

# Working with Incarcerated Parents and their Children to Achieve Positive Outcomes

**Webinar**

**Tuesday, June 4, 2013**

**3:00-4:30 PM EST**

**[www.nrcpfc.org](http://www.nrcpfc.org)**

**[www.nasfcm.com](http://www.nasfcm.com)**

A stylized white silhouette of a family consisting of two adults and two children, enclosed within a white outline of a house. The background is a solid purple color.

**NATIONAL RESOURCE CENTER  
FOR PERMANENCY AND  
FAMILY CONNECTIONS  
at the Hunter College  
Silberman School of Social Work**

The logo features a blue silhouette of a child's head and shoulders next to a stylized American flag with red and white stripes.

a service of the Children's  
Bureau – ACF/DHHS and  
member of the T&TA Network

# Webinar Agenda

## Welcome and Webinar Introduction

***Tracy Serdjenian**, Director of Information Services, National Resource Center for Permanency and Family Connections; **Heather Davidson**, Foster Family Care Program Manager, Iowa, and President, National Association of State Foster Care Managers*

## Engaging Incarcerated Parents in Child Welfare: Collaboration with Corrections

***Kara Lynn Regula**, Child and Family Service Review, title IV-B, and Promoting Safe and Stable Families Coordinator, Iowa DHS; **Andrea Wright**, Executive Officer, Iowa Department of Corrections, Mount Pleasant Correctional Facility*

# Webinar Agenda

## **NY Working with Children of Incarcerated Parents**

***Tanya Krupat**, Program Director, The Osborne Association, NY Initiative for Children of Incarcerated Parents; **Allison Hollihan**, Program Manager, The Osborne Association, NY Initiative for Children of Incarcerated Parents; **Tom Hoeg**, Policy Analyst, NY State Office of Children and Family Services*

## **Questions & Answers / Discussion**

## **Closing Information**

# Introduction

## High Incarceration Rate In The U.S.

- U.S. leads the world in incarceration—**5 to 8** times that of other industrialized countries.
- Roughly **58%** of incarcerated men and **73%** of incarcerated women are parents to children under the age of 18.
- The majority of the children with incarcerated fathers live with their mothers.
- Over **74%** of incarcerated mothers in the U.S. report that their children live with a grandparent, other relatives

# Engaging Incarcerated Parents in Child Welfare: Collaboration with Corrections

# Background Information

- \* Iowa's 2010 Child and Family Service Review results indicated child welfare needed to improve engagement of incarcerated parents.
- \* Iowa's Program Improvement Plan (PIP):
  - \* "Collaborate with Department of Corrections to include incarcerated parents in child welfare through assessment of needs and services, inclusion in case planning, contact with children through phone calls, letters, visits, etc."

# Background Information Cont.

- \* Request Department of Corrections representative to participate in a PIP workgroup regarding Responsible Fatherhood/Non-Custodial Parent (NCP) initiative
- \* Representative from state level (Deputy Director)

# State Level Collaboration with Corrections

- \* Survey of incarcerated parents, Parent Partners, workers, etc.
  - \* Inmates participated in survey
  - \* Inmates assisted with distribution and collection of survey
- \* State level joint policy meeting
- \* Streamlining processes to enable efficient collaboration between child welfare workers and incarcerated parents

# State Level Collaboration with Corrections Cont.

- \* Collaboration to reduce duplication of efforts and enhance coordination of services
- \* Department of Corrections personnel participation in joint training sessions
- \* Development of policy and procedure related to engagement of incarcerated parent(s).
- \* Policy topic is in final review with anticipated publication in June 2013
- \* Sets the stage to explore family centered services provider access

# Local Level Collaboration

## Mount Pleasant Correctional Facility

### Pilot Project

- \* Began as a Breakthrough Series Collaborative (BSC) project and capitalized on collaboration with Department of Corrections
- \* Spring 2012 – Mount Pleasant Correctional Facility Treatment Director and Department of Human Services ideas

# Mount Pleasant Correctional Facility Pilot Project Cont.

- \* Vision of Program:
  - \* Provide tools to improve and strengthen relationships between incarcerated fathers and their families
  - \* Achieve requirements necessary for incarcerated parents to have structured visits with their children
- \* Program Goal: Family structure intact - incarcerated parent returns to family creating a positive support system for self and family.

# Mount Pleasant Correctional Facility Pilot Project Cont.

- \* Project Design:

- \* November 2012 – Group formation consisting of 8 incarcerated fathers, Department of Corrections Treatment Director and Re-entry Coordinator, and Department of Human Services' Social Work Administrator and Social Work Supervisor
- \* Review visitation of children, family parenting meetings, ICN hearings, parental termination hearings, and parenting classes.

