

Kinship Adoption

Meeting the Unique Needs of a Growing Population



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Introduction

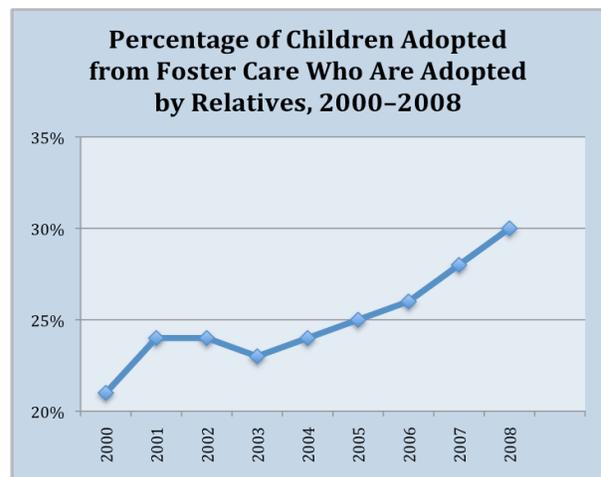
Every year, more and more children in foster care find permanent homes with relatives when they cannot return to live with their parents. Most children will find permanent homes through relative adoption, which continued to increase throughout the decade. In 2000, 21 percent of the children adopted from foster care were adopted by relatives. By 2007, relative adoptions from foster care accounted for 28 percent of the children exiting foster care. Preliminary estimates for 2008 show a continued increase to 30 percent, or 16,749 children (http://www.acf.hhs.gov/programs/cb/stats_research/index.htm). In some states, the number of children receiving adoption assistance has surpassed the number of children receiving foster care maintenance payments.

The increasing shift to permanency with relatives for children who cannot return home requires thoughtful responses by child welfare practitioners, policymakers, and researchers. Kinship adoption can be a powerful and positive experience for children and their caregivers. However, it is most likely to succeed when families have an opportunity to address the unique family dynamics that arise as a result of the adoption and to come to terms with the experiences of children before they came into care.

A renewed focus on kinship adoption is particularly important given the new option under the Fostering Connections to Success and Increasing Adoptions Act (Fostering Connections) for states to provide federal guardianship assistance for children when returning home and adoption are not appropriate. Expanded availability of subsidized guardianship further reinforces the need for kinship families to understand that adoption is not only possible, but in some cases preferable and more legally secure than guardianship.

This issue brief draws attention to the unique needs of children who are adopted by their relatives. Specifically, it addresses the following questions:

- Why is kinship adoption on the rise?
- How does kinship adoption differ from other adoptions?
- What policies and practices can agencies consider to achieve successful kinship adoptions?



From the Automated Foster Care and Adoption Report System, Department of Health and Human Services

Why Is Kinship Adoption on the Rise?

Kinship adoption is on the rise for many reasons, including

- increased understanding of the benefits of kinship care for children,
- state and federal preferences for kinship care,
- agency practices that place large numbers of children with kin as a means of moving them out of foster care, and
- a recognition that relatives will adopt.

Increased recognition that kinship care is good for children

The benefits of kinship care over traditional foster care are well established. Kinship care is more likely than traditional foster care to:

- reduce the stigma and trauma of separation from parents and family,
 - result in placement with and connections to siblings and parents,
 - respect family cultural traditions,
 - be a stable placement, and
 - result in fewer behavioral, educational and mental health problems
- (for an overview of the benefits of kinship care, see <http://www.clasp.org/admin/site/publications/files/0347.pdf>).

State and federal preferences for kinship care

In recognition of these benefits, state and federal law has reinforced the importance of kinship care for three decades. In 1980, the Adoption Assistance and Child Welfare Act affirmed a preference for relative placement when children are taken into state custody. This preference was further strengthened in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 and the Adoption and Safe Families Act of 1997. State law has followed suit by supporting a preference for relative placement, as well as a diligent search for relatives when children are first taken into state custody (for an overview of state laws on kinship care, see www.grandfamilies.org).

