling, parenting classes, etc.), the court may still insist that the caseworker assist the father and will examine caseworker conduct regarding the reasonable efforts requirement.<sup>100</sup> In some states, incarcerated fathers participate in the National Fatherhood Initiative InsideOut Dad, an effective program for engaging incarcerated fathers in their children's lives.<sup>101</sup> Judges have creatively involved incarcerated fathers. In one New Hampshire judicial district, the court has approved a computer hook-up in the jail so that incarcerated fathers can talk with their children while they are in jail. The judge reports that this contact “. . . instills much greater connections between parents and kids due to the conversation and frequency of it, rather than sending letters or a monthly jailhouse visit.<sup>102</sup>

## H. Comments from Judicial Officers

### 1. General

Little has been written about engaging fathers from a judicial perspective, but juvenile and family court judges, child support commissioners, and other judicial officers

97 Additionally, we have seen that connecting with family can change the direction of a prisoner's life. See FARRALL, *op.cit.*, note 64.

98 A powerful dramatization of this scenario is found in the book *Finding Fish* by Antwone Fisher (William Morrow, 2001), later made into a motion picture, *Antwone Fisher*. Significantly, fathers who have contact with family members during their incarceration have lower recidivism rates. FARRALL, *Id.*

99 In California, recent legislation permits the court to extend the reunification period for parents who are incarcerated, institutionalized, or in residential substance abuse treatment up to 24 months from the time the child was removed from the parent under specified circumstances. The statute requires the court to consider the parent's criminal history as well as the parent's ability to care for the child. AB 2070 (Chapter 842, Statutes of 2008). This is a clear legislative determination that the facts surrounding incarceration should be carefully considered before ending the parent-child relationship.

100 D. Lough, *Incarcerated Father Entitled to Reunification Services*, 21 JOURNAL OF JUVENILE LAW, 2000 at 169-173; See also *In re Robin V.*, 33 Cal.App.4th 1158, 39 Cal.Rptr.2d 743, 1995.

101 An evaluation of the InsideOut Dad program can be found at <http://www.fatherhood.org>.

102 E-mail from Judge Susan B. Carbon, Grafton County, New Hampshire, dated Oct. 12, 2008 (on file with the author).

who deal with family problems have thought a great deal about this issue. Interviews with more than 15 judicial officers revealed several themes, a few of which appear below.

Judges must insist that social workers take seriously the job of questioning the mother about the identity and location of the father. This leadership role was made clear by Judge J. Dean Lewis, a retired judge from Virginia, when she first took the juvenile court bench:

When I first came on the bench in 1986, the intake officers would put “unknown” in a large number of petitions as to the “name of father” or unknown as to location for service of process. That was because the social worker was the one filing the petition and at the time of removal, either did not ask for the father’s information or was not able to secure it. So the first thing I did was to address that problem with the intake officer. I informed the intake officer to require this information to be on the petition and the social worker was responsible for securing this information so it could be contained in the petition.<sup>103</sup>

At the earliest possible opportunity, the children’s social worker and the judge must make it clear and must give the father the impression that he is an important person, that he is to be considered for placement, if not immediately, then sometime soon, and that we encourage and will facilitate visits as well as placement.<sup>104</sup>

I also tell men that anyone can be a father, but it takes dedication to be a Daddy. I also tell them that all studies show that children fare better if both parents are involved in their lives. Sometimes it works, other times not. It is especially difficult when the parties are non-relational.<sup>105</sup>

I think the first thing a judge needs to do from the bench is make inquiry at all times about the father. The court also has to meaningfully engage fathers when they do appear and hold the agency accountable both for not looking hard enough and for not offering appropriate reunification services to dads. This is particularly true when a mom is working the case plan. We also have to try to educate the agency that just because a father may be non-custodial that does not mean he is unfit.<sup>106</sup>

What can bench officers do? 1) Communicate their expectations to fathers that they can and should take on the nurturer role (that they can and should reunify); 2) Validate a father’s desire to parent; 3) Demand accountability from fathers in the parenting/visitation role through frequent court reviews . . . perhaps even a Dad’s Court similar to Drug Court—do not allow “excuse Court.” For example, we do not allow women to place their employment obligations ahead of reunification with their children. We should expect the same from men. 4) Expect and demand that fathers regularly and frequently visit their child.<sup>107</sup>

103 E-mail from Judge J. Dean Lewis (ret.) to the author dated Sept. 26, 2008 (on file with the author). Judge Lewis went on to state that the intake worker was also required to inform the court of her efforts to identify and locate the father in her report at the first hearing. If there was missing information at the time of the hearing, the judge knew what she had to do to get more information. “What happened was that very quickly both the social workers and the DSS attorney would know I was going to address this as the first issue in the case . . .” *Id.*

104 E-mail to the author from Commissioner Marilyn Kading Martinez of the Los Angeles County Juvenile Court, June 12, 2008 (on file with the author).

105 E-mail from Commissioner John Schroeder, *op.cit.*, note 94.

106 E-mail from Judge Stephen Rubin, Pima County (Arizona) Juvenile Court to the author dated Aug. 25, 2008 (on file with the author).

107 E-mail from Commissioner Nancy Williamson, Stanislaus County (California) Superior Court, Sept. 2008 (on file with the author).

