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PLACEMENT STABILITY OF LEGAL GUARDIANSHIP WITH  
RELATIVE AND NON-RELATIVE CAREGIVERS

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A Project  
Presented to the  
Faculty of  
California State University,  
San Bernardino

---

In Partial Fulfillment  
of the Requirements for the Degree  
Master of Social Work

---

by  
Erin Renee Hebert

June 2011

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June 2011

Approved by:

  
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Dr. Pa Der Vang, Faculty Supervisor  
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6-7-11  
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## ABSTRACT

Permanency planning for foster youth has become a central focus in the child welfare system. In A County in Southern California growing numbers of non-relatives are assuming guardianship. This study assessed the placement stability of relative and non-relative guardianships in A County in Southern California. Data was extracted from 59 electronic child welfare case files. The findings of this study did not suggest any association between the relationship of the legal guardian and placement stability. While placement stability was achieved at approximately the same rates regardless of the relationship, other findings suggest that the County evaluate the rate at which sibling sets remain intact. In this study, high percentages of children had a permanent plan of legal guardianship and were separated from one or more siblings.

## ACKNOWLEDGMENTS

I would like to thank Dr. Pa Der Vang for supervising this endeavor. I would also like to acknowledge the children who have been and continue to be in our child welfare system. Your spirit and resilience inspire me every day.

## DEDICATION

I would like to dedicate this project to my family and friends for their love, support, and patience. Thank you for always seeing the best in me and never making me feel as though any dream has ever been outside my reach.

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## CHAPTER ONE

### INTRODUCTION

Permanence for abused and neglected children in the child welfare system has been a principle issue since the passage of the Adoption Assistance and Child Welfare Act of 1980 and the Adoption and Safe Families Act of 1997. This chapter will discuss the current options in permanency planning for abused and neglected children while highlighting the policies, legalities, and implications of the less researched plan of legal guardianship with relative and non-relative caregivers in a Southern California county.

#### Problem Statement

Abused and neglected children in the child welfare system are some of the most vulnerable members of our society. Even after removal from their families of origin, these children contend with multiple foster home placements, re-victimization, separation from family and loss of community ties. Under mounting pressure from federal timelines, county policies, judicial orders and family wishes child welfare social workers are charged to

make decisions for their child clients that are in their best interest.

The culture of the child welfare system has undergone multiple reformations in the last thirty years with the Adoption Assistance and Child Welfare Act of 1980 and the Adoption and Safe Families Act of 1997. Before the passage of these two pieces of legislation children in care had few choices in terms of permanence. The child welfare system primarily focused on the reunification of a child with their family of origin (Henry, 1999). If reunification was not possible with their natural family, a dependent child would unavoidably grow up in the child welfare system. The 1980 and 1997 legislation paved the way for many dependent children to exit the child welfare system with a lifelong connection to a relative or member of the community.

Permanency planning for foster youth is founded on the fundamental principle that every child deserves to be part of a permanent, stable, secure family environment in the least restrictive setting (Barth & Berry, 1987). Permanency for foster youth is established in one of three pathways once reunification is no longer in a child's best interest. Adoption is the most permanent

option. Court appointed legal guardianship is the second alternative. The third and least desired option is long-term foster care.

While the merits and affects of both adoption and long term foster care have been thoroughly researched, very little research has been done, to date, to study the stability and outcomes of abused and neglected children in legal guardianship placements (Henry, 1999).

When a judge or commissioner awards legal guardianship of a child, the parents' custody of their child has been suspended. Legal guardianships are typically granted and remain in effect until the minor child reaches the age of eighteen. Guardians assume legal parental responsibility and formal authority to meet the child's needs (Barth & Berry, 1997). Even though these placements are meant to be permanent, legal guardians retain the right to rescind responsibility of the child at any time. Disrupted placements have potentially serious negative social, mental, and emotional effects on the children involved (Kimberlin, Anthony. & Austin, 2009).

Legal guardianships are usually established with foster parents and relatives (Barth & Berry, 1987). With

the development of concurrent planning, the dialogue of permanent placement between the social worker and caregivers are occurring earlier and more frequently. Sometimes these conversations take place before a bond has been established between the child and caregiver. There are fewer requirements to become a legal guardian as no in-depth assessments of emotional fitness, family history, or financial security are required. Few specialized trainings exist for relative caregivers or legal guardians (Cuddeback & Orme, 2002). Although Foster parents receive training, their knowledge and understanding of the needs of children in care is under-researched (Cuddeback & Orme, 2002; Osmond, Scott, & Clark, 2008).

