

POLICY ANALYSIS OF KINSHIP FOSTER CARE  
IN ELEVEN WESTERN STATES

by

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A thesis submitted to the faculty of  
The University of Utah  
in partial fulfillment of the requirements of the degree of

Master of Science

in

Human Development and Social Policy

Department of Family and Consumer Studies

The University of Utah

May 2010

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## ABSTRACT

Kinship foster care is care by relatives or close family friends. The definition of kin varies from state to state. Some states define kin as relatives and others include close family friends in addition to relatives. There are some concerns about kinship care; however, past research has found benefits from kinship placements for children. Children in kinship care experience fewer placements and they are less likely to come back to the child welfare system once they are reunified with their families than children in other out-of-home placements. Because of these findings, federal policies give preference for kinship placements as out-of-home placements over other forms of placements. Court decisions also show preference for kinship placements. Even though states give preference for kinship placements as out-of-home placements, policies regarding kinship foster care differ from state to state. This research examines kinship care policies in eleven western states, compares these policies with Utah policy, and makes recommendations to Utah for better kinship care policy.

The data were collected from 11 western states. A website search was done first. The websites I visited included state websites, federal government websites, and websites of organizations that support children and their caregivers. After concluding the internet search, emails were sent to states welfare workers to find out the information that was not collected by internet search. A few phone calls were also made to get additional information.

Utah defines kinship well. It includes family friends and has a detailed definition of kin. Utah allows kinship care givers to have children before they are fully licensed as foster parents, as long as they are relatives to the children and offer foster care payment. The amount of the payment that foster parents receive in Utah is median among the 11 western states. The Specified Relative Grant is available for relatives who are not licensed as foster parents. The subsidies guardianship is not available for relatives in Utah. The Kinship Navigator Program will be a good program for kinship caregivers to find available support and services, and to learn about the child welfare system.

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## INTRODUCTION

Foster care service is the child welfare service that provides alternative family care for temporary or extended period to children whose parents cannot provide proper care for them (Child Welfare League of America, 1975). “Some formal system of placing dependent children in other families’ homes based on the publicly determined standards for family life and childrearing has existed throughout U.S. history” (Swarts, 2005, p.21). In the colonial period, the community leaders had the power to remove children from their families when the families “failed to live up to the community’s family and work ethics” (Swarts, 2005, p.22) and place them in different families. At this time, children were expected to be productive members of families and received care by offering labor and/or material goods. In the 19<sup>th</sup> century, the middle class conception of childhood changed to children as “precious and in need of intense nurturing, education, play, and loving, individualized mother-care in family settings” (Swarts, 2005, p.24). With that shift, child-welfare workers started to be involved more in supervising foster families to ensure that they cared for children because of proper reasons, rather than to make money. The Social Security Act was passed in 1935. It stated that the federal government would support states financially with their plans for aid to dependent children (Title IV). It is the federal government’s responsibility to protect children financially and regulate their welfare (Swarts, 2005) when parents fail to meet their basic needs.

The number of children in out-of-home placements is increasing dramatically

(Benedict, Zuravin, & Stallings, 1996; Leslie, Landsverk, Horton, Banger, & Newton, 2000). There are three types of out-of-home placements. These are kinship placements, nonkinship foster care, and group homes. The kinship foster care had been informal for a long time. Family members cared for each other without the involvement of the child welfare system (Child Welfare League of America, 2000). Since the mid 1980s, the number of children who are placed in kinship care is growing (Geen, 2004). For example, in Illinois and California, in the early 1990s, 45% of children who were in out-of-home placements were placed with relatives and almost half of the foster children in New York City were placed with relatives in 1990 (Dubowitz, Feigelman, & Zuravin, 1993). The US General Accounting Office estimated that kinship placement increased by 379% between 1986 and 1991 whereas nonkinship placement increased by only 54% during the same period (Pabustan-Claar, 2007). The following are factors that contribute to the increased kinship placements: 1) children in the system are increasing although nonkinship placements are decreasing (Leslie et al., 2000), 2) child welfare agencies have more positive attitudes toward kinship placements (Leos-Urbel, Bess, & Geen, 2000), and 3) legislative and policy support for preservation of family and family ties is increasing. Parental incarceration, AIDS, teen pregnancy, homelessness, and substance abuse are other factors that cause increasing the number of children living with relatives other than their parents (McCallion & Janicki, 2000; Swann & Sylvester, 2006).

## LITERATURE REVIEW

### Kinship Placements and Nonkinship Placements

Kinship placements and nonkinship placements have differing characteristics. Kinship caregivers are more likely to be older single women with limited income (Berrick, 1997; Geen, 2004; Timmer, Sedlar, & Urquiza, 2004). Some research shows that they are more likely to be in poorer health than nonkinship caregivers (Benedict, Stallings, & Zurarvin, 1996) where as others found that there is no significant difference in the health between the two groups (Berrick, 1997). Nonkinship caregivers are more likely to own their houses, and these houses are bigger in comparison to kinship caregivers (Berrick, 1997). Children in kinship care live in more crowded home settings because kinship caregivers are likely to have more children in their homes. Berrick also found that the family relations are positive in both kinship and nonkinship placements and their discipline styles are generally similar. One exception is that kinship caregivers are more likely to use spanking than nonkinship caregivers.

It is usually an unexpected event for kinship caregivers when a related child or children are placed in their homes. They often do not have training as foster parents prior to child placement. They may also be unprepared to support the children placed in their homes socially, emotionally, or in other ways (Coakley, Cuddeback, Buehler, & Cox, 2007). They receive fewer services and monitoring from social workers and other child welfare agencies during the time they have children in their homes (Benedict et al., 1996;

Coakley et al., 2007; Geen, 2004). They also request fewer services than nonkinship caregivers.

Another important finding is that children in kinship placement stay in the system longer and are less likely to be adopted (Benedict et al., 1996; Berrick, 1997; Leslie et al., 2000). There are several explanations for these findings. First, kinship caregivers already have family ties; therefore, they do not need to adopt to build the ties (Leos-Urbel, Bess, & Geen, 2002). There are also financial reasons relatives do not adopt children in their care. They are not eligible to receive adoption assistance payments. This means if they adopt the children, their monthly financial support would be terminated, and they would not get further financial support. This can cause relative caregivers to decide not to adopt children but nurture them as foster parents. Third, adopting a child means the termination of parental rights (Leos-Urbel et al., 2002). This may cause kinship caregivers to be reluctant to adopt the children in their care.

Some people also worry that placing children with relatives will reinforce existing problems. For example, placement with grandparents who raised the parents who maltreated their children might expose the children to the same problems (Lorkovich et al., 2004). Another serious concern is that the kinship caregivers are less likely to establish and maintain boundaries with birth parents and may allow them unsupervised visits with their children (Coakley et al., 2007)

Even though there are concerns about kinship placements, they are beneficial for children in a number of ways. First, children in kinship placements experience more stability than those in nonkinship placements (Benedict et al., 1996; Berrick, 1997; Pabustan-Claar, 2000). Placement stability is very important for a variety of reasons.

First, children are unable to build emotional ties with caregivers when they experience many placements (Webster, Barth, & Needell, 2000). Second, children are more likely to feel a sense of rejection and impermanence when they experience more placements. Third, children who have experienced more placements have more behavior problems (Newton, Litrownik, & Landsverk, 2000).

Research by Leslie et al.(2000) examined the number of placements that children experience in out-of-home placement in an 18-month period. The average number of placements of the children who were placed in kin care only was 2.4; on average children who experienced both kinship placement and nonkinship placement had 4.3 placements, and children who were placed in both kinship placement and more restrictive settings such as group homes or psychiatric facilities had an average of 6.8 placements. More than two thirds of children who were placed with relatives did not have a second placement. Similarly, other research showed that 71% of children who were placed in kinship placements were still in their first or second placement after 8 years whereas only 48% of those in nonkinship placement were in this figure (Webster et al., 2000). The same research found that the more placements children experience in first year in the system, the more likely they have to experience multiple placements. Therefore, it is important for child welfare agencies to examine each case carefully and determine the optimal first placement for children.

Additionally, children in kinship placement have fewer mental health and behavior problems and are less likely to be maltreated in care (Benedict et al., 1996; Mosek & Adler, 2001; Timmer et al. 2004). Even though there is a concern that grandparents who raised the parents who maltreated children may expose the children to

the same problems, this finding show that kinship caregivers offer children healthy environment. When they are reunited with their families, they are less likely to come back into the system than those who were placed in nonkinship care (Berrick, 1997).

In addition to stability in placements and the benefits of being less likely to return to the system, children in kinship placements also have more contact with their original families than children in nonkinship placement. Those in kinship placements are more likely to have warm relationships with their birth mother than those in nonkinship placements (Berrick, 1997). And very importantly they are more likely to be placed with their siblings (Leslie et al., 2000).