# Mount Pleasant Correctional Facility Pilot Project Cont.

- \* Project:

- \* 4-week Department of Human Services' 101 class
- \* 24/7 Dads parenting class (8 week class)
- \* Both classes taught by "Parent Partners"
- \* Batters Education Classes (BEP)
- \* Department of Human Services Social Worker at Facility  
1 day per week
  - \* Department of Human Services' Social Worker  
available 1 day per week – assist incarcerated parents  
in individual parenting issues, such as custody  
hearings, Child in Need of Assistance hearings,  
termination of parental rights hearings, etc.

# Mount Pleasant Correctional Facility Pilot Project Cont.

- \* Across county line collaboration
- \* Sharing resources between state agencies
- \* Parent Partners:
  - \* Mission: Parents empowering parents to strengthen families, communities, and systems thereby achieving safety, permanency, and well-being for children.
  - \* Guiding Principles:
    - \* Safety of Children – protect children from abuse and neglect through enhancing families' capacities to provide for their children's needs

# Mount Pleasant Correctional Facility Pilot Project Cont.

- \* Supporting Parents – enhance parents' capacity to provide for and guide their children's healthy development
- \* Collaborating with Department of Human Services – promote birth parent engagement through the life of the case
- \* Collaborating with the Community to Protect Children – work with community based organizations to provide resources and to develop community partnerships

# Mount Pleasant Correctional Facility Pilot Project Cont.

- \* For more information about Iowa's Parent Partner Program, visit [http://www.dhs.state.ia.us/cppc/Parent\\_Partner\\_Program/index.html](http://www.dhs.state.ia.us/cppc/Parent_Partner_Program/index.html).
- \* January 2013 –Phase I
  - \* 20 incarcerated parents attended the DHS 101 to learn more about their rights as parents
  - \* The parents then attended the 24/7 dads parenting class after completing DHS 101
- \* TBD-Phase II
  - \* Batterers Education Program (BEP)

# Mount Pleasant Correctional Facility Pilot Project Cont.

- \* May 2013
  - \* 81 incarcerated parents served by program
  - \* DHS 101 – 58 incarcerated fathers and 11 incarcerated mothers completed training with 12 fathers currently in program
  - \* 24/7 Dads (expanded from 8 week course to the full 12 week program) – 19 incarcerated fathers currently in treatment and 5 fathers completed programming
  - \* 66 incarcerated parents individually served by project social worker
  - \* 88 incarcerated parents on waiting list for parenting programs

# Mount Pleasant Correctional Facility Pilot Project Cont.

- \* Participant Feedback:

- \* “I came into 24/7 Dads wanting to learn how to be a better dad, but I am learning after only three classes how to be a better person all around.”
- \* “The biggest thing that 24/7 Dads and DHS 101 have done for me is give me more of an open mind when it comes to parenting techniques. It’s helped me to be more honest and open about my feelings and how to be a good role model for my child. I feel like it will give me a fresh start with my child and help us to have an open and healthy relationship throughout her entire life.”

# Mount Pleasant Correctional Facility Pilot Project Cont.

- \* “I have learned how to handle myself when things are down. To always know that things can get better. To know that the way I handle myself will affect how my daughter will handle herself. To take responsibility for all my actions.”
- \* “The 24/7 Dads group has been a great program. It’s been helping a lot of us on how to be a lot better role models to our own children. It’s been helping us with grief.”

# Strengths and Challenges

- \* Strengths:

- \* Department of Human Services and Department of Corrections shared vision increases collaborative efforts – state and local level
- \* Leadership support
- \* Parent Partners

- \* Challenges:

- \* Limited resources – financial, staff, staff time, etc.
- \* DOC policy issues due to prison setting
- \* Competing priorities
- \* Expansion of project to phase II
- \* Expansion of project to other prisons

# Lessons Learned

- \* Collaborate at both the state and local levels inclusive of sharing updates of collaboration
- \* Conduct an analysis of resources during the planning stage
- \* Plan for sustainability
- \* Consider how proposed project or policy aligns with other initiatives

# Contact Information

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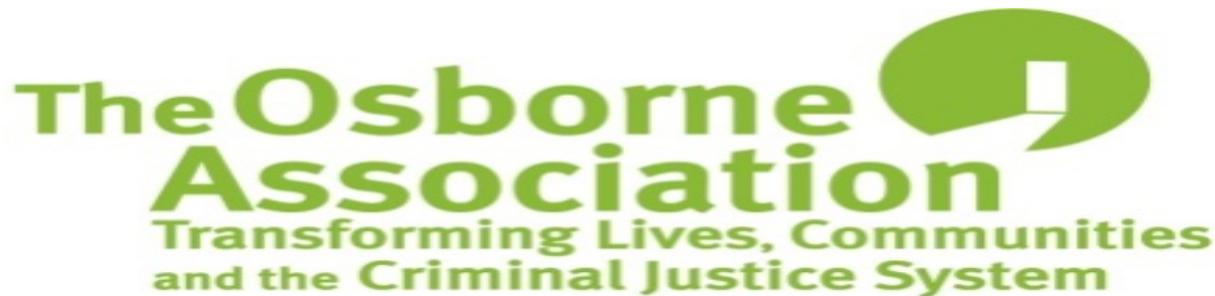
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# Parental Incarceration Has a Collateral Effect on Children

- Incarceration disrupts important relationships between MILLIONS of children and their parents.
- Short- and long-term effects are varied and difficult to quantify.
- Children with incarcerated parents often face multiple risks and are one of the largest at-risk populations of children.



