



# Chapter 2 – Act 118 of 2022: Family Finding

## 2.1 Family Finding

One of the most significant laws impacting Pennsylvania's child dependency system is Act 118 of 2022 (formerly known as Act 55 of 2013 and Act 14 of 2019) (67 Pa.C.S. §§ 7501-7509). Act 55: Family Finding, became law in July 2013 and was amended in 2019 and 2022. The law mandates that county child welfare agencies initiate family finding when a case is accepted for service. 67 Pa.C.S. § 7503. A case is accepted for service when the county agency decides on the basis of the needs and problems of an individual to admit or receive the individual as a client of the county agency or as required by a court order entered under 42 Pa.C.S. Ch. 63 (relating to juvenile matters). 67 Pa.C.S. § 7502.

The law also requires the county agency to make ongoing diligent efforts to involve extended family and kin in the development of the service plan and delivery of services. In many situations, this acceptance for service will never result in a dependency petition. In others, a dependency petition may result. In both instances, family finding is required.

Family finding is not optional. Family finding is law. Family finding is an ongoing process that can only be discontinued by court order for court-involved children. ***While the law specifically places the burden of family finding on the child welfare agency, in practice, judges, hearing officers, child welfare administrators, Guardians Ad Litem, child's legal counsel, parent attorneys, solicitors, caseworkers, and providers share the responsibility of identifying supportive persons and involving them in the care of dependent children.*** 

Family finding ensures meaningful, life-long, supportive relationships for children and youth. Family finding helps identify caring adults who support children and older youth in a variety of ways, including writing letters, sending birthday cards, including the child or older youth in holiday events, mentoring, attending sporting events, and other activities that demonstrate unconditional love and acceptance of the child or older youth. ***Family finding is much more than a placement. Family finding connects a child or youth to their heritage and to loving, supportive adults. For these reasons, it is imperative that family finding continue throughout the life of the entire proceeding.*** 

**\*Best Practice Box — Family Finding and Family Group Decision Making (FGDM)\***

Act 118 of 2022: Family Finding was implemented to involve families when children enter the child welfare system and to promote family involvement, which is the law in Pennsylvania. In addition to other professionals, the caseworker may ask about family and friends to help support the child and family through a Family Group Decision-Making Meeting (FGDM). FGDM is a meeting about family. It brings together family, friends, caseworkers, and service providers to work as a team.

Family Finding and FGDM empower the family to be in the driver's seat, supporting them in making decisions and supporting all involved. More information can be found on the OCFC webpage here: <https://ocfcpacourts.us/parents-and-families/family-group-decision-making/> and <https://ocfcpacourts.us/wp-content/uploads/2020/05/1.pdf>.


(see Chapter 20: General Issues, Section 20.4: Family Group Decision Making)

Family finding identifies relatives and kin (teachers, coaches, neighbors, etc.), including those estranged from or unknown to the child, who are willing to become permanent connections or supports for the child or the parent(s) receiving services from the child welfare agency. Family finding is intended to provide a range of committed adults who can provide permanency, sustainable relationships, and a network of support to children and their parents. Through family finding, a safe family or kin can be identified. These individuals, in turn, may be able to assist with visitation, provide age and developmentally appropriate activities, assist with transportation, provide respite, and provide a number of other resources children and families need. Family finding is vital to all permanency options courts are required to consider.

Family finding is especially important to judicial officers as the court is ultimately responsible for reducing future trauma to the children and families served, ensuring that the quality and quantity of services being provided to children and families adequately meet their needs, and making a number of required judicial findings and orders.

The intent of Act 118 is to ensure that family finding occurs on an ongoing basis for all children entering the child welfare system, to promote the use of kinship care when it is necessary to remove a child from the child's home, and to ensure

that each child leaving foster care at 18 years of age or older is prepared for the transition to adulthood. 67 Pa.C.S. § 7501.

In those situations where a request for protective custody is made and/or a petition for dependency is filed, the ***judge or hearing officer is ultimately responsible for ensuring adequate family finding activities occur***.  To meet this responsibility, a general understanding of family finding is necessary. Judges and hearing officers are encouraged to ask specific questions about efforts to explore family finding, specifically when it appears that family finding efforts have been minimal or non-existent.

