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# FOSTER CARE 101



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Our country has specific laws and systems in place designed to protect children and preserve families. This system is generally known as the child welfare system.

A part of the child welfare system, foster care exists to provide temporary care to children while their parents receive the support and services they need.

As of August 2021, there are 4,899 children in foster care in Arkansas. While this number may shock and sadden us, it is important to remember that these children and families are more than numbers. They are neighbors, coworkers, students, family members and friends.

In the following pages, you will read the stories of children and their families. While names and details have been changed, their stories are real and happening all across the state of Arkansas every day.

The CALL exists to mobilize the local church to care for children and families impacted by foster care. We recruit, train, and support foster families from churches in 57 Arkansas counties, equipping them to love and care for the children, youth and families affected by foster care.

As you read and learn about foster care, allow yourself to be moved beyond sympathy and into action on behalf of these children and youth.

For more information about how you can get involved in foster care, visit [www.TheCALLinArkansas.org](http://www.TheCALLinArkansas.org).



# THE CHILD



Children can enter the foster care system for a variety of reasons. These can include abuse, neglect, substance abuse, incarceration, or medical problems that prohibit their biological parents from caring for their children properly.

Typically, someone reports an unsafe family situation to the **Child Abuse Hotline**, and either the **Division of Children and Family Services (DCFS)** or the **Arkansas Crimes Against Children Unit** at the Arkansas State Police investigates the allegations and determines whether those allegations are true. They also look at several factors to assess whether a child can safely remain in his or her home. If the child cannot remain safely at home and there are no safe and appropriate relatives, then the child will be placed into foster care.

Placement in foster care is usually temporary and gives families time to make necessary changes so the child can safely return to his or her home and community. Most children in foster care return home to their families. This is called reunification. When children cannot return home, they find permanence through adoption, guardianship, or other means.

## Meet Anthony

Anthony is a 7-year-old child in Arkansas. His teacher recently called the Child Abuse Hotline after noticing that Anthony had unexplained bruises on his arms and legs. After visiting his home and speaking with his mother, DCFS determined that it was not safe for Anthony to stay at home due to the abuse and neglect he had been experiencing.

After searching and failing to find a safe and appropriate relative for Anthony to live with, the DCFS case worker placed him in a foster home.

# THE FAMILY

When a child is placed into foster care, their biological parents can then begin the process to regain custody and reunify with the child.

DCFS will provide the necessary services and programs to help the parent or parents correct the situation that caused removal. These services may include parenting classes, drug rehabilitation, counseling and home visits.

Although cases of extreme abuse do happen, the most common reason for a child's entry into foster care is neglect, followed closely by substance abuse. Often times, biological parents simply lack the experience, knowledge, or resources to properly care for their children.

After they are given the services and support they need, many parents are able to successfully reunify.

In 2020, 42 percent of children in foster care were reunified with their biological families. Another 16 percent were discharged to the custody of a relative.

## Meet Britany

Britany is a single mom of toddlers, Madison and Aiden. Their father went to jail for auto theft, leaving Britany without a place to live or an income. She soon became involved with another man who was abusive to Britany and both toddlers. One evening, the police were called to their home for a domestic dispute. They found both Britany and her boyfriend under the influence of drugs, and they noticed that the children had several bruises.

Britany and her boyfriend were arrested because drugs were being manufactured in the home. The children were taken by the police and local DCFS staff to the hospital for examination. Doctors found evidence of multiple broken bones at various stages of healing, showing the abuse had been happening for a while. The two children entered foster care. After Britany was released from jail, she entered drug rehabilitation and started the process to regain custody of her children.



# THE PLACEMENT

There are a few different types of foster care placements. The Division of Children and Family Services seeks to place children in the least restrictive placement possible.

A child may be placed in a **provisional foster home** with a relative, or they may be placed in a **fictive kin home** with a non-relative with whom they have a strong, positive relationship (teacher, neighbor, friend, godparent). These provisional homes must complete the foster care licensing requirements within 6 months of the child being placed in their home.

A **licensed foster home** is a home that has completed all of the necessary requirements before accepting child placements. These individuals and families must pass a series of state and FBI background checks, complete a home study, attend 30 hours of mandated training, and pass a home inspection before they are open and licensed for foster care.

**Therapeutic foster homes** are designed to provide a home environment to children who have more challenging behaviors and who need more individualized care. Therapeutic foster families receive additional training and meet more stringent requirements than regular foster families.

Each foster family is assigned a DCFS employee called a **Resource Worker** that conducts home visits and makes sure the family stays in compliance with state regulations.

If a family-like setting is unavailable for a child entering foster care, they may be placed in a **congregate care** environment (sometimes called group homes) or an **emergency shelter** until family placement can be found.

## Meet the Wall Family

John and Christina Wall have 2 biological children. They recently decided to open their home for foster care. After an initial informational meeting, they filled out their background checks and signed up for training. During training, they learned about parenting children with trauma behaviors, and the role they would play in helping children reunify with their biological families.

The Walls have now fostered over 20 children since their home was opened. They have seen the ups and downs of foster care, but continue to love and care for children well.



# THE CASE

When a child is taken into foster care, they are assigned a **Case Worker**, also called a Family Service Worker, who is responsible for the child's needs while he or she remains in state custody. The case worker attends court hearings, communicates with the foster family, and makes sure the child well cared for.

Within 5 days of a child coming into foster care, a **probable cause hearing** is held to determine if the state had the evidence necessary to remove the child from the care of his or her parents. The court will determine if the biological parents can afford to hire an attorney or if one will be provided at the state's expense. The child will also be appointed an attorney to represent them, known as the **Attorney Ad Litem**.

If the court determines that the state indeed had probable cause to remove the child, an **adjudication hearing** will be set to determine whether the state's case is true and correct, and whether the child has experienced abuse or neglect by a parent or caregiver. The court will also decide whether the child can safely return home or if they will remain in state custody.

Before the Adjudication hearing, and every couple of months throughout the case, DCFS will hold **Staffing Meetings** to identify the services needed for reunification. The case workers and attorneys for both the child and his or her parents attend these meetings. The court appointed child advocate, or CASA, may also attend.

At the start of every case, reunification is the goal. Biological parents have 12 months to correct the conditions that caused their child's removal. However, the court may extend this period if it seems the parents are making progress and are invested in correcting the conditions that caused removal. In some cases, if parents can show the safety risk that caused the removal is no longer an issue, the judge may decide to send the children back home immediately.

During the case, or after the 12 month period, the court may determine that reunification is not feasible or in the best interest of the child. At this point, a new goal is created. This could include custody with a relative, custody with another fit parent, adoption with termination of parental rights, guardianship, or another planned permanency option. In any case, the court will determine the best course of action to achieve **permanency** for the child.

Once a goal of Adoption with **Termination of Parental Rights** has been set, a termination of parental rights hearing will be set within 90 days. Once parental rights are terminated, the child is then eligible for adoption.

## Meet the Team

### Parent Attorney

The attorney assigned to represent the biological parents from whom custody was removed.

### Attorney Ad Litem

The attorney assigned to represent the best interest of the children.

### Case Worker/ Family Service Worker

The DCFS employee assigned to the case.

### CASA

(Court Appointed  
Special Advocate)

A volunteer that advocates for the best interest of the child.