# Children of Incarcerated Parents

- More than 2.7 million children currently have a parent behind bars (in jail or prison).
- More than 70% of children with incarcerated parents are children of color: one in 9 African-American children, one in 28 Hispanic children, and one in 57 White children have an incarcerated parent.
- It remains unknown how many children in foster care have an incarcerated parent : 18% of incarcerated mothers report their children live in foster care or another child welfare setting.

# The Invisible Population

- No single story—experiences are diverse and vary depending on many factors.
- Without appropriate support, children are at risk of experiencing poor health and mental health outcomes and difficulties in school.
- Common references to intergenerational cycle of crime may not be accurate.



# Common Behaviors/Stress Points

**In response to a parent's arrest or incarceration, children may:**

- Develop physical symptoms (i.e. headaches).
- Have nightmares, fear the dark, or cling to their existing caregiver.
- Regression of behaviors (i.e. bedwetting, thumb sucking).
- “Act out”- show anger or aggression particularly towards authority figures.
- “Act in”- withdraw, isolate themselves; place pressure on themselves to over-achieve or over-compensate for parent's mistakes.
- Not do as well in school (ability to concentrate may be impaired.; may also feel stigmatized/ unwelcomed at school and disconnect).

# Why Help Children & Parents Maintain Contact?

- Most children benefit from maintaining healthy and positive relationships with their incarcerated parents (i.e. child-centered and supported).
- Children maintain the right to have a relationship with their parent.



# Parent - Child Visiting Benefits

- Reassures child that parent is okay.
- Less emotional distress and fewer problematic behaviors.
- Supports attachment and continuity in the child's life.
- Healing of grief and loss.
- Children learn they are not alone.
- Reduces confusion about a parent's return home.
- Reduction of recidivism for parent.

# Parent - Child Visiting Benefits

- Increase parent's positive institutional behavior (i.e. fewer prison infractions).
- Can support parent's desire to create a safe and stable home.
- Helps parent work on their personal problems.
- Higher rates of family reunification upon release.
- For children in foster care, visiting is critical to safeguarding parental rights (preventing termination of parental rights).

# Supporting Children Before, During and After Visiting

- Before and after a visit can be an emotional rollercoaster for children.
- Support at these times- preparation and debriefing- makes ALL the difference!



# Parenting from the “Inside”

- Limited access to the “outside” (i.e. collect calls, no call backs , no e-mail, unable to attend school meetings, unable to be present for special occasions & accomplishments)
- Kinds of contact possible: visiting, letter writing, phone calls and televisiting
- Involve parents in health, education and other decisions involving their child
- Caregivers (including foster parents, social workers, teachers, and others) can help keep incarcerated parent informed about the child & provide important clues for that parent to pursue in maintaining a relationship
- “Prisoners who have failed as citizens can succeed as parents.” - Elizabeth Gaynes, Executive Director, Osborne Association

# Cross-Systems Collaboration Facilitates Child-Parent Connections

- NYC's Administration for Children's Services Children of Incarcerated Parents Program (CHIPP) created in 2000
- Child-sensitive visiting on Rikers Island (have designated day)
- Provides services, support and technical assistance to cases involving a parent (or youth) who is incarcerated
- Assists workers in locating parents within the criminal justice system
- Facilitates visits and other forms of contact
- Provides training and case-specific or general technical assistance

# Creative Collaboration Facilitates Child-Parent Connections

- Osborne Association's Televisiting Program began in 2010 through a partnership with DOCCS (state prisons)
- Supported visiting program for child and parent
- Visits are a **supplement** to in-person visiting
- Visits are free-of-charge to participating families



# Supporting Foster Parents is Critical

- Address possible bias against incarcerated parent
- Co-parenting strategies are best: child should be able to speak openly about parent and should not feel torn loyalties
- Facilitate communication between foster parent and parent
- Offer support to assist foster parents in managing and understanding potential negative behaviors of child surrounding visiting
- Support for the child (therapy, support group, recreational activities, mentoring) is support for caregiver

