

NCJFCJ 68th ANNUAL CONFERENCE

JULY 17 - 20, 2005

Pittsburgh, PA

Resolution No. 8

**RESOLUTION PROMOTING TIMELY RELATIVE PLACEMENTS
AND REASONABLY DILIGENT SEARCHES IN FURTHERANCE
OF THOSE PLACEMENTS**

WHEREAS, research-based national policy supports (perhaps requires) the timely placement of children with relatives when they have been removed from their homes by state action and safe, appropriate relatives are available to care for those children; and

WHEREAS, children who are safely and timely placed with relatives following removal from their own homes tend to achieve permanency more timely, experience fewer placements while in foster care, and experience a higher degree of well-being; and

WHEREAS, the failure to identify appropriate relative resources in a timely manner may unnecessarily delay the achievement of permanent placement of children; and

WHEREAS, the failure to place children with relatives where appropriate contributes to the disproportionate representation of many ethnic and minority populations throughout the child welfare and foster care systems; and

WHEREAS, beginning the process of systematically identifying relatives at the time of removal and continuing that process throughout the life of the case has been demonstrated to increase the likelihood of placement of children within their families; and

WHEREAS, the failure to recognize changing family dynamics and to remain diligent throughout the life of a case may result in lost opportunities to provide the most appropriate safe, permanent placements for children who cannot return to their birth homes; and

WHEREAS, ensuring that relatives are timely identified and considered for placement is properly within the oversight responsibility of the judges exercising jurisdiction over children in foster care; and

WHEREAS, active judicial oversight has proven to be an essential element in the timely identification of potential relative placements; and

WHEREAS, there is system-wide benefit to establishing some degree of uniformity relative to what constitutes a reasonable diligent search for relatives, both in terms of the scope of the search and the manner in which the search is conducted;

NOW THEREFORE, BE IT HEREBY RESOLVED, judges exercising jurisdiction over children in foster care take steps in their jurisdictions to promote the placement of children within their families by setting clear expectations relative to the timely search for relative placements and by actively exercising oversight relative to said search; and

BE IT FURTHER RESOLVED, the following represents the minimum steps to be taken by the judge in furtherance of this resolution:

1. Where not otherwise required by state law, requiring the child welfare agency to conduct a reasonably diligent search for relatives of the child who may be considered for placement within thirty (30) days following the date of physical removal of the child from the home.
2. Directing the child welfare agency to adopt a systematic process for conducting the search including, but not necessarily limited to, the following:
 - (a) Interviews with the parents from the beginning of the case and continuing during the course of an investigation, while child protective services are provided, and while the child is in care and is supervised by the child welfare agency;
 - (b) Interviews with the child throughout the case;
 - (c) Interviews with relatives throughout the case;
 - (d) As the child welfare agency talks with identified relatives as to their interest in being a resource for the child or parent, inquiring as to the identity, location and interest of other relatives and other persons who have demonstrated an on-going commitment to the child, thereby allowing the search to expand as additional relatives and other persons are identified;
 - (e) Interviews with collateral sources such as school teachers, counselors, day care providers, preachers, and others who may know of relatives not yet disclosed and of other persons who have demonstrated an ongoing commitment to the child;
 - (f) The use of data bases, including the child welfare agency's own files, the Parent Locator Service and available internet search

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tools; (g) Any assessments provided by outside service providers; (h) Inquiries of attorney guardians ad litem and CASAs; (i) Appropriate inquiry during the course of all hearings in the case; and (j) Any other reasonable means that are likely to identify relatives or other persons who have demonstrated a significant relationship with the child.

3. Monitoring the progress of the relative search and allocating a sufficient amount of time during all reviews and hearings to address the relative search issue, including asking parents, caretakers and others questions in court in furtherance of the search.

4. Exercising the court's oversight authority to promote timely relative searches and safe, permanent relative placement including, where appropriate, making adverse reasonable efforts findings.

5. Where properly within ethical bounds in the judge's jurisdiction, encouraging state legislators to enact legislation acknowledging the benefit of appropriate family placements, to require the Agency to timely conduct reasonably diligent searches for relatives, to provide adequate resources to conduct those searches, and to provide financial and programmatic support to families serving as placement resources in order to move children out of the foster care system.

Adopted this 20th day of July, 2005

By the Membership Assembled in Conference

In Pittsburgh, Pennsylvania