

Who is Who - Episode 11 Transcript

Jack 1:19

This is Jack and I'm here with Cat and today we're gonna talk about the who's who of the child dependency system.

So being part of the child welfare system. You and I both know there's so many different parties involved right

Cat

oh yeah it can be so difficult to get caught up.

Jack

Yeah and there's a reason for every person who's involved in the system.

But sometimes if you're a new foster parent, or you're a biological parent whose child has just been removed, it can be very overwhelming to figure out who is who.

So today we thought we would talk about who is who in the child welfare system when we're talking about dependency when a child has been removed from their legal guardian.

Who are the different players involved.

So obviously the primary person involved is the child. Sometimes that is one or more than one.

Usually, when removal happens they take all children in that home out of that home sometimes that doesn't always happen and you know one kid is left and another one is removed, but usually all children are removed.

Cat 2:29

Yeah it's true and I don't know that a lot of people know this, that sometimes someone will call it a referral of someone who's pregnant or something and unfortunately they can't take that call until the child is actually born so that's what that means by the child. So childhood doesn't start until day one of life, right outside the womb.

Jack 2:46

Right. So, the child is the person who is removed from the parent, sometimes there's one sometimes there's many has to be already birthed child.

Cat 2:58

. I've seen as many as like 15/16 and a family before.

Jack 3:03

Yeah. And, you know, sometimes they're able to be placed together sometimes they aren't but that is the primary player that is should always be the sole focus of any given case.

Cat 3:16

That's true.

The next important player is the parent, and that as the legal guardian of the child who is removed. This could be biological or adopted.

Jack 3:25

Right, almost all of my cases have been biological but I did have that one case where it was an adopted family it was really a relative that had adopted the child, and, and they were considered the parent in that case so, and sometimes the parent is, you know, a non offending party like if a child lives with one parent, and is removed from that parent and there's another parent involved, sometimes that parent can take custody, and sometimes they're not approved to take custody. But, you know, whether you've got one parent or two parents and sometimes there's more than two parents if you have step parent or other legal guardian.

Cat 4:05

Sometimes the non offending parent will live out of state which is one of the things that drags these cases on for so long, home studies will have to be done on the out of state parent.

Jack 4:15

right and then you've got, you know, for all of these partners that are involved locally, then you've got all these partners that are involved, you know, across the country and, it definitely take takes longer to accomplish goals that way. So the next player that we're going to discuss is CPI.

Cat 4:33

That's right in different areas. This player can be called different things like investigator. I'm

sure it's called different things in all different states but here in Florida we call it CPI.

Jack 4:44

Right, so the CPI is a person who investigates the abuse report, and makes a determination based on certain factors whether that child needs to be removed or whether the child can be given a safety plan so that the child can stay at home, and they can work with the parents to try and resolve the issues without removal happening and of course, often there are no indicators that the abuse is happening.

So then, you know they they finish their report and they leave.

You know in our area. The CPI is part of the sheriff's department but in many states around the country, they're actually part of the DCF system.

Cat 5:25

It's true I think we're one of the few states where CPI is part of the Sheriff's Department. And it's actually a small percentage of cases that ends in removal. Last I checked it was 5% But that was years and years ago.

Jack 5:38

Wow. Yeah and I think I was talking to a CPI recently and one of the things that I mentioned is, because what I've seen when kids come into care is oftentimes many attempts have been made to keep the child in the home, and I think a lot of people think that CPI is just out to like take your kids away, but really it's a last resort, and you know they're there, they're trying to work through. If they're really even is a problem they're trying to work through the problem with the family, to solve it without removal, and then they're trying to find a friend or family member to help out with caregiving for the child and, You know, obviously, when nothing else can be done the child is then removed and CPI handles bringing that child into foster care.

Cat 6:25

It's true, and sometimes that includes setting services up for the family, or it can even be seen I've seen referrals called in that a family doesn't have appropriate winter clothing for the child or the family doesn't have electricity. So sometimes, all they do is help them with their immediate need, and they call it family in need of assistance, and that's it.