Another benefit of kinship placements is that the children do not need to experience additional trauma of being placed with total strangers (Lorkovich, Piccola, Groza, Brindo & Marks, 2004). A child in the research by Messing (2006) said, "I was living with my grandma, there ain't no reason to be scared about it" (pp.1424). Children in kinship care also learn their cultural traditions, cultural values, and positive perspectives about their birth parents from kinship caregivers (Barrio & Hughes, 2000). It is harder to have these positive experiences about their own culture and family members if they are placed with strangers outside of their cultural community. Sense of identity and self-esteem of children can be reinforced more readily with family members and it can facilitate the connection between siblings (Mosek & Adler, 2001).

In summary, the research findings show that there are some concerns with kinship placement. The kinship caregivers are more likely to be older, single, and in poorer health, and to have limited income and less education than nonkinship caregivers. They have less preparation and planning time and receive fewer services from child welfare

agencies. Children in kinship placements are slow to reunify with their birth parents, stay longer in care, and are less likely to be adopted than children in nonkinship placements. Regardless of these concerns, kinship placement is very beneficial for children. Children in kinship placements are more likely to be placed with their siblings, to have closer and warmer relationships with their birth parents, and to experience fewer placements and less maltreatment than children in nonkinship placements. They also exhibit fewer behavioral and mental health problems and are less likely to come back into foster care after they are unified with their birth parents.

### **Laws, Regulations, and Court Cases**

A number of laws support kinship placements. Laws that support relatives as a priority option for out-of-home placement include the Indian Child Welfare Act of 1978, the Adoption Assistance and Child Welfare Act of 1980, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PROWRA), and the Adoption and Safe Families Act of 1997 (ASFA) (Geen, 2004; Leos-Urbelet al., 2002; Lorkovich et al., 2004; Pabustan-Claar, 2007). Each of these is described in more detail below.

The Indian Child Welfare Act of 1978 gives Native American Indian Nations and Tribes the right to control the adoption or foster care placement of children who are related to tribal members. This Act shows that Congress values the importance of the placements that are familiar for children. The Adoption Assistance and Child Welfare Act of 1980 requires social service agencies to make reasonable efforts to prevent removal of children from their homes (Child Welfare Handbook). Reasonable efforts by social service workers include exploring relative placement (Edwards, 1989). The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 requires states

to “consider giving preference to an adult relative over a nonrelated caregiver when determining a placement for a child” (Geen, 2004, p.137). The Adoption and Safe Families Act of 1997 also requires states to inquire about possible family placement prior to seeking nonrelative placements (U.S. Department of Health & Human Services). It also allows the extension of the period of time for states to terminate parental rights when the children are placed with relatives (Leos-Urbel et al., 2000).

Foster parents get reimbursed from the Title IV of the Social Security Act. The 1950 amendment to the Social Security Act allowed relatives who are taking care of the children in their homes to receive payment under the Aid to Families with Dependent Children (AFDC) (Los-Urbel et al., 2002). The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 replaced AFDC with the Temporary Assistance for Needy Families (TANF) program (Aid to Families with Dependent Children and Temporary Assistance for Needy Families, 2004). Many states previously had different or modified standards for kinship foster parents. In 2000 the U.S. Department of Health and Human Services (HHS) denied the flexibility of states in licensing kinship foster parents (Leos-Urbel et al., 2000). Now, the states cannot have different standards or waive some standards for kinship foster parents as a group. The relative foster parents can still have children in their homes before getting licensed; however, they need to fulfill the same standards as nonrelative foster parents and be licensed to receive reimbursement from Title IV-E funds.

Another factor that has contributed to the priority given to kinship placements is court decisions (Leos-Urbel et al., 2002). Title IV of the Social Security Act in 1962 enabled foster parents to receive reimbursed payment; however, kinship caregivers were



excluded as recipients. Four children in Illinois were removed from their home because of neglect. Two of them were placed with the relative who met the state's licensing requirements as a foster parent. However, the relative did not get paid foster care payments because she was related to the children. The legal action proceeded and the Supreme Court determined that relative caregivers are eligible for the federal foster care payments (The Miller v. Youakim Supreme Court Case in 1979: Berrick, 1997; Leos-Urbel et al., 2002; Testa & Slack, 2002). In another case, a child with a handicap in Oregon was removed from her parents because of neglect. Her aunt and uncle decided to take care of her. She was not eligible for the Title IV reimbursement. Oregon had a statute that denied foster children living with relatives from receiving state funds, whereas children living with strangers received funds. Oregon argued that this policy is to save money by not providing payment to relatives who are financially able and willing to provide care to children without state support and to provide foster care benefits for children placed with nonrelatives. Oregon stated that this increased the number of nonrelative foster caregivers and the amount of money available to children placed with nonrelative caregivers. The court concluded that the Oregon statute was rational in the effort to offer the maximal level of benefits to all children in foster care; however, it also ruled that "the failure to use kinship as foster parents is a violation of children's constitutional right to associate with relatives" (The Lipscomb vs. Simmons case in 1989: Pabustan-Claar, 2007, p.64).

### **Practice in States**

In 2001, 15 states required kinship caregivers to fulfill the same standards as nonkin caregivers to have children in their homes (Geen, 2004). Other states had different

standards for relative caregivers or waived some of the standards for kinship caregivers. Among 16 states that waived or modified the standards for kinship caregiver in 1999, “eleven states waived or modified training requirements and ten states waived or modified physical space requirements for kin” (Leos-Urbel et al., 2002, p.44). Other standards that were waived or modified by a few states include minimum age requirements, income requirements, medical exams, limits on the total number of children in the home, aspects of the background checks, and time limits for completing the home study. Also, many states place children with relatives before they finish the licensing training and processes (Geen, 2004).

The research by Leos-Urbel et al. (2000) illustrates differing state kinship care policies. Almost all states and the District of Columbia seek kin before placing children with nonkin foster parents. Among the five states that do not seek kin placements first, Illinois, South Carolina, and Washington sometimes seek relatives.

Kinship foster parents need to be licensed with the same standards as nonkin foster parents to receive reimbursement from title IV-E funds. The relative foster parents who do not receive payment from title IV-E funds can receive different payments depending on the states in which they live. Most common payment is a TANF child-only payment. Some states provide payments to kinship caregivers in addition to the TANF child-only payment. For example, Arizona provides payments for basic needs and other expenses for children such as emergency clothing, graduation expenses, and day camp.

Even though most states require the same amount of supervision to relative foster parents as nonrelative foster parents, research shows that kinship caregivers receive less supervision from child welfare workers than nonkinship caregivers (Geen, 2004).

Because birth parents are more likely to make unscheduled visitations to the children in kinship placements and also to prevent unsupervised visitation, it is important for kinship caregivers to have appropriate and adequate supervision by child welfare workers.

### **Best Practice in Kinship Care**

As previously discussed, kinship placements have various benefits for children. The following practices are possible ways to overcome the barriers for kinship placement. First, kinship caregivers receive fewer support services and monitoring from child welfare agencies. This can make it harder for them to support children who were placed in their homes effectively, especially when they are not prepared for the placement of the children. Moreover, the birth parents and the foster parents know each other. Foster parents who are birth parents' parents, siblings, or other family members can find it difficult to set proper boundaries between the birth parents and their children. This can cause the foster parents to allow birth parents unsupervised visitation and unauthorized contacts with children (Geen, 2004). It is important to have resources available to support and monitor these families (Coakley et al., 2007). Second, it is hard for many kinship caregivers to build proper boundaries with the children's birth parents. It would be helpful for them to have training in building healthy boundaries and maintaining warm relationship with the birth parents (Coakley et al., 2007). Third, the foster care qualifications are criticized as reflecting middle class values, not the ability to raise children properly (Leos-Urbel et al., 2002). Examples of these standards can be "square footage of the home or number of bedrooms" (p.50) in the house. It might be necessary to rethink about some of the licensing requirements for kinship caregivers based on research findings.

The Child Welfare League of America (2000) states that child welfare services provide children services to fulfill their needs of safety, nurturance, and family continuity by enabling children to live with familiar people so that the trauma that children may experience is decreased; by enhancing children's connection to their siblings, other family members, and community; and by strengthening families to be able to provide children the support that they need. The policy and practice issues that agencies should address include: (p.7)

- 1) providing supports and services for children, kinship caregivers, and parents;
- 2) developing and delivering kinship care services;
- 3) assessing, monitoring, and supervising kinship homes;
- 4) planning for permanency for children in kinship care; and
- 5) determining the appropriate level and means of providing financial support for children placed with kin.

