

Appendix 2: Useful Child Welfare Terms

Best interest of the child: The central focus in decision making about a child should be the child's needs rather than an adult's, court's or government's needs. Considerations should account for the child's immediate and long-term needs and, where possible and appropriate, should involve children in the decision making about what will happen to them. This concept is sometimes described as mentally putting oneself into the child's "shoes" to decide what the child would want for his or her future.

Child abuse registry: Most states have a centralized place for tracking the names of people who are found to have abused or neglected a child (such registries are based on investigation findings, not merely allegations). These registries may be checked when people apply for jobs involving children, such as school and child care employment. Each state has a different registry system. Legislation passed in July 2006 will create a national child abuse and neglect registry (still being created at the writing of this toolkit). Links to state sex offender registries, including information about those who have sexually abused children, can be found at: <http://www.prevent-abuse-now.com/register.htm>

Child maltreatment: This is another way of saying child abuse and neglect.

Child protective services (CPS): The state-by-state system of services for assessing and addressing child safety and risk of harm issues. CPS agencies typically receive, investigate and report on allegations of child abuse and neglect.

Concurrent planning: Making simultaneous plans for family reunification and a permanent out-of-home placement, so that children do not suffer placement delays if family reunification does not ultimately occur.

Court order: A legally binding document describing a judge's decisions, instructions or directions.

Cultural competence: The ability of individuals and systems to respond respectfully and effectively to people of all cultures, classes, races, ethnic backgrounds, sexual orientations, and faiths or religions—recognizing, affirming, and valuing the worth of individuals, families, tribes, and communities, and protecting and preserving the dignity of each.

Custody: The adult or agency that has the legal responsibility to care for, make placement and other major decisions about a child.

Domestic violence: Violent or abusive behavior—whether physical, sexual or psychological—between people that live together. Domestic violence may result in the removal of children from home for their own protection.

Emergency placement/removal: If a CPS worker finds that a child is not safe in his/her home, the child may be taken out of the home temporarily as a protective measure and placed with a relative, foster home or shelter on an emergency basis. Such decisions will typically be reviewed by a judge to see if the child can return home.

Emergency shelter care: A temporary placement, usually in an institutional setting rather than a home-like setting, designed for short-term use while a more permanent long-term placement is arranged.

Family foster care: Substitute care provided by another family who has been screened, licensed and trained to care for children who are separated from their parents for a variety of reasons.

Family group decision making: An approach to planning for a child's placement and safety needs that emphasizes the decision making role of the child's immediate and extended family members, who meet and develop a concrete plan for the child's safety and permanency needs, for review and approval by professionals and government representatives involved in a case. This model of child welfare decision making may work well with refugee groups due to the increased family involvement and incorporation of cultural variations and perspectives.

Family preservation: Intensive short-term services to a family in crisis, typically delivered in the home to prevent the removal of children from the home or to facilitate family reunion.

Group home: A type of substitute care, more often for older youth, that provides a homelike setting in which unrelated youth live under the care and supervision of house parents or staff.

Guardian *ad litem* (GAL): An advocate for a child, usually appointed by the court, who is designated to look out for the child's best interests. A child's lawyer, by contrast, is bound to do what the child requests, which may differ from what is considered best for the child. For example, a boy may ask his lawyer to reunite him with his parent, but the GAL may recommend an alternate placement due to the parent's substance abuse or history of domestic violence.

Guardianship: The process of giving legal responsibility for the care of a child to an adult who is not the child's parent. Guardianship allows the caretaker to make important decisions for a child that a parent would usually make, such as medical treatment and education, but it does not end the rights of the birth parent. Guardianship is usually established by a court and ensures that a responsible adult is looking after a child.

Home study: An intensive examination of the home and family with which a child will live, whether for adoption, foster care, kinship care or guardianship. Home study requirements will vary from state to state but typically examine overall living conditions, physical safety within the home (ex: guard rails on stairways, fire safety), ages and backgrounds of all household residents, sleeping arrangements, discipline methods, etc.

Investigation: The information gathering process used by CPS workers following a report of child maltreatment, in order to determine if child abuse or neglect has occurred. This may involve interviews with the child (if possible), the parents or caregivers, relatives and others who know the child such as neighbors, teachers, doctors or childcare workers.

Juvenile justice: The system of courts and services designed to work with youth who get into trouble with the law.

Kinship care: Substitute care provided by a relative. In the child welfare system these placements have the formal recognition of the court, but more often they are informal arrangements made within families or communities. Relatives do not usually receive financial help from the child welfare agency unless they are licensed foster parents.

Mandated reporters: People or professions required by state law to report concerns or incidences of child abuse and neglect. Each state establishes its own laws, with some states designating all residents as mandated reporters and other states designating specific professions that come into contact with children, typically social workers, medical and mental health professionals, teachers, and childcare providers.

Parens patriae: The legal notion that government has the responsibility to protect children when parents fail to do so.

Permanency planning: The process of determining a stable, long-term placement for a child in substitute care, generally overseen by a court. The Adoption and Safe Families Act of 1997 created a greater emphasis on permanency at a more expedited pace. Concurrent planning for family reunification and for alternative long-term care is now more common, if family reunification is not feasible within timelines.

Reasonable efforts: The steps that child welfare agencies must take to prevent children from being removed from their homes, to help removed children return home, and to help children find other permanent homes if they cannot return to their own families. The Adoption and Safe Families Act (ASFA) clarified that reasonable efforts emphasize children's health and safety but it allows states to specify what actions count as reasonable efforts.

Residential treatment: Intensive institutional care, usually short-term, in a state-licensed 24-hour care facility for children needing special emotional, behavioral, physical or mental health services.

Substitute care: Any out-of-home placement for a child where care and nurture is provided by someone other than the child's parent or usual caregiver, such as foster care, kinship care, group home care, or emergency shelter care.

Termination of parental rights (TPR): The court decision made by a judge to end the parental rights of birth parents so that a child can be freed for adoption.

Definitions for this section were compiled from:

- 1) BRYCS (2003). *Guardianship Fact Sheet for Staff Assisting Refugee Families*.
<http://www.brycs.org/clearinghouse/clearinghouse-resource.cfm?docnum=0527>
- 2) BRYCS (2004). *Serving Foreign-Born Foster Children: A Resource for Meeting the Needs of Refugee Youth and Children, Appendix 9: Glossary*.
<http://www.brycs.org/clearinghouse/clearinghouse-resource.cfm?docnum=0759>
- 3) CWLA. Web page on cultural competence.
<http://www.cwla.org/programs/culturalcompetence>
- 4) CWLA, et al. (2003). *A Family's Guide to the Child Welfare System: Terms You May Want to Know*. <http://www.brycs.org/clearinghouse/clearinghouse-resource.cfm?docnum=0983>
- 5) Therapistfinder.net Mental Health Journal (2001). *Domestic Violence: An Overview*.