

Siblings in Out-of-Home Care: An Overview

There are more than 550,000 children in foster care in the United States at any give time. In addition, 51,000 children from the foster care system were adopted in fiscal year 2000, and the number increases each year as states move to increase adoptions in order to receive federal incentives for doing so. These incentives, established by the Adoption and Safe Families Act of 1997 (ASFA), have proven to be an effective federal tool for providing a renewed focus on achieving permanency for increasing numbers of children in many states.

What We Know

How many of these children have brothers and sisters, both in the child welfare system and outside it? How many are separated from those siblings once they enter care? No one really knows. Few jurisdictions maintain records that allow a good analysis of the issue. Two that do, however, are systems that account for large numbers of children in out-of-home care:

The California Department of Social Services maintains sibling placement data¹ that indicates in July 2002:

- 91,509 children were in county supervised foster care;
- 71% of these children had at least one sibling in out-of-home care;
- 40% of these children were placed with all of their siblings who were also in out-of-home care.

This means that 38,657 children – about 42% of the total number in care in the state of California – were separated from one or more of their siblings.

Data from New York City tells a similar story. The Administration for Children's Services First Annual Placement Report² indicates that, of the 11,215 children who entered foster care in fiscal year 1999, 66.9% (7502) had siblings also in out-of-home care. Of these, 47% (3525 children) were separated from at least one of their siblings. This is nearly one-third of all the children who entered out-of-home care in the city that year.

New York City has been under court order to place siblings together (unless contrary to siblings' health, safety or welfare) since 1993³; California's legislation⁴ regarding sibling placements is the most specific in the country, covering requirements to consider siblings at every stage of the placement process, steps that courts and agencies must take and requirements for documentation, provisions for post-adoption contact, required training for adoptive parents, and recognition of the need for placement resources. Yet one-third to two-

1 See Child Welfare Services Reports, Siblings Tables, at:

<http://cssr.berkeley.edu/CWSCMSreports/Pointintime/fostercare/childwel/>

2 See Administration for Children's Services First Annual Placement Report, pp. 16-19, available at:

http://www.ci.nyc.ny.us/html/acs/html/whatwedo/first_annual_placement.html

3 See Proceedings of the National Leadership Symposium on Siblings in Out-of-Home Care, Appendix B, available at http://www.casey.org/cnc/policy_issues/siblings.htm

4 See Proceedings of the National Leadership Symposium on Siblings in Out-of-Home Care, Appendix A, available at http://www.casey.org/cnc/policy_issues/siblings.htm

fifths of the children in these jurisdictions are separated from their brothers and sisters when they enter out-of-home care. If the same is true on a national basis, we might find that as many as 180,000 to perhaps 220,000 children are separated from their siblings at any given time. But again – we don't really know, and we know even less about the number or percent of children who are adopted separately from their siblings.

What We Don't Know

There are other things we don't know about siblings. How do siblings affect one another's development? How important are sibling bonds, and what happens when children are prevented from growing up together? What is more important – blood relationships or affinity? When is it harmful to place siblings together? How do placement decisions affect each child's adjustment and ability to grow and mature? What is the nature of the loss of siblings, and how does grief over losing a brother or sister affect a child over his or her lifetime? Should separated siblings be permitted to remain in contact with one another, even if caregivers (which could be biological, foster, or adoptive parents or kinship caregivers) of one of the children object?

The public, legislators, and even child welfare professionals do not have access to statistics about sibling placements, and do not have answers for questions such as those listed above. Filling these gaps in knowledge is needed to inform the decision-making process for individual children, for agency-wide policy, and for statewide legislation.

