

# Giving the Family a Chance: Working Towards Reunification

Lisette Austin

Had you asked Andrea Goin 13 months ago if she thought the child she was advocating for would be returned to a birth parent, she would have answered no—without hesitation. After a year, neither birth parent had succeeded in getting off drugs, and their lives were worsening. The courts were moving towards termination of parental rights and adoption of the girl.

Goin is director of Henderson County CASA in Henderson, KY and also carries one case as a volunteer during her time away from work. She felt it was important in this case for a sibling to also be adopted into the same family. To allow this to happen, Goin and the child's therapist secured an extension before parental rights were terminated, which proved to be the extra time the birth mother needed. The mother entered a treatment program and did so well with sobriety that she was hired by the same treatment center—a good job with benefits. She paid off court fees and regained her driver's license.

"Last winter I realized she was going to make it, so I quickly switched gears and started working towards reunification," says Goin. The child was recently returned to her mother, and her older sister will soon join her.

Family reunification, as related to child welfare, is the process of returning children to their original families once the home is made safe. A common misperception is that foster care and by default CASA/GAL volunteer advocacy are focused on taking children away from

families and finding them new, "better" homes. The reality is that the majority of children in foster care do end up returning home. According to estimates from the Adoption and Foster Care Analysis and Reporting System, 54% of children who exited foster care during 2002 were reunited with their original families.

## Family Reunification Is a Priority

Prevention of removal and family reunification are legal priorities when a child initially becomes involved in the child welfare system. These priorities are rooted in the 1980 Adoption Assistance and Child Welfare Act as well as the 1997 Adoption and Safe Families Act. The two laws require that "reasonable efforts" be made to ensure that no child is placed in foster care who can be protected in his or her own home, and that when removal is necessary, reunification always be attempted.

The Indian Child Welfare Act of 1978 (ICWA), specific to American Indian/Alaska Native children and families, contains even stronger stipulations and language around keeping original families together. Studies in the 1970s found that 25-35% of all Indian children



had been removed from families and placed in non-Indian care. These findings led to national concern and eventually to creation of the Indian Child Welfare Act. ICWA requires proof by clear and convincing evidence for any temporary foster care placement and proof beyond a reasonable doubt for termination of parental rights.

“When a case comes into court and a child is alleged to be abused or neglected, the first question is whether social services has made reasonable efforts to prevent removal and ensure the child’s safety through provided services,” explains retired Judge J. Dean Lewis. “If the answer is yes, the next goal is to immediately assess what services need to be in place for the child and family to be reunified and the child to be kept safe,” she says. Lewis is a former member of National CASA’s board of trustees, past president of the National Council of Juvenile and Family Court Judges (NCJFCJ) and now serves as editor of *The Judges’ Page*, the online newsletter published by National CASA and NCJFCJ.

“From day one, child welfare workers need to be thinking about reunification—it’s the number one permanency option,” agrees Millicent Williams. Williams is a consultant on child welfare issues who has been a social worker in the field for the past 33 years, most recently serving as foster care program director for the Child Welfare League of America. “Kids belong with their families and in their original homes if they can be made safe.”

Williams stresses that family reunification is not a one-time event; it is an ongoing process. There are usually many steps that need to be taken and many potential pitfalls. In 2006, the Child Welfare Information Gateway (CWIG) published *Family Reunification: What the Evidence Shows*. This report focuses on practices and interventions that support the reunification process, outlining some of their common characteristics. These characteristics include assessment and case planning, family engagement and service delivery. The report also lists a number of barriers to reunification including lack of parent involvement (particularly of the father), lack of caseworker communication with birth parents about expectations and lack of caseworker support of birth parent efforts to achieve reunification.

CASA volunteers are in a unique position to help facilitate the family reunification process. Volunteers spend considerable time in direct contact with the child and family, carrying caseloads of one or two cases so that they have time to thoroughly investigate all permanency options and their impacts. Because of this, they often play a key role in successful reunification strategies.

“There are four core CASA responsibilities—to gather information, facilitate, advocate and monitor,” says Judge Lewis. “Because of these responsibilities, CASA is often in the best position to research the case history, bring family and caseworkers together and help establish and monitor the service delivery plan.”

