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Ute Family Services

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“ Teach me how to trust my heart, my mind, my intuition, my inner knowing, the sense of body, the blessing of my spirit. Teach me to trust these things so that I may enter my “sacred space” (between exhalation and inhalation is the scared space) and love beyond my fear, and thus walk in balance with the passing of each glorious sunset.”

Native American Prayer

Ute Family Services Programs

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- ▶ Kinship Care: Kinship care is when a non-parent relative provides parental care and supervision to a child.
- ▶ Guardianship: Guardianship is an out-of-home placement designated by a court between a child and caretaker which in most cases is intended to be permanent. (The child is no longer a ward of the court.)

Ute Family Services Programs

- ▶ Foster Placement: Foster care is the provision of temporary parental care and supervision to a child typically not related through legal or blood ties.
- ▶ Title IV-B (Preventive Intervention): A grant Indian tribes can use for programs directed toward the goal of keeping families together. They include preventive intervention so that, if possible, children will not have to be removed from their homes. Services are available to child and families without regard to income.

Ute Family Services Programs Title IV-B (cont')

- ▶ Protect and promote the welfare of all children
- ▶ Prevent the neglect, abuse, or exploitation of children
- ▶ Support at-risk families through services which allow children, where appropriate, to remain with their families or return to their families in a timely manner

Ute Family Services Programs Title IV-B (cont')

- ▶ Promote the safety, permanence and well being of children in foster care and adoptive families, and
- ▶ Provide training, professional development and support to ensure a well-qualified workforce.

Ute Family Services Programs

Family Team Meetings (“FTM”)

The FTM brings together a family and interested people, like friends, neighbors and community members, with resources from child welfare, mental health, schools, and other helping agencies. These interested parties work together to learn what the family hopes to accomplish, set realistic and important goals, recognize and encourage the family’s strengths, identify what the family needs, finds solutions that build on family strengths,

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FTM(cont.')

lead to necessary changes, make a plan for who will do what and when it will be done, and agree on the next steps. The purpose of FTM is to keep children safe, promote children's well being and support families.

Ute Family Services Programs

LIHEAP

The Low Income Home Energy Assistance Program (LIHEAP) helps keep families safe and healthy through initiatives that assist families with their energy costs. LIHEAP provides federally funded assistance in managing costs associated with:

- ▶ Home energy bills
- ▶ Energy crises
- ▶ Weatherization and energy-related minor home repairs

Ute Family Services Programs

Title IV-E

The Indian Child Welfare Act authorizes States and Tribes to enter into agreements with each other regarding care and custody of Indian children.

Title IV-E of the Social Security Act also authorizes States and Tribes to enter into Title IV-E agreements for the reimbursement of foster/kinship care costs for children determined to be eligible for Title IV-E funding and for administrative funding associated with staffing and training for foster/kinship, guardianship and adoptive parents.

Ute Family Services Programs

Elder Advocate

Coordinate and assists tribal elders in navigating the social welfare systems of the Ute Indian Tribe and the state of Utah.

Ute Family Services How The Child Welfare System Works

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The child welfare system is a group of services designed to promote the well-being of children by ensuring safety, achieving permanency, and strengthening families to care for their children successfully. While the primary responsibility for child welfare services rest with the Ute Tribe, the Federal government plays a major role in supporting Tribes in the delivery of services through funding of programs and legislative initiatives.

How The Child Welfare System Works

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Most families first become involved with the tribal child welfare system because of a report of suspected child abuse or neglect (sometimes called “child maltreatment”). Child maltreatment is serious harm (neglect, physical abuse, sexual abuse, and emotional abuse or neglect) caused to children by parents or primary caregivers, such as extended family members or babysitters.

How The Child Welfare System Works

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Child maltreatment also can include harm that a caregiver allows to happen or does not prevent from happening to a child. In general, child welfare agencies **DO NOT INTERVENE** in cases of harm to children caused by acquaintances or strangers. These cases are the responsibility of law enforcement.

