



September 15, 2011

Question:

Is “family-finding” a service that may be funded with Comprehensive Services Act (CSA) pool funds?

Answer:

No. This activity is a routine case management function of the local Department of Social Services (LDSS).

Sources and Explanation:

The Code of Virginia (Section 2.2-5211 D) explicitly states that:

“ When a community services board established pursuant to § [37.2-501](#), local school division, local social service agency, court service unit, or the Department of Juvenile Justice has referred a child and family to a family assessment and planning team and that team has recommended the proper level of treatment and services needed by that child and family and has determined the child's eligibility for funding for services through the state pool of funds, then the community services board, the local school division, local social services agency, court service unit or Department of Juvenile Justice has met its fiscal responsibility for that child for the services funded through the pool. However, the community services board, the local school division, local social services agency, court service unit or Department of Juvenile Justice shall continue to be responsible for providing services identified in individual family service plans that are within the agency's scope of responsibility and that are funded separately from the state pool. (Italics added.)*

Case management is a routine responsibility of the local Department of Social Services for children at risk of, or placed in, foster care. Specific functions which are delineated in policy are expected of a case manager (referred to as a service worker) while working with families of children at risk of removal or placed in foster care.

Chapter 13 of the Virginia Department of Social Services (VDSS) Foster Care Manual defines the role of the service worker while working with families of children at risk of removal or placed in foster care. A partial listing of these functions is below:

13.4 Role of service worker in managing services

“...The service worker ensures that the process of providing services:

- Respects the family’s culture, traditions and language

*Unless otherwise noted, citations are italicized and/or indented for easier reading.

- Is designed to achieve permanency for the child
- Meets federal, state and local requirements, including but not limited to service plans, case reviews, hearings, purchasing and documentation
- *Continually identifies, seeks out, reassesses, reconnects and engages maternal, paternal and extended family members and other individuals who are significant in the child's life.*
- Uses a wraparound process...
- Involves coordinating services and supports across significant individuals, natural supports, and providers
- Uses data to support decision making and improve quality of practice
- Involves consistent and regular communication...
- Is assessed regularly..."

The role of the service worker regarding family engagement, including family-finding, is more fully described in Chapter 2 of the VDSS Foster Care Manual. Section 2.2.2 provides legal citations which require the State to identify and locate relatives prior to a child's placement in foster care or while the child is in foster care. Title IV of the Social Security Act requires the following:

"...within 30 days after removal of the child from the custody of the parent or parents of the child, the State shall exercise due diligence to identify and provide notice to all adult grandparents and other adult relatives of the child (including any other adult relatives suggested by the parents)..."

The use of the word "State" in the Social Security Act refers to the State agency which administers Title IV-E, which in Virginia is the Department of Social Services.

In addition to federal law, the Code of Virginia places the responsibility of locating relatives with the local Department of Social Services as noted in the statutory citations below:

Section 63.2-900 "The local board shall first seek out kinship care options to keep children out of foster care and as a placement option for those children in foster care, if it is in the child's best interest pursuant to 63.2-900.1 A."

This Section continues with (63.2-900 1 A) "The local board shall, in accordance with regulations adopted by the Board, determine whether the child has a relative who is eligible to become a kinship foster parent"..."

There are quite a few references in the VDSS Foster Care Manual to the role of the LDSS pertaining to family-finding. Section 2.5 of the Foster Care Manual repeats and references Title IV of the Social Security Act when it states "the LDSS shall diligently search for adult relatives and other individuals who have significant relationships with the child, including adult relatives suggested by the child, birth parents or prior custodians."

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Section 2.3 of the Foster Care Manual “Notifying and informing relatives of child removal”

This Manual citation requires that

“The LDSS shall document diligent efforts to notify in writing all grandparents and other adult relatives, both maternal and paternal, when the child is being removed or has been removed.”

Additionally,

“Searching for family and lifelong connections is an ongoing process throughout the child’s involvement with the child welfare system. It should begin as soon as the child is at risk of being placed outside of the home and continue with a sense of urgency until the child has achieved permanency. These ongoing efforts shall be documented in OASIS and the paper case file.”

Documentation of the family-finding is expected to be entered in OASIS and the child’s case record, which is a routine LDSS case management responsibility.

Section 2.5.2 Examining the child’s and family’s extended networks

The role of the service worker is described in this Section of the Foster Care Manual as including:

“The service worker should use a variety of methods to identify as many individuals as possible in the extended networks of the child and family...”

“The service worker should pursue every reasonable lead and respond quickly when family members indicate interest in connecting with the child.”

Section 2.6 Engaging relatives and significant individuals in the child’s life

“As the service worker identifies family members and significant individuals, the service worker should explore opportunities for reconnecting and re-engaging them in the child’s life.”

These citations from the Foster Care Manual are explicit in defining the role of the LDSS service worker in conducting searches for individuals who may provide permanency and connections for a child.

Lastly, the Virginia Department of Social Services has provided local governments with a resource to assist in locating relatives or other interested parties. The SPARK website provides the following information:

“Through a contract with LexisNexis, the Virginia Department of Social Services is providing Accurant to each local department of Social Services. Accurant is a search tool designed to help find family members and other interested adults as a resource to children and youth involved in the child welfare system. This web-based search program analyzes billions of partial and complete records and provides a report within seconds. The tools provide people searches, address and phone number searches, and will provide workers with a real-time, comprehensive view of public records not previously available. Accurant allows an instant

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view of individuals' associations and relatives to the sixth degree which will assist in meeting the requirements of the Fostering Connections to Success Act."

Consequently, local departments of social services have this resource provided by the VDSS and do not require CSA funding to conduct "family-finding."

Conclusion:

State and federal law, along with Virginia Department for Social Services policy, as stated in the Foster Care Manual, clearly define the activity of "family-finding" as a routine case management activity to be conducted by the LDSS service worker. As it falls within the scope of responsibility of the local DSS agency, CSA pool funds may not be used to fund the function of family-finding.