# I’m in group10

# Chapter 1: introduction to family and child services

* History of child welfare: the protection of children in the united states was created by the “society for the protection of animals in new York”
  + The society of protection of children was created as a private organization
  + In the early days, there was only nonprofits and private agencies, and no government agencies involved
* Society still believes the family (and not government) is responsible for protecting children
* Relief program: where children were rescued from their homes & sent to new homes. But in reality they became servants of the new homes
* Reasons family may not be able to take care of children:
  + Poverty; neglect; child abuse; drug abuse; alcoholism; mental health issues; domestic violence
* People who are abused will think it is ok to abuse other people
* Parents can’t stop their children from having an abortion
* pyramid of the welfare system: from child-abuse to adoption
* child welfare role: provide direct services to children and families; influence public policy
  + primary purpose: strengthen family life for children
* trends in family life: alternative family forms and child-rearing patterns; young mothers entering the labor force; growth of female-headed families; increased official reporting of child abuse and neglect
* public calls for change: congress should bring back child-orphanages; lawsuits against child agencies; efforts to give teenagers the ability to separate themselves from parents
* welfare of children is dependent on the interaction between them and their environments
  + family is the most-dominant part of a child’s environment
* the changing American family (trends):
  + increase in the # of children in the US but represent a smaller portion of the population
  + more ethnically diverse
  + children with immigrant parents has increased
  + family structure is more diverse (single parents on the rise)
  + increase in the # of children in child care due to parents working
* problems of children and young persons
  + being poor means being at risk; poverty hurts 175 of families with children
  + alienation, violence, and substance abuse: causes development problems to their health and social and intellectual development
* risk factors: any influence that increases the chance for harm
  + adults have a lack of knowledge about how to help the youth
  + white and Hispanic report a greater use of alcohol and drugs than African Americans
  + aids epidemic has affected many children
  + the period after school presents the most risk for children to get in trouble
  + youth suicide is growing but under recognized problem
* children of vulnerable families: parents can be immature: not ready for responsibility; don’t have the knowledge to raise children

## Rights and responsibilities:

* all social services are based on assumptions about the relationship of a triad: parent, child, and society; each has certain rights and responsibilities
* rights & responsibilities of children
  + some rights are given to children that don’t depend on the parents
  + the rights of children stem from their status: dependent, immature individuals who require care and protection
  + supreme court decisions provide a framework for understanding the nation’s policies affecting children’s rights
  + the supreme court has 3 principles related to children: children are vulnerable; children can’t make critical decisions; parents play an important role
  + children have the right to contraception and abortion
* rights and responsibilities of parents
  + parents have the primary right and responsibility of caring for children
  + parents have the right of guardianship
  + parents responsibilities: financial support; provision of physical care; emotional care; other duties
* rights and responsibilities of society:
  + society has the right to exercise authority to act in ways that benefit children
  + society has regulatory powers that govern all parents
  + society can act on behalf of children based on “parens patriae” i.e. “father of the country”
  + society has the power to legislate for the development of child welfare services

## Historical highlights of services to families and children

* indenture and outdoor relief:
  + indentured: placed under contract with a citizen of the town who can take care and teach children
  + outdoor relief: service to give meager aid to dependent children in their own homes
* children institutions and the growth of voluntary [don’t know]
  + early institutions were developed by private child caring agencies (not by government)
* state boards of charities: reform schools were developed for poor children
* federal government involvement: feds originally waited to stay out and leave it up to the state and local government
* growth of federal programs: federal funds help pay for government programs

## Public policies for families and children

* the constitution has no mention of family
* social policy: official decisions about social issues/broad principles of operation
  + policies: define the nature of services & aid, who receives help, standards of practice
* family policy: branch of social policy that deals with the relationship of government & family
  + areas of family policy: family creation; economic support; child-rearing; family caregiving

## Child and family services

* principles of child and family services: principles 1 & 2 often come in conflict and collide
  1. a safe and permanent home is the best environment for children
  2. child safety: kids need environments without physical, sexual, and emotional abuse
  3. family and child services should work to strengthen and support family foundation
  4. placement decisions should respect the children’s needs for family
* classification of services
  + preventive and supportive services
  + protective services
  + foster care services
  + adoption services
* pyramid of services: from most intensive to least intensive
  + adoption; foster care; family preservation; CPS; prevent abuse; education and support; child development services
* Race & ethnicity in child welfare: majority of families involved with the formal child welfare & juvenile justice systems are members of cultural groups of color, particularly African Americans, native Americans, and Hispanics or Latino Americans.
  + Disproportionate representation: under/over representation of a specific population of interest.
  + Causes of disproportionate representation: historical, social, and economic factors explain the disparity; e.g. slavery and Jim crow laws
    - The majority of workers and administrators are white
    - Cultural bias, e.g. setting standards for foster and adoptive families that have the effect of excluding poor families, and families of color

## The organization of services

* Family and child services are provided under the auspices of a social welfare agency that exists to serve children and their families and sanctioned by society
  + Organizations offering social services may be a public agency, or private voluntary/nonprofit agency
* Public child welfare services: is established by the passage of law for providing a welfare service for children and their families
  + The primary responsibilities for providing a welfare service for children and their families rests on the state
* Voluntary family and child agencies: receive their authorization from a group of responsible citizens that assume responsibility for a defined and limited part of a community’s social services for families and children
* Faith-based initiatives: many child and family agencies started under religious auspices
* Proprietary child welfare services: the purchase of child welfare services is sometimes contracted between a public agency and a proprietary for profit agency; usually to serve the needs of working parents by providing child care
* Interagency partnerships: since most services are specialized, it can be difficult to serve all the needs of people without interagency relationships and partnerships

