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What's Good and What's Missing in Child Welfare Task Force Findings *Review cites Need for Prevention, Reform, Kinship Care, Family Services and Rights*

Michigan's child welfare system has long suffered from chronic underinvestment over time, leading to poor outcomes for youth and families as well as legal settlements which have now lasted for over 15 years. In 2021, legislative leaders and the Governor began separate efforts to diagnose problems and name solutions for righting some longstanding failures. This brief reviews what's good and what's missing from the findings and recommendations of the [Governor's Racial Disparities in Child Welfare](#) and the [House Adoption and Foster Care Task Force](#) based on what Michigan's Children has learned from youth and families over the last three decades, as well as from data and research.

This analysis is organized to follow the "child welfare continuum," from preventable root causes and following through into foster care and aging out.

Prevention

Many foster care cases are preventable, either before an event of abuse or neglect occurs or through interventions taken at the front end of Child Protective Services (CPS) involvement. However, Michigan has suffered from chronic underinvestment into supports that would prevent abuse and neglect, foster care entry and termination of parental rights. These can include parenting skill-building or concrete resources like housing, child care, transportation, mental health services, or temporary income support.

What's Good: The Governor's recommendations include shifting more spending to prevention and family preservation; using [Child Care Fund](#) for **prevention services** that avoid removing children from their family homes; and increasing **access to mental health services** for children and families. The House report recommends that the state agencies work together to **increase housing options** for at-risk families; and to provide vouchers for caseworkers to distribute for a select number of needs.

What's Missing: Neither report recognizes the broad need for **increased front-end investment** to ensure that the widest range of **proven prevention supports** are available for families; the more we invest new dollars into prevention, the more we will open up existing resources throughout the state for innovative and effective uses. Further, dedicating **flexible resources for prevention** puts decision-making power in the hands of [communities](#) and caseworkers who know best what's needed to preserve each family.

Finally, while the House report recommends tax credits for adoptive parents, neither report recognizes the impact of directly increasing **economic opportunities** for birth and kin families through expanding tax credits like the [Earned Income Tax Credit](#) or through enacting a statewide paid leave system. These policies offer an opportunity for parents who run into a period of economic uncertainty to strengthen their foundation and continue to find ways to support their own families despite short-term barriers.

Child Welfare Legal Reform

Children, youth, and birth families alike too often suffer from poor representation in child welfare proceedings. Legal guardians ad litem (LGALs) are assigned by courts as the legal voice for the young person but often receive low payment rates and little training. Because LGAL recruitment and training are predominately determined by local courts, the quality of LGAL representation varies significantly and jeopardizes the representation of youth's best interests. Birth families also struggle to access quality legal help, not only with representation during proceedings but for pretrial services that might assist with prevention, including eviction advocacy and protection orders for domestic violence situations.

What's Good: The House report supports requiring all LGALs and parent attorneys to receive **trauma-informed training** prior to accepting a court appointment.

What's Missing: The House report recommends creating a county pilot program to explore improving the quality of legal representation for children and parents. However, experience from our courts is already conclusive that increasing payments for LGALs and decreasing caseloads is immediately worthy of **investment beyond a pilot phase**.

The House report recommends piloting the provision of **legal and support services to parents** during a CPS investigation. Again, this deserves a higher priority and commitment to figuring out how to expand parent access to legal and support services to reduce family removals, many of which are preventable.

Kinship Care

Many children and youth in Michigan are raised by grandparents and other relatives when their own parents are unwilling or unable to care for them. In Michigan, over 4,000 children live with a relative who is a licensed foster parent, and it is estimated that more than ten times that number live in an informal care arrangement with a grandparent or other relative. There is ample evidence showing that in many circumstances, [children thrive in the stable environments created through kinship care](#), which is why child welfare systems have stated priorities that include placing children with suitable relatives when possible. However, kin caregivers, especially informal caregivers, have dramatically less access to resources than licensed foster parents; and a difficult pathway to becoming licensed foster parents themselves.

What's Good: Both the Governor and House call for a **new strategy for kinship care**. The House report goes into more detail, calling for increasing kin caregiver access to critical services and system navigators; creating a kin advisory council in state government; and expanding the legal definition of kin.

What's Missing: Neither report mentions whether informal kin arrangements would have **access to supports** outlined. It is critical that all families caring for children be able to access the resources and services that they need. Neither report recommends **modifying licensing guidelines** to reduce barriers for kinship caregivers who want to obtain a foster care license. Neither report mentions the value of **hiring navigators** who have lived experience as kinship caregivers.

