



Vermont is not alone in the struggle to serve children in state custody well, remain fair and just, and ensure that people are not unnecessarily exposed to Covid-19. Voices for Vermont's Children appreciates the thoughtful discussion in the Legislature around family time visitation, and offers our perspective.

The intersecting situations of every child, foster family, and biological family are all unique - all with differing resources and considerations. Centering children means giving each individual attention. Trust in the system requires that the needs and rights of groups who have less power - including children - be maintained to the greatest possible extent, even while temporary adjustments are made in the interest of public health. As we know, the safety and wellbeing of children is dependent on the safety and well being of their family unit. While working to ensure that families of origin have the resources that they need to gain stability and safety, we also have to be aware of the families the children and youth are placed in. Jeopardizing their safety sets the entire unit up for failure.

Since we are unable to learn the details of the cases, there is no way for Voices, the legislature, or others who aren't parties to the case to know if the children in these families that seek resolution are nearing reunification and their return home could be expedited (with support), or if the visitation requires public spaces, and supervision. We do not know the dynamics of the cases, or the constellation of the foster families. Some foster parents support multiple foster children, and have medically fragile people within their homes. **Foster families are unable to protect themselves in this quarantine if the children in their home interact with parents/providers who may or may not have the opportunity to practice preventative protective measures. Foster parents are critical to the child protection system and their voice should be respected and weighed heavily in each decision that is made.**

There are many complexities that make the decision to meet in person or remotely very difficult. DCF reported that the majority of families of origin and foster families have agreed to virtual parent child contact at this time. When there is disagreement, the court has been tasked with providing guidance. This is similar to the current guidance for visitation in divorce court. In general, this separation of powers is designed to ensure that power and responsibility is dispersed. This pandemic is new, but the process for working through these complex scenarios is not.

It is unclear how long the stay at home order will last and that can feel daunting. We also know that medical guidance and knowledge is evolving constantly. Once we know more about immunity there may be opportunities for some supports to be reinstated for some individuals

within the system. The Department of Health is best equipped to offer guidance about the safety of contact at this moment in time.

However, when cases are in essence stalled due to this pandemic, parents should not be penalized for the time they lost in working towards their goals. At the same time, children who are nearing permanency should not be held in limbo longer than necessary. This is why individual, child centered decision making is so important.

The ripples from Covid-19 and the quarantine will be felt for years to come in court backlogs, and missed opportunities. While timelines for permanency are clear, DCF has the ability to request additional time for goals to be met and should take advantage of that option when it is in the best interest of a child.

The Children's Bureau (CB) issued [this guidance](#) to Child Welfare Legal and Judicial Leaders. Specific to family visitation, the Children's Bureau states:

CB is also aware of instances where judges have issued blanket orders suspending or drastically reducing family time (visitation) between children in foster care and parents, sometimes indefinitely. Family time is important for child and parent well-being, as well as for efforts toward reunification. Family time is especially important during times of crisis. CB strongly discourages the issuance of blanket orders that are not specific to each child and family that suspend family time; doing so is contrary to the well-being and best interest of children, may contribute to additional child trauma, and may impede the likelihood of reunification. With respect to family time, CB urges all courts, CIPs, and administrative offices of the courts to:

- Discourage or refrain from issuing blanket court orders reducing or suspending family time;
- Be mindful of the need for continued family time, especially in times of crisis and heightened anxiety;
- Remain cognizant that interruption or cessation of family time and parent-child contact can be traumatic for children;
- Continue to hold the child welfare agency accountable for ensuring that meaningful, frequent family time continues;
- Become familiar with ways in which in-person visitation may continue to be held safely;
- Encourage resource parents to provide transportation to, and supervision of, family time in order to limit additional people having to be involved to limit possible exposure to COVID-19;
- Consider the use of family members to supervise contact and to engage in visitation outdoors, where feasible;
- Inquire whether parents and resource parents have access to cell phones and computers with internet access to ensure virtual connections where in-person family time is not possible;
- Encourage use of technology such as video conferencing, phone calls and other readily available forms of communication to keep children, parents, and siblings connected;

- Ask parents their preference when deciding how to proceed with family time as some parents may prefer to meet via technology due to health concerns; and
- Consider whether children may be reunified with their parents in an expedited manner if the child's safety would not be jeopardized.

This is useful guidance and we also know that the current process is slow and might need to be interrupted temporarily. We know that Arizona has moved to [virtual visitation](#) through the end of April. Washington state has also moved to a fully virtual family time visitation program at this time. You can see their [interim policy](#) and their [FAQ](#). They have also created tip sheets for remote visitation for [caregivers](#), [visitation providers](#), [parents](#), [foster parents](#), and even [tips for equipment](#).

If Vermont opts for a similar plan, we recommend that the decision be limited strictly to this pandemic and that there be an opportunity for children/youth, families of origin, and foster families to appeal the decision on a case by case basis. We also recommend that the Department of Children and Families take responsibility for ensuring that virtual contact is available to all children and youth. This may require supplying equipment, paying for the internet, or offering space and equipment in a safe space for people to access (school setting, DCF office, etc).

A transparent process for decision making coupled with input and flexibility whenever possible will help all parties navigate these very trying times. After all of this is over, we recommend a full systemic review of the child protection system to ensure that it is adequately funded and properly structured to meet the needs of the youth in its care.

Thank you for your time and consideration.