## Trends and issues

* Child welfare in a global context: child welfare practices are moving from a national context to a global context
  + Helping children around the world and not just in our country
  + The increased movement of people across national boundaries has affected social workers
  + Social workers and policy makers are learning more about child welfare practices and policies in other countries
* Increasing complexity of child welfare practice: society’s expectation for child welfare efficacy has increased
  + Legal reforms and increased accountability and reduced autonomy in agencies
  + There are increased demands on the child welfare system
  + Professional responsibilities have become more complex

# Chapter 3: services to prevent maltreatment and support families

* Need for preventive and family support services
  + It is more humane and reasonable to prevent abuse before it occurs
  + Child abuse prevention initiative, the healthy marriage and responsible fatherhood initiative, and various programs to prevent teen pregnancy was made possible by the passage of the family preservation and support services act of 1993

## The many faces of family life

* Single-parent families: a major trend is the large increase in the number of children living with one parent, usually the mother
* Children who spent part of their childhood apart from their father were at increased risk for dropping gout, being parents themselves, and to be idle in their late teens and early twenties
* Families with lesbian or gay parents: with increased openness and tolerance, these communities are coming out and seeking respect under the law
  + Gay people still have to fight many stereotypes about themselves, and their ability to raise children
* Early childbearing and the family: teen pregnancy was problem left to parents; but starting in the 1970s it started to interpreted as a societal issue
  + Hispanic teens have the highest teen-pregnancy (birth) rates
  + The welfare reform law, personal responsibility and work opportunity reconciliation act of 1996 contains several provisions intended to discourage out of wedlock births and teen childbearing

## Culturally diverse families

* Effectiveness of family support services depends on how the services align with the families cultural, racial, and ethnic identity
* Immigrant families: during the 1990s there were more immigrants in the US than ever before in its history
  + North and central America, the Caribbean, Asia, Europe, Africa, south America
  + Immigrants are concentrated in six states: California, new York, Florida, Texas, Illinois, new jersey
  + Children of immigrants are the fastest growing segment of the US population under age 18
* African America families: all black families share the experience of color discrimination, racism, and oppression.
  + African America families have survived for three reasons: flexibility of family members, extended family support system, and the church
* Hispanic/Latino families: share a common link to Latin America, the Spanish language, and certain religious and cultural values
  + Are the fastest growing ethnic group in the US and are also the largest
  + Share a history of exploitation, oppression, conquest, and defeat
  + Machismo and marianismo are terms describing prescribed sex roles for men and women
* Native American families:
  + Indian: as defined by the federal register of the united states: require a certain percentage of Indian blood / enrollment in a recognized tribe / community recognition / self-declaration
  + There were over 200 Indian tribes when Europeans first came to America
  + Native American families historically have been at great risk of family breakup because of government programs and policies: Indian boarding schools were very bad
  + Government and industry are now showing interest in certain tribes that own land that is rich in energy and other natural resources

## Framework for preventive and family support services

* Preventive services: refers to any program that has as its main goal the prevention of child maltreatment
* Family support services: refers to a type of preventive program specifically intended to support family functioning
  + Participation in prevention and family support programs are usually voluntary
* Attributes of preventive services:
  + Prevention: coordinated actions seeking to prevent predictable problems, to protect existing states of healthy and healthy functioning, and to promote desired potentialities in individuals and groups in their physical and sociocultural settings over time
  + Preventive services are oriented to the future; grounded in the ecological perspective (each element in a situation is related to every other element’
  + Empowerment: refers to the process of personal development in which individuals become increasingly aware of their strength, abilities, and competency
* Levels of preventive service:
  + Primary prevention: activities directed at the general population and attempt to prevent abuse and neglect from occurring, e.g. public service announcements, educational programs, family support programs
  + Secondary prevention: activities directed at families who have risk factors for child abuse and neglect, teen pregnancy, mental health issues, etc.
  + Tertiary prevention: activities directed at families in which abuse/neglect has already occurred
* Attachment theory: provides a foundation for understanding the importance of relationships in attaining healthy development outcomes
  + A strong attachment, reinforced by affectional bonds, is central to the personality development of infants and affects their ability to maintain healthy family relationships throughout life.
  + Attachment starts with the loving relationship that infants first develop with their primary caregiver, and then grows over time to include other family members and a wider circle of relatives and friends
  + Securely attached babies actively seek out contact with their mothers
  + Avoidant behavior, in contrast, try to avoid the mother by such behaviors as refusing eye contact and ignoring her after she returns from a separation
  + Resistant babies alternate between seeking contact and pushing the mother away
  + Disorganized/disoriented behavior act frightened of the caregiver or confused by her
* Social learning theory: explains how people think and learn, and what factors determine their behavior
  + A fundamental learning mechanism is operant conditioning: we learn the consequences that follow behavior and repeat behavior with good consequences and stop behavior with bad consequences
  + Widely used in social work practice and interventions
* Risk and protective factors in child abuse and neglect
  + Common risk factors: social/environmental, stressful life events, lack of medical, child care and social services; parental unemployment, homelessness etc.
  + Common protective factors: mid/high socioeconomic status, etc., opposite of risk factors
* An ecological model: prevention of maltreatment of children with disabilities:
  + Used to link information about the causes and correlates of child maltreatment with strategies for prevention
  + Society risk factors: attitudes, beliefs, and myths about children with disabilities

## Family support services

* Family support services: a term that covers a wide range of programs aimed at preventing abuse and neglect and strengthening family functioning
  + Typical programs components: life skills training; parent education; developmentally appropriate experiences for children; parent child and group activities; crisis intervention; and information and referral
* Family support programs for teen parents: are needed because of the documented deficits in development that often occur in the teen parents and in their children
* Special services for pregnant and parenting teens: Sexual abuse; the decision to parent or choose adoption
* Family support programs in economically deprived communities: these types programs depend on the acceptance by the local community for their success
  + Recruitment of families requires careful strategizing and expenditure of program resources
  + Assertive outreach:
  + Advocacy and cultural competency: services should offer advocacy on behalf of the families in the program
* Assessment of family support programs:
* Social work roles in family support: social workers are the dominant profession in the therapeutic approaches to individuals, families and groups
* Other approaches to strengthening families:
  + Therapeutic services: stem from the identification of a serious problem, the development of an assessment, and the engagement of an individual or group in a course of social treatment whose goal is to stimulate change from maladaptive functioning to more adaptive behavior
  + Casework with individual parents: strength based and solution focused; the social worker and aren’t together arrive at an assessment early in the intervention process, emphasizing the issues the parent wishes to address and identifying strengths the parent bring sot pan for resolving
  + Individual and group work with children: many children are best helped by participating directly in the modification of their troubling behavior
  + Family therapy: is based on the view that family life is a system of relationships between people

