
“Kin First”

HBXXXX will ensure more of Virginia’s children who come to the attention of the child welfare system can be raised by relatives when parents cannot keep or regain custody. Placing a child in their own extended family reduces the trauma of removal from a child’s home.

Why is this bill needed?

- Virginia is the second worst state in the country for children aging out of foster care without a permanent connection to *any* family: focusing on Kin First will help Virginia do better by children.
- Research shows that family connections are vital to ensure healthy child development. Children do best when raised by their birth family: if they cannot be with their parents, placement with relatives or someone they know and love is the next best thing.
- Kinship caregivers provide improved placement stability, higher levels of permanency, and decreased behavior problems for children in care. Kinship care also helps preserve a child’s family roots, cultural identity, and relationship to their community.
- Federal law recognizes this, with preferences and requirements that relatives be found and considered for placement—foster family, custody, or adoption—for child at risk of entering, or already in foster care.
- Virginia law recognizes this, strengthening of policies to find relatives and “fictive kin” (that is, someone who has a relationship with the child, even if it’s not a blood relationship). This bill further strengthens policies in favor of kin.
- Federal and Virginia law provide exceptions to terminating a parent’s rights when a relative can take legal custody of a child, providing a child with the opportunity to find permanency within their extended family, while maintaining the ability to inherit from the parent and maintain a connection with them, even if they are unable to ever regain custody.
- Relative custody can also provide extra time to a parent struggling with addiction or other challenges, as the foster care timeline clock is not ticking.
- The Virginia Department of Social Services recognizes the importance of family for children and is promoting a “kin-first culture” among local departments.
- Programs such as the federally-funded “KinGAP” program adopted by Virginia in 2019 help support some kin families. This bill further strengthens policies in favor of kin for children in foster care.

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