

**Testimony of  
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**Before  
the Subcommittee on Income Security and Family Support  
Ways and Means Committee  
U.S. House of Representatives**

**Hearing on Implementation of the Fostering Connections to Success  
and Increasing Adoptions Act (P.L. 110-351)**

Good morning, Chairman McDermott, Ranking Member Linder, Representative Davis and other distinguished members of the subcommittee. It is a pleasure to be here today and talk about my state's implementation efforts on the Fostering Connections to Success and Increasing Adoptions Act (P.L. 110-351), herein referred to as the Fostering Connections Act.

I am Erwin McEwen, the Director of the Children and Family Services (DCFS) in Illinois, which is one of the most reformed child welfare systems in the world. In this position, I am responsible for child protection, foster care, adoptions, and guardianships. I have committed 20 years of service to youth and families in the Illinois social services community, serving at Kaleidoscope, DCFS, Hull House, and Lakeside. Thank you for your tireless efforts to improve the lives of our nation's at-risk children and particularly for this new law.

My state has come a long way since 1997 when the Adoption and Safe Families Act (ASFA) became law. Our foster care caseloads consisted of more than 51,000 children. As of June 2009, there were 18,042 children in foster care, a significant and moreover safe reduction. The percentage of minority children in state custody has also decreased and more children are exiting the system than coming in. This number is still too high and we continue to find new safe ways to reduce the number of children in foster care.

Like many other states, Illinois has a budget deficit that threatens the delivery of critical services throughout the human services continuum. That being said, we still plan to fully implement the Fostering Connections Act.

### **Supporting Youth**

Supporting older youth is a priority for us and we appreciate Congress' focus on this issue. In 2008, Illinois had a little more than 1,500 youth ages 18 to 21 in state custody. Currently, foster youth may stay in care until age 19, regardless of their educational status. Some youth may continue in care to 21 due to special needs, however most choose to leave at 19.

In August, our legislature passed and Governor Quinn signed the Foster Child Successful Transition into Adulthood Act (HB 4054), which allows emancipated youth 21 years or younger to receive financial assistance from my department. This lays the foundation for us to implement the older youth option in P.L. 110-351 once it becomes available in October 1, 2010. Can you make the option effective today?

As many of you know, Illinois is one of three states participating in Chapin Hall's longitudinal study of foster youth. This study found that youth who are supported past their 18<sup>th</sup> birthday have better outcomes. DCFS programs for older youth have been found to reduce incidence of homelessness and incarceration, and increase achievements in employment. Moreover, the study found the longer youth are supported the more likely they are to graduate from high school and continue in college. Illinois also has tuition waivers for foster youth who wish to attend community college.

### **Educational Stability Achievements**

Another priority for us is improving educational outcomes through educational stability for foster children. Illinois has a geographic information systems (GIS) application call "SchoolMinder" which is used for kids being placed into foster care. SchoolMinder helps children stay in their community and supports: education stability; continuity of services (received from their school); and parental and family visitation. GIS technology helps identify available foster homes that are near both the child's current educational setting and the home from which he or she was removed.

The state has been successful in keeping children in their schools of origin. However, the challenge for the state is that these homes are quickly occupied. The unintended benefit is that the state can now use GIS to focus its scarce foster parent recruitment and development efforts on just those communities that are most quickly exhausting their available resource parents. The current GIS-based recruiting effort, begun in January, 2009, is now seeing results. After a long decline, foster parent resources are now increasing. This is yet another example of our state using new ways to improve outcomes for our foster children.

Our state is constantly finding innovative ways to help foster children. This summer, Illinois passed the DCFS Service Plans Improvement and Foster Permanency Changes Act (HB 529). The new state law recognizing the lifelong bonds between parents and children and allows the court and my agency to review cases of children who are age 13 and over. Together, they determine whether the parents' whose rights were terminated can be restored. I know I've raised a few eye-brows, but just think who these young people return to once the age out. We are one of the first states to have such a program. Reinstatement will not automatically return a child to the custody of the parent, but will allow the court to oversee services and visitation. Moreover, this new program will help children understand and manage relationships with their birth families.