## Prevention programs for children and adolescents

* Sexual abuse prevention programs: strategy is to reduce the risk of sexual abuse to children and empower children to an extent that will enable them to exercise more control over what happens to them in an often unfriendly world
* Teenage pregnancy prevention programs: services related to teenage pregnancy usually take an ecological approach to understanding parenthood
* Sex education and clinic programs: use social learning theory as the foundation of the curriculum with a focus on gaining knowledge about the advantages of abstinence, the consequences of sexual intercourse, the dangers of sexually transmitted diseases and biological concepts of reproduction and contraceptives
* Youth development programs try to reduce risky behavior through exposure to careers, community service, remedial education, and job counseling

## Community approaches

* Community factors influence the treatment children receive at home
* Multiservice centers for Chinese immigrant families: multipurpose centers located in immigrant communities exemplify the developmental, family strengthening approach that is characteristic of family support programs
* Interagency cooperation to prevent child maltreatment:
* Community awareness campaigns: public health social marketing campaigns aimed at preventing/discouraging bad behavior
* Fatherhood programs: children whose fathers are positively involved with them tend to have higher levels of functioning and are more likely to receive child financial support
  + Establishing paternity: once paternity has been established, benefits include financial support and eligibility for benefits such as social security and health insurance
  + Child support: failure to pay child support is related to their low earnings level or unemployment

## Trends and issues

* Controversy over corporal punishment: the use of physical force with the intention of causing a child to experience pain, but not injury for the purpose of correction or control of the child’s behavior, e.g. spanking, slapping,
* Child maltreatment prevention and the schools: closer linkages between schools and child welfare agencies would improve services to children and families

# Chapter 4: child welfare principles and practices

* Pyramid of child and family service: the broad view of child welfare suggests that all of the services in the pyramid constitute child welfare services; the narrower view is that child welfare is limited to the range of services provided to prevent child abuse or neglect and services provided after child abuse or neglect has occurred to ensure child safety and permanency
* Nature and use of authority: the provision of child welfare services involves governmental intrusion into the family to ensure the safety of children
* Sociolegal and psychological authority:
  + Authority: the power to influence or command thought, opinion, or behavior
  + Sociolegal authority stems from the authority of an office or designated position; the possession of this formal power is a legitimate one, a matter of right attached to the person who occupies a specified and socially endorses position in the institutional structure of a society
  + Psychological authority: the power to bring about change through influencing behavior, is subject to another person’s perception of authority and readiness to be influenced, directed, or controlled
* Use of authority in practice: authority doesn’t have to be negative in a child’s life, it can be used as a factor to enable parents to fulfill their responsibility to their children more satisfactorily
  + One of the principal tasks of the social worker is to develop alternatives or choices of action for the parents to consider, and to create opportunities for them to use their own initiative to improve their situation
* Engagement: the process of establishing a helping relationship; effective engaging behaviors by the caseworker contribute to the sharing of the power and authority inherent in child welfare.
* Informed consent: should follow ethical standard of the national association of social workers code of ethics

## Fundamental principles of child welfare practice

* The fundamental policy provisions and principles of the US child welfare system were established in the child abuse prevention and treatment act of 1974 and the adoption assistance and child welfare act of 1980
* Child safety, well-being and permanency: child safety is paramount; services are to be child focused and family centered; etc.
* Child focused and family centered practice: is rooted in rescuing children from harmful environments and placing them ins table, loving families

## The casework process

* Intake > investigation > assessment > identifying interventions designed to achieve desired outcomes > developing the case plan > implementing the case plan > evaluating and modifying interventions and the case plan, as necessary to reach a desired outcome or goal > goal attainment, evaluation, and case closure
* What is casework:
  + Problem solving: a goal directed process that involves obtaining information, reaching a conclusion, determining what actions can be taken, developing a plan, implementing the plan, assessing efficacy, modifying plan as necessary
  + Ecological assessment: based in the person in environment framework of social work practice; the casework and the client must understand the interconnectedness of the client and his or her environment to effectively assess the problem, design a solution, and ensure goal achievement and sustainability
    - The genogram and the Ecomap help the caseworker make a comprehensive ecological assessment and engage the family and its natural network in solving the situation
    - Ecomap: a drawing of the family and its interactions with other individuals and organizations outside the family
    - Genogram: is like a family tree, useful in identifying and locating potential relatives for support and placement, uncovering genetic illnesses or patterns of health, and providing a sense of family connectedness for the child
* client-self-determination: a basic social work value; clients are provided the opportunity to make informed decisions about how they choose to handle a specific situation or what will happen to them
* culturally sensitive, culturally competent practice:
  + culture: integrated patterns of human behavior that include the language, thoughts, communications, actions, customs, beliefs, values, and institutions of racial, ethnic, religious or social groups
* the national associate of social workers formulated standards for cultural competence:
  + ethnics and values; self-awareness; cross cultural knowledge; cross cultural skills; service delivery
* task centered solution focused casework practice: a technology for alleviating specific target problems perceived by clients, that is, particular problems clients recognize, understand, acknowledge,, and want to attend to
  + identify problems > prioritize problems, set goals, assign case worker and client tasks > implement contract or agreement negotiated in previous step > attain goals, evaluate, and terminate services