## SIGNIFICANCE OF THE STUDY

Even though there are some concerns with kinship placement, it is beneficial for children to place them with kin when the kinship caregivers are capable of taking care of the relative child or children. The children are less likely to experience many placements. They know the caregivers; therefore, they do not experience another trauma of being placed with strangers. They have closer and warmer relationships with their caregivers, have fewer behavioral or mental health problems and are less likely to come back into foster care after they are reunified with their birth parents. The concerns related to the kinship placement include that they are more likely to be older, single, in poorer health, and to have limited income than nonkinship caregivers. They also have less preparation and planning time prior to the placement of relative child or children. It takes a longer time for children to reunify with their birth parents, and children are less likely to be adopted. However, many of these concerns can be overcome by providing kinship caregivers proper supports and supervision.

This research examines the policies and practices related to kinship caregivers in 11 western states. After comparing and analyzing the policies and practices in different states, I will outline policies that are more likely to support kinship caregivers. My research questions are following; 1) what are the written policies regarding kinship foster care in 11 western states? 2) how do Utah state policies compare to the recommended best

practices? and 3) how do Utah policies compare to other states' policies regarding kinship care?

## **METHOD**

### **Data Collection**

This research focuses on the kinship policies in the western states. According to U.S. census, western states include Arizona (AZ), California (CA), Colorado (CO), Idaho (ID), Montana (MO), Nevada (NE), New Mexico (NM), Oregon (OR), Utah (UT), Washington (WA), and Wyoming (WY). Data regarding foster care, kinship care, and guardianship were collected from these 11 western states through internet research and by contacting the state welfare workers through email and phone calls. Internet research was the initial method of research. After the internet research, emails were sent to workers to get data that were not obtained through internet research. More specifically, the data of number of children in foster care were obtained through internet research as was most of the data on payment and definition of kin. The data on licensing process and subsidized guardianship were obtained through both internet research and contacting welfare workers.

The websites examined included state websites, federal government websites, organizations' websites that work to support children and their caregivers. The state and county welfare workers who were contacted are those who work in foster care and kinship care services. The initial email to agencies asked for their state definition of kin, the licensing process to be foster parents, the support that the kinship caregivers receive when they are not licensed as foster parents, and the subsidized guardianship program. A

few more follow up questions were asked if they were needed. For example, when welfare workers indicated that the licensing process for kinship caregivers and nonkinship caregivers was the same but did not mention the exceptions specifically, I have asked them if there were any exceptions for their rules.

Some of the workers forwarded the questions to those who were more knowledgeable with the questions. Most of the workers answered the questions to some extent except those in Montana. The questions were forwarded to someone that might have been more knowledgeable with the questions, but the person did not respond do the questions. Thus, Montana is the only state that did not respond to the email information request. Some data on Montana were obtained by an internet search.



## RESULTS

### Definition of Kin

Definition of kin varies from state to state. Table 1 provides the definitions of kin in 11 western states. Some states have detailed definition of kin and others have very simple definitions. Arizona and Wyoming are examples of simple definitions. They define kin as “an adult relative or person who has a significant relationship with the child” (Arizona Department of Economic Security, 2006) and “relative families, adult siblings of younger children, and individuals whom the family recognizes as “family”” (D. Ward, personal communication, August 1, 2008). Colorado and Nevada define relative care in more detail. In Colorado, kinship care is the care provided by a person who is related to the child by blood, legal, or marriage, or by a nonrelative provider such as neighbors and friends (Colorado Department of Human Services, 2008). In Nevada, it is the care provided by an individual who is related to the child by blood, marriage, adoption, or through close family relationships that are acknowledged by the parents, tribe, or child (Nevada Division of Child and Family Services, 2007). California and Montana also have very detailed definition of kin. In California, Department of Social Services (2007a) defines kinship care comprehensively as the following:

“Relative” means an adult who is related to the child by blood, adoption, or affinity within the fifth degree of kinship, including stepparents, stepsiblings, and all relatives whose status is preceded by the words “great,” “great-great”, or “grand,” or the spouse of any of these persons, even if the marriage was terminated by death or dissolution.

Table 1: Definition of Kin

	Grand- parents	Uncle/ aunt	Siblings	Step- parents	Step- siblings	God- parents	Child's or family's tribe	Person with significant relationship
Arizona	X	X	X	X			*1	X
California	X	X	X	X	X			
Colorado	X	X	X	*2	*2			
Idaho *3						X	X	X
Montana	X	X	?	X		X	X	X
Nevada	X	X	X	?			X	X
Oregon	X	X	X	X				
Utah	X	X	X	X	X		X	X
Wyoming	X	X	X					*4

\*1 Adult relative or person who has a significant relationship with the child, Indian child: include extended family members; Relative includes extended family members

\*2 (Boulder County) related to the child, either genetically or by previous association. Need to be blood related to be "certified kinship care" provider.

\*3 Kin: nonrelatives. Relative: Person related to a child by blood, marriage, or adoption

\*4 Includes individuals whom the family recognizes as "family"

New Mexico: Relative foster care and family foster care (Kin not used); god parents need to be documented to be a relative foster care provider

Washington: Kin not used; relative care-provided by relatives and other suitable person

Reference:

Arizona Department of Economic Security (2006). Children's services manual: chapter6: section 6. Retrieved February 25, 2008, from

<https://www.azdes.gov/dcyf/cmdps/cps/Policy/ServiceManual.htm>; California

Department of Social Services (2007). Kinship Care. Retrieved July 1, 2008, from

<http://www.childsworld.ca.gov/PG1351.htm>; Boulder County (n.d.). Boulder county's kids. Retrieved July 18, 2008, from

<http://www.bouldercounty.org/ss/adoption/Kinship.htm>; Idaho Department of Administration (n.d.). Administrative rules-rules governing family and children's services. Retrieved January 23, 2008, from

<http://adm.idaho.gov/adminrules/rules/idapa16/0601.pdf>; Department of Public Health & Human Services (n.d.). Title 52. family services, chapter 2. children's services, part6. youth residential services. Retrieved May 9, 2008, from

<http://www.dphhs.mt.gov/qad/youthcarefacilities/title52-2-6.pdf>; Nevada Division of Child and Family Services (2007). Statewide policy manual/ Kinship care. Retrieved

June 5, 2008, from [http://www.dcf.state.nv.us/CW\\_Policies/1000/1003\\_KinshipCare.pdf](http://www.dcf.state.nv.us/CW_Policies/1000/1003_KinshipCare.pdf); Office of Safety and Permanency for Children (2000a). Permanent Foster/Kinship Care – OAR. Retrieved February 4, 2008, from

[http://www.dhs.state.or.us/policy/childwelfare/manual\\_1/i-e361.pdf](http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-e361.pdf); Utah Devision of Administrative Rules (n.d.). Utah Administrative Code, R512-500-2. Definitions.

Retrieved from March 6, 2009, from <http://www.rules.utah.gov/publicat/code/r512/r512-500.htm#T2>; D. Ward, personal communication, August 1, 2008; N. Ruttkay, personal

## Table 1 Continued

communication, June 3, 2008; R. Roberts, personal communication, July 3, 2008; M. Luque, personal communication, July 18, 2008

Among these relatives, however, only grandparents, aunts, uncles, and siblings are given preference when they consider the placement of children. In Montana, kinship care is provided by any of the following: a member of the child's extended family, a member of the child's or family's tribe, the child's godparents, the child's stepparents, or a person to whom the child, child's parents, or family ascribe a family relationship and with whom the child has had a significant emotional tie (Department of Public Health & Human Services).

The states listed above include both relative and nonrelative caregivers as kinship caregivers except for California. In California, kinship caregivers are related to children by blood, adoption, or affinity. In Oregon, kinship care is provided only by relatives. Relatives are those who are related to children by blood, half blood, or adoption. This includes aunts, uncles, first cousins, legal stepparents or ex-stepparents who have parented the child, and "persons of preceding generations denoted by the prefixes of grand, great or great-great" (Oregon Department of Human Services Child Welfare Policy, 2000a).

In Idaho, a relative is a person related to a child by blood, marriage, or adoption (Idaho Department of Administration). Kin is a nonrelative who has a significant, family-like relationship with a child. Kin may include godparents, close family friends, clergy, teachers and members of a child's Indian tribe.

New Mexico and Washington are the states that do not use the word "kin." New Mexico uses "relative foster parents" instead of "kinship care" (N. Ruttkay, personal communication, June 3, 2008). Relatives include those who are within the fifth degree of consanguinity and documented godparents. In Washington, "relative care" replaced

“kinship care” recently (R. Roberts, personal communication, July 3, 2008). Relative care means the care provided by a relative and other suitable person (M. Luque, personal communication, July 18, 2008).

