

The Values of Family-Centered Child Welfare

The recent emphasis on family-centered services is a long-overdue reaffirmation of casework methods and a re-commitment to the fundamental importance of family integrity in our society. Yet, this movement has surfaced some confusion regarding the relationship between children's rights and parents' rights.

We often hear derisive comments regarding extreme philosophical positions that either support children's rights or parents' rights, as if these were a continuum, with parental rights on one end and children's rights on the other. The relationship between parental rights and children's rights is a fundamentally important issue to the field of child welfare, but it is not a relationship that can be described as two ends of an exclusionary continuum.

The depth and breadth of parental rights are considerable. Our society has clearly determined that, in the vast majority of circumstances, parents should have the authority and responsibility to make decisions in their children's best interests. Parental rights are, however, not absolute rights. They are *contingent rights*. This means parents' rights are contingent upon a set of conditions that include providing their children minimum levels of care and nurturance and an environment free from harm or abuse.

Children's rights, however, are *absolute*. This means children's right to freedom from harm or abuse and to minimum levels of care and nurturance are immutable.

In contemporary American law, the relationship between parents and children is best described by the term *presumptive parental rights*. We presume that parents want to, and do, act in their children's best interests. If there is any doubt, the doubt is resolved in favor of the parent. However, in situations where there is clear evidence that parents do not act in their children's best interests, the State, under the doctrine of *parens patriae*, can intervene to protect the child's rights. To do this, the State must be able to demonstrate an immediate and pressing danger to the child.

Contingent parental rights and the absolute rights of children are compatible child welfare principles. They do not constitute a potential ethical dilemma. Herein lies the basis of the common confusion regarding family-centered practice. Family-centered practice is not an emphasis on parental rights over those of their children.

Family-centered practice rests philosophically on the recognition of the compatibility of parents' and children's rights, that the best interests and rights of the child will be best preserved in the majority of cases by strengthening and supporting the child's own family.

Family-centered practice does not suggest child welfare agencies abdicate their responsibility and authority to ensure children's absolute rights to minimum care and to be free from abuse. It does suggest, however, the best interests of children are met by using every effort and resource to empower, support and strengthen families to meet their responsibilities of child care and protection.

Family-centered practice does not mean children will not be removed from their homes when they cannot be protected, despite intensive efforts, in their homes. However, it does mean we are aware of how separation and placement can cause significant psychological and developmental harm, and it is in the child's best interests to avoid out-of-home placement and to employ strategies to protect children within their homes, whenever possible.

The values of the child welfare field attempt, whenever possible, to protect children from maltreatment with the least restriction on the rights of families and parents. Family-centered practice epitomizes an approach that can successfully consider, support and preserve the rights of ***both*** children and their families.

The values of family-centered child welfare are based upon social work values. These values include protecting a family's right to ***self-determination***; recognizing and respecting the ***uniqueness of each individual***; and respecting a family's right to live within values, standards and beliefs consistent with their ***cultural background*** and heritage.

These values promote the following practices:

- Family-centered child welfare views the family as the primary unit of intervention. It respects, strengthens and supports the family as the ideal environment for meeting the needs and best interests of the child.
- Family-centered child welfare purports children should be protected whenever possible ***within their own homes, communities and cultures***. Strengthening and preserving families reflects our value that children's needs and interests are best served within their own homes and families. By providing services that strengthen parents' ability to care for their children, the child welfare agency also ultimately serves to preserve the parents' rights.
- Family-centered practice does not assume ***children should unilaterally remain with their families***. When a child at serious risk of maltreatment cannot be adequately protected at home, even with intensive family services and support, we must consider other strategies to ensure the child is not maltreated. In such a situation, our responsibility to protect children demands the child's rights for safety take precedence over the family's rights.
- It is our expectation, however, that this is a ***temporary situation*** and that continuing services can ultimately reunify the family and restore the parents' rights of custody and responsibility. In short, child welfare values stress that a parent's rights should never be restricted, unless it is the ***only way*** to ensure protection of the child.

- Because we fully understand the potentially serious trauma experienced by children in placement, we select the *most homelike, least restrictive, most culturally consistent* placement possible in the child's own community and as close to his/her own home as possible. Placements within the extended family and community are sought before we look for out-of-home care in a licensed foster care home.
- Even when a child must be placed in substitute care, family-centered practice continues to view the entire family as the primary recipient of services. Families are engaged to *work jointly and responsibly with the agency* to find solutions to the problems that led to maltreatment, and to develop and implement a plan for reunification. We not only increase the likelihood of successful reunification, but we preserve a child's relationship and identification with his/her family through such involvement. Practices, such as involving parents in all aspects of case planning, scheduling regular visits while the child is in care and providing intensive services to permit prompt reunification of the family, are designed to re-establish the parent as the primary caregiver of the child. Empowerment of parents in this manner helps to protect and preserve their rights as parents.
- When repeated and intensive attempts to strengthen families and promote reunification fail, the rights of the children again become paramount, and the focus of intervention is to identify a permanent alternative home and family for the child, either through adoption, custody, guardianship or other legally permanent placement. In this manner, child welfare practice remains family-centered, with the shift in focus to the permanent family for the child in need of care.
- Family-centered practice, when properly implemented, can protect children from harm with the least amount of unnecessary intrusion or limitation of parental rights and responsibilities. The goal of family-centered practice, indeed, is to protect the child in the primary family's home.

However, child welfare values, philosophy and law are ultimately guided by the best interests of the child, and this may at times require that parental rights be compromised when that is the only way to meet the best interests of the child. It must be remembered that, when a child cannot be protected without restricting parental rights in spite of all attempts to do so, we are always legally and ethically mandated to protect children.