To Casey Family Programs National Center for Resource Family Support, these are not simply interesting questions. Our Information and Referral service receives requests from individuals throughout the country asking difficult personal questions about sibling issues. For example:

- *If I adopted 3 of my grandchildren, and the fourth one is living with her Dad, how do I get papers in order for the fourth child to keep in contact and continue a relationship with her siblings that I have adopted?*
- *I am a foster and adoptive mother. I have adopted a 6 year old, a 3 year old and am in the process of adopting my 3 year olds brother who is will be 2 in June. In November the boys mother had another child and the state... placed her with another foster family, they told the foster family to go ahead and name her and told the family they could adopt her. I started fighting to get the children placed together, I went through the chain of command, I wrote letters, I hired a lawyer....*

Going on, this mother reported that the child's adoption worker testified that to move the baby from her current placement at 7 months would be detrimental, and the court determined that the foster family could adopt the child. The mother is now appealing that decision and contacted us looking for more information and an attorney reference.

- Then there is the man who was in the process of adopting brothers from another state and found that the violent behaviors of one of the boys was beyond his ability to handle. After this boy was returned to the sending state, the remaining brother began to show significant improvement socially and academically, and expressed the desire to remain separated from his brother. Yet the sending state determined that, as siblings, the boys should remain together, and the adoption was disrupted.

In trying to provide useful responses to inquiries like these, we discovered that there are few answers to help understand the strength and value of the sibling bond over an individual's lifespan. A search of the existing literature on siblings reveals a small body of knowledge that has been built over a period of about twenty years⁵ and is based on mostly individual experiences or very small-scale studies. The information available, particularly in the area of child welfare practice, is useful, but has not been well publicized, even within the field, and may not be widely used in placement decision-making.

Looking for Answers

Because of the lack of data-driven work in the field, and the fact that what information about sibling issues is available is not well known, Casey Family Programs (CFP) was looking for an opportunity to begin a public dialogue about siblings. At the same time, the Florida-based Neighbor to Family (NTF) Program had received a federal grant through the Children's Bureau for several sibling projects, one of which was a symposium to discuss sibling issues. CFP decided to join with NTF in sponsoring a meeting of knowledgeable individuals in the field to discuss better ways to address the needs of siblings in out of home care as a way to begin to turn national attention to sibling separation issues.

As planning for the Symposium proceeded, we gave much thought to both the focus of the meeting itself and what we hoped would be accomplished in its aftermath. First, we wanted to share with our guests what is currently known about siblings in out-of-home care. We prepared a very brief summary⁶ of what the literature says about

- reasons often given for separating siblings;
- reasons cited for keeping siblings together;
- negative effects of separation;
- when siblings might/should be placed separately;
- suggested casework practices; and
- decision-making in sibling placement.

Sibling Placement Myths

We found that, as is often the case, the lack of factual information co-exists with a body of misinformation. There are myths about siblings in placement that are mentioned throughout the literature; conversations at the Symposium indicated that some are still flourishing. For example:

- Myth: The "parentified child" should be separated from younger siblings in order to give him/her a chance to be a child.

Informed practice tells us that separating such a child from younger siblings is detrimental to the younger ones, who now must face placement in an unfamiliar home without both parents and the older sibling who could be a source of comfort and support. It is also a negative experience for the older child, who feels responsible for the care of siblings and may suffer great anxiety about their fate. Placing such a

⁵ See Proceedings of the National Leadership Symposium on Siblings in Out-of-Home Care, Appendix C, available at http://www.casey.org/cnc/policy_issues/siblings.htm

⁶ See Proceedings of the National Leadership Symposium on Siblings in Out-of-Home Care, Appendix C, available at http://www.casey.org/cnc/policy_issues/siblings.htm

group with a resource family who understand the sibling dynamics can allay the fears of all the children and allow them to gradually develop a more "normal" relationship under the tutelage of adults.

- Myth: Brothers and sisters should be separated to prevent sibling rivalry.

Sibling rivalry is a fact of life in all families. It may even be possible that such squabbles are a way children learn to deal with other forms of conflict. Separating siblings in order to prevent sibling rivalry both increases the trauma of removal and denies children the opportunity to learn to iron out their differences in a safe and supportive environment.

- Myth: A child with special needs should be placed separately from siblings in order to receive more focused attention.

