



Supporting Kin from Certification through Placement

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ABA Center on Children and the Law

- **Goal:** to promote access to justice for children and families
- Nonprofit grant-funded program of the American Bar Association that uses the law to help child welfare and court systems work more effectively
- Informs and improves legal practice through technical assistance, training, research, and other efforts, making access to justice real for the nation's children and families



americanbar.org/child



Overview of Kinship Care

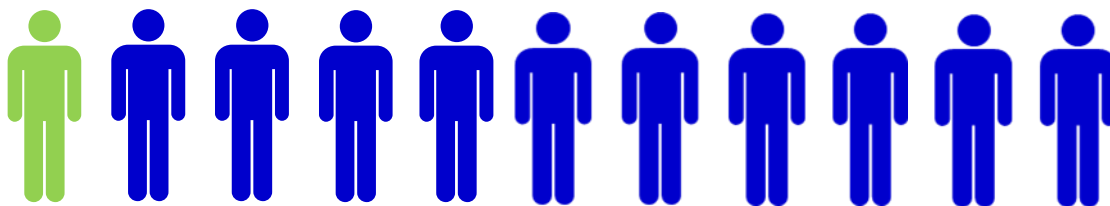


Supporting Kin: What Can you Do?

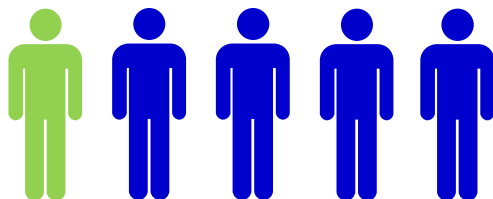
- Ask yourself:
 - How can I best support kinship care families?
 - How can I improve kinship practice in my jurisdiction?
 - What tools do I need to do it?
 - What is my role?
 - What resources exist to assist me?
 - How can I connect with other professionals to strengthen our kinship practices and policies?
 - How can we work together to best support kinship placements?

