

Los Angeles County  
Commission for Children and Families

**ASSESSING THE NEEDS OF OUR  
Kin-GAP CHILDREN AND FAMILIES**

Approved by:  
Los Angeles County Commission for Children and Families.

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Kin-GAP Subcommittee of the  
Relative Caregiver Committee  
Los Angeles County Commission for Children and Families

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## **ASSESSING THE NEEDS OF OUR KIN-GAP CHILDREN AND FAMILIES**

### **Introduction**

The Relative Caregiver Committee, a subcommittee of the Los Angeles County Commission for Children and Families (Commission), has focused on the well being of children residing with relatives since the Board of Supervisors formalized its efforts through a Task Force Report adopted on February 13, 2001. The Committee continues to listen to relative caregivers and the needs they have identified for the children under their care, and to oversee the implementation of the recommendations within the Task Force report.

### **Background**

In the Fall of 2003, the Relative Caregiver Committee established the Kin-GAP Subcommittee with the purpose of reviewing the 1998 Kinship Guardianship Assistance Payment Program (known familiarly as Kin-GAP) legislation, which was introduced as SB1901 (McPherson) and became law in January 1, 2000. (Attachment I)

The California Children's Lobby (CCL) sponsored the legislation. The CCL argued that existing mechanisms, (i.e. Adoption, legal guardianship or long term foster care), provided neither adequate permanency provisions for the children who were increasingly being placed with relatives nor satisfactory financial incentives to the resource family members. The legislation permits stable long-term relative caregivers to establish legal permanency for their relative children by becoming the legal guardians, and then to exit the foster care system while maintaining continued foster care payments. In essence, the program provides kinship caregivers a legally permanent alternative to adoption. From the beginning, the intent of the legislation was that it would be utilized only for those children who did not have special needs or required the services of the social worker and the court in order to prosper.

During CCL's prior experience in guiding a previous "Relatives Adoption Bill" through the legislature, they held focus groups with relatives and others throughout the state. It became apparent, as a result of the focus groups, that some kin would never consider adoption under any circumstances. The reasons for this are many and complicated, but essentially relate to the fact that the caregivers, most often grandparents, consider that the child is already living with family, and that because of family dynamics, consider it unnecessary and undesirable to adopt. At the same time, they resented what they considered an intrusion of the child welfare system into their lives and indicated they would welcome a way to exit the system so long as this did not represent a loss of income and medical coverage.

After the implementation of Kin-GAP, a number of immediate problems became obvious. Implementation instructions were slow in being produced by the California Department of Social Services (CDSS), the intent was not understood by all, and in

some counties there was an apparent “rush” to Kin-GAP children inappropriately --- children who really needed access to services, due to their special medical needs. In the succeeding years, much anecdotal information accumulated to this effect, and while a mandated CDSS report was submitted to the Legislature covering the period of January 1, 2000 through July 1, 2001, no study of the consequences of the bill had been conducted in Los Angeles, the primary utilizer of the law. (Note: A second report from CDSS to the legislature is due in 2005.)

The Department of Children and Family Services (DCFS) reported that, “Since its inception through March 10, 2005, KinGAP has been granted for 10, 945 children. Of this number, 1113 children have returned for child welfare services. Of these 1113, 614 of these child cases remain open for services and 499 have been closed.”

In September of 2003 the Relative Caregiver Committee of the Commission, as part of its continuing oversight of the status of relative caregivers, decided that a review of the legislation and its subsequent implementation should be conducted to determine:

- a) The effectiveness of the legislation as an institutional tool
- b) The consequences of it upon children and families in Los Angeles County

### **Process**

A sub-committee was formed, co-chaired by Commissioner Nina Sorkin, and Jacquie Dolan. At its initial meeting the sub-committee defined two tasks:

1. To develop a one-page survey questionnaire, in English and Spanish, which could be sent to participating relatives to further understand their experience with the Kin-GAP program.
2. To review the existing legislation, regulations, All-County letters, State and local policies and other pertinent material related to the implementation of the law, and to make recommendations regarding desirable changes in any of the above, based upon the implementation experiences in Los Angeles.

Commissioner Nina Sorkin and DCFS’s Dr. Laura Andrade, Research Analyst, worked on the first task, while Marcia Buck and other stakeholders examined the second task.

### **Survey Process:**

A one-page survey (Attachment III) was developed and approved by the Commission on January 19, 2004. DCFS agreed to send the survey form to relatives of record with payment checks on April 1, 2004. A total of 7,741 surveys were mailed and the results were tabulated. The confidential survey asked six simple questions that led to answering the broad question, “Is Kin-GAP working for you?” A self-addressed stamped envelope was provided. Relative Caregivers were asked to return the survey by April 19, 2004. A total of 2323 completed surveys

were returned to the Commission office by the end of May, 2004. (See Attachments IV & V for data analysis.)

The results indicate that approximately two-thirds (67%) of the respondents feel at least generally satisfied with the Kin-GAP program and feel that the program meets most of their needs. On the other hand, one-third (33%) of the respondents don't feel strongly enough to endorse the program stating that it does not provide for many of their needs. Some felt that the program does not provide enough money to support a growing child's needs. Some families stated having very limited incomes and that the financial support was not enough to do a good job as a parent. Other respondents focused on the mental, emotional and physical needs of the child and family. These caregivers reported that the program did not provide enough resources to the families in terms of counseling, respite, medical and academic support programs.