Training has been an effective tool for educating the entire court system about the importance of engaging fathers and strategies to accomplish that goal. In her role as Chief Judge of the County of Caroline Juvenile and Domestic Relations Court in Spotsylvania, Virginia, Judge J. Dean Lewis (ret.) organized monthly trainings inviting “everyone.” According to Judge Lewis:

One topic we repeatedly address was identification of fathers, not only in child protection cases, but all cases as this was a big problem in delinquency cases as well. Child support enforcement had a parent locator resource and spoke about this resource on several occasions. In a number of our foster care cases we were able to find a father whose address was unknown by social services (child protection workers) turning the case over to child support enforcement.<sup>108</sup>

## 2. Iowa—An Outstanding Approach to Engaging Fathers

Iowa has taken extraordinary steps to engage fathers in the child protection process, and much of the leadership has come from the judiciary. Iowa’s success in engaging fathers comes despite a statutory scheme that treats non-custodial fathers as little more than intervenors.<sup>109</sup> According to Judge Constance Cohen, the judiciary does its best to provide notice, counsel, and services to fathers as soon as possible.<sup>110</sup>

Engagement efforts cut across the entire dependency process in Iowa. The Public Defender’s Office has agreed to appoint counsel subject to the filing of a financial affidavit so that all identified parents have legal representation at the first hearing. At the expanded preliminary hearings held within five days of removal,<sup>111</sup> the court orders paternity testing if necessary, offers evaluations, family contact, treatment, transportation assistance, and “anything else we can do frontload.”<sup>112</sup> Fathers have a full voice in the proceedings from the first hearing on.

Additionally, parent handbooks are provided to all parents at the first hearing to help them understand the nature of the proceedings. The court has developed a Parent Partners program with parents who have successfully navigated the system mentoring parents new to the system.<sup>113</sup> The court and community have participated in the National Fatherhood Initiative, run through the YMCA, to support fathers and has assisted in developing educational tools for them. The Zero to Three Project has also made special efforts to motivate fathers to participate in all aspects of a case. They are involved in attachment assessments, dyadic therapy, family contact, and other front-loaded services.

108 E-mail from Judge Lewis, *op.cit.*, note 103.

109 “A parent without custody may petition the court to be made a party to proceedings under this division. Iowa Code Section 232.91(1).”

110 This posture has been taken because of the expedited timelines. E-mail dated Aug. 18, 2008 from Judge Constance Cohen, Juvenile Court, Des Moines, Iowa (on file with the author). Judge Cohen reports that many of the best practices she describes started in Polk County (Des Moines), but that many have spread to other parts of the state.

111 The local rule mandates the hearing take place within 10 days, but local practice is for the hearing to take place in 5 days, again because of the expedited nature of the proceedings.

112 E-mail from Judge Cohen, *op.cit.*, note 110.

113 Judge Cohen writes that fathers, in particular, are benefiting from these relationships.

The project also counsels parents on their joint responsibility to parent their child, often resolving parental conflicts and refocusing parents on the needs of their child.<sup>114</sup> Fathers are expected to participate in Part C evaluations of their young children's developmental progress, Early Access, doctor and dental appointments, family team meetings, and similar activities.

Judge Cohen writes that from the bench, the judges make it clear that the expectations are full involvement as it is a "Now or Never" proposition. Fathers are emphatically informed that if they wait for the mother to fail before getting ready to assume custody, it may be too late. Even though Judge Cohen admits the local telephone service is not perfect, the court permits telephonic appearances to accommodate work schedules, transportation problems, incarceration, or other barriers to personal presence at court hearings. If a parent does not appear, the judge will ask for a phone number and try to connect with him or her by calling from the bench.

If the court finds that the mother has purposefully frustrated the father's efforts to locate the child and actively participate in her life, the court may find compelling reasons to maintain legal rights beyond 15 months to enable the relationship to grow. All parents are expected to participate fully in family team meetings and are encouraged from the beginning to identify appropriate relatives to assume temporary custody or, if needed, for concurrent planning. If the ICPC may be involved, it is ordered at the earliest possible time. Where there may be siblings with different fathers and the mother is not a possible placement, but one father is able to take custody of some or all of the children, there is an exploration of expedited foster care licensing to enable the siblings to reside together.

Judge Cohen reports that while their court does not have jurisdiction over child support matters, Iowa has developed a statewide protocol whereby the payor's obligation can be suspended if he has custody under a juvenile court order. Thus, a father also has an economic incentive to ask for custody of a child.<sup>115</sup>

## VI. SAFETY CONSIDERATIONS FOR THE MOTHER AND CHILD

It cannot be assumed that the father in the child protection case is a harmless person or a positive influence in the child's life. He may be dangerous, violent, a substance abuser, or have sexual or mental health problems. His conduct may be the reason that the child's case is before the court. The judge will need good information about the father to make decisions about his contact with the child and with the mother. The judge should be prepared to restrict contact, if necessary, and should have in place domestic violence

<sup>114</sup> Telephone conversations with Judge Cohen and Judy Norris, Director of the Zero to Three Project.

<sup>115</sup> This is not the first issue on which Iowa (and Polk County) have been national leaders. In child protection visitation cases, Iowa has one of the nation's model programs. See Edwards, *op.cit.*, note 81 at 7.

protocols and practices should mediation or other group decision-making processes be used.<sup>116</sup>

On the other hand, just because the father is violent or dangerous does not mean his entire family is to be avoided. Some people subscribe to the maxim that “the apple does not fall from the tree” and similar statements, meaning that if the father is dangerous, the entire family must be dangerous. Experience with group decision-making practices has taught professionals that a family always has some solid, stable members, no matter how violent or dangerous one or more members may be.