Kinship Care in Numbers - US

2.7 million children being raised by kin

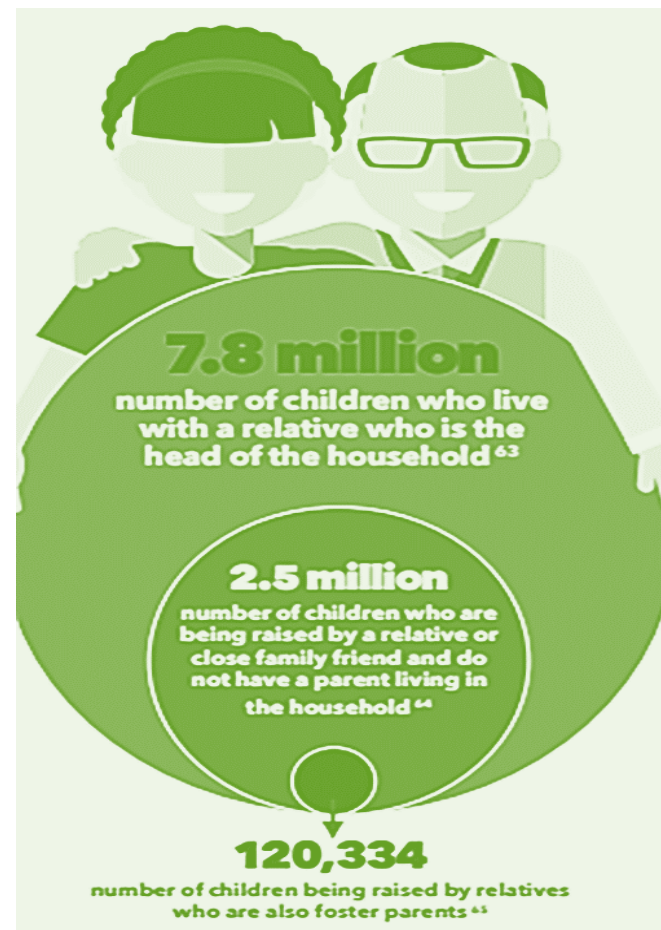


1 in 11 children live in kinship care at some point before the age of 18



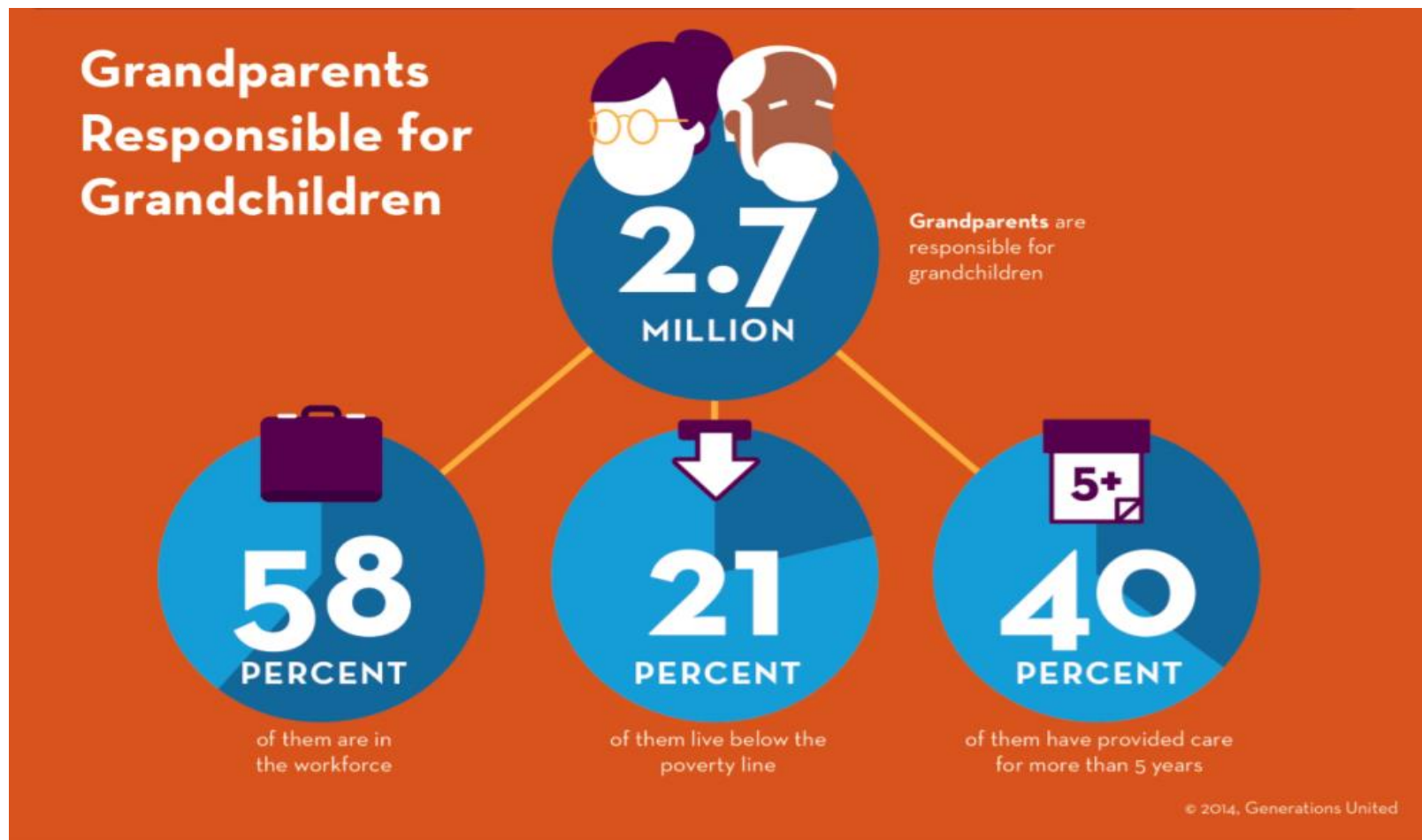
1 in 5 African American children experience kinship care

US - 30% of foster children are with kin
NY - 20% of foster children are with kin



State of Grandfamilies Report 2016,
Generations United

A Special Look at Grandparents



Kinship Care Continuum



Children living with kin w/o child welfare involvement; may get other gov't benefits

Children who come to attention of CPS; agency facilitates a kin arrangement as an alternative to state custody

Children removed from birth parents; taken into state custody; placed w/kin in unlicensed home