Children with special needs also have the same needs all children have -- to be loved, to belong, to feel safe. Families are what satisfy these needs, and brothers and sisters are part of families. In addition, placing a child with special needs alone makes him or her the sole focus of the resource parent's attention, distorting the child's sense of place in the family and possibly overwhelming him or her. Living in a family as just one member of a sibling group -- as the child did in the family of origin -- allows him or her to maintain normal relationships with both brothers and sisters and with the new adults in the family. A better solution is to recruit, prepare, and support resource families who are able to effectively care for both the special needs child and his or her siblings.

The fact that myths like these are still believed by those who make placement decisions points to pressing needs for more research, wider dissemination of information, and targeted training and education for social workers, child advocates, attorney and judges who are involved in child placements.

What We Believe

Our reading of the literature, our experience at the Symposium, and our ongoing contact with both individuals who come to us for information and assistance and the colleagues who continue to work on sibling issues leads us to a series of beliefs about working with siblings in out-of-home care. Issues that appeared repeatedly seemed to fall into a few major categories:

- How does consideration of a child's sibling relationships relate to other issues in determining the placement that is in the best interest of each child?
- Are sibling relationships defined by blood, marriage, and adoption, or are there additional factors that bring children to feel that they are brothers and sisters?
- Is there an obligation to facilitate continuing contact between siblings who are separated, and how might that obligation be put into practice?
- What role do sibling relationships play in a child welfare system committed to ensuring safety, permanency, and well-being for children?

On Best Interest

As we thought about the arguments for and against placing sibling together, and looked at the kinds of questions we receive from our customers (which include child welfare staff, resource families, attorneys and the media), it became clear that determining the "best interest" of an individual child was vastly complicated by his or her membership in a sibling group, and that many individuals, from resource parents to caseworkers to judges, struggle with making that determination in individual cases every day. We know, for example, that children, even very young ones, suffer negative effects when they experience placement changes, and that multiple moves can lead to emotional and behavioral difficulties. We also know that children who are separated from their siblings in placement generally want to be reunited, and that sometimes this necessitates moving children from one placement to another. Clearly, once siblings are separated the issue of determining "best interest" becomes complicated in a way that would not happen if they were kept together from the initial placement.

- ◆ We believe that it is essential to place children with all siblings who are in care and maximize their ability to maintain all family and community connections.
- ◆ All children who are able to express a preference for being placed with or separate from their siblings should be listened to and their feelings taken into consideration in determining "best interest."
- ◆ Agencies must do a better job of recruiting and supporting resource families who are willing, able, and prepared to care for sibling groups.
- ◆ Where licensing requirements limit the number of children who can be cared for in one family, exceptions should be made for sibling groups.
- ◆ The individuals who make placement decisions, including caseworkers, supervisors, administrators, attorneys, guardians ad litem, and judges must receive training/education in siblings issues, including the importance of the sibling bond, the short- and long-term effects of separation, and how to weigh "competing" interests in determining children's best interest.
- ◆ Legislators are responsible for ensuring that state laws reflect an intent to maintain family connections by keeping siblings together and providing for ongoing communication and visitation when they are separated. They must also provide the resources agencies need to put legislation and policy into practice and to support resource families in caring for children.

On Defining "Sibling"

Some states have legislated clear definitions of what they consider siblings to be. Many restrict that definition to children who have at least one biological parent in common, or who have been adopted by the same parent. Symposium participants proposed that siblings can have connections through blood, adoption or affinity, and may be actual (legal) siblings or "fictive" siblings. The concept of fictive kin has been introduced into child welfare as a resource for placing children with adults with whom they have connections based not on blood, but on caring relationships. If a child can have "fictive kin" adults in his or her life,

can he/she also have "fictive siblings" who should be considered in placement decision-making?

- ♦ We believe that a concept of "sibling" that supports the relationships children feel with one another, whatever their biological or legal ties, taking into account cultural values, and including children bonded by a common nurturing environment.⁷
- ♦ Where legislation provides more restricted definitions of siblings, there is still room for policy and practice to consider children's other relationships with one another in making placement decisions.

