

EQUITY IN PERMANENCY: ASSESSING THE SCOPE OF INTERNATIONAL KINSHIP PLACEMENTS FOR CHILDREN IN THE U.S. FOSTER CARE SYSTEM.

International Social Service, USA

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Introduction

International Social Service (ISS-USA) is the U.S. member of International Social Service, a worldwide network of professionals whose mission is to find solutions to reunite vulnerable children, adults and families who are separated by borders. According to the Vera Institute of Justice, “the foreign-born population in the United States represents an important and diverse share of the country, many of whom live in mixed-status families. There are 18 million children in the United States with at least one immigrant parent.” Given this data, coupled with the pattern of migration, it is reasonable to assume that a subset of the 407,493 children¹ in the U.S foster care system have family connections overseas.

In January 2021, the Administration for Children and Families (ACF) ACF Commissioner Elizabeth Darling, after reviewing national foster care patterns, stated in an informational memorandum (ACYF-CB-IM-20-09)² that child welfare systems have a “high duty and legal responsibility” to achieve and support improved permanency outcomes for children and youth in foster care and the first step towards improved outcomes was the system agreeing that **family relationships and connections are key to positive outcomes in child wellbeing, thus reunification should be an urgent priority**. The informational memorandum also highlighted the importance of reinforcing child attachments and kinship connections, while ensuring safety, without solely prioritizing timeframes in an effort to achieve permanency quickly.

Although 85 percent of children and youth usually receive permanency through reunification, adoption or guardianship (ACYF-CB-IM-20-09), ISS-USA believes that family finding can be enhanced in scope, thus making the permanency process more equitable for the degree of diversity found in the foster care systems within each state.

In 2021, the National Conference of State Legislatures produced a report on Disproportionality and Race Equity in Child Welfare³. The report acknowledged that families of color not only are disproportionately represented in the child welfare system thus experiencing negative permanency outcomes compared to their White counterparts, but they also experience disparate outcomes. Disparate outcomes, such as children of one ethnic group lingering longer in foster care without placement options than children of other ethnic groups, is a result of inequity in our assessment and tools used to meet a child’s needs. To mitigate disproportionate and disparate

¹ Adoption and Foster Care Analysis and Reporting System (AFCARS), data received as of October 4, 2021, as of September 30, 2020 <https://www.acf.hhs.gov/sites/default/files/documents/cb/afcarsreport28.pdf>

² Administration for Children and Families. Informational Memorandum. <https://www.cwla.org/wp-content/uploads/2021/01/ACYF-CB-IM-20-09.pdf>

³ Disproportionality and race Equity in Child Welfare. Jan 2021. <https://www.ncsl.org/research/human-services/disproportionality-and-race-equity-in-child-welfare.aspx>

outcomes for children in foster care, the report recommends that **child welfare systems develop culturally responsive practices and eliminate bias in placement processes.**

Historically, African-American and Hispanic children are more likely to experience a kinship placement than their White counterparts, however kinship has only been viewed from a domestic lens which is no longer a viable practice given the evolving demographics of the United States. More can be done to ensure all kinship opportunities are available to each child entering the foster care system across all race and ethnic backgrounds. ISS-USA believes one way to address this recommendation is to improve the family finding practices at the onset of each case for a child entering the foster care system by asking if there are any family members living abroad then having them assessed as a potential kin placement. Although not all cross-border services will result in the movement of a child across a border, **equity looks at each child’s best interest and ensures that systems have appropriate family finding tools to address** the best interests of each unique child. This includes the possibility of **an international placement with kin, regardless of how long the process may take. Including international placement options would reinforce a culturally responsive practice by identifying a safe placement with kin wherever they reside without “solely prioritizing timeframes.”**

In an effort to improve equitable access to both domestic and international familial resources as placement options for all children, ISS-USA conducted a landscape analysis to identify national and state-level systems that support and facilitate international connections for children and youth involved in the child welfare system. During this analysis, an evaluation team sought insight into the following questions:

- Do policies, practices and interventions acknowledge the existence of family members who live abroad and how to engage those members as placement options?
- When conducting family finding are all family members, domestic and abroad (if applicable), part of the decision-making process for the child?
- Are the Child Welfare and Family Court systems culturally responsive when determining a placement for a child whose closest relative lives abroad?

Methodology

During the window of August 2021 – November 2021, ISS-USA disseminated a nineteen question survey as part of an exploratory study on cross-border placements. A total of 32 surveys were received representing **19 unique jurisdictions**, thus providing insight into child welfare family finding activities across 37 percent of U.S. jurisdictions⁴.