## Basic tasks in child welfare practice

* basic tasks common to all child welfare practice: information gathering, assessment, case documentation, service planning, and service delivery, and crisis intervention and stabilization
* information gathering: through interviews with the child, parents, persons involved with the child and family
* assessment: the process of taking the information you have gathered from multiple sources, evaluating it, and coming to a conclusion about the actions you and the parents need to take to ensure the child’s safety and wellbeing
* service planning and service delivery: requires the development of case services plan and delivery of services identified in the plan
  + case services plan: the formal summary of the information gathered, the assessment of that information, and the specific actions or what will be done based on that assessment
* parent child agency agreements: three specific tools are helpful in service planning
  + parent agency agreements; child agency agreements, and engaging and mobilizing the parents and child’s natural support systems
* implementing, monitoring, and updating service plans: involves providing direct services, facilitating acquisition of needed services from others, and managing for results and outcomes
* case record documentation: documentation is required, especially with the high rate of case worker turn over; when a new worker comes on, it is important that she have access to the previous documentation of all current cases
* crisis intervention and stabilization services:

# Chapter 5: law and procedure

* case workers are required to gather and act on both social evidence and legal evidence; but some situations of children and families do not yield clear legal evidence

## The juvenile court movement

* juvenile courts were created by a legal and social work cooperative venture in the nineteenth and twentieth century
* philosophy and purpose
  + purpose was conceived of as protection and rehabilitation of the child in place of indictment and punishment
  + philosophy: individualized justice which directs the application of law to social ends by individualization, that is, by dealing with each case as in great measure unique and yet on a basis of principle derived from experience developed by reason
  + concern of juvenile court founders was directed toward the youthful law breaker and children whose circumstances were likely to lead them into delinquency, rather than those who were grossly neglected or in need of other protections
  + juvenile court is a court of equity
  + founding
    - the first juvenile court in the US was created in Illinois
    - by 1945 all states plus the district of Columbia, Hawaii, Alaska, and Puerto Rico had enacted juvenile court legislation, and congress authorized similar procedures for use in the federal court legislation
* the early question of constitutionality
  + opposition came from members of the bar who believed that the court procedures, although intended to protect children, actually took away their constitutional rights
  + the supreme court upheld the juvenile court after deeming the juvenile court wasn’t a criminal court
* supreme court decisions: new procedural directions
  + the Kent and gault decisions of the US supreme court began the constitutional review of the juvenile court processes that had been the subject of heavy criticisms
  + the issue in the Kent case was the juveniles constitutional rights during a transfer/waiver from the juvenile court to the adult criminal court
  + the issue in the gault case was the due process and equal procedural protections for juvenile court proceedings
  + the court made it clear that juvenile court proceedings on an adjudication of delinquency need not conform to all the requirements of a criminal trial
  + parens patriae found further expression in the first supreme court decision that established a standard in the dispositional stage of juvenile proceedings
  + the minimum age for the death penalty was established at 18 years in the roper v Simmons decision issued in 2005
* the family court movement
  + the first family court was established in Cincinnati Ohio in 1914
  + family courts have jurisdiction over divorce, child support, custody, and visitation, paternity establishment, child abuse and neglect, termination of parental rights, juvenile delinquency, guardianship, emancipation, and emergency medical and mental health treatment authorization
  + 25 states have family courts in various stages of development
  + 4 components of a family court
    - Comprehensive jurisdiction: the ability to adjudicate a range of legal issues so that there is an integrated approach to the resolution of problems within the same family
    - Efficient administration designed to support the concept of one family, one team, that is the provision of continuity in decision makers so that individual solutions are crafted based in knowledge of the family and its total situation
    - Broad training for all court personnel
    - Comprehensive services available to the family that can be accessed as soon as the family assessment is completed
* The criminal court movement
  + In the 1980s, the juvenile justice system was challenged with the just desserts or adult crime adult time punishment approach
    - This approach rests on the assumption that the juvenile court system has not been effective in deterring juvenile crime or correcting juvenile offenders behaviors
* The structure of the legal system
  + Law is the body of rules set and enforced by the government; it provides order and stability to society
  + Law is changes when society as a whole determines that the changes are required to advance the goal of order and stability in an ever changing society
  + The ultimate law of the land is the constitutions,
  + Laws are established by statutes or ordinances passed by the legislative brand of federal, state, and local governments, by regulatory agencies in administrative rules and regulations, and by federal and state court case decisions
* Trial and appellate courts
  + The court system is comprised of the federal and state courts
  + Trial court: decisions are based on receipt, examination, and evaluation of witness testimony and evidence
    - Either a jury or judge makes decisions
  + Appellate court: decisions are based on receipt and review of the written record of the trial court
    - Parties can submit written and oral arguments that identify the alleged errors made at the trial court level
    - Appellate courts can overturn (reverse) or support (uphold) the decision of the lower court based on the record as submitted, or can return the case to the trial court with specific instructions or orders (Remand)
* Jurisdiction
  + A court’s legal authority to hear and decide a particular matter is determined by state statutes
  + The age of the young person in question is a primary factor that enters into a decision as to whether a juvenile court has jurisdiction
  + Original jurisdiction: the child is 17 years; in some states the age is 15 years
  + Subject matter jurisdiction of juvenile courts, in general, includes four areas
    - Abuse
    - Neglect
    - Abandonment
    - Dependency
* Evidence: the full range of information, written and verbal, provided to the court in support of the allegations or statements made
* Standards of proof: the degree of evidence required for the party who has the burden of proof to present to the court in order to sustain its burden, i.e. prove what the party assets
  + - Preponderance of the evidence: the greater weight of the evidence that is more credible and convincing
    - Clear and convincing evidence: this proof is beyond preponderance but less than beyond a reasonable doubt
    - Beyond a reasonable doubt: this proof must satisfy a moral certainty
* Indian child welfare act:
  + Passed in 1978
  + Intent was to curb an excessive rate of placement of Indian children in non-Indian foster and adoptive homes
  + Federal legislation acknowledged and protected cultural values and self-determination of a minority group within the larger American society
  + Tribal courts have exclusive jurisdiction over child custody proceedings involving most Indian children regardless of whether they reside on the reservation
  + State courts must transfer Indian child welfare cases to tribal courts

