

Kin Caregivers of Black Children and Youth in Care: Their Experiences of Permanency Processes and Substitute Care, with a Focus on Guardianship

**A project of the UIUC
Chancellor's Call to
Action to Address
Racism & Social
Injustice**

Children and Family Research Center

Ted Cross, Principal Investigator

Cady Landa, Co-Investigator

Office of Research and Child Well-being, Illinois DCFS

Heather Fox

Robin LaSota

University of Illinois Urbana-Champaign

School of Social Work

Magdelene Thebaud

Diamond Hines

Tachauna Parsons

Eunjee (Isu) Song

Sharva Hampton-Campbell

Soonhyung Kwon

Mary Jane Steiner



School of Social Work

UNIVERSITY OF ILLINOIS URBANA-CHAMPAIGN

Project Significance



Compared to white and Latinx children, Black children have higher rates of involvement at multiple points in the child welfare system, including:

- Being involved in investigations of abuse or neglect
- Being placed into foster care
- Staying in foster care more than 3 years

Three Primary Permanency Options

Reunification

- Child returns to birthparent(s) – preferred when it is safe for child.

Adoption

- Adult (sometimes kin) assumes permanent care for child and gains all parental rights.

Guardianship

- Adult (usually kin) assumes permanent care, but birthparents retain some rights (e.g., visitation).



Comparison of Adoption and Guardianship

| Adoption | Guardianship |
|---|---|
| Adoptive caregiver makes a binding commitment. | Guardian commits to be permanent caregiver. |
| Birthparents' rights are terminated. | Birthparents' rights do NOT need to be terminated. |
| Birthparents' visits are at the discretion of the adoptive caregiver – they can prevent visits. | Birthparents have a right to visit. |
| Birthparents CANNOT petition the court to regain custody. | Birthparents CAN petition the court to regain custody. |
| Youth aged 14 or older can veto an adoption. | Youth may prefer guardianship because they want their birthparents' rights to be protected. |
| Adoptive parents may be OK with being called Mom or Dad. | Guardian (usually grandma or aunt) often NOT OK with being called Mom or Dad. |
| Adoptive parents may want to keep birthparents away permanently. | Guardians may want the birthparents to get better and regain custody. |

1. In your professional role, **STAND UP** if have you ever supported relative caregivers.
2. **STAY STANDING** if you have helped a caregiver who was seeking permanent guardianship for a child or youth.
3. **STAY STANDING** if you have supported caregivers who have completed guardianship.



Research Questions



1. What values, principles, and practices do professionals apply to choosing between adoption and guardianship for children and youth in foster care?
2. What factors facilitate and inhibit the use of subsidized guardianship?
3. What are the caregivers' experiences with agencies on permanency planning?
4. How does the race of children and their families affect permanency decision-making and planning?

Interviews

Recruitment

- Children in care 24+ months
- Kin/fictive kin of Black children
- Goals of guardianship or adoption
- Compensation: \$50 gift card

Sample ($n=11$)

- 9 kin, 2 fictive kin
- 9 Black, 2 White
- Adoption goal: 5; guardianship goal, 4; both goals: 1; no goal for permanence: 1
- All regions represented

Data Collection

- Semi-structured interviews
- Zoom or phone



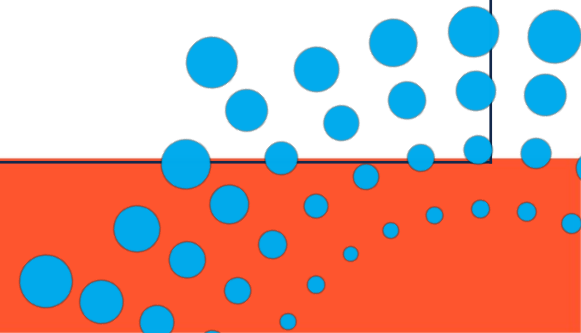
Caregiver Survey



- Population: 598 caregivers who met the following criteria:
 - Caring for a Black child who had been in care for at least 12 months.
 - Permanency goal of adoption or subsidized guardianship.
- 137 caregivers completed the survey (26% response rate)
- They provided information on 335 children in their care, many of whom had achieved permanency (adoption/guardianship)

