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TO: State, Tribal and Territorial Agencies Administering or Supervising the Administration of Titles IV-B and IV-E of the Social Security Act; State and Tribal Courts and Court Improvement Programs; Community-Based Child Abuse Prevention lead agency and other prevention partners; and Children's Justice Act grantees.

SUBJECT: Engaging, empowering, and utilizing family and youth voice in all aspects of child welfare to drive case planning and system improvement.

LEGAL AND RELATED: Titles IV-E and IV-B of the Social Security Act (the Act); and Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351).

PURPOSE: The purpose of this Information Memorandum (IM) is to demonstrate that family and youth voice are critical to a well-functioning child welfare system and to strongly encourage all public child welfare agencies, dependency courts, and Court Improvement Programs to work together to ensure that family and youth voice are central in child welfare program planning and improvement efforts.

BACKGROUND:

Reshaping Child Welfare in the United States to Focus on Strengthening Families Through Primary Prevention of Child Maltreatment

The Children's Bureau (CB) is actively promoting a vision for child welfare in the United States that focuses on strengthening families through primary prevention of child maltreatment. The vision is to create the conditions for strong, thriving families and communities where children are free from harm. We have made a call to action for states and tribes to act on this vision to prevent child maltreatment and the unnecessary removal of children from their homes.¹ Coordinated and robust efforts are critically important to strengthening families and preventing both the initial occurrence of child abuse and neglect and ongoing maltreatment; preventing unnecessary family disruption; reducing family and child trauma; interrupting intergenerational cycles of maltreatment; and building a child welfare system that aligns with these goals.

¹ See, for instance, Information Memorandum [ACYF-CB-IM-18-05](#).

To achieve this vision we must (1) recognize that all within the child welfare system have an important role to play across the prevention continuum, (2) improve child welfare practice, and (3) maximize all available tools and resources to integrate family and youth voice into the design and operation of the child welfare system.

For the past two years, CB leadership has been regularly meeting and speaking with parents and youth who are in or have been in the child welfare system. We have asked families and youth to describe their experiences with the child welfare system. While some families and youth provide positive reports of their interaction with the child welfare system, more typically, the words they use include, for example, overwhelmed, confused, voiceless, judged, ashamed, angry and sad. These words are consistent with findings from stakeholder interviews through Round 3 of the Child and Family Services Reviews.² Such words should serve as a wakeup call to the child welfare community and provide the impetus for collective action to change the way families and youth experience the child welfare system.

It is absolutely critical to strengthen our efforts to listen to the families and youth served by the system and integrate their voices into all aspects of child welfare planning and improvement. Effectively integrating family and youth voice into child welfare practice can help:

- Prevent the initial occurrence of maltreatment and involvement in the child welfare system by ensuring that community resources are aligned with what families and youth tell us they need;
- Prevent unnecessary parent child separation;
- Enhance the engagement of parents and youth in case planning and service delivery;
- Identify family and kinship resources when out of home placement is necessary;
- Empower families and youth involved with the system to determine service needs to expedite reunification or other permanent, family based solutions;
- Empower caregivers to operate in the best interest of the family and youth by using their voices and expertise as advocates for the family and child;
- Ensure child welfare services build strength and resilience in families and youth and connect them to their communities and the supports they need.

The CB urges all child welfare professionals, from investigators and caseworkers to judges and attorneys, to identify actions that can be put into place to strengthen the role of family and youth voice.

Family and Youth Voice, Engagement, and Empowerment Defined

Our references to family and youth voice refer to giving families and youth the opportunity to be heard and to use their input in making critical decisions that affect their lives. It also refers to soliciting and using the perceptions, experiences, and recommendations of families and youth in

² The [Focus on Youth CFSR Findings: 2015-2017](#) report presents results from the Child and Family Services Reviews related to older youth (aged 16–17) in foster care for the 38 states reviewed during the first 3 years of Round 3.

child welfare to make system-level improvements. An effective, transformational system of engaging, empowering, and utilizing family and youth voice must ensure that engagement occurs at multiple levels. For more information on terms and concepts used in this IM, please see Attachment A.

Utilizing and integrating family and youth voice in all aspects of child welfare decision-making is a strength-based approach to working with families and youth that can increase engagement and empower families and youth. It is also a straightforward way to demonstrate respect. Ensuring family and youth voice further recognizes that families and youth are the experts on their circumstances and are the individuals most knowledgeable about solutions that will benefit them.