## Legal matters for the child welfare system

* Legal matters involving children include child abuse, neglect, abandonment, dependency, juvenile delinquency, status offenses, adoption, guardianship, paternity establishment, support and visitation, child custody, support, visitation, emancipation
* Abuse, neglect, abandonment, dependency
  + States reporting law describes procedures for professionals and other citizens to use in reporting suspected instances of child abuse and neglect to the local child welfare agency and the local police department
  + The child protection agency can find evidence of abuse, neglect, abandonment, or dependency and not bring the matter to the attention of the court
  + Juvenile codes of the state provide jurisdiction when it is alleged that the child:
    - Lacks proper guardianship because their parents are minors the parents whereabouts are unknown, the parents are dead, or the parents are unable to provide acceptable care because of some established mental or physical incapacity
    - Has been physically, mentally or emotionally abused by a parent or guardian
    - Basic needs for food, shelter, clothing, medical care, and education have not been met by the parent or guardian
  + What happens when the court takes jurisdiction(adjudicates) because of abuse, neglect or dependency
    - Leave the child in the home
    - Refer the child to a child welfare agency for placement in foster care/home
* Juvenile delinquency
  + When a juvenile is alleged to have violated any federal or state law or municipal ordinance
  + Traffic offenses are treated differently depending on whether they are heard in traffic court or juvenile court and how they define and handle status offenses
* Status offenses: acts that are illegal because of the youth’s age or status
  + Jurisdiction arises when it is alleged that the youth is beyond the control of his/her parents or guardians and displays patterns of conduct deemed incorrigible, uncontrollable, or likely to develop into more serious and dangerous behavior
  + The conduct that brings the youth before the court is held to be illegal only because of the youth’s age and would not be regarded as illegal if the child were not a minor
  + E.g. truancy, running away, curfew violations, sexual promiscuity, undesirable companions, disobedience to parents
* Adoption: the full transfer of parental rights and responsibilities to persons other than the biological parents, after termination of parental rights or voluntary relinquishment of parental rights
  + Process: a petition is filed and the court may or may not hold a hearing
* Guardianship:
  + Custody: generally relates to physical/legal placement with a parent
  + Guardianship: generally refers to physical/legal placement with someone other than the parent, because parents are by law the natural guardians of their children
    - Guardian of the person: becomes responsible for the care and control of the child
    - Guardian of the estate: creates a means by which a minor can deal in the business world
    - Standby guardians: a person named by the parent to assume guardianship of the child should the parent become disabled and/or unable to care for the child
    - Testamentary guardians: a person named by the parent in their last will and testament to assume guardianship of the person of the child on the parent’s death
  + In loco parentis: refers to a designated individual having authority to engage in certain parental acts on behalf of a child through statutory authority or a specific court order, e.g. foster parents
* Paternity establishment, support, and visitation
  + If a child is born to unmarried parents, the paternity of the child must be established for the father to legally assume the privileges, benefits, and responsibilities of parenthood
* Child custody, support, and visitation
  + Divorce statutes in all states make provision for awards of custody of children of the marriage
  + Also called allocating parental responsibilities, or parenting plans following divorce
  + The most frequent social work role in custody actions that arise from divorce are mediation with parents to arrive at the best plan for the child or carrying out a family evaluation and recommending a particular custody or shared parenting time plan to the judge
* Emancipation: the legal process by which a person younger than the age of majority, which is usually 18 years, is given the status and privileges afford someone who is over the age of majority

## Court procedures

* Processing the abuse/neglect or delinquency case in juvenile or family court
  + Initiating the case: courts do not act as case finders; a court concerns itself with children only when a complaint or petition is filed by law enforcement, child protection agency, the parent, or in some states the child through an adult acting for him/her
  + Preliminary inquiry or hearing: before the court can adjudicate the matter it must first ensure that it has jurisdiction, i.e. the court must establish its authority to hear and decide the case by ascertaining certain facts, such as the age of the child, where the child lives, where the alleged acts took place, and who committed the acts
  + Adjudication: the fact finding or trial phase of the processing of the case; the court weighs the facts, properly presented under the rules of evidence by both sides and decides whether the child, under the law is delinquent, neglected, or dependent or is in need of supervision or requires an award of custody or guardianship
  + Disposition: all court orders entered after the adjudication are dispositional; i.e. the decision as to how the child shall be treated, i.e. what is to be ordered or arranged for the child following the adjudication or case reviews
    - Types: warn and dismiss, probation, temporary wardship with in home supervision, temporary wardship with out of home placement, permanent wardship, termination of court wardship
  + Review hearings: dispositional decisions are reviewed by the court at specific intervals established by statute or court rule or at any time on motion by the supervising agency, the prosecutor, the youth, or other person acting on his or her behalf
  + Termination of parental rights: termination of parental rights is the second most extreme action the legal system can take in abuse and neglect cases
    - Occurs because of: abandonment and desertion, parental condition, parental conduct
* How a juvenile offender comes before the criminal court
  + Judicial waiver: the case originates in the juvenile court and prior to holding an adjudicatory hearing, the juvenile court, consistent with state statutory guidelines, determines that the nature of the offense, the age of the juvenile, and the juveniles past history are such that the juvenile is unlikely to benefit from juvenile court intervention
  + Prosecutorial discretion: the prosecutor (official who brings the charge on behalf of the people of the state) has full authority to decide, consistent with the state statutory requirements, whether he/she will prosecute the juvenile in the juvenile court or in the criminal court
  + Legislative exclusion:?
* Processing a juvenile offender in criminal court
  + Courts do not seek out cases; cases are brought to them
  + The complaint: contains specifics about the offense, the law it violates, the name, age and address of the person who is alleged to have committed the offense
  + The prosecutor is given discretion to charge a crime less than the one supported by the evidence
  + Preliminary examination or probable cause hearing: review of the evidence against the juvenile by the judge and results in a determination as to whether the evidence is sufficient to believe that this juvenile committed the charged offense, should be charged with a lesser offense, or should be diverted
  + Arraignment or bail hearing: if the person has been arrested, they must be arraigned on the charges (given an opportunity to appear in court and hear the charges and the evidence) enter a plea, and have bail set
  + Trial: the juvenile has a right to have the facts determined by a judge or jury
  + Sentencing: the punishment is rendered; probation, suspended sentence, fine, community service, restitution, jail and probation, periodic imprisonment (work and jail), confinement in jail or prison, death