#### Purpose of the Study

The purpose of this study is to measure the stability of relative and non-relative legal guardianship placements. It becomes important to understand the stability in the context of legal guardianship cases as poor outcomes represent a failure in permanency planning. State and county child welfare agencies must work to reduce and prevent re-entry of abused and neglected

children into their systems. Given that legal guardians are afforded the opportunity to return the child and that they are not required to meet the same standards as adoptive parents, one may question how this affects the placement stability of abused and neglected children in these homes.

A similar study conducted in Michigan found that 29% of established guardianships were unsuccessful (Henry, 1999). The majority of disrupted placements were attributed to successor guardians. A successor guardian is appointed after the original guardian is no longer able to provide care for a child (Henry, 1999). Other causes were credited to guardians being determined to be unfit, or children being returned to the custody of the court by their guardian (Henry, 1999). The study found that placement disruptions occurred more frequently when the children were older with an average age of 13.2 years old (Henry, 1999).

Another study in Chicago of subsidized legal guardianships found that rates of placement stability of relatives and non-relative legal guardians were about the same (Testa, 2002). This study raised the question whether guardianships provide a "lasting" versus

"binding" connection for a child and their caregiver. The author also poses that subsidized federal guardianship may attract families wishing to seek monetary support more than provide a protective loving placement resource for abused and neglected children (Testa, 2002). While the children are exiting the child welfare system, they may be retaining their foster child identity within their guardian homes.

This study employed an observational design to analyze the stability of child welfare cases with a permanent plan of legal guardianship. Secondary data was obtained from cases in a Southern California county to assess whether the relationship of the legal guardian impacted placement stability.

#### Significance of the Project for Social Work

The findings of this study may emphasize the need for more research on the outcomes of legal guardianship cases in Southern California counties. This study might change the ways in which social workers think about permanency. Social workers who make the decisions to place a child in legal guardianship need to know if this plan of permanency is, for all intents and purposes,

permanent. Judges, commissioners, and attorneys need to be informed of these outcomes when they grant a petition for guardianship in a child's best interest. State and county agencies should also be interested in this issue as funding, policies, and statistics are directly affected by disrupted placements and poor outcomes (Kimberlin, Anthony, & Austin, 2009).

Information gained from this study may impact the current level at which legal guardians are screened and assessed for their appropriateness and capacity to provide quality long-term care for abused and neglected children. Agencies that are accountable to the stringent legal timelines of securing permanency for abused and neglected children may develop new policies that provide more services, support, and training to legal guardians and the children for which they care.

Before these changes can be made, questions must be asked and answered. What are the outcomes for children with a permanent plan of legal guardianship living with relative or non-relative guardians?

## CHAPTER TWO

### LITERATURE REVIEW

#### Introduction

Chapter Two illustrates the literature relevant to this study. This chapter is divided into subsections that focus on the major theories and themes that inform the research such as the attachment styles of foster children, specialized behaviors of children in care, training and support of non-parent caregivers, caregiver commitment, and subsidized guardianships.

#### Attachment of Abused and Neglected Children

Research has illustrated that childhood maltreatment is so pervasive that its mental, emotional, and social effects continue into adulthood (Finzi, Cohen, Sapir, & Weizman, 2000). Chaotic child-rearing environments consisting of physical abuse and neglect are correlated with increased aggression, low self-esteem, higher anxiety and impulsivity as well as depression in children (Finzi et al., 2000). Bowlby (1977) believed that the quality of an individual's attachment is determined by a foundation of emotional responsiveness and availability on the part of their caregiver. This foundation provides

a child with an internalized working model of their relationships and expectations of others.

Children growing up in chaotic environments start to expect maltreatment or neglect as a regular everyday occurrence. The two major attachment styles prevalent among children that experience abuse or neglect are avoidant and anxious ambivalent attachment (Finzi et al., 2000). Children develop these attachment styles to protect themselves emotionally after prolonged periods of unresponsiveness to their needs by their primary caregivers (Ainsworth, Blehar, Waters, & Wall, 1978). Children are then forced to take on the role of their caregivers and thus a breakdown in the foundation of attachment and bonding is reinforced. The child learns from these interactions that adults cannot be trusted and that the only person they can rely on is themselves or their needs will not be met (Ainsworth et al., 1978).