## Assessment and Case Planning

Assessing the needs of children and families as they enter the child welfare system, and making plans to address those needs, is critical when working towards reunification goals. This is where the volunteer advocate’s responsibility of information gathering kicks into gear.

“First the CASA volunteer gathers facts to ascertain firsthand the child’s needs and wishes, and all additional information needed by the court,” says Lewis. “The volunteer interviews everyone who may have information about the child’s health, safety and best interest.”

Volunteer advocates are also instrumental in ensuring that early, comprehensive assessments of the child and family are completed and delivered to the judge.

“Advocates can find out if assessments are being done in the areas of mental health, substance abuse, etc.,” says Williams. “The question is, ‘what needs to change so that the child can be safe?’” She also recommends that research include speaking to relatives and community members—those who best know and understand the child and parents.

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### Tips for Advocates

1. Beware of assumptions. Leave your preconceived notions outside and pay attention to the strengths of the family.
2. There are myths about how various ethnic and socioeconomic groups tend to parent. Be aware of your cultural biases.
3. The fundamental belief governing child welfare policy is that the most desirable place for a child is with the family. Try to avoid thinking that you need to rescue the child from the family.
4. View foster care as a time of healing growth for both the child and the parent so they can come together and be a family again.
5. Don’t automatically believe what you read about the case. Learn the facts and develop your own impressions. Go into the home and see what’s really going on. Talk to Mom and Dad.
6. Find out who is part of the family’s support system. Learn from them what might help the family reunite.
7. The longer a child is out of the home, the lower the chance that reunification will succeed. From day one, start finding ways to help strengthen the family.
8. There is a reason that National CASA standards limit the number of cases you can take at any given time (two unless an exception is justified and documented). Honor that limit so you have time to be there for the children and families you are working with.

*Tips are drawn from interviews and research by the cover story author.*

Lewis stresses the importance of advocates researching community resources available to the family. "CASA volunteers are doing the legwork and telling the judge what services are available in the family's community," she says. "The CASA is key in helping to establish the service delivery plan." Lewis remembers a case where no one realized that the mother had serious mental delays. It was the CASA volunteer who figured out that the mother previously had received services to address her special needs.

"I couldn't tell because the mother was high functioning," Lewis explains. "Because of this discovery, appropriate services were obtained which greatly helped the family and case."

## Engaging the Family Through Facilitation

The second core responsibility of a CASA volunteer is facilitation. "It is always in the child's best interest for the parties involved to come to a consensus on as many issues as possible," says Lewis. In order to do this, an advocate can help facilitate meetings involving family members, caseworkers, foster parents and service providers. These meetings can help resolve disputes around issues that may or may not have been brought up in court.

"Often these facilitations reduce the number of additional court hearings which might otherwise be necessary to resolve interim disputes," says Lewis.

## Resources on Family Reunification

The following websites, publications and organizations are helpful in understanding issues and strategies surrounding family reunification as related to the child welfare system.

### **Child Welfare Information Gateway—Family Reunification ([childwelfare.gov/permanency/reunification](http://childwelfare.gov/permanency/reunification))**

This section of the Child Welfare Information Gateway website includes a list of resources specific to family reunification. Resource lists are broken down into topic areas that include: engaging parents in reunification, reunification assessment, reunification with substance-abusing parents and preventing reentry.

### **Evaluation of Family Preservation and Reunification Programs (<http://aspe.hhs.gov/hsp/evalfampres94>)**

This project, conducted from 1994 through 2002, was intended to rigorously evaluate programs designed to prevent the placement of children in foster care when it can be avoided. A related effort to reunify families who had at least one child placed in foster care was also evaluated, and related issue papers on family preservation, fiscal reform and cost estimation were produced. Westat, Chapin Hall Center for Children and James Bell Associates conducted the evaluation and wrote the reports.

### **"Family Reunification"**

This 2004 article was written by Fred Wulczyn and published in the journal *Children, Families and Foster Care*. It is primarily a discussion of family reunification in the law, in policy and in practice as well as an analysis of family reunification trends in six states. This article is available in PDF format at [futureofchildren.org/usr\\_doc/6-wulczyn.pdf](http://futureofchildren.org/usr_doc/6-wulczyn.pdf).