Survey Participant Characteristics

| Caregivers (n = 137) | Caregiver's Children (n = 335) |
|--|---|
| <ul style="list-style-type: none">• All regions represented• Agency: 80% Community Based, 20% DCFS• Gender: 80% women, 20% men• Race: 60% Black, 35% White, 5% other• Education:<ul style="list-style-type: none">• 3% some high school• 23% high school diploma/GED• 18% some college• 6% college certificate• 50% holding a college degree• Fostering: 93.4% had been foster parents for 3+ years, 22.3% for more than 10 years• License: 87% licensed, 8% not licensed, 5% in the process of getting their license• Caring for between 1 – 10 children in their care, with a median of 2 at the time of survey | <ul style="list-style-type: none">• Gender: 50% boys, 47% girls, 1% transgender/other• Race: 79% Black, 13% multiracial, 5% White, 3% other• Permanency Status: 58% children in care, 22% guardianship children, 20% adopted children• Relationship at time of placement: 56% non-relative, 35% relative, 9% fictive kin• Age: 68.9% under the age of 6 |



INFORMATION AND COMMUNICATIONS ABOUT PERMANENCY OPTIONS



Permanency Goals

Caregiver Interviews:

- Guardianship was not offered as an option or explained to 3 caregivers
- Two great aunts with adoption goals believed they had not been told about permanent guardianship.
- One fictive kin caregiver was told his teens (14, 15, 17 at time of placement) were too old to consider “adoption or whatever”

Caregiver Survey Results

| Permanency Status | % of Children by the Caregivers' Preferred Permanency Goal | | |
|-----------------------------------|---|--------------|------------------|
| | Adoption | Guardianship | Other |
| Adopted child, <i>n</i> = 67 | 79% | 12% | 9% |
| Guardianship child, <i>n</i> = 66 | 24% | 70% | 6% |
| Foster child, <i>n</i> = 196 | 62% | 19% | 19% ¹ |
| Total | 58% | 28% | 14% |

1. Includes: Reunification, independence, and undecided.



Conversations about Guardianship

Did the Caseworker Discuss the Option of Seeking Guardianship of the Child?

| | Yes | No | I don't remember |
|---|-----|-----|------------------|
| Adopted Children (<i>n</i> = 69) | 59% | 30% | 10% |
| Foster Children (<i>n</i> = 179) | 51% | 39% | 11% |

When Caseworkers Initiated Conversations About Guardianship

| Permanency status | As soon as the child was placed in my home | After it was decided not to reunify the child with their birthparents | After it was decided not to pursue adoption for the child | I don't remember | Other ¹ |
|---|--|---|---|------------------|--------------------|
| Adopted Child (<i>n</i> = 41) | 34% | 61% | - | 2% | 2% |
| Guardianship Child (<i>n</i> = 77) | 26% | 34% | 5% | 22% | 7% |
| Foster Child (<i>n</i> = 90) | 36% | 33% | 2% | 16% | 18% |
| Total (<i>n</i> = 207) | 32% | 39% | 3% | 16% | 11% |



1. Other includes adoption was the only option considered (5 children); discussed after ruling out returning home (5 children) or ruling out adoption (3 children), or early in the case (2 children), and guardianship was not discussed (2 children).

Amount of Information Caseworker Provided Caregivers Related to Adoption and Guardianship for Each Child by Placement Status

| Placement Status | Did not provide information | Provided limited information | Provided enough information | Provided a lot of information |
|--|-----------------------------|------------------------------|-----------------------------|-------------------------------|
| Adoption Information (<i>n</i> = 313) | | | | |
| Adopted Child | 6% | 11% | 40% | 43% |
| Guardianship Child | 13% | 14% | 31% | 42% |
| Foster Child | 15% | 8% | 40% | 37% |
| Total | 13% | 10% | 38% | 39% |
| Guardianship Information (<i>n</i> = 290) | | | | |
| Adopted Child | 14% | 11% | 35% | 40% |
| Guardianship Child | 9% | 16% | 30% | 43% |
| Foster Child | 30% | 5% | 34% | 33% |
| Total | 22% | 9% | 33% | 37% |



