

## **HB 1453 Preference for Placement with Relatives:**

**RSMo. Section 210.565.1** Requires the Department of Social Services to place a child with relatives if the court has determined that relative placement is not contrary to the best interests of the child.

**RSMo. Section 210.565.3** If a child is not placed with an identified relative, the court must make specific findings on the record detailing why placement with a relative is not in the best interest of the child.

### **Current Policy:**

**Section 4.12.3** Kinship care is preferred placement.

### **New Policy:**

**Section 4.12.3 and 4.12.4.4 b** Encourages staff to continue to prefer relatives for children in out-of-home care placement if the court has determined that relative placement is not contrary to the best interests of the child. Staff must obtain from the court specific findings for the record detailing why placement with a relative is not in the best interests of the child.

**Section 4.12.1** Reminds staff that the age of the relatives, shall not be the only factor taken into consideration in placement decision.

**Section 4.12.3** Instructs staff to begin at the 72 hr meeting and continue at subsequent meetings to locate and identify possible relative/kin placement for children who come into care.

**Section 4.12.3** Reminds staff that children who are taken into the custody of the state may not be reunited with a parent or placed in a home when the parent or any person residing in the home has been convicted of certain felony offenses in chapters 566 or 568.

**Section 7 Glossary/Reference** Added Missouri Revised Statutes Chapter 566 and 568 regarding placements of children with persons having these convictions.

### **Expected Outcomes:**

This policy changes ensures that all children that come into foster care are routinely placed with kinship families, when appropriate.

This policy change will also involve birth parents, foster parents, and kinship families as team members in children's placement decisions.

This policy may potentially increase the number and quality of kinship families as resource placement for children who come into care.

The continuation of preferring relatives for placement for children in care reduces the number of children served in institutional and group care.

Children who are placed with relatives are more likely to experience less placement moves than children placed in non-related foster homes and institutional care.

Placing children with relatives will increase the number and rate of brothers and sisters placed together.

### **Indian Child Welfare Act (ICWA)**

Section 210.565.5 of HB 1453 requires that the Children's Division comply with the placement requirements set forth in *25 U.S.C. Section 1915. (Indian Child Welfare Act)* for any Native American child placed in protective custody.

#### **Current Policy:**

- Determine Native American status of child as soon as possible
- Once Native American status is determined, notify the juvenile court in writing
- Follow out-of-home care placement mandates as specified in *CWM 4.19.3.1*
- Coordinate services with nearest available Indian social services ICWA program
- Specific case situations to be referred to *Division of Legal Services*

#### **New Policy:**

- Same as above
- Updated Indian social service agency contacts
- Revised CPS-1 has added question regarding tribal relationships
- Native American heritage questions are being added to the family assessment during its next revision

#### **Expected Outcomes:**

Compliance with ICWA supports partnerships with families and community as well as supports the underlying agency philosophy of practice being family-centered. Furthermore, ICWA compliance will ensure that children have enduring and permanent relationships in their home communities.