Understanding the urgency and the steps of family finding are critical as they link to specific findings required of the court. These findings, made at various stages of a dependency case, address reasonable efforts, least restrictive placement, and various issues related to safety, well-being, and permanency. Evidence of meaningful and ongoing family finding efforts should be presented at an application for an Order of Protective Custody, Shelter Care, Adjudication, Disposition, and Permanency Review Hearings until court supervision is terminated.

#### **\*Best Practice Box — Emergency Family Meetings\***

Emergency Family Meetings involve quickly gathering extended family, kin, and community members to support the parents and child. This inclusive family approach is designed not only to give the family a voice but also to actively involve the family in decision-making. This approach strengthens partnerships between family and child welfare professionals with the common goals of the child's safety, permanency, and well-being. Expedited Family Group Decision-Making Meetings, <https://ocfcpacourts.us/parents-and-families/family-group-decision-making/> and Crisis/Rapid Response Family Meetings, <https://ocfcpacourts.us/childrens-roundtable-initiative/family-engagement-initiative/crisis-and-rapid-response-family-meetings> are two examples of family-centered meetings that can occur quickly to address any emergent issue. These meetings can also assist in demonstrating family finding efforts needed for the court.

Because child welfare agencies are legally required to begin family finding when cases are accepted for service, cases that have been open in the agency for a period of time should have more thorough evidence of family finding

efforts than those cases previously unknown to the agency. As such, the length of time the agency has been working with the family should be a significant factor in the court's assessment of the quality of family finding efforts.

In Pennsylvania, family finding is often used as a foundational step towards a successful voluntary family conference (see Chapter 20: General Issues, Section 20.4: Family Group Decision Making). Ultimately, the combination of family finding and family conferencing should produce the Family Service Plan and the Child Permanency Plan required of all county child welfare agencies. These plans should form the basis for county child welfare recommendations to the Juvenile Court and court-ordered services.

While Act 118 does not specifically identify one model of family finding, in Pennsylvania, the model taught and implemented by the majority of counties is known as Family Finding, which originates from Kevin Campbell, founder of the National Institute for Permanent Family Connectedness. Pennsylvania's current family finding practice is a mix of the Kevin Campbell model, work done by Permanency Practice Initiative counties, and Pennsylvania law. Regardless of the model used or name given, family finding is a collection of very specific and effective methods and strategies to locate and involve relatives/kin of child welfare-involved children. The goal is to connect each child with family and other supportive adults so that every child may benefit from lifelong connections.

### **2.1.1 Core Family Finding Beliefs**

Core Family Finding beliefs are:

1. Every child has a family; they can be found if we try.
2. Loneliness can be devastating, even dangerous, and is experienced by most children in out-of-home care.
3. A meaningful connection to family helps a child develop a sense of belonging.
4. The single factor most closely associated with positive outcomes for children is meaningful, lifelong connections to family.

*Family Finding*, Pale Blue, Inc, [Family Finding.org](https://www.familyfinding.org) (last visited Nov. 12, 2024).

## 2.1.2 Essential Family Finding Components

**Family Finding Practice Components include:**

### **Urgency**

Family Finding views meaningful, supportive, permanent relationships with loving adults as an essential need closely tied to youth safety. Family Finding asks practitioners to urgently pursue these relationships for lonely youth by assertively engaging family and vigorously challenging the structural barriers to developing or strengthening these relationships.

### **Expanded Definition of Permanency**

Although physical, legal permanence is an explicit outcome for most cases, Family Finding defines permanency as a state of permanent belonging, which includes knowledge of personal history and identity, as well as a range of involved and supportive adults rather than just one legal resource.

### **Effective Relative Search**

Family Finding employs effective and immediate techniques first to identify relatives or other meaningful connections for each youth. We create large groups to form a smaller, tight-knit, unconditionally committed relational permanency around young people.

### **Family Driven Processes**

Family Finding recognizes that families are disempowered by the placement of relative children outside of the family system, and it seeks to remediate that harm by identifying the strengths and assets of each family member and facilitating processes through which families can support their relative children effectively.