Assuming the father is a danger, the question that arises when a family member steps forward to receive a child into their home is whether the family member understands what the father has done and is willing to protect the child from that person in the future. This issue is challenging for family members because they often love the father and have a difficult time accepting that he has been or may be abusive toward the child. The judge must weigh these considerations in making a placement decision.

## VII. CONCLUSION

Our court traditions and practices must change to embrace fathers, and judges must take the lead. Recent developments are encouraging. Law and practice are changing. Increasingly, legislatures are passing laws that grant fathers the same rights as mothers as soon as their paternity is established. Additionally, the extended family has become a placement of choice if children must be removed from their parents.

Now it is up to the court to ensure that fathers receive their legal rights, attorneys speak forcefully for them, and caseworkers fulfill their roles in identifying, locating, noticing, and working with them. There is potential for great benefits in these changes. The potential is for the father to become engaged in the court process and with his child, and for the father and his family to be a resource to the child and to the decision makers in the court system. Additionally, the child may be able to remain with family.

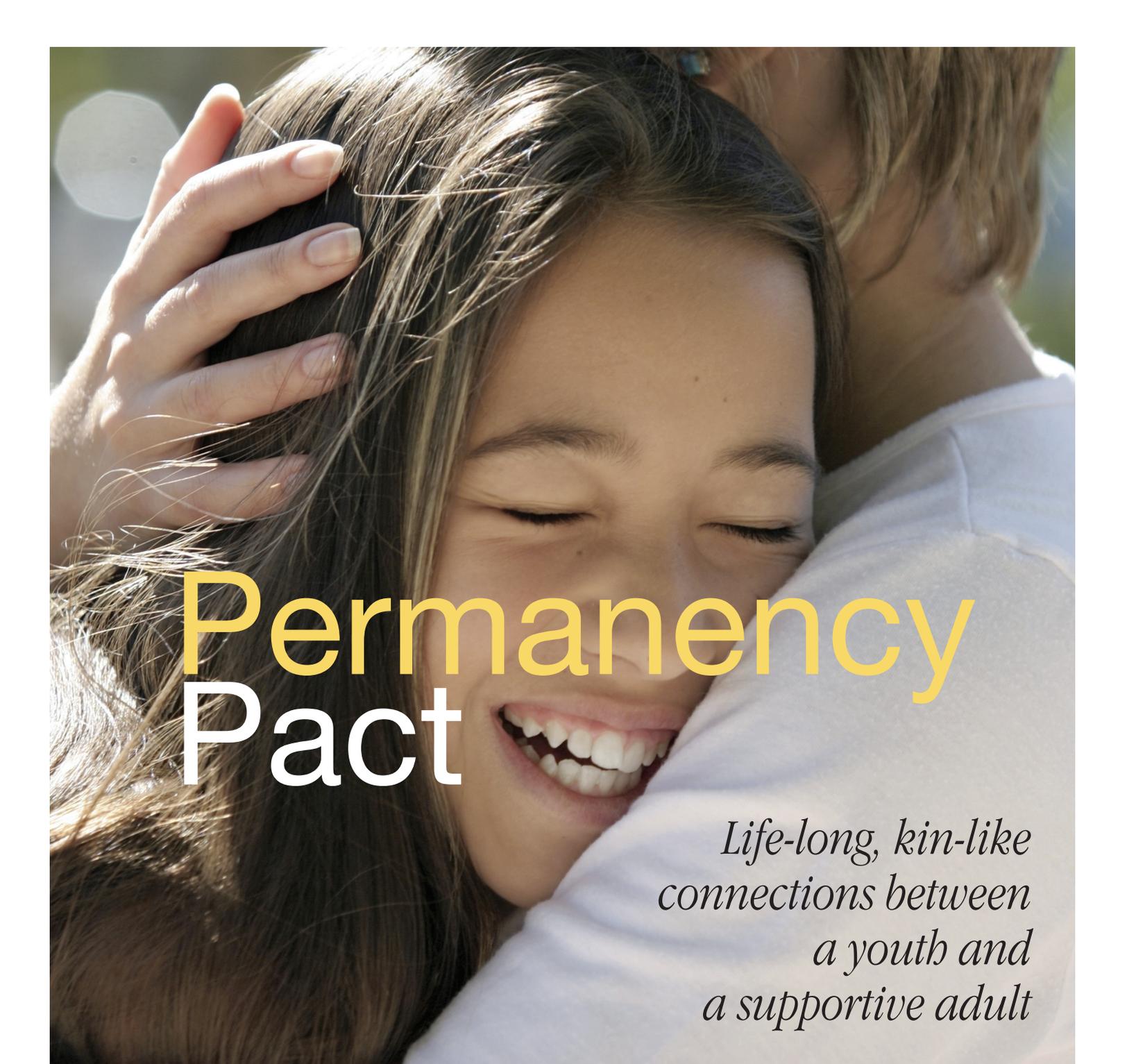
The judge plays a critical role in the engagement process. Starting with identifying, locating, and notifying the father, insisting on agency dedication to working with the father, using the court’s skills to attract and inspire the father to become involved with his child, using the court’s powers to ensure that extended family members are identified and participate in the court process, using the court’s powers to make father-child contact meaningful, ensuring that appropriate services are available, and insisting that non-adversarial processes are available for the family, the judge can maximize the possibility that a father will become involved in the court process, and, more importantly, in his child’s life to the child’s benefit, emotionally, socially, and financially.