Jack 6:51

I've actually had known of a couple of people where they had an issue in their home and they were concerned so they called CPI themselves on their own situation, and the result was

that CPI came out and help them solve their problems, whether that was therapy or getting them in touch with certain resources so you know CPI really is out there to just you know make sure everybody's safe and help when possible.

Cat 7:17

The next player is placement, so you have a lot more experience with placement than I do.

Jack 7:22

So placement is the partner that basically when CPI has to remove a child, they fill out a referral, and that is given the placement. They also call it intake at least in our area. Now placement receives the information about the child who was removed or the children if it's a sibling group and locates and matches that child or sibling group with someone to care for them so they're looking primarily for foster homes if the child needs a medical foster home, they'll will go to see who has a medical foster home with an open bed. If the child is able to go into traditional foster care they're looking for a foster home available that is willing to take a child that is of that age and that gender and, you know, worst case scenario, sometimes they have to place that child in a group home but yeah placements. Basically they take that intake from CPI after removal happens and find somewhere for that child to go.

Cat 8:24

That's right, and it's really good for a foster parent to have a good relationship with their placement people is that right?

Jack 8:29

Yeah, it really is because, the people that placement, they really want the best for these kids, you know, they have such big hearts, and which is you know, probably part of the reason that when they call me and so hard to say no, because I know how much they like, how much they care about that child it's just seeping through the phone, and then I just want to help, you know.

So, having a good relationship with the people that work in placement. I feel like is really important because they know my family, they know what works for us, they know what doesn't work for us. They know that you know if they send a child with a certain behavior, then that's not going to work well with my other kids. You know also they'll know when my kids are leaving, and when I'll have open space available.

So, I really love the placement team that I've worked with, and really appreciate them and, you know, my three kids who've been adopted, you know, when they were placed with me,

especially one because there was, you know, it was a very specific situation. And you know I always made sure they're invited to, you know adoption hearings. I think I've got a picture of one of them actually was able to come, like she got someone to cover for her at work and came to one of my son's adoptions and you know, I kind of picture the two of them together.

Cat 9:51

That's what I'm thinking of I remember you saying something like, I've got to answer this is the placement person who gave me baby Jack

Jack 9:58

Yeah, absolutely, and I always teased her I'm like listen you gave baby jack to me and, like, he's my world and, you know, I will always do whatever you ask me like you won me over when you place that child in my arms so yeah placement is a pretty special place.

So the next player involved is the caregiver, the person responsible for caring for the child on a day to day basis. Generally that's the foster home. The foster parents. You can also be a relative or non relative caregiver, basically whoever ends up being responsible for taking care of that child on a day to day basis, basically, substituting in for the parent until the parent is able to take the child back.

Cat 10:45

So I've seen relatives as young as like 21-22 years old, like an older sibling, you know, and they're just making it work. I've seen great grandparents, making it work.

And then if kids end up in a group home, those people are, they're working shifts, you know they're working eight hour shifts, taking care of those kids.

And so, I mean, the good thing about that is that means someone is usually on shift at night. But the bad thing is it means that the kids have less opportunities to bond.

Jack 11:15

Yeah well it's an institutionalize situation and you know we know from experience and from our country's history and other countries history what's happened to kids who live in an institutionalized environment. So, obviously, you know, we're not the biggest fans of them.

Cat 11:34

But generally it's a foster parents, or relative. Every now and then it can also be a facility for behaviors, right or juvenile detention facility.

The next thing we have is licensing.

Jack 11:52

Right so licensing is really, you know, there a lot of foster parents are like, who, who's here to help me everybody's here to help the child but like, I need help with a certain situation and no one's helping me.

The person who's there to help you as licensing everybody else is there for the child and licensing is there for the child to, you know they need to monitor the child and make sure the child safe and really a lot of licensing's job is to make sure we're doing our job,

You know I am on the phone doing video chats and having them in my house constantly checking to make sure my home is safe, talking to my kids to make sure you know everything is going well, and that everybody is being safe so licensing is responsible for both monitoring us foster homes, and also supporting as foster homes.