# Kinship Care

- Kinship Care is a common care arrangement for children of incarcerated parents
  - Most are informal & outside child welfare placement.
- When a child enters foster care, NY agencies must seek out and provide information to relatives regarding their options:
  - Custody/guardianship
  - Kinship foster care
  - Direct placement (local agency supervises)

# Supporting Kinship Caregivers

- Relative caregivers are more susceptible to psychological risk and caregiver stress
- May have strained relationship with incarcerated parent
- Encourage caregiver to speak positively about parent with child (divorce model)
- Locate support groups for people affected by incarceration.
- NY State Kinship Navigator
- If Kinship Foster parent, may feel ambiguous about adoption
  - KinGAP as possible permanency option

# KinGAP: NY's Subsidized Guardianship

- In October 2008, the federal Fostering Connections to Success and Increasing Adoptions Act (P.L. 110-351) created an option for states to provide financial assistance to relatives who are caring for foster children and become the legal guardian of those children.
- In April 2011, NY's subsidized guardianship program, The Kinship Guardianship Assistance Program (KinGAP), went into effect.

# KinGAP is a Permanency Option for Relatives

- Permanency option when children can't be returned to the parent due to long-term incarceration or other reasons.
- It is a program that supports permanency for children currently placed in a relative foster home for at least six months.
- The relative guardian receives a monthly assistance payment equivalent to an adoption subsidy.
- KinGAP children also receive medical assistance in most cases.

# Benefits of KinGAP

- Does not require that the parent's rights be terminated.
  - parental rights don't have to be severed while incarcerated.
- Enables parent to maintain a meaningful role in child's life.
  - Parent maintains their parental role while relative provides care and may have contact, visits, and communication with child.
- Keeps the possibility of the child and parent being reunited in the future.
  - When released, parent can request that the court returns the child to him/her, if deemed appropriate.

# Chapter 113 of the Laws of the State of New York

Youth in Foster Care with Incarcerated Parents



# Chapter 113 of the Laws of the State of New York

- Signed into Law June 15th 2010
- Address barriers and obstacles imposed on parents of youth in foster care that are or were incarcerated
- Parental incarceration may provide a basis not to file a TPR
- Consideration will be given to the parent-child relationship and evidence of parent's concern
- The law requires the use of available technology to facilitate parental participation in SPR's
- [NYS Administrative Directive Memorandum on CH 113](#)

# You don't have to stop being a parent while you are incarcerated



## Your parental rights

When a child is in foster care for an extended period of time, a social services or foster care agency can file a petition to terminate a parent's rights and free the child for adoption. However, the law allows the agency to decide **not** to file for termination of parental rights under certain circumstances, such as when the child is living with a relative foster parent, when there is a compelling reason why termination is not in the child's best interests, and when the parent is incarcerated or in a residential substance abuse treatment program and has maintained a meaningful role in the child's life. These decisions are made on a case-by-case basis, with a focus on the best interests of the child.

## If your child is in foster care, you have the right to:

- **Identify an appropriate person you would like to care for your child**, such as a relative or friend.
- **Be informed about the foster care agency responsible for your child's care**, the name of your child's caseworker, and how to contact the caseworker and his/her supervisor.
- **Know how to reach your family caseworker**, if that person is different from your child's caseworker.
- **Participate in planning** for your child.
- **Take advantage of services** to help you address the issues that led to your child's placement in foster care (parenting classes, substance abuse treatment, etc.).
- **Participate in meetings about your Family Service Plan**, which should address the special challenges facing you and your family due to your incarceration.
- **Receive information about family visiting and other services** that can help you build a meaningful relationship with your child while you are incarcerated and after your release.
- **Visit with your child**, unless a court order prohibits visits. Ask about video/teleconferencing if in-person visits are not possible.
- **Be kept up to date on your child's health**, development, and progress in school.
- **Be informed about court proceedings** and attend them, if possible.
- **Be assigned an attorney**, if you are financially eligible.

## You have the responsibility to:

- **Make regular contact with your child and/or the foster care agency.** Although this can be difficult while you are incarcerated, you are expected to make efforts to communicate with your child unless a court order prevents this. You must be able to show your caseworker and the judge that you have made this effort.
- **Show that you're planning for your child's future.** Identify someone who can care for your child while you are away.
- **Stay in touch with your child's caseworker, your family caseworker, and your attorney.** If you haven't had contact with the caseworker, Social Services, or the foster care agency for six months, *it can be considered abandonment of your child and a petition could be filed to terminate your parental rights.*
- **Complete any programs** your Family Service Plan requires.
- **Participate in Family Court proceedings.** Contact your attorney if you are unable to attend a court proceeding. Make sure your attorney has copies of all of your relevant documents.