Services During Foster Care for Young People, Birth Families, and Foster Parents

Due in part to the weight and number of the many burdens on professionals working within the child welfare system caused by professional turnover, and in part from underinvestment in critical services governed by other agencies such as public mental health which has created workforce shortages, children, youth, and families often suffer from a lack of support for accessing services that are necessary to achieving the intended outcome of their child welfare plan, which most often is family reunification.

Speakers before the task forces also highlighted the value of having consistent support from the beginning of their affiliation with the child welfare system, not only in mental health and other essential care but also having consistent mentorship and emotional support. Children act out during the early days of their time in foster care because they do not feel secure, and consistent support and mentorship can alleviate those feelings of insecurity. [Court-Appointed Special Advocates \(CASAs\)](#) pair children with adults who can serve as a stable relationship for a young person after they enter the system. Many CASAs also maintain their relationship with children after cases close.

What's Good: The Governor's report recommends **increasing access to mental health services**. The House report recommends **expanding training for social workers** and **hiring more support staff** for caseworkers. The House report also recommends **expanding Court-Appointed Special Advocate (CASA)** access statewide to provide an additional voice to speak up for the interests of a child.

What's Missing: Neither report goes far enough to recommend **direct investments into growing the workforces** that provide essential public services or direct child welfare services, like social workers, other mental health professionals, and early intervention services. Neither report includes **support for expanding child care access** for foster parents, who often struggle to access this essential service.

**Governor Whitmer is expected to recommend a substantial mental health workforce investment in her Fiscal Year 2022-23 budget recommendations.*

The House report, while supporting CASAs, does not recommend piloting the **expansion CASA access to older youth**, who have not traditionally been served by CASA programs in Michigan.

Rights for People Involved with the Foster Care System

Many young people and families involved with foster care experience missed deadlines due to the aforementioned strains on the child welfare system and, when they file complaints, do not receive adequate follow-up and resolution. Despite the enactment of [recent reforms championed by Michigan's Children](#), there are still limitations to the system of foster care grievance and review. The grievance procedure rests completely with the Michigan Department of Health and Human Services (MDHHS) bureaucracy, but a system with more checks and balances would include an outside entity. We need independent, consistent enforcement, trusted by those in the state's care, with a basis in state law.

What's Good: The House report recommends that DHHS and court stakeholders **annually review their processes** for improvement; and recommends the creation of an **intra-agency complaint intake system** so that some monitoring and follow-up responsibility be assigned to independent evaluators instead of the DHHS staff who are also responsible for maintaining the day-to-day child welfare operations.

What's Missing: Neither report mentions establishing a [defined timeliness standard](#) for **responding to complaints** “as soon as practicable” or for reporting findings to evaluators. Neither report also mentions **allowing caregivers to submit complaints** when children are too young to file their own complaint.

Successful Transitions for Older Youth

If they do not return home or are not adopted, youth “age out” of foster care at the age of 18. While there is an option at this point for older youth to “opt in” to Young Adult Extended Voluntary Foster Care (YAVFC), which due to the youth’s age does not simply mean family placement but offers many supports and services for the transition to independent adulthood. But many choose not to opt in, either because they have no interest in more “foster care” after a bad experience and don’t understand how the program works, or because they didn’t learn about the option at all, losing out on key transition aid.

Youth aging out of the foster care system tend to be the most removed from their original systems of social and concrete support, and face increased challenges including high school dropout, substance use, and emotional problems. These risks can lead to unemployment, homelessness, incarceration, early pregnancy, and chronic health conditions. These outcomes are particularly grim for African American and Indigenous youth, and for youth who see multiple placements over their time, an instability that frequently re-traumatizes them. Young people aging out of foster care face a perfect storm:

1. Their trauma has resulted in roadblocks to success throughout their lives.
2. Our systems have not adequately supported them after taking them custody through foster care, a negative experience which makes them less likely to opt-in for YAVFC after age 18.
3. Youth are not provided adequate transitional supports as they leave.

It is clear that [youth transitioning out of foster care require and deserve additional help](#) to be able to make it to self-sufficiency.

What's Good: The House report recommends a funding increase for **independent living programs** that assist foster youth as they transition into adulthood.

What's Missing: Neither report recommends specific investments into resources that sit outside of independent living programs and which are proven to help older youth transition to adulthood, including **fully funding peer support programs** and **coordinated services through the Michigan Youth Opportunities Initiative**; and expanding state support for, and reforming eligibility for, the **Fostering Futures Scholarship**; and **creating an opt-out for YVAF** instead of the current opt-in. Neither report recommends directly expanding income support for working young people who have aged out of foster care through **expanding eligibility for the Michigan EITC**.

Finally, neither report recommends **removing barriers to the ability to drive** for youth in transition from foster care; which includes access to IDs, access to vehicles for driver’s training, and access to insurance since barriers exist to youth joining an existing birth family or a foster family’s insurance.