If I need access to a resource. If I need someone to help me get a kid in daycare if I need something and none of the other partners are able to access it for me. Licensing is who I would go to.

Cat 12:53

Yeah, they have a really important job. And not just supporting you guys, but you know when people, when I've heard people complain about the foster care system, you know like parents who've just had their kids removed or, or just other people in general because I've been in this field for a long long time, And they'll complain about something they've seen on the news or something they've heard through the grapevine about foster parents or, or our favorite myth that foster parents were doing it for the money, because now you're rich, for sure, and licensing they're there for us to make sure that the things that we see on the news, don't happen again.

You know, something happens, if a foster parent ends up not being a good fit, you know, they're, they're going through and they're saying what went wrong and how can we make sure this doesn't happen again. And sometimes what that ends up being is, You know better locks on medication or you know.

Jack 13:51

Yeah, that we they send out emails like every week or so, and every time they send out an email and there's like a new rule we have to follow we're like, oh, who did that like you

know there's a story behind every new rule and it's just that, you know, they're doing their best to keep everybody safe.

And that's like, everybody's biggest job is to keep these kids safe. And when that doesn't happen. That's really, you know, that's a failing on many parts but licensing is, you know, they're, they're there to keep the kids safe, they're there to make sure we're keeping the kids safe.

And even when there's more rules it's like there's a reason for those rules, you know, when they sent out an email like remember this guy's remember about to do this, and it's like, you look at it and you're like, Of course we don't think that's ridiculous. I sent out an email one time that was like, Don't leave your kids home alone and drive to school to drop off your other kids, like don't leave your infants alone. And unfortunately there was a story behind that.

Cat 14:51

Yeah, remember that.

Jack 14:54

you know they're there to keep the kids safe. They're there to make sure we're doing our job, but they're also there to support us when you know we need someone to tell us how to do something.

Cat 15:04

Yeah so licensing is a really important job.

Case management, so this is probably the role that we talk about maybe the most, or the, the role that has the most interaction with everybody, case management is probably also the most overworked other than CPI partner involved. Case management does almost everything.

They supervise visits, they create a case plan for the parents and the case plan is what helps parents get their kids back and select the contract for them to get their kids back, they manage that case plan, they monitor the parents progress which means, you know, sometimes making sure that they're popping in to do drug tests, this means calling the agencies and the resources and making sure that they're doing what they're supposed to be doing checking in with the parents,

Jack 15:57

checking with their therapist, checking with their classes and any drug rehab programs, constantly like they cause everything that the parent has to do, the case manager has to check, make sure they're doing it, see how they're doing it, check in with the parents talk to them.

A lot of the times when they first give the case plan to the parents, the parents may not understand it's very overwhelming when your kids first come into care to understand all the different things and factors and what's going on, especially if you've got a problem, like a dependency problem where you might not be coherent all the time, so oftentimes the case manager is giving the case plan and explaining everything over and over and over.

Cat 16:39

Yeah and you know they're helping them overcome their obstacles like if they don't have a vehicle the parents don't have a vehicle they're giving them bus passes, right, if the child is far away from the parents, they're just helping them overcome all of those obstacles that they can get their kids back.

And so, in an ideal world, they would be a support to every party in the situation, and then ultimately they have to report to the court at every court hearing.

Jack 17:01

Yeah, and they also have to come and check on the kids very regularly like they have to come and lay eyes and talk to the kid, make sure they're getting everything they need make sure they're safe.

So while licensing is making sure foster parents are doing their job, case management are also directly doing that for each specific child.

Cat 17:20

Right. And so sometimes case management will have just dozens and dozens and dozens of kids.

Jack 17:28

Well I think that there is a limit on how many cases they can have, but not a limit on how many children they can have assigned to them.

Cat 17:34

So I was in Florida, right. And I don't That's a rule you told me I don't know that firsthand,

but I believe you.