There seemed to be a marked difference between the families that expressed general satisfaction with the Kin-GAP program and those that did not. The families that were satisfied with the program were those that had no expectation of financial or other assistance from the Kin-GAP program. They mentioned being grateful for the additional funds even though they would have enrolled in the program anyway, just to provide a home for the child. The families that were dissatisfied seemed to compare the Kin-GAP benefits with the Foster Care benefits and didn't understand why there were so many differences in benefits between the two programs.

The Survey Analyses are included in Attachments IV & V.

#### Legislative Analysis Process:

This group, composed of the following individuals, met a number of times during the spring and summer of 2004.

Marcia Buck, Child Advocate, Chair  
Deborah Singer-Frankes (County Counsel)  
Madeline Jackson, DCFS  
Delia Johnson, Community College Foundation  
Jane Kwon, Alliance for Children's Rights  
Leslie Heimov, Children's Law Center of Los Angeles  
Beverly Muench, DCFS  
Marjorie Shelvy, Legal Aid Foundation  
Guy Trimarchi, DCFS

The group first reviewed the existing Kin-GAP legislation, regulations, All County letter (Attachment II), State and local policies and other pertinent material relating to the implementation of the law. The group concluded that while optimally several changes might be desirable, with the current political climate in Sacramento,

opening the legislation might well be too hazardous. The group next reviewed the DCFS policy statement regarding Kin-GAP, and concluded that some portions needed clarification. They worked their way through a number of revisions to the policy and the attached Fact Sheet (Attachment VI).

As a final activity, the group met several times with Michael Gray, Division Chief, DCFS Training and members of his staff to evaluate the written materials used during training sessions. Some changes and/or substitutions were recommended. At the end of this process, Michael Gray agreed to the following:

- Provide a copy of the material for the committee upon the completion of the Department's revisions. (Materials to be sent to the Commission Office.)
- Incorporate presentations from community partners (i.e. relative providers, legal entities and others) into the process.
- Make every effort to expand training opportunities to groups other than DCFS staff, when possible, under funding limitations and/or opportunities.
- Invite the members of the review committee to attend a "field test" of the materials.

#### **RECOMMENDATIONS:**

Our study of families residing in Los Angeles County who are receiving Kin-Gap payments indicates satisfaction by the majority of the participants. As a result of the Survey, and the findings of the Legislation Analysis, the following recommendations should be considered:

1. Continuous training of DCFS staff, Court personnel, attorneys, advocates, and relative caregivers should include emphasis on the purpose and benefits of Kin-GAP. There should be a clear understanding of the differences between Kin-GAP and Foster Care benefits and payments.

**Who is responsible:** DCFS Training Division and other Community Partners  
**Timeframe:** July 1, 2005

2. Communication is of the utmost importance and DCFS should consider establishing at a minimum a quarterly newsletter to inform Kin-GAP families of available benefits. The newsletter should include a telephone number and/or e-mail address where Kin-GAP families can reach staff for further information.

**Who is responsible:** Kinship Resource Division and Revenue Enhancement Division  
**Timeframe:** July 1, 2005

3. As children mature, special needs may occur, and families caring for the children should have access to a Kin-GAP resource person who will assist the caregiver in finding the necessary services for the child.

**Who is responsible:** Kinship Resource Division  
**Timeframe:** Ongoing

4. DCFS should establish a process for Kin-GAP youth over the age of fourteen (14) to access all emancipation services.

**Who is responsible:** Emancipation Division  
**Timeframe:** July 1, 2005

5. DCFS should request the inclusion of research-based questions prior to the start of the 2005 Kin-GAP program evaluation.

**Who is responsible:** Deputy Director of Service Bureau 2  
**Timeframe:** Prior to the commencement of the 2005 evaluation

6. The Department, in conjunction with Community Based Organizations should work together to develop resources that will enhance the lives of children and caregivers in Kin-GAP (e.g. funds for clothing, scholarships, childcare, etc.)

**Who is responsible:** Kinship Resource Division  
**Timeframe:** January 1, 2006

## **CONCLUSION:**

The Kinship Guardianship Assistance Payment Program, Kin-GAP, is one of many options available for the families, the agencies and the courts to choose from after a child has resided with the relative for 12 consecutive months and whose relative was appointed legal guardian through the Dependency Court. Our review has shown that Kin-GAP is beneficial for the majority of children placed with relatives. Additional support for the relatives like respite and developmentally and age appropriate childcare, as well as on-going training opportunities would be ideal. In this time of economic stress for families, cities and the state, it is unlikely that new programs will be funded for these purposes. It, therefore, behooves advocates and communities to rally support for the needs of children and families. DCFS must examine the funding opportunities that exist within their current structure as well as those in the community to augment what is presently available through the Kin-GAP program. Relative caregivers are the most viable and desired resource in the dependency system, and as such, they should be provided with every opportunity to ensure that our children grow up in safe, loving and nurturing homes.

2/6/05