### **Supporting Relative Caregivers**

Illinois leads the nation in permanent placements with relatives and has been operating this program through a waiver since 1996. We appreciate that Congress allowed states with waivers to grandfather our clients into the new federal IV-E program.

In 2005, nearly 100,000 of our state's grandparents had primary responsibility in caring for their grandchildren. Grandparents help keep children from coming into foster care in the first place. For those children who do enter the foster care system, 35 percent live with a relative while in state custody. Illinois will submit a IV-E plan amendment after the waiver is finished in October which is just a few weeks away. We will begin the new federal option on November 1, 2009.

The current waiver demonstration program is for children who have been in state custody for one year and have lived with a prospective guardian for at least one year. Similar to the new option, reunification and adoption must be ruled out as permanency options. Illinois' program supports mainly relatives; but children 12 years of age or older who are living with non-relatives are able to take advantage of the waiver program. Children in guardianship arrangements under the waiver are supported until their 18th birthday. If a child is still in high school the subsidy will continue until they graduate or turn 19, whichever happens first. A subsidy can also continue until 21 in the event that a child has severe special needs that are documented prior to the transfer of guardianship.

The subsidy policy under the waiver mirrors Illinois adoption subsidy, policy so there was no financial incentive to choose one option over the other.

One challenge will be that not all children living with relatives are IV-E eligible. And from my state's perspective, it is difficult to understand why there is no federal support for those relatives who do not wish to go through the licensing and training process.

I request that the National Association of Public Child Welfare Administrators' (NAPCWA) write-up on my state's implementation efforts be placed in the record. It has more details of our

efforts with the mandatory provisions as well as information on what Illinois applied for under the Family Connections grants.

### **Supporting Children Safely with Birth Parents**

Fostering Connections was a tremendous step forward for Illinois' children and those across the nation. A missing piece in the law is safely supporting children with their families of origin.

In an effort to strengthen Illinois' needy families, our state passed the Differential Response Program Act (SB 807) in August. This effort allows the agency to take a more flexible, supportive approach in cases where the risk of harm to the child is low. We conduct a less disruptive family assessment, rather than a formal departmental investigation and we tailor additional, individualized services to support the family and protect the child.

This legislation brings us closer to the day when families can voluntarily turn to us for help raising their children safely and successfully.

### **How Illinois Utilized TANF to Support the Well-Being of Foster Children**

I understand that Congress will be reauthorizing the Temporary Assistance for Needy Families (TANF) program next year. The Child-Only Grant, part of TANF, is an extremely important service for most relative caregivers, whether or not they are served by the Extended Family Support Program (EFSP or 'the Program'). EFSP provides assistance to persons who are caring for their relative's child when the child is not part of our formal child welfare system. Relative caregivers call our hotline not because the children are abused or neglected but because the children have been living with the relative caregiver for more than 14 days and the relative caregiver is seeking assistance. The program receives over 1,200 referrals per year and about two-thirds of which live in Cook County. Some of these families are not eligible for services so typically the program assists around 1,150 families per year. For most of these cases, the child will be living with the relative caregiver until he or she becomes an adult so the program assists the family in seeing a permanent home for the child. This often includes helping the relative caregiver obtain private guardianship at the local probate court. The program also helps the relative caregiver enroll the child in the local school and obtain the child only grant and medical benefits for the child. If the relative caregiver is employed, the Program also attempts to help the relative caregiver obtain subsidized daycare through IDHS. The Program provides other services needed to keep the family stable.

### **Delink Foster Care**

A challenge for Illinois is the shrinking federal dollars due to the foster care look-back. Certainly, we appreciate Congress' willingness to eliminate it for adoption assistance, but that is just one step. It is estimated that there has been a 5 percent decrease in foster care eligibility since 1996. This represents an annual loss of \$18,243,220 to Illinois and \$226,090,000 to child welfare across the country. I encourage you to delink foster care in the next child welfare package that comes before your committee.

Thank you again for this opportunity to testify. I am please to answer any questions you may have.