### **Family Reunification: What the Evidence Shows**

This 2006 issue brief, published by the Child Welfare Information Gateway, was developed in partnership with the Child Welfare League of America, under subcontract to the National Clearinghouse on Child Abuse and Neglect. The brief includes a review of research and policies to bring together current information on family reunification with examples of promising practices. It is available at [childwelfare.gov/pubs/issue\\_briefs/family\\_reunification](http://childwelfare.gov/pubs/issue_briefs/family_reunification).

### **"Judicial Oversight of Parent Visitation in Family Reunification Cases"**

This 2003 article was written by Judge Leonard Edwards and published in the *Juvenile and Family Court Journal*. It explores the issue of visitation between a child and parents in the context of child protection proceedings. It is available at [childrensprogram.org/media/pdf/Len\\_Edwards.pdf](http://childrensprogram.org/media/pdf/Len_Edwards.pdf).

### **Making Reasonable Efforts: A Permanent Home for Every Child**

This report was published in 2000 by the Youth Law Center and developed with support from the Clark Foundation. It includes guidelines for attorneys, judges and child welfare agencies as well as a list of resource organizations and internet resources. The report is available at [familyrightsassociation.com/bin/white\\_papers-articles/reasonable\\_efforts](http://familyrightsassociation.com/bin/white_papers-articles/reasonable_efforts).

### **National Resource Center for Family-Centered Practice and Permanency Planning ([hunter.cuny.edu/socwork/nrcfcpp](http://hunter.cuny.edu/socwork/nrcfcpp))**

This resource center focuses on increasing the capacity and resources of state, tribal and other publicly supported child welfare agencies to promote family-centered practices that contribute to the safety, permanency and well-being of children while meeting the needs of their families. The center has an online resource list specific to the topic of family reunification available at [hunter.cuny.edu/socwork/nrcfcpp/info\\_services/reunification.html](http://hunter.cuny.edu/socwork/nrcfcpp/info_services/reunification.html).

### **The Judges' Page Newsletter ([nationalcasa.org/JudgesPage](http://nationalcasa.org/JudgesPage))**

This online newsletter is published by National CASA and the National Council of Juvenile and Family Court Judges and is an excellent resource for CASA volunteers. The October 2007 issue, *Reasonable Efforts in the Dependency Courts*, addresses the role of the judge in making reasonable efforts findings as well as provides the perspective of others involved in foster care cases. This issue can be downloaded from *The Judges' Page* newsletter website.





Facilitation is also the cornerstone to one of the main intervention strategies laid out in the CWIG report on reunification—family engagement. According to the report, effective family engagement activities include involving birth families in planning and decision-making, encouraging foster parent support of the birth parents and facilitating visits between children in foster care and their parents.

“CASA advocates can request and encourage what is called a family team meeting that includes birth parents, the child and family members,” says Williams. “This ensures the parent is not left out of the parenting process just because the child is in foster care.”

Social workers commonly support a connection between birth parents and foster parents. “I think it is important that the birth parents meet the foster parents early on, so that birth parents don’t feel replaced and so that foster parents can serve as mentors,” Williams explains. “Unfortunately many states still feel that foster parents and birth parents shouldn’t have contact at all—this is contrary to what is helpful to the child,” she says. “What better way to comfort the child than to show the foster parent and birth parent working together?”

The volunteer advocate can help facilitate visitation between children and birth parents. “Visitation is critical,” says Williams.

According to the CWIG report on reunification, parental visitation statistically increases the chances of families being reunited. Regular visitation also reassures the child, who may be feeling guilty about being removed and worrying about his or her parents.

Additionally, visitation is a time for advocates to see parents in action. “It’s important to use visitation as a laboratory, so to speak,” says Williams. She also believes it is an opportunity to see how the child and parent interact—and what kinds of resources the parent needs.

Retired Judge Leonard Edwards agrees that visitation provides an excellent opportunity for learning about the family. Edwards, like Lewis, is a former member of National CASA’s board and past president of NCJFCJ. He spent many years on the bench in California and has authored articles on family reunification and parental visitation.

Social workers or parent aides often use visitation as a time to encourage and guide birth parents in their interactions with children. However Judith Parr, a volunteer advocate with Henderson County CASA in Kentucky, sometimes takes this on while she is observing a visit. “Sometimes all they need is for someone to come alongside and say ‘you don’t have to shout at this child—let me show you a different way,’” Parr says. “Parenting classes are helpful and are often ordered by the court, but sometimes parents just need some real-life reinforcement while they are visiting their children.”

