

Supporting “Kin First” – Keeping Families Together

HB1962 will ensure more of Virginia’s children in 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).
- 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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