### **Well Defined and Tactical Procedures**

Family Finding begins with careful preparation and alignment of current team members to pursue the six steps of the Family Finding model. While it is a strongly valued-based model, it also has clear and definable goals and activities that are easily tracked with a fidelity tool. The six steps include:

- Discovery
- Engagement
- Planning
- Decision-Making
- Evaluation
- Follow Up

*Family Finding*, Pale Blue, Inc, [Family Finding.org](https://www.familyfinding.org) (last visited Nov. 12, 2024)

**\*Best Practice — Ask the Parties\***

Judges and hearing officers should ask parents about the important people in their life and their child's life. Children should also be asked about adults they have known with whom they've had a connection or relationship. If a child is unable to identify anyone, the judge or hearing officer should ask the child to consider the question, list any persons who come to mind, and provide that list to their GAL and caseworker.

Finally, judges and hearing officers should order the agency to explore the persons identified and how they might support the child, providing a report to the court of actions taken by the agency.

Because judges and hearing officers are required to make specific findings and orders regarding the adequacy of family finding efforts made by the agency at each stage of the case, evidence regarding the agency's initial and ongoing efforts must be provided to the court. If not provided, the judge or hearing officer should ask open-ended questions regarding the application of family finding for each child at every hearing.

Because family finding is primarily aimed at ensuring meaningful connections for children rather than simply a placement, judges and hearing officers should know the number and strength of relationships each child has with caring adults.

## **2.2 The Importance of Meaningful, Life-Long Connections**

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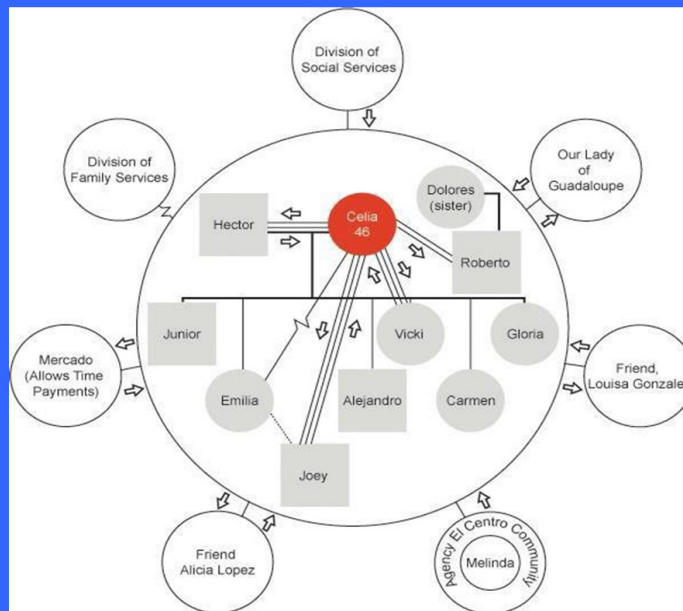
*We know now that in addition to the goals of safety and permanency for youth living in care systems, we must also be active and intentional about protecting their development and health while they are waiting in care and transitioning from the care system. Relationships of stability, affection, responsiveness, flexibility, and commitment are the only protective factors reported in science to accomplish this.*

*Kevin Campbell, FF Model Author*

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**\*Best Practice — Eco Maps\***

Many Pennsylvania judges and hearing officers are now requiring the submission of an Eco Map for each dependent child. An Eco Map is a structural diagram of a child's most important relationships with people, groups and organizations. This simple visual depiction of each child's connections helps all parties understand the positive relationships in a child's life and clearly identifies when such relationships are non-existent. When such relationships are non-existent, judges and hearing officers can order specific steps aimed at creating healthy, life-long connections for children.




A landmark research study, the Adverse Childhood Experiences (ACE) Study, an ongoing collaboration between Kaiser Permanente and the U.S. Centers for Disease Control and Prevention (CDC), demonstrated a significant association between cumulative adverse experiences in childhood and a host of negative adult outcomes, including physical and mental health problems, substance abuse, risky sexual behaviors, suicide attempts, aggression, cognitive difficulties, and poor work performance. (See *ACEs and Toxic Stress: Frequently Asked Questions*, Center on the Developing Child, Harvard University, <https://developingchild.harvard.edu/resources/aces-and-toxic-stress-frequently-asked-questions> (last visited Nov. 13, 2024).)