How The Child Welfare System Works

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The Child Welfare Abuse Prevention and Treatment Act (CAPTA), originally passed in 1974, brought national attention to the need to protect vulnerable children in the United States. CAPTA provides Federal funding to States and Tribes in support of prevention, assessment, investigation, prosecution, and treatment activities as well as grants to public agencies and nonprofit organizations for demonstration programs and projects.

How The Child Welfare System Works

Additionally, CAPTA identifies the Federal role in supporting research, evaluation, technical assistance, and data collection activities. CAPTA also sets forth a minimum definition of child abuse and neglect.

How The Child Welfare System Works

The child welfare system is not a single entity. Many organizations in each community work together to strengthen families and keep children safe.

How The Child Welfare System Works

Child welfare systems are complex, and their specific procedures vary widely by States and Tribes. The purpose of this factsheet is to get a brief overview of the purposes and functions of child welfare from a national perspective. Child welfare systems typically:

How The Child Welfare System Work

- ▶ Receive and investigate reports of possible child abuse and neglect
- ▶ Provide services to families that need assistance in the protection and care of their children
- ▶ Arrange for children to live with kin or with foster families when they are not safe at home
- ▶ Arrange for reunification, adoption, or other permanent family connections for children leaving foster care

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What happens when possible abuse or neglect is reported.

Any concerned person can report suspicions of child abuse or neglect. Most reports are made by “mandatory reports” people who are required by Federal law to report suspicions of child abuse and neglect.

How The Child Welfare System Works

These reports are generally received by Child Protection Services (CPS) workers and are either “screened in” or “screened out.” A report is screened in when there is sufficient information to suggest an investigation is warranted. A report may be screened out if there is not enough information on which to follow up or if the situation reported does not meet the Tribe’s legal definition of abuse or neglect.

How The Child Welfare System Works

In these instances, the worker may refer the person reporting the incident to other community services or law enforcement for additional help.

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What Happens After a Report is “Screened In”.

CPS investigators, respond within a particular time period, which may be anywhere from a few hours to a few days, depending on the type of maltreatment alleged, the potential severity of the situation, and requirements under the Tribal Code.

How The Child Welfare System Works

They may speak with parents, with the main care takers, and other people in contact with the child, such as doctors, teachers, or child providers. They may also speak with the child alone or in the presence of caregivers, depending on the child's age and level of risk. Children who are believed to be in immediate danger may be moved to a shelter, a foster home, or a relative's home during the investigation and while the court proceedings are pending.

How The Child Welfare System Works

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An investigation also engages the family, assessing strengths and needs and initiating connections to community resources and services. When the risk to the children involved is considered low, the CPS caseworker focuses on assessing family strengths, resources, and difficulties and on identifying supports and services needs, rather than on gathering evidence to confirm the occurrence of abuse or neglect.

How The Child Welfare System Works

At the end of an investigation, the CPS caseworker typically makes one of two findings—Unsupported (unfound) or supported (founded). These terms vary from tribe to tribe and state to state. Typically, a finding of unsupported means there is insufficient evidence for the worker to conclude that a child was abused or neglected, or what happened does not meet the legal definition of child abuse or neglect.

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A finding of supported typically means that an incident of child abuse or neglect, as defined by law or tribal code, is believed to have occurred. If there is a court finding on the case the term is changed from supported to substantiated.

How The Child Welfare System Works

UFS will initiate a court action if it determines that the authority of the juvenile court (through a child protection or dependency proceeding) is necessary to keep the child safe. To protect the child, the court can issue temporary orders placing the child in shelter care during the investigation, ordering services, or ordering certain individuals to have no contact with the child.

How The Child Welfare System Works

- ▶ At an **adjudicatory hearing**, the court hears evidence and decides whether maltreatment occurred and whether the child should be under the continuing jurisdiction of the court.
- ▶ The court then **enters a disposition**, either at that hearing or at a separate hearing, which may result in the court ordering a parent to comply with services necessary to alleviate the abuse or neglect. Orders can also contain provisions regarding visitation between the parent and the child, UFS obligations to provide the parent with services, and services needed by the child.