<sup>116</sup> Such protocols are standard practice in some jurisdictions. *See* California Rule of Court 5.215. For a discussion for the best practices regarding mediation when domestic violence issues are present, see *Achieving Timely Permanency, op.cit.*, note 26 at 12-13.

## APPENDIX A

### JUDICIAL CHECKLIST REGARDING ENGAGING FATHERS

1. Identify all possible fathers as soon as possible.
2. Question the mother under oath regarding the identity of the father.
3. Determine where the father or potential fathers can be located.
4. Order the caseworker to follow-up on information gained from the court hearing.
5. Order the caseworker to personally serve each possible father with notice of the legal proceedings.
6. Insist that caseworkers use good faith efforts to identify, locate, and support the father throughout the child protection process. Use the “reasonable efforts” finding if necessary and appropriate.
7. Revisit the question of identity and location of the father at all subsequent court hearings.
8. When a potential father comes to court, let him know that the court is pleased that he has appeared because he is an important person in the child’s life. Let him know that once his paternity is established, he will be treated as a parent in all subsequent court proceedings.
9. Complete the testing for paternity as soon as possible at state expense unless the father has the means to pay for the testing.
10. Appoint counsel for the father at least as soon as paternity has been established, with the possibility of reimbursement considering his financial means.
11. Make it clear that the father may be a placement possibility for the child.
12. Identify the father’s extended family and ensure that they know about the legal proceedings and know that they will be considered as possible placements if placement is necessary.
13. Permit the extended family to participate in group decision-making processes, visitation, and court hearings.
14. Determine if the father is a danger to the mother or to the child and make appropriate protective orders.
15. Encourage the development in the community of services that will meet the needs of fathers. These could include parenting classes for fathers, parent coaching, fathers mentoring fathers, and other gender-based programs.



# Permanency Pact

*Life-long, kin-like  
connections between  
a youth and  
a supportive adult*

A free tool to support permanency for youth in foster care



The national network for young people in foster care

[www.fosterclub.org](http://www.fosterclub.org)

get educated advocate  
speak up  
belong  
involved + informed

*What's a Permanency Pact? A pledge by a supportive adult to provide specific supports to a young person in foster care with a goal of establishing a lifelong, kin-like relationship.*

## Permanency Pact

Youth transitioning from foster care are often unsure about who they can count on for ongoing support. Many of their significant relationships with adults have been based on professional connections which will terminate once the transition from care is completed. It is critical to the youth's success to identify those adults who will continue to provide various supports through and beyond the transition from care. Clarifying exactly what the various supports will include can help to avoid gaps in the youth's safety net and misunderstandings between the youth and the supportive adult.

### A Permanency Pact provides:

- structure and a safety net for the youth
- a defined and verbalized commitment by both parties to a long term supportive relationship
- clarity regarding the expectations of the relationship

A Permanency Pact creates a formalized, facilitated process to connect youth in foster care with a supportive adult. The process of bringing the supportive adult together with youth and developing a pledge or "Permanency Pact" has proven successful in clarifying the relationship and identifying mutual expectations. A committed, caring adult may provide a lifeline for a youth, particularly those who are preparing to transition out of foster care to life on their own.

### Participants in a Permanency Pact

In addition to the two primary parties in a Permanency Pact (the youth and the supportive adult), it is recommended that a Facilitator assist in developing the Pact.

The *Facilitator* may be a Case Worker, Independent Living Provider or other adult who:

- is knowledgeable in facilitating Permanency Pacts\*
- is familiar with the youth, and
- can provide insight into the general needs of the youth transitioning from care

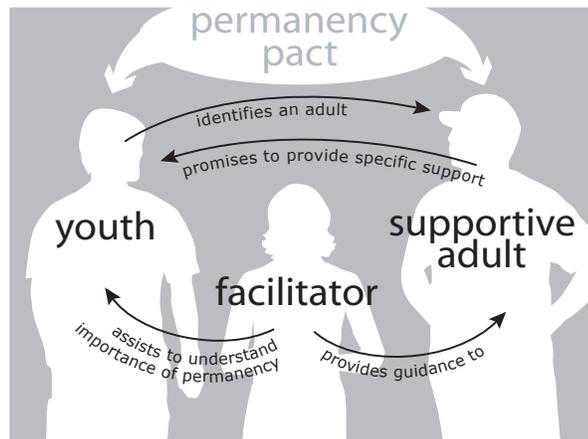
The *Supportive Adult* is an adult who:

- has been identified by the youth
- has a relationship with the youth
- is willing to commit to a life-long relationship with the youth
- is a positive role-model and
- is able to provide the youth with specific support on an on-going basis



Shawn from Michigan,  
FosterClub All-Star

"As I get older I am seeing the importance of family, community and peer support. Ever since I became engaged and active in my community my circle of support has expanded. My life has become so much more enriched now that I have accepted that I have a lot of people that care about me, I genuinely believe that family: peers, bio, foster, adoptive, in-laws are the most valuable thing a person can have in their life."