Importance of Different Peoples' Wishes When Deciding on a Permanency Plan for a Child

| The wishes of the... | Does not apply | Prefer not to answer | Not at all important | Slightly important | Somewhat important | Moderately important | Extremely important |
|---------------------------------------|----------------|----------------------|----------------------|--------------------|--------------------|----------------------|---------------------|
| Birthparents <i>n</i> = 112 | 13 | 8 | 18 (20%) | 7 (8%) | 21 (23%) | 15 (17%) | 30 (33%) |
| Child, under age 14 <i>n</i> = 121 | 5 | 3 | 1 (1%) | 1 (1%) | 8 (7%) | 9 (8%) | 94 (83%) |
| Adolescent, age 14+ <i>n</i> = 116 | 39 | 8 | 0 (0%) | 1 (1%) | 3 (4%) | 5 (7%) | 60 (87%) |
| Caregivers <i>n</i> = 118 | 3 | 1 | 0 (0%) | 3 (3%) | 3 (3%) | 6 (5%) | 102 (90%) |



Underutilization of Kin and Fictive Kin Placements

Interview Finding: 3 kin caregivers reported they or the birthparent had to advocate to get children in DCFS custody placed with kin instead of in non-family foster homes.

1. Aunt with adoption goal for 5-year-old niece described how she was initially passed over as the child's caregiver in favor of a non-family foster parent. She said the placement of the child with her only occurred because of the advocacy of the birth mother, her sister.
2. Sibling with guardianship goal for 2 sisters described trying for years to have them placed in their care.
3. Great aunt with an adoption goal for her two-year-old grandniece, described trying, but not being able to have this child's older sibling placed in her care thirteen years earlier. Although the great-aunt told the caseworker she would adopt this child, the child was placed in an adoptive non-kin home.

Survey Finding:

36% of relative caregivers and 31% of fictive kin caregivers reported initiating the conversations about placement of the child(ren) in their homes ($n = 149$).



BARRIERS THAT COMPLICATE AND DELAY PERMANENCY



Perceptions of Barriers that Delayed Permanency - Interviews Part 1

Delays in searching for child's father

They [the agency] didn't try to ... find him until the judge decided 'Okay, why haven't you done it?' So then, they had to place an ad in a newspaper.

Staff Shortages

I know they're short staffed. I know that it's hard...There were times that I couldn't get ahold of them. There were times that it would be three or four times I called them and something still hadn't gotten through, or gotten done.....

Turnover of caseworker staff

I think the problem with the permanency and why everything is so slow is the turnover rate in caseworkers, because since the process has started, we've had at least five different caseworkers. So, every time it's a new caseworker, it gets pushed back or you have to go back to court and that gets pushed back...Once you get a new case worker, you don't hear anything, and the ball gets dropped, and you start over.



Perceptions of Barriers that Delayed Permanency - Interviews Part 2

Caseworkers without full knowledge of permanency process

Caregiver with adoption goal who had not been provided information about guardianship: *My caseworker...she's fresh out of college, and there's so many things she doesn't know...This is her first job...Whenever I ask her something she always has the same answer, 'I don't know. Well, I'll ask.' ... When I do have a question for her, she generally does not have an answer.*

Caregiver pursuing guardianship: *I'm back and forth with the lawyers, as far as the stipend amount that gets her to 18...I did option for the attorney, and I'm glad that I did...I wanted it to be over so bad that [at first] I had optioned not to do the attorney review. And I was just going to sign the papers and go. But the very first paragraph, when we were doing it on our own, it referred to statutes and it gave legalese...I asked her about that, and she was not able to explain or give me any sort of explanation about it. And it just discouraged me so much because if you are a person that develops, you are the person who writes out the information for the document, and you don't know what's in it, or you ... don't know what it references...It turned me off. So, I opted for the lawyer, which...prolonged the process, but I'm glad that I did that.*



Problems with Communication Raised in Interviews



- Great aunt waiting 3 years to adopt 2 children who had been in her care for 8 years had not been told about guardianship, attempts to reunify children with birth mother, attempts to terminate mother's rights, or the possibility of an adoption subsidy.
- Older sibling living in other state and seeking guardianship of two sisters in their care reports poor communication among the two state child welfare agencies and the contracted agency working with them.

