

## INTRODUCTION

The bipartisan Fostering Connections to Success and Increasing Adoptions Act, signed into law by President Bush on October 7, 2008, represents the most significant federal reforms for abused and neglected children in foster care in more than a decade. Congress took a careful look at the challenges facing children and families in the child welfare system. In crafting solutions to these challenges, it built upon testimony, briefing statements, and visits from youth who had been in foster care, grandparents and other relative caregivers, and birth, foster and adoptive parents, as well as other advocates, public and private agency representatives, researchers and others to better meet the needs of children who are abused and neglected and end up in foster care.

The act's numerous improvements are all intended to achieve better outcomes for children who are at risk of entering or have spent time in foster care and a number will help to reduce the racial disparities in the treatment of children that plague child welfare systems. It promotes:

- Permanent families for children with grandparents and other relatives, when return home and adoption are not appropriate
- Adoption for children with special needs in foster care for whom adoption is the best permanent plan
- Important linkages to family through the new Family Connection Grants
- Reasonable efforts to place children with siblings or at least connect them to siblings when they can do so safely and in a manner that is consistent with the child's well-being
- Extended support for older youth in foster care
- Educational stability for children in foster, kinship guardianship, or adoptive families
- Coordinated health planning for children in foster care
- Expanded federal protections and supports for American Indian children
- Improved training opportunities for relative guardians, private agency staff, judges, other court staff, attorneys for parents and children, guardians ad litem, and other court-appointed special advocates

In highlighting the gains made in the legislation both prior to and following its passage, both House and Senate leaders, Republicans and Democrats, have emphasized that these reforms represented significant first steps, but that there is additional work to be done. These reforms will mean little to children unless and until they are effectively implemented so as to truly benefit children. It is therefore critically important that implementation move swiftly to both help to ensure that children benefit from the new improvements and to maintain momentum for the additional changes needed at the federal level to improve outcomes for children and families.

*New Help for Children Raised by Grandparents and Other Relatives: Questions and Answers About the Fostering Connections to Success and Increasing Adoptions Act of 2008*, is intended to help ensure full and prompt implementation of the improvements in the Fostering Connections to Success and Increasing Adoptions Act for children being raised by grandparents and other relatives. It was prepared by the organizations listed below, many of whom have been working individually and together for a number of years to support children being raised by grandparents and other relatives:

- Center for Law and Social Policy
- Children’s Defense Fund
- Alliance for Children and Families/United Neighborhood Centers of America
- American Bar Association Center on Children and the Law
- Annie E. Casey Foundation/ Casey Family Services
- Casey Family Programs
- Center for the Study of Social Policy
- ChildFocus
- Child Welfare League of America
- Children and Family Research Center – School of Social Work at University of Illinois at Urbana-Champaign
- Family Violence Prevention Fund
- Generations United
- GrandFamilies of America
- National Association of County Human Services Administrators
- National Center for State Courts
- National Foster Care Coalition
- North American Council on Adoptable Children
- Voices for America’s Children

The act takes important steps to assist grandparents and other relatives around the country who have stepped in to help keep children out of foster care, provide foster family homes for them, and to care for them permanently. The new act’s kinship provisions build upon those first introduced in the Kinship Caregiver Support Act by Senators Hillary Rodham Clinton (D-NY) and Olympia Snowe (R-ME) and Representatives Danny Davis (D-IL) and Tim Johnson (R-IL). These and other leaders in Congress recognized the sacrifices that many grandparents and other relatives were making to raise their grandchildren, nieces, nephews, cousins or siblings when their parents could not, and the help they needed to connect with appropriate services and supports. The provisions build on the success of states in implementing similar reforms and research that documents benefits for children placed with relatives in foster care as opposed to children placed with non-relatives.

In this Guide, the collaborating organizations have answered a number of questions, all of which have been posed to them by persons interested in implementing the new act. The Guide is intended to be useful to those charged with implementing the improvements for children being raised by grandparents and other relatives, as well as others who are advocating for the new improvements and assisting with implementation. It can also be used in states and communities to bring together multiple stakeholders already working in communities on behalf of children being cared for by relative caregivers.

It is important to note that the answers given represent only the consensus of the supporting organizations based on our interpretation of the act and consultation with others, including Congressional staff and representatives of other organizations. Where applicable, the answers also track the guidance from the Program Instruction on the Guardianship Assistance Program issued by the Children's Bureau in the Administration on Children, Youth and Families in the U.S. Department of Health and Human Services on December 24, 2008 (ACYF-CB-PI-08-007). As of the first publication of the Guide, additional specific guidance had not yet been issued. When relevant, citations to sections of the Social Security Act, Public Law 110-351 (the Fostering Connections to Success and Increasing Adoptions Act of 2008), and Program Instruction ACYF-CB-PI-08-007 are noted in parentheses at the end of the answers. It is the hope of the supporting organizations that the Guide also will be useful to those in the Children's Bureau developing subsequent guidance.

The Appendices to the Guide include an Implementation Chronology (Appendix I), which summarizes when various provisions in the new act take effect, and a Glossary of key terms used in this Guide. It also includes a list of Selected Resources (Appendix II), which lists resources to supplement different sections of the Guide. We urge you to share with us other resources you find helpful. Contacts for the collaborating organizations are noted in Appendix IV.

Thank you for your interest and good work on behalf of children and families, particularly children being raised by grandparents and other relatives. We look forward to hearing about progress in implementation across the country and to tracking additional questions you may have as your work continues. Please contact any of us listed in Appendix IV for further information or to share what progress you are making for children as you implement the act.