

# NAVIGATING THE CHILD WELFARE SYSTEM IN KENTUCKY



## Building the Voices of Lived Experience: Lessons Learned from Navigating the System

May-July 2023 Focus Group and Interview Summary



A SPECIAL THANK YOU TO CASEY FAMILY PROGRAMS

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## Introduction

*“I didn’t know what my rights were.”*

*“I wish someone would have told me.”*

*“Once a different case worker got involved, everything changed.”*

These are direct statements from people who have current and former Kentucky Child Welfare (CW) system involvement. The main thing that is often repeated is a sense of **feeling alone, not knowing their rights, and not knowing what to expect.**

During the months of May-July of 2023, Kentucky Youth Advocates (KYA), along with lived experts, facilitated virtual and in-person focus groups and interviews to hear from those with current and former experience with the CW system. The purpose was to use their feedback to inform what would improve communication and services. Participants covered all nine Department for Community Based Services (DCBS) service regions and represented the following CW-impacted groups: family-based foster parents, recently aged-out foster youth, biological parents, and kinship caregivers. The goal is to use the information collected to help educate the system, increase utilization of services already in place, encourage more transparent and effective communication from service providers to child welfare stakeholders to improve outcomes, and create positive change for future persons involved with the child welfare system.

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*Following the guiding principles of the national Thriving Families, Safer Children initiative – a movement to reimagine child welfare – each step of this project, including planning, execution, and analysis, has been informed by and involved lived experience.*

# Child Welfare in Kentucky Overview

## July 2022-June 2023

The following data depicts the scope of families involved with the child welfare system in Kentucky as well as how many questions the Ombudsman help desk received related to involvement. Ideally, people involved in the child welfare system are provided necessary information at the onset of their child welfare involvement rather than having to escalate questions to a supervisor level or call the Ombudsman’s office to make inquiries.

Child Protective Services (CPS)\* intakes with allegations of child abuse and/or neglect: 99,836

Reports that met acceptance criteria (screened in): 40,080

Findings of substantiated abuse/neglect: 8,192

For the latest monthly data on placement information, both statewide and by DCBS service region, visit [Foster Care FACTS - Cabinet for Health and Family Services \(ky.gov\)](https://www.ky.gov)

### Complaints to the Office of the Ombudsman and Administrative Review SFY 2023

- Total calls under protection & permanency: 11,961
- Total calls related to the CPS investigation: 4,771 (of the 4771, 762 were inquiries)
- Total calls related to ongoing cases: 1981 (232 of those were inquiries)
- Total inquiries related to protection & permanency under “Other”: 513
- Total calls related to out- of-home care and foster care combined: 966 (56 of those inquiries)
- Total calls related to relative placement, including kinship and fictive kin: 391 (99 of those inquiries)

*Department of Community Based Services SFY 2023  
Office of the Ombudsman and Administrative Review SFY 2023*

Project Participation and Reach	
# of Focus Groups	15
# of Interviews	4
Focus group and interview participants	103
Survey responses	23
Total # of participants	126

Representation	
Counties covered	35
DCBS regions	9
Kinship caregivers	14
Foster youth	30
Foster parents	21
Birth parents	61

\*Throughout the document, CPS and DCBS will be used interchangeably.

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## Focus Group and Interview Findings Summary

The focus groups and interviews took place during the summer of 2023. Focus groups and interviews took place both in person and virtually depending on the availability and preferences of the participants.

Below are themes, quotes, concerns, and recommendations broken out by each group of those with lived experience. There are several differences in the information provided within each group, however across all groups there are overarching themes and potential solutions to consider.

Among all stakeholder groups there were clear themes around the need for improved communication. This need was expressed in different ways among each group; however, it was clear that the communication of needed information was lacking for all of those interacting with child protective services as well as on-going caseworkers.

### Foster Youth

#### Themes

- Foster youth do not know their rights.
- Foster youth do not have autonomy over their personal financial assets.
- Foster youth express not feeling like the case workers are properly trained or motivated to do their jobs.
- Foster youth feel there is a lack of communication from case workers. They also do not have contact information for CPS workers.
- Foster youth would like more support with advocating for themselves and feeling heard.
- Foster youth harbor regret for not pushing harder for a permanency option.

#### Concerns

- A foster youth was misdiagnosed which eliminated their choice in recommitting to care.
- A youth reported being in an approved home where the foster parent was a registered sex offender.
- Foster parents are given too much information on youth without their consent. This information is used against them at times and shared with the foster family's biological children, which can lead to judgement or ridicule.
- Youth in care are being over-diagnosed and over-medicated.
- No one reached out to the youth just to talk to them, check on their emotional wellness, or say they care during their placement.
- Some young people said that they do not feel involved in or informed of their plan or court proceedings.
- A lot of concerns surrounding money: DCBS taking trust fund, not receiving inheritance, foster parents withholding or spending their money. Youth do not feel financially prepared for transitioning out of care to adulthood and independent living.