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Pub. 5113.2P (6/11) (female facility)

# Tú no tienes que dejar de ser una madre mientras estás encarcelada



## Tus derechos de madre

Cuando un niño(a) está en el sistema de cuidado de crianza por un periodo de tiempo largo, una agencia de servicios sociales o una agencia de cuidado de crianza puede presentar una petición para terminar los derechos de un padre o una madre y liberar al niño(a) para la adopción. Sin embargo, la ley permite que la agencia decida **no** presentar una petición para la terminación de los derechos de un padre o una madre bajo ciertas circunstancias, tales como cuando un niño(a) esté viviendo con un padre o una madre de crianza con parentesco al niño(a), cuando exista una razón importante de que la terminación de los derechos del padre o de la madre no proteja los mejores intereses del niño(a), y cuando un padre o una madre esté en la prisión o en un programa de tratamiento residencial relativo al abuso de sustancias y haya mantenido un papel significativo en la vida del niño(a). Estas decisiones se hacen evaluando caso por caso, tomando en cuenta los mejores intereses del niño(a).

## Si tu hijo(a) está en el sistema de cuidado de crianza, tú tienes el derecho de:

- **Identificar una persona apropiada para cuidar de tu hijo(a)**, tal como un pariente o un amigo(a).
- **Ser informada acerca de la agencia de cuidado de crianza que es responsable por el cuidado de tu hijo(a)**, el nombre del trabajador(a) de caso de tu hijo(a) y cómo contactar al trabajador(a) de caso y a su supervisor(a).
- **Saber cómo contactar al trabajador(a) de caso de tu familia**, si esta persona es diferente del trabajador(a) de caso de tu hijo(a).
- **Participar en reuniones de planificación** para tu hijo(a).
- **Tomar ventaja de los servicios** para ayudarte a enfrentar los asuntos que resultaron en la colocación de tu hijo(a) en un hogar de crianza (clases para padres, tratamiento relativo al abuso de sustancias, etc.).
- **Participar en reuniones acerca de tu Plan de Servicios para la Familia**, las que deberían enfrentar los desafíos que tú y tu familia enfrentan debido a tu encarcelamiento.
- **Recibir información acerca de visitas familiares y otros servicios** que pueden ayudarte a construir una relación constructiva con tu hijo(a) mientras tú estás encarcelada y después de ser dada de alta.
- **Visitas con tu hijo(a)**, a menos que una orden de la corte lo prohíba. Preguntar sobre conferencias por teléfono o video, si las visitas en persona no son posibles.
- **Ser mantenida al día sobre la salud de tu hijo(a)**, su desarrollo y su progreso escolar.
- **Ser informada acerca de los procedimientos del tribunal o la corte**, y atenderlos si es posible.
- **Ser asignada un abogado(a)**, si eres elegible financieramente.

## Tú tienes la responsabilidad de:

- **Contactarte regularmente con tu hijo(a) y/o la agencia de cuidado de crianza.** A pesar de que esto puede ser difícil mientras estás encarcelada, se espera que tú te esfuerces por comunicarte con tu hijo(a), a menos que una orden de la corte lo prevenga. Tienes que estar disponible para demostrar a tu trabajador(a) de caso y al juez de que tú has hecho este esfuerzo.
- **Mostrar que estás planeando para el futuro de tu hijo(a).** Identificar a alguien para que cuide de tu hijo(a) mientras estás fuera de tu hogar.
- **Mantener contacto con el trabajador(a) de caso de tu hijo(a), el trabajador(a) de caso de tu familia y tu abogado(a).** Si tú no has tenido contacto con el trabajador(a) de caso, Servicios Sociales o la agencia de cuidado de crianza por aproximadamente seis meses, *esto puede ser considerado como abandono de tu hijo(a) y una petición podría ser presentada para terminar tus derechos de madre.*
- **Completar cualquier programa** requerido por el Plan de Servicios para la Familia.
- **Participar en los procedimientos del Tribunal de Relaciones Familiares.** Contactar a tu abogado(a) si no puedes atender un procedimiento de la corte. Asegúrate que tu abogado(a) tenga copias de todos tus documentos relevantes.



Oficina de Servicios  
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Pub. 5113.2P-5 (7/11) (female facility)

# You don't have to stop being a parent while you are in a residential treatment facility



## Your parental rights

When a child is in foster care for an extended period of time, a social services or foster care agency can file a petition to terminate a parent's rights and free the child for adoption. However, the law allows the agency to decide **not** to file for termination of parental rights under certain circumstances, such as when the child is living with a relative foster parent, when there is a compelling reason why termination is not in the child's best interests, and when the parent is incarcerated or in a residential substance abuse treatment program and has maintained a meaningful role in the child's life. These decisions are made on a case-by-case basis, with a focus on the best interests of the child.