Survey respondents included: Children’s Bureau state kinship care points of contact, existing ISS-USA state child welfare contacts, listservs provided by ISS-USA and the Annie E. Casey Foundation as well as contacts of current and former child welfare commissioners. Respondents were sent a survey tool created in SurveyMonkey to gather data and information. Survey questions sought to understand the following from state child welfare systems and placement service providers for such agencies:

⁴ Percent factors in the denominator of 50 states plus the District and Puerto Rico.

- Familiarity with ISS-USA and its services
- Extent of international placement protocols (e.g., policy and/or practice manuals) within organization
- Type of placement data gathered for child and parent
- Willingness to engage in the process of cross-border placements
- Resource needs related to international family finding

Despite multiple entries from Colorado, Georgia, and Michigan, data will be presented across all 32 unique respondents considering there was varying degrees of knowledge between respondents within the same state child welfare institution. It is common knowledge that any gaps in awareness and resources across team members could negatively impact a child’s permanency.

During the same window, ISS-USA staff reviewed diligent search and kinship policies for all U.S. states and territories looking for any mentions of cross-border or international placements in policy or procedures when searching for kinship placements.

SUMMARY FINDINGS

Demographics

Respondents were asked questions about their job function, and role in relation to the state child welfare agency (*Figure 3*). The **majority of respondents (21 out of 33, 64 percent) worked in the State or Tribal Child Welfare Agency**. Other respondents were from the local branch of a statewide or tribal child welfare agency (n=4, 12 percent); from an independent local child welfare agency but work with their state or tribal child welfare agency (n=3, 9 percent); service providers for state or tribal child welfare agencies (n=2, 6 percent); represented a consultant or service provider for local, independent or tribal child welfare agency (n=1, 3 percent respectively).

Respondents represented the following job roles:

Figure 1

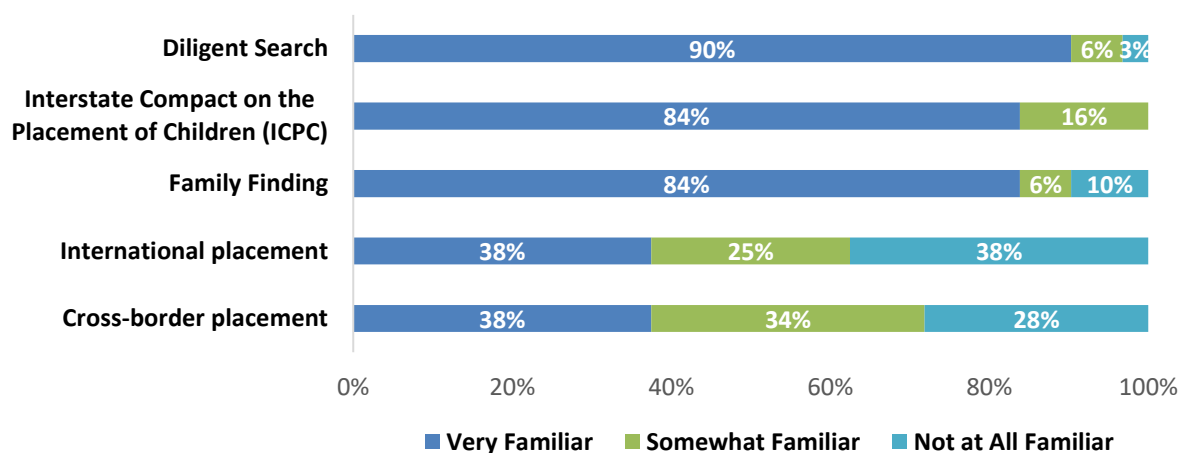
30 Days to Family Coach	Former State Care Coordinator	Program Director
Departmental Analyst	ICPC Specialist	Ongoing Caseworker Specialist
Adoption Worker	CEO	Permanency Manager
Assistant Program Development Administrator	Deputy Compact Administrator for ICPC	Program Manager
Permanency Specialist	Supervisor	Director of Case Management
Permanency Supervisor	ICWA Specialist	Immigration Specialist
Coordinator	Placement Resources Administrator	Child Welfare Program Manager
Interstate Compact Supervisor	Family Engagement and Resource Family Program Manager	Director of Operations
Social Worker	Program Administrator for Foster Care and Relative Guardianship and Deputy ICPC	Unaccompanied Refugee Minor Program Coordinator
Children's Services Agency, In-Home Services Bureau Coordinator		Kinship Director
		Youth Services Manager

The **majority of respondents (n=13, 41 percent) were in Administration**. Other primary responsibilities were categorized as: Interstate Compact Placement of Children and Juveniles, Consultancy or Contracts, Foster Care and In-Home Case Management including Permanency, Child Protection, Diligent Search, and Recruitment and Licensing of Placements.