Barriers that Delayed Permanency for a Child in Their Care (*n* = 122)¹

| | Percentage |
|--|------------|
| Changes in caseworkers and other professionals on the case | 52% |
| A lack of timely information from the caseworker | 28% |
| A lack of needed information from the caseworker | 25% |
| Lack of services for the child | 24% |
| Delays in processing approval from DCFS for an adoption | 23% |
| Delays in processing approval from DCFS for guardianship | 18% |
| Lack of assessments for the child | 14% |
| Issues with licensing | 11% |
| Inexperienced / ineffective casework | 7% |
| Court / legal delays | 6% |
| Delays in setting up payments | 5% |



1. 21% of caregivers reported that they did not experience barriers that delayed permanency for a child in their care.

Caregivers with Older Children Face Unique Challenges in Achieving Permanency - Interviews

Delays that Threaten Achieving Permanency Before the Child Turns 18

Grandmother adopting granddaughter: *Every few months I'd call and say, 'How's the adoption process going?' I don't think they were actually working on it at all. I don't think that anybody was actually doing anything and there would be times that I would call them and they had forgotten,... they hadn't done this or that yet... And I told them... 'Her 18th birthday [is coming up]. Am I ever going to get her adopted'? And so they said ... it had to get done before her 18th birthday. And I'm like, 'Well, I've been trying to do this for a long time now.'*

Youth Considered Too Old at Placement to Achieve Permanency

Fictive kin to teens ages 14, 16 and 17 at placement (the eldest was to receive extended care to age 21): *To my understanding, the main issue is their ages. And by the time you get to actually go to court and process all that stuff, they will have aged out. So there really isn't a point in spending everyone's time and money trying to do that...They basically told me that there's no point because by the time we get it done, they're all going to be old enough to not whatever...be adopted or whatever...Based on their ages, I've been given pretty much all the information that they're willing to do. I mean there's not a whole lot they can do. I wish there was more, but ... there's not...They're not 10-year-old kids, so it's not like there's a lot of variable time there that we can play with. They [agency staff] ... have very limited resources...*

Caregiver's Relationship with Caseworkers

The Extent to Which the Caregivers Believe that the Given Words Describe the Child's Relationship with Their Caseworkers (Scale 1 – 10, 1 = does not describe the relationship at all, 10= it describes the relationship extremely well)

| | N children | Mean |
|-------------------------------|------------|------|
| Respectful | 314 | 8.72 |
| Culturally Appropriate | 305 | 8.32 |
| Timely | 308 | 7.99 |
| Responsive | 308 | 7.98 |
| Prepared | 304 | 7.92 |
| Knowledgeable | 311 | 7.74 |

Stories of Inappropriate Practices Shared in Interviews

No Financial Supports

Great aunt with adoption goal for two grandnephews in her care for over **eight years**, had been licensed for 25 years, but had never received a stipend for caring for her grand nephews: When asked, 'Will you get a subsidy with the adoption, and is that something that you've been working on with the agency?', she responded, *Well, that has not been discussed with me...When I took guardianship, that doesn't come with the subsidy or anything...When I took guardianship, that came with nothing. I mean, you get no support at all.*

Conflict of Interest

Caregiving aunt: *There were specific people in the beginning in the case that wanted [the child]. There was a caseworker that turned into a foster parent. She was [the child's] caseworker and turned into a foster parent and became [the child's] caregiver... She had [the child]. And my sister told me...'this lady wanted my baby'...And the caseworker in the beginning that brought me [the child] was connected to that lady. So, when I first got [the child], they were like white on rice. And the guy, the caseworker told me that [the child] could be with my mom, who has my sister's other two children. So, I took her one day to my mom's house...That lady sent the police to my mom's house to get [the child], because she said that [the child] wasn't supposed to be in nobody's care but mine. And there was a big argument...with me and the caseworker who [had] told me she could be with my mom. He kept saying he didn't tell me that. And I said, yes, you did tell me that...I think they were...trying to get [the child] back. I raised such a big deal about it, that they ended up getting rid of that caseworker for me and sending somebody else. And I didn't deal with that lady anymore.*



RACIAL INEQUITIES AND PERMANENCY





Caregivers' Perceptions of Racism - Interviews

- One Black caregiver wondered whether her not receiving appropriate supports from DCFS was due to racism.
- One Black caregiver said the birthparent believed she was treated unfairly due to race. This caregiver said her family may have also been treated unfairly due to race, citing questions about family drug use and husband's 1990s incident and excessive scrutiny.