#### Emotional Investments of Caregivers

Other studies have looked into the effects of attachment and the emotional investment of caregivers on placement stability for children living in out of home care (Ackerman & Dozier, 2005). These studies suggest

that an absence of attachment and emotional investment can lead to disrupted placements for children (Dozier & Lindhiem, 2006). Ages of the child at the time of placement had a great deal to do with caregiver attachment. The caregivers were more invested emotionally when the child was placed at younger ages than when the child was older (Dozier & Lindhiem, 2006).

Negative child behavior was correlated with caregiver commitment (Lindheim & Dozier, 2007). Caregivers who reported problematic behaviors less during the study were shown to be more committed to the children in their care than caregivers who reported problematic behaviors more frequently. Emotional committedness of a caregiver is paramount to sustaining placements. When a caregiver is emotionally invested in a child, they are more willing to work with problematic behaviors that would otherwise result in a disrupted placement for a child in the foster care system (Lindheim & Dozier, 2007).

### Subsidized Guardianships

When a guardianship is subsidized, financial assistance is provided to caregivers who assume legal

guardianship of a child in their care. Subsidized guardianships have allowed children to transition out of foster care into the homes of a guardian that receives financial support and medical coverage to meet the child's needs (Testa, 2002). In a Southern California county, all non-relative legal guardians qualify for federal Title IV-E funding. There are 34 states that offer subsidized kin guardianship payments (Bratteli, Bjelde, & Pigatti, 2008). Kinship Guardianship Assistance Payments (Kin-GAP) are offered through counties in Southern California however, not all relative legal guardians are eligible. Relative placements have proven to be an effective permanent placement for children without requiring severance of parental rights or altering of the family relationship (Koh & Testa, 2008; Bratteli, Bjelde, & Pigatti, 2008).

#### Training and Support Services

Children in the child welfare system often have special needs. This may be in large part attributed to the manifestations of atypical behaviors as the child attempts to cope in their new environment after the homeostasis from their family systems have been disrupted

(Haugaard, 2004; Osmond, Scott, & Clark, 2008). Current and previous researchers have studied the effects of abuse and neglect on the development of children. Findings of such studies have identified delays in a multitude of areas such as cognition, social competence and socialization, linguistic ability, motor and neurological development (Osmond et al., 2008). On a psychological and emotional level, abused and neglected children exhibit behaviors such as aggression and anger, antisocial behavior, hyperactivity, substance abuse, depression, low self-esteem, problematic attachment, maladaptive interpersonal relationships, anxiety, self harm, and sexual problems (Haugaard, 2004).

Such challenging behaviors require caregivers to have specialized skills and a firm understanding of the needs of abused and neglected children. Foster parents receive training before they can become certified. However, a study of foster parent understanding of the needs of abused and neglected children suggests that even with training, foster parents are inadequately prepared to care for abused and neglected children (Rich, 1996). Lack of specialized skills or limited knowledge base led caregivers to be more anxious and frustrated at their

inadequacy to respond appropriately to a child's behavior (Osmond et al., 2008). In a study where both relative and non relative caregivers were offered training, less than one third reported feeling well prepared to provide care (Cuddeback & Orme, 2002).

### Theories Guiding Conceptualization

The conceptualization of this project was attributed to systems theory as many different factors within the context of the legal guardianship placement have an impact on its stability. In systems theory the interaction and interdependence between individuals and their environment may influence their behavior (Turner, 1996). When these individuals come together, they make a whole (Turner, 1996). Legal guardians and the children in their care make up a system. The social service providers that legal guardians interact with that provide monetary or social support make up another system. Last, the child's birth family is a system that is also affected by guardianship. Social capital is the value one gains from being a member of one or more systems (Moore, Bockenholt, Daniel, Frohlich, Kestens, & Richard, 2011). Trainings, funding, free medical insurance, and case management with

county social workers are different forms of social capital offered to some legal guardians. A guardian's perception of support and capital as they care for the children in their custody may prolong and stabilize placements.

In the conceptualization of this study through attachment theory, abused and neglected children may enter the foster care system with maladaptive attachment styles that are further exacerbated by the unintended consequences of being in out of home care. It falls to the roles of substitute long-term caregivers to counteract these attachment styles by providing stable, loving, and supportive environments. Disruption of placements while in care only reinforces poor attachment in maltreated children. Attachment of the caregivers to the children they care for is another important relationship that must be nurtured in order for these guardianship placements to be long lasting and successful.

