

CHILDREN, YOUTH, AND FAMILIES

Resolution CYF-20-32

A RESOLUTION ON THE RE-ESTABLISHMENT OF PARENTAL RIGHTS

WHEREAS, the National Black Caucus of State Legislators (NBCSL) recognizes that it is in the best interest of a child to be in a safe, permanent home with positive adult role models;

WHEREAS, according to the Children's Bureau, there are 443,000 children in foster care at any given time in the United States;

WHEREAS, African American children are overrepresented in the child welfare system, making up thirty-three percent of youth in foster care while comprising only fourteen percent of the total U.S. child population;

WHEREAS, studies have demonstrated that racial disparities persist in the child welfare system even after adjusting for socioeconomic factors;

WHEREAS, racial bias and structural racism exist in all social systems, including the child welfare system;

WHEREAS, the majority of children are placed in the foster care system due to non-egregious reasons such as neglect, not physical or sexual abuse;

WHEREAS, youth that age out of the foster care system suffer significantly higher rates of unemployment, poverty, homelessness, incarceration, chronic disease, and mental health and substance abuse disorders;

WHEREAS, all U.S. states have laws that allow for the termination of parental rights, yet nearly half of these states do not provide a legal pathway for reinstatement of these rights;

WHEREAS, parental rights reinstatement is a critical option for legal orphans whose parents have been rehabilitated to have access to permanency rather than age out of the foster care system; and

WHEREAS, it is in the best interest of a child in the foster care system to be reunited with their parents in a safe, permanent home once their parents have been rehabilitated and proven they have corrected the conditions that led to the termination of their parental rights.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) calls on states to enact legislation providing a pathway for parents to petition for the reinstatement of their parental rights, and provide resources and programs for parents to be able to correct the conditions that lead to this termination of their parental rights;

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BE IT FURTHER RESOLVED, that the NBCSL urges state human services agencies to work with their county partners to ensure that eligible parents are notified of their right to petition for reinstatement of their parental rights;

BE IT FURTHER RESOLVED, that the NBCSL also recognizes the valuable role that foster care and adoption can play in these circumstances, and supports preserving stable families and the optimal environment for the child, and recognizes that may not always be the with their parent; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials and agencies as appropriate.

SPONSOR: Representative Rena Moran (MN)

Committee of Jurisdiction: Children, Youth, and Families Policy Committee

Certified by Committee Co-Chairs: Representative Robin Shackleford (IN) and Representative Pebblin Warren (AL)

Ratified in Plenary Session: Ratification Date is December 6, 2019

Ratification is certified by: Representative Gilda Cobb-Hunter (SC), President