

State Roundtable Report: **Kinship Care**

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Taskforce Chairperson

Justice Kevin M. Dougherty
Supreme Court of Pennsylvania

Kinship Care Taskforce Members

Chairperson:

Justice Kevin M. Dougherty
Supreme Court of Pennsylvania

Kimberly Ali, Commissioner
Philadelphia Department of Human Services

Kerry Browning, Director
Lackawanna County Children and Youth Services

Honorable Kim Berkeley Clark, Senior Judge

Honorable Garrett Page (former member)
Court of Common Pleas of Montgomery County

Honorable Richard Lowe (former member)
Court of Common Pleas of Delaware County

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Dauphin County Social Services for Children and Youth

Honorable Walter Olszewski, Supervising Judge
Court of Common Pleas of Philadelphia County

Laval Miller-Wilson, Deputy Secretary
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Honorable Michael Sholley, Senior Judge

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Background

Removing a child from their home can be a traumatic experience for children and their parents, but one that can be lessened by enlisting the support of relatives and kin. Research shows that when children are placed with relatives or kin, outcomes are better in the following areas (*Kinship Care in Pennsylvania: Creating an Equitable System for Families*):

- Placement stability;
- School stability and positive educational outcomes;
- Reduced re-entry into the child welfare system;
- Permanency through reunification, adoption, or guardianship;
- Better physical, behavioral, and mental health outcomes
- Increased likelihood of living with or staying connected to siblings; and
Greater preservation of race and cultural identity, including community connections.

At the October 2020 State Roundtable (SRT), kinship care use was presented as a common theme of the Leadership Roundtables (LRT). Following rich discussion on the importance of reducing trauma for children when removed from the home, the Kinship Care Taskforce was convened under the leadership and direction of the late Chief Justice Max Baer, Pennsylvania Supreme Court, to thoroughly examine the use of kinship care in Pennsylvania's Child Dependency System and make recommendations for improvement. Taskforce membership included Judges, Child Welfare Administrators, and Legal Advocates from counties with high and low kinship care usage, representation from Pennsylvania's two largest counties, and the Department of Human Services' Office of Children, Youth and Families' Deputy Secretary. The Taskforce is supported by staff from the Administrative Office of Pennsylvania Courts' Office of Children and Families in the Courts (OCFC).

The SRT's focus on kinship care connected well to the SRT Mission and Guiding Principles. The focus also aligned with other SRT priorities, including Family Finding (FF) and Family Group Decision Making (FGDM).

In October 2022, with the passing of the late Chief Justice, Justice Kevin M. Dougherty, Pennsylvania Supreme Court assumed Chairperson lead of the Kinship Taskforce. Throughout 2022 – 2023, the Taskforce continued to monitor and analyze Common Pleas Case Management System (CPCMS) data on kinship care use. Although kinship care use maintained a 44% use throughout this period of time, it should be noted that Pennsylvania's overall number of children in care decreased.

The Taskforce spent the rest of the 2022 – 2023 SRT year developing and delivering an advanced kinship care education session for Solicitors, Guardians ad Litem, Parent Attorneys, and Counsel for the child. The session was scheduled in Pennsylvania's west, central, and eastern regions to maximize attendance.

May 12, 2023 (West) **Pittsburgh Marriott North, Cranberry**
June 5, 2023 (Central) **Sheraton Hershey/Harrisburg**
August 15, 2023 (East) **Inn at Villanova, Wayne**

Content for the session includes:

- **Message from the Bench**
- **Kinship Care: A Legal Analysis**
- **Role of the Attorney**
- **Content Application to Practice**

Faculty for this session includes:

Honorable Kevin M. Dougherty, Justice
Pennsylvania Supreme Court

Honorable Kim Berkeley Clark, Senior Judge
Court of Common Pleas of Allegheny County

Honorable Walter J. Olszewski, Supervising Judge
Court of Common Pleas of Philadelphia County

Honorable Michael H. Sholley, Senior Judge

Cathy Volponi, Esquire, Director
Allegheny County Bar Foundation, Parent Advocates

Marisa McClellan, Esquire, Administrator
Dauphin County Social Services for Children and Youth

Cori Dunn, Esquire, Judicial Analyst
Office of Children and Families in the Courts

Christy Stanek, Deputy Director
Office of Children and Families in the Courts

In addition to the statewide education for attorneys, a three-hour education session for Juvenile Court Hearings Officers (JCHO) was held on May 11, 2023. The session, titled ***Understanding the Priority of Kinship Care***, mirrored the education session for attorneys with content including:

- ***Message from the Bench***
- ***Kinship Care: A Legal Analysis***
- ***Content Application to Practice***

Faculty for the JCHO session included:

Honorable Jennifer L. Rogers (JCHO Chairperson)

Court of Common Pleas of Luzerne County

Marisa McClellan, Esquire, Administrator

Dauphin County Social Services for Children and Youth

Cori Dunn, Esquire, Judicial Analyst

Office of Children and Families in the Courts

Christy Stanek, Deputy Director

Office of Children and Families in the Courts

With one attorney education session remaining for mid-August 2023, the following Taskforce recommendations were approved by the 2023 SRT.

