

# HANDOUT #1: PERMANENCY OPTIONS

When a child is removed from their family and placed in foster care, the first responsibility of the child welfare system is to work toward reunification with the child's family. Each state has different timelines and criteria for reunification, and it is not possible to review all of those here. However, this handout will briefly explain the three most common permanency options.

- **Reunification:** This is called Family Reunification (FR) and is typically court-ordered but can also be voluntary (VFR). FR provides intervention and support services for a limited, court approved time period to parents/caregivers and children who have been removed from their home. The children are considered to be in out-of-home care or foster care. It can be with a relative, a near kin (someone who knows the child or family but it not a blood relative examples such as a godparent, teacher, coach, neighbor, etc.), a recruited foster home or a group home. Parents/caregivers are given a service plan, or often called a case plan. The most common services offered to parents/caregivers are counseling, substance abuse treatment, domestic violence interventions, and parent education classes. Family Reunification is the main goal of Child Welfare as long as children can safely be returned to their parent(s)/caregivers.
- **Adoption:** When reunification with parents is not possible, adoption may be the best option. Adoption is a process that creates a new legal parent-child relationship by terminating the parents' rights and transferring those rights and responsibilities to the adoptive parents. Once the adoption is complete, the adoptive parents are considered the legal parents. Adoption may be with a relative, near kin, foster parents, or an unrelated adoptive parent.
- **Legal Guardianship:** If adoption is not a viable option, but the child cannot return home, county Child Welfare (CW) social workers work to identify a person willing to accept legal guardianship of the child. This is a legal arrangement in which an adult, including a relative or non-related extended family member, has court-ordered authority and responsibilities to care for a minor child. Foster parents might also take legal guardianship in some instances, when it benefits the child to have services continue that would be terminated if the child were adopted. This is especially true if the child has extraordinary medical needs.

Legal Guardianship is often an option for relative caregivers who are parenting a child while a birth parent works on their service plan toward reunification. As a long-term plan, guardianship does not include the same level of permanency that is afforded through adoption, but it may be in a child's best interest to not have their biological parent's rights terminated. Legal guardians have authority to make the decisions on behalf, but biological parents parental rights are not terminated. Financial aid is usually available to relatives and non-relatives for the care of the child(ren) along with continued Medicaid.

## Considerations for American Indian and Alaska Native Children and Families

- **Native American Alaskan Native Children:** Children who are American Indian or Alaskan Native have a unique situation. Their tribal membership determines how reunification occurs when children are removed from the care of their birth parents. This is due to Tribal Sovereignty and different laws



- pertaining only to the American Indian Alaskan Native population.
- Tribal sovereignty refers to American Indian Alaskan Native tribes that are federally recognized by the U.S. government. Sovereignty refers to American Indian/Alaskan Native tribes having certain types of independence when conducting their own tribe's affairs as they have a direct political relationship with the federal government.
- Customary adoption: Some tribes practice what is known as tribal customary adoption which means that the custody of the child is transferred to another person(s), but the parent's rights are not terminated as this would conflict with tribal culture and kinship belief systems. Customary adoption is now being recognized as an important permanency option as maintaining these connections is viewed as essential for building a lifelong sense of belonging for children and their community.
- All tribes are unique: Every American Indian Alaskan Native tribe is unique, and this includes how kinship is defined. A tribe may define family by who is kin or "like kin" through blood, cultural and other recognized tribal practices. Federally recognized tribes may also differ in how eligibility is defined for citizenship. Based upon the uniqueness of individual tribes, it is very important to check with the tribe to determine if the child is a tribal citizen or is eligible for tribal membership. This should be done by the social worker, and you, as the resource parent, will be asked to follow the process as established by the tribe.