A child welfare system that is designed to respect and strengthen families and communities must do more than respond to incidences of maltreatment. It must also be designed to promote family integrity, self-sufficiency and the personal agency of families and youth. The goals of a reimagined child welfare system are to reduce the need for formal interventions in the lives of families by preventing the trauma of maltreatment and removal of children from their families. In order to accomplish these goals, we must understand what families need to remain strong and healthy. Families and youth are our best sources of information about the strengths and needs of their families and communities, yet, historically, we make decisions and plans in the absence of their input. Moreover, where input is sought, it may not receive meaningful consideration. We often make assumptions as a field that solutions reside in services and programs only, especially those with an evidence base. This may be true in some situations, but many other families may need something much more basic, such as concrete supports in a time of need.

Long-standing family teaming models in the field have demonstrated that shared decision-making and planning approaches increase engagement by directly involving families and youth in discussions about their family's strengths, resources and needs, and identifying solutions. Family and youth voice and choice encourage investment on the part of families and youth to take advantage of needed services and supports. Such approaches recognize personal dignity and increase opportunity to build relationships of trust between youth, families, and the professionals that serve them.

A key principle of child welfare practice is creating a helping relationship with those we serve. By empowering families and youth to make critical decisions in their lives, and supporting child welfare professionals to honor those decisions and assist with achieving them, we are investing in the long-term protective capacities of families and youth and protective factors within communities. As professionals partner with families and youth in making sound decisions and accessing services and supports, they help to build the family's capacity to recognize their needs and access appropriate supports once child welfare is no longer involved.

Benefits from Youth/ Young Adult Voice, Engagement, and Empowerment

Youth voice has additional tangible benefits for youth and young adults. Youth voice and choice are critical functions in supporting adolescent brain development.³ For example, youth voice,

³ Jim Casey Youth Opportunity Initiative (2011). [The Adolescent Brain: New Research and Its Implications for Young People Transitioning From Foster Care.](#)

when paired with Positive Youth Development,⁴ allows youth to practice critical developmental tasks such as the ability to envision the future, create, plan, and lead tasks -- all skills to be practiced in the transition to adulthood.⁵ Youth voice and engagement in planning and decision-making are widely regarded as best practices in meeting the developmental needs of young people in foster care. In addition to supporting brain development, encouraging young people to be active participants in planning their own lives supports development of leadership skills, improves self-esteem, and helps form critical social connections. Critical to the promoting and supporting youth voice is the use of “youth-adult partnership” where adults support youth.

Federal Requirements and Opportunities that Support Family and Youth Voice

Federal child welfare law and regulation require states and tribes to involve families, children and youth in their planning and implementation of services. While many of the requirements for collaboration and seeking input are tied to specific processes in the child welfare system, meaningful involvement and engagement should be ongoing and embedded in all aspects of our work from individual case planning to system-level improvement.

There are two main requirements for involving families and youth in service planning and evaluating the functioning of the child welfare system, as outlined below.

Child and Family Services Plans/ Annual Progress and Services Report

States and tribes participating in the title IV-B and/or the John H. Chafee Foster Care Program for Successful Transition to Adulthood (the Chafee programs) are required to develop a Child and Family Services Plan (CFSP),⁶ a five-year strategic plan that sets the vision and the goals to be accomplished to strengthen their child welfare systems.⁷ After submitting the five-year CFSP, states and tribes are required to submit annual updates, called the Annual Progress and Services Report (APSR). Federal regulations require states and tribes to engage in substantial, ongoing, and meaningful consultation and collaboration with families, children and youth as they develop these plans and reports, and assess progress in meeting goals and objectives (45 CFR 1357.15 and 1357.16). The CFSP/ APSR process offers an opportunity over the five years for ongoing engagement and transparency in the child welfare system as it seeks to achieve its goals.

Child and Family Services Reviews

We designed the Child and Family Services Review (CFSR) process to provide federal oversight of states’ compliance with titles IV-B and IV-E plan requirements and to strengthen child welfare programs for improved child and family outcomes. The third round of the CFSR concluded in FY 2018 (Round 3) and all states were required to involve stakeholders other than the title IV-B/IV-E agency in the CFSR review. Just as federal law requires states and tribes to involve families, children and youth in individual and system-level case planning (described

⁴ Positive Youth Development is “an intentional, prosocial approach that engages youth within their communities, schools, organizations, peer groups, and families in a manner that is productive and constructive; recognizes, utilizes, and enhances young people’s strengths; and promotes positive outcomes for young people by providing opportunities, fostering positive relationships, and furnishing the support needed to build on their leadership strengths” (Interagency Working Group on Youth Programs).