Jack 17:41

I you know I'm not a case manager so I don't know all the laws about case managers and we can ask when soon. When they come in here and chat with us. However, I'm pretty sure there's a limit on how many case plans but not a limit on how many kids. The reason that is a problem is a lot of these case plans might have anywhere from five to 15 kids on it. So then you're dealing with a situation where, okay, you could only have this many cases but then, let's say two of your case plans have like over eight kids on it, and let's say they're separated in two different counties. So the work gets to be a lot more then.

Cat 18:19

It does, and you've got to do sibling visits and your parent visits and all that.

In Texas, the role was. They didn't want us to have more than 16 to 18 kids, but we often had well over 30. And so, I can't imagine having more than 30 I think there was someone that had over 40 once, which is a lot.

Jack 18:42

Well, especially when you consider that case managers, each individual case manager is legally responsible for that child.

So, like, I think we heard in the news at some point where something happened to a child while they were in care, and like the case managers can be sued, they could they could go to court and be criminally held responsible for the children.

So, even though they're not the one caring for the child's day to day needs. It's almost like they're a parent to that child their legal guardian, making sure they. And if everything isn't okay. They're responsible.

Cat 19:16

Yeah and I mean these. There's a reason for that. You're taking kids away from their family.

You can't just drop them off in a home and say, Okay, we'll see you later, you know, someone has to be responsible, while those parents are getting, or I'll like rephrase, someone has to be responsible while permanency is found for those kids, which is kind of an emergency, you know, all these kids are in limbo and so, yeah, it wasn't that long ago when Rilya Wilson was that running Rilya Wilson,

Jack 19:47

I believe so, yeah.

Cat 19:50

When missing, and nobody had visited her and a long, long time. Nobody knows, case manager had visited and that was a crisis in Florida that case managers weren't visiting kids and I don't think it was out of negligence, I think it was out of literally no minutes in the day. Yeah, which is why I think a lot of reform has taken place.

Jack 20:11

We can get better, we definitely need to get better. I know when I talk to my kids, case managers, they're always like they care about these kids, they just don't always have enough time to do what they do.

Cat 20:21

kids there's no time and they're under a lot of pressure from all like, not just from judges not just from parents, from supervisors from their own policies and I remember our when I worked for the state, there were also overtime rules, you know, so how can you see all these kids who are all over the state of Texas, but there were also rules about how many hours we could work to, there's just a lot of pressure so I can, I can imagine that, how difficult it is,

Jack 20:49

yeah, it's definitely one of the primary players they you know they have to go to court and when the judge is not happy about something that hasn't been done or has been done. They're the ones responsible for it.

Cat 21:02

And, you know, I would say one of the changes in recent years is that judges don't handle case management with kid gloves anymore

Jack 21:09

Oh no I mean, I it's usually when you know with COVID We're doing court virtually so you sit in a waiting room until your hearing is ready and then you go in.

However, previous to that, like, I would go to court and you know you would wait for your hearing to come but there might be, you know, five, six to 10 hearings before you, and you know a good portion of the time, case managers were getting chewed out and, you know, depending on the judge you know they're, they, they understand the limitations but, but

also sometimes you're sitting there and you're like, how did this not get done like I was here for my kids court last month and I heard them telling you on your case that you need to do this,

Cat 21:54

I think that all the time too with some of my kids that I have now, you know, I don't know, it's, but I do have compassion for them too.

Jack 22:02

Oh 100% I don't know how they do. And the other thing is that often when I have case managers, they're usually because of the high turnover, it is such a stressful job. They're usually very young, they're usually right out of college, and to have that kind of pressure I know you've talked earlier about being a case manager, and what that pressure was like for you at such a young age to like have these children's lives in your hands and you know they're permanency in your hands.

I can't imagine what that's like at that age, you know I was barely you know, functioning like a human at that point in time so I definitely have all this empathy in the world for them. It's just, it's so, it's a hard job for anybody and so often they're so young and so an experienced, like if they haven't had kids, but they're telling these parents how to handle their kids.

