



AMERICAN HUMANE

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A Compilation of State and Provincial Laws, Policies, Rules and Regulations on Family Group Decision Making and Other Family Engagement Approaches in Child Welfare Decision Making

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This document compiles state and provincial laws that identify family group decision making (FGDM) and other family engagement approaches in the United States and Canada. This compilation was created through an Internet search, using a series of key words to identify state laws, policies, rules and regulations. Given the limitations of this methodology, American Humane recognizes that the following material may be outdated and/or incomplete. In an effort to ensure that this document is as up-to-date as possible, we welcome and encourage updates, additions, and revisions to the document as needed. In addition to laws, policies or rules and regulations, American Humane is also interested in creating another compilation of practice, policy and training manuals on this subject. Please submit any such information to us at fgdm@americanhumane.org.



ARIZONA

- **Keyword:** family group decision making program
- **Law:** Family Group Decision Making Program, A.R.S. § 8-1001
- **Description:** This statute establishes the program and outlines its goals. The law is up-to-date, but says that the program ends July 1, 2004.



BRITISH COLUMBIA

- **Keywords:** family conference; mediation; alternative dispute resolution
- **Law:** [Child, Family and Community Service Act, RSBC, Ch. 46](#) (1996)
- **Description:** This Act specifies that a plan of child care may only be made (via a family conference, mediation or an alternative dispute resolution) for a period of up to six months, but may be extended for one or more periods if the period of all extensions does not exceed 18 months. The court may adjourn a proceeding (for a total period of up to three months) so that a family conference process can occur. This Act also allows courts to make consent orders without a hearing, the completion of a hearing or the giving of evidence. In other words, if a plan for the child is agreed upon during a family conference process, that plan can become a court order without the court finding that the child needs protection. This Act is current to Jan. 28, 2009. The Ministry of Children and Family Development has recently published information and detailed guidelines about family conference implementation and practice in British Columbia. Family conference programs exist throughout British Columbia, and family conference providers have collaborated with community and aboriginal agencies in some areas (e.g. on Vancouver Island, B.C.) to offer these services to a variety of populations.
- [Download the British Columbia Family Group Conference Reference Guide.](#)



COLORADO

- **Keywords:** team decision meeting; family group decision making
- **Law:** Provision of Child Welfare Services, C.R.S. 26-5-102 (2007); Colo. ALS 101 (2005)
- **Description:** This statute lists promoting family-centered and community-oriented decision making processes as objectives to reform the child welfare system.



DISTRICT OF COLUMBIA

- **Keyword:** family team meeting
- **Law:** Child in Need of Protection Emergency Act of 2004, D.C. Code § 16-2312 (2008)
- **Description:** Family team meetings shall ideally be held prior to the removal of a child from his or her home or within the 72-hour period following a removal. In cases involving a criminal investigation, a family team meeting may be delayed at the discretion of the Child Protection Services program manager. Family team meetings shall also take place prior to any anticipated change in a child's placement.
- [Download the Child and Family Services Agency 2007 Quick Reference Guide on Family Team Meetings.](#)



FLORIDA

- **Keyword:** child dependency mediation
- **Law:** Rules of Juvenile Procedure, Fla. R. Juv. P. 8.290 (2008)
- **Description:** This rule of juvenile procedure describes “mediation” as a process whereby a neutral third person called a mediator acts to encourage and facilitate the resolution of a dispute between two or more parties. Florida is the only state to license dependency mediators.
- [Download notes on a presentation by Rita Pearce on child dependency mediation.](#)



HAWAII

- **Keyword:** 'ohana conference
- **Law:** Permanent Custody, H.R.S. § 587-2 (2008); H.R.S. § 587-26 (2008)
- **Description:** These statutes define the 'ohana conference as family-focused and strength-based and outlines its purpose as developing a plan that provides for the safety and permanency of the child. The second statute describes the aspects of this “service plan.”



ILLINOIS

- **Keyword:** Illinois family conference and mediation model
- **Law:** The Child Mediation Protection Local Rules, Ill. R. Cir. Ct. Cook. Co., R 19A.19 (2008)
- **Description:** These rules establish that mediators appointed by the court must meet certain qualifications to conduct family conferences. The conferences must end in a consensus by the parties and they are aimed at resolving issues that can be barriers to establishing permanency for the child.



