

**PROMOTING**

# **SAFE AND STABLE FAMILIES**



**DETROIT CENTER FOR FAMILY ADVOCACY**

**AN INSPIRED**



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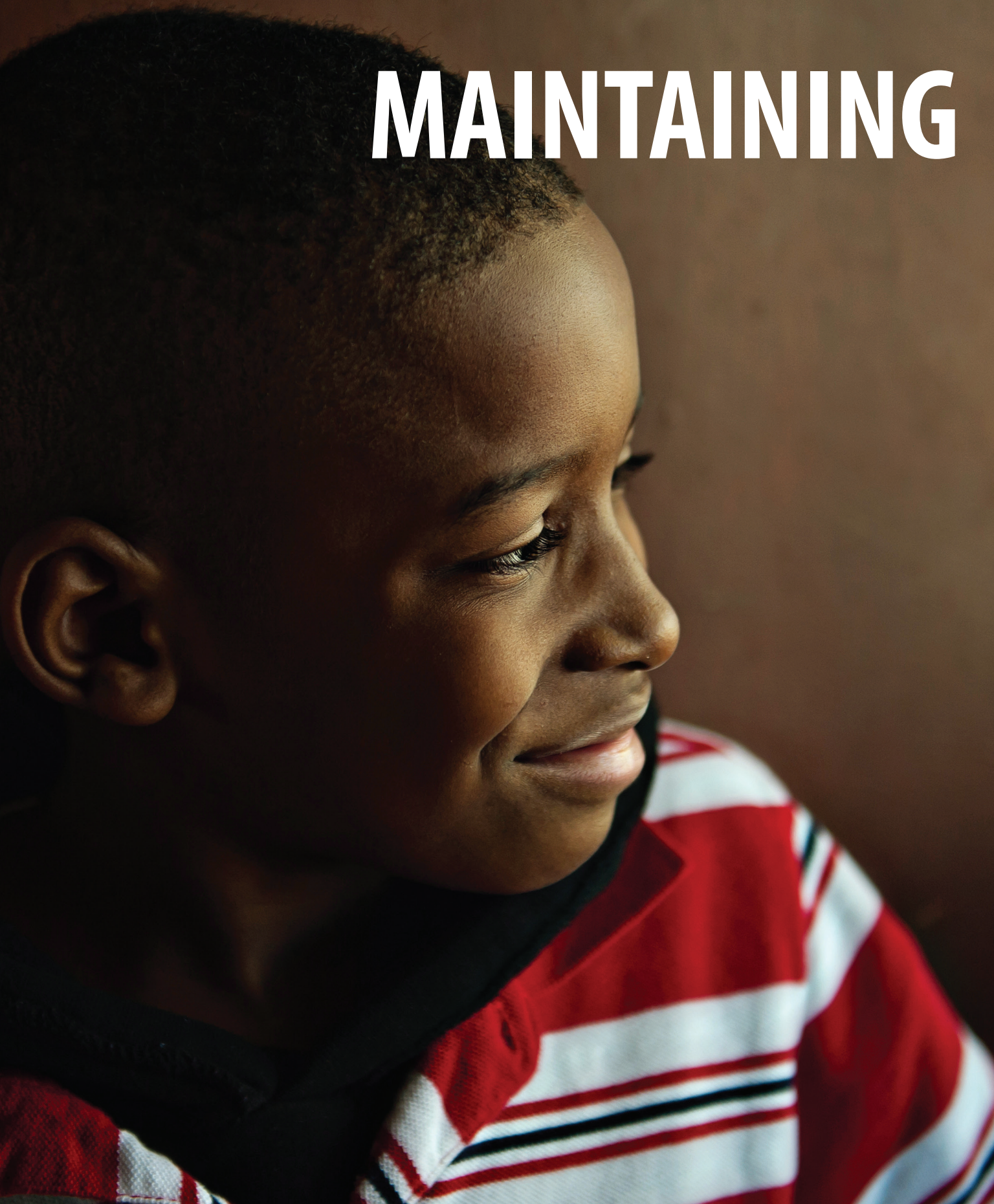
The **Detroit Center for Family Advocacy** (CFA) started with a simple idea to address an injustice being witnessed in child welfare practice—children being removed from their families because their caregivers do not have access to help with legal issues affecting the safety and permanency of the children in their care.

