

IS-2021-37

Permanency Timeliness for Children and Youth in Foster care

Child Welfare Services in OK

- “Department of Public Welfare” created in 1936 – care of needy persons who are unable to care for themselves – elderly, children, sick, disabled
- Child Welfare True North
 - Strengthen families
 - Meet the individual needs of children in foster care
 - Prepare kids toward adulthood, including having a family

Goals of Child Welfare Systems

- Safety
 - Screening calls from the public
 - Investigating reports of child endangerment by caregivers
 - Recommending services to families
 - Asking the court for permission to remove to foster care if there is imminent danger that can't be controlled
- Permanency
 - Returning home when safe, adoption, guardianship
- Well-Being
 - Physical, emotional, developmental, and educational needs met

Child Welfare Front Door

- 80,000 calls to the hotline annually, involving 135,000 kids
 - 50% screened out
 - Of the 50% screened in, $\frac{1}{4}$ result in ongoing child welfare case
- Types of Child Maltreatment
 - Neglect – 80-90%
 - Physical Abuse – 10-15%
 - Sexual Abuse 4-7%

Child Welfare cases

- OKDHS investigation of child maltreatment
- Information provided to the DA, recommendation on deprived proceedings related to child safety (not criminal)
- DA makes decision about filing a petition alleging the child is abused or neglected
- Judge considers information provided and may provide an order to remove from parents
- Series of court hearings regarding the family's situation

Oklahoma Statute and Child Welfare

- Title 10A of the Children and Juvenile Code
 - Directs OKDHS, DA's, and courts on procedural matters concerning child welfare
 - Best interests and rights of children (including child representation)
 - Permanency
- Roles
 - OKDHS – identify, treat, and prevent child abuse and neglect by caregivers, ensuring reasonable efforts are made to keep in own home, or if not feasible, to provide a placement that meets the child's needs
 - District Attorney – authority to bring civil action to enforce the children's code
 - Court - decision maker related to removals, progress, disputes, services, reunification, guardianship, adoption

Child Abuse/Neglect Criminal Cases

- Title 21 – Crimes and Punishments
- Police may investigate
- DA determines whether or not to file criminal charges
- Language around “willful and malicious” engagement or enabling of child abuse

History of Child Welfare in the US

- Before 1875 – parents as “protectors”
- 1875-1960’s – communities/advocates as “protectors”
- 1960’s-2000’s – government as “protector”
- 2000’s-2019 – government + communities/advocates as “protectors”
- 2019 – future – family strengthening, prevention of foster care, timely permanency, and post-adoption care

Laws Related to Funding Child Welfare

- 1910's-1960's – laws primarily aimed at children in poor, rural area (neglect)
- 1974 – Child Abuse Prevention and Treatment Act (CAPTA) – required states to have a system for receiving and responding to allegations of child abuse and neglect
- 1980 – Adoption Assistance and Child Welfare Act – broader funding for foster care and adoption assistance – Title IV-E
- 1997 - Adoption and Safe Families Act – child safety heavily prioritized, permanency timelines established, adoption encouraged
 - Required permanency hearings within 12 months
 - Clarified “reasonable efforts” states must make with parents
 - Termination of parental rights proceedings for children in foster care 15 of last 22 months, with exceptions allowed