\*A Permanency Pact Toolkit will be available Summer, 2007 at [www.fosterclub.org](http://www.fosterclub.org)



# Developing a Permanency Pact

The first step is to engage the youth to identify the supports they want or need as they prepare for the transition out of foster care, and beyond to adulthood. The following list of 45 Suggested Supports can help with this process. Together with the youth, the Facilitator can then begin to develop a list of adults who may be able to provide some of those supports. This list may include current relationships or adults with whom the youth has had a previous connection to which they wish to reestablish.

The Facilitator then:

- obtains necessary releases of information
- makes initial contact with the indentified adult(s)
- updates them regarding the youth's current situation
- gauges their level of interest
- assists the adult in identifying possible supports they will provide, and
- schedules and facilitates the Permanency Pact meeting

Working with the Supportive Adult, the Facilitator can use the following list of 45 Suggested Supports to draft a list of supports that the adult wishes to offer the youth. The list is then presented to the youth who will acknowledge the offer and accept those supports that they feel would be most beneficial. Additional supports may be suggested by either the youth or the supportive adult.

The final list may then be hand written using the attached list or entered into the Pact template, available in Microsoft Word, Wordperfect, and PDF formats (available in the Permanency Pact toolkit, order through [www.fosterclub.org](http://www.fosterclub.org) starting Summer 2007). The youth and Supportive Adult sign the Pact and the Facilitator provides a witness signature. Copies of the Permanency Pact are provided to the youth, the Supportive Adult and maintained in the case record as part of the youth's Transition Plan. It is recommended that a certificate be prepared which documents the Pact between the adult and youth (certificate templates available in the Permanency Pact toolkit). All other members of the youth's Transition Team, including foster parents, CASA, judge, etc. should also receive copies of the Permanency Pact.

Taking a step toward trusting a relationship is often a very great accomplishment for a youth with a background where relationships are broken, promises are often not kept, and disappointment in caretakers prevails. The gift that a Supportive Adult contributes by way of a life-long commitment to the relationship is heroic. The impact of the forged relationship may be profound to all parties. To symbolize the importance of the commitment, it is recommended that a Permanency Pact be held in conjunction with some sort of ceremony or celebration. The Supportive Adult may want to give the youth a token keepsake gift (a piece of jewelry, photo frame, watch, engraved item, a special note, photo album, etc.), a celebration meal can be enjoyed.

A Certificate has been provided in this packet which may be used to affirm the Permanency Pact made between a youth and supportive adult.

*FosterClub member Caliguy94037,  
age 18, from California*

"I consider permanency to be a life long connection with an adult and consider it very important. In my experiences, I have just met adults that seem to stay in my life and that connection with them helps me to succeed in life."



*Schylar From Montana,  
Fosterclub All-Star*

"I have been through a lot in my life, and sometimes felt as if I were the only one alive in the world even when I was surrounded by lots of people. I am not always sure why I felt this way, maybe because I was a foster kid or maybe because I had always been told I was meant for nothing. But after a life of trials, I found someone that can almost make me forget a lot of the hurt and bad relationships. He is my 6th grade music teacher, my mentor, my savior through 11 placements, and now... my dad. I am 23, and am soon to be adopted your never too old to be adopted."



# 45 Suggested Supports...

*...that a Supportive Adult might offer to a youth transitioning from care*

## ❑ **A HOME FOR THE HOLIDAYS**

Spending the holidays without a family and with nowhere to go is a significant issue cited by young people who have transitioned out of foster care. Extending an invitation to holiday celebrations, or birthdays can help a youth fend off the depression that usually sets in around these important times of year.

## ❑ **A PLACE TO DO LAUNDRY**

Many adults can look back at the times they returned home as a youth with bags loaded with dirty clothes to wash. The offer to use laundry facilities can be a great way to keep a regular connection with a youth and provide them with a way to maintain pride in their appearance, regardless of an unstable housing situation.

## ❑ **EMERGENCY PLACE TO STAY**

Statistics show 25% of young persons will spend at least one night homeless within the first 2-4 years of leaving foster care. The offer of an emergency couch to sleep on or a guest bedroom to stay in can reduce anxiety and keep young people safe during hardships. Supportive adults may want to specify limits in time or expectations (help with housework, etc.) as a condition of this offer.

## ❑ **FOOD/OCCASIONAL MEALS**

A friendly, family-style meal every thursday evening or an invitation to Sunday brunch or a monthly lunch can provide a youth with a healthy alternative to the fast-food that often composes a youth's diet. It also provides a chance to connect and to role-model family life. An open invite to "raid the pantry" can be very comforting to young students or those on a limited budget and will help to ensure that the youth's health isn't jeopardized when funds are low.

## ❑ **CARE PACKAGES AT COLLEGE**

Students regularly receive boxes of homemade cookies, a phone card or photos from their parents when away at college. A regular package to a foster youth who has transitioned from care reminds them of connections "back home", and allows them to fit in with their peers.

## ❑ **EMPLOYMENT OPPORTUNITY**

An employer or person in a position to hire, can help by providing special consideration when hiring for a new position. A phone call to the youth inviting them to apply, help with a written application, coaching for a job interview are all ways to help. Supportive adults can offer a youth the chance to help with yard work, housecleaning, babysitting, etc. in order to earn extra money and to establish a work reference.

