United Family Advocates

SUPPORTING STRONG FAMILIES AND SAFE CHILDREN:

A Framework for Reshaping Federal Child Welfare Funding

A Report by United Family Advocates

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UFA United Family Advocates

EXECUTIVE SUMMARY

United Family Advocates (UFA) is a group of child welfare advocates, attorneys, researchers, nonprofit leaders, and individuals whose lives have been directly impacted by the child welfare system. Together, UFA advances a bipartisan vision to keep children safe while protecting the strength and integrity of families. *Supporting Strong Families and Safe Children: A Framework for Reshaping Federal Funding* offers recommendations to better align federal financing with the distinct roles that child protection agencies, courts, and communities each play in keeping children safe and supporting families. This framework is grounded in three core principles:

- **The best way to help children is to help their families.** Recognizing the sanctity of the parent–child relationship, protecting children includes ensuring that families understand their rights and have fair processes when government intervention in family life is contemplated.

- **Danger and need require different responses.** Children in danger require swift responses from child protection agencies.[1] The child welfare system's role should be narrowly tailored to effectively address such instances. Support for struggling families should be delivered separately from the child welfare system; families should not have to experience the stigma of the child welfare system to receive help.[2]

- **Create conditions for community-based infrastructure and support.** Those closest to families and communities should have the freedom and resources to innovate, create, and implement accessible solutions. The federal government should simplify funding streams, reduce red tape, allow flexibility for States and Tribes[3] to address local needs, and hold them to achieving results.

[1] In this framework, we use Child Protection Agencies, Child Protective Services, Child Welfare Agencies, and the Child Welfare System interchangeably; we note in our usage when we are referring to the federal level or to state-, county- and tribal-administered agencies.

[2] Kelley Fong, *Investigating Families: Motherhood in the Shadow of Child Protective Services* (Princeton, NJ: Princeton University Press, 2023).

[3] Throughout this framework, we use the term States broadly. We recognize the unique government-to-government relationship between Tribes and the federal government, as well as the distinct statutory authorities, funding structures, and sovereignty considerations that apply to Tribal child welfare programs. Nothing in this framework is intended to alter or diminish protections established under the Indian Child Welfare Act (ICWA) or other federal laws governing Tribal child welfare. Any consolidation or restructuring of existing funding streams should preserve existing Tribal set-asides and funding protections and be developed through meaningful government-to-government consultation consistent with the federal trust responsibility. UFA recognizes that many Indigenous communities and state-recognized Tribes face challenges in supporting children and families, and encourages engagement with these communities to ensure that funding structures are responsive to their cultures and needs.

United Family Advocates believes children are best protected when each institution performs the role it is best equipped to play. Child protection agencies should focus on protecting children facing imminent danger, supporting safe reunification whenever possible, and providing stability and healing for children who cannot safely remain at home. Courts and high-quality legal representation should ensure that government intervention is fair, constitutional, and no more intrusive into families' lives than absolutely necessary. Community-based infrastructure should be the first source of support for families, providing accessible supports that strengthen families long before challenges escalate into crises that put children in danger. To better align federal financing with these distinct roles, UFA proposes three flexible federal formula grants:

- **Child Protection:** to equip child protection agencies to focus on protecting children in danger, preventing unnecessary foster placements for families involved with the system, and supporting safe reunification, permanency, and healing.

- **Family Legal Representation and Court Improvement:** to ensure fair legal processes, protect the constitutional rights of children and families, and strengthen judicial decision-making.

- **Family and Community Support:** to strengthen families and communities outside the child welfare system by providing flexible resources that meet families' needs in supportive settings and address challenges before they become child protection concerns.

When the government holds the extraordinary power to separate children from their parents, public policy must reflect the gravity of that authority. Family is irreplaceable. Government intervention should therefore be rare, carefully limited, and reserved for circumstances in which it is truly necessary to protect a child. Together, these grants aim to focus the child welfare system on its core mission of protecting children while preserving families whenever safely possible; ensure fair and effective legal processes for families; and strengthen support for families and communities in remaining safely together.