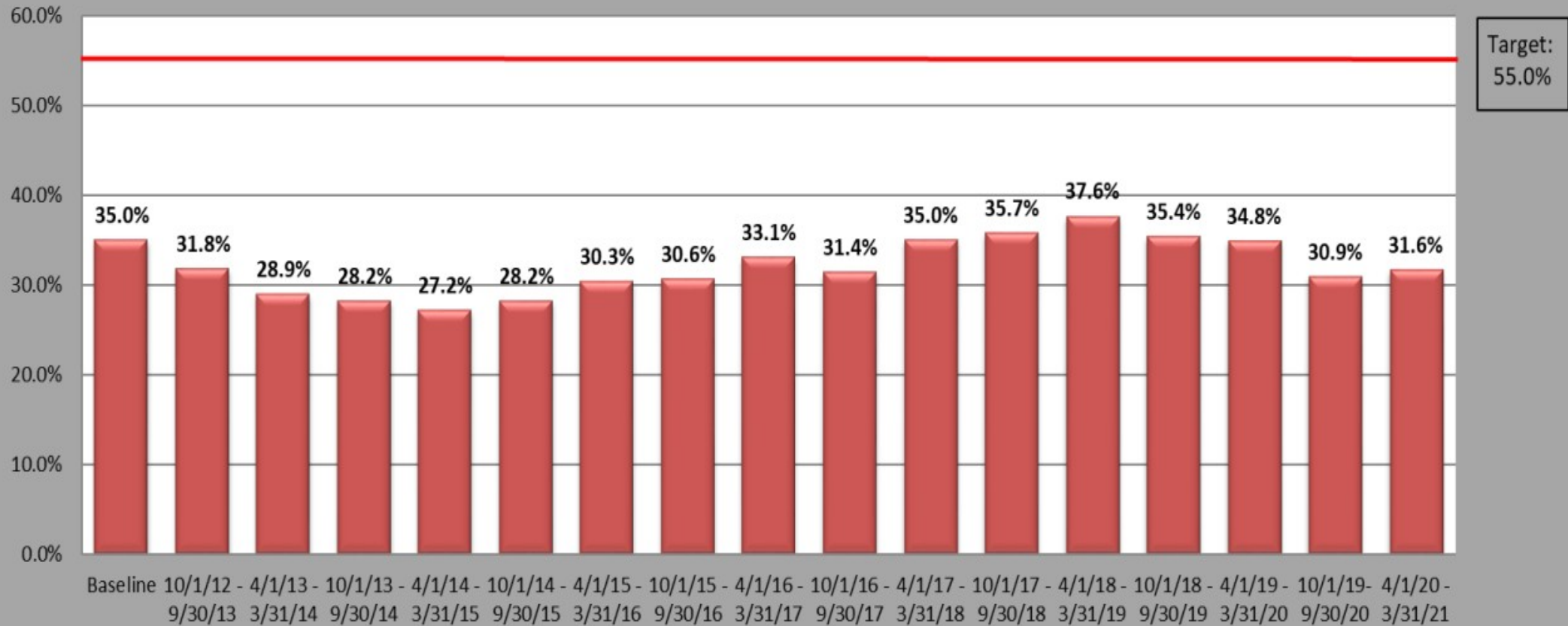
Laws Related to Funding Child Welfare

- 2007 – Fostering Connections to Success and Increasing Adoptions Act – adjustments to funding for child welfare, expanded funding for guardianships and adoptions, support for kin when children enter foster care
- 2018 – Family First Prevention and Services Act – shifts funding toward services to parents (and potentially adoptive parents?) whose children are at risk of entry into foster care