The Child and Family services R512-500 Kinship Services (Utah State Bulletin, 2008) shows the definition of kinship caregivers in Utah. Kinship caregiver is a noncustodial parent, relative, or friend. Relative is the child’s grandparent, great-grandparent, aunt, great-aunt, uncle, great-uncle, brother-in-law, sister-in-law, stepparent, first cousin, stepsibling, or sibling of the child. Friend is a person who is licensed as a foster parent and is designated for preference for care of a child by a custodial parent or guardian of the child.

### **Preference for Kinship/Relative Caregivers**

All 11 Western states give first preference for kin/relative as out-of-home placements in their statute, state’s code, or in their practices. They require state welfare workers to consider kinship/relative placement as first options in deciding out-of-home placement for children. In addition, several states provide more detailed order of placement preference than others. In Arizona, the order of placement preference is 1) parents; 2) grandparent; 3) a member of the child’s extended family, including a person who has a significant relationship with the child; 4) licensed family foster home; 5) therapeutic foster care; 6) group home; 7) therapeutic group home; and 8) residential treatment facility (Arizona State Legislature).

In Idaho, placement preferences are the following: 1) immediate family member; 2) extended family member; 3) nonrelatives who have significant relationships with the children; and 4) regular foster parents (Idaho Department of Administration). In

Washington, least to most restrictive placements are defined as: 1) child's own home; 2) relatives/tribe; 3) in the home of a suitable person who has a preexisting relationship with the child or family; 4) out-of-home care in a family setting; 5) rehabilitative group placement; 6) short- and long-term psychiatric facilities; and 7) other institutions (Doran, L. & Berliner, L, 2001).

Some states list the factors that determine the placement of children in addition to kin/relative preference; proximity to the parents' home, with minor siblings who are in out-of-home care, the least restrictive placement that will meet his/her needs, within the child's own school district, and caregivers who can communicate in the child's language (AZ: Arizona Department of Economic Security, 2006); least restrictive setting, proximity to their home if their safety can be assured and the development and/or maintenance of an appropriate relationship with their siblings (NM: Commission of Public Records, 2007); the ability and willingness of the person to provide safety for the child, the ability of the person to support the department's effort to implement the permanent plan, the ability of the person to meet the child's physical, emotional and educational needs, and close relationship with the child if more than one requests for placement (OR: Office of Safety and Permanency for Children, 2007); and the least restrictive setting, most family-like and most appropriate placement, safety and best interest of the child, and proximity of the child's family home and the child's current school (WA: Washington State Department of Social & Health Services).

In Utah, placement preference is given to a relative if it is the best interest of the child. The order of preference is the following: 1) a noncustodial parent of the child, 2) relative of the child, 3) a friend designated by the custodial parent or guardian of the child

if the friend is a licensed foster parent, and 4) a former foster placement, shelter facility, or other foster placement (Division of Administrative Rules).

### **Licensing Process**

Prior to a federal rule in 2000, states had different standards for licensing relatives as compared to foster parents. For example, Idaho, Montana, Nevada, and New Mexico waived some of licensing requirements for kin, and Arizona, Montana, Nevada, and Washington had kin-specific licensing options. As discussed previously, in 2000, the federal government passed new rules for kinship care/relative foster care. The rules require states to have the same licensing or approval requirements for relative/kinship caregiver as nonrelative caregivers except for nonsafety requirements (National Conference of State Legislatures, 2008). States cannot establish different standards for relative/kinship caregivers as a group; however, they still can set different standards case by case.

Table 2 shows the requirements to be licensed as foster parents. It includes the minimum age of caregiver, the number of references, hours of training, whether the state allows the placement before the caregivers are fully licensed, and in the states where they place children before the caregivers are fully licensed, the amount of time that the caregivers have to be licensed and the payment that the caregivers receive before they are fully licensed as foster care providers. Missing data indicate professionals who did not respond to email request and websites did not include the data. Missing data include the number of references (CA, ID, MO, NE), time limit to be licensed as foster parents after children are placed (NE, WA), and the availability of reimbursement during kinship

Table 2 : Licensing Requirement

	Caregiver Age	Reference	Training	Placement before licensed	Time limit to be licensed	Payment before licensed
Arizona	21 (kinship foster care parent 18)	5 (kin-2)	30 hours	yes	no	no
California (Yolo County)	18 or older		21 hours	yes *4	yes *4	yes *4
Colorado (Boulder County)	21	3	27 hours	yes	60 days	depend on the county
Idaho *1	21		27 hours	yes	6 months	yes (TAFI)
Montana *2	18		18 hours (may be waived on a case-by-case basis for kin)	yes	4 months	
Nevada	21		24 hours (relative: 9 )	yes*6		no
New Mexico	18	5	10 hours (kin can have individual training)	yes	60 days	yes
Oregon *3	21(Indian Children, relative caregiver 18-20)	4 (2 from relative)	*5	yes*7	90 dayas	yes
Utah	21	4	32 hours	yes	90 days	yes



Table 2 continued

	Caregiver Age	Reference	Training	Placement before licensed	Time limit to be licensed	Payment before licensed
Washington	21	4	30 hours	yes		yes (Relative Support payment)
Wyoming	21	5 (3 non-relative, 2 relative)	16 hours	yes	90 days	yes

## Table 2 Continued

All states require home study

\*1 nonsafety standard could either be waived or varied for relative foster parent per rule.

TAFI :Temporary Assistance for Families in Idaho

\*2 nonsafety standard and training may be waived

\*3 Child-Specific Certificate: 2 references before certification, 2 references after,

BCCU :Background Check Central Unit

CAMIS:Case and Management Information System

\*4 relative do not need to be licensed to take care of their relative's children. If they decided to be licensed, they need to through exactly the same licensing process as nonrelatives. (phone with Suzan)

\*5 need to have orientation prior to receiving a certificate or within 30 days after the placement of a child. Family must complete the Foundations of Relative Care, Foster Care, and PreAdoptive Care (Foundations) training before or within 12 months after the certificate was issued, or have documentation of completion of equivalent training from another licensed child-caring agency within two years of an application for a certificate.

\*6 fictive kin need to be licensed before placement --kinship care policy

References: Arizona Department of Economic Security (n.d.). Foster care and adoption orientations. Retrieved February 23, 2008, from <https://egov.azdes.gov/cmsinternet/main.aspx?menu=102&id=1256>; National Resource Center for Family-Centered Practice and Permanency Planning (2008). Arizona Department of Economic Security (2006c). Children's services manual: Exhibit 12, Relative search best practice guide. Retrieved April 28, 2008, from [https://www.azdes.gov/DCYF/CMDPS/CPS/POLICY/PolicyManual.htm#Exhibits/Exhibit\\_12\\_Relative\\_Search\\_Best\\_Practice\\_Guide.htm](https://www.azdes.gov/DCYF/CMDPS/CPS/POLICY/PolicyManual.htm#Exhibits/Exhibit_12_Relative_Search_Best_Practice_Guide.htm); Foster parent preservice training. Retrieved February 20, 2008, from [http://www.hunter.cuny.edu/socwork/nrcfcpp/downloads/policy-issues/Foster\\_Parent\\_Preservice\\_Training.pdf](http://www.hunter.cuny.edu/socwork/nrcfcpp/downloads/policy-issues/Foster_Parent_Preservice_Training.pdf); P. Carey, personal communication, June 2, 2008; Woodland Community College (2005). Yolo county foster care licensing questions and answers. Retrieved February 2, 2009, from [http://www.yolofostercare.com/forms/Licensing\\_Questions\\_&\\_Answers.pdf](http://www.yolofostercare.com/forms/Licensing_Questions_&_Answers.pdf); S. Sadler, personal communications, February 9, 2009; Boulder County Colorado, Housing & Human Services (n.d.). Boulder County's Kids. Retrieved July 18, 2008. from <http://www.bouldercounty.org/ss/adoption/Trainings.htm>; M. Griffin, personal communication, July 7, 2008; Idaho Department of Health and Welfare (2007). Resource family licensing for relatives & nonrelatives standard. Retrieved July 25, 2008, from <http://www.healthandwelfare.idaho.gov/Portals/0/Children/AdoptionFoster/CWStandard-ResourceFamilyLicensing-Relative&NonRelative.pdf>; S. Dwello, personal communications, June 9, 2008; Department of Public Health & Human Services (n.d.). Youth foster home licensing requirements. Retrieved July 25, 2008, from <http://www.dphhs.mt.gov/cfsd/relatedtopics/youthfosterhomelicensing.pdf>; Montana Secretary of State (n.d.). 37.51.207 Youth foster homes: provisional licensure Retrieved July 25, 2008, from <http://www.mtrules.org/gateway/ShowRuleFile.asp?RID=14318>; Nevada Division of Child and Family Services (n.d.). State Wide policy Manual. 1003.0

## Table 2 continued

Kinship Care; N. O'Neill, personal communications, June 4, 2008; Children's Advocacy Alliance (2007). CAA Southern Nevada - Foster care programs. Retrieved June 10, 2008, from <http://www.fosterchild.com.childrensadvocacyalliance.com/fcprogram.html>; New Mexico Commission of Public Records (2005). Social services/ foster care/ foster parenting. Retrieved March 4, 2008, from <http://www.nmcpr.state.nm.us/NMAC/parts/title08/08.027.0002.pdf>; M. Ruttkay, personal communications, July 22, 2008; H. Williams, personal communications, June 5, 2008; Office of Safety and Permanency for Children (2000). Certification Standards for Foster Parents, Relative Caregivers, and PreAdoptive Parents – OAR. Retrieved February 4, 2008, from [http://www.dhs.state.or.us/policy/childwelfare/manual\\_2/ii-b1.pdf](http://www.dhs.state.or.us/policy/childwelfare/manual_2/ii-b1.pdf); Office of Safety and Permanency for Children (2007a). Department responsibilities for certification and supervision of relative caregivers, foster parents, and preadoptive parents –OAR. Retrieved February 4, 2008, from [http://www.dhs.state.or.us/policy/childwelfare/manual\\_2/ii-b11.pdf](http://www.dhs.state.or.us/policy/childwelfare/manual_2/ii-b11.pdf)

caregivers are working on licensing requirements after they are placed with children (MO).

