



Bridging Refugee Youth & Children's Services

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Using Family Group Conferencing to Assist Immigrant Children and Families in the Child Welfare System

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Introduction

An often underused but vital resource in the field of child welfare is the extended family and community—maternal and paternal grandparents, aunts and uncles, cousins, friends, community supporters, members of the same ethnic group, and others. Families and those close to them hold numerous resources—oftentimes unknown and untapped—that have developed through these groups' knowledge, strengths, and connections with each other.

The principles underlying family group conferencing (FGC) recognize the necessity of gathering and empowering the broadest group of family members to use their knowledge, history, and strengths to develop creative plans, identify resources, and develop partnerships that will help resolve the child protection concern. This approach typically results in the family and agency making the best decisions possible on behalf of children. It also acknowledges that families hold the capacity to be responsible for the well-being of their children. With this in mind, all children, including those whose extended families reside outside the United States or have a parent or caregiver who cannot freely move across borders, deserve the opportunity to have family members come together to create plans ensuring their safety, permanency (including placement), and well-being.

U.S. child welfare systems face particular challenges when working with children from immigrant families because they often have complex and unique needs. Many immigrant families are of mixed status, meaning that some members may be residing in the United States on a visa or green card, while others may have no legal documentation at all. Children in immigrant families gain U.S. citizenship when they are born in the United States, and are therefore eligible for social services specific to children. Many immigrant families may have resided together within the United States before being separated—forced to leave because some

family members have stayed beyond their eligibility. As a result, some or all of these family members may be deported. Additionally, a number of immigrant-born family members may have never left their countries of origin, and may not know or have ever met the children in their families who were born in the United States. Due to their migratory or deportation experiences, many families may be fearful of working with any U.S. agency and may make themselves difficult to find. This makes the goal of extended family involvement in child welfare case planning very difficult.

In examining how the child welfare system manages the challenges of connecting children with family members in countries beyond U.S. borders, it is critical to note the federal government's profound focus on family engagement to achieve positive outcomes. It has become increasingly important for child welfare systems to broaden their approach to include processes that foster the preservation of family connections. FGC has proven to be an effective means to involve, engage, and encourage permanent connections with the broadest family constellations. This paper highlights the key factors for consideration in using FGC as an approach with children whose families traverse national borders.

Case Study

Melissa Proctor with Casey Family Programs (CFP) in San Diego, California, provided a case study to highlight how critical a shift in thought and practice is and how FGC can be used to safely maintain family connections for children.

Francisco, a 15-year-old boy, was born in the United States but grew up with his father in Tijuana, Mexico. Francisco's mother is deceased. Francisco's father worked on the U.S. side of the border when Francisco was about 10 years old. Francisco's father went to work one day and never

¹ There are many family engagement approaches that could be implemented to plan with children and families across borders. For this paper, because those interviewed most frequently used FGC across borders and within their regions, it is the central family engagement model referenced throughout.



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returned. Francisco cared for himself and waited for his father's return until an adult noticed he was always alone in the community. That adult turned him in to *Desarrollo Integral de la Familia* (DIF, the public social service agency in Mexico); however, Francisco had been born in the United States, and was therefore considered a U.S. citizen. He was transported to San Diego and placed in foster and group home care for the next 5 years. CFP took on his case as a test, hoping to find his family members and reconnect them with Francisco.

After researching how to find someone in Mexico, the FGC facilitator/coordinator, who prepares families and facilitates family group conferences, was able to locate the necessary information on a report from Immigration and Naturalization Services (INS) pertaining to an arrest of Francisco's father at the U.S. border. The report in the case file stated that the father had tried to bring someone with false identification into the United States in his car. This arrest led to the father's incarceration in the United States.

When San Diego's Health and Human Services Agency (HHSA) began communicating with Mexican authorities in an attempt to find the father, it was determined that he was actually in the United States. An inquiry was made with INS regarding his detention, but there wasn't any follow up to find out that the father had been detained at a U.S. facility—nor was there any evident effort to search for his family in Mexico. After the coordinator located an INS report in Francisco's case file, this information was used to request a search for additional information on Francisco's family by the International Liaison Office. This office helps officials from both sides of the border access systems in each country to aid in the search for parents, relatives, and other children. With the assistance of this office, the coordinator was able to locate and contact Francisco's father. The coordinator learned from the father that after his release from jail, he had returned to Mexico to find that Francisco was gone. Although he searched for Francisco, he had not been able to find him.

After finding Francisco's father in Mexico, a family group conference was convened in Tijuana to make some decisions regarding Francisco's visitation with his family, future placement options, and transition needs. Participating in the conference were the coordinator, a CFP community specialist, the assigned HHSA social worker and two staff persons from HHSA's International Liaison Office. A staff member from the group home who had been providing emotional support to Francisco translated for him and his family during private family time, as Francisco's Spanish had deteriorated significantly since he had come to live in the United States. Francisco's attending family included his father, stepmom, aunt, uncle, five cousins, grandmother, and two sisters.

