

Minnesota Children's Summit 2005: Smart Policies, Strong Families
Monday, March 28, 2005
Practicing Family Impact Analysis
1:45-2:45 p.m.

Adoption and Safe Family Act (ASFA)

Background

- Introduction to the session.
- Goal: Now to use checklist for assessing family perspective.
- Introductions from around the room

Family Impact Analysis

- Won't have time for all 6 points of the checklist
 - What principles fit best with ASFA?
 - Must deal with facts not opinions. Stick with the facts.
 - Don't have to be experts about a policy. The task of today is to learn about the tool.
 - Equally well-informed individuals have different perspectives on what works best – respect each other.
 - The task is not to pass specific judgment on ASFA, but to look at it from a different perspective.
- The handout contains only kernels of ASFA – move out of foster care to adopted homes, maintaining quality.
 - Any comments on law?
 - Easier said than done.
 - Read with 4E in mind, how works with other laws
 - Intent, how does it translate to practice
 - 2 different plans at one time – how does that impact child? How child oriented? Good intent, but difficult to apply
 - Impact, doesn't translate the way we want with respect to relatives – disavowing relatives
 - “Relative” foster parents of 1 year have equal status as biological relatives.
 - Reasonable efforts interpreted in different ways.
 - Incentive for permanency.
 - Does permanency support child's history and right to know background?
 - What does permanency look like? Placement – in licensed home creates problem for some relatives.
 - Message of concurrent planning doesn't make sense.
 - Concurrent planning works for infants, but not beyond that age.
 - “Don't get attached, be prepared to give up” but also pledging to adopt if family doesn't take child back.
 - Contested adoptions – judge's decisions based on SES. More money – get child.

- Terminate mom = terminate whole family.
- Multiple influences on child outside of family –role of peers

Use Checklist

- How is this best serving the interest of the child? (using points 2 or 3)
- Someone comments that instrument is too cumbersome. Response: programs need to pair it down for needs – make sense to policymakers. People need to do work and pass it along to policy makers in simplified way.
- Principle 3:
 - Family involvement and interdependence (What are pros, cons, intended, unintended outcomes of ASFA?)
 - Pros: Official language even if doesn't work, recognize relatives
 - Cons: inserts state between families, encourages adversarial relationships
 - Is permanency valuable to child? What about continuity? How does child operate?
 - Con: Permanency is ambiguous; Pro to state, but not families
 - State interprets permanency as stability
 - Permanency can disrupt stability under law – depends on how agency applies law
 - Commitment – extends beyond 18 or 21
 - What about kids who age out of foster care – need their perspectives as being affected by policy. Kids want to be in “forever families.”
 - Money seems to be behind it – no way to get support for families.
 - All families do things differently – learn from observing other families not from parenting class.
 - Need to build relationships.
 - See increase in adoptions with ASFA (irrespective of child's best interest)
 - Con: way state system operates – hold family hostage
 - Tension in system workers – thankless job for workers
 - Policies are reflective of society
 - Courts need to be educated in child welfare and adoption – educate judges
 - Culturally destructive – cultural incapacity – must recognize culture's role
 - Supply and demand system – supply kids to middle class kids are commodity
 - Training challenges to all people involved in this process.
 - Children's Justice Initiative – must allow do with family court; get informal caregiver point out.

Suggestions

- Involve those affected by policy
- Money behind policy – need to give support to vulnerable families
- System is adversarial
- Need to change social policy
- Educate judges
- Cultural destructive
- Children and courts – panel
- Children Justice initiative