The last theory that guided the conceptualization of this project was developmental theory. According to developmental theory, individuals follow a progression of stages from birth to death, in each stage there are

cognitive, age appropriate, and social related tasks that the individual must master in order to adjust to their environment (Ashford, Winston, LeCroy, & Lortie, 2006). In addition to varying attachment styles in relation to maltreatment, children in out of home care are also in different stages of their emotional, cognitive, and identity development. Most development is internal and inherited. Other traits are learned, based on the interactions and support that children receive in the environments for which they grow up. During adolescence children are experiencing a period in their lives when they begin to withdraw from their families in an attempt to develop their identities. There is a testing of limits and boundaries at this time. Adolescents generally struggle while navigating social and moral paradoxes. While taking into consideration attachment and systems theory as well as social capital, this developmental stage could be a very stressful and vulnerable time for both the child and guardian. The added stress during the developmental stage of adolescence may be a contributing source of placement disruption.

## Summary

As legal guardianship becomes a more popular option for permanency planning, it becomes imperative that Counties fully understand the outcomes of children in guardianship placements. Since this plan is meant to be a permanent lasting relationship for a child, research in the area needs to be focused on how these placements are meeting children's needs in the long run. There is no age requirement for a child that enters guardianship. Some children may fit the criteria for adoption as well as legal guardianship. When a social worker is faced with making a choice that is best practice or in the best interest of the child with regard to their permanent plan, this decision should be informed by research.

## CHAPTER THREE

### METHODS

#### Introduction

This section contains an overview of the research methods that were applied in this study. This is an exploratory study that gathered quantitative data from electronic child welfare case files in A Southern California county. The design of the study, sample, data collection and extraction tools, protection of human subjects, as well as the analysis of the data are outlined in this chapter.

#### Study Design

This study explored child welfare cases from A Southern California county with a permanent plan of legal guardianship. An observational study was employed to examine the outcomes of relative and non-relative legal guardianship cases to see if the relationship of the legal guardian to the child played a role in the stability of cases. A tailored extraction tool (Appendix B) was created by the researcher and used to collect data. The observational nature of this study was intended to gather information that would indicate or highlight a

trend within legal guardianship cases of relative and non-relative caregivers.

The research question for this study is, "Does the relationship of the caregiver to the child affect the outcomes of legal guardianship cases in a Southern California county?"

### Sampling

This sample consisted of 59 electronic child welfare cases. The cases in this sample were provided through random availability sampling with the permission of A Southern California county (see Appendix A). The only criterion for selection was that cases were relative and non-relative legal guardianship cases established in 2005 through a Southern California county and that the children remained in that same county over the five-year period from January 2005 to January 2010.

### Data Collection and Instruments

An extraction tool (Appendix B) was developed to record demographics and case outcomes at the end of the sampling period. The extraction tool was developed using perceived dependent and independent variables that may affect the outcomes of legal guardianship cases. No

pre-test of the instrument's validity was conducted as this study is observational and makes no predictions of causality or correlation between variables. Outcomes at the end of the sampling period are operationalized and defined as the following:

1. Living with original guardian: the client currently lives with the legal guardian with no placement disruptions.
2. Living with a successor guardian: the client's original guardianship was disrupted and the court appointed a new guardian.
3. Emancipated from the home of guardian: the client lived with the original guardian until age 18 without any placement disruption.
4. Returned to parents: one or both birth parents petitioned and were awarded custody of their children.
5. Living in CWS: the child was made a dependent of the child welfare system and currently is a foster youth.
6. Emancipated from CWS: the client was made a dependent of the child welfare system after guardianship and emancipated as a foster youth.

The dependent variable in this study was outcome of legal guardianship cases. Levels of measurement utilized in this study are both nominal and scale. Specific independent variables were recorded using nominal categorization such as the relationship of the legal guardian to the client (i.e., relative or non-relative), subsidized or unsubsidized guardianship, client's ethnicity, and probate or juvenile court appointed guardianship, outcome, reason for outcome, sibling set, child abuse allegations and type of allegation according to section 300 of the Welfare and Institutions Code. The client's age at the time of placement, guardianship appointment, and disruption are categorized as scale data. Other extracted scale data included the age of the child at the end of the sampling period; sibling set size (i.e., individual child or sibling set), length of time in placement as well as the child welfare system, and the total number of child abuse allegations.