INDIANA

- **Keywords:** facilitation; family group decision making
- **Law:** Allen Circuit and Superior Court Family Law Local Rules, Ind. Allen Local Fam. Rule 38 (2008)
- **Description:** These rules describe facilitation as a confidential meeting conducted by a neutral third person in order to meet a nonadversarial resolution to allegations of a child in need. In appointing a facilitator, the court may require them to be trained in family group decision making, such as via courses offered by the American Humane Association and others.



KANSAS

- **Keyword:** family-centered system of care
- **Law:** Kan. SB 534 (2007)
- **Description:** SB 534 describes the budget allowances for the Family Centered System of Care. On its website, the Kansas Department of Social and Rehabilitation Services describes the Family Centered System of Care as including family group decision making. The site outlines exactly what family group decision making is, what a participant in that type of meeting is likely to expect and the appropriate and expected outcomes of a meeting.



MAINE

- **Keywords:** family group conferencing; community intervention program
- **Law:** Me. ALS 559 (2002)
- **Description:** As of Oct. 1, 2002, this law provides funds for kinship projects in two parts of the state to include family group conferencing, a community intervention program to provide services to families at low to moderate risk and two pilot family support programs to prevent children from going into state custody.



MICHIGAN

- **Keywords:** Michigan family and community compact program; family group decision making
- **Law:** Mi. ALS 345 (2006); Mi. ALS 294 (1998)
- **Description:** The first statute describes budget allowances for family group decision making. The second statute establishes the pilot of the family group decision making model in six counties. The Family Group Decision Making program is available in 19 (out of 83) counties: Benzie, Charlevoix, Cheboygan, Clinton, Emmet, Grand Traverse, Gratiot, Ingham, Kent, Leelanau, Livingston, Mackinac, Manistee, Muskegon, Oakland, Shiawassee, St. Clair, Washtenaw and Wayne.



MINNESOTA

- **Keyword:** family group decision making
- **Law:** Minn. ALS 178 (2001)
- **Description:** This statute allows a responsible social services agency to appoint a facilitator to conduct a family group decision making meeting if it is in the best interests of the child. The purpose of the meeting is to provide a plan for the safety and stability of a child.



MISSOURI

- **Keyword:** family support team meeting
- **Law:** Child Protection and Reformation, M.R.S. § 210.110 (2008); M.R.S. § 210.762 (2008)
- **Description:** These statutes serve to determine service, treatment and placement needs; develop a plan for reunification or other permanency options; determine the appropriate placement for the child; evaluate case progress; and establish and revise the case plan.



NEBRASKA

- **Keywords:** family group conferencing; facilitated conferencing
- **Law:** County Juvenile Services Aid Program, R.R.S. Neb. § 43-2404.02; Neb. ALS 1014 (2008)
- **Description:** Funds provided to counties under the County Juvenile Services Aid Program will be used for implementation of programs included in their juvenile services plan that may include family group conferencing. The second statute allows facilitated conferences, including family group conferencing, to be held pending the adjudication of any case involving the welfare of a child.



NEW BRUNSWICK

- **Keywords:** family group conference; mediation
- **Law:** An act to amend the Family Services Act of 1980, Acts of New Brunswick, Ch. F-2.2 (assented to on April 30, 2008)
- **Description:** This Act includes family group conferences and/or mediation as methods to establish care and safety plans for children. These amendments also allow the court to adjourn the hearing in order to permit a family group conference or mediation to occur. If an agreed-upon child care plan is made during such an adjournment, the minister may present the plan to the court and withdraw an application if appropriate. This recent (2008) addition of family group conferences and mediation to New Brunswick's child welfare system was reported to be supported by an investment of \$2.4 million. It is the intention of New Brunswick to use these legislative amendments to also serve Maliseet and Mi'kmaq families through First Nations Child and Family Services agencies. Likewise, it is anticipated that at least 1,000 New Brunswick families per year will be able to access family group conferencing or mediation services once they are formally implemented.