Agency places children in foster care with licensed kin (may require provisional or emergency approval)

Children who exit to kin adoption, guardianship or legal custody

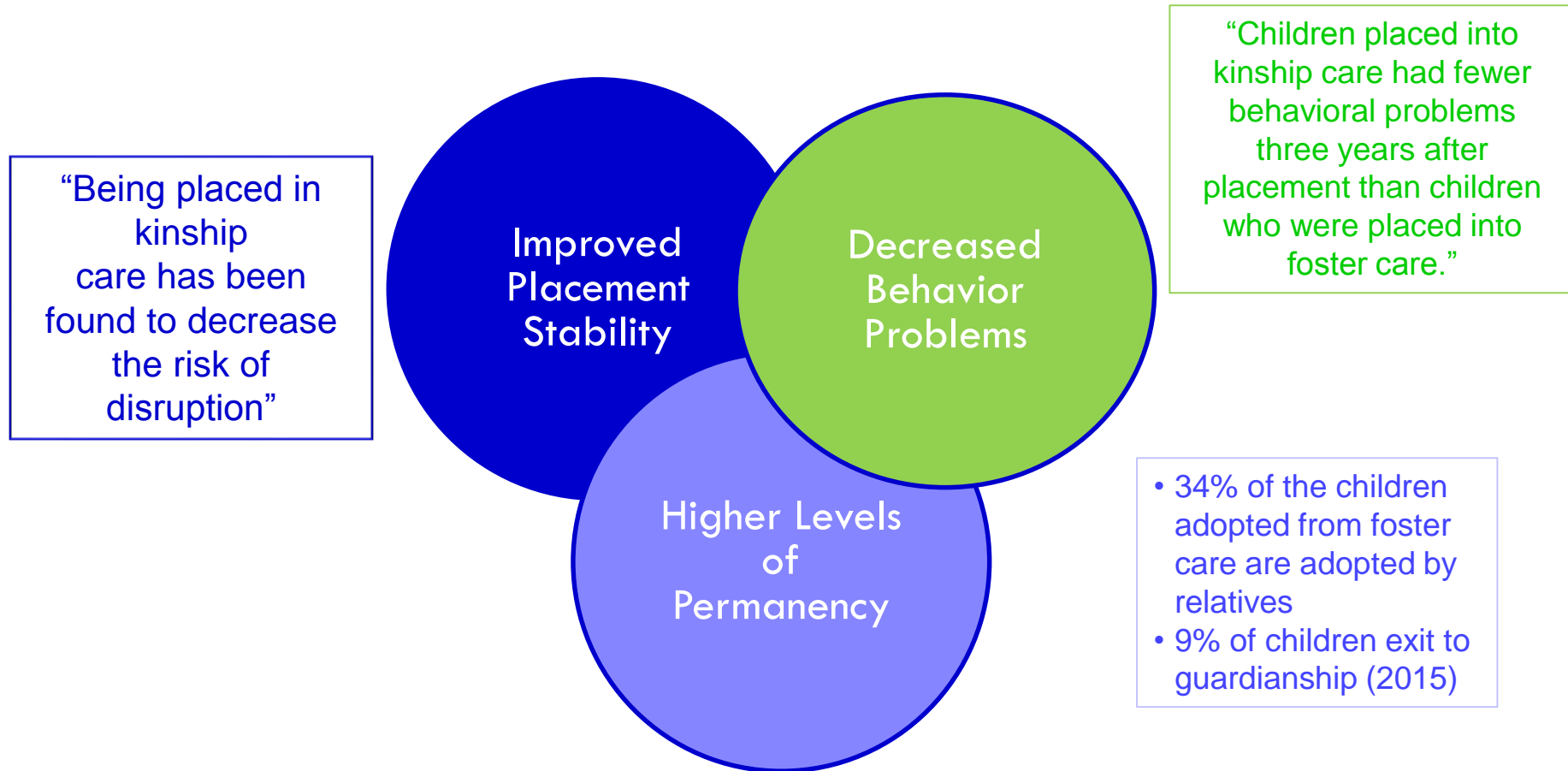
Children in permanent legal relationship with kin but may need ongoing support

Children Thrive in Grandfamilies



* See: *Children Thrive in Grandfamilies* fact sheet, available at www.grandfamilies.org and www.gu.org