## Role of the case worker in the court process

* Caseworkers that function as child welfare workers or juvenile probation workers provide social investigations, dispositional recommendations, and casework services for both the parents and the child until the court dismisses the case
* Critical elements in forensic interviewing:
  + Forensic interviewing and documentation approach provides for an unbiased, multi-perspective reporting of the incident from which the caseworker can make an informed conclusion as to the truthfulness of the allegations and the most appropriate intervention
* Case record documentation: includes date of contact, type of contact, statement of the purpose of contact, identity of persons participating, location of contact, description of what happened, summary of actions to be taken and by whom as a result of the contact, and workers signature and date of entry

# Chapter 6: protecting children from neglect and abuse

## Incidence

* The primary source of information on the incidence of child maltreatment comes from the national child abuse and neglect data system (NCANDS), which is maintained by the us department of health and human services
* child neglect is the most common type of maltreatment

## Aims and special attributes of child protective services

* child protective services are intended to reduce the risks to children’s safety or wellbeing, prevent further risk of neglect or abuse, and restore adequate parental functioning whenever possible
* features of child protective services
  + child protective services are authoritative
  + child protective services carry significant social agency responsibility because they are directed toward families in which children are at risk
  + child protective services involve agency sanction from the community
  + child protective services require a crucial balance in the use of the agency’s authority

## Historical development of protective services

* early attitudes toward the treatment of children: rearing a child use to be commonplace, however recently the general public has strongly objected to indifferent parental care or to aggressive actions toward children by other members of society
* beginnings of care for neglected children: after the revolutionary war, various states passed legislation that recognized the needs of neglected children to the extent of authorizing the binding out, or commitment to almshouses, of children who were found begging on the street or whose parents were beggars
* societies for the prevention of cruelty to children: new laws provide a legal basis for acting on behalf of maltreated children if they become objects of attention by a child saving agency or a children's institutions or if the police chose to bring the situation to the attention of the court
* Who should do protective work:?
* the rediscovery of child abuse: the battered child syndrome
  + child abuse was acknowledged in 1874, lost attention in the public sphere, and was rediscovered in the 1960s
  + the advancement of radiology made it possible for physicians to identify patterns of injuries, observable by x rays, that were likely to have been inflicted rather than accidental
* the child abuse prevention and treatment act: in 1974 the federal child abuse prevention and treatment act (CAPTA) was passed, establishing a national center on child abuse and neglect which was to be a clearinghouse for the development and transmittal of information on research in child protection
* shifting priorities: child safety and family preservation
  + this section talks about a bunch of laws that are passed

## The definitional dilemma

* there is no consensual definition of either child abuse or neglect
* dimensions of child maltreatment
  + whether the motivation of the parent to harm the child is necessary for abuse to be said to have occurred
  + whether to include endangerment in the definition of maltreatment, i.e. when the situation seems very risky but no actual harm has occurred
  + cumulative harm: the cumulative effects of repeated moderate abuse or prolonged neglect, which are damaging in their cumulative effect but do not cause a discrete injury
* cultural attitudes: differences among cultures in childrearing practices and perceptions of acceptable parental behavior complicate the problem of providing clear definitions of child abuse and neglect
  + coin rubbing: southeast Asians, involves pressing metal coins forcefully on the child's body, leaving a symmetrical pattern of bruises

## Reporting child maltreatment

* every state and the district of Columbia require reporting of suspected abuse and neglect by professionals who see children in the course of their work, including physicians and other medical personnel, mental health professionals, caseworkers, teachers, other school officials, child care workers, and law enforcement personnel
* problems with the reporting law
  + the large number of cases that go unreported and the large number of unfounded reports
  + 60 percent of all reports made to child protection agencies are unfounded/unsubstantiated, i.e. not enough evidence exists
* Filing a report:
  + Those who report child abuse and neglect are not expected to have conducted an investigation to ascertain whether child maltreatment occurred

## Ecological view of child maltreatment

* Social/environmental risk factors
  + Community deficits: environmental conditions that contribute to child neglect and abuse often can be identified within a community’s system of social services
    - Giving inadequate or incomplete services; failing to follow through on referrals for another service; setting up barriers of communication or bureaucratic procedures that cut off some people from asking for or receiving help; showing concern only about fragments of family life that present symptoms troublesome to the community; failing to develop an agency function that is an active part of a community wide program of services
  + Societal attitude: we live in a culture that is saturated with images of violence
  + Poverty: the relationship of poverty to child maltreatment has been recognized at least since the 19th century; research consistently shows a correlation between socioeconomic status and child maltreatment rates
  + Race and ethnicity:
    - African American and pacific islander children have the highest rates for reported child maltreatment
  + Parental characteristics: abusive and neglectful caregivers often have inappropriate expectations of their children lack parenting skills and knowledge of child development; are likely to have unreasonable high expectations of their children to care for themselves and to comply with parental demands
    - A lot of parents know how to spank a child but not how to use time outs, explanations, negotiation, diversion, and positive reinforcement
    - Lack of knowledge of parenting skills combined with lack of empathy and belief in authoritarian control can precipitate child maltreatment
  + Substance abuse: 67% of parents in the child welfare system required substance abuse treatment services
    - One way communities have attempted to assist those with substance abuse issues is through family treatment courts
  + Domestic violence: physical assault on children is much more common in households in which women are battered; even if children are not themselves abused, they may suffer neglect or psychological maltreatment associated with the abuse of a parent by another adult
    - Infants and toddlers showed excessive irritability, immature behavior, sleep disturbances, emotional distress, fears of being alone, and regression in toileting and language.
    - Children can also suffer from post-traumatic stress disorder and impaired development of trust and autonomy
  + Animal abuse: research suggests that a link may exist between animal abuse and child abuse and other domestic violence
  + Child characteristics: children with development delays physical/mental disabilities/disorder are at higher risk for abuse and neglect; girls are at higher risk for sexual abuse