The Fostering Connections Act contains several provisions that are likely to result in an even greater number of children placed into foster care to live with relatives, who in turn, may pursue adoption if children cannot return home. They include:

- **Notice provision** – requires child welfare agencies to notify relatives within 30 days of a child's removal from the custody of a parent. This provision places emphasis on a diligent search for relatives and requires agencies to inform all known relatives that the child is in care and explain the relatives' options for care and support of the child. The notice provision is predicted to increase the number of foster children living with kin.

- **Licensing waivers** – affirms state authority to waive non-safety standards in order to license relatives as foster parents. If more relatives become licensed foster parents, they will also be entitled to adoption subsidies if they eventually adopt. Adoption subsidies provide an important incentive for relatives to make a permanent legal commitment to the children in their care. In fact, research has shown that increases in the adoption subsidy can result in more children adopted from foster care. (see Hansen at <http://www.american.edu/academic.depts/cas/econ/workingpapers/2005-10.pdf>)
- **Sibling provision** – requires state child welfare agencies to place siblings together whenever possible. Research has shown that relative caregivers are more likely to take in sibling groups than non-relatives. (see <http://www.clasp.org/admin/site/publications/files/0347.pdf>).

Relative placements to keep children out of foster care

Relative care for children in foster care is only a small slice of the population of children living with relatives. Nationally, there are about 2.4 million children living with a relative where there is often no parent present in the home. (see http://www.grandfactsheets.org/state_fact_sheets.cfm). Many children are living with relatives who step forward to care for them as a result of a child protection investigation. Others have had no child welfare involvement. While many of these children eventually return home, relatives will often pursue legal custody and/or adoption through the probate courts when it becomes evident that the parents can no longer permanently care for the children. While many of these kinship families are not involved in the child welfare system, they may also require similar legal and emotional support.

Increased recognition that relatives will adopt if it is in the best interests of the children in their care

In the past, popular wisdom was that relatives do not want to adopt. Indeed, some relatives have concerns about adopting children with whom they already have an existing family relationship. Sometimes relatives do not want to permanently alter family relationships by terminating parental rights against their own children, sisters, or brothers. They hold on to the hope that the children's parents will eventually make sufficient progress to be able to resume care for their children. Often, relatives are under the assumption that the care for their relative children will be temporary, and have a hard time adjusting to the reality that the children might be with them permanently. In cases with older youth, sometimes the youth does not think adoption is the right choice. These are just some of the reasons why subsidized guardianship as a permanency option—which does not require termination of parental rights—is so important for so many children.

Yet many relatives—once they fully understand the legal, emotional and financial considerations of adoption—go on to adopt the children in their care. A 1996 study found that kin are as willing to consider adoption as other foster caregivers.¹ In many cases, relatives may have concerns or believe myths that can be cleared up.

For example, they might think that a child has to change his or her name to be adopted, or that termination of parental rights (TPR) means the child can not have contact with her birth parents. Others may prefer adoption and believe that TPR is the only safe and secure way to manage the relationship between a child and his birth parents. Still others may realize that the child will not return to the parents and want the full legal and emotional ties that adoption affords. Whatever the reason, the field is increasingly recognizing that adoption for kinship families is a viable option.

How Is Kinship Adoption Different from Other Adoptions?

Every adoption presents a unique set of opportunities and challenges for children and their adoptive families. But kinship adoption presents a particular set of issues by virtue of the pre-existing relationship that relative caregivers typically have with the child and her parents. While it is true that every kinship family is different (and some don't have a pre-existing relationship) there are some things that set most kinship families apart from traditional adoptive families.

The issues below are adapted from the work of Joseph Crumbley, a clinical psychologist who has worked with and documented the experiences of countless kinship families, including those who have adopted. For more information on Dr. Crumbley, see (www.drcrumbley.com).

Pre-existing relationships

The pre-existing relationship between a relative caregiver and a child is one of the things that can make kinship care a positive experience for vulnerable children. Kinship caregivers know the child's history and unique needs, which can lessen the trauma of being separated from the parents. Even if the child and relative have never met, they have familial ties that can be reassuring for the child.

