

SB307; HB716: Relative Foster Parents: right of appeal

The problem:

Relatives of a child in foster care often wish to become the child's foster parent. Studies show that usually, a child in foster care with a relative as foster parent will experience better outcomes, including fewer placement disruptions.

→Relative foster parents may also later become the legal guardians of a child in foster care, and thus be eligible for "KinGAP" support, while saving the state money (we spend at least \$5,000 per month for a child in foster care). Some relatives even adopt their relative child from foster care.

- Sometimes, even after going through all the background checks, home studies, and training, some relatives are denied the opportunity to be their relative child's foster family placement.
- Sometimes there are good reasons for denial. Other times the reason may be a preference to develop foster families who will foster additional children, and not just this one particular child; a preference to work with stranger foster families who may be "easier;" or a belief that "the apple doesn't fall far from the tree."
- Local departments are required to do a relative search and are encouraged to seek out relatives as foster parents. Though many do—some do not, or not in a timely fashion.

The solution:

This legislation would provide a time-limited opportunity to relatives seeking to become their relative child's foster parent access to the administrative appeals process upon a denial of foster placement.

NOTE: In order to ensure this process would not delay the court hearings and keep the child in foster care, the process must be speedy: the legislation requires a local department to swiftly notify relatives, and requires regulations to be promulgated that would ensure speed resolution; no later than 90 days or the child's next scheduled court hearing, whichever is earlier.

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