Permanency Efforts

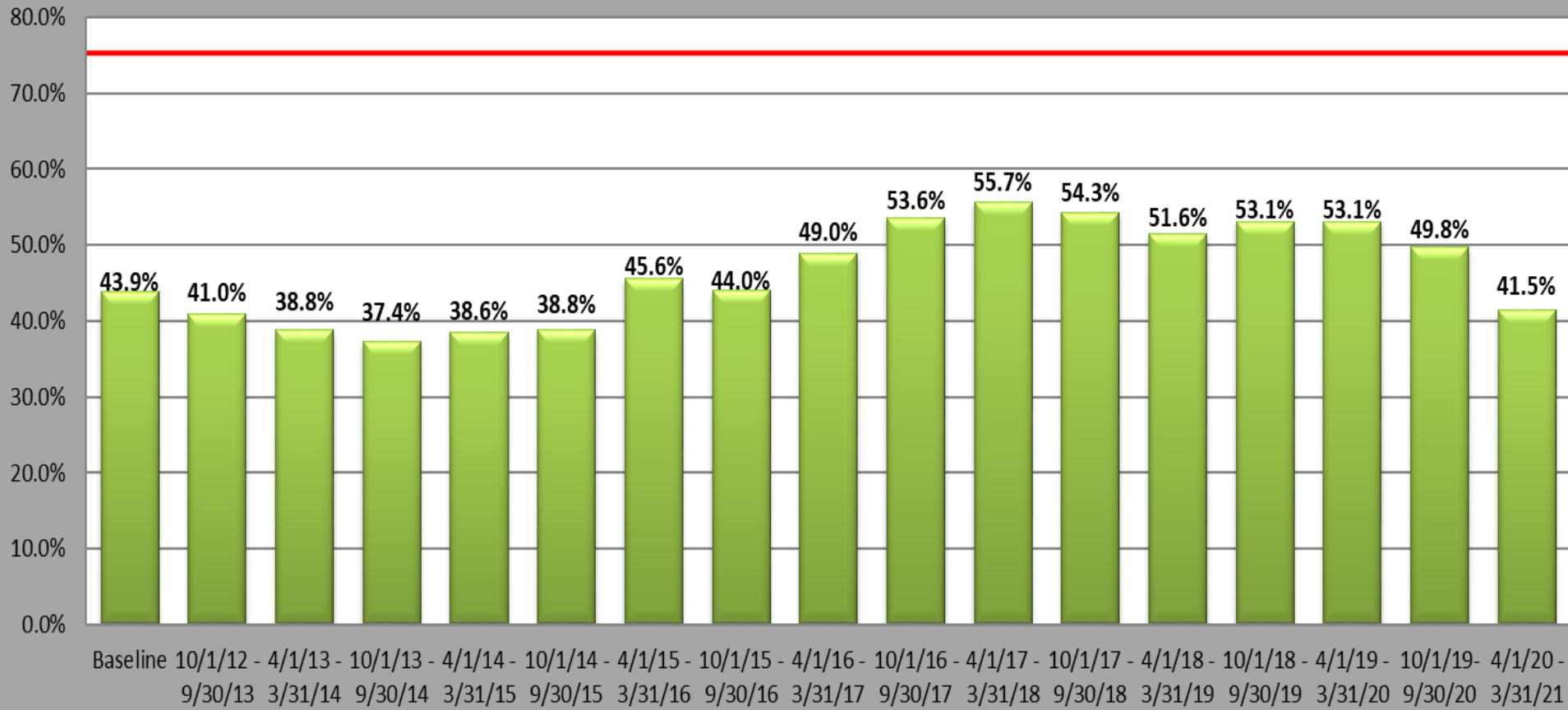
- Reunification timeliness
 - Parent engagement
 - Family time with children
 - Worker visits with parents
 - Family team meetings
 - Case worker continuity
 - Placement stability of child
 - Kinship placement
 - Early understanding of health, behavioral health, developmental, and educational needs
 - Wrap supports around early placements