## If your child is in foster care, you have the right to:

- **Identify an appropriate person you would like to care for your child**, such as a relative or friend.
- **Be informed about the foster care agency responsible for your child's care**, the name of your child's caseworker, and how to contact the caseworker and his/her supervisor.
- **Know how to reach your family caseworker**, if that person is different from your child's caseworker.
- **Participate in planning** for your child.
- **Take advantage of services** to help you address the issues that led to your child's placement in foster care (parenting classes, substance abuse treatment, etc.).
- **Participate in meetings about your Family Service Plan**, which should address the special challenges facing you and your family due to your placement in a treatment facility.
- **Receive information about family visiting and other services** that can help you build a meaningful relationship with your child during and after your time in treatment.
- **Visit with your child**, unless a court order prohibits visits. Ask about video/teleconferencing if in-person visits are not possible.
- **Be kept up to date on your child's health**, development, and progress in school.
- **Be informed about court proceedings** and attend them, if possible.
- **Be assigned an attorney**, if you are financially eligible.

## You have the responsibility to:

- **Make regular contact with your child and/or the foster care agency.** Although this can be difficult while you are in a treatment facility, you are expected to make efforts to communicate with your child unless a court order prevents this. You must be able to show your caseworker and the judge that you have made this effort.
- **Show that you're planning for your child's future.** Identify someone who can care for your child while you are away.
- **Stay in touch with your child's caseworker, your family caseworker, and your attorney.** If you haven't had contact with the caseworker, Social Services, or the foster care agency for six months, *it can be considered abandonment of your child and a petition could be filed to terminate your parental rights.*
- **Complete any programs** your Family Service Plan requires.
- **Participate in Family Court proceedings.** Contact your attorney if you are unable to attend a court proceeding. Make sure your attorney has copies of all of your relevant documents.



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Pub. 5114.1P (6/11) (RTF male)

# Tú no tienes que dejar de ser un padre mientras estás en un establecimiento residencial de tratamiento



## Tus derechos de padre

Cuando un niño(a) está en el sistema de cuidado de crianza por un periodo de tiempo largo, una agencia de servicios sociales o una agencia de cuidado de crianza puede presentar una petición para terminar los derechos de un padre o una madre y liberar al niño(a) para la adopción. Sin embargo, la ley permite que la agencia decida **no** presentar una petición para la terminación de los derechos de un padre o una madre bajo ciertas circunstancias, tales como cuando un niño(a) esté viviendo con un padre o una madre de crianza con parentesco al niño(a), cuando exista una razón importante de que la terminación de los derechos del padre o de la madre no proteja los mejores intereses del niño(a), y cuando un padre o una madre esté en la prisión o en un programa de tratamiento residencial relativo al abuso de sustancias y haya mantenido un papel significativo en la vida del niño(a). Estas decisiones se hacen evaluando caso por caso, tomando en cuenta los mejores intereses del niño(a).

## Si tu hijo(a) está en el sistema de cuidado de crianza, tú tienes el derecho de:

- **Identificar una persona apropiada para cuidar de tu hijo(a)**, tal como un pariente o un amigo(a).
- **Ser informado acerca de la agencia de cuidado de crianza que es responsable por el cuidado de tu hijo(a)**, el nombre del trabajador(a) de caso de tu hijo(a) y cómo contactar al trabajador(a) de caso y a su supervisor(a).
- **Saber cómo contactar al trabajador(a) de caso de tu familia**, si esta persona es diferente del trabajador(a) de caso de tu hijo(a).
- **Participar en reuniones de planificación** para tu hijo(a).
- **Tomar ventaja de los servicios** para ayudarte a enfrentar los asuntos que resultaron en la colocación de tu hijo(a) en un hogar de crianza (clases para padres, tratamiento relativo al abuso de sustancias, etc.).
- **Participar en reuniones acerca de tu Plan de Servicios para la Familia**, las que deberían enfrentar los desafíos que tú y tu familia enfrentan debido a tu colocación en un establecimiento de tratamiento.
- **Recibir información acerca de visitas familiares y otros servicios** que pueden ayudarte a construir una relación constructiva con tu hijo(a) durante y después del periodo de tu tratamiento.
- **Visitas con tu hijo(a)**, a menos que una orden de la corte lo prohíba. Preguntar sobre conferencias por teléfono o video, si las visitas en persona no son posibles.
- **Ser mantenido al día sobre la salud de tu hijo(a)**, su desarrollo y su progreso escolar.
- **Ser informado acerca de los procedimientos del tribunal o la corte**, y atenderlos si es posible.
- **Ser asignado un abogado(a)**, si eres elegible financieramente.

