

## **TESTIMONY REGARDING FAMILY FINDING AND FAMILY GROUP CONFERENCING**

Good afternoon, Chairwoman Harper, Minority Chairwoman Bishop, members of the Committee, and staff. I am Ilene Leventhal, a guardian ad litem representing children in Allegheny County, and a member of the Pennsylvania Bar Association's Children's Rights Committee. I am honored to be here today. While the Pennsylvania Bar Association does not have an official position on House Bill 2499 and House Bill 2500, our committee members have reviewed and discussed the two bills and appreciate this opportunity to share some questions and concerns.

The Children's Rights Committee is comprised of approximately 80 members who share a particular interest in children served by Pennsylvania's county children and youth agencies. Our members include GALs who practice in many different counties, solicitors for county children and youth agencies, judges, county court staff members, and other attorneys who seek to advance children's rights and interests.

Like many of the presenters who have already addressed you this afternoon, our members believe that both family finding and family conferencing are practices that benefit children and families served by the child welfare system. Several of us have seen the benefits of both practices in our own cases, and we believe it is important that children throughout the Commonwealth have the opportunity to benefit from these valuable services. Our questions and concerns relate to the **scope** of the requirements included in the two bills.

### **House Bill 2499 – Family Finding**

I will address House Bill 2499, regarding Family Finding, first.

As you know, the recently-enacted Act 80 of 2012 includes family finding activities as required by the federal Fostering Connections to Success and Increasing Adoptions Act of 2008.

Those required activities involve identifying and notifying all of a child's adult relatives within 30 days of the child entering placement under the custody of the county children and youth agency and the jurisdiction of the court.

House Bill 2499 appears to go much further, though – by applying to all children accepted for service by the county children and youth agency and by requiring annual family finding efforts. Children and youth agencies regularly accept many, many children and families for services on a voluntary basis. These children and families may never come before the court, and their involvement with the county agency may be fairly brief. We question the value of finding and notifying a child's entire extended family network when the issue that brought the family to the attention of the county agency may be relatively minor, time-limited, or fairly easily resolved. We wonder whether parents seeking the county agency's assistance might find it a serious intrusion on their privacy and confidentiality if extensive family finding efforts must accompany any voluntary service they might be interested in receiving.

We also question the value of annual family finding efforts in every ongoing case. Sometimes a child may be in the county agency's custody for many months, and the child's path to permanency may have become clear during that time. For example, perhaps a child whose parents have failed her is living in a kinship foster home with a paternal aunt who is preparing to adopt the child. While the adoption work is pending in the courts, a renewed search yields contacts from distant maternal relatives who were not found in previous family finding efforts. It is more likely that such a search effort will prove disruptive and confusing than beneficial for the child.

Finally, in cases involving older youth, we believe that the youth should play a role in determining whether family finding efforts should continue.

### **House Bill 2500 – Family Conferencing**

Now I will turn to House Bill 2500, regarding family conferencing.

Our committee members agree that family group conferencing is an excellent practice and should be widely available to families throughout the Commonwealth. It concerns us, however, that safety threats constitute the only exception to the bill's requirement to offer a family conference to every family on an annual basis. We encourage the Committee to consider a broader "child's best interests" exception.

We again offer an adoption scenario to illustrate the need for such an exception. Imagine that the child's birth parents have engaged in conduct that warrants termination of their parental rights, that the child is living with the intended pre-adoptive parents, and that the termination of parental rights proceeding is still pending in the county court. How would it serve the child's interests to offer an annual family conference to the birth parents at this point in a case?

Thank you for the opportunity to testify today. Our committee stands ready to assist you in any further work on these two bills.