According to the findings, by the time children have experienced four or more adverse experiences, the odds of having negative health outcomes in adulthood are up to 12 times that of children without such experiences.

Research has demonstrated the importance of positive, healthy connections. Indeed, the importance of meaningful connections directly impacts physical, social and emotional health throughout a person's life. While these connections are important for all human beings, they are especially critical for persons who have experienced trauma and live in situations involving high levels of toxic stress. (See *Toxic Stress*, Center on the Developing Child, Harvard University, <https://developingchild.harvard.edu/science/key-concepts/toxic-stress> (last visited Nov. 13, 2024).)

**All children in out-of-home placement have experienced some level of trauma, toxic stress, and ACEs.**

Research has also identified positive, healthy adult connections as a primary buffering mechanism through which a child with a high ACE score and high toxic stress level can heal. ***The ACE score, the toxic stress level, and the number of healthy adult connections for each dependent child are critical pieces of information for judges and hearing officers.*** Children with high ACE scores, high toxic stress, and few connections are at grave risk for a lifetime of serious psychological and physiological struggles. (See *Adverse Childhood Experiences (ACEs)*, U.S. Centers for Disease Control and Prevention, [www.cdc.gov/aces/about/](http://www.cdc.gov/aces/about/) (last visited Nov. 13, 2024) and *Aces Too High*, Aces Too High LLC, <https://acestoohigh.com/got-your-ace-score> (last visited Nov. 13, 2024).) 

Because the consequences of a high ACE score and unresolved toxic stress are momentous in a person's life trajectory, it is not sufficient for the court to simply inquire as to whether family finding was done. Instead, judges and hearing officers should inquire as to the specific, ongoing family finding actions taken by the county agency to ensure meaningful, life-long connections for all dependent children.

These meaningful, life-long connections require more than the mere identification of healthy adults. Meaningful, life-long connections require that the child have multiple opportunities for positive interaction with these adults.

As such, judges and hearing officers need to know the connections children have with others as well as the level of interaction children have with those identified. Both pieces of information are critical in the court's assessment of family finding. Eco-maps and Connection Circles (a practice used in Pennsylvania's Family Engagement Initiative courts) are easy ways to illustrate a child's connections, while calendaring can show the actual frequency of interactions children have with people identified as important in their lives.



**\*Best Practice – Calendaring\***

One simple, easy method by which the court can quickly assess the connectedness of a dependent child is known as “calendaring.” In its simplest form, the child (either by themselves or with the help of adults) lists his/her daily activities on a calendar which is provided to the court at each hearing.

In reviewing the child’s calendar, the judge or hearing officer should not only see the number of meaningful adults in the child’s life but the level to which those adults are interacting with the child. Judges and hearing officers should pay special attention to those non-paid adults who are likely to continue positive interaction with the child once court supervision is terminated.

In addition to demonstrating a child’s connectedness, calendars also provide information judicial officers can build upon in their conversation with the child as well as evidence for judicial findings/orders regarding developmental and age appropriate activities.

In the absence of an ACE score, a toxic stress level, an eco-map, a Connections Circle, and a calendar, judges and hearing officers should question the adequacy of family finding efforts. When sufficient family finding actions have yet to be made, the judge or hearing officer should specify the court’s expectations in the court order. CPCMS court orders contain very specific family finding language, which can be edited by the judicial officer to meet the needs of each situation.

### 2.3 Discontinuance of Family Finding

While Pennsylvania law does allow for the discontinuance of family finding, ***this should be done rarely and only after careful judicial consideration***. For court-involved children and older youth, family finding can ***only*** be discontinued by the court. If discontinued, the court can order the resumption of family finding.



Act 118 allows for the discontinuance of family finding under very specific circumstances.

These include the following:

1. The child has been adjudicated dependent pursuant to 42 Pa.C.S. Ch. 63 (relating to juvenile matters), and a court has made a specific determination that continued family finding no longer serves the best interests of the child or is a threat to the child's safety.

