

CRS Report for Congress

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Kinship Care for Children: Basic Facts

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What is Kinship Care?

Kinship care is a generic term that is broadly used to include formal and informal arrangements where children are living with and being raised by relatives, or even close family friends, who are not their parents. In some cases, the child's parent may also live in the home, but is not necessarily the child's primary caretaker. However, kinship *foster* care refers to a more specific practice, in which children who are in state custody are placed by child welfare agencies into the homes of relatives, rather than in traditional foster care with strangers. This practice has grown in recent years, and is of ongoing interest to child welfare policymakers and practitioners.

This fact sheet provides basic information on kinship care, focusing on kinship foster care, including a description of current federal policy in this area. Readers should note that information is current as of the report's date, but the fact sheet will not be updated.

How Many Children Are in Kinship Care?

According to Census Bureau data, almost 5.5 million children under 18 lived in the homes of grandparents or other relatives as of March 1996 (compared with 4.3 million in 1992). For 2.1 million of these children in 1996, neither their mother nor father was present in the home. This was true for 1.2 million white children and almost 900,000 black children (including about 400,000 Hispanic children of either race).

When looked at in percentage terms, kinship care is clearly more likely for minority children. Specifically, of *all* children under 18 in March 1996, 8% lived in the homes of relatives who were not their parents, and 3% lived with relatives without their parents present. However, of white children, 6% lived in the homes of relatives and 2% lived with relatives without their parents present, while 17% of black children lived with relatives, and 8% lived with relatives without their parents present. Among Hispanic children, 11% lived in the homes of relatives and 4% lived with relatives and no parents.

A significant and growing number of foster children are placed with relatives, rather than in foster care with strangers. According to the Department of Health and Human Services (HHS), 37% of foster children in September 1996 were living in relative foster homes, based on reports from 20 states. This figure varied widely, from 2% in Utah and New Jersey to 52% in Illinois and 50% in Florida. (The total number of children in foster care in 1996 was an estimated 502,000.) Based on reports from 25 states, the HHS

Inspector General reported in 1992 that foster children placed with relatives had increased from 18% of the caseload in 1986 to 31% in 1990.

What is Federal Policy Regarding Kinship Care?

There is no federal “kinship care” program. Informal kinship families may receive cash assistance under Temporary Assistance to Needy Families (TANF), if they meet their state’s eligibility requirements. However, TANF recipients are limited to 5 years of benefits in a lifetime, and cannot receive benefits for more than 2 years without participating in work activities, unless they are exempted by their state. Relatives caring for children under state supervision also may receive TANF benefits, if eligible, or may receive foster care payments, which are usually higher, depending on various factors.

To receive *federally* subsidized foster care payments under Title IV-E of the Social Security Act, caregivers — including relatives — must be licensed, although some states relax their licensing standards for relatives. Further, the children must have come from families that would have been eligible for the former Aid to Families with Dependent Children program (AFDC, predecessor to TANF), under the rules that existed in July 1996. In addition, the state must prepare a written case plan for the child and conduct judicial and administrative reviews at certain intervals. Relatives caring for children whose cases are not eligible for federal subsidies may receive state-funded foster care payments, depending on the policies of the individual state.

Congress amended the Title IV-E foster care program in 1996 to require states to consider giving preference to adult relatives as foster care providers (P.L. 104-193). In 1997, Congress again amended Title IV-E, to require states to initiate termination of parental rights procedures for children who have been in foster care beyond a specified length of time, *unless*, at state option, the child is in a relative’s care (P.L. 105-89). The 1997 amendments also specified placement with “a fit and willing relative” as one of several appropriate permanency goals for foster children, and provided that relative caretakers (as well as other foster or preadoptive parents) must be given notice of case reviews and hearings and be given an opportunity to be heard in such proceedings. The 1997 amendments also require HHS, with the help of an advisory panel, to develop and submit a report to Congress on kinship care by June 1, 1999.

Under waiver authority that allows states to design their own child welfare demonstration projects, if approved by HHS, several states are currently conducting “subsidized guardianship” demonstrations, in which relatives caring for children who had previously been in state custody may receive ongoing monthly subsidies, comparable to foster care or adoption assistance payments, but the children are no longer considered in foster care. These demonstrations must be evaluated after 5 years.

For Additional Reading

Informal and Formal Kinship Care, U.S. Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation, June 20, 1997. [<http://aspe.os.dhhs.gov/hsp/cyp/xskincar.htm>]

CRS Report 93-856, “*Kinship*” *Foster Care: An Emerging Federal Issue*, by Karen Spar.