A key consideration in cross-border family group conferences that affected the development of Francisco's family's plan for visitation was the family's awareness that a process to obtain clearance from both governments was necessary before visitation could occur. Both the DIF in Mexico and the California HHSA were notified of the conference and gave their approval, stipulating that all parties were expected to have proper documentation. The plan was for the family to spend the next 6 months getting to know each other again and think about different prospects for their future, considering how they might reunify, what resources would be available to them, and how to ensure that Francisco received his high school diploma. A follow-up family group conference was held 1 month later, allowing for additional discussion regarding the logistics of reunification and the priorities of the family. Another focus was to determine how to help Francisco with what would surely prove to be quite a culture shock.

The family group conferences were not only a wonderful experience for this young man and his birth family, but there were other benefits derived from the process. The International Liaison Office in California is going to change the process for relative search requests, asking that the county social worker submitting the request first use the resources available to his or her office to inquire with INS, corrections departments, and other



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agencies working with migrant families to see if the person being sought is active with one of these systems in the United States. Indeed, had this been done with Francisco, he would have been separated from his family for less time, and he would not have lost so much of his language and culture over the 5 years he was in group homes and foster care in the United States.

Collaborative Relationships

An essential component to using FGC across U.S. borders is the development of key relationships among state, federal, and community-based entities both locally and abroad. Many public child welfare agencies in the United States are beginning to employ ethnic community-based organizations, international liaison offices within local departments of health and human services, Mexican and other consulates, DIF, and U.S. Citizenship and Immigration Services (formerly INS) to assist them in widening the circle of family group conference participants for children whose families reside in other countries. Many states, including California, Illinois, and Texas, have developed relationships with local and state entities and are creating standardized forms to request information and/or assistance from them.

In interviews conducted with two family group conference coordinators² in U.S. border communities—Melissa Proctor (M. Proctor, personal communication, June 24, 2008) with Casey Family Programs in San Diego, California, and Angelica Terrazas (A. Terrazas, personal communication, July 3, 2008) with El Paso Human Services, El Paso, Texas—the need to develop collaborative relationships was identified as significant in conducting cross-border conferences. Proctor reported, “This process created a close working relationship with HHS’s International Liaison Office and enabled [CFP] to find and develop a contract with a company that specializes in finding relatives in Mexico. Both of these factors will greatly enhance the ability to develop emotional and legal permanence for Latino youth who are involved with [CFP] and have ties to family in Mexico.”

Border communities in San Diego and El Paso have international liaison offices that help facilitate the sharing of information and communication between the United States and Mexico. In addition to helping search for parents and relatives, the liaison office helps complete background checks and home studies, and assists with visitation, placement, and services across borders. Other areas of collaboration include educating “...families in Mexico about the laws and practices of child welfare within the United States,” reports Terrazas. This helps normalize the expectations of both family members and system providers, and decreases feelings of frustration and misunderstandings that can arise when navigating between two cultural world views.

Obtaining Agency Stakeholders’ ‘Buy-In’

As child welfare agencies work to address this emerging practice issue, many questions, perspectives, and obstacles will arise, making buy-in difficult to achieve. One of the first steps in overcoming this challenging endeavor is to establish common ground built upon the goal of attaining safety, permanency, and well-being for children. The foundational premise from which practice should evolve is for practitioners to develop an approach that allows the thoughts and perspectives of the family to inform the decisions made in child welfare and support the values underlying FGC.

The first undertaking in the effort to become more intentional in the practice of cross-border FGC is to become aware and informed of the process and procedural steps necessary. What are the procedural measures in place or that need to be in place between countries? What steps do we take if a parent is detained due to an immigration issue? What are the financial considerations of holding a family group conference across the border? How do we go about locating families that reside in another country? How do we ensure that communication between systems, parents, and family members is taking place? These are just a few of the questions that present themselves at first glance. Additional questions and challenges will arise as this practice gains momentum;

² In this context, the term “family group conference coordinator” is used to encompass one individual who prepares the family group and facilitates the family group conference.



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however, heightening awareness of the ability to step beyond minimum requirements to help children remain connected with their families must remain paramount.

Another challenge that emerges in conducting cross-border family group conferences is addressing personal biases on the part of the child welfare practitioners and service providers who may hold a myopic view of what is best for children in care. Buy-in from the child welfare system is essential to initiate any movement toward broadening practice strategies that include cross-border FGC. Thus, it is imperative that when practitioners prepare for family group conferences, they carefully evaluate how their beliefs and values are influencing these decisions. Practitioners must weigh the benefits and opportunities for children that may be available in the United States against the loss of culture, language, family traditions, values, and beliefs that each family holds.

