



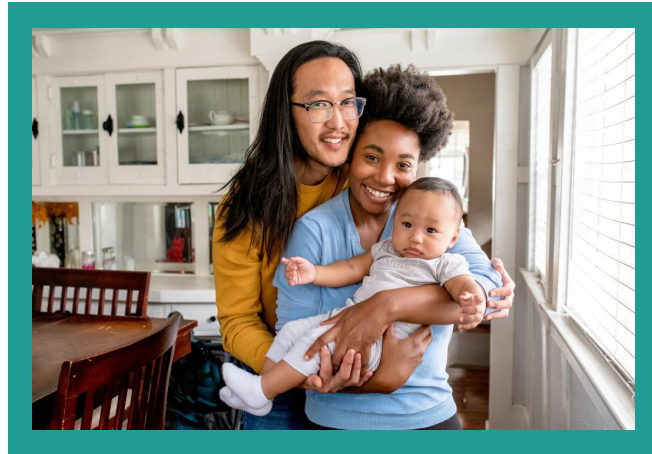
Putting Families First Playbook Judges and Legal Stakeholders

Overview

Research makes clear that child welfare systems – including child protective services and community-based youth justice – have a significant responsibility to support children, youth and families remaining safely together. The Putting Families First child welfare transformation is focused on keeping children and families together by supporting them in-home with resources and services.

As a critical partner in this work, you will notice strengthened efforts to keep families in-home, including:

- Creative efforts and new ideas to keep children in-home and prevent removals;
- Increased partnership with the family's extended support network;
- Renewed emphasis on partnering with community supports;
- Continued prioritization of family settings for placement;
- and congregate care stays that are intensive and short-term.



How is Safety Maintained In-Home and in the Community?

Child welfare systems and legal partners have long had to balance the harm of removing a child and the potential risk of a child remaining in-home. In-home planning supports families in remaining safely together.

In-home plans:

- Are developed with the family and/or youth using formal (service providers, school professionals) and informal supports (family, neighbor or community elder);
- Manage the concerns that led to a family's involvement with the child welfare system (for example, ensuring additional supports, respite and supervision at key times);
- Require regular contact between the child welfare professional, the family and the supports in place as part of the plan;
- Are re-evaluated regularly and discussed with a supervisor to ensure that the plan sufficiently addresses the concerns;
- Are adapted as needed and considered living, breathing documents to address changing circumstances within a family or home.

When children are not able to remain in-home, placement with families or someone who already knows and loves them is a top priority. This ensures that a child stays connected to their community and culture. A resource specific to relative placement is located in the Additional Resources section of this document.

How Can Judges and Legal Stakeholders Support Putting Families First?

- **Hear directly from parents engaged with the child welfare system.**
As a legal partner, you have a key role in helping families navigate the system. Having conversations with parents is vital to in-home planning and to ensuring parents understand what is needed from them at key points of the case.
- **Partner with local child welfare agencies.***
Consider working with local child welfare agencies to learn about services and supports available to families to support them in-home.
- **Ask key questions.**
Asking key questions during court proceedings has been found to help decrease removals and increase relative placements. See the “Judicial & Legal Stakeholders: Supporting In-Home Planning” resource at the end of this document for examples of key questions.

“Over the years I have heard people say that children are resilient and can withstand the placement changes. Why should our children need to find this resiliency? We have an opportunity to keep family units together and help them to build healthy relationships. That is far more valuable than forcing our youth to be resilient in changes of placement in a home that is not their own.”

*- Associate Judge Gwendolyn Topping,
Red Cliff*

** Partnership between local child welfare agencies and their legal and judicial partners is vital to supporting Putting Families First. Child welfare agencies across the state are increasingly committed to engaging legal stakeholders in their work. Read about how Crawford County has partnered with legal stakeholders and consider if a regular structure to discuss child welfare cases may be helpful in your jurisdiction.*



Crawford County Partnership with Legal Stakeholders

Crawford County has been intentional about maintaining and strengthening a partnership that supports open dialogue, collaboration and understanding.

Crawford County meets with their legal and judicial partners on a regular basis, upwards of four times a year. These meetings take place to discuss new initiatives in the child welfare space, Putting Families First impacts or challenges child welfare professionals are seeing in the courtroom or in general practice. The meetings have an informal feeling, which allows for Crawford County child welfare and legal professionals to engage and build relationships outside of the courtroom.

The agenda items are sometimes specific—policy changes and reviews—but also more general, such as talking about situations that may have come up in the courtroom where practice or child welfare responses were questioned. Sometimes the group talks through disagreements about decisions, roles, perspectives, or even legal procedures.

The meetings have been an opportunity for Crawford County’s child welfare and legal professionals to come together to support collaboration and understanding. The meetings are a space for either group to ask and answer questions and while knowing that they are all working towards the same goals.



Resources

Putting Families First

Learn how Wisconsin has been transitioning the child welfare system to become more in-home, family-focused and collaborative.

dcf.wisconsin.gov/family-first

“Judicial and Legal Stakeholders: Supporting In-Home Planning”

A document detailing how legal partners can support in-home planning.

<https://dcf.wisconsin.gov/files/publications/pdf/5576.pdf>

Wisconsin Bar News: Incorporating Lived Experience in Wisconsin’s Child Welfare System

A discussion about how lived experience voice is being incorporated in child welfare in Wisconsin.

wisbar.org/NewsPublications/Pages/General-Article.aspx?ArticleID=28817

American Bar Association: Benefits of Kinship Placement

A tool for lawyers to support in-court and out-of-court legal advocacy around kinship caregiving.

americanbar.org/content/dam/aba/publications/litigation_committees/childrights/kinship-placement/memo-re-benefits-of-kinship-placement-adoption.pdf

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