On Siblings Who Are Separated

We found that much of the legal literature deals with cases in which siblings have been separated and are seeking to be either reunited in placement or granted visitation rights. The siblings' rights of association are weighed against the competing rights of biological, foster, or adoptive families, and their attachment to one another is only one of several issues considered in determining the "best interest" of the child.

- ♦ We believe that, when siblings are separated, they should be given the opportunity to know who their siblings are and where they are living. Resource families who care for them should facilitate communication and visits between them, both during temporary placements and post-permanency.
- ♦ Agency staff must learn and put into practices techniques that support the maintenance of sibling relationships.
- ♦ Resource families must be educated and supported in facilitating contact and visits through legislation, policy, and practice.

On Child Welfare Outcomes: Safety, Permanency and Well-Being

The Federal Child and Family Services Reviews (CFSR) are specifically looking at siblings in two of the six items reviewed in considering Permanency Outcome 2, the continuity of family relationships and connections are preserved for children⁸. In fact, separating sibling groups may contribute to further disruption in the form of multiple placements and ultimately failure to achieve permanency, as children use one of the few tools they have – negative behaviors - to attempt to disrupt placements and be reunited with brothers and sisters.

Data from New York City and California clearly shows that sibling groups placed with kin have fewer placements – that is, greater stability and permanency – than those placed with non-relatives. Federal law (Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193) requires states to consider giving priority to relatives when making placement decisions, and the CFSR looks specifically at placement with relatives as an item in evaluating permanency. In response, most states have made progress in reaching out to relatives as placement resources for all children, including siblings, but others lag.

⁷ For further discussion, see page 40 of the Proceedings of the National Leadership Symposium on Siblings in Out-of-Home Care (Working Session), available at http://www.casey.org/cnc/policy_issues/siblings.htm

⁸ Placement with siblings and visiting with parents and siblings in care.

Provided that the safety of none of the children is compromised by placing them together or facilitating visits:

- ◆ We believe that preserving the bond between brothers and sisters is an essential part of their long-term emotional well-being.
- ◆ Placing siblings together, or enabling them to maintain contact when they are separated, preserves their connections with one another and to their family, improving long-term well-being and permanency, whether the ultimate plan is reunification, adoption, or permanent placement with kin.
- ◆ Placing siblings with kin increases their chance for retaining family connections not only with one another but with other family members, and such placements should be pursued whenever possible.

The Symposium

The National Leadership Symposium on Siblings in Out-of-Home Care brought together alumni of foster care, resource families, researchers, practitioners, advocates and policymakers to address sibling issues from a variety of perspectives. Invited experts with diverse personal and professional perspectives on understanding and supporting sibling relationships dialogued with an invited group of participants. The Symposium Proceedings contain detailed information about both expert presentations that were made on demographics, policy and practice, and the lively and informed discussions in which participants examined three key questions on sibling issues and concluded with the creation of their own individual action plans for future work.

Next Steps

The symposium itself will be merely the first step in what we hope will be a continuing effort to gather meaningful data, develop a clearer understanding of the issues, make recommendations for making public policy changes, and lead a public will-building campaign to improve outcomes for siblings in out of home care.

Symposium participants, including the CNC committed to action and a summary of progress made is included in the Proceedings.⁹ Beyond those efforts, the CNC has included attention to sibling placement as an important issue in its Breakthrough Series Collaborative on Recruiting and Retaining Resource Families.¹⁰ Twenty-six teams from throughout the nation will be tracking their progress in seven areas, one of which is the placement of siblings. As we move forward with this project, we anticipate an opportunity to add to existing knowledge in the field on issues such as:

- developing messages that will reach out to recruit resource families who are willing to care for sibling groups;
- finding ways agencies can make it easier and more practical for kinship families to become resources for sibling groups; and
- providing specialized training that will help resource families understand the special needs and issues involved in caring for sibling groups.

⁹ See Appendix F.

¹⁰ For further information on the Collaborative, see the Collaborative Charter and Collaborative Framework at http://www.casey.org/cnc/recruitment/breakthrough_series_recruitment.htm