Between **84 – 90 percent of respondents were very familiar with** the following language: **Diligent Search, Family Finding, and Interstate Compact on the Placement of Children (ICPC)**. However, **less familiarity of cross-border placement or international placement was demonstrated** in responses which varied across the familiarity Likert scale. Thirty-eight percent of respondents were very familiar with both terms, 25 to 34 percent were somewhat familiar and 28 to 38 percent were not at all familiar (Figure 4).

Figure 2

Respondent familiarity with the following terms:



Considering the limited awareness surrounding cross-border placements among respondents, one can deduce this is a byproduct of **53 percent (n=17) of respondents being unfamiliar with the work of ISS-USA**.

Awareness and Existence of Policy and Practice

To ensure reliability in survey results, respondents were provided with definitions of diligent search, family finding and cross-border and/or international placements. Respondents were then asked questions that addressed the extent of international placement protocols within their organization’s policy. Such questions included the degree of search and techniques utilized to complete a search for kin. In addition, respondents were asked about their level of comfort in completing domestic and international searches for kin and whether their organization had a written policy and/or procedure for conducting both types of searches.

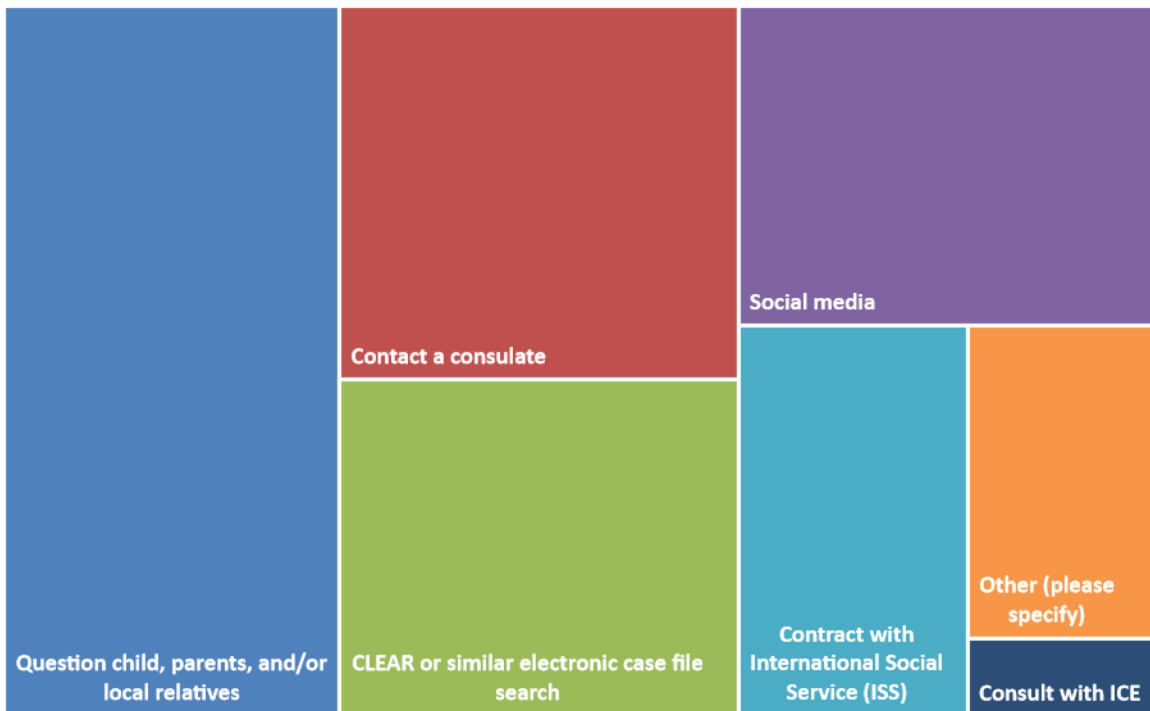
Seventy-three percent (n=22) of respondents were able to confirm that the state or tribal child welfare agency they work or partner with **conducts diligent or family finding searches** for kin to serve as placement options. Of those 22 respondents, 50 percent (n=11) indicated the state or tribal child welfare agency conducts both domestic and cross-border/international family finding, 32 percent (n=7) said domestic only and 18 percent (n=4) were unsure.