INTRODUCTION

Strong families and communities are the first and best line of protection for children. Children flourish when families can rely on relatives, neighbors, faith communities, community-based organizations, and other trusted local institutions long before challenges become crises that place children in danger or require government intervention. Public policy should strengthen these networks of care and ensure that families can access support within their communities.

The child welfare system serves a distinct purpose: to protect children who face imminent danger, help families safely reunify after separation whenever possible, and ensure that children who cannot safely remain at home receive the care, stability, and healing they need.

Federal child welfare policy discussions have largely centered on one agency – Child Protective Services – and one funding stream – Title IV-E of the Social Security Act, which accounts for the vast majority of federal child welfare system spending ($11 billion), most of which goes to foster placement and adoption activities.[4]

This focus, coupled with a recognition that families face serious challenges accessing broader services to meet their social, economic, and health needs, has contributed to an impression that the child welfare system can pick up the pieces dropped by other social service programs. The result has been a gradual layering of broader service expectations onto child welfare agencies - namely, the addition of prevention services to Title IV-E through the Family First Prevention Services Act and funds under Title IV-B, which are also overseen by child welfare agencies.

While the instinct to meet families' needs is the right one, we believe this implementation approach is flawed. When we ask an agency designed to investigate and respond to abuse to also act as a family support provider, we diminish its effectiveness and introduce more fear and stigma to families who simply need help. Family support does not belong under the umbrella of an investigative agency.

That is not to say that these lines are always so clearly drawn; certainly, some families who come to the attention of the child welfare system have multiple needs and circumstances that have put their children in danger. We believe child protection agencies should have more flexibility to use federal funding to provide support when helping families to access resources can prevent imminent foster placement, reunify families the system has separated, create permanency, and support healing and care for

[4] Congressional Research Service, *Child Welfare: Purposes, Federal Programs, and Funding*, IF10590 (Washington, DC: Congressional Research Service, April 6, 2026), https://www.congress.gov/crs_external_products/IF/PDF/IF10590/IF10590.56.pdf.

the children in its purview. But the child welfare system should not scope-creep into a “family well-being” system. True family well-being systems live and thrive in communities.

United Family Advocates believes children are better protected when the child welfare system, courts, and communities each perform the role they are best equipped to play.

- Child protection agencies should focus their expertise on protecting children facing imminent danger, preventing unnecessary foster placements, supporting safe reunification, and helping children who cannot safely remain at home heal and achieve timely permanency.

- High-quality legal representation and the court system should ensure that government intervention is fair and constitutional, while helping families understand their rights and access appropriate services.

- Communities should be the first source of support for families by providing accessible assistance, practical resources, social connections, and other locally driven support that strengthens families before circumstances escalate into child protection concerns.

With everyone playing their role, fewer families will become involved with the child welfare system for challenges that can be addressed safely in their communities; more families will receive meaningful legal support during child protection proceedings; and child welfare agencies will be able to devote their attention and resources to more effectively identifying and protecting children in danger. A more focused system is better positioned to make sound safety decisions, support safe reunification, and provide the intensive care and healing that children in foster placements deserve. This framework provides recommendations to realign federal financing to support this vision and theory of change.

Policy and funding conversations are at a critical inflection point. There is broad agreement that families should receive more support before crises lead to child welfare system involvement. The central question is where those supports should be located and which institutions are best positioned to provide them.

This framework proposes realigning existing federal child welfare funding into three complementary grants: a Child Protection Grant, a Family Legal Representation and Court Improvement Grant, and a Family and Community Support Grant. Together, these seek to better align federal resources to support the distinct responsibilities of child protection agencies, courts, and communities in keeping children safe and families together.

Mental Health and Substance Use Treatment

United Family Advocates believes that mental health and substance use disorders are first and foremost public health issues that require robust public health responses, including mechanisms to increase the availability of treatment options that enable patients to remain at home with and connected to their families when it is appropriate and safe to do so.