### **Advocacy and Monitoring**

The CWIG report states, “targeted services meeting the individualized needs of children and families are key to achieving family reunification and ensuring children’s safety.” CASA volunteers can advocate for children in the child welfare system in ways that social workers often cannot.

“The CASA is not bound by agency policy or budgets in recommending what is best for the child,” says Lewis. Their focus is on children and what is best for them—which often means advocating for services families need to achieve reunification. “Because the CASA volunteer is a member of the community, he or she also often has access to charitable resources that agencies are unaware of.”

Along with advocating for services specific to each case, such as substance abuse or mental health treatment for parents, volunteers can also be instrumental in raising awareness about general service needs in the community. “Advocates are often the ones who see what services are lacking—they can really help push for services that need to be developed,” says Williams.

Lastly but very importantly, the CASA volunteer closely monitors the case over time, making recommendations to

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the judge and ensuring that all parties are in compliance with the court's orders. "Monitoring is so critical. When something goes wrong, the CASA advocate can bring it to the court's attention by filing a report, and the court can schedule a hearing to address concerns," says Lewis.

Advocate Parr takes this role seriously. "If anything goes wrong, I don't hesitate to tell the courts what is going on," she says. "It really breaks your heart, but you have to do it."

### Concurrent Planning

Although family reunification is a top priority when a child enters the welfare system, it is not always possible. "Concurrent planning" is a practice in which caseworkers and advocates are simultaneously researching and preparing for two possible outcomes—reunification and long-term placement with a new family.



"At the permanency planning hearing, advocates have to be thinking about alternatives and backup plans," says Judge Lewis. From the beginning of the case, CASA volunteers should keep track of things they learn about the child that might help them if they cannot be reunited with the birth family. "The goal is to develop a permanency plan that will really help the child."

Concurrent planning is not easy, as it requires supporting birth parents while building relationships with foster parents or other relatives in case the birth parent does not meet established goals. "It's a tricky thing—and it takes a lot of skill on the part of the worker or volunteer," says Williams.

Judge Edwards agrees. "Concurrent planning is best practice and a great idea," he says. "But unfortunately it is not carried out in most jurisdictions. Many foster parents don't like the idea of working with the birth parents—some want the parents to 'lose' so they can adopt the child."

Even when reunification seems unattainable, advocates need to remain open to the possibility that things could suddenly change, as in Andrea Goin's case that opened this story. And when it does, the advocacy focus should immediately return to reunification.

"The commitment of the system is to return children to their families," reminds Edwards. "Look to the family first, and don't assume that they're bad people. I'm always trying to inspire and urge people to give the family a chance."

And in the case of the struggling mother who turned her life around and now has two of her children back, she is certainly glad her CASA volunteer did just that. 📣

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### Reasonable Efforts Questions

Before making reasonable efforts findings, the court should ask the following questions:

- Are the services being offered targeted to the particular needs of the child and family and focused on the problems that led to the finding of abuse or neglect?
- What services could be rendered that would prevent the child's removal and ensure the child's safety?
- If removal is ordered, what services will promote reunification and maintain child safety?
- If removal is ordered, are there relatives or an absent parent who could care for the child and, if so, what services need to be offered to the caretaker?
- If reunification is not an option, what services need to be in place to achieve permanency for the child?
- Has a professional assessed the child's and the family's mental health, developmental and substance abuse status?
- What barriers exist to the child and family's use of the offered services? Barriers may include transportation, childcare, language skills, hearing impediments, disabilities and educational deficits.
- Are the services being offered culturally competent?
- Are the services needed by the child and family available in the community, or can the services be contracted through an outside resource?
- Were appropriate services offered in a timely manner?
- What are the credentials of the service providers, and have the outcomes of such services been evaluated?

CASA/GAL volunteers can assist judges by answering many of these questions in their court report and by informing the court of community resources.

—Excerpted from "The Editor's Page" in the Reasonable Efforts in the Dependency Court issue of The Judges' Page electronic newsletter ([nationalcasa.org/judgespage](http://nationalcasa.org/judgespage))