



CENTER FOR THE RIGHTS
OF ABUSED CHILDREN

Support Relative Search in House Bill 2554

Modifies provisions relating to the due diligent search for and placement of a child with a grandparent or other relative.

In-Person Testimony

Kendall Seal, Vice President of Policy
Center for the Rights of Abused Children

Kansas House Committee on Child Welfare and Foster Care

Wednesday, Feb. 7, 2024, at 1:30 p.m.

Chair Concannon, Vice-Chair Johnson, and Committee Members:

My name is Kendall Seal, Vice President of Policy with the Center for the Rights of Abused Children. I am here today in support of House Bill 2554.

To ensure children are protected and have the best chance for stability and a family connection, children should be quickly settled into a relative or foster home on the path to permanency.¹ Children who live with family right away fare particularly well.² That is why we support efforts to find relatives as soon as the child enters care and

¹ David Rubin et al., "The Impact of Placement Stability on Behavioral Well-Being for Children in Foster Care," National Library of Medicine, 2009, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2693406/>; Austen McGuire et al., "The Relation Between Dimensions of Maltreatment, Placement Instability, and Mental Health among Youth in Foster Care," Child Abuse and Neglect, 2018,

https://www.researchgate.net/publication/327868743_The_relation_between_dimensions_of_maltreatment_placement_instability_and_mental_health_among_youth_in_foster_care; Thomas Keller et al., "Approaching the Transition to Adulthood," National Library of Medicine, 2007, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2802332/>.

² "Benefits of Kinship Placement," American Bar Association, January 2022, https://www.americanbar.org/content/dam/aba/publications/litigation_committees/childrights/kinship_placement/memo-re-benefits-of-kinship-placement-adoption.pdf; Christian Connell et al., "Changes in Placement Among Children in Foster Care," National Library of Medicine, 2006, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4204626/>.



ensure the child's best interests are always at the center of placement and permanency decisions.

The Problem

While Kansas law currently provides some judicial oversight of the, "intensive and ongoing," yet unsuccessful efforts made by the department to place a child, "with a fit and willing relative,"³ it lacks the accountability and specificity necessary to ensure prompt and thorough searches.

Kansas law does not detail what a notification should entail, require timely responses, detail what must be reported to the court, or provide sufficient accountability for executing diligent searches. Together, these structural issues can result in avoidable disruptions when a child's relatives are not found upon a child's removal from their home but appear months or even years down the line – diminishing children's stability and safety.

Consider the following:

- **Kansas children in need of care lack stability.**
 - In Kansas, 79.4% of youth in care had two or fewer placements, while 20.3% had three or more placements. Nationally, the averages were

³ K.S.A. § 38-2264



83.5% and 16%, respectively.⁴ On average, in 2021, children in care in Kansas experienced 5.4 placements.⁵

- **Kansas children spend too much time in foster care.**

- In Kansas, the median length of time children spent in care was 20.5 months. The national average for the median length of care was 17.7 months. Kansas state resources place the average duration of care at 25 months.

- **Too often, Kansas children end up reentering care.**

- 5.3% of children entering care reenter within 12 months of a prior entry. 15.6% reenter more than 12 months after a previous entry. Together, that is 20.9% compared to a national average of 19%.⁶

Through the work of our pro bono legal clinic, we know firsthand the harm children suffer when agencies and courts shuffle them from home to home, especially when the child could have been placed with a relative who was ready and willing to provide the child a home. Too often, agencies are not incentivized to find the best relative

⁴ U.S. Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau, *Child Welfare Outcomes Report Data*, Outcome 6: Placement Stability, <https://cwoutcomes.acf.hhs.gov/cwodatasite/sixOneLessThan12/index>.

⁵ Keys, *Supra* note 5, at 24.

<https://www.dcf.ks.gov/agency/testimony/documents/2022/foster%20care%20and%20ffpa,%20dcf%20deputy%20secretary%20keys.pdf>.

⁶ U.S. Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau, *Child Welfare Outcomes Report Data*, Outcome 4.2: Reentries into Foster Care, <https://cwoutcomes.acf.hhs.gov/cwodatasite/fourTwo/index>.



placement at the start of the case. In such cases, children can be removed from the only home they have ever known only to send them to relatives they have never met.

Solution

House Bill 2554 promotes the safety and stability of children in care by:

- Establishing clear guidelines for conducting timely, thorough relative searches;
- Helping relatives make informed, timely decisions by providing information about the options for participating in the child's care, the process for becoming licensed, and all available resources; and
- Continuing accountability through judicial oversight of diligent searches.

Conclusion

A child's needs must always be paramount. In this case, it means finding relatives quickly, at the beginning, rather than the end, of a case. It means prompt placement with relatives whenever possible, avoiding the trauma of constantly moving homes.

These are simple and necessary policies that serve the most vulnerable children in Kansas. Thank you for your time and attention, and the Center asks for your support for House Bill 2554.

###