OKLAHOMA

- **Keywords:** mediation; family group conferencing
- **Law:** Grandparent Care Instead of Foster Care, 10 Okla. St. § 22.1; Investing in Stronger Oklahoma Families Act, 10 Okla. St. § 22.2
- **Description:** These statutes were made to assist and offer incentives to grandparents and other relatives in providing additional placement options that will achieve permanency and stability for many children who are otherwise at risk of foster care placement but who may be able to successfully reside in the care of relatives. The second statute helps guardians of children, adoptive parents and other "created families" assume permanent custody of children in need of safe and permanent homes, and enhance family preservation and stability in those homes. The statutes each allow funding for the programs to be used for family group conferencing.



ONTARIO

- **Keywords:** alternative dispute resolution; family group conference
- **Law:** [Child and Family Services Act, R.S.O. Ch. C. 11](#) (1990)
- **Description:** This Act allows for the consideration of alternative dispute resolution methods to assist in resolving issues related to the child or a plan for the child's care. It also allows the court to adjourn the proceeding so that the parties may attempt to resolve any relevant disputes between them (via a prescribed alternative dispute resolution method).



OREGON

- **Keywords:** family decision making meeting; family group conference; family unity meeting; family mediation
- **Law:** [Interstate Compacts on Juveniles and Children; Children and Family Services, O.R.S. § 417.375 \(2007\); ORS § 417.368 \(2007\); ORS § 417.371 \(2007\); ORS § 417.365 \(2007 Edition\)](#)
- **Description:** The first revised statute states that family decision-making meetings may include family group conferences, family unity meetings, family mediation or other professionally recognized interventions that involve extended family in decision planning and strengthen the “care-giving system” for the child. The second statute specifies that the use of family decision-making meetings shall be considered in each case where a child has been placed in substitute care for more than 30 days and should be held before 60 days of substitute care (whenever possible). The third statute states that effort must be made to locate extended family members and to notify them about the meeting. The fourth statute states that the overall objective of a family decision-making meeting is the development of a written family plan for the child, and may include a primary permanent plan, a concurrent permanent plan, placement recommendations and/or service recommendations. Family decision-making meetings have been selectively used across Oregon since 1989. Family unity meetings are the most common type of family decision-making meetings used by Oregon workers and individual programs may obtain grants to support their practice. For example, in 2005, a program called Extraordinary Young People received a grant to support training for tribal officials and human services workers to reinstate the family unity/family decision making program on the Warm Spring Reservation in Central Oregon.



TEXAS

- **Keywords:** family group conferencing; family group decision making
- **Law:** Family Group Conferencing, Tex. Fam. Code § 264.2015; Tex. ALS 268 (2005); Tex. ALS 1406 (2007)
- **Description:** The department may collaborate with the courts and other appropriate local entities to develop and implement family group conferencing, family team meetings and circles of support as strategies for promoting family preservation and permanency for children.



WASHINGTON

- **Keyword:** family group conferencing
- **Law:** Local Rules of the Superior Court for Snohomish County, Wash. SCLJuCR 3.6B (2007)
- **Description:** These rules list family group conferencing as an aspect of the alternative dispute resolution process in juvenile dependency proceedings. Two Division of Children and Family Services managers started family group conferencing in 1997.
- [Download Long Term and Immediate Outcomes of Family Group Conferencing in Washington State](#) for information on the background and outcome of family group conferencing in Washington.



AMERICAN HUMANE
Family Group Decision Making

About American Humane's National Center on Family Group Decision Making

Since 1995, American Humane has been a leader in promoting the integration of FGDM philosophy and processes into systems that work with vulnerable children and families. The research increasingly demonstrates that FGDM is congruent with best social work practice: strengthening families, achieving child and family safety, and increasing permanency for children. FGDM encompasses various practice models that place families at the center of decision-making processes. While the central focus of American Humane's National Center has been on the FGDM approach, we have long supported — through training, technical assistance, evaluation and information dissemination — other forms of family engagement.

American Humane established its National Center on Family Group Decision Making in 1999 as a vehicle for promoting and supporting work in this area. The mission of the center is to build community capacity to implement high-quality, effective FGDM processes that are philosophically congruent with the central values and beliefs of this approach. Together, we are working to create links; share resources; provide training; technical assistance and evaluation; and broaden knowledge about this and other family engagement practices.

For additional information about our National Center or the practice of FGDM, please visit www.americanhumane.org/fgdm, email us at fgdm@americanhumane.org or contact Lisa Merkel-Holguin at (303) 925-9421.