#### Procedures

A list of 80 cases were randomly selected and provided by A County in Southern California. Of the cases that were provided, 40 classified under relative

guardianship and 40 under non-relative guardianship. Twenty-one cases were excluded as they were sensitive or did not meet the sample criteria leaving a total of 59 cases in the sample. All data extracted came from electronic case files. All data was manually logged using the tailored extraction tool.

#### Protection of Human Subjects

Secondary data was extracted from client case files. Any identifying information provided to the researcher was omitted from the data extraction process. Since the researcher did not interact with clients during the course of this study, nor were legal guardians or social workers contacted during data collection, informed consent and debriefing statements were neither necessary nor appropriate. All collected data was kept onsite in a county building. The collected data was stored in a locked filing cabinet that could only be accessed by the researcher.

#### Data Analysis

The data was analyzed using SPSS 19, a quantitative data analysis software program. This study employed descriptive statistics, use of frequency tables and

distribution measures, calculating the mean, median, and mode. Nonparametric methods including cross-tabulation of univariate and bivariate data were analyzed with chi-square to assess for any significant associations between and among variables. This observational study set out to see if there were any trends in the data that alluded to the relationship of the legal guardian to the child having an impact on the stability in cases.

#### Summary

Chapter Three provided an overview of the specific research procedures involved in the completion of this project. An explanation for the selection of the sample, research design, and rationale were given. The extraction tool and method were discussed.

## CHAPTER FOUR

### RESULTS

#### Introduction

Included in Chapter Four is a presentation of the results from this study. Descriptive statistics and tables illustrating demographic characteristics of the sample, such as the child's age, ethnicity, length of time in the child welfare system and in placement, age at of time guardianship, relationship of legal guardian to child, and sibling set size are included.

#### Presentation of the Findings

Table 1 presents demographic characteristics of the sample. The sample consisted of 27 boys and 32 girls. Children ranged in age at the time of legal guardianship from 1 year to 17 years old. The mean age at the time of guardianship was 9.76 years old. The ethnic makeup of the sample consisted of 37.3% Caucasian children, 15.3% African American children, 45.8% Hispanic children, and 1.7% of children were classified as some other ethnicity not previously listed.

Table 1. Demographic Table of Sample Percentage and Frequency

Variable	Frequency (N)	Valid Percentage (%)
Gender (N=59)		
Male	27	45.8
Female	32	54.2
Age at LG (N=59) Mean= 9.76		
1-6	15	25.4
7-12	28	47.5
13-18	16	27.1
Ethnicity (N=59)		
Caucasian	22	37.3
African American	9	15.2
Hispanic	27	45.8
Other	1	1.7
Length in CWS		
0-17 months	22	37.3
18-35 months	23	38.9
36-53 months	7	11.9
54-71 months	2	3.4
72-89 months	1	1.7
90-107 months	2	3.4
108-125 months	2	3.4
Length in Placement		
1-12 months	24	40.6
13-24 months	27	45.8
25-36 months	7	11.9
< 37 months	1	1.7

The length of time in the child welfare system varied as 68.6% of children in the sample were in foster care for longer than eighteen months. The mean length of time in foster care was 30.19 months. The minimum length

of time was zero months and the maximum was 120 months in foster care. Prior to the establishment of guardianship, the length of placement for each child averaged 15.38 months. 59.3% of children were in their placements longer than twelve months.

Table 2 illustrates the relationship of legal guardian to the child, whether subsidized, outcome, and outcome reason. The legal guardian relationships consisted of 37.3% foster parents, 45.8% relatives, and 16.9% non-related extended family members. Subsidized guardianships made up 74.6 % of the sample with 25.4% of guardians not receiving any financial support. A majority of cases had an outcome where the child was either currently living with the same guardian 45.8% or emancipated from their original guardian's home 13.6%. In the 22.1% percent of cases where guardianship was disrupted, 5.1% were living with a new guardian, 6.8 % emancipated from the child welfare system, and 10.2% were currently living in the child welfare system. 10.2 % of children returned to their parents and 8.5% of cases were closed for reasons other than those listed above. Reasons for outcomes were attributed to nothing prompting removal 64.4%, the guardian rescinding 15.3%, a substantiated

abuse allegation 13.6%, and parents petitioning for custody 6.8%.

