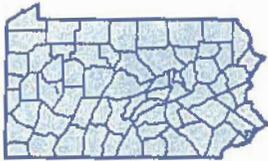


# Pennsylvania Children and Youth Administrators, Inc.



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TESTIMONY ON HOUSE BILL 2499 AND HOUSE BILL 2500

PRESENTED TO THE  
HOUSE COMMITTEE ON CHILDREN AND YOUTH

BY

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PENNSYLVANIA CHILDREN AND YOUTH ADMINISTRATORS  
ASSOCIATION

September 13, 2012  
Harrisburg, PA

I would like to thank Chairwoman Harper and Chairwoman Bishop and members of the House Children and Youth Committee for the opportunity to comment on House Bill 2499 and House Bill 2500. My name is Chuck Songer and I am the Executive Director of the Pennsylvania Children and Youth Administrators Association (PCYA), an affiliate of the County Commissioners Association of Pennsylvania (CCAP), representing all 67 county children and youth services agencies in the Commonwealth. PCYA was founded to give the county agencies a common voice to express the needs of our clients, as well as those of agencies, in helping to shape legislation and policy in Pennsylvania. Personally, I have served in the public child welfare system in Pennsylvania as a county caseworker, supervisor and county agency administrator from 1972 to 1997, and have been the Executive Director of PCYA since 1997.

**Family Finding (House Bill 2499):** County children and youth agencies certainly encourage their staff to utilize any and all family resources on behalf of children and youth needing our services. We feel that “family finding”, as a general concept, is particularly helpful for children and youth who are at imminent risk of being removed from their homes by the court. We are reluctant, however, to have specific social work practices put into law as tools and research may lead us to different and more effective practices. Unfortunately, Section 1302.1 requires the use of the tool for all children and youth accepted for services. As the vast majority of children and youth accepted for services by the county agencies are not at imminent risk of either adjudication or placement, we do not see the need to annually conduct a full search for all of those children and youth receiving general protective services or on those who have been returned home, even if they still require general protective services. We suggest that the annual search be restricted to those cases where a child is already in placement.

We do appreciate the language in Section 1302.2 and Section 1302.3 which allows child safety and the child’s best interests to modify or discontinue the search but, again, I remind you that most general protective cases are not under the court’s jurisdiction, thus the court determination indicated under Section 1302.3 would not be made. Therefore, we suggest that the court determination be reserved for those cases where the child is in placement.

The definition of “relative” in the Bill is exceptionally broad. We would prefer continuing the existing language of “third degree of consanguinity or affinity” and expanding the search as indicated by family circumstances. Otherwise, we could be sending written notices to and screening the first half-cousins once removed, and their spouses, of all the children and youth accepted for services. This would be quite time consuming and would need to be included in budget planning. County agencies and families can work within the proposed addition of (3) to the definition of someone who “has a significant positive relationship with the child”.

Further, there are issues with the accuracy of the Accurint search engine which has caused some county agencies to waste time researching non-relatives that show up on the list. It can be a tool but is not always the most reliable one. Erroneous contacts can also a potential confidentiality risk. A question to be answered is, under what circumstances does the parent have the right to rule out certain relatives for whatever reason (e.g. relatives of a parent whose rights have been terminated)?

In summary, although there are certainly clarifications that could be worked out in regulations, our major concern with House Bill 2499 is the application of the "family finding" requirements to all cases accepted for service and this would preclude our supporting the Bill as written. We feel that the "family finding" approach is appropriate only in cases where the risk of placement is imminent or when the child is already in a placement.

**Family Conferencing (House Bill 2500):** County children and youth services agencies currently have regulations that require an inclusive process for service plan development for families accepted for service, which need to be completed within 60 days (Title 55, Chapter 3130.61). We feel strongly that family engagement, whenever appropriate, in the identification and delivery of needed services is critical to a successful outcome. A number of counties are already utilizing a variety of "family conferencing" approaches successfully with engaged families.

House Bill 2500 requires, in Section 1302-B, that county children and youth services offer the opportunity to engage in family conferencing to all families receiving children and youth social services. We feel that this approach would most appropriately be offered only to families that are accepted for service and not to those families under initial investigation or receiving other agency services. We could not support applying "family conferencing" across the board to all clients of the agency.

We are not clear on the need for the broad definition, in Section 1302-B, of "relative" in this Bill. The immediate family of the child should be able determine which other relatives would be engaged in the family conference without having relatives out to the fifth degree of consanguinity or affinity to be involved in the decision of who has a seat at the table.

Typically, as stated above in our comments to House Bill 2499, we are reluctant to put "best practices" into legislation as new approaches are constantly coming forward. The definition of "family conferencing" in House Bill 2500 is broad enough to cover a variety of applications. We would not recommend that any specific model be required as some models of "family conferencing" can cost up to \$3,000 per session and would have a significant budgetary impact if mandated.

We would like to work with you and the Department of Public Welfare on the best way to best ensure the safety, permanency and well-being of the child in any interim periods while awaiting the family's efforts to develop an approvable plan. We appreciate the granting, under Section 1308-B, of sufficient time for agencies to adequately prepare their staff and to secure the necessary resources for full implementation of this approach.