## Types of child maltreatment

* Child neglect: parental failure to meet a child's basic needs and provide an adequate level of care
  + It often does not cause observable harm and the damage from neglect accrues overtime
  + Definition of neglect: deprivation of adequate food, clothing, shelter, or medical care; but it leaves both deprivation and adequate open to subjective interpretation and does not cover all forms of neglect
  + Physical neglect: failure to provide for children's basic needs for food, clothing, safety, and shelter
  + Medical neglect: when a parent denies or delays seeking needed health care for a child
  + Inadequate supervision: situations in which children are without a caregiver or the caregiver is inattentive or unsuitable, and therefore the children are in danger of harming themselves or possibly others
  + Educational neglect: refers to a child's habitual absence from school, when the parent has been informed of the problem and does not take steps to remedy it
  + Newborns addicted to or exposed to drugs: fetal neglect;
  + Signs of neglect: chronic hunger, inappropriate dress, poor hygiene, unattended medical needs

## Child abuse

* When children are physically injured by their caregivers in circumstances that cannot be explained as accidents
* Injuries usually result from recurring acts of violence rather than from a single expression of anger or loss of control by the adults who care for them
* Includes hitting with a hand/stick/other object and punching, kicking, shaking, throwing, burning, stabbing, or choking the child
* Physical abuse and reasonable discipline: all states recognize the rights of parents to use physical force to discipline their children
* Parent and family characteristics: families of abused children tend to be larger than average; caregivers tend to be young with higher rates of abuse reported for parents under 27 years than other age groups
  + Mothers boyfriends are thought to increase the risk for abuse
* Shaken baby syndrome: when a baby is violently shaken, which repeatedly pitches the brain in different directions causing injury in the child's head or behind the eyes, e.g. brain swelling and damage, subdural hemorrhage, mental retardation or development delays, blindness, hearing loss, paralysis, and speech and learning difficulties and death
* Munchausen syndrome by proxy: a rare and bizarre form of child maltreatment; a person/adult harms him/herself to induce symptoms of serious illness, followed by extensive and persistent involvement with the medical system; i.e. a parent induces such symptoms in their child

## Psychological maltreatment

* Refers to a repeated pattern of behavior that conveys to a child that he/she is unwanted, worthless, valued only to the extent that he/she can meet other’s needs, or is threatened with physical or psychological attack;
  + The psychological dimension of abuse, neglect, and sexual abuse
* Spurning: belittling, degrading, shaming, ridiculing, etc.
* Terrorizing: threatening to hurt/kill/abandon
* Isolating: confiding the child/placing unreasonable limitations on the child's freedom of movement/social interactions with peers and adults in the community
* Exploiting/corrupting: including modeling, permitting, or encouraging such anti-social behavior as prostitution, performance in pornography, criminal activity, or substance abuse
* Denying emotional responsiveness: e.g. being detached and uninvolved, interacting only when absolutely necessary and failing to express love and affection to the child
* Mental health, medical, and educational neglect, e.g. ignoring or refusing to provide for the child's needs in these areas

## Sexual abuse of children

* Definition of child molestation is an act of a person, adult or child, which forces, coerces, or threatens a child to have any form of sexual contact or to engage in any type of sexual activity at the perpetrators direction, e.g. fondling, touching, and penetration, exposure/exhibitionism, pornographic viewing/participation, prostitution, etc.
* Parent and family characteristics: the presence of stepfathers, single parent families with the guardian having some sort of disability/mental health issue, etc.
* Identifying child sexual abuse: torn/stained clothing, pain/injury, difficulty walking/sitting, disease, frequent urinary/yeast infections, etc. physical evidence exists in only a small percentage of cases
  + Exhibiting behaviors like depression, excessive seductiveness, sudden weight loss/gain, substance abuse, suicide attempts, hysteria, sudden school difficulties, avoidance of physical contact, devaluation of self, and inappropriate sex play or premature understanding of sex
* Legal intervention: child protective services, law enforcement, the juvenile court, prosecuting attorneys, and the criminal courts
* Social work intervention: the first objective is to stop the sexual abuse; stop retribution from family members;
* Ritualism and child sexual abuse: abuse that occurs in the context linked to some symbols or group activities that have a religious, magical, or supernatural connotation, and where the invocation of these symbols or activities, repeated over time, is used to frighten and intimidate the children

## Consequences of child maltreatment

* Children experience disruptions to normal development as a result of maltreatment, leading to physical, psychological, cognitive, and social impairments that last well into adulthood
* Child fatalities: all fifty states have child fatality review teams made up of representatives from health services, law enforcement, child protective services, the medical examiner’s office, and the prosecutor
* The resilient child: some children transcend seriously neglectful or abusive childhoods to become successful adults