Table 2. Demographics of Guardianship

Variable	Frequency (N)	Valid Percentage (%)
<b>Relationship</b>		
Relative	27	45.8
Licensed Foster Parent	22	37.4
NREFM	10	16.9
<b>Subsidized</b>		
Yes	44	74.6
No	15	25.4
<b>Outcome</b>		
Living w/ Same Guardian	27	45.8
Living w/ Different Guardian	3	5.1
Emancipated from Guardian	8	13.6
Emancipated from CWS	4	6.8
Living in CWS	6	10.2
Returned to Parents	6	10.2
Case Closed Other	5	8.5
<b>Outcome Reason</b>		
Substantiated Allegation	8	13.6
Guardian Rescinded	9	15.3
Parents Petitioned for Custody	4	6.8
Nothing Prompted Removal	38	64.4
<b>Sibling Set</b>		
Yes	17	28.8
No	42	71.2
<b>Sibling Set Size</b>		
1	10	16.9
2	12	20.3
3	13	22.0
4	10	16.9
5	11	18.6
≤6	3	5.1

In order to determine the nature of relationships between variables, data from several variables were cross-tabulated and evaluated using chi-squared analyses. In each case, significance was evaluated against an established two-tailed probability level of .05. The cross-tabulation of relationship and outcomes, length of time in placement and outcome reason, relationship and abuse, and age at time of disruption and outcome are analyzed.

#### Relationship and Outcome

The association of the relationship of the legal guardian to the outcome of the case was examined. The cross-tabulation is illustrated in Table 3. The association was not found to be statistically significant at ( $\chi^2$  (6, N = 59) = 7.76, p = .256). Results showed that a majority of children were reported to have stable placements as 45.8% were currently living with their same guardians and 13.6% had emancipated from their original guardian. The relationship of the guardian to the child did not have any impact on the case outcome.

### Length of Time in Placement and Outcome Reason

When analyzed, the association between the length of time in placement and the reason for outcome was not statistically significant, ( $\chi^2$  (78, N = 59) = 78.52, p = .462). The length of time that a child was placed with the legal guardian prior to guardianship did not appear to have an impact on the rates in which legal guardians rescinded, had substantiated abuse allegations, or kept the child in their care as (Table 4) the percentages of nothing prompting removal are higher when a child was in placement over 12 months.

Table 3. Cross-tabulation of Outcome and Guardian Relationship

Outcome	Guardian Relationship				$\chi^2$
	Relative		Nonrelative		
	N	%	N	%	
Living with same guardian	16	27.1	11	18.6	.256
Living with different guardian	1	1.7	2	3.4	
Emancipated from guardian	2	3.4	6	10.2	
Emancipated from CWS	0	0	4	6.7	
Living in CWS	2	3.4	4	6.7	
Returned to parents	3	5.1	3	5.1	
Case closed for other reason	3	5.1	2	3.4	
Total	27	45.8	32	54.1	

\* significant at p < .05.

Table 4. Cross-tabulation of Reason for Outcome with Length of Time in Placement

Reason for Outcome	Length of Time in Placement								$\chi^2$
	1-12 Months		13-24 Months		25-36 Months		≤ 37 Months		
	N	%	N	%	N	%	N	%	
Substantiated Abuse	3	5.1	5	8.4	0	0	0	0	.462
Guardian Rescinded	5	8.4	1	1.7	3	5.1	0	0	
Parents Petitioned for Custody	2	1.7	2	3.4	0	0	0	0	
Nothing Prompted Removal	14	23.7	19	32.2	4	6.7	1	1.7	
Total	24	38.9	27	45.7	7	11.9	1	1.7	

\* significant at  $p < .05$ .

#### Relationship and Child Abuse Allegations

Relationship of the guardian to the child was not associated with the number of abuse allegations subsequent to legal guardianship being established. There was no statistically significant association between the two variables ( $\chi^2 (1, N = 59) = 2.52, p = 0.113$ ). The cross-tabulation illustrates that nonrelated legal guardians had higher rates of child abuse allegations than relatives (Table 5).

#### Age at Disruption and Reason for Outcome

The association between age at the time of disruption and reason for outcome was analyzed. There was

no statistical significance associated among age of the child at disruption and reason for outcome, ( $\chi^2$  (20, N = 21) = 23.02, p = .288). The cross-tabulation did show that children over the age of 12 had placement disruptions at higher rates than younger children (Table 6).

Table 5. Cross-tabulation of Relationship and Child Abuse Allegations

Relationship	Child Abuse Allegation				$\chi^2$
	Yes		No		
	N	%	N	%	
Related	8	13.6	19	32.2	.113
Nonrelated	16	27.1	16	27.1	
Total	24	40.7	35	59.3	

\* significant at p < .05.