But kinship adopters who have a pre-existing relationship with a child's parent also faces a special set of emotions that should be addressed directly as they prepare to adopt a child. Emotions include guilt about the situation in which the child and parent find themselves ("I could have done something about it") or anger over a parent's inability to get his/her act together. Confusion might result from having to become more like a parent and less like a doting grandparent, aunt, or uncle. And unlike an unrelated adoptive parent, kinship caregivers often have a difficult time fully celebrating a finalized adoption. For them and their children, the adoption might be viewed as a bittersweet experience.

Children living in kinship arrangements also experience a range of emotions as a result of the pre-existing relationship. Children might not understand why their grandparent, aunt, or uncle is now acting more like a parent. They might resent or be confused by the fact that adults they knew in one context are now playing a completely different role. Older children in particular might feel that relatives are betraying their parents by terminating parental rights and pursuing adoption. Other

family members might also feel the relative is overstepping her boundaries by adopting the child.

Parents might also be angry with the relative for “conspiring” against them and might feel it was the relative who was responsible for terminating parental rights. They might be jealous that the relative can safely care for the child when they are not able to. Some parents might try to turn the child against the relative or sabotage the healthy relationship between the child and the caregiver. They might question the loyalty of the caregiver, whom they feel has put the child’s needs and priorities ahead of their own needs.

Knowledge of family dynamics

Relative caregivers have intimate knowledge about family history and family legacy that traditional adoptive families do not have. On the one hand, this can be positive for the child, as relatives can help them understand and deal with this legacy in a healthy way. Relatives can help children break intergenerational cycles of violence, substance abuse, and poverty and be a role model within the family network for how positive choices can lead to a more productive life.

But knowledge of family dynamics can also be a burden. Kinship caregivers might worry excessively about the child becoming “just like her mom” and become overly protective just at a time when a child needs increasing independence. They might also inappropriately communicate about the parent’s shortcomings in front of the child.

Ongoing relationship with the parent

One of the benefits of kinship adoption is that children do not have to completely sever the emotional bond they have with a parent. Relatives can help children stay safely connected to their parents, as well as to their family and cultural heritage. While this can also occur with adoption by non-related caregivers, it is sometimes more difficult for a stranger to understand the child’s need for a birth parent connection.

Ongoing interactions between a child and parent can also be a source of strain for the kinship family. Caregivers must prevent a parent’s unhealthy patterns of behavior from negatively affecting the child and set boundaries for a child’s relationship with the birth parent. At the same time, the caregiver’s own relationship with the parent might be a source of conflict and stress for the caregiver, child, and parent.

Differences in preparation for caregiving role

Traditional foster and adoptive parents make a conscious decision to foster or adopt a child and have many opportunities for training, support, and counsel before bringing a child into their home. For the kinship caregiver, the decision to care for a child usually happens with little preparation or support and, if the family has child welfare involvement, may well take place within 24 hours.

While a kinship caregiver who adopts will have time to make a decision about whether this is the right thing for the child, they often do not receive the same preparation and as other adoptive parents.

Kinship Care

vs. Traditional Foster Care

Pre-existing relationship with child	No pre-existing relationship with child
Redefines existing family relationships	Strengthens new family relationships
Mixed feelings about loss of parent to child	Celebration of a new family
Mixed feelings about loss of role as grandparent, aunt, uncle, etc.	Excitement about new role as parent
Knowledge of family dynamics	Limited knowledge of family dynamics
Decision to become a caregiver is unplanned and in crisis; request from parent, child protection or courts	Decision to become a caregiver is planned and voluntary
Limited preparation for care-giving	Preparation for care-giving role and support already in place before child is placed in home
Unanticipated requirements to become a foster or adoptive parent	Requirements to become foster or adoptive parent are anticipated
Guilt over birth parent problems	No guilt over birth parent problems
Guilt for taking over parental role for child	Feelings that they are saving the child
Perception that they are betraying birth parent by assuming legal relationships	Feeling they are displaying loyalty and commitment to child by assuming legal relationship
In competition with birth parent if child becomes attached to relative	Motivated to demonstrate attachment that is as strong as previous attachment with birth parent
Split loyalties and hesitation to legalize relationship	High motivation to legalize relationship

How Can Agencies Best Support Kinship Adoption?