## ❑ **JOB SEARCH ASSISTANCE**

Finding a job can be a daunting task for anyone. Advice, help filling out applications or creating a resumé, rehearsal of interview questions, transportation to interviews, preparation of appropriate clothing, discussion of workplace behavior, and just plain cheering on can help a youth successfully land a job.

## ❑ **CAREER COUNSELING**

An adult working in the youth's field of interest can offer advice which could launch a youth's career. Youth particularly benefit from connections and introductions which lead to apprenticeships, job shadows, or other real-world experience. Supportive adults can help the transitioning youth make these contacts.

## ❑ **HOUSING HUNT**

Securing a first apartment is a rite of passage to adulthood. But without guidance, finding housing can turn into an overwhelming experience. Youth leaving care often lack references or a co-signer which a supportive adult may be able to offer. Former foster youth may have opportunities for financial assistance, but may need help locating it or applying for it. Also, supportive adults can utilize apartment hunting as an opportunity to discuss other daily living challenges, like roommates, utilities, selecting a neighborhood, transportation to job and needed services, etc.

## ❑ **RECREATIONAL ACTIVITIES**

Extending an invitation to a youth to go bike riding, go bowling, shoot some hoops or to simply take a walk can promote health, relieve anxiety, and provide a comfortable way to connect. Recreational activities like cooking, woodworking, painting or playing guitar can provide an outlet for youth and help to develop skills. Other activities include going to a movie, playing cards or chess or Monopoly, taking photographs, going shopping or taking a short trip.

## ❑ **MENTOR**

Mentors have proven to be an effective influence on youth. Whether a formal or informal mentor to a youth in care, the supportive adult can be a role-model, coach and a friend.

## ❑ **TRANSPORTATION**

Youth often need help with transportation and may have no one to turn to. A supportive adult can be a transportation resource, specifying the limits of the offer, i.e. for school, to find employment, for medical appointments, to visit relatives, etc. Youth can often use help to figure out how to use public transportation.



## □ EDUCATIONAL ASSISTANCE

According to statistics, only 50% of foster youth will graduate from high school. These shocking statistics show that many youth in care struggle through school against terrible odds including multiple moves, learning disabilities, lack of parental support and missed time in class. A supportive adult can help by becoming a tutor, an educational advocate, or by simply providing advice when needed. Youth planning to attend college can use help with college applications, finding financial aid, and visits to perspective college campuses.

## □ RELATIONSHIP/MARRIAGE/PARENTING COUNSELING

Youth coming out of foster care often lack the skill to cultivate and maintain lasting personal relationships. In many cases, role-modeled relationships for the youth have included biological parents with dysfunctional relationships and paid caretakers from group homes or facilities. Supportive adults can provide frank discussions about relationships, marriage, the role of a spouse and how to be a good parent when the time comes.

## □ ASSISTANCE WITH MEDICAL APPOINTMENTS/ CHAPERONE

It can be scary attending a medical appointment all alone. A supportive adult can accompany a youth to a medical appointment or rehearse what questions to ask, interpret a doctor's instructions, or provide advice about obtaining a second opinion.

## □ STORAGE

Sometimes the life of a youth can be transient, moving from location to location before getting settled. The supportive adult can provide a safe place to store valuables and help ensure that the youth doesn't lose track of valuables, including photo albums, family keepsakes, and records.

## □ MOTIVATION

Everyone does better with a personal cheering section. The supportive adult may be the only one to offer encouraging words to a youth.

## □ SOMEONE TO TALK TO/DISCUSS PROBLEMS

When a youth transitions out of care, there are often moments of insecurity, loneliness and anxiety. The supportive adult can provide a listening ear for a youth to vent, offer advice and wisdom, or be a sounding board for ideas. It may be wise to establish "calling hours" to avoid late night or early morning calls, if that is a concern.

## □ A PHONE TO USE

Sometimes a phone is simply not an affordable luxury for a youth starting out on their own. A supportive adult could provide use of their phone as a message phone for the youth's prospective employers or landlords. Use of the phone can be helpful to keep in touch with caseworkers, siblings, parents, former foster parents, or to access resources in the community.

## □ A COMPUTER TO USE

Access to a computer is a valuable tool for a youth for school work, employment or housing search, or contact with siblings or other relatives. A supportive adult can provide this access from a computer at work or at home, and may want to establish limits in time, websites visited, or downloads that are acceptable.

## □ CLOTHING

A youth may need assistance and/or advise in purchasing or preparing clothing for events like a job interview, weddings or special occasions, or graduation. Sometimes special opportunities need special gear, like a school ski trip, a costume party, etc. A supportive adult can assist with laundry, ironing, mending, shopping for new clothes, or occasionally purchasing a new item. Improving a youth's personal appearance can boost self confidence.

## □ SPIRITUAL SUPPORT

Youth often develop the same spiritual beliefs as their parents. Youth coming from care may have lacked this spiritual guidance. A supportive adult can invite a youth to join them as they search for their own spiritual path. The adult can offer to explore religion with the youth and invite them to participate in church or other spiritual activities.

## □ LEGAL TROUBLES

A youth emerging from care who gets into legal trouble usually cannot afford legal advice. When youth have a tangle with the law, they often land in deeper trouble because of their lack of experience and resources in navigating the legal system. A supportive adult can assist by connecting youth to needed legal services. The supporter may also wish to provide preventative advice to the youth who may be headed for legal entanglement.