Kinship Care Improves Outcomes For Children

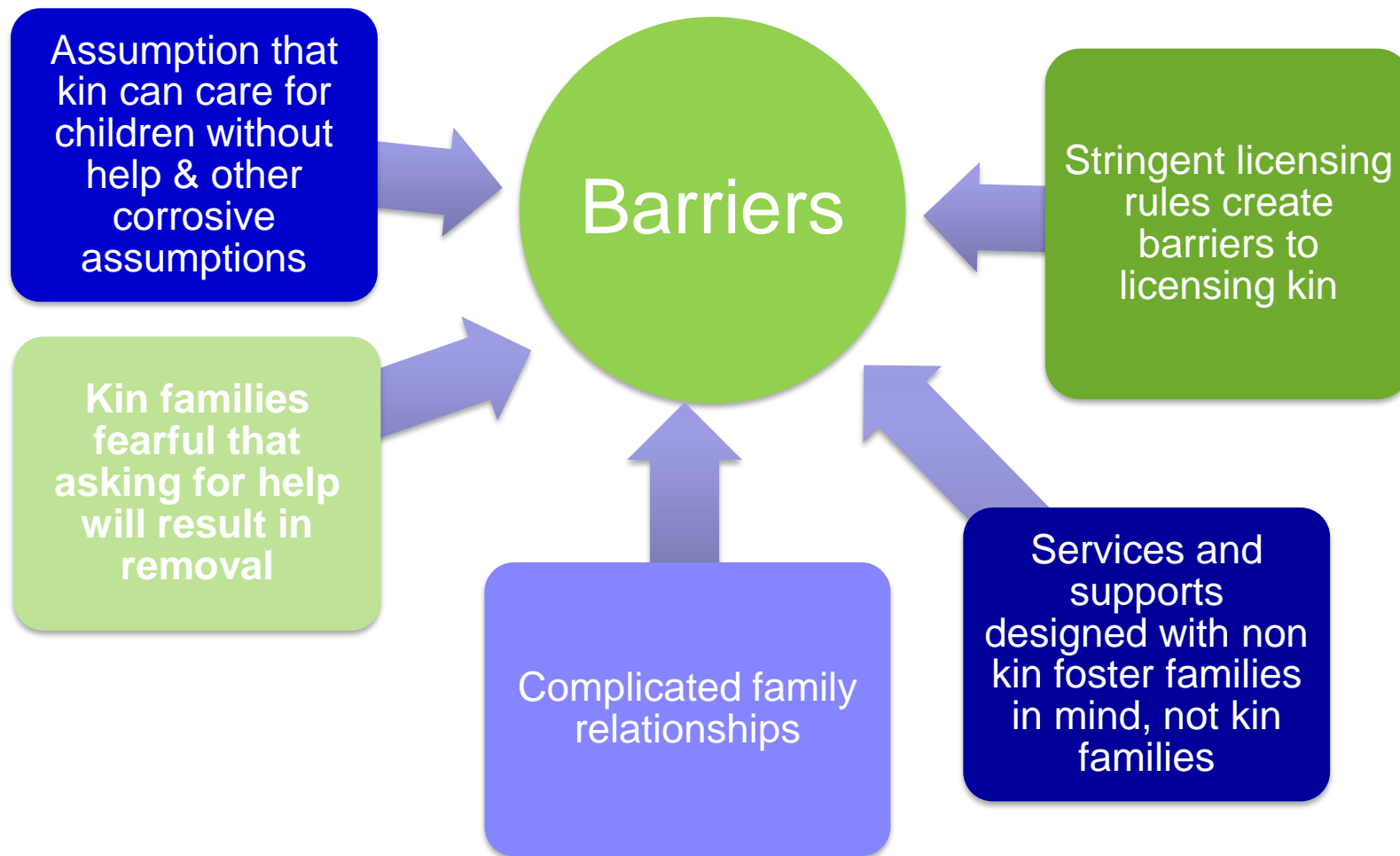


“Children initially placed in kinship care as compared to family foster care were more likely to reunify or exit to guardianship.”