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## Quotes

- “Let the people help you.”
- “I was an audience member in my own court case.”
- “Do things for you...[people] around you don’t care for you as much as they should.”
- “Sometimes all you have is your bags.”
- “They dehumanize us. They aren’t really treating the kids like a relationship, more like a job to do.”
- “I wish I knew my case worker because I only saw them about twice.”
- “Know that you mean something, you aren’t garbage, you are worth something.”

## Recommendations

- Develop a step-down approach that allows a gradual exit from foster care.
- Implement a better system for bags to hold their belongings for the youth during their placements. The youth who had a consistent bag throughout care appreciated this.
- Offer more therapeutic options to youth in DCBS custody (e.g., equine therapy).

## Foster Parents

### Themes

- Foster parents feel the system does not appear to support their concerns for and focus on the child.
- Foster parents need ongoing support beyond the initial trainings to address real-world or timely scenarios.
- Foster parents appreciate the Recruitment and Certification (R&C) worker’s role compared to other workers involved.
- Foster parents commonly express a feeling of isolation and the need to be their own advocate.
- Foster parents need better education on how to support the foster children in trauma-informed ways. Children in care often have experienced trauma, which can contribute to exhibiting challenging behaviors and/or delays in social emotional functioning.
- Foster parents lack sufficient child history information.
- Foster parents are unsure if team meetings are occurring and do not know if they should attend court hearings.
- Foster parents perceive DCBS workers as busy and minimally involved. There is a need for better communication and more involvement from DCBS workers.

### Concerns

- Foster parents' rights to search a child's room if there is concern for the safety of the child or others in the home.
- Children in care having forced contact/visits with the biological parent(s) after a substantiation of perpetration.
- Foster parents are not prepared for or informed of high acuity youth prior to placement.

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## Quotes

- “Take care of yourself.”
- “Team meetings...I have gone to one. I’m assuming they didn’t occur.”
- “Sometimes we feel like the state doesn’t care.”
- “You are on your own.”
- “The system is not for kids.”
- “Mentorship is awesome.”
- “Find as much support that you can find.”
- “There are going to be a lot of ups and downs.”

## Recommendations

- Ensure DCBS workers maintain consistency with completing monthly visits to foster homes.
- Reimburse foster parents for property damages, including personal property, incurred while children are in their care.

## Birth Mothers and Fathers

### Themes

- Parents report a lack of knowledge, consistency, and information provided about the length of the case process.
- Parents did not know they had rights or felt like they did not have any.
- Parents report that case workers overreach beyond their powers, provide inconsistent or misleading information, and do not honor their rights.
- Parents express that legal representation is critical.
- Parents agree that knowledge about parental rights is crucial.
- Parents do not feel understood or supported by the workers. Parents feel they need to advocate for themselves but are also hesitant to even speak to CPS at all.
- Parents report emotional distress due to the unknowns, lack of resources, stigma, and the number of demands on the parent in a short amount of time with little to no help or guidance.
- Parents feel communication from DCBS is lacking.

### Concerns

- Parents share concerns surrounding the qualifications of young, inexperienced investigative workers to make a proper assessment of parental protective capacities.
- Parents perceive inconsistency and bias with acceptance criteria for an allegation of abuse and neglect. Parents question their child welfare involvement while personally knowing of children left in unsafe situations that are not investigated.
- Parents are apprehensive of bias and conflict of interest occurring with DCBS-contracted providers and wish to use a service provider who is not contracted with DCBS (e.g., a mental health provider).
- Some parents are unclear if their case is still open; they never received a findings or case closure letter.

- Parents are uncertain if the case will go on their background check or if they will receive a criminal charge.
- Parents feel information is used against them whether willingly furnished or withheld. They are uncertain about whether to be honest and forthcoming with DCBS workers.
- There are concerns surrounding automatically having to work a case plan when domestic violence is a factor for the nonoffending parent.
- Many parents report only being able to get in touch with DCBS through the supervisor and not the case worker.
- Some parents are not clear on the reason for their case, even when child removal occurred.
- Parents report case workers changing often. The case workers don't seem to have information on the family or the case. There seems to be a lack of continuity surrounding the knowledge of case details or progress.
- Some parents feel the case workers are more cooperative with the other parties involved in the case outside of the birth parents. They felt the case workers' tone and the amount of information relayed differed between the parties.