The minimum age of foster care providers ranges from 18 to 21. Relative/kin can apply to be foster parents at age 18 in Arizona and Oregon whereas regular foster parents need to be at least 21 to apply to be caregivers. Lower age to be foster parents can make it possible for older siblings to take care of their younger siblings. The number of references that are required to be licensed as foster parents varies between states. While most of the states do not have separate standards for kinship care givers, Arizona requires five references for regular foster parents and two references to kinship foster parents. The number of hours for preservice trainings varies from 16 hours in Wyoming to 32 hours in Utah. Montana, Nevada and New Mexico have different standards for kinship caregivers. Eighteen hours of training in Montana can be waived for kinship caregiver in case-by-case basis. In Nevada, regular foster care families need to have 24-hour preservice training to be licensed as foster families whereas the preservice training for kinship caregiver is only 9 hours.

Many western states also place children with kinship/relative caregivers before they are fully licensed. It depends on the state whether kin/relatives receive foster care payments during the period between when children are placed and when they are fully licensed. Arizona and California do not pay foster care payments before caregivers are licensed. It depends on the county in Colorado. In Idaho, they receive the Temporary Assistance for Families in Idaho (TAFI). Caregivers in Utah and Wyoming receive the same payment as licensed foster parents.

Many states establish time limits for kinship/relative caregivers to be licensed as

foster parents after children are placed. It is 60 days in Colorado and New Mexico, 6 months in Idaho, 4 months in Montana and 90 days in Oregon, Utah and Wyoming. The states that pay foster care payment before the caregivers are fully licensed have the time limit to be licensed. This will motivate caregivers to proceed the licensing process.

The Adam Walsh Child Safety Act, which was passed by Congress in 2006, requires all potential foster or adoptive parents to have criminal background checks. In accordance with this act, Utah required all foster parents to pass background checks before they place children with them. This had made it impossible for relatives to serve as emergency placements because background checks could take 5 to 6 weeks (Legislative briefs, 2008). During the FY 2008 legislative session, Utah passed H.B.36, which allows relatives to be temporary foster parents before full background checks are completed. Relatives have 90 days to complete the licensing process after children are placed with relatives, and they will receive foster care reimbursements during this period. This helped to facilitate kinship placement. Licensing requirements for relatives and nonrelatives are the same in Utah.

### **Payment for Licensed Foster Parents**

As shown in Table 3, monthly payments to licensed foster parents are determined according to the child's age and vary among states. The payments increase as children get older except in Arizona. In Arizona, caregivers with infants under age 1 receive more money in payments than those who have children age 1-11, and the payments for children age 1-2 are more than payments for 3-11. In Idaho, when relatives are caregivers, they "may choose not to accept a foster care reimbursement and apply for a Temporary Assistance for Families in Idaho (TAFI) grant or provide for the child's care using their

Table 3: Payment for Licensed Foster Parents

	Under age 1	Age 1-2	Age 3-4	Age 5	Age 6-8	Age 9-10	Age 11	Age 12	Age 13-14	Age 15	Age 16+
Arizona	\$828	\$793	\$767	\$767	\$782	\$782	\$782	\$879	\$879	\$879	\$879
California *	\$446	\$446	\$446	\$485	\$485	\$519	\$519	\$573	\$573	\$627	\$627
Colorado	\$349	\$349	\$349	\$349	\$349	\$349	\$392	\$392	\$392	\$423	\$423
Idaho	\$274	\$274	\$274	\$274	\$300	\$300	\$300	\$300	\$431	\$431	\$431
Montana	\$469	\$469	\$469	\$469	\$469	\$469	\$469	\$469	\$564	\$564	\$564
Nevada	\$756	\$756	\$756	\$756	\$756	\$756	\$756	\$756	\$817	\$817	\$817
New Mexico	\$483	\$483	\$483	\$483	\$516	\$516	\$516	\$516	\$542	\$542	\$542
Oregon	\$387	\$387	\$387	\$387	\$402	\$402	\$402	\$402	\$497	\$497	\$497
Utah	\$456	\$456	\$456	\$456	\$456	\$456	\$456	\$487	\$487	\$487	\$517
Washington	\$374	\$374	\$374	\$374	\$451	\$451	\$451	\$525	\$525	\$525	\$525
Wyoming	\$645	\$645	\$645	\$645	\$664	\$664	\$664	\$664	\$732	\$732	\$732

\* Los Angeles, Marin, Orange, and Santa Clara counties have slightly different rates

#### References:

National Resource Center for Family-Centered Practice and Permanency Planning (2008). Foster care maintenance payments. Retrieved January 17, 2008, from <http://www.hunter.cuny.edu/socwork/nrcfcpp/downloads/foster-care-maintenance-payments.pdf>, California Department of Social Services (2008). Aid to families with dependent children-foster care, kinship guardianship assistance payment program and adoption assistance program rates. Retrieved July 1, 2008, from <http://www.dss.cahwnet.gov/lettersnotices/entres/getinfo/acl08/08-01.pdf>, North American Council on Adoptable Children (n.d.). Montana State Subsidy Profile. Retrieved May 9, 2008, from <http://www.nacac.org/adoption/subsidy/stateprofiles/montana.html>, N. O'Neill, personal communication, June 4, 2008. Children's Rights, National Foster Parent Association, & University of Maryland (2007). Establishing foster care minimum adequate rates for children, Retrieved March 4, 2008, from <http://www.nfpainc.org/uploads/MARCTechReport.pdf>, Utah Foster Care Codes/Rates. Retrieved January 17, 2008, from <http://www.hspolicy.utah.gov/dcf/pdf/Foster%20Care%20Codes%20Rates--FY08.pdf>

own financial resources (Idaho Department of Administration, n.d.)”. When caregivers have only one child placed at their homes, a TAFI grant (\$309) is slightly higher than the foster care reimbursement (\$274) for children age 0-5.

Foster care payments for children under age one range from \$274 (ID) to \$828 (AZ) and for children age 18 range from \$423 (CO) to \$879 (AZ). In Utah foster parents receive \$456 for children under age one and \$517 for children age 18. Addition to these payments, states offer different allowances such as an allowance for clothing, books and school supplies, holiday/birthday gifts, and respite care. Additionally Utah offers a clothing allowance to foster care parents as do most other states.