In response to this problem, the Child Advocacy Law Clinic at the University of Michigan Law School, led by Professors Vivek Sankaran and Don Duquette, set out to prevent removals and expedite permanency by providing multidisciplinary services to at-risk families. It was believed that by providing such families with an individualized plan of legal and social work advocacy, it would reduce the number of children in foster care. The data from CFA's three-year pilot clearly demonstrates that it does.

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**MAINTAINING**





# FAMILY TIES



**N**athan's mother loves him. But she struggles with mental health issues and has a history of putting Nathan's safety at risk due to her inability to provide consistent adequate supervision. Fortunately for Nathan, his great grandparents were there for him when Child Protective Services decided to remove him from his mother's care.

CFA became involved with the case to establish a legal guardianship. Despite participating in appropriate services, Nathan's mother was not able to make progress toward reunification at this time in her life. But she was trying. Nathan was 11 years old. Terminating his mother's rights didn't seem to be the right solution given that she wanted to stay involved and was making an effort at getting better. Instead, CFA negotiated a guardianship plan between the great grandparents and the mother that provided Nathan with the legal stability he needed while keeping a connection with his mother.

The guardianship, however, was not the only thing the great grandparents needed to successfully welcome Nathan into their home. They also needed support. In collaboration with the family, a CFA social worker helped them apply for food assistance and Medicaid benefits for Nathan, and she made referrals for counseling services. She also helped establish a supervised visitation schedule between Nathan and his mother. With Nathan placed in a safe and permanent family placement, the Department of Human Services closed its case.

*\*All names have been changed.*

# PROJECT

Opened in 2009, CFA employs a new model of legal and social work assistance for families involved in the child welfare system. Oftentimes legal services can resolve difficulties that would otherwise cause a child to come under the jurisdiction of the court and be placed in foster care, or keep a child from exiting care. CFA combines legal advocacy and social work assistance to eliminate the need for children to enter the foster care system in the first place or to expedite their exit.

## CFA accepts two types of cases:

- ▶ A **prevention case** involves a family where the children have not been removed from their caregivers by the Department of Human Services (DHS), and DHS has not filed a petition with the juvenile court, but has substantiated an abuse or neglect incident. In these cases, legal and social work advocacy on behalf of the family can prevent the children from entering foster care.
- ▶ A **permanency case** involves a family where the children are not in the care of the custodial parent and reunification is no longer the goal. Instead, in the typical case, are placed in the home of a non-custodial parent, relative or foster parent. Legal and social work advocacy is necessary to overcome a legal impediment, which is preventing the child from achieving permanency in the home. If the impediment is not removed, the child may not achieve permanency and may be at risk of being removed from the caregiver's home.

CFA's multidisciplinary approach—through the assistance of an attorney, social worker, and family advocate—is to formulate a plan to address safety risks while preserving the child's placement. Each member of the team offers a distinct set of skills to address the situation. A multidisciplinary approach to child welfare services is a developing trend nationally and is now recognized as a "best practice" among many child welfare experts and practitioners. CFA is a pioneer in using this approach to serve both low-income parents and relatives in its efforts to preserve the integrity of the family.

Nearly 90 percent of CFA's referrals come directly from the Michigan Department of Human Services. The Wayne County Juvenile Court is also a main source of referrals, as well as private agencies and self-referrals through outreach activities.