## Tú tienes la responsabilidad de:

- **Contactarte regularmente con tu hijo(a) y/o la agencia de cuidado de crianza.** A pesar de que esto puede ser difícil mientras estás en un establecimiento de tratamiento, se espera que tú te esfuerces por comunicarte con tu hijo(a), a menos que una orden de la corte lo prevenga. Tienes que estar disponible para demostrar a tu trabajador(a) de caso y al juez de que tú has hecho este esfuerzo.
- **Mostrar que estás planeando para el futuro de tu hijo(a).** Identificar a alguien para que cuide de tu hijo(a) mientras estás fuera de tu hogar.
- **Mantener contacto con el trabajador(a) de caso de tu hijo(a), el trabajador(a) de caso de tu familia y tu abogado(a).** Si tú no has tenido contacto con el trabajador(a) de caso, Servicios Sociales o la agencia de cuidado de crianza por aproximadamente seis meses, *esto puede ser considerado como abandono de tu hijo(a) y una petición podría ser presentada para terminar tus derechos de padre.*
- **Completar cualquier programa** requerido por el Plan de Servicios para la Familia.
- **Participar en los procedimientos del Tribunal de Relaciones Familiares.** Contactar a tu abogado(a) si no puedes atender un procedimiento de la corte. Asegúrate que tu abogado(a) tenga copias de todos tus documentos relevantes.



Oficina de Servicios para Niños y Familias del Estado de Nueva York

[www.ocfs.state.ny.us](http://www.ocfs.state.ny.us)

# CONNECTIVITY BETWEEN CHILDREN AND THEIR INCARCERATED PARENTS:

## HOW TO NAVIGATE THE NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES

**Commissioner  
Brian Fischer**

**Acting Deputy Commissioner of Programs  
Catherine M. Jacobsen**



# Obligations of the Foster Care Agency

- Distribute information on available programs
- Outline legal rights and obligations
- Suggest social or rehabilitative programs available to the parent and monitor progress
- Inform parent of child's well-being
- **Include the parent in service plan reviews.**
- **Utilize technology for parent participation**
- Provide visitation
- Document in the Case Record agency efforts to reach the permanency goal



## COUNSELORS RESPONSIBILITIES CHECKLIST

- ✓ Review and Familiarize yourself with the requirements of Chapter 113 of the Laws of the State of New York, Youth in Foster Care with Incarcerated Parents
- ✓ Communicate with agency representative (OCFS, Caseworker)
- ✓ Communicate with inmate at various opportunities to access if Chapter 113 applies to his/her case (Initial Interview, Quarterly Reviews).
- ✓ Document all forms of communication regarding the child in placement. Review Department Directive #4401 Guidance and Counseling Services Section 3, A Case Management. Sample forms of Communication:
  - Letters (to child, caseworkers, courts, schools, etc)
  - Telephone Calls
  - Visits
- ✓ Familiarize yourself with the videoconferencing/telephonic equipment!



## New York Initiative for Children of Incarcerated Parents

*Raising awareness, promoting policy and practice change, and building partnerships to ensure that children's rights are upheld, important relationships maintained, and their potential nurtured during their parent's involvement in the criminal justice system.*

- *Children of Incarcerated Parents : A Bill of Rights*
- As a coalition, we work in partnership with public agencies, community and faith based organizations across NYS
- We prefer to take a collaborative approach, rather than adversarial or legislative, due to our unique partnership of public and community partners
- NY-based but involved in related policy and practice reform initiatives across the country



# NY Initiative advocates for policies and practices that support children

- Child sensitive arrest protocols
- Sentencing alternatives to incarceration to keep parents home with or near their children whenever safely possible
- Policies and practices that provide access to parent so children and families can decide type and frequency of contact
- Child-centered and family-friendly visiting policies
- Child sensitive re-entry practices and programs
- Access to specially trained counselors/ mental health professionals
- Training of staff at all public institutions and service organizations serving children
- Peer Support programs for children

# GLOSSARY

## **Adjudication**

The process of giving a judicial decision as to whether the facts alleged in a petition or other pleading are true.

## **Best Interest of the Child**

A standard for the court to use in deciding the disposition of a case, following adjudication of abuse or neglect, or following a termination of parental rights (TPR) processing.

## **Child Advocacy**

A strategy for intervention in which a helping person assumes an active role in assisting or supporting a specific child, family or cause, on behalf of children and /or families. This could involve finding and facilitating services for specific cases, developing new services, or promoting program coordination. The advocate uses his/her power to meet clients' needs or to promote causes.

## **Custody**

The right to a child's care and control, carrying with it the duty of providing food, shelter, medical care, education, and discipline.

## **Foster Care**

A form of substitute care, usually in a home licensed by a public agency, for children whose welfare and protection requires that they be removed from their own homes.

## **Kinship Care**

Kinship care is the full-time care, nurturing and protection of children by relatives, members of their tribes or clans, godparents, stepparents, or any adult who has a kinship bond with a child. This definition is designed to be inclusive and respectful of cultural values and ties of affection. It allows a child to grow to adulthood in a family environment.