⁵ For more information, see Jim Casey Youth Opportunity Initiative (2011). [The Adolescent Brain: New Research and Its Implications for Young People Transitioning From Foster Care](#).

⁶ The deadline to submit the CFSP for fiscal years 2020 to 2024 was June 30, 2019. Please see the [state](#) or [tribal](#) Program Instruction for more information.

⁷ See section 432(a)(2) of the Act.

below), CFSR reviewers interview families and youth in order to understand their perspectives on the case-level outcomes and practices and on how well the system is functioning as a whole. As states enter into Program Improvement Plans (PIP) to address areas needing improvement, states engage again with stakeholders, ideally including families and youth, to identify improvement strategies.

For more detailed information on areas of family and youth involvement in the CFSR process, see Attachment B.

Title IV-E Reimbursement for Legal Services for Parents, Children and Youth

In addition to the CFSP/ APSR and CFSR processes, for those families and youth who are court-involved, high quality legal representation and services that benefit the parents, children and youth are critical to supporting family and youth voice. In December of 2018, CB revised policy to allow the title IV-E agency to claim title IV-E administrative costs of independent legal representation by an attorney for a child who is a candidate for title IV-E foster care or in foster care, and his/her parents to prepare for and participate in court proceedings. This change in policy will help ensure that, among other things, reasonable efforts are made to prevent removal and finalize the permanency plan, parents and youth are engaged in and understand their case plan, and compliance with case plans progress is appropriately reported.⁸

Case Planning/ Permanency Plan (sections 471(a)(16), 475(1)(B) and 475(5) of the Act)

For youth, there are other specific federal requirements for child welfare agencies to involve them in their case planning. For youth ages 14 or older,⁹ the case plan, and any revisions to the case plan must be developed in consultation with the youth. Furthermore, at their option, youth may select two members (who are not their foster parent or caseworker) to be a part of the case planning team.¹⁰ This requirement recognizes the importance of youth voice and the role supportive adults can play in assisting youth to advocate for themselves and obtain services.

For youth ages 14 and older, the case plan must contain a written description of the programs and services that will help the youth prepare for the transition from foster care to a successful adulthood (section 475(1)(D) of the Act). The requirement is part of the case plan and therefore, the agency consults with the youth and other supportive adults on the case planning team in determining the services. Federal law (section 475(5)(C)(iii) of the Act) also requires procedural safeguards to ensure that in any permanency hearing or hearing regarding the transition of a child from foster care to a successful adulthood, the court or administrative body conducting the hearing consults with the child in an age-appropriate manner regarding the permanency or transition plan. Effective case planning and case review involves preparing the youth for the process and supporting a neutral process that holds adult team members accountable to following up on agreed upon requests.

⁸ The statute at section 474(a)(3) of the Act and regulations at 45 CFR 1356.60(c) specify that Federal financial participation (FFP) is available at the rate of 50% for administrative expenditures necessary for the proper and efficient administration of the title IV-E plan. The title IV-E agency's representation in judicial determinations continues to be an allowable administrative cost. Previous policy prohibited the agency from claiming title IV-E administrative costs for legal services provided by an attorney representing a child or parent. See [CWPM Q/A 8.1B #30](#) for more information.

⁹ While the requirement applies to youth ages 14 and older, all children can be involved in the development of their case plan. We encourage child welfare agencies to involve all children in their case planning in a developmentally appropriate manner.

¹⁰ The statute also specifies that the State agency may reject an individual selected by a child to be a member of the case planning team at any time if the State has good cause to believe that the individual would not act in the best interests of the child.

Transition Planning (section 475(5)(H) of the Act)

The Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351) amended title IV-E to create a requirement for child welfare agencies to develop a transition plan during the 90-day period before the youth attains age 18 (or later if the state has federally extended foster care). The transition plan must be personalized at the direction of the youth and include specific options regarding housing, health insurance, education, local opportunities for mentors and continuing support services, workforce supports, employment services, and the importance of designating a health care proxy (section 475(5)(H) of the Act).

Call to Action to Integrate Family and Youth Voice into Child Welfare Processes

CB leadership has spent a significant amount of time in the field speaking with parents and youth with lived experience in the child welfare system. CB also participated in numerous conversations with states, counties, constituency groups and programs to understand their work, strategies and the outcomes they are achieving. The purpose of these efforts has been to learn how parents and youth believe the child welfare system can be improved to be more inclusive of their wishes, responsive to their feedback, and involved in program planning and improvement.¹¹ The following principles have emerged as critical to increase the prominence and impact of family and youth voice in the child welfare system. When reviewing the principles below, we ask that agencies conduct an internal/ external assessment on how well they have implemented the following principles or the steps needed to implement.

