

## FAMILY SEARCH AND STABILITY ACT

**ABUSED KIDS IN CRISIS** The number of children in foster care is increasing. Children are sleeping in government office buildings as the need for foster families outstrips the supply. The goal of the Family Search and Stability Act<sup>1</sup> is to place abandoned and abused children with caring relatives as soon as possible. Second, if relatives are not willing or able to take in the children, the Act seeks to minimize the number of times the children will be moved.

### KEY ELEMENTS



Requires child protection agencies to comply with the federal law<sup>2</sup> mandating a diligent search for a child's relatives within 30 days from the time the child comes into foster care, and requires that the child welfare agency file proof of these family search efforts with the court;



Provides that the court can consider a foster family as an adoptive placement if a child has been in their care for nine months or more.

#### MOST STATES

VS

#### FAMILY SEARCH & STABILITY ACT

Federal law requires states to provide notice to all adult relatives of the child within 30 days.

Compliance with the federal relative search requirement is rarely enforced.

State laws often permit child welfare agencies to move children from longtime placements without consideration of whether the move benefits the child.<sup>4</sup>

Agencies regularly remove infants and children from the foster families they have known since birth, or have lived with for several years, to distant relatives they don't know.

Requires child protection agencies to comply with the federal law.

Ensures compliance by requiring agencies to not only document efforts to find relatives, but also requires the search efforts to be filed in the child's court case, allowing oversight by the judge and other parties.

Reduces arbitrary agency actions by providing judicial oversight before moving a child from a longtime, stable home.

This option helps kids by finding relatives immediately. The Act also legally recognizes the significant relationship an infant or child may have with the foster family after nine months. This reform allows courts to presume that remaining in a stable home is best for the child.

*"Each time a change in placement occurs, a child's world is turned upside down. They learn that relationships do not last and cannot be counted on... Research indicates that, especially for maltreated children, even one foster placement disruption can be harmful and associated with future serious social and psychological problems. Disrupting young children from stable placements should be considered only when it is clearly in the child's best interest to make a change. This reform recognizes, emphasizes, and prioritizes the importance of stability of placement and relationships for the well-being of young children."*<sup>3</sup>

- Charles H. Zeanah, M.D., Tulane Medical School Chair and Professor of Psychiatry and Pediatrics, Director of the Institute of Infant and Early Childhood Mental Health, former Board Member of Zero to Three