



Kinship Care and Child Only Cases

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Historically, Tribal communities did not have a need for child welfare or human services systems that currently exist in today's society.

Traditional beliefs, structures, customs, and values about child rearing and protection provided the 'safety, permanence and well-being' of traditional American Indian/Alaska Native communities.

Courts and social workers did not exist to ensure child safety. Community values, peer pressure and other cultural practices enforced by extended family, composed a natural child protection system.

Additionally, family cared for family.

Kinship Care

Times have changed, but some aspects of kinship care have not changed.

Today, a number of grandparents and other relatives find themselves serving as parents for children whose own parents are unable to care for them.

Sometimes, the arrangement of the child (referred to as “kinship care”) is an informal, private arrangement between the parents and relative caregivers; in other situations, the child’s arrangement is determined by the child welfare system.



U.S. Census Reports Related to Grandparent Caregivers

- According to the 2000 Census, more than 2.4 million grandparents in the U.S. reported having primary caretaking responsibility for at least one grandchild, with 4.5 million children being cared for by a grandparent.
- However, many grandparents who are raising their grandchildren do so informally, without legal rights or recognition. Many grandparents may fear revealing this caregiver information to a federal agency and therefore, the actual number of grandparent caregivers may be higher.

U.S. Census Reports Related to Grandparent Caregivers

- Grandparents raising grandchildren is not a new phenomenon. The year 2000 was the first year that the U.S. Census long form included a question on grandparents who lived with and who were responsible for their grandchildren.
- In 2000, grandparents under the age of 60, women, of African American, Pacific Islander, and Native American/Alaska Native ethnicities were most likely to be responsible for the caring of grandchildren.

U.S. Census Reports Related to Grandparent Caregivers

- In its 2003 brief, “Grandparents Living With Grandchildren: 2000,” the U.S. Census Bureau reported that the Western Region of the United States (including Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming) had the highest proportion of co-resident grandparents and grandchildren.



Tradition of Kinship Care

- Cultural factors also play an important role in the prevalence of custodial “grandparenting” as well as the meaning and experience of raising one’s grandchild.
- Among Native American/Alaska Native people, grandparents traditionally play a major role in the raising of grandchildren; children are believed to benefit from intergenerational caretaking. There is also less social stigma and more social acceptance for grandparents who assume responsibility for their grandchildren.



Federal Policy Supports Kinship Care

- The Indian Child Welfare Act of 1978 gives preference to relatives when an out of home placement is necessary.
- The Adoption Assistance and Child Welfare Act requires when placing children in foster care, States should use the "least restrictive, most family-like setting available in close proximity to the parent's home, consistent with the best interests and special needs of the child."
- The 1996 Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) addressed kinship care, requiring States to "consider giving preference to an adult relative over a non-related caregiver when determining a placement for a child, provided that the relative caregiver meets all relevant State child protection standards."
- Fostering Connections to Success and Increasing Adoption Act requires active relative search in child welfare cases.

Federal Policy Supports Kinship Care

- Today, child welfare agencies increasingly consider kin as the first placement choice when foster care is needed and kin are available and able to provide a safe home. Being separated from a parent, even an abusive or neglectful one, is traumatic for a child. By placing a child with someone he or she already knows, child welfare agencies hope to minimize this trauma.

Defining Kinship Care

- Children may come to live with their relatives in a number of ways, and only some of these instances involve the child welfare system. Kinship care arrangements fall into three categories:
 - (1) informal kinship care,
 - (2) voluntary kinship care, and
 - (3) formal kinship care.

Informal Kinship Care



- Informal kinship care is an arrangement made by parents and other family members without any involvement from the child welfare system or juvenile court system.
- A parent may leave children with grandparents or other relatives if they are unable to care for the child(ren).
- Informal kinship care is common in Native communities.
- With informal kinship care, legal custody remains with the parent and the parent(s) can take back the children at any time.

Informal Kinship Care

- Since the informal kin caregiver does not have legal custody of the child, the caregiver may have trouble enrolling the child in school, receiving medical coverage for the child, or obtaining other benefits for the child.
- Generally, the only type of financial assistance available to informal kinship caregivers is the child-only TANF benefit.

Voluntary Kinship Care

- When instances of voluntary kinship care occur, children live with relatives and the child welfare system is involved but the State does not take legal custody of the child.
- Sometimes voluntary kinship care placements are made by courts, in other circumstances a child welfare agency may make the child's placement without court involvement.
- Reasons for voluntary placement include evidence of child neglect or abuse. Overall, voluntary placement arrangement is made for a child's safety and well-being.