Only 20 of these respondents indicated each of the following resources (reflected in both chart and tree map form, Figures 5 and 6 respectively) are used to conduct diligent/family finding searches:

Figure 3

Resource	Percent	Count
Question child, parents, and/or local relatives	80%	16
Contact a consulate	50%	10
CLEAR or similar electronic case file search	45%	9
Social media	45%	9
Contract with International Social Service (ISS)	30%	6
Other (please specify) ⁵	20%	4
Consult with ICE, including online detainee locator system	5%	1

Figure 4

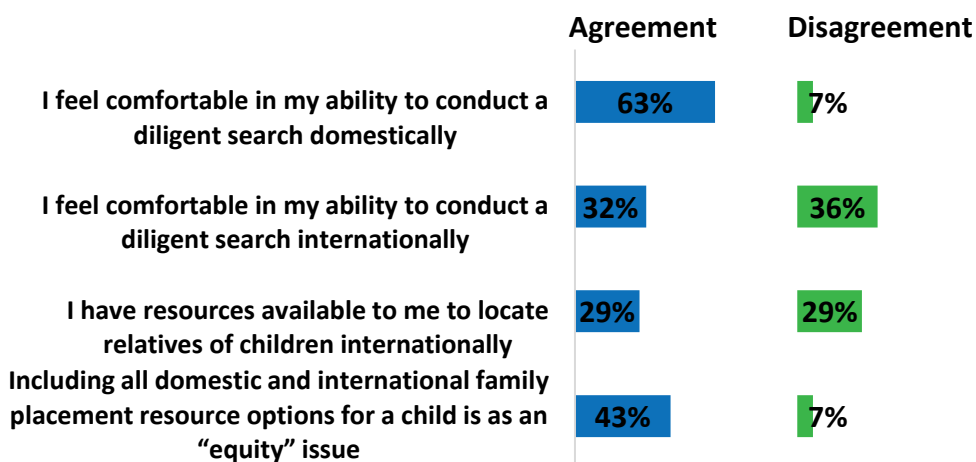


⁵ Other includes research using Lexis Nexus or respondents were not fully knowledgeable of the resources used.

Of the 22 respondents, **86 percent** (n=19) **indicated that their organization has a written policy related to diligent search/family finding** for children in foster care. Respondents were from 15 unique jurisdictions: Colorado, Connecticut, Florida, Georgia, Hawaii, Louisiana, Massachusetts, Michigan, New Jersey, New Mexico, Ohio, Oregon, Virginia, Washington, and the District of Columbia. After a preliminary review of their diligent search/family finding policy and procedures **only one (New Jersey)**, out of the 15 jurisdictions, **clearly mentions cross-border/international placements and ISS-USA**.

Of the organizations who work primarily with placing children, the majority (over 40 percent) indicated that **international diligent search/family finding is not a regular part** of their work, **even when working with immigrant children**. The majority of respondents are comfortable with conducting diligent searches and locating relatives domestically, but not internationally.⁶ Moreover, **respondents indicated not only being uncomfortable with international placements but a lack of resources to locate relative placement options who may reside in another country** (Figure 7).

Figure 5



Process and Support

Twenty-six respondents replied to questions of process and support. Such questions inquired how respondents would categorize the willingness of their respective family courts to consider placement of a child with a parent living abroad. Only **35 percent felt their Family Court would be willing to consider placement with a parent or relative living abroad**, 12 percent said somewhat willing, and 19 percent said somewhat unwilling, with the remaining 35 percent feeling unsure. Given that the same percent of respondents who believed the courts would be willing to place a child internationally with kin indicated not being sure how the courts would respond, there is a demonstrated need to engage family courts around this topic to clearly understand their impressions and approach to the matter of cross-border placements.

The survey also gauged the types of entities respondents may have worked with to place a child and the type of placement data they collect (Figures 8 and 9, respectively). Of the entities used to

⁶ Neutral or Unsure responses are not included in Figure 5.

place a child, **most respondents** (35 percent, n=9) **used a consulate and/or ISS**. Only 19 percent (see figure 10) of respondents indicated they collect data on placing a child in a relative home internationally (e.g., 4 unique states: Colorado, New Mexico, Ohio and Virginia).