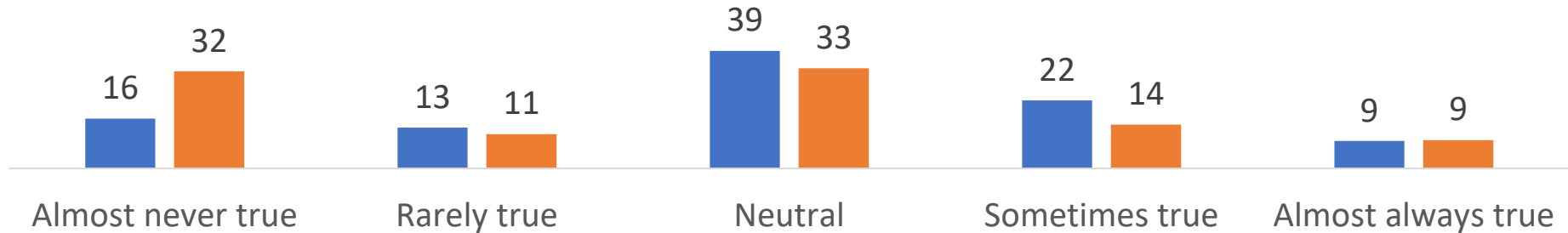
Caregivers’ Perceptions of Judges and Caseworkers Interactions with Black Family Members

| | Caseworkers | | | Judges | | |
|--|-----------------------------------|---------|---------------------------------------|-----------------------------------|---------|---------------------------------------|
| | Almost never or rarely true | Neutral | Sometimes or almost always true | Almost never or rarely true | Neutral | Sometimes or almost always true |
| Work effectively with Black family members (judges <i>n</i> =76, caseworkers <i>n</i> =100) | 6% | 24% | 70% | 11% | 30% | 59% |
| Approach to working with Black family members is culturally appropriate (judges <i>n</i> =72, caseworkers <i>n</i> =99) | 8% | 27% | 64% | 10% | 37% | 53% |
| Are comfortable working with Black family members (judges <i>n</i> =77, caseworkers <i>n</i> =103) | 5% | 25% | 70% | 8% | 31% | 61% |
| Respect Black family members (judges <i>n</i> =81, caseworkers <i>n</i> =100) | 6% | 26% | 68% | 4% | 27% | 47% |
| Respect Black fathers (judges <i>n</i> =71, caseworkers <i>n</i> =85) | 9% | 26% | 65% | 13% | 26% | 58% |

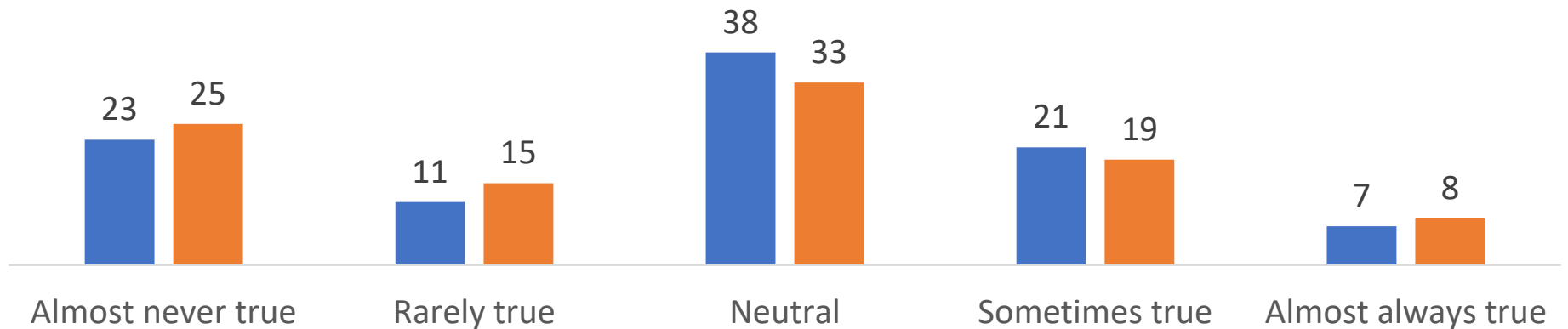
Caregivers' Perceptions of Judges and Caseworkers Expectations of Black Family Members