Table 6. Cross-tabulation of Reason for Outcome with Age at Disruption

Reason for Outcome	Age at the time of Disruption						
	1-6 Months		7-12 Months		13-18 Months		$\chi^2$
	N	%	N	%	N	%	
Substantiated Abuse Allegation	0	0	3	14.3	5	23.8	.288
Guardian rescinded	1	4.8	0	0	8	38.1	
Parents Petitioned for Custody	1	4.8	2	9.5	1	4.8	
Total	2	9.6	5	23.8	14	66.7	

\* significant at  $p < .05$ .

### Summary

Chapter Four reviewed the results extracted from the research project. Demographic and relational category characteristics were presented as well as the results of bivariate statistical analysis. There were no statistically significant trends or associations with respect to the relationship of the legal guardian to the child having any impact on the stability of placements.

## CHAPTER FIVE

### DISCUSSION

#### Introduction

Chapter Five is a brief discussion of the key findings for this research project. The study examined secondary data from electronic case files to examine whether the relationship of the legal guardian to the child was associated with placement stability. Recommendations for policy, procedures, and future research are presented to improve best practice in terms of permanency planning.

#### Discussion

The study sought to examine whether the relationship of the legal guardian to the child, (i.e. relative or non relative) had any association with the outcome of cases indicating placement stability at the end of the sampling period. The sample was comprised of 59 electronic child welfare cases with a permanent plan of legal guardianship. While there were no statistically significant associations between variables in this project, the rates of disruption and stability are congruent with previous studies as 28.9% of cases were

disrupted due to the legal guardian rescinding or being found unfit due to a substantiated child abuse allegation (Henry, 1999). 64.4 % of cases remained stable as nothing prompted the legal guardian to rescind or have a child removed.

Testa (2002) also found that variables independent of the relationship of the legal guardian to the child could be attributed to placement stability in cases. The 2002 study found high permanency rates for legal guardianships were attributed to available subsidies (Testa, 2002). Approximately three fourths of all cases (74.6%) were subsidized regardless of the legal guardian relationship to the child. The mean age for children placed in legal guardianships was 9.76 years old. 25.4 % of children where under the age of six, met the criteria for adoption and were placed in legal guardianship placements. Legal guardians who were classified as nonrelated had more allegations of child abuse after guardianship had been established 27.1% than relatives 13.6%.

## Limitations

There were significant limitations in this research project. The first was attributed to the small sample size. The original sample set consisted of 80 electronic cases. However, 21 cases were excluded due to factors such as the case being sensitive and therefore not accessible by the researcher, the case not meeting the sample criteria, or being a duplicate on the sample list. A small sample size could have attributed low external validity and non-significance, therefore was not generalizable as there were not enough cases to detect a trend or association among variables.

Another significant limitation in the project was the use of exclusively secondary data from case files. Cases were only as accurate as the social worker who inputted the information. There could be multiple margins for error as information could be incorrect in the case management system or incomplete. The extraction tool may have potentially been a limitation as well. The method for coding the categorical data may have been too complex or exhaustive. A more simplified way of operationalizing outcomes and other variables may have led to a different statistical representation of the results. Use of only

quantitative categorical data did not allow for any conclusions or predictions to be made about the frequencies in the data or quality of the legal guardian relationship. Quality of the legal guardian relationship is a variable that cannot be analyzed through secondary case data.

#### Recommendations for Social Work Practice, Policy and Research

Although the main question was not supported by the statistical analysis, there are implications and recommendations, which can be generated for social work practice. Most notable is the rate at which children who met the criteria for adoption as they were under the age of eight had a permanent plan of legal guardianship, 42.4% of cases.

In addition to the young age at which children are placed in legal guardianship, the data also illustrated that only 28.8% of the legal guardianship cases, kept sibling sets intact. The average sibling set size consisted of three children. Sibling sets accounted for 83.1% of the sample, but siblings were placed together in legal guardianship less than 30% of the time. When thinking about permanence, well-being, and placement

stability of children, preserving sibling sets whenever possible should be a chief concern. Guardianship placements are meant to last until the child becomes a legal adult and can have serious negative unintended consequences to the sibling relationship that may affect children for their entire lives.