Cat 22:53

And you know I have worked with some excellent case managers like really good ones really really good ones so there's probably a personality type out there that handles that job well, You know, if they could take a cookie cutter and make a million of those guys that would be great.

Jack 23:11

Yeah, definitely need more. There aren't enough, and it's a very hard job.

Another player that we have talked extensively about is the guardian ad litem. Now, in other areas, it's called a CASA, and there might be other terms in other states. However, this is the unbiased third party representing the needs and desires of the child.

They visit with the child, they make sure that the kid is getting what they need, they make sure the child is safe in the home, they visit the child in the home, they visit the child in school, they report to court on, you know what they're seeing on the child, they report to court, any, any needs that child has.

And also in certain situations when the child is older, that you know the child might be expressing you know I really want to have more visits with my sibling, I really want to get reunified. I really want to be adopted and not go home I don't feel safe there. And the Guardian is someone that they can. When that Guardian has a good relationship with them and they feel safe with them the Guardian is someone they can give this information to and the Guardian can relate to the court without having skin in the game.

Cat 24:21

It's true, and they, they help really identify some of the more like fine tune needs of the child like if it's childhood benefit from some extra curricular activities, often the guardian ad litem will help say hey this is a kid who probably need to be running around a little more after school, let's get them into soccer. I've seen them do some of that. And sometimes they can help with things like facilitating visits with parents and things like that. So I've had mostly good experiences with guardian ad litem.

Jack 24:52

Yeah, I love my gals.

Cat 24:54

Yeah. The next player on our list is the attorney representing the state, so this is the attorney that's fighting for the child's best interests at court.

Jack 25:04

Right so, at least in our area this is an ASA an assistant state attorney, and this is the person who is, you know, it's the attorney who is standing there on one side, usually with the case manager, discussing what their recommendations are. And basically everybody who's fighting for the child, the case manager, the gal, the assistant state attorney will argue the court for the child's best interest.

Cat 25:36

So, sometimes they have more or less involvement in the child's life, but usually it's not a whole lot.

Jack 25:40

No, I, you know, as a foster parent. None of my kids have ever met their assistant state attorney.

Oh, that's not true. One of them did, she was older and she went to court, sometimes.

But I don't think really any of my other kids have met the state attorney so the state attorney is basically not looking at the child but they're looking at facts, what were the conditions of removal. What has the parent done to rectify them. The assistant state attorney, even though they're, they're fighting for the best interest of the child. They're really determining whether the parent has done what they're supposed to do and made the changes to bring the child home safely.

Often, many of the parties aren't even allowed to contact the state attorney, because that would be a conflict of interest. There are situations where the foster parent can provide information to the state attorney, there's opportunities for foster parents to fill out forms that the court sends out to provide information, but the state attorney, they're the one who if a child needs to be TPRed which is when you terminate the parental rights, they're the one who fights for that to happen, or when the child is ready to be reunified they go to the court and say you know this child's ready to be reunified the parent has completed their tasks, and that's our recommendation to the court.

Cat 27:09

Okay so the next person on our list, the next player is the judge. The judge is the overseer of the court process, they make decisions based on the best interests of the child's

Jack 27:20

right so, you know, when I was whenever I've watched TV and there's court going on, everything's always decided by juries right, but in dependency system at least as far as I've ever experienced, it's all everything is always decided by the judge. So everybody brings all of their information at the table, the judge decides what they're going to do based on that information, and the judge may ask questions during the court hearing of the various parties, and use that information as well to make a determination, but we always say something we always say in our houses. On any given day in court, anything can happen.

So, you know you don't want to presume, one thing or another is going to happen regardless of whether the case manager or the Guardian is saying, Oh, this is going to happen. Oh that's going to happen licensing is saying, Oh, this will probably happen. Anything can happen when you go to court. So regardless of what you're looking at and what you're thinking might happen.

The judge might know something that you don't the judge might see something differently than you do. And the judge can make any decision on any day.