# SUMMARY

# THE PROBLEM

## TOO MANY CHILDREN ARE UNNECESSARILY IN FOSTER CARE

Many children entering foster care do not need to be there. And children who enter and remain in foster care are much more likely to experience poor lifelong outcomes. In Michigan, for example, close to 80 percent of children enter foster care due to parental neglect as opposed to serious physical or sexual abuse. In many of these situations, however, families that are provided the right mix of legal advocacy and social work services would be able to provide safe and healthy homes and prevent a child from entering foster care. Strong legal advocacy also expedites the exit of children already in foster care who may have extended family members willing to provide them with a permanent home. All too often, relatives, who may play a pivotal role in the lives of their kin, face obstacles in providing permanency for the children in their care.

### Collateral legal issues:

- ▶ A landlord/tenant dispute is putting a child at risk of being removed from his family.
- ▶ A personal protection order is needed to keep a mother safe and able to keep custody of her child.
- ▶ Outstanding warrants create a threat of jail time for a child's caregiver or are a barrier to an adoption or placement.
- ▶ A divorce is needed to enable a grandparent to adopt a child in his or her care.
- ▶ A non-offending parent needs a custody order.
- ▶ An aunt needs a guardianship to establish permanency.

**Unfortunately, for low-income families, these legal needs are rarely met. As one can imagine, with very few resources at their disposal, many of these families are unable to resolve their legal issues, and children unnecessarily enter or remain in care.**

In addition, there is a disproportionate number of minority children in the child welfare system. A 2009 comprehensive review of Michigan's child welfare system conducted by the Center for the Study of Social Policy<sup>1</sup> concluded that African-American children are more likely to be removed from their homes, spend longer periods of time in out-of-home care, and have inadequate access to relevant and helpful social services. This report recommended that legal and social work advocacy for these families must be improved to achieve racial equity in the child welfare system.

<sup>1</sup> This report can be found at <http://www.cssp.org/publications/child-welfare>.



## A MULTI-DIMENSIONAL APPROACH

# THE SOLUTION

**GOAL 1** Children served by CFA live with a permanent family in a safe and stable environment independent of the child welfare system.

**GOAL 2** CFA provides learning opportunities for law and social work students to engage in child welfare practice.

**GOAL 3** CFA's multidisciplinary program is replicated in other jurisdictions.

CFA employs a diverse strategy. Its core work is delivering direct legal and social work services, while using outreach and training, policy advocacy, collaboration, education, and instruction to push for change on all levels.

### Service: Legal and Social Work Advocacy

At the core of CFA is its multidisciplinary approach to addressing the multiple legal and other service needs of families. CFA attorneys guide parents and family members through the complex laws and procedures governing the child protection and foster care systems, and provide legal services that might remove any danger to the child, preventing the need for foster care. CFA social workers assess the family's strengths and weaknesses and provide service referrals and case management. The CFA family advocate—a parent who has experienced the child welfare system—provides clients with a unique perspective on how to navigate the system. She also helps parents stay focused and motivated in the face of adversity.

Through this multidisciplinary approach, the individual needs of families are addressed and the emotional trauma to children caused by removal and prolonged separations are minimized. Additionally, the burdens on the child welfare system are reduced so that the system may respond more effectively to those children with an immediate need for protection.

# ON

## Outreach and Training

CFA has established a collaborative relationship with the Wayne County Department of Human Services and the Wayne County Juvenile Court, which are the primary sources of case referrals for CFA. CFA staff have trained hundreds of DHS case workers about the Center, and staff return quarterly to collaborating DHS district offices to reinforce such training. Additionally, CFA has developed similar relationships with private foster care and adoption agencies, and it regularly conducts outreach presentations to such organizations. CFA also has trained judges, lawyers, and social workers at the Wayne County Juvenile Court on its services, who, in turn, have referred numerous cases to CFA.

CFA also aims to educate families on what to do when Child Protective Services becomes involved in their lives and on the things they can do to provide a permanent and safe home for the children in their care. Staff have conducted informational presentations at local schools, Head Start programs, domestic violence shelters, and other community locations about the child welfare system and how best to work with agencies to reduce the need for children to be removed from their homes.