#### **Payment for Caregivers Who Are Not Licensed as Foster Parents**

While the payment for foster parents double as the number of children that they take care of increases, the payments for unlicensed caregivers do not increase at the same rate in the most 11 western states (Table 4). For example, in Arizona caregivers receive \$207 per month for the first child, but they receive only \$73 for each additional child. In Idaho, the payment for unlicensed caregivers is decided per family not per child. Even when they are caring for three children, the payment that they receive is the same as those who are caring for only one child. In California, the payments can double as the number of children increases, however, they have maximum payments for unlicensed caregivers: \$387 per month per child. This means the payment could be lower than \$387 according to “numerous factors.” Wyoming offers relative caregivers who are not licensed as foster parents the same amount of foster care payment as nonrelative foster parents. Utah has a specified relative grant for caregivers who are not licensed as foster parents. The caregivers need to have one of the following relationships with the child to

Table 4 : Payment for  
Unlicensed Foster Parents/Kinship Caregivers

	first child	second child	third child
Arizona	\$204	\$73	\$73
California	\$387	\$387	\$387
Colorado (Boulder County)	no data		
Idaho	\$309 per family		
Montana	\$299	\$104	\$104
Nevada	\$417	\$59	\$59
New Mexico	no program		
Oregon	\$225	\$122	\$122
Utah	\$274	\$106	\$94
Washington	\$349	\$91	\$106
Wyoming (~1 years old)	\$322	\$322	\$322

References:

Arizona State Legislature (n.d.). ARS §8-514 Placement in foster homes. Retrieved February 23, 2008, from <http://www.azleg.state.az.us/FormatDocument.asp?inDoc=/ars/8/00514.htm&Title=8&DocType=ARS>, State of California (2007). Department of social services, Kinship Care. Retrieved on July 1st, 2008 from <http://www.childsworld.ca.gov/PG1351.htm>, S. Dwello, personal communication, June 9, 2008, Casey Family Programs (2003). TANF State fact sheets. Retrieved February 11, 2008, from [http://www.casey.org/NR/rdonlyres/EE2A371C-1B8D-431A-B73F-03F6D319F17C/77/casey\\_tanf\\_state\\_fact\\_sheets.pdf](http://www.casey.org/NR/rdonlyres/EE2A371C-1B8D-431A-B73F-03F6D319F17C/77/casey_tanf_state_fact_sheets.pdf), Nevada Department of Health and Human Services(n.d.). Nevada Division of Welfare and Supportive Services (2008). Eligibility and Payments Manual C-140 TANF charts. Retrieved June 10, 2008, from [http://dwss.nv.gov/index.php?option=com\\_docman&task=cat\\_view&gid=63&limit=25&limitstart=25](http://dwss.nv.gov/index.php?option=com_docman&task=cat_view&gid=63&limit=25&limitstart=25), Department of Workforce Services (2006). Family Employment Program. Retrieved on February 11, 2009 from <http://jobs.utah.gov/services/financial/fep.asp>, Mayfield, J., Pennucci, A., & Lyon, C. (2002). Kinship Care in Washington State: Prevalence, Policy, and Needs. Retrieved March 5, 2008, from <http://www1.dshs.wa.gov/pdf/ea/KinshipCareWA.pdf>, Department of Family Services (2007). Family foster care-foster home certification & revocation. Retrieved March 13, 2008, from <http://dfsweb.state.wy.us/childprotection/5.12.4FamilyFosterCare-FosterHomeCertificationandRevocation.pdf>



receive this grant: 1) grandfather or grandmother; 2) brother or sister; uncle or aunt; 3) first cousin; 4) first cousin once removed (a first cousin's child); 5) nephew or niece; 6) persons of preceding generations as designated by prefixes of grand-, great-great, or great-great-great; 7) spouses of any relative mentioned above even if the marriage has been terminated; 8) persons who meet any of the above mentioned relationship by means of a step relationship such as stepbrothers and stepsisters; 9) brothers and sisters by legal adoption; 10) individuals who can prove that they met one of the above mentioned relationship via a blood relationship even though the legal relationship has been terminated; and 11) ex-stepparents (Specified Relative Grant Information and Instructions). The child may also receive Medicaid except for when the caregivers are eligible for specified relative grant with 10) individuals who can prove that they met one of the above mentioned relationship via a blood relationship even though the legal relationship has been terminated or 11) ex-stepparents. The specified relative grant is a part of the Utah Family Employment Program of the Department of Workforce Services. They consider only the child's income when they determine the eligibility to this grant. Child support paid by their parents can be counted as the child's income. If the children have assets under their names, these can be considered to decide whether they are eligible to the specified relative grant. In Utah, regardless of a child's age, the amount of the monthly financial support for unlicensed foster parents for one child is \$274, two children is \$380, and three children is \$474.

### Subsidized Guardianship

In some states Subsidized Guardianship is another way for relatives to receive support from the government for taking care of a relative's children. Guardianship for children is created by law. A guardian has the legal authority to make decisions for minor children (Utah States Courts, 2009). Guardianship provides the safe and permanent placement for children when it is not an option for children to go back home or to be adopted. Most western states offer subsidized guardianship to a caregiver who is taking care of a relative's children. The only western states that do not have the subsidize guardianship programs are New Mexico and Washington (M. Ruttkay, personal contact, Jun 6, 2008, M. Luque, personal contact, July 18, 2008). Colorado does not have a state wide subsidized guardianship program; however, some counties offer the program to the caregivers (Colorado GrandFacts, 2007).

Those states that have subsidized guardianship program require children to be in the caregiver's custody for 6 to 12 months prior to be eligible for the subsidized guardianship. Additional to this requirement, caregivers in Nevada need to be 62 years old or older to be eligible for subsidized guardianship (Nevada Division of Welfare and Supportive Service, 2001). The target population of the Nevada Kinship Care Program is the grandparents who are taking care of their grandchildren.

The subsidies that guardians get are determined case by case in many states. In most of the states that determine the subsidies case by case, the foster care payment is the ceiling. In Wyoming, the ceiling for the subsidy is \$340 when the foster care payment for 0-5 year old children is \$645 (Department of Family Services, 2002). California offer the same subsidy as the monthly basic foster care payment California (Department of Social

Services, 2007b). In addition to the subsidy, the children will receive Medicaid. They also can apply for other welfare programs such as food stamp depending on their financial situations. Oregon offers the same postpermanency program for adoptive parents. Idaho also offers financial assistance for legal needs that might occur as a result of the placement.

In Utah, children are eligible for subsidized guardianship when they are 12 years old or older, have been in DCFS custody for 12 month and in guardian's placement for 6 months. The caregivers who can receive subsidy are those who are not related to the child by blood, marriage, or legal adoption and who are not qualified for a specified relative grant (Utah Division of Administrative Rules, n.d.b). The relatives need to apply for the specified relative grant first. If they are not eligible for the grant, they can be considered for the subsidy. The subsidy is determined according to the child's special needs and the guardian's circumstances. It has two levels of payment: Guardianship Level I whose amount limit is the lowest foster care rate and Guardianship Level II whose amount ranges between the lowest foster care rate and the lowest specialized foster care rate. The caregivers who are related to the child by blood, marriage, or legal adoption will receive the specified relative grant.

## **DISCUSSION AND POLICY RECOMMENDATIONS**

When children cannot stay with their parents because of the parents' inability or unwillingness to take care of them, it is beneficial for children to live with kin/relatives if they are capable of offering adequate care for children. States make efforts to keep children in kin/relative care; however, there are some other options that they might be able to use in their policies to facilitate kin/relative placement. I will discuss about these options in the following section.

### **Definition of Kin and Preference for Kinship/Relative Caregivers**

Many 11 western states have detailed definitions of kinship caregiver. For example, in Oregon, relatives are those who are related to children by blood, half blood, or adoption. This includes aunts, uncles, first cousins, legal stepparents or ex-stepparents who have parented the child, and persons whose status is preceded by the words grand, great or great-great. These detailed definitions are useful when states try to find caregivers for the children in their custody. It gives workers a clear guideline for how much effort they need to employ in finding a kinship caregiver and who can be considered as a potential caregiver. On the other hand, when the state does not include nonrelative people who have significant relationships with a child or a child's family, such as in California, Colorado, and Oregon, or when they are too strict about the order of placement preference, a child might be placed with a relative when there is someone who has a closer relationship with the child and is willing to be a caregiver. Thus, policy

makers should consider how detailed and broad their definitions of kinship caregiver are, and revise their policies if needed to provide detailed definitions. They should also encourage state workers to search for kinship caregivers who fall in these categories. Nonrelatives can also be effective kinship caregivers.

### **Licensing Process**

Background checks are required for all adults in the household to be licensed as foster parents in all 11 western states. All 11 western states also require a home study to assess whether a foster house meets the safety requirements. These rules apply to both kinship and nonkinship caregivers equally. This is probably because safety related requirements cannot be waived in any cases. Basic requirements for foster parent licensure are home study to see the safety of a house, criminal background check, child abuse and neglect registry check, and preservice training (ChildFocus, 2008). When the caregivers do not meet these requirements, they are not eligible for VI-E reimbursement. Therefore, the states include these basic requirements in the process to license foster care providers.

Preservice training for foster parents covers topics such as child abuse, attachment issues, rights and responsibilities of foster parents, and the child welfare system. Kinship foster parents share many characteristics with nonkin caregivers. However, there are also many characteristics unique to kinship caregivers. Usually kinship caregivers do not plan to be a caregiver before they are contacted by government (Geen, 2004) whereas the regular foster parents have done some research about the child welfare agencies, and other information related to foster care. Kinship caregivers often do not have enough

understanding about the child welfare system, and many of them have fear or mistrust of the government.

Another challenge for kinship caregivers is that they have relationships with children's birth parents prior to the placement of children. This sometimes makes it hard for kinship caregivers to have proper boundaries with the parents (Coakley et al., 2007). For example, they are more likely to allow the parents unsupervised visitation than nonkin caregivers when the supervision by the child welfare workers is required. Not being able to build proper relationships with the parents can cause child welfare workers to remove children from kinship placements.