While rights of biological parents remain intact through guardianship, a legal guardian assumes the role of parent to a child. The preparedness of any adult to take responsibility for children, who may present with a host of special needs, should be thoroughly assessed. Studies have indicated that even trained foster parents are not prepared to care for the children placed in their homes. More training and supportive services for guardians who find themselves overwhelmed and inept to meet the special needs of the children in their care may reduce the rates of disruption and increase placement stability.

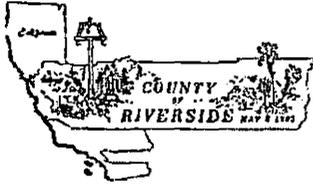
Children meeting the qualifications for adoption are being placed in legal guardianships. According to the Adoptions and Safe Families Act, reasonable efforts need to be made to locate an adoptive family for foster youth who have been in out of home care for longer than fifteen

months. Children in this sample averaged 30 months in care before their permanent plan was finalized. While conversations regarding concurrent planning are occurring earlier and more frequently, implementation of the plan appears to be prolonged.

### Conclusions

A brief discussion of the findings of the study indicated that legal guardianship placements appear to be stable regardless of relationship of the guardian to the child. A high percentage of legal guardians received subsidies for the children in their care. It was further found that a high percentage of sibling sets were placed in guardianship independent of each other. Placements were disrupted at higher rates for children in the adolescent stage of their development than children in earlier developmental stages. Implementation of trainings, supportive services for legal guardians, and improved policies that emphasize placements of intact sibling sets can foster increased stability in legal guardianship placements.

APPENDIX A  
CONSENT LETTER



## Department of Public Social Services

Administrative Office: 4060 County Circle Drive, Riverside, CA. 92503  
(951) 358-3000 FAX : (951) 358-3036

Susan Loew, Director

August 18, 2010.

California State University, San Bernardino  
Department of Social Work  
5500 University Parkway  
San Bernardino CA 92407-2318  
909-537-5000

To whom it may concern:

This letter is to indicate the support of the Department of Public Social Services, Children's Services Division, for Erin Hebert to pursue her graduate research project titled, "Placement Stability of Legal Guardianship with Relative and Non-Relative Caregivers."

Sincerely,

Guillermo Henry  
Interim Deputy Director  
Riverside County DPSS,  
Children's Services Division  
10281 Kidd Street  
Riverside, CA 92509  
(951) 358-7782



ASSOCIATIONS IN AMERICAN GOVERNMENT AWARD WINNER - 1996

APPENDIX B  
EXTRACTION TOOL

Case ID# \_\_\_\_\_

Ethnicity: 01 Caucasian 02 African American 03 Hispanic 04 Asian  
05 Biracial 06 Other: \_\_\_\_\_

Sex: 01 M 02 F

Age at the time of placement: \_\_\_\_\_

Age of Child at the time of LG: \_\_\_\_\_

Age of child at time of disruption: \_\_\_\_\_

Age of child at the end of the sampling period: \_\_\_\_\_

Length of time in CWS: \_\_\_\_\_

Length of Placement prior to LG: \_\_\_\_\_

Sib Set: 01 Y 02N

Sib set size (including child): \_\_\_\_\_

Relationship to Child: 01 Lic Foster Parent 02 Relative 03 NREFM 04 REFM  
05 Other: \_\_\_\_\_

ILP Eligible: 01 Y 02N

Subsidized: 01 Y 02N

Court: 01 Probate 02 Juvenile Court

Outcome at the end of sampling period:

01 Living with same guardian 02 Living with different guardian

03 emancipated from LG 04 emancipated from CWS

05 living in CWS 06 returned to parents

07 case closed for other reason: \_\_\_\_\_

Reason for outcome:

01 substantiated allegation of abuse/neglect

02 successor guardian

03 LG rescinded

04 parents petitioned for custody

05 nothing prompted rescinding or removal

Abuse/Neglect Allegation:

1Y 2N

Total Number of abuse Allegations: \_\_\_\_\_

Type of Allegation

1. A 2. B 3. C 4. D 5. E 6. F 7. G 8. I 9. J

Disposition:

1. Unfounded 2. Substantiated 3. Inconclusive

Type of Allegation

1. A 2. B 3. C 4. D 5. E 6. F 7. G 8. I 9. J

Disposition:

1. Unfounded 2. Substantiated 3. Inconclusive

Type of Allegation

1. A 2. B 3. C 4. D 5. E 6. F 7. G 8. I 9. J

Disposition:

1. Unfounded 2. Substantiated 3. Inconclusive

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