

**Statement of Hope Cooper, Senior Program Officer,
The Pew Charitable Trusts,
Before the Subcommittee on Income Security and Family Support
of the House Committee on Ways and Means**

**Hearing on Improving the Child Welfare System
Wednesday, February 27, 2008**

Chairman McDermott, Members of the Subcommittee, thank you for your invitation to testify today. On behalf of The Pew Charitable Trusts and the national Kids Are Waiting campaign, we applaud you and your colleagues on the Subcommittee for your dedication to improving the lives of children in our nation's foster care system, and for your determination to ensure that all children in this country have the safe, permanent, loving families they deserve.

In 2003 Pew launched a national initiative aimed at finding ways to reduce the number of children languishing in foster care without permanent families. To date, we have invested more than \$23 million towards achieving this goal. The initiative began with the work of the Pew Commission on Children in Foster care. In 2004, after more than a year of intensive study, the commission issued a report with policy recommendations for state court and federal financing reforms. Thanks to leadership of this Subcommittee and action by Congress in 2006 to set aside \$100 million in court improvement grants, many court reforms have been embraced by judicial leaders nationwide and courts are actively working to improve accountability and case tracking systems. Less progress has been made on federal financing reform, but we are heartened by the introduction of your bill and the Subcommittee's commitment to reforming the child welfare system to better promote the safety, permanence and well-being of vulnerable children and youth.

We are pleased to see many of the child-centered principles laid out by the Pew Commission on Children in Foster Care represented in the *Invest in Kids Act*, as well as other legislation introduced in the 110th Congress. These proposals have the potential to correct a number of unintended but serious inequities in current child welfare legislation and will serve to strengthen families and reduce the number of children in foster care, ensure that all children in care receive the services they need, and support relatives who provide permanence for children through guardianship.

This evening, after this hearing is over and this room has gone dark and silent, more than half a million American children will go to sleep without their parents at their bedside. Foster care can be life saving for some of these children, removing them from situations where abuse or neglect have occurred. But far too many children who are victims of abuse or neglect do not experience foster care as the temporary solution it is supposed to be – instead, they spend years in foster care waiting to return safely to their families or join new families through adoption or guardianship.

“Growing up in foster care, a tiny, tattered yellow vinyl suitcase always accompanied me while I switched families, rules and routines,” said Aaron Weaver, from Nebraska. “I hated that suitcase. Packed and ready to go, it was a constant reminder of how unstable my life was and how the threat of moving made every day uncertain.”

Jelani Freeman of New York echoes this uncertainty. He spent more than a decade in foster care and recalls, “Every day when I got home from school, I would check to see if my bags were packed.” That’s how he knew he was moving to yet another new placement.

On average, children spend more than two years in our nation’s foster care system, move to three different homes, and are often separated from brothers and sisters, friends, teachers, and familiar schools. In 2005, more than 24,000 youth leave the foster care system completely to live on their own, “aging out” with no support system.

We must not allow this to continue.

Like the recommendations by the Pew Commission on Children in Foster Care, the *Invest in Kids Act* addresses the core, systemic problem of the current federal funding mechanism for child welfare. That problem is an over-reliance on foster care at the expense of other services to keep families safely together and to move children swiftly and safely from foster care to permanent families, whether by safely reuniting them with their birth parents or by adoption or legal guardianships. While there may be some differences in the approach recommended by the Pew Commission on Children in Foster Care and that of the *Invest In Kids Act*, we enthusiastically support improvements to federal child welfare financing that accomplish the following: preventing foster care; supporting permanent families through guardianship; eliminating barriers to adoption; and eliminating the outdated income eligibility test.

Preventing Foster Care. During the next hour, 36 children will be removed from their families and enter foster care. Arguably, many of them might be able to stay with their families if we were doing a better job of preventing child abuse and neglect.

In 2005, there were nearly 900,000 confirmed cases of child abuse and neglect, yet 40% of those children failed to receive any services or supports to prevent abuse or neglect or remain safely with their families.

Last year, the federal government spent \$7.2 billion to support our nation’s child welfare system. But the bulk of this funding (approximately 90 percent) was allocated to foster care and some adoptive services instead of adequately supporting proven and cost-effective alternative services that can help keep children safe, strengthen families and, in some cases, prevent the need for foster care. Due to the this financing straightjacket, states are greatly limited in their ability to operate programs that help families before a crisis occurs or reunification services that can help keep children safe and strengthen families.

Imagine the anguish caused to both parents and children, when families are separated and children are placed in foster care. Eprise Armstrong from Indiana recalls, “I was five, and my family was being ripped apart. I was scared. My mother was alone, too. I remember her. A broken young woman blurred by my tears, she stood in the middle of the street and watched as two cars drove away with her life.”

We believe that the federal government should partner with states in supporting programs that strengthen families, keep them safely together, and reduce the number of children who must enter the foster care system. A growing body of evidence, from states and cities and counties across the U.S. – Spokane, Washington; Baltimore, Maryland, and Alleghany County, Pennsylvania, among others - suggests that a broad array of services can decrease the incidence of abuse and neglect, keep children safely with their families, and lessen the need for children to enter foster care – while at the same time lowering the costs of care per child.