When the kinship caregivers have foster parent training, these unique characteristics of kinship caregivers need to be addressed in addition to the categories covered in the training for nonkinship caregivers. In New Mexico, kinship caregiver can have individual trainings. Offering individual trainings for kinship caregivers which address their unique needs will be helpful for the caregivers to provide appropriate care for children. The trainings can include these topics by shortening the time for some other topics or moving some topics to the trainings after they are licensed as foster parents.

Utah is one of the states which place children with relative caregiver before they are fully licensed as foster parents. Even though the definition of kinship caregiver includes close family friends addition to the relatives, children are not placed with the family friends unless they are fully licensed as foster parents. It will be beneficial and less traumatic for children if they can be placed with close family friends as they are with relatives.

### Payment for Licensed Foster Parents

The foster care study by School of Social Work at the University of Maryland and the National Foster Parent Association and Children's Rights shows the current foster care payments and the recommended rate in the states (Table 5). According to their report, many states use the estimate of family expenditures on children by the United States Department of Agriculture (USDA) as the guideline to decide their foster care rates. However, the estimate includes expenditures that are not appropriate to foster families. The examples of these expenditures are health care and educational cost on children and mortgage or rent. The children in foster care receive Medicaid; therefore, foster parents do not need to pay for their health insurance or other health related costs. The children also attend public schools for which foster parents do not need to pay.

Table 5: Foster Care Payment – Current and Recommended Rate

Age	Current Rate			Recommended Rate			Current Rate - Recommended Rate		
	2	9	16	2	9	16	2	9	16
Arizona	\$793	\$782	\$879	\$606	\$695	\$762	\$187	\$87	\$117
California	\$446	\$519	\$627	\$685	\$785	\$861	-\$239	-\$234	-\$266
Colorado	\$349	\$349	\$423	\$659	\$755	\$828	-\$310	-\$405	-\$406
Idaho	\$274	\$300	\$431	\$602	\$689	\$756	-\$328	-\$325	-\$389
Montana	\$469	\$469	\$564	\$627	\$719	\$788	-\$158	-\$224	-\$250
Nevada	\$756	\$756	\$817	\$638	\$731	\$801	\$118	\$25	\$16
New Mexico	\$483	\$516	\$542	\$600	\$688	\$754	-\$117	-\$212	-\$172
Oregon	\$387	\$402	\$497	\$642	\$735	\$806	-\$255	-\$309	-\$333
Utah	\$456	\$456	\$517	\$634	\$726	\$796	-\$182	-\$279	-\$270
Washington	\$374	\$451	\$525	\$657	\$753	\$826	-\$283	-\$301	-\$302
Wyoming	\$645	\$664	\$732	\$608	\$696	\$763	\$37	-\$32	-\$31

\* recommended rates do not include travel and child care expenses but include extra costs particular to children in foster care

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Children's Rights, National Foster Parent Association, & University of Maryland (2007). Establishing foster care minimum adequate rates for children, Retrieved March 4, 2008, from <http://www.nfpainc.org/uploads/MARCTechReport.pdf>,

Foster parents need to maintain their home without foster care payment. Therefore it is not appropriate to include mortgage or rent to estimate the expenditures on children in foster care.

On the other hand, the USDA estimate does not include the expenditures specific to the children in foster care. Children in foster care have unique needs different from those of the foster parents' biological children. Foster parents need to transfer the children to and from the children's birth parents, siblings, and administrative and court reviews. They purchase property and liability insurance. There is also increased wear and tear on bedding, furniture, school supplies and clothing. The expenses for food, utilities and daily supervision also increase.

The researchers used the following method to develop the recommended foster care rates. First, they removed the expenditures that are not appropriate to foster parents from the USDA estimate. Second, they added the expenses specific to the children in foster care. Finally they adjusted for the living costs in 50 states and the District of Columbia. Among the expenses specific to the children, the child care cost and the cost for transportation were not included in this rate because these costs vary depending on the living style of foster families and the place they live.

Among 11 western states, Arizona and Nevada are the only states whose current foster care rates are higher than the recommended rates. The researchers compared the rates for 2-year-olds, 9-year-olds, and 16-year-olds. The current foster care payment for 2-year-old in Wyoming is higher than the recommended rate, and the rate for the other two groups are about \$30 lower than the recommended rates. The current payments in other eight states are significantly lower than the recommended rates. The differences



range from \$406 (CO, 16-year-old) to \$117 (NM, 2-year-old).

Utah's current monthly foster care payments are \$182 lower than the recommended rate for 2-year-olds and \$270 and \$279 lower for 9-year-olds and 16-year-olds, respectively. This is better than some states. However, it is significantly lower than the recommended rates. When potential caregivers do not have adequate financial resources, it is hard for caregivers to decide to include their relative's children in their families. Because kinship foster parents are more likely to have limited financial resources than regular foster parents, offering enough financial support to caregivers is an important factor to increase the number of kinship caregivers. The percentage of children in relative care among out-of-home placements is highest in Nevada. They have the second highest payment for licensed foster parents and the highest payment for unlicensed foster parents with one child. Thus, states may be able to improve the rates of relative care by increasing payments.

#### **Payment for Caregivers Who Are Not Licensed as Foster Parents**

The payment for kinship caregivers who are not licensed as foster parents is much lower than the payment for licensed foster parents. In most 11 western states the rate does not double as the number of children increases as the foster care payment does. For example, Arizona offers \$207 for the first child and \$73 for each additional child. This is probably because those who are not licensed as foster parents are not eligible for the Title IV-E reimbursement; therefore, the payment for caregivers who are not licensed as foster parents comes from TANF and/or the state fund. However, there are states whose payment for unlicensed caregivers doubles as the number of children under their care increases (CA, WY). In California, unlicensed caregivers receive maximum \$387 per

child. In Wyoming, they receive same amount of payment from the state as licensed foster caregivers do. The Federal Financial Participation rate for Wyoming is 50%. The payment that unlicensed caregivers receive for one child who is 1 year old will be \$322.

It might be difficult for states to offer unlicensed kinship caregivers the same amount of payment as licensed foster care providers when they do not receive the Title IV-E reimbursement. However, in some states, unlicensed caregivers may receive more financial support than they do now when the states offer the same amount of payment as licensed family foster care payment, as Wyoming does. They also can use the state funds addition to TANF for payments for unlicensed kinship caregivers. The payment for unlicensed kinship caregivers in Utah is funded solely by federal funding (Utah Division of Administrative Rules, n.d.c). To fund the payment by using both federal and state funding can make it possible to offer the payment which doubles as the number of children in relative care increases. In Utah, children are more likely to have siblings and the sibling groups tend to be bigger. It is important to offer payment for kinship caregivers, which doubles as the number of children increases to increase children placed with their relative/kin and keep siblings together especially when the sibling groups are bigger.

### **Subsidized Guardianship**

In most western states, subsidized guardianship programs are used to support relatives who are taking care of children. In Utah, relatives need to apply for the specified relative grant first and when they are not eligible for this grant they can apply for the subsidy (Utah Division of Administrative Rules, n.d.b). This is a good policy because they do not need to have guardianship or to be licensed as foster parents to apply for this

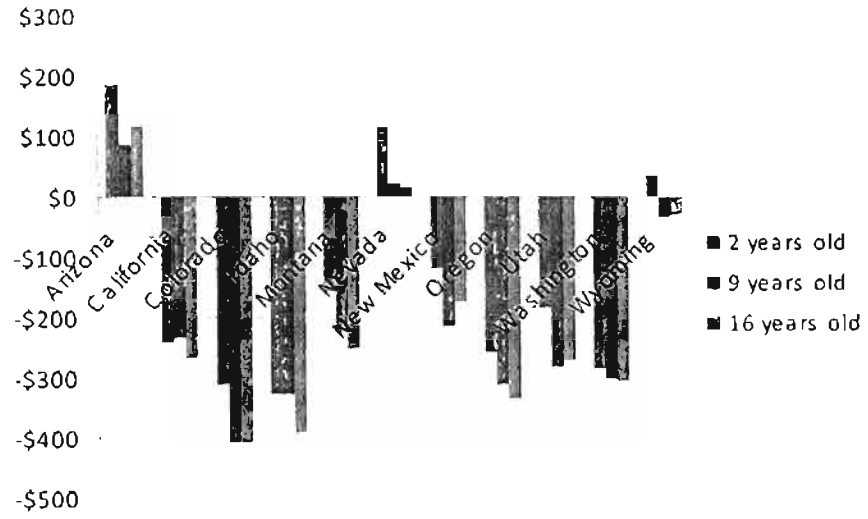
grant, even though the financial support that they receive is much lower than the foster care payment. Children need to be in state custody for 12 month and in the caregiver's placement for 6 month for the caregivers to be guardians. However, when the caregivers decide to be the child's guardian, it may not be good for the caregivers that they need to be denied the specified relative grant. The amount of financial support that they receive from the specified relative grant can be lower than financial support from the subsidy. The ceiling of the subsidy for the guardianship level I is the lowest foster care payment. It is \$456 for 0- to 11-year-olds when the specified relative grand for one child is \$274. The difference between the subsidy and the specified relative grant can be \$182. This difference can be bigger when the caregivers have more than one child. When they have three children, the subsidy can be \$1,368 while the specified relative grant for three children is \$474. It is more beneficial for kinship caregivers in Utah if they did not require to be denied for the relative specific fund to be eligible for subsidized guardianship.