**Permanency Planning Hearing**

A hearing held for the purpose of reviewing the foster care status of the child and the appropriateness of the permanency plan developed by the social services district or agency.

**Permanency Planning**

Planning by agencies to protect a child's right to grow up within a permanent family.

**Reasonable Efforts**

A finding by the court that reasonable efforts were made to prevent a child's removal from his or her home, or that reasonable efforts were made to enable a foster child to safely return home..

**Reunification**

When a child returns from foster care to live with his or her birth family.

**Service Plan Review**

A periodic formal meeting to review how each case of a child in foster care is progressing. The purpose of the case review is to address whether the family and others are taking steps they agreed to be in the service plan and whether the child will be able to live in a safe, permanent home with a permanency resource.

**Surrender**

A signed and notarized document transferring custody and guardianship of the child from a birth parent to an authorized agency official. The birth parent who executes the surrender no longer has the right to visit or plan for the child.

**Termination of Parental Rights (TPR) Hearing**

A proceeding, usually at the end of a child abuse or neglect case, during which the child protection agency seeks to sever all ties between a parent and a child. TPR proceedings require clear, cogent, and convincing evidence as the standard of proof.

# WEB RESOURCES

- New York State OCFS <http://www.ocfs.state.ny.us/main/>
- The Osborne Association [www.osborneny.org](http://www.osborneny.org)
- Administration for Children & Families (ACF) [www.acf.dhhs.gov/opa/fact](http://www.acf.dhhs.gov/opa/fact)
- Center on Child Abuse & Neglect (CCAN) [www.ccan.ouhsc.edu](http://www.ccan.ouhsc.edu)
- Child Trauma Academy [www.childtrauma.org](http://www.childtrauma.org)
- Child Welfare Information Gateway [www.childwelfare.gov](http://www.childwelfare.gov)
- Child Welfare League of America (CWLA) [www.cwla.org](http://www.cwla.org)
- A Family's Guide to the Child Welfare System  
[www.cwla.org/childwelfare/familyguide.htm](http://www.cwla.org/childwelfare/familyguide.htm)

# WEB RESOURCES (cont.)

- American Bar Association Center on Children & the Law

[www.abanet.org/child/home.html](http://www.abanet.org/child/home.html)

- Child & Family Services Reviews (CFSR) [www.acf.hhs.gov/programs/cb/](http://www.acf.hhs.gov/programs/cb/)

- Children Now [www.childrennow.org](http://www.childrennow.org)

- Federal Bureau of Prisons Inmate Locator: [www.bop.gov/inmate\\_locator/index.jsp](http://www.bop.gov/inmate_locator/index.jsp)

- National Association of Counsel for Children (NACC) [www.naccchildlaw.org](http://www.naccchildlaw.org)

- National Center for Youth Law (NCYL) [www.youthlaw.org](http://www.youthlaw.org)

- National Children's Alliance (NCA) [www.nca-online.org](http://www.nca-online.org)

- State Statutes Search

[www.childwelfare.gov/systemwide/laws;policies/search/index.cfm](http://www.childwelfare.gov/systemwide/laws;policies/search/index.cfm)

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# Presenter Contact Information

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- **Tom Hoeg**, Policy Analyst, NY State Office of Children and Family Services: [thomas.hoeg@ocfs.ny.gov](mailto:thomas.hoeg@ocfs.ny.gov)

# Questions ?????????

*To ask a question, press  
\*1 on your phone or  
type a question using  
the chat function on  
your computer.*



**NATIONAL RESOURCE CENTER  
FOR PERMANENCY AND  
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at the Hunter College  
Silberman School of Social Work**



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member of the T&TA Network

# Additional Resources

**NRCPFC Hot Topic Webpage:  
Children of Incarcerated Parents**  
This webpage provides links to research/reports; publications, bibliographies, videos, training curricula, resources from the States, and websites.

[http://www.hunter.cuny.edu/socwork/nrcfcpp/info\\_services/children-of-incarcerated-parents.html](http://www.hunter.cuny.edu/socwork/nrcfcpp/info_services/children-of-incarcerated-parents.html)

## NRCPFC Contact

Tracy Serdjenian, Director of Information Services, National Resource Center for Permanency and Family Connections:  
[tserdjen@hunter.cuny.edu](mailto:tserdjen@hunter.cuny.edu)



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# After the Event

- A feedback survey will be emailed to all participants. We appreciate your feedback!
- Materials for this event are currently posted on the NRCPFC website at: <http://www.nrcpfc.org/teleconferences/2013-06-04.html>
- The event will be archived on Wednesday 6/12/13 at: <http://www.nrcpfc.org/teleconferences/archives.html>
- Sign up for Weekly Update, NRCPFC's weekly e-newsletter, to receive updates and announcements about future events.
- [www.nrcpfc.org](http://www.nrcpfc.org)



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