Kinship adoption can provide children with the stability and safety that was lacking when they lived with their birth parents. It can help keep siblings together in one home, allow children to stay connected to their parents and other extended family, and avoid unnecessarily lengthy stays in foster care.

Without the proper preparation and support, however, kinship adoption can place undue hardship on the adoptive family. Simple steps can help kinship adopters through some of the more complex dynamics of adopting a relative child.

Below are a number of recommendations for improving frontline practice, changing agency structure and focus, and making policy changes to improve the experiences of relative caregivers who adopt.

1. Adequately Prepare Kinship Families for Adoption

Child welfare professionals should not assume that every kinship adoptive parent is ready to assume the caregiving role. Although the relative most likely knows the child and does have connections to the family, she still needs support to deal with the complex emotions of adopting a relative, including managing family boundaries, addressing special needs and behaviors, and learning what to expect from the child and parent before and after the adoption. Helping adoptive caregivers express their emotions about what has happened to the family is also critically important.

Agencies should fully prepare kinship families for the adoption experience and the unique issues that surface when adopting kin. This preparation should start even before the family makes a decision to adopt by fully disclosing all options available and the implications of each option.

If they are educated early and often about different permanency options, kinship caregivers can be better prepared once they have made a decision that adoption is in everyone's best interest. Practitioners who work closely with kinship families confirm that concurrent permanency planning can be as effective with kinship families as it is with unrelated foster parents.

Once kinship families have made the decision to adopt, discussions based on the following questions can help prepare kinship families for what is down the road:

- What are your feelings about terminating the rights of the child's birth parent? How can you help other family members who feel you are violating the family code come to terms with your role in supporting the child?
- How do you think things will be different after adoption than they are now? How will your relationships change? How is it different to be mother/father rather than grandmother/grandfather or aunt/uncle? How will you explore these differences with the child?
- How does your extended family feel about the adoption? How invested are they and how can they support you?

- How will you navigate the birth parent relationship? What are you concerned about now in terms of safety and ongoing interaction and what are the resources available to help you navigate this relationship over time?
- What are the legal implications of adoption?
- Have you, the child, and the parent(s) come to terms with the reasons the child cannot be with the birth parent?

Agencies with experience in kinship adoption stress the importance of preparation for both parents and children. In addition, agencies may need to work with birth parents to help them view the situation through the child's eyes. Parents may feel that the relative adoption is a violation of family code or interference, and may need help to come to terms with the limits of their future relationship with the child. Helping to involve the birth parents, when possible, can reduce the relative caregiver's guilt, reduce the child's stress, and improve family functioning down the road.

2. Review and Modify Assessment and Training for Kin

The home study process may need to be modified for kinship families. Space and housing requirements that are applicable to foster parents may need to be more flexible to accommodate relative caregivers. In addition, a caregiver's reluctance to adopt should not be viewed in the same manner as non-relative adopters. Because a caregiver is being asked to make major shifts in existing family relationships, their reluctance may be natural and even healthy. They may also hesitate to voice their concerns because they don't want to be judged as uncooperative. The assessment process should ensure that kin caregivers have a chance to work through concerns in an honest and open way so that they can be prepared for the new roles they assume.

Workers may also need to approach the assessment differently with kin. Relatives who are already caring for the child or have a connection with the child may not feel that they need to be studied and assessed ("I'm his grandma—why do you need to check anything out?"). Some agencies address this issue by having separate processes for kin and others, and tailoring the study to each individual case.

Specific training geared toward kinship families' needs is also helpful. In the absence of a specific curriculum for kinship caregivers, agencies can review adoptive parent training to ensure that modules are relevant to relatives. They can also provide space for kinship caregivers to meet with each other and share common concerns and provide mutual support. Providing the opportunity for the prospective adopters to meet with kin who have already adopted may also be beneficial and help allay fears. These support groups are particularly important since most kinship families already have children living in their home while many other pre-adoptive families are still awaiting placement.

For more on training that is geared to the unique needs of kinship caregivers, see *Training Kin to be Foster Parents: Best Practices from the Field*, (http://www.childfocuspartners.com/pdfs/Training_Kinship_Caregivers_0708.pdf).

