

## Laws and Policy Relating to Family Finding

### Act 55

The statutory definition of family finding requires **ongoing** diligent efforts to search for, identify, engage and gain commitment from relatives and kin. Act 55 defines “family finding” as “ongoing diligent efforts between a county agency, or its contracted providers, and relatives and kin to:

- Search for and identify adult relatives and kin and engage them in children and youth social service planning and delivery.
- Gain commitment from relatives and kin to support a child or parent receiving children and youth social services.”

Act 55 requires that family finding first be conducted when the child is accepted for services and at least annually thereafter, until the child's involvement with the county children and youth agency (CCYA) is terminated or the child meets one of the following criteria:

- Dependent and the court determines that the child's safety or best interest is threatened.
- Not dependent and the CCYA determines and documents, based on credible information about a specific safety threat, that the child's safety is threatened.
- In pre-adoptive placement and court proceedings to adopt the child have begun.

When family finding has been discontinued, there are situations in which family finding must be resumed. These situations include:

- When the child is under the court's jurisdiction and the court finds that the resumption of family finding efforts is best suited to child's safety, protection and physical, mental and moral welfare and does not pose a threat to the child's safety.
- When the child is not under the court's jurisdiction and the CCYA determines that resuming family finding serves the best interest of the child and does not pose a threat to the child's safety.

### Act 25 of 2003

Act 25 of 2003, which amended the Public Welfare Code (P.L.31, No.21), requires the CCYA to give first consideration to relatives when placing children in out-of-home care.

### Act 92 of 2015

Act 92, which amended the Public Welfare Code (P.L. 31, No. 21) defines “sibling” and expands relative notification requirements.

"Sibling." An individual who has at least one parent in common with another individual, whether by blood, marriage or adoption, regardless of whether or not there is a

## Laws and Policy Relating to Family Finding

termination of parental rights or parental death. The term includes biological, adoptive, step and half siblings.

Within 30 days of out-of-home placement, the CCYA is required to notify all grandparents and other adult relatives to the fifth degree of consanguinity or affinity to the parent or stepparent of a dependent child **and** each parent who has legal custody of a sibling of a dependent child. The CCYA must inform them of their opportunities to offer assistance or become a resource for the child.

### Fostering Connections

Fostering Connections requires that the CCYA notify all adult relatives within 30 days of placing a child to inform them that the child has entered care and to determine if they are willing to become a resource for the child. In response to Fostering Connections, OCYF issued a Special Transmittal on February 24, 2009, requiring compliance with Fostering Connections, including notification of all adult relatives within 30 days of placing a child to inform them of their opportunities to offer assistance or become a resource for the child.

### Office of Children, Youth, and Families Bulletin. *Kinship care policy. 00-03-03.*

The Office of Children, Youth, and Families Bulletin. *Kinship care policy. 00-03-03* establishes policies and procedures for county agencies to follow when considering kinship families as potential placement resources for children. Kin providing full time care for a child for whom the county agency has custody or petitioned for custody, must be assessed and approved as foster parents.

### Office of Children, Youth and Families Bulletin. *Concurrent Planning Policy and Implementation. 3130-12-03*

The Office of Children, Youth and Families Bulletin. *Concurrent Planning Policy and Implementation. 3130-12-03* provides policy and guidance to public and private child welfare agencies about the implementation of concurrent planning for children in out of home care in Pennsylvania. This bulletin emphasizes the need for concurrent planning which leads to safe, timely permanence for children. It stresses that concurrent planning is *not* a “back up” plan, but a plan that should be implemented at the same time the CPP is implemented in order to achieve the child’s primary permanency goal.

The policy also provides the definition of a relative. A relative is any relation by blood, marriage or adoption within the fifth degree of kinship to the child. This includes great-great-great grandparents and first cousins once removed (children of first cousins).

## Laws and Policy Relating to Family Finding

### Note:

To determine the number of degrees of relation between yourself and relatives in your direct line.

- Start with yourself as "0" and add 1 degree for each relative in your direct line to determine how many degrees apart you are from direct relatives. For example, you would be related to your mother in the first degree, your grandmother in the second degree, and your great-grandmother in the third degree.

