

# 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 supportive to families.

## The change we are seeking

---

There are two overriding goals of the FIJ Works in child welfare. The first is preventing the need for families to ever make formal contact with the child welfare system. The second is to radically change the experience for those children and families who must interact with the system. In order to realize these goals, there are certain activities and characteristics of the existing child welfare system that must be replaced. 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:

Goal 1: Prevent the need for families to ever make formal contact with the child welfare system.

## TO BE REPLACED

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

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

- Lack of preventative legal advocacy on civil legal issues that may threaten family stability

## REPLACED WITH WHAT

- Robust networks of primary prevention and family preservation and support services including

- High quality legal representation for all parents and children, based on their expressed wishes, with a preference for inter-disciplinary legal rep from legal teams

- Preventative legal advocacy for families to promote stability



Goal 2: Radically change the child welfare experience for those families and children who must interact with it.

## TO BE REPLACED

## REPLACED WITH WHAT

- Foster care as a substitute for parents

- Foster care as a support for entire families, including normalized family time while children are in foster care and co-parenting

- Reliance upon stranger care and group foster care

- Kinship care that serves the whole family, including family finding, and supports for kin caregivers

- Incentives for adoption

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

- Massive, difficult-to-access service contracts

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

- Reasonable efforts judicial determinations for finalizing permanency goals and reunification

- Judicial determinations of active efforts supported by clear and specific evidence on the record



## TO BE REPLACED

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

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

- CASAs as child advocates only

- Boilerplate agency-designed case plans

- Agency-driven policy making and decision-making

## REPLACED WITH WHAT

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

- High quality legal representation for all parents and children, based on their expressed wishes, with a preference for inter-disciplinary legal rep from legal teams

- CASAs as family advocates

- Parent-driven plans

- Parent-driven policy and decision-making



## TO BE REPLACED

- Parents not knowing how to navigate the system

- Youth aging out of foster care without permanency, including replacing APPLA as a permanency goal

- Requirements to TPR at certain time-limited junctures

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

- Concurrent planning for children in foster care – including eliminating foster to adoption placements, assumption of adoption and emancipation as secondary goals

## REPLACED WITH WHAT

- Community-based peer partners for all parents

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

- Prohibition on TPR if parents are in treatment, only one parent is incarcerated, or instances where a parent can continue to be a meaningful part of a child’s life

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

- Commitment to and requirements for intensive efforts on achieving the appropriate goal