2023 Recommendations

1. Conduct a deep dive into the barriers and resistance to increasing Kinship Care;
2. Conduct regional listening tours to gain the lived experience of Kinship Caregivers;
3. Examine statewide and national best practices and resources available to support Kinship Caregivers;
4. Office of Children and Families in the Courts to frequently track County's Kinship Care data over the next year and provide updates to Counties, Kinship Care Taskforce, Leadership Roundtables, and State Roundtable; and
5. Examine any changes to federal regulatory standards for Kinship Caregivers and their impact on dependency.

2023-2024 Progress

On August 15, 2023, the Taskforce completed its third and final attorney education session. The session was well received, with an overall rating of 4.6/5.0 and a relevancy rating of 4.7/5.0. A complete overview of all three education sites can be found at the end of this report under **Appendix A: Kinship Care Attorney Education Session Evaluation Results.**

Data

The Taskforce continued to examine CPCMS kinship care data. This data was shared with both the Fall 2023 and Spring 2024 LRTs. The statewide kinship care use has stayed steady without much fluctuation. Recently the statewide average has decreased from 44% to 43%. While statewide numbers show a slight decrease, it should be noted that Pennsylvania has continuously seen safe reductions in out-of-home care. In addition, several counties have seen an increase in their kinship care use. When comparing CPCMS data pulled from April 15, 2021, to March 31, 2024, nine counties increased their kinship care use by 5%-10%. Fifteen counties increased their kinship care use by 10% or higher. Combined, **24 counties have increased their kinship care use by 5% or higher since the Taskforce began.** Two other points of data showed the following comparisons from 2021 to 2024:

	April 15, 2021	March 31, 2024
Counties at or above the statewide average	20	27
Counties with 50% or more children living with someone they know	12	16

When comparing Family Engagement Initiative (FEI) counties to non-FEI counties, FEI counties saw a higher use of kinship care.

	FEI Counties	Non-FEI Counties
Counties at or above the statewide average	15/21 (71%)	14/46 (30%)
Counties with 50% or more children living with someone they know	7/21 (33%)	9/46 (20%)

As seen in the chart below, there has been a significant statewide reduction in out-of-home placement from 2021 to 2024.

Placement Type	Total by Type April 14, 2021	Percentage April 14, 2021
Kinship Care	6,052	44%
Foster Care	6,242	45%
Congregate Care	1,504	11%
TOTAL	13,798	100%

Placement Type	Total by Type March 31, 2024	Percentage March 31, 2024
Kinship Care	4,771	43%
Foster Care	4,935	45%
Congregate Care	1,319	12%
TOTAL	11,025	100%

The OCFC will continue to analyze kinship care use data in Pennsylvania and share the outcomes of that analysis with the Leadership Roundtables. A complete comparison of CPCMS kinship care use in all counties can be found at the end of this report under ***Appendix B: Kinship Care Use Comparison 2021-2024.***

Progress to Remove Barriers

Over the past year, the Taskforce was pleased to see progress in eliminating three barriers identified in 2022 during the ***Kinship Care Analysis.***

1. Attorney knowledge and advocacy
2. Strict licensing regulations for kinship caregivers
3. Court being made fully aware of kinship care resources

The regional kinship care attorney education sessions provided information on the benefits of kinship care use, the role of the attorney, and legal analysis to better advocate for clients in court.

On September 28, 2023, the Children’s Bureau (CB); Administration on Children, Youth and Families (ACYF) issued a final rule amending regulations to allow Title-IV-E agencies to develop separate licensing or approval standards for relatives and kinship foster family homes. Deputy Secretary Laval Miller-Wilson advised Taskforce members that the Pennsylvania Department of Human Services (DHS), Office of Children, Youth, and Families (OCYF) has identified that legislative changes are needed in order for Pennsylvania to move forward on the ACYF rule. As such, DHS

administration will work closely with Policy and Legislative Affairs to advance toward this pursuit.

HB 1058 was signed into law as Act 48 of 2023 on December 14, 2023, and went into effect on February 12, 2024. The Act ***“requires the court to provide potential kinship care resources with the right to be heard during a scheduled hearing or at a separate dispositional hearing, but only as to the individual’s qualifications to provided kinship care.”*** The Act was provided to the Juvenile Court Procedural Rules to determine if additional guidance is needed.

