

RESOLUTION IN SUPPORT OF IMPLEMENTING A FAMILY-CENTERED FRAMEWORK IN CHILD ABUSE AND NEGLECT CASES

WHEREAS, the Adoption Safe Families Act requires a judicial determination that the agency has made reasonable efforts, absent aggravated circumstances, to preserve and reunify the family.¹ More than half of children exiting foster care in fiscal year 2016 were reunited with parents or primary caretakers;²

WHEREAS, children in the child welfare system are very likely to have been exposed to violence and experienced multiple traumatic events, and additional trauma can result from system involvement and separation from their families;³

WHEREAS, a trauma-informed and family-centered framework for the court system may improve the process of reunification through family engagement, building on family strengths, empowering family choice, and providing assessments and tailored services that meet the needs of each individual family;⁴

WHEREAS, research shows that early and consistent engagement opportunities for collaborative decision-making with families increases parental satisfaction with child welfare interventions and improves compliance with treatment and service requirements;⁵

WHEREAS, positive family engagement reduces the number of children of color entering foster care,⁶ expands options for relative placement,⁷ increases placement stability,⁸ and improves timeliness of permanency decisions;⁹

WHEREAS, frequent and meaningful family time can enhance the child and parent relationship, expedite permanency by engaging parents, and strengthen attachment and relationship-building for infants and toddlers in foster care;¹⁰

WHEREAS, research shows that for each additional visit with family per week, the odds of the child achieving permanency within a year are tripled;¹¹

WHEREAS, the Fostering Connections Act requires reasonable efforts be made to place siblings together and, if a joint placement is not possible, to provide for frequent contact between siblings.¹² Growing literature indicates that sibling bonds are particularly vital to children from disorganized and dysfunctional families.¹³

NOW, THEREFORE, BE IT RESOLVED:

The NCJFCJ recognizes that juvenile and family courts have a responsibility to implement a family-centered practice model that puts the family's needs, strengths, and choices at the center of the court process and must involve engaging each family in the process.

The NCJFCJ recognizes that a family-centered practice will not only engage families but ensure adequate family time and approach children and families in a trauma-informed manner.

The NCJFCJ encourages judges and court staff to assume that all children and families appearing before the court have experienced trauma or adversity in some manner and to ensure that the physical and social environments of the court are sensitive to reducing stress, practices reflect an understanding of trauma triggers, and policies are designed to promote healing.¹⁴

The NCJFCJ believes that approaching children and families in a developmentally informed and trauma-responsive manner encourages responsiveness to the needs of the children and families instead of the needs of the institution.¹⁵

The NCJFCJ recognizes that special considerations for family time are required when domestic violence is involved to ensure the protection and safety of the victims, while holding the perpetrator accountable.

The NCJFCJ calls for judges to encourage and support the development of family-centered, culturally responsive processes to ensure family engagement in a way that helps families craft solutions to the issues that brought them before court, except when the child's safety or well-being is at risk.

The NCJFCJ recognizes that relationships between and among children, parents, and siblings are vital to child well-being and as such, calls for judges to ensure that quality family time is an integral part of every case plan.

The NCJFCJ opposes withholding family time as a sanction because parents have a right to see their children and children have a right to see their parents and siblings, except when the child's safety or well-being is at risk.

The NCJFCJ shall continue to educate judges and others on the best practices to promote family engagement and a family-centered framework.

¹ 42 U.S.C. § 471(a)(15)(B).

² Children's Bureau. (2017). *The AFCARS report FY 2016*. Washington, DC: U.S. Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families. Retrieved from <https://www.acf.hhs.gov/sites/default/files/cb/afcarsreport24.pdf>.

³ Stein, B., Zima, B., Elliott, M., Burnam, M., Shahinfar, A., Fox, N., et al. (2001). Violence exposure among school age children in foster care: Relationship to distress symptoms. *Journal of the Academy of Child and Adolescent Psychiatry*, 40(5), 558-594; Chadwick Trauma-Informed Systems Project. (2013). *Creating trauma-informed child welfare systems: A guide for administrators* (2nd ed.). San Diego, CA: Chadwick Center for Children and Families.

⁴ Epley, P., Summers, J. A., & Turnbull, A. (2010). Characteristics and trends in family-centered conceptualizations. *Journal of Family Social Work*, 13(3), 269-285.

⁵ Littell, J. H. (2001). Client participation and outcomes of intensive family preservation services. *Social Work Research*, 25(2), 103-113; Popp, T., & Hyun-Kyung, Y. (2016). Family involvement in early intervention service planning: Links to parental satisfaction and self-efficacy. *Journal of Early Childhood Research*, 4(3), 333-346.

⁶ See, for example, Lemon, K., D'Andrade, A., & Austin, M. (2008). Understanding and addressing racial/ethnic disproportionality. *Journal of Evidence Based Practices*, 5(1/2), 9-30.

⁷ Merkel-Holguin, L., Nixon, P., & Burford, G. (2003). Learning with families: A synopsis of FGDM research and evaluation in child welfare. *Protecting Children*, 18(1-2), 2-11.

⁸ *Ibid.*

⁹ Merkel-Holguin et al., *supra* note 7; Tam, T. S., & Ho, M. K. W. (1996). Factors influencing the prospect of children returning to their parents from out-of-home care. *Child Welfare*, 75(3), 253-268.

¹⁰ Smariga, M. (2007). *Visitation with infants and toddlers in foster care: What judges and attorneys need to know*. American Bar Association and Zero to Three Foundation.

¹¹ Potter, C.C., Klein-Rothschild, S. (2002). Getting home on time: Predicting timely permanence for young children. *Child Welfare*, 81(2), 123-150.

¹² 42 U.S.C. § 471(a)(31).

¹³ Kosonen, M. (1996). Maintaining sibling relationships – neglected dimension in child care practice. *British Journal of Social Work*, 26, 809-822; Gass, K., Jenkins, J., & Dunn, J. (2007). Are sibling relationships protective? A longitudinal study. *Journal of Child Psychology and Psychiatry*, 48(2), 167-175; Herrick, M. A., & Piccus, W. (2009). Sibling connections: The importance of nurturing sibling bonds in the foster care system. In D. N. Silverstein and S. L. Smith (Eds.), *Siblings in adoption and foster care*, (p.27-42). Westport, CT: Praeger.

¹⁴ See NCJFCJ *Resolution Regarding Trauma-Informed Juvenile and Family Courts*, Adopted by the NCJFCJ Board of Trustees in July 2015.

¹⁵ *Ibid.*