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What Happens in Supported/Substantiated (Founded) Cases

If a child has been abused or neglected, the course of action depends on UFS policy, the severity of the maltreatment, an assessment of the child's immediate safety, the risk of continued or future maltreatment, the services available to address the family's needs, and whether the child be removed from the home and a court action to protect the child was initiated. The following general options are available:

How The Child Welfare System Works

- ▶ **No or low risk** – the family's case may be closed with no services if the maltreatment was a one-time incident, the child is considered to be safe, there is no or low risk of future incidents, and any services the family needs will not be provided through UFS but through other community based resources and services systems.

How The Child Welfare System Works

- ▶ **Low to moderate risk**– Referrals may be made to community-based or voluntary in-home child welfare services if the CPS worker believes the family would benefit from these services and the child's present and future safety would be enhanced. This may happen even when abuse or neglect is found, if the family needs and is willing to participate in services.

How The Child Welfare System Works

- ▶ **Moderate to High Risk** – The family may again be offered voluntary in-home services to address safety concerns and help to reduce the risks. If these services are refused, UFS may seek intervention by the juvenile dependency court. Once there is a judicial determination that abuse or neglect occurred, the juvenile dependency court may require the family to cooperate with in-home services if it is believed that the child can remain safely at home while the family addressed the issues contributing to the risk of future maltreatment. If the child has been seriously harmed, or the child's safety is threatened, the court may order the child's removal from the home or affirm UFS prior removal of the child. The child may be placed with a relative or in foster care.

How The Child Welfare System Works

What Happens to Parents

Caregivers who are found to have abused or neglected a child generally are offered support and treatment services or are required by a juvenile dependency court to participate in services that will help keep their children safe. In case of low risk, in-home services and supports may be provided, including parent education, child care, counseling, safety planning, and more.

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In more severe cases of fatalities, police are called on to investigate and may file charges in criminal courts against the perpetrators of child maltreatment. In many cases, certain types of abuse, such as sexual abuse and serious physical abuse, are routinely referred to law enforcement.

How The Child Welfare System Works

Whether or not criminal charges are filed, the name of the person committing the abuse or neglect will be placed in the UFS OUTCOME Database if abuse or neglect is confirmed. OUTCOME is a UFS database that collects information about maltreatment children and individuals who are found to have abused or neglected those children.

How The Child Welfare System Works

What Happens To Children

Depending on the severity of the case, children may remain at home or be removed into kinship/foster care.

In-Home: In low-risk, children may remain in their own homes with their families, and the families may receive in-home services and supports. These may include parent education, safety planning, counseling, and more. Families may also be connected with community services that provide concrete help (e.g. housing, food) as well as services such as therapy, parenting training, and support programs.

How The Child Welfare System Works

Out-of-Home

Most children in foster care are placed with relatives or foster families, but some may be placed in a group or residential treatment setting. While a child is in foster care, he or she attends school and receives medical care and other services as needed. The child's family also receives services to support their efforts to reduce the risk of future maltreatment and help them, in most cases, be reunited with their child. Visits between siblings are encouraged and supported, following a set plan.

How The Child Welfare System Works

Out-of-Home

Every child in foster care has a permanency plan. Families typically participate in developing a permanency plan for the child and a service plan for the family and these plans guide UFS's work. Family reunification, except in unusual and extreme circumstances, is the preferred permanency plan. If the effort to reunify is not successful, the plan may be changed to another permanent arrangement, such as guardianship or adoption, preferably to the custody of a relative.

How The Child Welfare System Works

Out-of-Home

Federal law requires the tribal court to hold a permanency hearing, which determines the permanent plan for the child, within 12 months after the child enters foster care and every 12 months thereafter. Many courts review cases more frequently to ensure that the agency is actively pursuing permanency for the child. Whether or not they are adopted, older youth in foster care should receive support in developing some form of permanent family connection, in addition to transitional or independent living services, to assist them in being self-sufficient when they leave foster care between the ages of 18 and 19.

How The Child Welfare System Works

Summary

The goal of child welfare is to promote the well-being, permanency, and safety of children and their families by helping families care for their children successfully or when that is not possible, helping children find permanency with kin or adoptive families. Among children who enter foster care, most will return safely to the care of their own families or go to live with relatives or an adoptive family.