

The Shortcomings of the Foster Care System in the United States and How to Resolve These

Issues

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Abstract

This essay analyzes a cross section of the current research on the foster care system (FCS) and the flaws it contains. The United States FCS or the Minors's Bureau has been attempting to help minors live safer and more stable lives since 1912. While the system is working at capacity, there are still major faults and problems with the overall procedures that are currently in place. This literature review examines these faults and looks at the reasons behind them based on research that covers the procedures and studies done within the FCS. Then, the review synthesizes a solution on how to solve the faults and what is needed to complete this resolution.

Key words: foster care system (FSC), United States, flaws, minors, psychological effects

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Introduction

“The implicit assumption behind the entire American FCS is that when parents are unable to care for their children the government should assume care of the minor, as doing so would be in the best interest of the child” (Yang and Ortega, 2016, p. 517). When the implications that come with the burden of providing the best possible care to a minor are not being met to the fullest extent in a foster system, someone has to answer to the population who expects this standard and come up with a suitable solution to fix the shortcomings. If those shortcomings are combined with a bigger and more complicated problems such as the mass increase in illegal drug usage as seen in Ohio in 2016 (Gomes), then it will be nearly impossible to fix the original issues that arose with the FCS. Prior to the advent of the rising drug epidemic, the foster system in the United States was a group of individually governed programs whose main goal was to promote minor welfare and health to the fullest extent, but the system has grown to an unmanageable size which hinders the ultimate goal of improving the lives of minors.

Often people associate the FCS with the idea of children being removed from their homes, however, in the beginning this was not the case. The FCS was originally started in 1903 by Lilian Wald and Florence Kelley, who are credited with conceiving the ideas of the Children's Bureau (United States, Children's Bureau, 2012). In a document telling the history of the Children's Bureau, it is said that the bill that brought the Bureau into existence was passed in

Congress in 1912 (United States, Children's Bureau, 2012). While the minors's Bureau was originally mandated to look into the general health of minors, it soon began to pass multiple acts that were some of the earliest examples of social service grants for the states (United States, Children's Bureau, 2012). After the bills passed, guidelines were clearly established that defined what qualified as minor abuse or neglect and how to solve those issues. The most common solution is to extract the minor from the unfit living environment and place them with a temporary home while the parent or legal guardian works to make the living environment suitable.

As time has passed, so many unsuitable living conditions have developed, resulting in a mass increase in the amount of minors who are placed in the FCS (Gomes, 2017). This increase of minors has affected the entire organization negatively, overloading the integral system and making the process of protecting children difficult to manage. While the foster system is not entirely ineffective, the FCS needs some monumental changes to accomplish its goal of helping minors to have a more stable and safe environment.

Discussion

The Court Aspect of Foster Care

It is important to understand the reasons that the FCS removes children from their homes and reunites with their original guardians once the home is deemed safe. A court is the only appropriate institution to truly assess whether the minor is taken for the right reasons. It can also reveal whether or not going back to the home is the best possible thing for a minor. Therefore, the official proceedings take place in court. When these litigations take place, there are three different groups represented in the court; these three groups consist of: the state, the legal guardian, and the minor. Generally, the legal guardian who is trying to reclaim custody of the

minor is carefully listened to, showing that the court is not usually biased (Dickens, et al., 2015), but the main goal is always understood to be family reunification (Hassen III, et al., 2019). The Dickens, et al. study in England and Wales recorded court proceedings relating to social cases in order to study the way that courts in England and Wales conduct social cases (2015). While the study on these two countries shows that their courts conducted their social cases in an informal way, the study also reflects that the parents in cases that involve minor neglect or abuse were able to convey their opinions on the matter (Dickens, et al., 2015). As in England and Wales, the United States runs their court proceedings in a similar manner to these countries.

This organizational method would be effective only if the deficiencies of the legal guardian were considered when removing a minor; as some of these circumstances that result from the deficiencies have nothing to do with a legal guardians desire to provide for that minor. Instead, the legal guardians are not able to provide for that minor, which causes them to lose this minor for any amount of time (Yang, Ortega, 2016). In a study over bureaucratic neglect, Jessica Lang and Debora Ortega discuss the inequalities that the minor welfare system creates on poor families that cannot help their financial shortcomings in providing for a minor, especially poor families that belong to a minority (2016). These families are more likely to lose minors to the foster system because of their socio-economic status at the beginning of their lives. Then, after losing their children because they cannot financially support them, these low income families cannot accomplish the objective of getting their minors back because of that same reason.