## The practice of child protection

* Public child welfare agencies have a number of functions related to the protection of children: investigating allegations of abuse and neglect within families
* Core services of child protective services: CPS;
  + Intake: receives reports of abuse and neglect
  + Investigation: the timely gathering of information through contact with the child, the parents, and individuals who can provide collaborating information
  + Disposition determination: timely decisions about the status of the abuse or neglect report and the need for further cps action
    - Unsubstantiated/not confirmed: no or insufficient credible evidence of abuse or neglect has been identified
    - Substantiated/confirmed: credible evidence has been identified that abuse or neglect has occurred
    - Critical source of information not accessible: e.g. the family moved, unable to locate
  + Crisis intervention: provide for immediate protection of the child and help families remain together during short term emergencies; e.g. crisis nurseries, domestic violence shelters, emergency housing, short term placement with relatives, remove of the perpetrator, and twenty four hour emergency homemakers should be available to help stabilize families during a crisis
  + Case planning and coordination: the agency workers should design an individualized, goal oriented case plan that clearly sets out what the agency expects parents to do to maintain children in the home.
  + Discharge: when the CPS agency determines that one of the following conditions exist: the child is no longer at sufficient risk to warrant cps involvement; the family is voluntarily receiving services from another agency to strengthen family function and cps involvement is not needed because the child is no longer at risk
* Decision making in child protective services
  + The worker must fulfill the obligation of completing a thorough, unbiased investigation for the purpose of protecting the child
  + Direct evidence: direct evidence of maltreatment includes physical evidence on the child and in the home; parental admission of maltreatment; the child's statements about the maltreatment; and the reports of witnesses
  + Parental response the parents response is often a key factor in the workers decision to substantiate, particularly when direct evidence is not available
  + Child's vulnerability: workers are more likely to substantiate if the child is very young, has a serious mental or physical illness, exhibits unusual behavior problems, or is developmentally delayed
* Assessing risk and safety
  + Risk assessment: the systematic collection of information to determine the degree to which a child is likely to be abused or neglected at some future point in time
    - E.g., impact of parental behavior; severity of abuse or neglect; age an d physical and mental ability of the child; frequency and recency of alleged abuse or neglect; credibility of the reporter; location and access of child to perpetrator; parental willingness to protect child and cooperate; parental ability to protect
* Protecting children at home or in foster care
  + Families that show only moderate child neglect area more hopeful in terms of preserving and strengthening the home as a place for care of the children

## Aspects of community support and influence

* Multidisciplinary teams
  + The team consists of professionals from different fields, including social work, psychology, nursing, and law enforcement
  + Multidisciplinary interview centers: it is recommended that children be interviewed in multidisciplinary interview centers. These settings provide a comfortable atmosphere for children, support staff who can answer parents and children's questions about the investigative and legal processes, and the opportunity for prosecutors and police to observe the interview behind one way glass or by TV monitor
* Advocacy organizations
  + The American humane association; founded in 1877 to protect children from abuse and neglect, its mission continues to be the protection of children and the prevention of child maltreatment
  + The national committee to prevent child abuse is a volunteer based organization dedicated to involving all concerned citizens in actions to prevent child abuse
  + The child welfare league of America: an association of more than 1100 public and nonprofit agencies involved in the prevention and treatment of child abuse and neglect

## Trends and issues

* Child protective services in a comprehensive system

# 8: foster care: history, laws, policies, and structure

## Why children are placed in care

* Children in foster care usually have at least one living parent who may or may not visit and assume responsibility
* Family characteristics
  + Children who enter foster care have parents who have a configuration of serious personal and environmental problems that have grown over time and the child does not have sufficient support from other adults

## Characteristics of children in care

* Age, ethnicity, and other variables
  + The median age of children in foster is 10.6
  + Of the children who exited foster care, they had been in foster care for an average of 12 months
* Basic characteristics of foster care
  + Because of their difficult experiences, including maltreatment and or parental problems that necessitate care, and this is compounded by the painful separation from parents, siblings, kinfolk, and familiar environments
* Underlying principles
  + The parent child relationship and adequate parenting are of utmost importance to the child
  + In all settings, the entire family is the identified client
  + When decision crucial to the future of the child re made, special consideration must be given to ensure that the legal rights of the child are protected

## Historical development

* Indenture, almshouses, and institutions
  + Indenture: has two purposes, to fix responsibility for the support and care of a dependent child on some person or family, and to give training for work
  + The vast majority of orphanages were operated by white people for white children
* Orphan trains and free foster homes

## Child welfare reforms in the twentieth and twenty first centuries

* All children need families and family care is the preferred environment for placement of children who are not safe with their parents or legal guardians
* Family foster care, a response to institutional care
* The permanency planning movement
  + The major impetus for reform was the growing recognition that although foster care had been intended as a temporary substitute for the child’s own home, many children remained in foster care for years, sometimes moving through many different foster homes
  + Permanency planning: the systematic process of carrying out, within a limited period, a set of goal direct activities designed to help children and youths live in families that offer continuity of relationships with nurturing parents or caretakers, and the opportunity to offer lifetime relationships
* Family preservation:
* Family continuity and kinship/relative care
  + The onset of the crack cocaine epidemic, the spread of hiv/aids to women and children, and economic stressors were contributing factors to the fragmentation of families.
  + Lobby bodies: a growing phenomenon, children filling up the waiting room of the child welfare office waiting for a placement
  + For these and other reasons, the focus has turned to the possibilities of placing more children with relatives
* Safety, well-being, and permanency
  + In response to growing concerns that family preservation practices were compromising the safety and wellbeing of children, the adoption and safe families act of 1997 was passed that clarified that the safety of the child is paramount in child welfare practice
* Residential care; renewed interest
  + The place of residential care in the foster care system has been marginalized; family based care has been and continues to be the preferred alternative to own home care

## Federal role in child welfare

* Federal, state and local governments have shared responsibilities for defining, administering, and funding the foster care system
* Title iv of the social security act is the primary sources of federal funds for state child welfare services, including protective services, family preservation, foster care, and adoption assistance
* The Indian child welfare act of 1978: acknowledges the sovereignty of federally recognized Indian tribes to govern the care and custody of their children
* Multiethnic placement act of 1994 as amended by the interethnic placement provisions of 1996
  + Was passed to address the policy bias against transracial foster care and adoptive placements that have existed in the child welfare system since the 1970s
  + 285: but possibly on 286 somewhere

# 9

# 10

# 11