## Quotes

- "They [case workers] don't listen to what's going on with you and how hard you are really trying."
- "It's hard to communicate with them [case workers] ...[they] don't text you back."
- "I wish they [case workers] would have been more considering to the fact that a person can only do so much."
- "Their process [doesn't] seem to be designed for actual reunification and help."
- "You have to advocate for yourself."
- "Everything is case plan driven."
- "This process isolates you from other people."
- "Treat us fairly."
- "If you can't afford an attorney, then you are screwed. There is a lack of compassion."
- "They [case workers] need to come into the situation listening to us first, without stigma."
- "We don't deserve to be treated like disposable garbage."
- "My caseworker spoke to everyone else involved with my case but did not talk to me.... [the worker] said, 'If I don't talk to you, you should consider it a good sign.' This left me wondering what would happen next."
- "Treat us like people who are also suffering...[as] well as [our] children."

## Recommendations

- Inform parents of the reason for their child welfare involvement at initial contact.
- Connect parents to peer support and advocates.
- Clarify what is a required course of action on a safety plan versus a recommendation.
- Provide an explanation to parents on the reasons for requirements on their case plan.
- Furnish information to parents about what classes are court-approved before they take them.
- Address and penalize retaliatory reports and false allegations, particularly from ex-partners and family members.

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## Kinship (Relative and Fictive) Caregivers

### Themes

- Kinship caregivers assert that grandparents need rights. They also need to know the rights that already exist.
- Kinship caregivers indicate that financial support to care for the child(ren) is inadequate.
- Kinship caregivers claim DCBS needs to improve communication. Information [provided to kinship caregivers] is lacking.
- Kinship caregivers declare that food resources are a need.

### Concerns

- Birth parents not paying child support impairs the ability to provide necessary care of the child(ren).
- It is unclear if the case is closed when the caregiver receives the placement.
- There are concerns echoed about the birth parents' continued involvement depending on the nature of the reason for care.

### Quotes

- "I received no information at the time the children were placed in my home."
- "I didn't know to ask the questions. You shouldn't have to know the questions to ask."
- "It's like they [workers] aren't willing to share information to make things easier."
- "Social workers don't do their jobs."
- "We had to go into debt more just to get the kids some beds."
- "My belief is we have no rights in the system. Once workers stop visiting, we are forgotten."

### Recommendations

- Provide family counseling and mediation services as part of the case plan.
- Offer peer support and more support groups for kinship caregivers.

## Common Shared Themes Among All Child Welfare Involved Populations

### Key Concerns

- Rights, processes (including the grievance process), and chain of command.
- CPS workers changing or newer DCBS workers.
- Quality of the attorney (depending on court appointed or private).
- Attorneys are not involved early enough.
- Not feeling heard or supported.
- Children coming into the system when it's not needed.
- Knowledge of resources.
- Financial assistance, including an explanation of all available options for funding support.
- Case workers are unresponsive or not knowledgeable on case details. Better communication or potential for addressed concerns coming from supervisors rather than the case worker.



- Confusion surrounding court; when hearings occur and whether they should be in attendance.
- The child welfare system needs to be centered around the child for all stakeholder groups involved.
- Each group could benefit from a connection to peers and/or mentors who can relate to the experience as well as access to advocates.
- Emotional support and therapy resources, especially for trauma.

## Suggested Solutions

- Furnish a handbook or documented information about rights at the onset of child welfare involvement that is customized for each stakeholder group including timelines, grievance procedure, and the roles of the workers and individuals involved.
- Provide assistance to the DCBS worker by having newer workers shadow an experienced one or providing a newer worker with a mentor.
- Review documentation within an investigation before ongoing decisions are made at the end of the initial assessment.
- Ensure accountability for customer service of DCBS workers through defined expectations and feedback surveys.
- Examine multiple options for reunification support and exits to permanency.
- Ensure all financial options are explained and remove penalties and enrollment period limits if proper information is not provided (e.g. the relative placement support benefit).
- Provide or refer individuals to a consultation with an attorney at the beginning of child welfare involvement for all parties involved.
- Include key information, including case history, to provide a safe and supportive environment for the children to placement caregivers while maintaining reasonable discretion for the child's right to privacy.
- Encourage electronic communication between DCBS workers and individuals for better correspondence and evidence of interactions.
- Form regional review boards underneath the state Ombudsman program to monitor the delivery of child welfare agency services and address issues at the regional level.

*“...In the beginning most people don't trust that you are there to help and are scared.”*

*A special thanks to lived expert members, including those from KY SEAT- Kentucky's statewide birth parent council- and the Trusted Advisor Council for their involvement in this project!*