“Nothing can replace your mom. My mother is a good woman, and she loved all of us,” said Jennifer Gibson, who was in foster care in Utah. “My mother needed addiction treatment, parenting classes and jobs skills training. The entire family needed counseling. All of those things beforehand would have kept us out of care in the first place.”

Providing states with flexible, reliable federal funding that would help support a broad continuum of services needed by at-risk children and families is essential to keeping children safe, promoting their healthy development and well-being and strengthening families who, with assistance, can give their children the love, support and nurturing parenting that they need.

“If I could wish for anything it would be that our family could have gotten help sooner,” said Stephanie Lopez Smith, who entered foster care in Washington State and was successfully reunited with her family. “I don’t know what life would have been like if I had stayed in foster care or been adopted, but I know if I didn’t have my family around me—my mom, my brother, my grandparents, and my cousins—I would be devastated. My family means everything to me.”

Supporting Permanent Families through Guardianship. Many children in foster care find the safety, stability, and security they need in the homes of grandparents and other relatives. Research shows that children in foster care who live with relative caregivers are more likely to remain in the same schools, close to friends and in familiar surroundings, and are more likely to be placed with their brothers and sisters. Living with grandparents and other relatives often allows them to stay connected with friends, family, and their cultural heritage.

”Unlike many children in foster care who suffer the loss of family members at a young age and experience an overwhelming sense of abandonment, I was fortunate,” said Nicole Demedenko, from California. “My grandmother gave me support and encouragement in every way she could, so that I would become successful. Having a family, in my grandmother and siblings, has been the only thing that kept me going.”

Research demonstrates, however, that relatives of children in foster care are more likely than non-kin families to need financial assistance to meet the children’s needs. Many are older and living on fixed incomes, and few have budgeted the unexpected expenses of raising more children.

Yet, grandparents, or other relatives, who want to provide a permanent home for children in foster care may lose the financial assistance they receive as foster parents if they become the children’s legal guardians. As a result, many children stay in the foster care system longer than necessary, so caregivers can continue to access the funds they need for food, medicine, and clothing and provide the children with critically needed health and educational services.

Federal assistance should be available to relatives who create stable, loving families through legal guardianship. The benefits of subsidized guardianship are immediate for children who are able to leave foster care to become full members of their relative families and who no longer carry the label of “foster child.”

Eliminating Barriers to Adoption. Currently, federal adoption assistance is available only for certain children in foster care. Children may receive federal adoption assistance only if it was initially determined when they entered foster care that their birth parents were poor enough to meet the income test of Aid to Families with Dependent Children, a program that was dismantled more than a decade ago and has not been adjusted for inflation, or if they meet the requirements of the federal Supplement Security Income program.

When children are not eligible for federal adoption assistance, they may face additional barriers to adoption. Most of these children have physical, mental health, and development needs that require ongoing services; without financial support many adoptive families may lack the resources to meet these children’s special needs. A recent study found that 81% of adoptive parents said adoption assistance was important to their decision to adopt, and 58% said they could not adopt a foster child without support to meet the child’s special needs

A few years ago, Alissa Tschetter-Siedschlaw and Sean Kearney from Iowa were considering adopting a little girl with hydrocephalous, mild cerebral palsy, lung disease, and other serious medical issues. When they learned there was adoption assistance to help pay for needed medical treatments and therapy, Sean said, “It moved us from thinking, ‘Can we financially make it work?’ and put the focus back where it should be—‘Can we love and care for this child? That was never in question!’”

Each child in foster care who has a goal of adoption deserves an adoptive family. And, each child with special needs awaiting an adoptive family deserves federal support, so that an adoptive family is able to step forward for the child. We must ensure that no child in foster care is denied a family because the necessary financial support is not available.

Eliminating the Outdated Income Eligibility Test. All abused and neglected children deserve to be protected by a foster care safety net. In addition, federal policies should require concerted efforts to ensure they leave foster care to permanent, loving families. The responsibility for these children should be a shared federal and state responsibility. However, thousands of foster children and the states responsible for them are not receiving crucial help from the federal government.

The vast majority of children enter foster care because of abuse or neglect. Each child who has experienced this trauma and loss needs a full array of services and supports. Linking children’s eligibility for federal support with the income of the child’s birth family makes little sense. Yet, under current law, the outdated linkage of federal foster care support to a defunct program is resulting each year in fewer of our most vulnerable children being eligible for federal assistance each year. In 2005, less than half of children in foster care were eligible for federal support, leaving to states the full responsibility for providing for these children’s many needs.

Conclusion. Now, more than 10 years after the passage of the groundbreaking Adoption and Safe Families Act (ASFA) we recognize there is still more work to be done. We must build on the successes of ASFA and honor the long-standing, important partnership between the state and federal government to ensure the safety, permanence, and well-being of children in our nation's foster care system.

For the sake of the 500,000 children in foster care today and the nearly one million children nationwide at risk of experiencing abuse and neglect during the coming year, we must turn our attention to ways to protect them and promote safe, loving families for every child.

Pew's Kids Are Waiting campaign stands ready to support the Subcommittee's efforts to achieve this goal by making critically important changes to current child welfare policy. The time for real, lasting and meaningful reform is now.