Judges Caseworkers

Demand More from Black Family Members
(regarding: judges $n = 67$, caseworkers $n = 97$)



Focus Too Much on What Has Happened in the Past with Black Family Members
(regarding: judges $n = 71$, caseworkers $n = 95$)



Caregivers' Perceptions of Judges and Caseworkers Vary by Race

White caregivers rated:

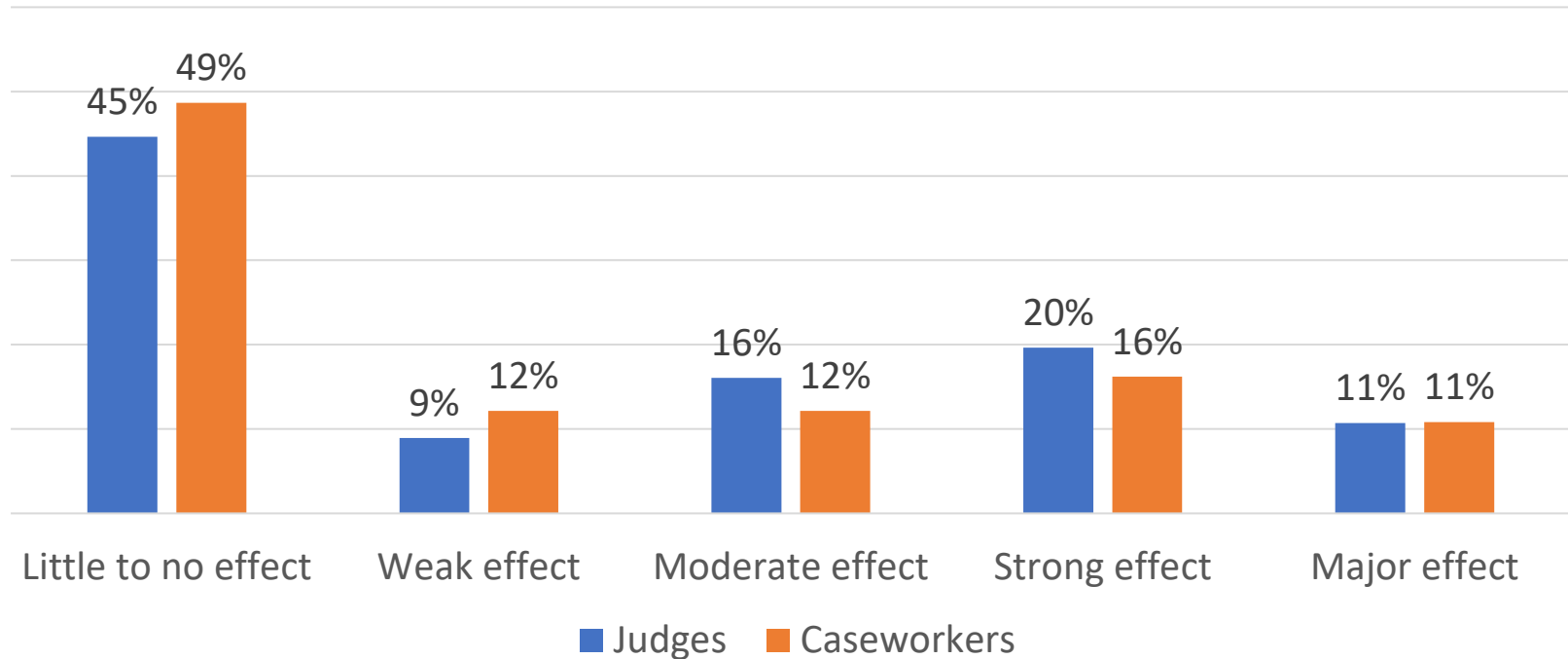
- Judges as more comfortable working with Black families than Black caregivers did ($U = 445.00$, $p = .005$).
- Judges as more effective at working with Black family members than Black caregivers did ($U = 406.50$, $p = .003$).
- Judges and caseworkers higher in respecting Black fathers than Black caregivers did (judges: $U = 399.50$, $p = .031$; caseworkers: $U = 545.00$, $p = .021$).
- Caseworkers' approach to working with Black families as more culturally appropriate than Black caregivers did ($U = 795.00$, $p = .039$).