Cultural Considerations for Conducting Family Group Conferences Across Borders

Cultural competence has become a cornerstone of good child welfare practice with children and their families. FGC provides the leverage for accessing culturally relevant services and is particularly applicable to working with children in immigrant families. Having good working relationships with community-based organizations and other local ethnic-based entities can greatly enhance the cultural relevance of family group conferences for immigrant children and their families.

In the preparation phase of FGC, the coordinator learns from the family about its structure, roles, interpersonal relationships, child-rearing practices, and other traditional or religious practices that the family uses. This information informs the family's plan. The family's immigration status and eligibility for services and benefits should also be discussed during FGC preparation, and the family's rights and other necessary documentation should be clearly relayed to them in their own language. While this is not an exhaustive list of cultural considerations, it does provide some guidance for working with these cases in the preparatory phase.

An additional cultural consideration when conducting family group conferences is the importance of the coordinator establishing trust with the family. Many times families prefer to have a coordinator who is of the same cultural background as them. However, some cultures might prefer to have a coordinator who is not from their own community due to increased feelings of shame and concerns over a potential lack of confidentiality. It is important for coordinators to have a good understanding of their own cultural backgrounds and any biases that could impact family group conferences.

Communication and language considerations should be at the forefront of conducting any family group conference, but these issues are frequently missed in conferences held in the United States. Interpretation during the conference and other services and translation of documents are key components to which all citizens are entitled. In reflecting on Francisco's story, these issues were essential. In his case, the family group conferences occurred in Tijuana in the family's native tongue—Spanish—and it was the coordinator who adapted to the family by hiring an interpreter, which allowed the family to conduct the family group conferences entirely in Spanish.

Funding Considerations

Funding has always been a primary concern for local child welfare agencies, and such concerns may sometimes drive practice decisions. The key to implementing any innovative practice is finding creative ways to work within the constraints of the system's funding to meet each child's best interests. For example, while doing the background work on Francisco's case, the caseworker quickly realized that while Francisco's father had been married to the child's mother, he was not his biological father, but rather a stepfather. This made the father eligible to adopt Francisco under the international adoption laws and receive adoption assistance from the county, even if Francisco chose to reside in Mexico.

Many social workers will work with international liaison offices or consulates to assist with funding for home studies, home visits, and acquiring documentation. According to Title VI of the Civil Rights Act of 1964, all agencies that receive federal



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funding, including child welfare, are required to provide interpreters to facilitate communication. This can be an invaluable argument when attempting to find language-specific services and materials. Many community-based, local, and state agencies may have additional resources when attempting to work with families outside of the United States.

Conclusion

There are still many hurdles to implementing family engagement approaches across borders. However, with the development of more collaborative relationships among federal, state, and community-based organizations—and with some creative approaches to funding constraints—FGC can become a reality for children who entered the U.S. child welfare system and whose primary resource, their family, resides outside the country. With early identification of a child's extended family system—independent of national borders—a genuine exploration of families' resources and needs, along with an understanding of families' culture, can be initiated. FGC provides public child welfare agencies an opportunity to partner with the widest family network possible and achieve what is in the best interests of children—children who deserve to be connected to their kinship networks and cultures.

Selected Readings

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About the Authors

Michelle Howard is a training and technical specialist and Lara Bruce is a knowledge and program specialist with American Humane. Ms. Howard is a core member of the American Humane family group decision making team; Ms. Bruce has been the coordinator for the Migration and Child Welfare National Network since August 2006.

About the Migration and Child Welfare National Network (MCWNN)

As a national coalition of individuals and organizations, the MCWNN is a powerful example of the collaborative relationships that can be developed to quickly and effectively respond to urgent needs of the child welfare system. The network is working to create proactive solutions for agencies and institutions that will need to respond to immigrant children and families caught in the child welfare system. It is combining expertise, resourcefulness, and innovation on behalf of children and families with unique needs, whose voices, perspectives, and interests are often overlooked. The network consists of local, state, and national entities interested in the intersection of immigration and child welfare, and is led by American Humane, the Annie E. Casey Foundations, Casey Family Programs, Bridging Refugee Youth and Children's Services (BRYCS) (a program of the United States Conference of Catholic Bishops), American Bar Association's Center for Children and the Law, University of Illinois – Jane Addams College of Social Work, and Hunter College School of Social Work. Formed in 2006, the network currently has over 100 members and four main areas of focus: advocacy and policy, promising practices, research, and transnational relations. Members share knowledge and strategies with colleagues throughout the country and participate in collaborative efforts to improve services for immigrant children and families in the child welfare system. For more information about the network, please visit www.americanhumane.org/migration.

American Humane is a nonprofit organization dedicated to protecting children and animals from abuse, neglect and exploitation. For more information or to lend your support, please visit www.americanhumane.org or call (800) 227-4645.