### **Kinship Navigator Program**

As previously discussed, kinship caregivers face challenges that are unique to them as well as the challenges same as nonkinship caregivers face. They usually do not expect to be caregivers until soon before they are placed with children; therefore, they usually have limited knowledge about the child welfare system and its support. Kinship caregivers are more likely to be older single women with limited income than nonkinship caregivers. Older age can make it more physically challenging for kinship caregivers to take care of children. It might also be more important for them to have support with child care and respite care so that they can have some personal time. It is important for foster

parents to have a good support system so that they have people to seek help in physically and emotionally challenging situations. Kinship caregivers may not have a strong support system since they are more likely to be single and their children are those who are seeking their help not providing them help.

A program that can help kinship caregivers understand the welfare system and find available resources is the Kinship Navigator Program. The Kinship Navigator Program provides people who are taking care of their relative's children information and resources which help the caregivers understand, navigate and access the out-of-home resource systems for the children. It is estimated that 70% of kinship caregivers do not apply for financial assistance for which they are eligible because they do not know about this financial assistance (Williams, 2007). Table 6 shows the number of children in out-of-home placement and percentage of children who are in relative care. When we compare this table with Table 5, we find that higher foster care reimbursement does not correlate with a higher percentage of children in relative care (Figure 1). For example, Wyoming has the third highest foster care reimbursement; however, the percentage of children in relative care comes in 10<sup>th</sup>. We can assume that there are more factors than just financial support that help kinship caregivers provide for children in their household. A Kinship Navigator Program can help kinship caregivers to find and receive the services that they need and for which they are eligible. The resources and information that the kinship navigator program offers can include financial support, housing, child care, support group, legal issues, health care and answer questions from caregivers. The kinship navigator program can also provide information about private organizations which offer support groups, trainings for kinship caregivers, and other useful support.



**Figure 1:**  
**Difference between current rate and recommended rate**

Table 6: Number of Children in Foster Care

	children 17 and under *3	children living with relative without a parent *2	children in out-of- home placements *1	licensed relative foster parents	unlicensed relative	percentage of relative care in out- of-home placements
Arizona	1,669,866	54,833	9,895	174	2,714	29%
California	9,383,924	389,631	84,551	30,411		36%
Colorado	1,192,679	28,185	6,900	510	1,035	22%
Idaho	407,712	7,087	3,241	14-15%(454-486)		14-15%
Montana	219,498	5,161	2,059	255	278	26%
Nevada	660,002	19,278	5,345	2,625		49%
New Mexico	500,276	21,279	2,244	529		24%
Oregon	862,908	20,735	7,734	2,358		30%
Utah *4	816,822	13,756	9,000	719	1,463	24%
Washington	1,536,368	35,761	15,000	4,297		29%
Wyoming	125,365	2,738	1,371	204		15%

\*1 includes family foster care, group care and institutional care

\*2 most recent U.S. census data as of May 2006

\*3 U.S. census 7/1/2007

\*4 number of children in foster care: 2,600, JD Green, personal contact, 3/6/2009

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GrandFacts (2007). A state fact sheet for grandparents and other relatives raising children Arizona, Retrieved February 23, 2008, from <http://www.grandfactsheets.org/doc/Arizona%2007.pdf>; GrandFacts (2007). A state fact sheet for grandparents and other relatives raising children California. Retrieved March 14, 2008, from <http://www.grandfactsheets.org/doc/California%2007.pdf>; GrandFacts (2007). A state fact sheet for grandparents and other relatives raising children Colorado. Retrieved March 14, 2008, from <http://www.grandfactsheets.org/doc/Colorado%2007%20New%20Template.pdf>; GrandFacts (2007). A state fact sheet for grandparents and other relatives raising children Idaho. Retrieved March 14, 2008, from <http://www.grandfactsheets.org/doc/Idaho%2007.pdf>; AARP Grandparent Information Center (2007). Nevada, A state fact sheet for grandparents and other relatives raising children. Retrieved February 23, 2008, from <http://www.cwla.org/programs/kinship/2007statefactsheets/nevada.pdf>; AARP Grandparent Information Center (2007). New Mexico, A state fact sheet for grandparents and other relatives raising children. Retrieved March 14, 2008, from <http://www.cwla.org/programs/kinship/2007statefactsheets/newmexico.pdf>; AARP Grandparent Information Center (2007). Oregon, A state fact sheet for grandparents and other relatives raising children. Retrieved March 14, 2008, from <http://www.cwla.org/programs/kinship/2007statefactsheets/oregon.pdf>; AARP Grandparent Information Center (2007). Utah, A state fact sheet for grandparents and other relatives raising children. Retrieved January 17, 2008, from

Table 6 continued

<http://www.cwla.org/programs/kinship/2005statefactsheets/utah.pdf>; GrandFacts (2007).

A state fact sheet for grandparents and other relatives raising children Washington.

Retrieved March 14, 2008, from

<http://www.grandfactsheets.org/doc/Washington%2007%20New%20Template.pdf>;

AARP Grandparent Information Center (2007). Wyoming, A state fact sheet for grandparents and other relatives raising children. Retrieved March 14, 2008, from

<http://www.cwla.org/programs/kinship/2007statefactsheets/wyoming.pdf>

Examples of these organizations in Utah are the Utah Foster Care Foundation and Children's Service Society. Many states try to provide information about support that kinship caregivers may find useful. Ohio, New Jersey, and Washington are the states that have statewide kinship navigator programs.

Washington is the only state that has the kinship navigator program among the 11 western states. The kinship navigator program in Washington started in July 2004. Their services include educating caregivers about resources and supports, to refer caregivers to appropriate services, to help establish community collaboration, consult and educate service providers about kinship caregivers, to advocate for caregivers, and to collect data to evaluate and improvement the system. Their program evaluation (Triwest Group, 2005) shows that caregivers who enrolled with the Kinship Navigator Program had a better understanding of services and benefits. The program provided support to caregivers and avoided the placement of children in the formal welfare system. Almost all (98%) caregivers were either very satisfied or satisfied with the Kinship Navigator services that they received.



## **STRENGTHS AND LIMITATIONS OF THE STUDY**

This research collected data from websites and welfare workers in western states. Welfare workers were contacted mainly by email. Some workers may not have responded back to some of the emails because of their heavy workloads and limited time to respond to these research questions. However, the data collected for this research are comprehensive with few missing data. The data cover different aspects of kinship care from the licensing process to the support which caregivers get from government.

The limitation of this research is that the data were collected from those who provide the services. In the future research, it would be important to ask people who receive service what kind of support they need and what services that they found helpful. The services and support that kinship caregivers find helpful could be very different from the services provided.

There are different factors that can influence kinship foster care policies in different states. The political culture of the states is one of these factors. When states are supportive of their child welfare system and value kinship placements, policy makers can provide more support and consideration for kinship caregivers. Birth rate of the states may be another influential factor on state kinship/foster care policy. When states have high birth rates and expect many children in their foster care system, then it might be harder for them to have high payment for caregivers. Those who have high payment for foster care may have fewer children in the state. Therefore, these states do not need to

pay for so many caregivers which may have made it possible for them to offer higher payment rates. How states treat illegal immigrants can also influence kinship care policy. In a state has a policy only legal residents can be licensed as foster parents, this may limit the number of potential kinship caregivers. States should evaluate their policies in relation to possible influences on payments and possible number of placements.

Future research could also include welfare workers' attitudes about kinship caregivers. Other research might focus on kinship caregivers' perspectives about support, services, and resources they find useful and needed. Policy makers could also be surveyed on their attitudes about kinship placements and current state practices.

It is beneficial for children in the foster care system to be placed with people they are familiar with or even related to. Many kinship caregivers have difficulties in their own lives, and it is important to have policies in place to help them. This project was undertaken to research policies designed to support kinship caregivers. States vary in policies and they can learn from each other and improve the system. Supporting services, such as the Kinship Navigator System, is a promising direction states could take to provide additional resources for the success of kinship placements.

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