The Support System for Foster minors

Supporting abused or neglected minors can be a difficult task when one is considering all of the degrees and types of abuse and neglect there are. The foster system takes on the task of

providing a home for all of these abused and neglected children and then further trying to heal the damage that was done by their unsuitable homes. This task is a difficult objective to achieve when one takes into account the drug problems in the United States and even the number of refugee minors that need to be supported (Hassen III, et al., 2019) When those objectives are considered, people will see that the FCS is doing an excellent job at providing relief to minors. Starting after the World War II era, the United States government has been taking in unaccompanied refugee minors from other war ridden countries by creating the Unaccompanied Refugee Minor foster care program (Hassen III, et al., 2019).

While this is an extraordinary accomplishment for a federal program to achieve, there are still some flaws that come with this refugee program. The worst problem that comes out of this program is the natural link between families being broken. (Hassen III, et al., 2019) While normal FCSs break the natural family link as well, these cases are more extreme because of the national borders between former legal guardian and minor. Other cases where the natural link between a family has been cut off in an extreme manner are legal guardians that are put in prison. Most of the time, when the mother or female caregiver is put into prison, the home that the minor lives in will change, sometimes resulting in the minor being placed in foster care (Marcellus, 2010); in these cases, the minor rarely gets to see the legal guardian, which causes many behavioral and mental problems for the minor (Marcellus, 2010).

The behavioral and mental problems that minors experience while being in the FCS are still being explored by researchers. These researchers have several different tests that they use to determine psychological damage along with several different groups that they are testing. Bowlby's method of examining the minors in the FCS psychological state is configured on a

rating scale that looks at factors like preoccupied anger towards a mother or father. Interviewers will ask each minor in the study a series of questions that relates to their relationship with their parents and the minor will answer accordingly as the interview is both video recorded and transcribed verbatim (Zaccagnino, et al., 2015). Another way that the psychological effects of the FCS is recorded is through adults after they have aged out of the system. This method is called The Adult Attachment Projective Picture System (AAP) (Webster, Joubert, 2011). By asking the adult to come up with a story about the word that the interviewer will say, the AAP will analyze the psychological state of the adult mind (Webster, Joubert, 2011). Along with the different methods of testing, there are also different groups that one can test; these groups include foster minors, minors placed in institutional care, minors who were never in either group homes, or adults from all three categories.

As different as all of the methods of figuring out psychological damages are, all of the systems separately are even more different; this is one of the reasons that it is so hard to accurately test the psychological methods. There are many political factors that go into the rules and procedures of a FCS, forcing all of them to be different, as is shown by Guat Tin Ng in his study of the shaping of state policies in the U.S. (Ng, 2006). One thing that all FCSs, in general, have in common is the objective that they are trying to accomplish, which is reunification with the original legal guardian (Hassen III et al., 2019). Sometimes, this may be a beneficial goal, but with an overload in the foster system already causing challenges for their work force, it allows the workers to be careless with their work and send a minor home to an unsuitable home prematurely.

The FCS has such an overflow because of the rising drug epidemic in the U.S.. There has been a twenty three percent increase of minors being removed from their homes since in 2016 alone (Gomes, 2017). Statistics done in December of 2017 say that over half of the minors taken from their homes were taken because of parental drug use (Gomes). Since the FCS is so full, it has started running out of homes in which to put the removed minors. When this happens, the minors will go to institutional care, which is proven to be worse for a minor than foster care due to the lack of attention (Nowack and Schoelmerich, 2010).

Limitations of the Study

Due to the lack of time for this review of literature, this essay is not a fully comprehensive study on the FCS in the United States. While this literature review covers a few of the studies done on the FCS in the United States, there are still hundreds of studies that were not included in this essay.

Conclusions and Recommendations

Based on this review of literature, problems that exist within the FCS in the United States, including psychological damages and a massive overflow of minors in the system constitute a great need for monumental change in the FCS. However, it is important that we as a people know what changes to institute when we modify the FCS. In order to accurately know what alterations are needed, we need to figure out what is affecting minors in the most negative way.

Psychological testing is the only way to truly be aware of what issue needs to be changed. Therefore, the recommendation of this paper based on this conclusion is that more research needs to be done on the long-term psychological effects of the foster care system on minors. This

research needs to be done with the same method and with consistently chosen subjects. The issue with the psychological testing lies in the methods that are used to perform these tests. If all of the methods are different, then there is no way to know that all of the information gathered in these studies is accurate. In order to correctly identify the changes that need to be made in the FCS, all of the methods of testing the psychological effect of the FCS on minors need to be the same.

When all of the research is done the same way and this team search is compiled accordingly, we will finally be able to see what amendments need to be put into place in order to help the minors in the FCS as was the original goal.

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