## Policy Advocacy

CFA staff work with local, state, and national groups to help reform the child welfare system by sharing information about its innovative approach. Staff members closely collaborate with the Michigan Department of Human Services and the Wayne County Juvenile Court, along with other community organizations. Staff members sit on the boards of key child welfare groups including the Court Improvement Project, the DHS Race Equity Committee, and the ABA National Project to Improve Parent Representation, among others. Additionally, staff have presented at national child welfare conferences and have consulted with stakeholders in other jurisdictions on how to replicate the model.

## Collaboration

Collaboration with existing community resources is central to the CFA approach. The Center has important relationships with many Detroit community agencies.

CFA's goal is to be embedded within the network of community service agencies. It seeks to provide supportive, problem-solving legal services in coordination with social services available through other agencies. CFA avoids duplication of services and emphasize the legal services that it is uniquely able to provide.

The partnership with the University of Michigan Law School has provided a synergy to CFA that benefits the individual children and families being served, the formal child welfare system, and the University itself. The presence of CFA provides a great opportunity for the University of Michigan to pursue its mission of service, teaching, and research in Detroit, a community to which it has demonstrated a commitment over many years.

## Education and Instruction

CFA is analogous to the role of teaching hospitals in the urban environment. Like a teaching hospital, CFA is providing excellent service through a combination of the best clinical professors, highly skilled lawyers, social work expertise and other support services, and trainees. CFA is able to extend to its clients the advantages and quality of a high-priced law firm—which benefits the clients and the students who are assisting and learning. CFA has become a site for interdisciplinary professional education in service to the urban poor and prepares students for professional leadership roles within communities and nonprofit organizations.

**KEEPING KIDS WITH THEIR**





# BIRTH PARENTS



**K**eisha experienced abuse by her mother's live-in partner, and Child Protection Services decided to remove her from her mother's care. But CFA's advocacy on her father's behalf saved her from the additional trauma of entering foster care.

Keisha's father was referred to CFA for help in establishing custody of Keisa. CFA sought a custody order for legal and physical custody of Keisha on its client's behalf and got her placed with him immediately. Not only was custody awarded to the father, but CFA also renegotiated child support. After getting to know the family, it was clear that it was in Keisha's best interest to maintain a relationship with her mother. A CFA intern, guided by a staff attorney, successfully negotiated a parenting agreement between Keisha's mother and father that kept Keisha safe.

As the custody agreement was taking shape, the CFA social worker and intern provided ongoing emotional support to assist its client with the transition of his daughter coming to live with him. As a result, the family was referred to a community mental health provider for therapeutic services. In addition, these events occurred close to the holidays; the CFA social worker helped ensure it was a good one for the family by acquiring a donated holiday basket filled with food and gifts.

With the custody order in place and a final assessment that Keisha was safe, Child Protective Services closed its case.

*\*All names have been changed.*

# EVALUATION

JULY 2009—JUNE 2012

## MAKING AN IMPACT

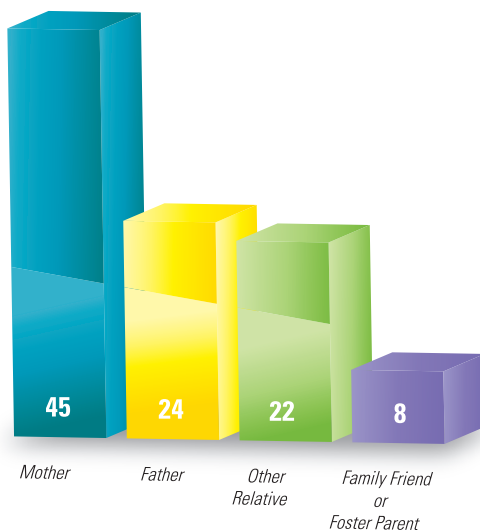
### Prevention Cases

In these cases, the goal is to eliminate legal barriers that would allow a child to safely remain within the family, thereby diverting foster care placement.