Black caregivers rated the following statements as more true than White caregivers:

- That judges and caseworkers demand more from Black family members (judges: $U = 230.00$, $p < .001$; caseworkers: $U = 643.00$, $p = .002$).
- That judges and caseworkers focus too much on what happened in the past with Black family members (judges: $U = 361.50$, $p = .025$; caseworkers: $U = 683.00$, $p = .008$).



Caregivers' Perceptions of the Effect of Racial Implicit Bias (regarding judges $n = 56$, caseworkers $n = 74$)



Black caregivers reported the effect of implicit biases held by both the judges and caseworkers higher than that reported by White caregivers (judges: $U = 208.50$, $p = .005$; caseworkers: $U = 419.00$, $p = .011$).

UNMET NEEDS FOR SUPPORT



Children's Experiences of Trauma and Pain



1. The aunt with an adoption goal for a five-year-old child said,

She's had a lot of emotional trauma. A lot of fear of being left...At first it was very hard for her to sleep in a room by herself...She went through a lot of stages of fear, different anxieties, a lot of trust issues.

2. The sibling with a guardianship goal for younger siblings explained,

When I did get my sisters...they were dealing with a lot of anger, a lot of rejection, a lot of things...because they were in different homes...a lot of trauma that we just had to get through...I used to have to deal with a lot of anger behaviors, like tantrums, a lot of rage, a lot of lying, and a lot of not wanting to talk to us.

3. The grandmother who had adopted her granddaughter just before she turned 18, said,

She's had such a hard life, and this is her mother, and so that breaks a deep bond connection that you're supposed to have inside of you. So that is very deep cutting, so you never get over that...She has problems, anxiety, depression...She...doesn't like to talk...The lows are just having to see her so down, having to have heard her say that she didn't want to live anymore.

Unmet Need for Support with Parenting

Grandfather with adoption goal for 3 children 6,8, 9:

[Agency staff] don't offer much...They don't offer anything. I've been screaming out for some form of ... grandparent network... These children didn't come with any... instructions.... When I'm faced...with a ...dilemma, and I don't have an answer...I need someone who has faced said dilemma ... to share that with me. But unfortunately, DCFS hasn't done that, nor [the private agency]...Right now, it's just placement warehousing...I've learned that things aren't the way that they were when I was a child...It can be...challenging when it comes to behaviors...ADHD issues...their schooling...I need to learn.