Measure 6.2a: Permanency within 12 Months of Removal



Data Source: KIDS Data Measure 6.2a

Measure 6.2b: Permanency within 2 Years of Removal



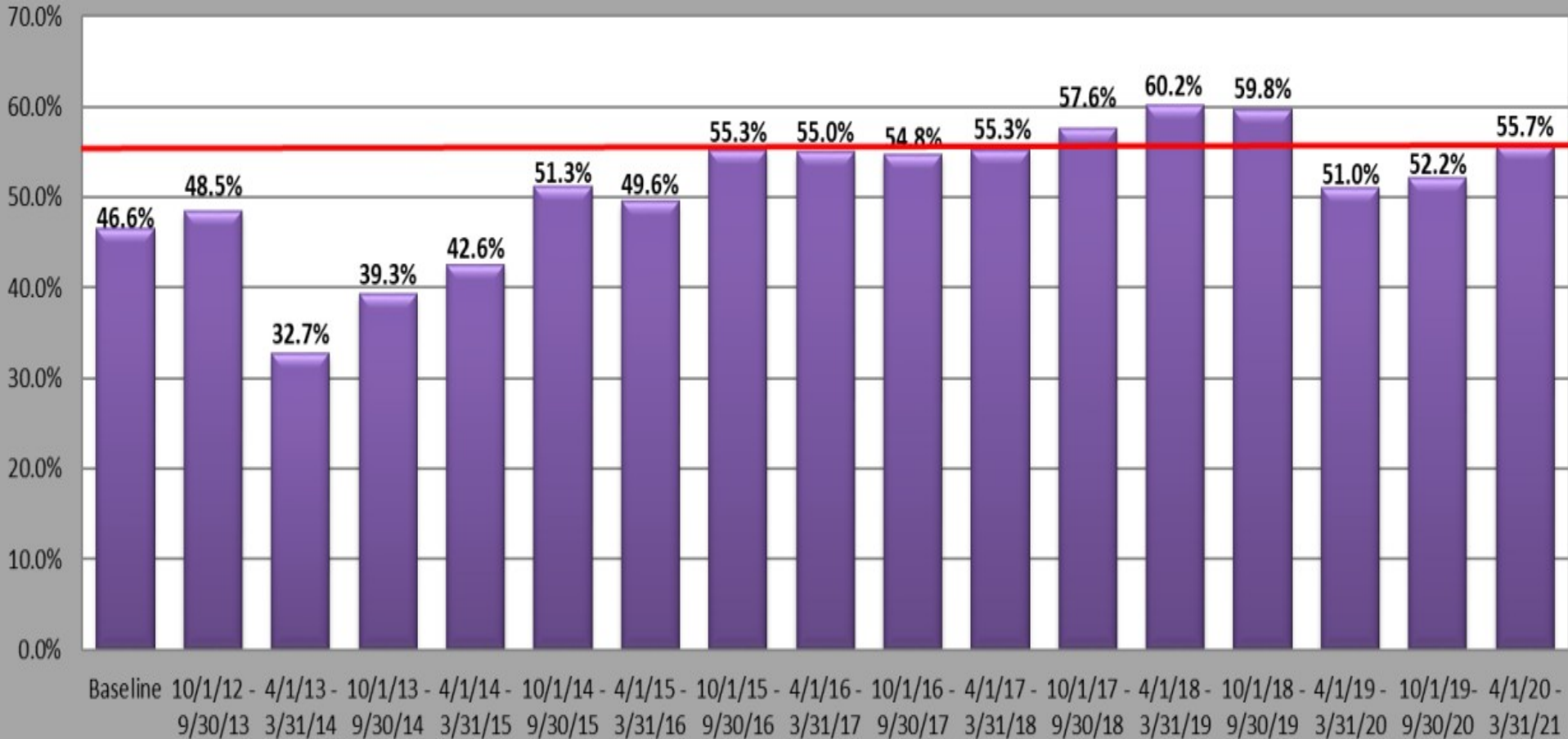
Target:
75.0%

Data Source: KIDS Data Measure 6.2b

Permanency Efforts

- Adoption and Guardianship
 - Improve process timelines once kids are legally free
 - 90-95% of adoptions are with the current foster placement
- Make subsidized guardianships a more viable option
 - Utilize both IV-E and TANF funding
 - Kids who have a case goal of adoption but are not yet legally free, and are with relatives
 - Kids who are older and don't want to be adopted but need permanency