**CFA achieved its legal objectives in 98.2 percent of cases.**

**None of the children served entered foster care.**

**PREVENTION CASES**  
served 55 families with 110 children



**PREVENTION LEGAL ISSUES**



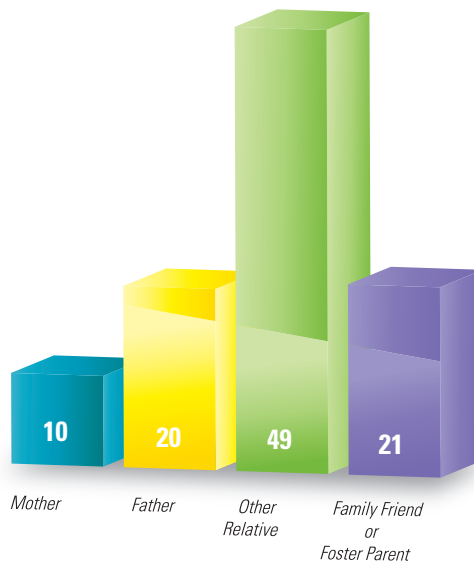
- Guardianship
- Custody
- Landlord/Tenant
- Paternity
- Other
- Domestic Violence
- Public Benefits
- Divorce

## Permanency Cases

In these cases, the goal is to eliminate legal barriers that impede a foster child's achievement of permanency.

**CFA staff were able to eliminate the barriers in 97 percent of its permanency cases, paving the way for those children to exit the foster care system.**

At the time of the evaluation, the court had closed 88.4 percent of the permanency cases CFA served.



**PERMANENCY CASES**  
served 69 families with 128 children

- Divorce
- Custody
- Licensing
- Warrants
- Out-of-State Placement
- Housing
- Other
- Administrative
- Child Support
- Traffic Tickets

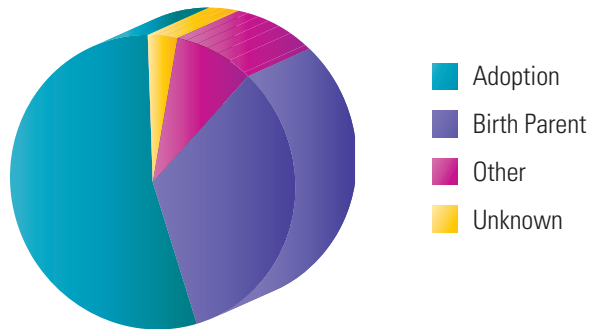


**PERMANENCY LEGAL ISSUES**



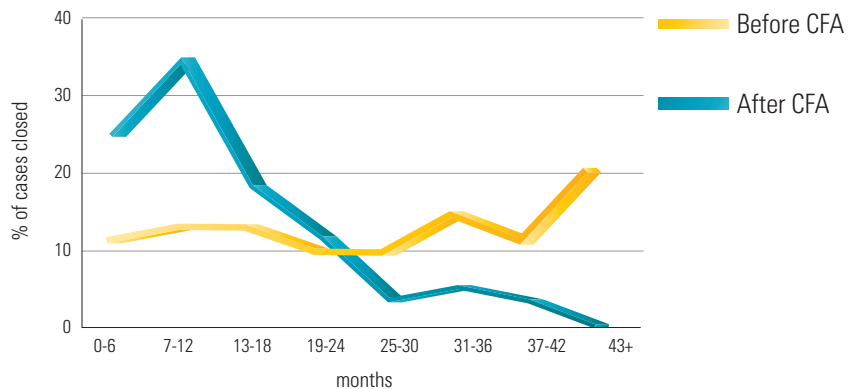
## CHILD LEGAL STATUS

Not only is CFA expediting the closing of child welfare cases, it is facilitating strong permanency outcomes. In 56 percent of those cases, the elimination of barriers facilitated the adoption of a child; in 29 percent of CFA's closed cases, children returned back home to their birth parents. In other cases, CFA helped to facilitate guardianships or supervised independent living arrangements or long-term placements with fit relatives.