Voluntary Kinship Care, continued

- Some jurisdictions require parents to sign a voluntary placement agreement with a child welfare agency.
- Parents understand that if they do not voluntarily place their child, the child welfare agency will take the child's case to court and ask a judge to remove the child from the parents' care and grant custody of the child to the State.
- In cases of voluntary kinship care, children may remain in legal custody of their parents or the parents may sign temporary legal custody to the kinship caregivers.

Formal Kinship Care

- In cases of formal kinship care, children are placed in legal custody of the State by a judge and the child welfare system places children with grandparents or kin.
- In these cases, the child welfare agency has legal custody but kin have physical custody.
- The child welfare agency, in collaboration with the family, makes legal decisions about children.
- The child welfare agency is also responsible for the child's medical care, ensuring the child's school attendance, and assuring parent visitation.



TANF Child-Only Cases

- A child-only TANF case is one in which no adult is included in the cash grant.
- Children in TANF child-only cases with relative caregivers may be cared for in either informal or formal kinship care.
- TANF child-only grants support relative care arrangements both within and outside the child welfare system. Interactions between the caregiver and the child welfare agency as well as local policies on kinship care, determine the nature of the kinship care arrangement and the financial support that is provided.

Factors Leading to TANF Child-Only Cases

- A variety of policies affect child-only caseloads. Several TANF provisions and regulations may lead to child-only cases, including:
 - A five-year time limit on families receiving cash benefits;
 - Work requirements for families if the family wants to receive benefits;
 - Sanctioning policies for those who do not comply with work requirements; and
 - Regulations regarding parents who have drug felony convictions.

Study: Children in TANF Child Only Cases with Relative Caregivers, Final Report, 2004

- In 2004 a study* was designed to compile available information on characteristics, service needs, and well-being. This study was conducted in order to improve understanding of how States are addressing the needs of children in child-only TANF cases.

TANF Child-Only Cases

Key Findings

- Study findings about the service needs and well-being of children who are placed in TANF child-only cases with relative caregivers suggest both advantages and causes for concern.



Advantages

- Many reports on kinship care reveal its advantages:
 - Children in kinship care experience greater stability.
 - Children in kinship care also report more positive perceptions of their placements and have fewer behavioral problems.
 - Kinship care respects cultural traditions and may reduce racial disparities in a variety of outcomes.
 - Kinship care also provides stability for children of incarcerated parents.
 - Much research on kinship care debunks myths about placing children with kin.

Challenges

- The responsibility of raising relative children may come unexpectedly. Family members may feel unprepared – financially, emotionally, and physically – for the challenges presented.
- Kin caregivers may struggle with financial, legal, housing, healthcare, medical care, child care, respite care, educational issues and possibly the involvement of the child welfare system.
- When examining benefit levels, time limits, work requirements, and child support enforcement, researchers found that policies and procedures may have inadvertent consequences. For example, cooperation in child support enforcement activities is mandated by PRWORA; however, some kinship caregivers may have concerns about upsetting the informal custody arrangement by providing such information.

Key Findings – Children in TANF Child Only Cases with Relative Caregivers, Final Report

- Many children enter informal kinship care as a result of circumstances that could justify child welfare involvement.
- Relative kinship care is considered preferable to other forms of out-of-home care, but often entails substantial sacrifice on the part of the caregiver.
- Many children in TANF child-only cases with relative caregivers have extensive unmet needs.
- Children in TANF child-only cases with relative caregivers fall between the mandates of the child welfare and TANF systems.
- Further research into child-only cases and kinship care could guide effective services.

Conclusion

- Since the establishment of the TANF program, much attention has been given to reductions in the number of welfare cases. Welfare cases declined nationally by 52 percent between 1996 and 2001; however, child-only cases declined by much less.
- While the number of child-only cases has fluctuated over time, the proportionate share of child-only cases to the TANF caseload has increased.
- Children in TANF child-only cases with relative caregivers occupy uncertain territory between the TANF and the child welfare service systems. Because many children have not been identified as having experienced maltreatment, these children are outside the child welfare system's protective mandate despite the fact that they may be in need of supportive services.

Addressing Needs and Supportive Services in Child-Only Cases

- As studies indicate, child-only cases represent a complex set of characteristics and service needs that require unique interventions. A number of jurisdictions are beginning to develop programs to address aspects of identified need.
- Due to the wide range of family structures and circumstances within child-only cases, the process of developing programs to address needs is complex. In many cases, the innovations reflect collaborations between the TANF and child welfare systems.

Systems Collaboration to Meet the Needs of Children and Families

- The increasing number of children cared for by relatives in both the TANF and the child welfare systems raises concern about the unique needs of these families.
- These challenges can not be met by one agency alone.
- Through communication and collaboration, a community-based and culturally appropriate approach to meeting the needs of vulnerable children and families can be achieved.

References

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