JJ from Michigan,  
FosterClub All-Star

"Permanency is a feeling that is different for everyone, it is not bound by time nor can it be measured. It has to be discovered and often times it has to be tested, and rejected more than once before permanency can be established. Permanency is so hard to understand because it is a conceptual idea of an emotion and is received on both ends very differently for every person. There is no straight "by the book" definition of permanency because the emotions I feel cannot be felt by anyone else, and that's the great thing about it."

## □ CULTURAL EXPERIENCE

Supportive adults who share a cultural background with a youth may wish to engage them in cultural activities. Even if the cultural backgrounds are different, the youth can be motivated to participate in cultural events. Support can be given to examine cultural traditions and beliefs and encouragement given to take pride in their cultural identity.

## □ APARTMENT MOVE-IN

Moving is so much easier with the support of friends, from packing, to manpower, a truck to move, to help setting up the new apartment. The supportive adult can also invite the youth to scout through their garage or storage area for extra furniture or household items that might be useful.



**COOKING LESSONS/ASSISTANCE**

Many times youth coming out of care have not had the opportunity to practice cooking on their own. Meal preparation is often a natural way to engage in meaningful conversation and build a relationship. The supportive adult may decide to take a youth grocery shopping, or help stock the youth's first kitchen with a starter supply of utensils, spices, cleaning supplies and food.

**REGULAR CHECK-IN (DAILY, WEEKLY OR MONTHLY)**

Simply knowing that someone will be aware that you are missing, hurt or in trouble is important. A supportive adult can instigate regular check-in's with a youth transitioning out of care, easing feelings of anxiety and building confidence that someone is concerned about their safety.

**BILLS AND MONEY MANAGEMENT ASSISTANCE**

Sorting through bills and balancing a checkbook can be a particularly daunting task for a youth with a learning disability, deficient math skills or experience. Understanding how to maintain and obtain credit, deciphering loan applications, and budgeting are some of the items where a supportive adult can lend help.

**DRUG AND ALCOHOL ADDICTION HELP**

A high percentage of youth in care have parents who had drug or alcohol dependency problems. Working with young people transitioning out of care to avoid these dangerous pitfalls and offering support if a problem should develop could help break a familial cycle of addiction.

**HELP WITH READING FORMS, DOCUMENTS, AND COMPLEX MAIL**

Many youth in care have learning disabilities which may make complicated reading assignments all the more difficult. The supportive adult can make arrangements for a youth to collect materials for review on a weekly basis or to give a call on an as-needed basis.

**MECHANICAL AND/OR BUILDING PROJECTS**

Youth may need help keeping an automobile in good repair. Teaching a youth about the care of their car can help them build self-confidence and skills that can last a lifetime. Helping a youth fix up their apartment or a rented home, or asking for their assistance in projects around your home, can teach new skills which may be put to use throughout life.

**HOUSEKEEPING**

Some youth, particularly those who have lived in a residential facility or restrictive environment, may not have had real-life experience in keeping a home clean. The supportive adult can discuss cleaning supplies to use for particular household chores, how to avoid disease, and organization of clutter once a youth has transitioned to their own home.

**HOME DECORATING**

Helping a youth decorate their home can be a fun and rewarding way to contribute to the youth's sense of pride and self esteem.

**VOTING**

Youth in our society often form their first political impressions based on their parents' political beliefs. Youth in care often do not receive this role modeling. A supportive adult may wish to discuss current local, state and national issues, help a youth register to vote or take a youth to the polling location to vote.

**VOLUNTEERISM**

Volunteering to help others or for a worthy cause is an excellent way to build self-esteem. Supporters can offer to engage a youth in their own good work or embark on a new volunteer effort together.

**FINDING COMMUNITY RESOURCES**

Navigating through the maze of government agencies and myriad of social service programs is difficult at best even for a resourceful adult. The supportive adult can help the youth make a list of useful resources in the community and offer to visit them together.

**SAFETY AND PERSONAL SECURITY**

The youth transitioning from care needs to take charge of their own personal safety. The supportive adult can encourage them to take a self-defense class, get CPR certified, get current on health and safety issues. The adult can take a tour of the youth's apartment and make suggestions regarding home safety, can help develop an evacuation plan, and make plans with the youth on what to do in an emergency situation. The supportive adult can offer to be called when something goes wrong, and offer to be listed as "person to contact in an emergency" on business forms.



*Sharde from Indiana, FosterClub All-Star*

"Permanency is important because if you spend your entire life moving around it doesn't give you a chance to get close to anyone, and you don't learn how to build those essential relationships you will need later in life. Moving around also influences you to run away from your problems."

**MENTAL HEALTH SUPPORT**

Some youth in care suffer from mental health challenges. Depression, attention-deficit disorder, eating disorders, and other illness may afflict the youth. It is suggested that the supportive adult educate themselves about any mental health disorders that are at issue.

**CO-SIGNER**

Many times youth need co-signers to acquire housing, car loans, or bank accounts (particularly when the youth is under 18 years old). Consider the financial liability if the youth were to miss payments or not fulfill the financial agreement. It is suggested that an adult who acts as a co-signer closely supervise the arrangement until the youth has established a consistent pattern of responsibility.