So any day that you go to court, a child could be reunified. And that's you know what we always say is like, you know when you're like oh I love this kid just remember on any given day in court, you know, that judge could reunify that parent and, and that's really a good thing and doesn't happen enough but, you know, just keeping in mind that everything really in dependency is in the hands of the judge that is overseeing

Cat 28:53

Yeah it really is. Judges can do anything they want to. The times that I've seen that happen the most is when family members have a home study that's denied, and then they go to court, but the judge will overturn that denial.

Jack 29:04

I have seen that happen so many times. In fact, I also have had a situation where, case manager and a guardian ad litem was saying that the children were not ready to be home to go home. You know, I felt like the children were ready to go home the parent had done everything on the case plan, you know, what more can you ask of them other than everything that they've done. And especially if they're not making bad choices anymore.

So everybody was recommending that the children don't go home, but they went to court and the judge looked and said she's done everything. I'm absolutely going to send her home. So, they're the end all be all the - the judge determines what happens to that child and what happens with those parents.

Cat 29:50

So the last player, and there are other players who are just the most critical ones that we have listed the parent attorney.

This is the attorney representing the parents, and they are fighting for the parents requests and they're just making sure that nothing is overlooked for the parents, they're making sure that the parents rights are not being violated the caseworkers are doing what they're supposed to be doing, they're making sure that it's fair.

Jack 30:15

Well for one thing, it's so overwhelming for birth parents when their children are first removed and they're thrown into this court process. It's really important for that parents attorney, to be able to explain things to them like, these are the things that are happening. This is what they mean, these are your options, and also to stand up there for them in court, and, you know, fight for the things that they're asking for, because everybody else is fighting for, you know what they think is best in this particular situation, that, you know, and

often here's the other thing, often the parents are so emotional.

So we're talking, talking about their kids here is important for someone who isn't emotionally invested, such as the parent of a child to be able to stand before the judge and all these people and say these are the things that we want to happen. This is what we think is fair, because for the parent to have to do that for themselves, isn't reasonable because, they're not used to court, usually they don't know what their rights are.

And a big part of it is because we're talking about your kids here like you're talking about my kids I'm going to animal on you, and you know this is someone who's had their kids completely taken out of their life for that moment, so of course they're going to be emotional, and to expect them to be reasonable and professional and ask for the things they want and know what they are, what rights they have is asking a lot so it's really important for them to have an attorney who is, you know, an advocate for them and advocate for their rights and making sure that, you know, their kids are getting contact with them and visits, you know when it's time for those kids to go home that they're going home.

Cat 32:01

Exactly. It's someone who can help them navigate the court system and and speak for them, like for instance often parents will be given the right to, you know, an hour visit a week or 2 hour visits a week, and by the time I get to them when I'm writing a CBHA or something, their child has been in care for over a month and they haven't had a single visit. So, an attorney is someone who can help them really make sure that they're getting that visit that they are supposed to have,

Jack 32:29

Right, and usually this is an attorney who's appointed by the court during one of the initial hearings. Every once in a while, a parent will hire a private attorney as their attorney to represent them in court but most of the time they're being appointed by the judge in the courtroom.

Cat 32:44

And I remember when this change took place, and that was, I think that was a really important time because you know parents really everybody has an attorney Child Protective Services has an attorney, the child has an attorney, and then the parents are alone and if this was a parent who couldn't even, you know, their mental health was suffering and they couldn't even clean their house, imagine how difficult it is to now navigate the court system, and that growth, but someone who's struggling with drug

abuse is barely you know getting through their own rehabilitation, how overwhelmed,

Jack 33:22

even being a foster parent for quite some time, doesn't really teach you everything you need to know about what's going to go on in a courtroom and I learn things all the time. And you know I've been doing this for years so someone who is in the middle of having their kids removed, can't be expected to navigate that alone,

Cat 33:31

Right, it's true, so they really need to have that person in their corner so

Jack 33:36

yeah so those are all the main players and, you know, we'll talk more about them soon but you know we wanted to have a quick overview on that so thank you for joining us.

Cat

Thanks again.