In early Taskforce discussions, a barrier to kinship care use was the fact that it was “easier” to place children in a traditional foster home. At the Fall 2023 LRT meetings, the Taskforce asked LRT members what they were doing to make it easier to safely place children in kinship care. Their responses varied, but several counties shared what they are doing to make it easier to safely place in kinship care. These activities included:

- Requiring all non-kinship care placements to go through the child welfare administration
- Increasing judicial oversight
- Asking DHS for licensing waivers
- Partnering with the local Agency on Aging to support grandparents
- Increasing funding in the housing budget line item to support kinship caregivers
- Paying upfront cost for items such as beds, home repairs, clothing, and kinship caregiver clearances to expedite the kinship care placement
- Increasing kinship care per diem rates

Finally, the Taskforce wanted to hear from kinship caregivers to further explore barriers to kinship care use. As such, virtual focus groups were arranged in the Spring of 2024.

Kinship Caregivers Focus Groups

Six virtual focus groups were held in April and May 2024. Focus groups were scheduled according to LRT county groupings. Despite email notification, different time options of the day, and reinforcement at each Spring LRT, participation was poor. There was a total of 18 Kinship Caretakers. The participants represented all LRT regions. The Kin who participated were logical and positive with their comments, even when discussing their

challenges. While this participation is extremely low and certainly not statistically significant, there were a few very clear themes that emerged:

1. **Support** from the agency, community, friends, and family is extremely important. When it was there, it was the one thing that was most helpful. When it was not there, it was the one thing that would have been more helpful.
2. **Delays with financial assistance.** Sometimes, the financial help “fell through the cracks.” Some participants didn’t get any financial help until after the foster parent certification was completed. One caretaker shared that they had to pay \$1200 monthly for childcare from September 2021 – May 2022 (8 months) because she worked full-time and financial support had not started. Six participants discussed financial challenges and/or delays. Another participant shared that they have had two children for two years and have still not received any clothing assistance.
3. **Communication** is important from the beginning of the case. Many don’t understand the system and don’t know what comes next. Ongoing communication and engagement were mentioned as extremely helpful when done and a challenge when not done.
4. **Unique family dynamics** that “no one really understands.” There is a difference between fostering and caring for someone you know. Kinship Caregivers have to deal with family issues, such as court-ordered visitation restrictions for family members. The stressors don’t just come from the parents of the child placed with them, but at times, other family members. It can feel isolating, which is why the support from the system is so important.

A much larger number of kinship caregivers is needed to validate these themes. That said, the participants provided insight into the strengths and challenges of caring for a child they know and love.

Kinship Care Taskforce Accomplishments 2020 - 2024

As the Taskforce looks to sunset, reflecting and celebrating the accomplishments is important. The Taskforce prioritized education for dependency court and child welfare professionals throughout its work. It was important to continuously examine the barriers and progress of Kinship Care

use in Pennsylvania. Kinship Care was discussed at local Children’s Roundtables, Leadership Roundtables, and the State Roundtable to support this ongoing analysis. A summary of the Taskforce’s accomplishments is provided in the chart below. Details regarding each accomplishment can be found in previous State Roundtable reports by going to the following page <https://ocfcpacourts.us/childrens-roundtable-initiative/kinship-care-taskforce-reports/>.

Accomplishments	Timeframe
Kinship Care Data Analysis	2019 - 2024
Administered Barriers and Strategies Survey to Taskforce Members	2020 - 2021
Administered Barriers and Strategies Survey to Leadership Roundtable Judges and Child Welfare Administrators	2020 - 2021
Created a document compiling over 40 Kinship Care Statutes, Rules, and Case Laws supporting the use of Kinship Care	2020 - 2021
Created the Kinship Care Myths Tool	2020 - 2021
PCSTJ: Kinship Care: A Glimpse of What’s to Come	July 29, 2021
Pennsylvania Children and Youth Administrators Conference	October 13, 2021
Created two Kinship Care Analysis Tools: County Specific and Youth Specific	2021
Completion of the three-county Kinship Care Analysis	2021 – 2022
Children’s Summit: “Kinship Care: A Call to Action”	April 26, 2022
Hearing Officer Education Session: “Understanding the Priority of Kinship Care”	May 11, 2023
Kinship Care Attorney Education Session – West	May 12, 2023
Kinship Care Attorney Education Session – Central	June 5, 2023
Kinship Care Attorney Education Session – East	August 15, 2023
Kinship Caregiver Focus Groups	April & May 2024

In Conclusion

Reducing trauma for children and parents in the child dependency system remains a high priority. This can be accomplished, in part, by placing children with people they know and love. In Pennsylvania, as in most states, Kinship Care is identified as the least restrictive option when children must be placed outside of their home.