Analyzing petition and court order dates allowed for the calculation of how much time the children at issue were in care before CFA became involved, and how much time it took the court to terminate wardship after CFA became involved. Three-quarters of the children had been in care longer than the national average of 21 months; 54.7 percent had been in care longer than two years, and 20.3 percent longer than three years. Once CFA became involved, 59 percent of the cases were closed within a year, 77 percent within 18 months, and 88 percent within two years.

## MONTHS IN CARE before and after CFA became involved



# PRELIMINARY ANALYSIS

## RETURN ON INVESTMENT

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Preliminary cost analyses are just beginning to document the potential savings this service could provide to government foster care systems throughout the United States. For example, for \$833,000 over three years, 110 children, all of whom were formally identified by the state as victims of child maltreatment, were prevented from being placed in foster care—but still kept safe. Typically, children who enter foster care stay in care for an average of 21.1 months. The average cost to the government when a child enters foster care is \$47,433 (some put it higher). If we assume conservatively that 25 percent of the 110 prevention-case children would have entered foster care and stayed for the national average length of stay, the cost avoided by the Michigan child welfare system for these cases alone is \$1,304,407. Thus, this half of the CFA service mode—the prevention cases—alone saved the government about \$500,000.

This analysis does not account for the value of preventing the trauma to children and families caused by removal, nor the saved costs from avoiding lifelong negative outcomes that are typically seen with foster children. And, this calculation does not include any of the cost savings associated with decreased length of stay of children in foster care that occurs through CFA's work in permanency cases.

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# REMOVING BARRIERS





# TO ADOPTION



**O**wen, Justin, and Kyle had lived with their aunt for the past four years, ever since they were removed from their mother's care. The state terminated the mother's parental rights long ago, but the aunt's plan to adopt her three nephews had stalled—she had outstanding warrants for unpaid tickets and court costs. Now, the adoption agency was threatening to remove these three boys from their safe and stable placement with a relative, simply because the adoption could not move forward unless these warrants were cleared.

The plea to the court was simple: If these warrants could be dismissed, three children could exit foster care and be adopted by their loving aunt. The CFA attorney shared our client's dilemma with the court and the court responded with empathy. The client's warrants were set aside, all charges against her but one were dismissed, and the remaining charge was cleared from her record in six months. In addition, through CFA's zealous advocacy, the court essentially forgave the client's balance of outstanding fees and fines and she no longer owed money to the court.

The client needed additional help removing barriers to finalizing adoption, and CFA's multidisciplinary approach helped ensure the client's success. For example, the client was initially informed by the adoption agency that she would not be eligible to receive medical subsidies for the children due to a lack of reports from the children's therapist. CFA's social worker was able to obtain all of the therapeutic records and the adoption/medical subsidies were approved. In addition, the CFA social worker and staff attorney successfully advocated for the adoption fees (\$500) to be waived.

The family was also linked to community resources and support aimed at improving the overall quality of their lives. For example, the oldest nephew was referred to a life skills and job skills program, and the CFA social worker communicated regularly with the program's staff to aid his success in the program.

By the end of its representation, the CFA team attended the adoption hearing and celebrated the family's successful exit from foster care.

*\*All names have been changed.*



# MAKING THIS

CFA's funding structure is as innovative as its service model—it uses private funds to leverage public dollars. In partnership with the Wayne County Department of Children and Family Services, CFA uses private funds to leverage state matching funds from Michigan's Child Care Fund.

CFA is most grateful to the following individuals and organizations. Without their belief in this idea and their courage to support it, CFA would not have achieved its success.

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- ▶ **Casey Family Programs**
  - ▶ **Community Foundation for Southeast Michigan**
  - ▶ **Dewitt C. Holbrook Memorial Fund**
  - ▶ **McGregor Fund**
  - ▶ **Pillsbury Family Advocacy Fund**
  - ▶ **Retired Justice Bobbe & Jon Bridge**
  - ▶ **Skillman Foundation**
  - ▶ **Quicken Loans Foundation**
  - ▶ **Wayne County Department of Children and Family Services**
  - ▶ **W. K. Kellogg Foundation**
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**ALL**

**POSSIBLE**

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