- *Prioritize Family and Youth Voice.* It is critical for all agencies, organizations and providers that work with families and youth across the public and private sectors to explicitly commit to listening to parents and youth and acting on the knowledge and information parents and youth with lived experience offer. Leaders in child welfare from agencies, courts, advocacy groups and others should regularly meet with families and youth; visit children and youth, and caregivers; attend court; and listen to child welfare professionals about family and youth service needs. Hiring family members and youth with lived experience into leadership positions at the agency, county, and state level is an important way to ensure a representative¹² voice in every aspect of the child welfare system. If there are not formal processes or structures for families and youth to provide input and feedback at various levels of the child welfare system, creating those forums should be a priority.

¹¹ We would like to thank the countless individuals who trusted CB with their thoughts, stories, experiences, and recommendations to improve the child welfare system. Without their voices, this IM would not be possible. We would also like to thank following agencies and organizations for sharing their insight as they work to fundamentally change child welfare to ensure all families and youth are engaged, empowered, and their voices utilized including: the child waiver demonstration projects in Kentucky and Oregon; [Colorado's Youth At-Risk of Homelessness discretionary youth work \(90CA1836\)](#); [Jim Casey's Youth Opportunities Initiative](#); [FosterClub](#); and the [National Youth in Transition Database Young Adult Reviewer Program](#).

¹² A "representative voice" is one where families and youth with lived experience are not expected to make recommendations solely on their experience in the child welfare system. Instead, individuals are connected to networks of individuals and groups to understand the various experiences others have had and their specific recommendations. It should be noted that these individuals are not a substitute for engagement of a larger group of individuals, but instead signify a method to ensure family and youth voice at every meeting and the ability to influence decision-making. They also provide a conduit back to family and youth stakeholder groups to communicate changes, why decisions were made, and opportunities for follow-up.

- *Work with Families and Youth to Co-Create a Clear Vision of Honoring Family and Youth Voice.* One powerful way to ensure that family and youth voice are central in guiding program planning and improvement is to work directly with parents, youth and caregivers to co-create a vision for how the work should be done.
- *Challenge the Inherent Power Dynamic between the Agency and Families.* Often, when agencies seek to engage children, youth and families, it is without acknowledging the power dynamic between the agency and those who are experiencing the child welfare system. We should recognize the implicit biases¹³ that may exist within the child welfare system that may stand in the way of full family and youth engagement. Without addressing such biases, it is difficult to change the culture or system to allow for family and youth voice to be heard and honored. While trying to make decisions in the best interests of those involved, we may inadvertently and unintentionally disempower families and youth if decisions are not made in consultation with the family or youth. When the courts are involved, the disempowerment may be magnified.
- *Change the Words We Use to Describe Parents, Youth and Caregivers.* We should acknowledge and be mindful that the words we use to describe parents, youth and caregivers carry connotations and can either support or disempower parents and youth. For example, using terms such as: child/ youth (instead of foster child/ foster youth); parent (instead of birth parent); resource family (instead of foster parent/foster family); family or youth (instead of client or consumer); and family (instead of case) can ensure that we humanize individuals, send affirming and respectful messages, and support a strength base and family supportive system. Words can help signal respect and reinforce worth and personal dignity, or reinforce negative perceptions and feelings.
- *Ensure that all Parents and Youth have High Quality Legal Representation at All Stages of Child Welfare Proceedings.* High quality legal representation is a powerful tool for parent and youth voice.¹⁴ Attorneys that directly represent the expressed interest of their families and children have the ability to file petitions to access court processes at any point where a parent or youth has a concern or need that is unaddressed. For very young children, best interest attorneys may similarly file motions to promote a child’s well-being.

High quality legal representation requires that attorneys spend time with the individuals they represent outside of court to understand their strengths, needs and resources. It requires attorneys to work with parents and youth to identify and advocate for services

¹³ Each system should engage in intentional conversations about the inherent biases in their system held by caseworkers, supervisors, the courts, and others (including families and youth). The following is a sample of common biases regarding families: individuals can’t or won’t change; if families truly loved their children they would make different choices; parents must “prove” themselves before reunification; visitation with children should be a reward for case plan compliance; foster parents provide better; parents should be silent in court; and children are better off with their mothers than fathers. Common biases about youth include: evaluating youth as “doing okay” or are “making poor decisions” based on a set of external behaviors; the youth’s behavior determines the opportunities or services they get; adults know better what youth should do; youth shouldn’t remain in contact with their biological families because they are a bad influence; youth are destined to recreate the family situation they’ve experienced; young parents can’t provide for their children; and after age 18 youth don’t need support and should learn how to do it themselves.