3. Recognize and Support Post-Adoption Needs of Kinship Families

Recent gains in promoting timely permanency for children in foster care has led to new understanding about the need for ongoing support to keep families together even after a finalized adoption or guardianship. Post-permanency services—including access to mental health services, respite care, medical care, adoption subsidies, support as children reach adolescence, and support groups—can ensure that families have access to the support they need as children grow and reach new developmental challenges.

While critical to all adoptive families, these supports may be especially important for kinship caregivers. Typically, children in kinship placements are more likely than other children in foster care to be poor and to live with a single, unemployed caregiver. Relative foster parents—the most likely relative adopters—are more likely to be single, have lower educational achievement, lower income, and have poorer health.²

States must ensure that existing post-permanency services are also open to relatives who adopt. They can also ensure that these services are inclusive of and responsive to relatives' unique needs, including how to manage relationships with birth parents and other family members. Staff may think that relatives are better prepared to deal with birth family interactions than other parents, when in fact these issues may be more difficult for kin. Because the relatives often have an ongoing relationship with the birth parent, they might need help establishing safe boundaries that are protective of the child and the new adoptive family relationship. Some agencies even provide mediation between kin caregivers and birth parents when boundaries are crossed or confused. In addition, the caregiver's birth children may need support as their cousin or niece becomes a sister or brother.

4. Develop Kinship Competence

Public and private agencies alike must build their capacity to work with kinship families when they adopt their relative children. To develop kinship competence, agencies and staff must work to overcome and address a number of assumptions, such as:

Assumption #1

“Kinship families do not want to adopt because they do not want to terminate parental rights.” While this might be true in some cases, it is important to uncover the reasons kinship families might not want to adopt and to address those concerns. Most importantly, when assessing kinship caregivers for motivation to adopt staff should not equate reluctance to adopt as a lack of commitment to the child.

Assumption #2

“Because kinship families are more likely to have a pre-existing relationship with the child, they do not need the same level of support, guidance, or oversight as those who are forming new family relationships.” Relatives may not even know their related child or may not have formed a strong attachment yet. The kin may not understand special needs or the effects of trauma. Support and guidance from staff who are aware of the needs of kinship families and can address issues of safety and well-being can make a difference in caregivers’ ability to understand and safely care for relative children.

Assumption #3

“Kin are very aware of the child’s history and the birth parents’ circumstances.” In many cases, relative caregivers do not know everything about the child, and even if they know what has happened, they may not understand the impact. They may also have knowledge about the child’s parent to whom they are related, but know little about the parent to whom they are not related. Staff must do a thorough social history as they do with other children, and then engage caregivers in discussions about how past abuse or neglect affects children’s health and mental health now and in the future. As one provider stated, “It is important to provide more information than not enough so caregivers fully grasp what children have been through and what it means for their future.”

Assumption #4

“Children need less preparation because they are going to live with a relative.” An out-of-home placement and even adoption can be traumatic or stressful for a child, even if the child is remaining with extended family. Workers need to be sure that the child or youth is fully aware of the placement and the changes to come, and that the child has support during the process.

Assumption #5

“Kinship families do not want child welfare involved in their lives.” While it is true that some kinship families are fearful of child welfare agencies, they still need information and support that can help them through the permanency process, whether it is directly from child welfare agencies or through linkages to community based organizations with specialized knowledge about kinship care. While child welfare involvement may be intimidating, many kinship caregivers report that the development of a trusting relationship with a worker who understood their needs made a world of difference to them and their children.

In addition to knowing how to address assumptions, kinship competence requires awareness of the unique needs of diverse racial and cultural groups and how they view the role of extended family.

Agencies have taken several different approaches to develop a strong focus on the unique issues in kinship adoption:

- **Create a special kinship unit** – Whether in a public or private agency, kinship units can specialize in work with kinship families, including the facilitation of peer support between families to lessen isolation and share resources. They can also train and mentor frontline staff in the best strategies to engage and support kinship families.
- **Partner with specialized kinship agencies** – Some child welfare agencies contract directly with private agencies to provide case management for some or all of their kinship families. Agencies such as A Second Chance, Inc., of Pennsylvania, provide intensive services to kinship families throughout the child welfare continuum and have specialized knowledge needed to assess, license, train, and monitor them for safety, permanency and well-being.
- **Build internal capacity** – Public agencies and private agencies under contract to the state should dedicate training to increase staff awareness about the needs of kinship families, particularly if the agency has traditionally worked with foster families who are not related to the child. Because children living with kinship foster parents tend to have longer stays in care, it is particularly important to develop joint accountability between the public and private sectors to achieve permanency for these children. The training might include how to help staff enable relatives to treat birth parents with respect and see them as a resource, while maintaining boundaries with birth parents; how to explain and explore permanency options; how to provide assistance to caregivers with immediate needs; and more. In addition, recruiters would benefit from training on searching for extended relatives, including paternal kin and kin who were not ready to be a foster parent when the child entered care.

5. Promote Flexible Kinship Licensing Policies

In many jurisdictions, kinship families who care for children involved with the child welfare system are either discouraged from becoming licensed foster parents or are not aware that licensure is an option. Kinship families might also fail to meet rigid foster parent licensing standards. Although licensing policies exist to ensure that foster parents can safely care for a child, some standards should not always be applied to relatives, such as space and capacity requirements. Unfortunately, if relatives do not become licensed foster parents, they are not eligible for adoption assistance or some of the other benefits available to families who adopt from foster care, including reimbursement for home study and legal costs for the adoption.

Relatives who take in children through the child welfare system should be made aware of the various options for caring for the child, including the option of becoming a licensed foster parent if the child is in the state's custody. Agencies should not automatically steer relative caregivers away from foster care because they assume they do not want to be licensed or will not meet licensing standards. Nor should staff pressure caregivers into taking a child with no further agency

involvement by stating that if the child goes into care, there is no guarantee she will be kept within the family. Promoting licensed foster care is particularly important when risk and safety assessments find a moderate to high level of risk to the child and court and agency oversight is in order. Becoming a licensed foster parent is typically the only route to ensure families can receive adoption and guardianship assistance to meet the child's needs if the placement becomes permanent.

6. Support Research and Evaluation

Research on outcomes for children adopted by relatives is limited. One study conducted by Illinois State University's Center for Adoption Studies found that relative adopters gave the most positive responses to questions about overall functioning of the child. Relative adopters, as compared to foster parents and matched adoptive families, rated children as more capable in all domains examined including health, mental health, school performance, managing in the neighborhood and community, and functioning in the family. Kin adopters also reported significantly fewer behavioral and emotional problems among their children than did other adopters.³ However, the research was a cross-sectional survey and thus relied on self-report by families, so results should be interpreted with caution. Additional research is needed to fully understand long-term outcomes for children adopted by relatives.

7. Opt into the Federal Kinship Guardianship Assistance Program

For some relatives or the children in their care, adoption is not the best option. These include older youth who do not want to terminate parental rights, youth or caregivers who are reluctant to alter family relationship by terminating parental rights, or families where a strong attachment between the birth parent and child makes terminating parental rights undesirable. In these cases, states should ensure that subsidized guardianship is a viable permanency option. All states should opt into the federal subsidized guardianship program to ensure that this is a route to permanency for foster children when adoption is not appropriate. When implementing guardianship, however, agencies should ensure that both adoption and guardianship are explored to be sure caregivers are making the right choice for their particular circumstances.

1 Gebel, T.J. (1996). *Kinship Care and non-relative family foster care: A comparison of caregiver attributes and attitudes*. *Child Welfare*, 75, 5-18.

2 Hegar, Rebecca and Scannapieco, Maria (2005). *Kinship Care: Preservation of the Extended Family*, In *Child Welfare for the 21st Century: A Handbook of Practices, Policies, and Programs*, edited by Gerald Mallon and Peg McCartt Hess, p. 519.

3 Howard, Jeanne and Livingston, Susan (2003). *Children's level of adjustment in kinship, foster, and matched adoptions in After Adoption: The Needs of Adopted Youth* Washington, D.C: Child Welfare League of America.

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ChildFocus is a national consulting firm specializing in policy advocacy, strategic planning, organizational development, and government relations on a wide range of issues impacting vulnerable children and families. ChildFocus' partners have a special expertise on innovative kinship care policy and practice.
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