Entities used to place children overseas

Figure 8

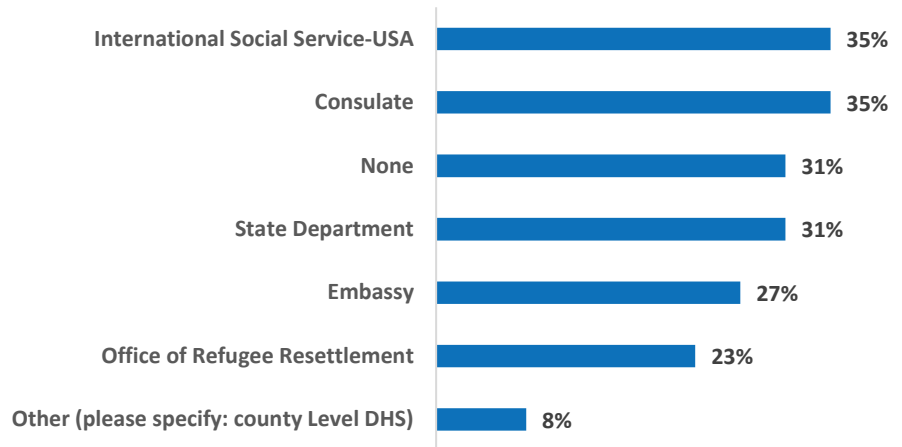


Figure 9

Data Collected	Percent	Count
Legal status/Citizenship of a child	73%	19
If a child was ever placed by child welfare authorities in another state	69%	18
Country of origin for a child	65%	17
Country of origin for a parent	62%	16
Legal status/Citizenship of a parent	60%	15
If a child experienced a disrupted adoption in USA after being adopted internationally	38%	10
If a child has relatives abroad	35%	9
If a child was ever placed by child welfare authorities in a relative home internationally	19%	5

Resource Needs

Survey respondents identified the types of resources that they feel would support their work surrounding cross-border placements. Respondents shared that they would benefit from trainings related to the process of cross-border placement for agencies at the county and state levels, including guidance on connecting with relatives and families across borders, as well as how to reflect this in written policies. One respondent shared that it would be helpful to have a directory of points of contact for child welfare agencies around the world, sharing that it would be helpful to share the proposed international directory with the Association of Administrators of the ICPC (AAICPC). Additionally, guidance related to working with Immigration and Customs Enforcement (ICE) was identified as a resource that would support respondents in cross-border placements, especially when working with individuals who are deported without knowledge of

their intended address in home country. Lastly, access to contact information for ISS-USA and services provided were listed as resources that would support respondents in navigating cross-border placements.

Questions and Concerns about Cross-Border Placements

Survey respondents identified questions and concerns they had regarding the process of securing cross-border placements. The questions related to standard timeframes to expect for completion of services, what services ISS-USA can assist in providing as well as what monitoring is available for post-placement services. Respondents also asked about the reliability of reports received, navigating cross-border services including the placement of children in developing countries, as well as the cost of working with ISS-USA. Respondents shared that they were concerned that there is no uniform international regulatory process regarding cross-border placements, noting occurrences of custody transfers or child placements with individuals connected by the internet. Respondents also expressed concerns regarding a lack of information available for child welfare providers to promote or facilitate cross-border placements among county partners, as well as the limiting factors of legal jurisdictions on potential international placements.

Recommendations

In light of these findings, ISS-USA recommends that the **topic of cross-border placement and its importance be at the forefront of discussion on kinship care amongst federal, state, and city/local-level child welfare agencies and providers**. This can be supported through the following activities:

1. Elevate international family finding and engagement as an equity issue

The relationship between cross-border placements with kin and establishing equity within the family finding process should be more widely explained in advocacy efforts. This understanding is important to expand and standardize the exploration of kinship placement in permanency planning to include those who may be living abroad. Equitable access to kin as placement options can only be achieved with increased awareness of resources around family finding.

2. Engage with national platforms

National platforms such as the Children's Bureau and the Court Improvement Programs can highlight cross-border permanency planning as part of states responsibility to prioritize child attachments and kinship connections. National awareness campaigns, supported by these entities, are necessary to engage family courts and child welfare stakeholders in discussions of case needs that cross international borders.

3. Evaluate current practices to make improvements

ISS-USA is prepared to serve as a consultant to states and federal entities looking to develop, implement and track policies and practices related to cross-border placements. Additional funding is needed to further research barriers to cross-border permanency planning and to develop national and state-specific training and resources. These efforts may also include a grading system using standardized equity measures for family finding as a way to ensure international kin are part

of diligent search efforts. ISS-USA believes it is imperative that cross-border placements be utilized as a kinship placement option on a national scale. ISS-USA has demonstrated a relationship with child welfare agencies within and outside of the United States in conducting cross-border assessments and facilitating placements, utilizing policies and practices that may serve as a source of guidance for child welfare agencies and service providers.

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