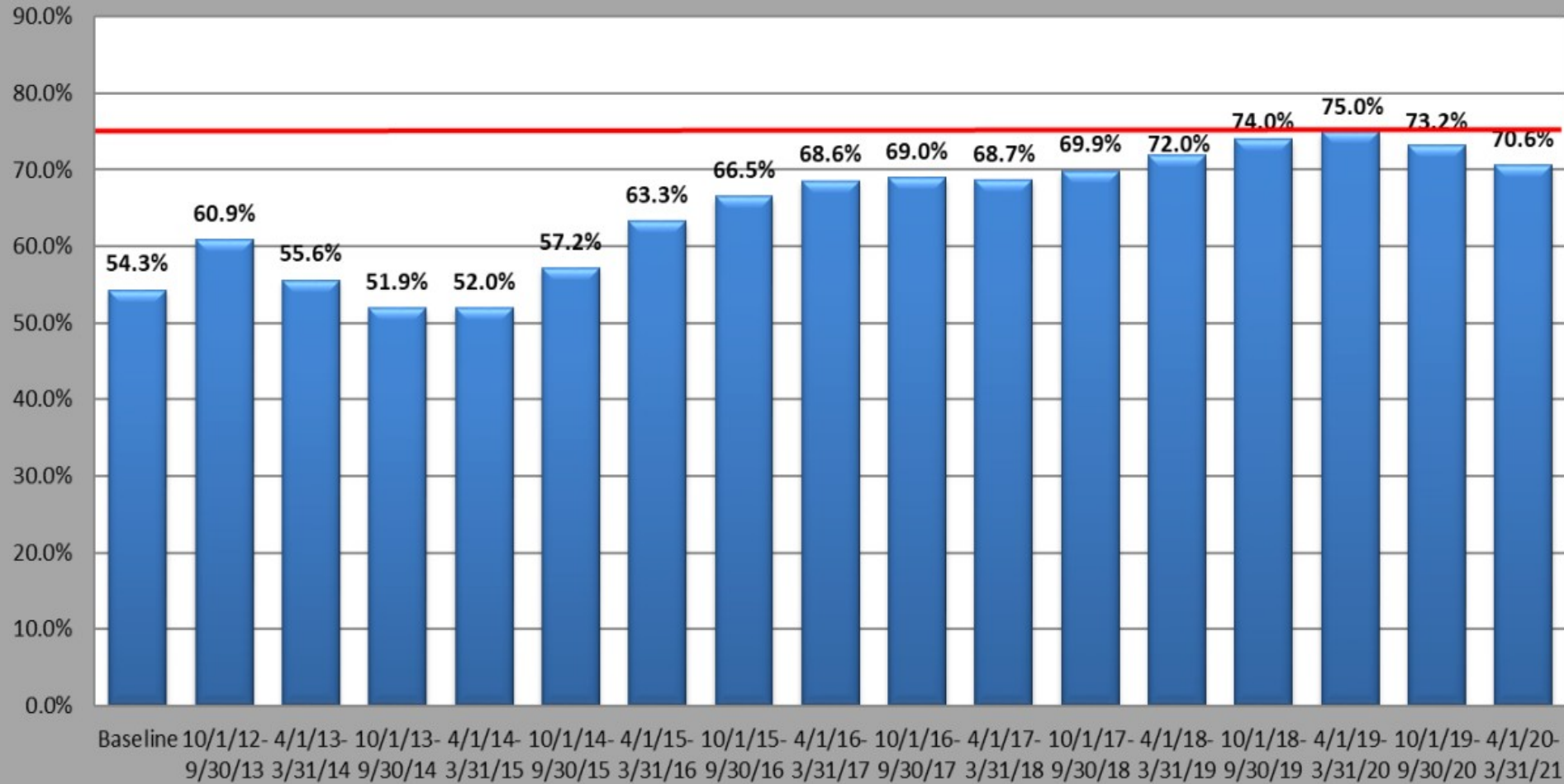
Measure 6.2d: Permanency within 4 Years of Removal



Target:
55.0%

Data Source: KIDS Data Measure 6.2d

Measure 6.5: Rate of Adoption for Legally-Free Children



Target:
75.0%

Data Source: AFCARS, Timeliness of Adoption within 12 Months of TPR

Permanency Efforts

- Courts
 - Court Improvement Program (CIP) collaboration
 - Initial work with a few pilot jurisdictions
 - All court projects saw improved permanency timeliness
 - Judicial dashboards/data sharing
 - Potential for federal IV-E funding support for quality legal representation for parents/children
 - Pre-petition legal work

What Would Help?

- Continued Child Welfare improvement
- Adequate services to parents and kids without long waitlists
 - Concrete supports
 - Mental health
 - Substance use treatment
- Strong steady funding for courts and attorneys