Caregiver Recommendations for Improving Systems

Provision of supports with parenting/caregiving

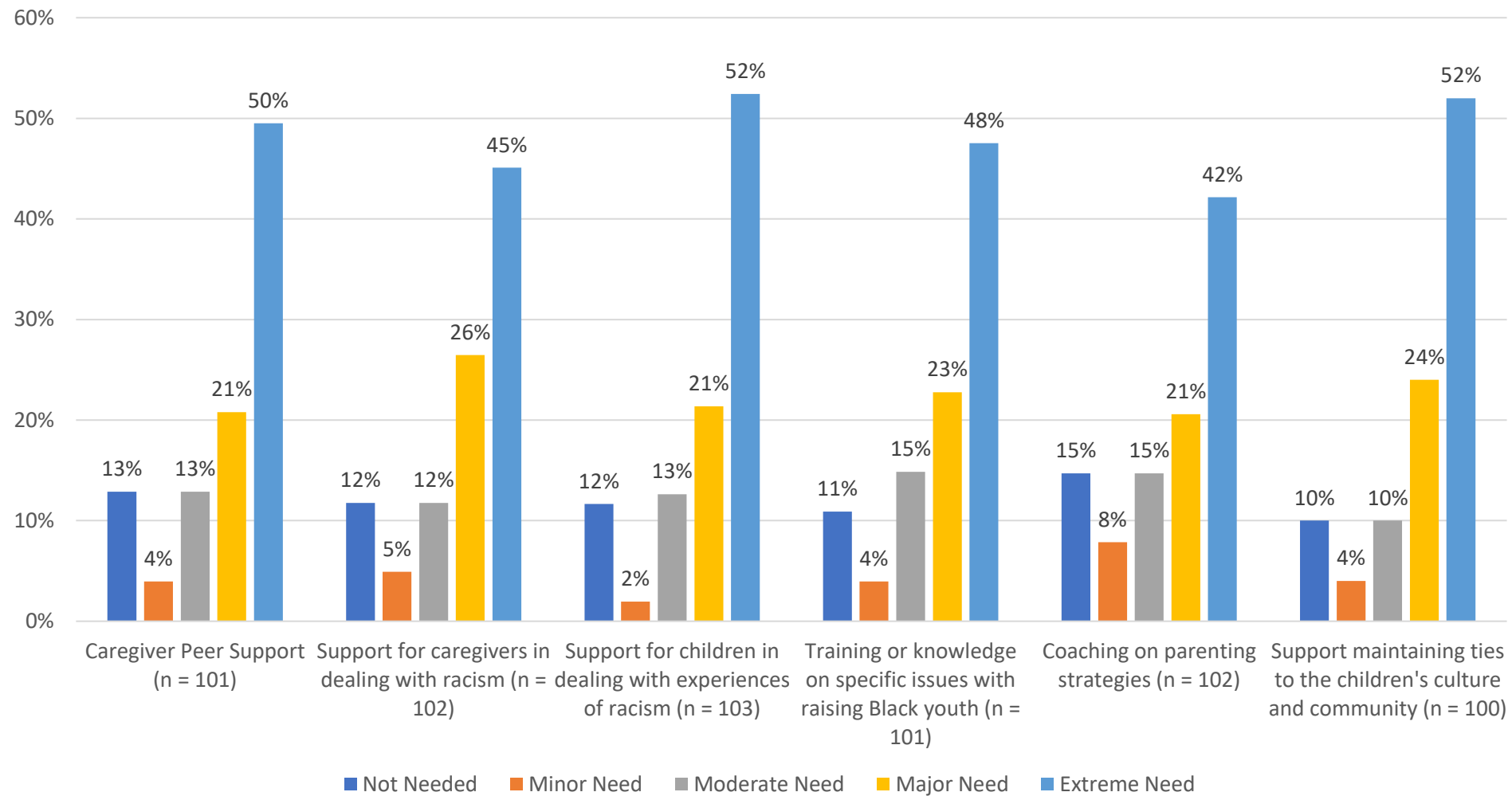
I wish there was more support from the agency as far as any assistance that can help a child...be productive...more help and guidance in care. I don't see these people until there's a deadline they have to meet...I wish...they would provide more support that could help me make sure I'm helping her...things for your child to ... keep from...going through depression...anxiety.

State should offer peer support to kin caregivers

We didn't know how to navigate, what to do...I would suggest there is an outside agency...that contracts with DCFS...that they have a kinship care coordinator. An organization ...I used to work with...created a kinship care coordinator position...to [help] navigate. They...help...with resources...anything ...you need assistance with....That would be a big support to caregivers.



Resources Caregivers Indicated are Needed for Caring for Black Youth



Four Areas for Improving Permanency Outcomes

1. Ensure that adequate, timely, and consistent information on permanency options is provided to key stakeholders, including permanency staff, caregivers and families.
2. Address barriers to timely permanency outlined by caregivers, including limited access to information, logjams caused by staffing instability, and DCFS delays in processing approvals.
3. Build additional trauma-informed parenting and other supports for kin and fictive kin caregivers.
4. Actively work to reduce the impact of racial inequities on permanency. Build resources and supports for placement and permanency professionals, caregivers of Black youth, Black youth in care, and Black families.



Discussion Questions

Do you have additional recommendations based upon your experience?

1. How could DCFS support providing adequate, timely, and consistent information on permanency options to caregivers? How would this look in your role?
2. How could DCFS redress barriers to timely permanency including lack of information, staffing instability, and DCFS delays in processing approvals? How would this impact your role?
3. What trauma-informed parenting and other supports should be developed to support kin and fictive kin caregivers?
4. What resources and supports do caregivers of Black youth need to better address racial inequities in the permanency process?





Dr. Ted Cross, Principal Investigator at tpcross@illinois.edu or (781) 640 – 4532
Study Website: <https://www.cfrc.illinois.edu/sgs.php>



Contact Information