Challenges of Kinship Caregiving



Barriers to Meeting the Needs of Children in Kinship Care



General Challenges of Kinship Care

■ For Kinship Caregivers:

- Complicated family relationships with parents and other relatives
 - May struggle with feelings of guilt and shame about their family circumstances, embarrassed to ask for help
- Don't anticipate the responsibility of caring for additional children
- Balancing training and licensing requirements
- Lack of resources for children and relative caregivers
- How to combat corrosive myths
 - “The apple doesn't fall far from the tree”
 - “You shouldn't need extra money to care for your kin”
- Lack of affordable and qualified legal services
 - Need legal authority to make daily caregiving decisions for children
 - Need help understanding complex legal options
- Access to accurate information & fear of “systems”
- Enrolling children in school and accessing medical care



General Challenges of Kinship Care

■ For the Court:

- Balancing best interests of the child with family needs
- Ensuring compliance with complex state and federal laws
- Lack of access to key case & family information to guide decisions

■ For the Agency:

- Easier to place child in licensed foster home
- Working with relatives to comply with licensing and training requirements
- Working with complex family relationships
- Explaining complicated kinship options to kin

Specific Challenges for Kin Caregivers

- Certification/Approval Process
- Access to information
- Poverty and lack of insurance
- Mental and Physical Health of child and caregiver
- Housing





Certification Barriers

- What are the barriers to licensing for relatives in your county?
 - Criminal history of relative
 - Abuse/Neglect history
 - Training of relatives - use alternatives to traditional training
 - IV-E time limitations
 - Understanding complex placement options and laws
 - If relatives are not licensed: ask why and make sure it is by choice
 - Determine if there is an easily fixed barrier to licensing, e.g. family needs a new bed, fire extinguisher
 - Relatives who don't want government involvement, but how is it different then supervision under N-Docket/1017?



Certification Barriers – Discussion Questions

- How often is emergency approval of homes allowed for relatives?
- How often are licensing waivers used to approve a relative? How long do waivers take?
 - What non-safety requirements have you waived?
 - Is there a process in place to waive standards?
- Why is grandma safe enough to place but not safe enough to pay?

Barriers in “Formal” Foster Care

- Routine activities become bureaucratic nightmares
- Permission from child welfare agency for field trips, school pictures, sleepovers, visits to family reunion
- Restrictive licensing requirements



Access to Information

- Often unaware of what services and benefits are available
- Complex systems difficult to navigate and legal assistance
 - May not have a legal relationship with child (no custody or guardianship)
- Fear of systems
- Benefits Quicklink on AARP website to connect with public benefits
- www.grandfamilies.org
- NYS Kinship Navigator - nysnavigator.org

Poverty and Lack of Insurance

- Children more likely to live in poverty than children in parent-headed homes
- Children more likely to have no health insurance than children in parent-headed homes
- Grandparent caregivers are 60% more likely to live in poverty than other grandparents

Physical and Mental Health of Children

- Exhibit a variety of physical, behavioral and emotional problems to a greater degree than general population of children
 - often due to situations that caused them to be placed in a grandparents' care.
- Frequently exposed to drugs and alcohol *in utero* and have special needs

Children in Out of Home Care With Alcohol or Drugs as a Reason for Removal⁶¹



Physical and Mental Health of Caregiver

- Often unable to attend to their own medical needs because of lack of daycare, respite care or adequate medical insurance.
- Stress of caring for children unexpectedly, social isolation from peers, sense of shame and guilt about their own child, the parent.
- Frequently suffer health problems like depression, diabetes, hypertension, insomnia, and gastric distress.

Housing

- 28% of renters live in overcrowded conditions
- More than 1 in 6 pay more than half their income on rent
- 60% of qualifying renters are not receiving housing subsidies
- Building/complex occupancy standards
- Child welfare occupancy standards
- Senior-only housing