As such, the SRT created the Kinship Care Taskforce with the goal of thoroughly examining the use of kinship care in Pennsylvania’s Child Dependency System and make recommendations for improvement. The Kinship Care Taskforce has accomplished that goal. The Kinship Care Taskforce has provided education, identified strengths and challenges, analyzed data, and heard lived experience in their efforts to strengthen kinship care use in Pennsylvania.

This knowledge and a variety of tools now exist for any judicial district wishing to enhance their use of kinship care. Taskforce members encourage individual counties to use these resources and continue their local efforts to increase kinship care.

As such, the Taskforce respectfully recommends the following:

2024 Recommendations:

- 1. That the Kinship Taskforce sunset, as all tasks have been completed.**

Kinship Care Attorney Education Session Evaluation Results

	West	Central	East
What is your overall evaluation of the training?	4.8	4.4	4.6
How relevant was the information presented?	4.9	4.3	4.7
How satisfied were you with the following sessions:			
Application 1: The Impact of Out-of-Home Placement	4.6	4.1	4.5
A Legal Analysis of Kinship Care	4.7	4.4	4.6
Role of the Attorney	4.6	4.6	4.5
Application 2: Building a Strong Foundation	4.7	4.6	4.4

What are two things about Kinship Care that you understand better after today's session?

- *Kinship as a topic for all hearings – a continuous process*
- *Broader definition of Kin*
- *It's a team effort*

What questions do you still have about Kinship Care?

- *What is the standard to get kinship after several months of traditional foster care?*
- *When should non-kinship be considered over kinship*
- *General Techniques for caseworkers finding kin*

What areas of Kinship Care would you like to hear more about?

- *Studies / Psychological effect of out-of-home placement*
- *How Kinship Care and Reasonable Efforts interact*
- *How to support Kin as they navigate relationships with bio parents*

Kinship Care Use Comparison 2021 - 2024

	As of 4/15/21	As of 4/15/21		As of 3/31/24	As of 3/31/24
County	Number of Children in Kinship Care	Kinship Care %		Number of Children in Kinship Care	Kinship Care %
Adams	15	41%		10	33%
Allegheny	894	60%		566	56%
Armstrong	12	30%		13	23%
Beaver	6	23%		17	63%
Bedford	2	6%		7	22%
Berks	68	21%		74	31%
Blair	34	45%		49	44%
Bradford	18	20%		21	33%
Bucks	124	52%		97	46%
Butler	49	56%		59	48%
Cambria	10	11%		24	24%
Cameron	6	67%		0	0
Carbon	54	49%		24	32%
Centre	14	19%		15	25%
Chester	14	26%		6	14%
Clarion	4	15%		7	17%
Clearfield	36	27%		39	30%
Clinton	9	41%		3	43%
Columbia	8	8%		12	17%
Crawford	34	44%		47	61%
Cumberland	82	42%		81	46%
Dauphin	202	51%		101	29%
Delaware	76	26%		69	32%
Elk	5	29%		2	25%
Erie	113	33%		118	38%
Fayette	94	59%		91	61%
Forest	0	#DIV/0!		0	0
Franklin	19	18%		25	25%
Fulton	0	0%		1	17%
Greene	28	48%		24	39%
Huntingdon	21	37%		16	39%
Indiana	10	15%		12	17%
Jefferson	27	28%		27	39%
Juniata	1	6%		10	63%
Lackawanna	87	61%		139	54%
Lancaster	111	37%		90	34%
Lawrence	51	33%		51	38%

Kinship Care Use Comparison 2021 - 2024

Lebanon	13	13%		16	18%
Lehigh	111	40%		130	44%
Luzerne	241	45%		165	47%
Lycoming	14	30%		15	45%
McKean	24	39%		21	41%
Mercer	20	44%		44	54%
Mifflin	6	17%		24	57%
Monroe	40	26%		58	39%
Montgomery	65	22%		68	26%
Montour	0	0		0	0
Northampton	138	46%		70	40%
Northumberland	39	40%		42	44%
Perry	4	27%		10	71%
Philadelphia	2,380	52%		1,588	50%
Pike	7	27%		10	32%
Potter	4	57%		3	50%
Schuylkill	69	22%		32	14%
Snyder	0	0		0	0
Somerset	40	29%		58	47%
Sullivan	0	0		2	67%
Susquehanna	21	54%		20	50%
Tioga	24	43%		23	40%
Union	5	56%		2	50%
Venango	68	71%		42	54%
Warren	8	22%		9	31%
Washington	104	55%		112	48%
Wayne	23	43%		16	33%
Westmoreland	98	36%		127	51%
Wyoming	10	32%		10	34%
York	138	32%		107	33%

(Common Pleas Case Management System/Administrative Office of Pennsylvania Courts)

Increase of 5 – 10%

Increase of 10% +