Child Welfare: The Overview
Today’s Agenda

• History
• How Children and Families Enter the System
• Policy and Finance Issues
• Federal Oversight and Court Cases
How Do We Change The Future?

- Dramatically reduce the number of children in care
  - Prevention
  - Shorten Lengths of Stay
  - Permanency Options

- Improve outcomes for children in care
  - Education
  - Health/Mental Health
  - Employment
Historical Roots of U.S. Child Welfare

- Emerged from England- “parens patriae”
- As early as 1735 there were protection laws in Boston
- First Protective Services Act- NY- 1874
- Early 1800’s the origins of orphanages- philanthropists and churches
- 1864- beginnings of Children’s Aid Societies
- Orphan Trains
- 1874 Mary Ellen Wilson case
- 1907- MASS. Society for the Prevention of Cruelty to Children
History - continued

• Late 1800’s – began to see maltreatment as a social issue as well as a medical issue
• 1961/1962- Dr. Henry Kempe- The Battered Child Syndrome
• Beginnings of multi-disciplinary teams
Current Policy Framework

• 1961 - Aid to Families with Dependent Children (AFDC) Foster Care Program was the first federal foster care program
• 1974 - the Child Abuse Prevention and Treatment Act
• 1978 - the Indian Child Welfare Act

- PRWORA (1996 Welfare Bill)
- 1997 – The Adoption and Safe Families Act (ASFA)
- John H. Chafee Foster Care Independence Act of 1999 and Education and Training Vouchers
- 2008 – Fostering Connections to Success and Increasing Adoptions Act
AACWA

- Holding States accountable
- Continued federal funding for foster care for children from AFDC-eligible families
- “Reasonable efforts” to prevent placement
- Least restrictive placement
- Most family like setting
- Periodic review children’s care
- “Reasonable efforts” to reunify children with their families,
- Permanency dispositional hearings
- Automatically eligible for federal adoption assistance payments and for assistance under the Medicaid program.
Time Between AACWA and ASFA

- In 1993 Congress created the Family Preservation and Support Services Program.
- Prevention services
- Services to assist both children in foster care and those moving to adoptive families.
- Community engagement required
- 1994 - Child Welfare Waiver Demonstration Program
ASFA

- Increased concerns about children languishing in foster care
- Failed attempts in 1995–96 to block grant federal child welfare programs
- Shortening children’s stays in foster care and reducing the number of children waiting to be adopted were Congress’s key concerns.
- Expedited Timelines for Decision Making
- For the first time in federal law, ASFA made explicit that a child’s health and safety must be paramount in decision making
- Elimination of Long term foster care
- Formal recognition of kinship care
- Expanded services
- Increased Accountability
Recent Improvements-Fostering Connections Act

- Expanded federally financed permanency options
- Direct IV-E funding for Indian Tribes
- Extending federal foster care for older youth
- Increased federal training supports
Casey Family Program’s Principles

- Align funding with outcomes
- Ensure equitable access
- Ensure and expand permanency services
- Build in accountability
- Use incentives and penalties
Opportunities for Reform - Challenges

- Consensus
- Keeping the focus on children and improved outcomes
- Connecting problems to financing structure
- Need for evidence based policies and practices
- Demonstrating that states will build on opportunities
- Wide variation in state use of federal programs
- Lack of urgency
- Concerns about accountability
- Funding
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