2. The child is not under the jurisdiction of a court, and the county agency has determined that continued family finding is a threat to the child's safety. This determination must be based on credible information about a specific safety threat, and the county agency shall document the reasons for its determination.
3. The child is in a pre-adoptive placement, and court proceedings to adopt the child have been commenced under to 23 Pa.C.S. Part III (relating to adoption).

67 Pa.C.S. § 7503(b).


## 2.4 Resumption of Family Finding

Finally, Act 118 requires the resumption of family finding if either of the following circumstances exists:

1. The child is under the jurisdiction of a court and the court determines that resuming family finding is best suited to the safety, protection, and physical, mental and moral welfare of the child and does not pose a threat to the child's safety; or
2. The child is not under the jurisdiction of a court, and the county agency determines that resuming family finding serves the best interests of the child and does not pose a threat to the child's safety.

67 Pa.C.S. § 7503(c).

## 2.5 Oversight

***Ultimately, the judge or hearing officer manages the provisions of family finding for children.***  The judge or hearing officer sets the tone as to what level of family finding is sufficient, sets the expectation that comprehensive family finding efforts are provided to both children and parents, and ensures that all professionals involved (GAL, child's legal counsel, parent attorneys, solicitors, caseworkers and others) are meeting the court's expectations.



# Family Finding



## Key Questions for Legal AND Relational Permanence

### For the Children and Youth Agency

1. **What** specific things have you done to identify family and kin?
2. Who is connected to this child?
3. **How** have you included the identified family and kin into case planning and service delivery?
4. **Permanency Hearings:** Family finding is ongoing. What have you done to **continue** identifying and including family and kin?
5. **How** have you exhausted family and kin as a placement resource option?
6. What resources are being provided to extended family to support connections or placement?

### FAMILY FINDING IS NOT AN ACCURINT SEARCH OR A PLACEMENT

#### Legal Requirements of Family Finding

1. **Identify and build family and kin relationships**
2. **Include the identified family and kin in the planning and service delivery**
3. **Create a network of ongoing support**

### FAMILY FINDING IS ENSURING MEANINGFUL, HEALTHY CONNECTIONS FOR CHILDREN & PARENTS

### For the Youth and Parents

1. Has your Caseworker or lawyer talked to you about the people in your life whom you love?
2. With whom in your life do you enjoy talking or spending time?
3. Tell me what your week looks like. What activities do you do throughout the week/month? **(You can ask the child or parent to keep a monthly list/calendar of activities)**
4. If you had to go out of town for the weekend, with whom would your child stay? **When directed to a youth:** If your parent had to go out of town for the weekend, with whom would you want to stay?



# Family Group Decision Making Key Questions



## For the Children and Youth Agency

1. Has there been a Family Group Decision Making conference?
2. If yes, ...
  - When?
  - Who was there?
  - What was the purpose?
  - Did the family develop a plan that the agency accepted? Please provide a copy of the plan.
  - Is there a scheduled follow-up conference?
3. If no, ...
  - Was Family Group Decision Making explained and offered to the family?
  - Why did the family decline the offer?

## For the Parent or Guardian

1. Has anyone explained or offered to you a process called Family Group Decision Making?
2. Do you have family or friends who you believe would come together to help you develop a plan to keep your child safe?
3. If you have been offered a Family Group Decision Making conference and declined such, help me understand why you prefer that the professionals make the decisions for you and your family.
4. If you have NOT been offered a Family Group Decision Making Conference, would you like the agency to provide you information on how you and your family can have one?
5. Do you understand what happens at a Family Group Decision Making conference?

## For the Youth

1. Has the agency or your lawyer explained or offered to you a Family Group Decision Making conference?
2. Do you have family or friends who you believe would come together to help you?
3. Do you understand what happens at a Family Group Decision Making conference?
4. Would you like to have family and friends come together to develop a plan for how they can support you?
5. Have you had a Family Group Decision Making Conference to assist with transition planning?

### FAMILY FINDING & FAMILY GROUP DECISION MAKING

*Locating and rebuilding meaningful,  
lifelong connections so families can take  
charge of their own lives.*