¹⁴ See [ACF-ACYF-CB-IM-17-02](#) for more information.

and supports and to ensure that parents and youth understand their rights and the complicated processes that directly affect their lives and well-being. Legal representation is also associated with increased parent and youth engagement, increased feelings of fairness in court proceedings, expedited reunification, and more detailed and specific case plans that outline responsibilities for all parties. Attorneys can also provide legal services to remove obstacles for families and youth that may leave them more vulnerable of entering the child welfare system, such as housing, educational advocacy, employment, paternity and other civil legal issues.

- *Invest in Peer-led and Supported Services.* People who have previously received services and supports provided by the child welfare agency can be a powerful resource for families currently going through the process. Programs such as parent partners^{15,16} and youth advocates¹⁷ provide mechanisms to prepare and support family and youth voice. Families and youth may be more receptive when they are supported by those with lived experience, and peers can help to translate the child welfare system. Hearing from someone who has gone through the system and is able to share how the system affected their lives can be a powerful source of peer-to-peer support. It can help parents and youth better understand what to expect from the child welfare system and reduce the stress and anxiety of uncertainty in difficult times.
- *Enhance the Capacity of the Workforce to Hear and Act on Voice.* Over the last few years, child welfare agencies have used coaching of social workers and other professionals as a method to improve child welfare practice. When combined with high quality training, coaching can increase the skills needed to support family and youth voice, such as active listening and reflection. Child welfare agencies who are working to embed family and youth voice report that they have created intentional methods of coaching and feedback, including “learning communities,” to embrace and implement processes for using family and youth voice in the system. In these learning communities, social workers and other partners can process their work to ensure bias is overcome and that they are implementing the beliefs and values of the “best system.”
- *Establish Feedback Loops for Continuous Quality Improvement.* Changing large systems relies, in part, on the ability to measure change and create a system of accountability. A critical part of any Continuous Quality Improvement (CQI) system has feedback loops as a central feature. Families and youth are increasingly asked to provide recommendations to child welfare agencies as part of system improvement work; however, it may not be as common for such groups to be told if and how that input has been used to change policy, practice, or service provision. Having a CQI process that includes systematic feedback to those providing input and direction can address this concern.

¹⁵ Parent Partners are fathers, mothers, and other adults in a parenting role with prior child welfare experience who are selected and trained to provide peer-to-peer support to parents currently involved with the system. Some programs call them parent partners, while others call them family partners, parent advocates, family allies, or parent mentors. Please see the [Parent Partner Program Navigator](#) and [Parent Partner Program Manual](#) for more information.

¹⁶ Examples of parent partner/ navigator programs include: [Allegheny Family Network’s Children, Youth, And Families \(CYF\) Partnership](#) (Allegheny County, PA); [Iowa](#); Oregon; and in [Washington State](#).

¹⁷ Youth Advocates is a term for youth/ young adults with lived experience who work with other youth involved in child welfare. Examples of Youth Programs include those in Allegheny County, PA; Alameda County, CA; and Westchester County, NY.

Conclusion

Research and federal requirements strongly support the importance of integrating family and youth voice into all aspects of child welfare system design and operation. The magnitude, gravity and urgency of this need is reinforced by the stories of parents and youth with lived child welfare experience and the continued poor outcomes we are achieving as a system across the country. Listening to families and youth and acting on the information they provide about what would be most helpful to keep them healthy and strong is a critical first step to correcting our course. Acting on the information and knowledge that families and youth provide is critical to reshaping child welfare in the United States into a system that truly strengthens families. CB strongly encourages all public and private child welfare system partners to explicitly commit to integrating family and youth voice into all aspects of their work.

Inquiries To: CB Regional Program Managers

/s/

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Acting Commissioner
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Disclaimer: Information Memoranda (IMs) provide information or recommendations to states, Indian tribes, grantees, and others on a variety of child welfare issues. IMs do not establish requirements or supersede existing laws or official guidance.

Attachment A: Levels of Engagement Defined & Terms and Concepts

Attachment B: Family and Youth Involvement in the Child and Family Services Review Process (CFSR)

Attachment C: Regional Program Managers