Working with Kinship Caregivers

Special Considerations for Grandfamilies vs. Unrelated Families





Kinship families begin care of children immediately or with little notice



The new caregiving arrangement affects family dynamics and norms



Kinship families may have different backgrounds than non-kin foster



Timing and type of supports differ for kinship families

Non-Kinship Caregivers	Kinship Caregivers
Decision to become a caregiver is planned and voluntary	Decision to become caregiver is unplanned and in crisis
Preparation for caregiving roles and support already in place before child is placed in home	Limited preparation for caregiving
Requirements to become foster or adoptive parent are anticipated	Unanticipated requirements to become a foster or adoptive parent
Limited knowledge of family dynamics	Knowledge of family dynamics
Celebration of a new family	Mixed feelings about loss of parent to child
Strengthens new family relationships	Redefines existing family relationships
No guilt over birth parent problems	Guilt over birth parent problems
Feelings that they are saving the child	Ambivalence over taking over parental role for child
Feelings that they are displaying loyalty and commitment to child by assuming legal relationship	Perception that they are betraying birth parent by assuming legal relationship

Clinical Considerations When Working with Kinship Caregivers

- Guilt
- Loss
- Embarrassment
- Roles/Boundaries
- Loyalty
- Competition
- Morbidity
- Mortality
- Fantasies
- Bonding and Attachment
- Stress
- Anger
- Resentment
- Overcompensation
- Ambivalence
- Projection
- Transference
- Trust
- Denial
- Loyalty



Video Training Series

- The Annie E. Casey Foundation's released a five-part video training series - "Engaging Kinship Caregivers: Managing Risk Factors in Kinship Care"
 - <http://www.aecf.org/blog/engaging-kinship-caregivers-with-joseph-crumbley/>
- Features internationally respected kinship care expert, Dr. Joseph Crumbley
- Goal: to strengthen the skills of child welfare professionals in supporting families to improve outcomes for children
- Includes a discussion guide to help lead group sessions to deepen the learning experience.



Resources and Services



Resources and Services Vary: Depend on System Involvement and Legal Relationship

- The resources and services that are available to a kinship family:
 - Always depend on whether informal or formal kinship care
 - Sometimes depend on what type of legal relationship the caregiver has to the child



Formal Kinship Care

- Caseworker connects family to school services, health care, etc.
- Financial assistance is also available:
 - Foster care maintenance payments – average about \$655 per month/per child
 - Guardianship assistance (GAP) – monthly financial assistance up to the foster care rate
 - Adoption assistance – monthly financial assistance up to the foster care rate for most children adopted from the child welfare system

Informal Kinship Care

- Limited financial assistance may be accessible:
 - Temporary Assistance for Needy Families (TANF) – “grantee”
 - \$431 per month for one child, only increases a small amount for additional children
 - i.e. \$616 for 2 children; \$794 for 3 children
 - Social Security: Old-Age Survivors and Disability Insurance
 - If child’s parent collecting retirement or disability benefits or if the parent was fully insured when he or she died
 - Supplemental Security Income (SSI)
 - Children who are blind or have other serious disabilities under 18 and meet the SSI disability, income, and asset criteria
- Kinship Navigator Program
 - Provides information, referral, and follow-up to kinship caregivers to link them to the benefits and services

For All Caregivers: National Family Caregiver Support Program (NFCSP)

- Began in 2000 as part of the Older Americans Act (OAA)
- Area Agencies on Aging (AAAs) provide 5 types of supportive services to family caregivers and relatives age 55 and older who are the primary caregivers of children with or without legal relationships to the children:
 - (1) *Assistance to caregivers about available services*
 - (2) *Assistance to caregivers in gaining access to services*
 - (3) *Individual counseling, organization of support groups, and training caregivers*
 - (4) *Respite care*
 - (5) *Supplemental services on a limited basis*
- For a list of AAAs in your area, go to www.n4a.org



For All Caregivers: Federal Tax Credits

- There are a number of federal tax credits available to relative caregivers:
 - Earned Income Tax Credit (EITC)
 - Child tax credit
 - Additional child tax credit
 - Child and dependent tax care credit
 - Adoption tax credit
- More information at www.irs.gov
- Tax credits are not counted as income and will not be considered when applying for financial assistance or food support

Kinship Resources

- Grandfamilies State Law and Policy Resource Center
 - www.grandfamilies.org
- Generations United - www.gu.org
- State fact sheets of data and resources at www.grandfamilies.org
- ChildFocus - <http://childfocuspartners.com/>
- Child Trends data - www.childtrends.org/databank-indicators/
- Bridging Refugee Youth and Children's Services (BRYCS), Guardianship Toolkit
 - <http://www.brycs.org/guardianship/index.cfm>

