

Family Integrity & Justice



Purpose

The purpose of the Family Integrity and Justice Works (FIJ Works) at Public Knowledge (PK) is to catalyze and support bold action toward creating a new approach to child welfare in the United States that honors the power of families and communities. FIJ Works' effort will focus exclusively on creating a replacement for child welfare as we know it, as opposed to improving existing systems that were never designed to be support families.

The change we are seeking

There are certain activities and characteristics of the existing child welfare system that must be replaced if we are to realize the goals of the FIJ Works. It will not serve families well enough to simply hone the current system that does not address the fundamental changes we are seeking – replacement with more informed and humanitarian approaches is essential.



The chart below describes some of the current components that must be replaced and what they must be replaced with:

TO BE REPLACED

REPLACED WITH WHAT

- Menu-style categorical services (as in the FFPSA Clearinghouse)

- Robust networks of primary prevention and family support services including cultural and traditional healing practices

- Categorical funding of family separation services (foster care and adoption)

- Funding sources that support primary prevention, well-being, and family unity (ARA, health plans, Medicaid, MCH plans, local spending, etc.)

- Over-surveillance of people of color/poor people through hotline reporting

- Alternate ways of seeking assistance, e.g., warm lines, community response, family resource centers

- Stranger care and group foster care

- Kinship care that serves the whole family, including family finding

- Incentives for adoption

- Incentives for family unity and reduced need for foster care and adoption



TO BE REPLACED

- Massive, difficult-to-access service contracts

- Definitions of neglect that allow poverty to be confused with neglect

- Mandatory reporting of neglect unless harm is clear and imminent

- Reasonable efforts requirements

- Requirements for drug testing in absence of danger and history of drug misuse

REPLACED WITH WHAT

- Community-based services, such as family resource centers, family support centers, family engagement centers, etc.

- Re-written neglect definitions that exclude poverty related issues

- Mandatory referrals for community-based services

- Active efforts requirements

- Holistic healing plans rooted in what we know about treatment and recovery



TO BE REPLACED

- Absence of high-quality legal representation for parents and children, or CASAs serving as representative in CW proceedings

REPLACED WITH WHAT

- High quality legal representation for all parents and children with a preference for inter-disciplinary legal rep from legal teams

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- CASAs as child advocates

- CASAs as family advocates

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- Boilerplate case plans

- Parent-driven plans

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- Reasonable efforts requirements

- Active efforts requirements

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- Agency-driven policy-making and decision-making

- Parent-driven policy and decision making



TO BE REPLACED

- Parents not knowing how to navigate the system

REPLACED WITH WHAT

- Peer partners for all parents

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- Youth aging out of foster care without permanency

- No youth aging out without permanency, e.g., relational and/or legal permanency, ties with families, etc.

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- Requirements to TPR at certain time-limited junctures

- Prohibition on TPR if parents are in treatment, within reach of exiting incarceration

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- Reasonable efforts requirements

- Active efforts requirements

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- General “aggravated circumstances” provisions in ASFA allowing TPR to proceed without making reasonable efforts

- Clearly defined and limited instances in which reasonable efforts need not be made, excluding previous TPRs and substance exposed newborns