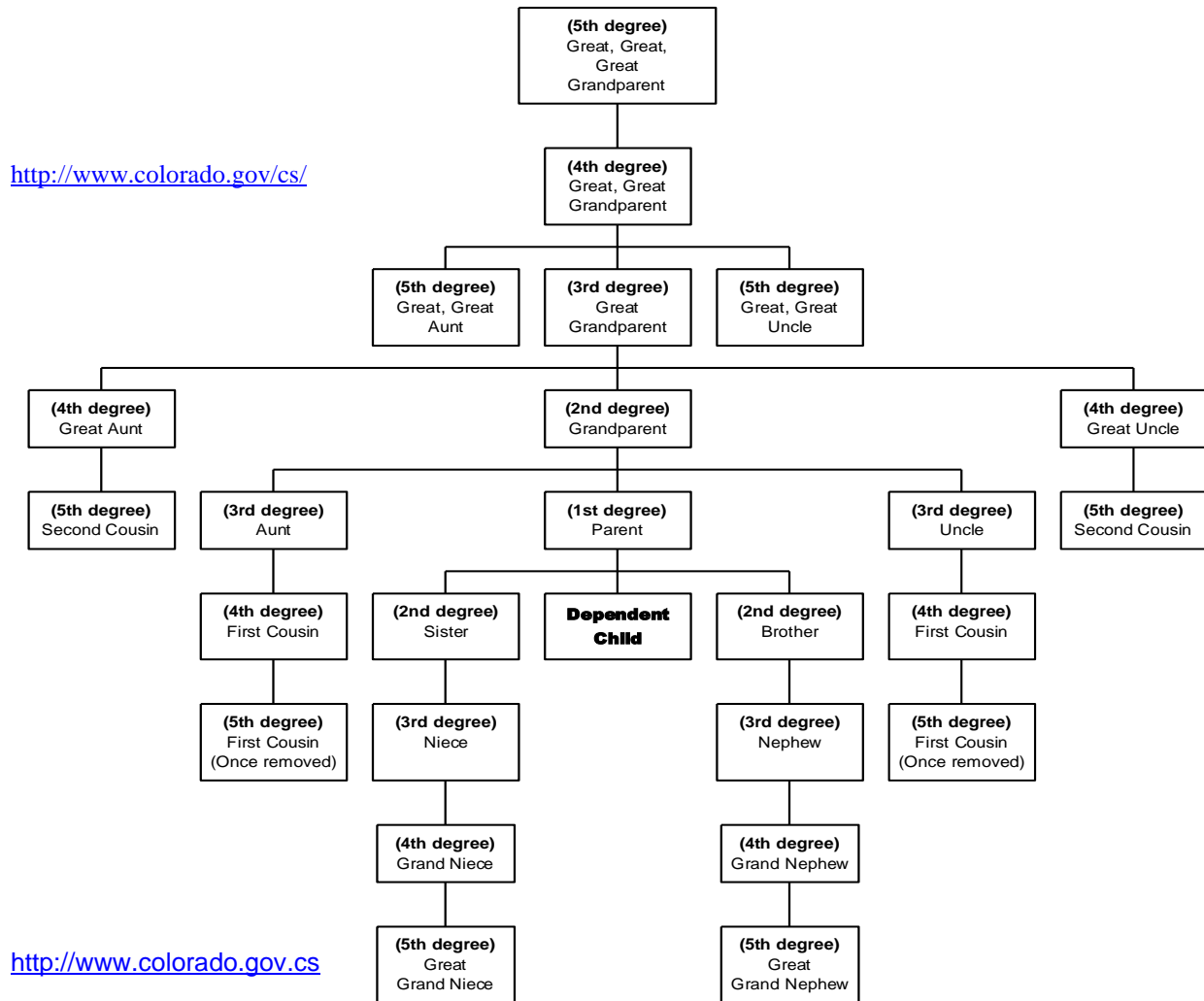
To determine the degrees of relation to a collateral relative (someone not in the direct line),

- Count back to the first relative that you and the collateral relative are both directly related to. For instance, if you are counting the degrees of relation between yourself and a maternal cousin, your maternal grandparent would be in each of your direct lines.
- Add the number of degrees that it takes you to count up the line to that direct relative, starting with yourself, and then back down the line to the cousin. For example, a first cousin would be a relative in the 4th degree of relationship because you share a grandmother in common, to whom you are both related in the 2nd degree.

[http://www.ehow.com/how\\_7384323\\_calculate-4th-degree-relationship.html](http://www.ehow.com/how_7384323_calculate-4th-degree-relationship.html)

# Laws and Policy Relating to Family Finding

## FIFTH DEGREE OF KINSHIP CHART



In addition to relatives, the CCYA may wish to consider kin as a placement resource. Pennsylvania's current definition of kin includes relatives as defined above or individuals who meet at least one of the following:

- God parent as recognized by an organized church;
- Member of the child's Indian tribe, nation, or clan; or
- Individual with a significant, positive relationship with the child or family.

(OCYF Bulletin. *Concurrent Planning Policy and Implementation*. 3130-12-03).

Kin are a valuable resource for the family and child and can be considered as a permanency resource for the child if placement is necessary. When a child enters out-of-home care, families and youth should be encouraged to identify all of their kin resources as they may be of assistance in development of the CPP and the concurrent plan. Kin may even be considered as a placement resource. If the family or youth identify potential kin resources, the agency may send them notification of the child's placement even though such a notification is not required.