☐ **BABYSITTING**

If the youth is a parent, babysitting services can be the relief that is needed to keep a young family intact. In addition to providing a time-out, the offer to watch a child while the young parent gets other chores around the house accomplished (laundry, cleaning, etc.), provides an excellent opportunity to role-model good parenting skills.

☐ **EMERGENCY CASH**

Most of us have experienced a cash shortage at one time or another as a youth. Youth coming from care usually lack this important "safety net". The supportive adult may wish to discuss up front their comfort level in supplying financial assistance. They would discuss what constitutes an emergency (not enough to cover rent? a medical emergency? cash for a date? gas money?).

☐ **REFERENCE**

Many applications, including those for college, housing and jobs, require a list of references be provided by the applicant. If the supportive adult is able to give a positive reference for a youth, they should make sure a youth has their current contact information so that the supporter can be included on their list of references.

☐ **ADVOCACY**

Sometimes youth have a difficult time speaking up for themselves in court, at school, with government systems, etc. Supportive adults can help a youth organize their thoughts, speak on their behalf, or assist in writing letters.

☐ **INCLUSION IN SOCIAL CIRCLE/COMMUNITY ACTIVITIES**

Often youth in care have difficulty forming new friendships and relationships when they leave care. A supportive adult can extend regular invitations to the youth to attend social and community gatherings as an opportunity to form new friendships and make connections with people. Good opportunities to make new friends include family weddings, hiking trips, garden clubs, community service projects and volunteer opportunities, dances, sporting events, debate groups, community college classes, etc.

☐ **ADOPTION**

Even for many older youth, including those over the age of 18, adoption remains a dream. An adult who is able to offer this ultimate permanent connection for a youth may make an initial offer to adopt through a Permanency Pact. Often youth may have fears about adoption, interpreting adoption to mean loss of contact with bio parents or siblings (this should be taken into consideration when discussing this option). Youth who once declined to be adopted often change their minds, so an adult may want to renew the offer from time to time.

## About FosterClub



*FosterClub is the national network for young people in foster care.*

**Every 2 minutes**, a child's life changes as they enter the foster care system. There are more than 513,000 young people living in foster care across the country, and FosterClub *is their club* — a place to turn for advice, information, and hope. Our peer support network gives kids in foster care **a new spin on life**.

At FosterClub's **web sites**, kids are asking questions and getting answers: [www.fosterclub.com](http://www.fosterclub.com) is for young people and [www.fyi3.com](http://www.fyi3.com) is designed for youth transitioning from care. FosterClub's gateway for adults who support young people in foster care is [www.fosterclub.org](http://www.fosterclub.org). Our **publications** supply youth with tools for success and also provide inspiration and perspective from their peers who have successfully emerged from foster care. FosterClub's **training and events** are held across the country and feature a dynamic group of young foster care alumni called the FosterClub All-Stars. **Outreach tools** designed to improve communication with young people in care and engage them in achieving their own personal success.

The members of FosterClub are resilient young people determined to build a better future for themselves and for other kids coming up through the system behind them. Their success depends on the generosity of concerned individuals and collaborations with partner organizations. If you would like to learn more about FosterClub or how you can support young people in foster care, visit [www.fosterclub.org](http://www.fosterclub.org) or call 503-717-1552. FosterClub is a 501(c)3 non-profit organization. EIN 93-1287234.



The pinwheel is an enduring symbol of the happy, carefree childhood all kids deserve. For more than 513,000 youth living in the U.S. foster care system, childhood has been interrupted by abuse, neglect or abandonment. FosterClub's peer support network gives kids in foster care a new spin on life by providing information, resources, encouragement and hope.

*the national network for young people in foster care*

FOSTERCLUB



# PERMANENCY PACT

In an effort to substantiate and sustain an on-going connection between a youth and a supportive adult,

\_\_\_\_\_ SUPPORTIVE ADULT

pledges to provide specific support to, and has been accepted as a provider of such support by,

\_\_\_\_\_ YOUTH

confirmed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
DAY MONTH YEAR

as witnessed by \_\_\_\_\_  
FACILITATOR

*FosterClub's Permanency Pact documents a life-long, kin-like commitment to a relationship between a youth and a supportive adult.*

the national network for young people in foster care | [www.fosterclub.org](http://www.fosterclub.org)



- A Home For The Holidays
- A Place To Do Laundry
- Emergency Place To Stay
- Food/Occasional Meals
- Care Packages At College
- Employment Opportunity
- Job Search Assistance
- Career Counseling
- Housing Hunt
- Recreational Activities
- Mentor
- Educational Assistance
- Relationship/Marriage/Parenting
- Transportation
- Assistance With Medical Appts
- Storage
- Motivation
- Someone To Talk To/Discuss Problems
- A Phone To Use
- A Computer To Use
- Clothing
- Spiritual Support
- Legal Troubles
- Cultural Experience
- Apartment Move-in
- Cooking Lessons/Assistance
- Regular Check-in
- Bills & Money Management Assistance
- Drug And Alcohol Addiction Help
- Mental Health Support
- Co-Signer
- Help Reading Forms, Complex Docs
- Mechanical/Building Projects
- Housekeeping
- Home Decorating
- Voting
- Volunteerism
- Finding Community Resources
- Safety And Personal Security
- Babysitting
- Emergency Cash
- Social Circle/Community Activities
- Advocacy
- Reference
- Adoption
- \_\_\_\_\_
- \_\_\_\_\_