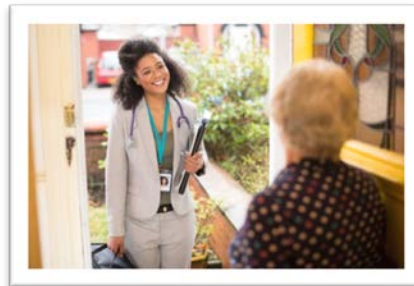




## Engagement of Kin when Parents with In-Home Cases Withhold Consent: What Social Workers Need to Know

We always strive to engage birth parents and work with them to ensure the safety and well-being of their children. If, despite our persistent efforts to engage them, birth parents refuse to work with us toward those ends, it is in the child's best interest for us to reach out to willing and able relatives who can support the child and family. In some cases, we need to do this over the objections of the birth parent. Because of privacy laws, we have to be careful about if, when, and how we reach out to relatives in these cases. The [Administrative Issuance on Engagement of Kin when Parents with In-Home Cases Withhold Consent](#) contains the high-level requirements on the matter. This FAQ outlines some helpful hints and resources to help you effectively and appropriately engage relatives.



### ***The Administrative Issuance says that the child's removal must be "imminent" or "pending" before I can reach out to a relative. What do these terms mean?***

"Imminent" in this context means that you've received approval from your supervisor and the Assistant Attorney General to pursue a removal proceeding at the DC Family Court. "Pending" means that you and your supervisor have made a clinical determination that a formal safety plan is necessary.

### ***Do I have to tell the birth parent that I am going to try to contact relatives?***

You should try to apprise the birth parent of your intent, even if the birth parent hasn't been cooperative. In fact, letting the birth parent know what you're doing may actually get him or her to give you some leads about their extended family, or better yet, agree to re-engage in case planning themselves. Just remember that the birth parent's refusal to work with you doesn't lift your obligation to keep the lines of communication open.

### ***If the birth mother doesn't give me any information about her family, how am I supposed to find her relatives?***

The first thing you should do is case mining. Look in the FACES record to find mention of kin supports. Secondly, check in with the child's school to see if the parent has indicated the names of emergency contacts on the child's enrollment forms. Lastly, remember that the Diligent Search Unit has tools that will help narrow your search and increase the chances that you'll be able to make contact with a relative.

### ***I have the contact information for the relative. How should I go about engaging this person?***

The most important thing to keep in mind is to engage the relative as soon as you can. As for how to do it, you need to apply your clinical training and experience to the situation. A great way to start is to simply ask them to tell you about the child, and about their relationship with the child. The key is to get the relative talking. The FTM Unit has great engagement techniques that they can share as well.

***I want to be sure to abide the District's privacy laws, so what kind of information am I allowed to share with this relative?***

You need to give the relative enough information about CFSA's involvement so that they know that the situation is serious, but you cannot discuss with them the nature and extent of the actual abuse/neglect allegations against the parent. It's usually enough to share CFSA's mission to respond to allegations of abuse and neglect, and then to explain that this family came to our attention. Additionally, you cannot share any confidential medical, mental health, or other personal information. This means, for instance, that you can't share with the relative any information about the birth parent's substance abuse issues, or psychological hospitalizations, or missed therapy visits. The key message to convey is that the birth parent is having problems keeping the child safe, and he/she needs family support to do so.

***What if the relative I'm in touch with is actually a non-custodial parent? Do the same non-disclosure rules apply in terms of what I can and can't share?***

You can *always* contact a parent at any stage of the case, and you can indeed disclose confidential information *about the child* to a non-custodial parent. It is a good idea to do some case mining, or to consult past FTM plans and/or court records to corroborate this person's parental relationship with the child before disclosing any information to him or her. Be careful to protect the privacy of the other parent when engaging the non-custodial parent.

***The child's grandfather wants to share information about the child and family with me. Am I allowed to obtain that information?***

Yes, by all means! Remember that outreach should really focus less on sharing information and more on obtaining information and resources from kin to attend to child needs. If the relative is freely offering information that will help keep the child safe and attend to the family's needs, then we want to be informed.

***I'm in touch with a relative who wants to know how she can support the child. What should I tell her?***

This really depends on what is happening in the case, but the key takeaway is to let the relative know that we'll take whatever support she can give. If a home removal is the plan, provide her with the brochure for Adult Relatives of Children in Foster Care, and talk her through the various placement scenarios. Even if she is not interested in acting as a placement resource for her young relative, encourage her to keep in contact with the child, to attend family-involved meetings with the case management team, and let us know about other relatives who could be part of the child's permanency plan.

***Are there circumstances in which I should be careful about whether to reach out to relatives?***

Yes. Sometimes the need for discretion as it relates to child safety supersedes the clinical need for outreach to relatives. If, for instance, there are issues of domestic violence, or potential human trafficking, or other issues that directly and immediately impact the child's safety, it is a good idea to consult with your legal team about whether (and how) to go about reaching out to relatives.

If you have questions about **privacy and disclosure rules and requirements**, then email CFSA's General Counsel at [cfsa.ogc@dc.gov](mailto:cfsa.ogc@dc.gov) or call (202) 727-2646.