Lack of access to mental health and substance use treatment is an issue affecting families and children across the country in myriad harmful ways. Too many families are brought to the attention of the child welfare system due to substance abuse or mental health issues that could and should have been addressed earlier and outside of the child welfare system. Too many children placed in foster care by the child welfare system lack access to quality and consistent mental health treatment, resulting in the overuse of psychotropics and ongoing cycles of emergency hospitalizations and placements. Too many families who seek and cannot find affordable mental health treatment for their children are making a painful and traumatic choice to surrender their children to the child welfare system, believing it is the only way for their children to receive treatment, only to find that their children's experiences in the system make the situation worse. No family should have to relinquish their child to obtain mental health treatment.

While a comprehensive set of recommendations on these issues is outside the scope of this framework, UFA recognizes the importance of mental and behavioral health systems to better serve our nation's children and their families.

As we examine federal funding structures to better serve children and families, it is equally important to modernize the accountability systems that accompany them.[5] Child welfare leaders and policy advocates have rightly critiqued current federal reporting and performance rubrics both for the child welfare system and for family support programs. For decades, these have tracked scores of bureaucratic short-term measures rather than long-term outcomes for participants, creating reams of administrative work for states without a clear public understanding of spending patterns or their impact.

United Family Advocates encourages a streamlined accountability framework built around a smaller number of meaningful, publicly reported measures that clearly identify intended outcomes for each proposed grant. Performance metrics should reflect shared goals of strengthening families and communities, protecting children, and responsibly stewarding taxpayer resources. Greater transparency into how funds are allocated and what outcomes they achieve would enable states, Tribes, and Congress to make more informed policy and budget decisions while encouraging innovation and continuous improvement.

[5] The Administration of Children and Families has taken steps to move in this direction through its *A Home For Every Child initiative*. See U.S. Department of Health and Human Services, Administration for Children and Families, *A Home for Every Child* (Washington, DC: Administration for Children and Families, 2026).

Finally, UFA recognizes that while policy change can stimulate culture change, it is not a substitute for it. States, Tribes, and communities are the rightful stewards of this work within their own unique contexts. Many of the recommendations in this framework could be implemented by states today. Yet longstanding funding patterns, combined with the complexity of federal claiming, reimbursement, and administrative requirements and outdated fiscal infrastructure, too often stifle innovation and reinforce the status quo. This framework is intended to help remove those barriers by better aligning and structuring federal financing around the distinct roles of communities, courts, and child protection agencies, advancing a shift towards funding priorities that more readily recognize the sanctity of families and position communities - not systems - as their frontline supports.

PROPOSED FUNDING FRAMEWORK

Rather than continuing to build upon an increasingly complex structure, UFA recommends establishing a new federal funding framework: one that more strategically uses existing resources, coupled with clear accountability, to support strengthening families and safely reducing the number of children in the child welfare system. This framework proposes streamlining several federal programs into **three flexible state formula grants**, each with a distinct purpose and role:[6]

1. **Restructure the Title IV-E child welfare program to give states greater flexibility in how they use these funds to protect children.** A **Child Protection Grant** would provide child welfare agencies formula grants indexed for population and inflation to protect children facing imminent danger or who have experienced maltreatment. Funds could flexibly be used by states for foster care, guardianship, and adoption activities, and efforts to safely prevent imminent foster placement, safely reunify families who have been separated, and achieve permanency.[7] When separation occurs, priorities across all such activities are keeping siblings together, placement with kin, and healing for children.

2. **Provide a dedicated grant for family legal representation and court improvement,** currently supported under Title IV-E and Title IV-B, respectively, to ensure that fair legal protections for children and families are upheld in decisions with such high-stakes consequences, and to prevent unnecessary contact with and entries into the child welfare system. A **Family Legal Representation and Court Improvement Grant**, administered outside the child welfare agency to buffer against conflicts of interest, would support legal representation for families in child welfare and preventive legal advocacy cases,[8] as well as training on and provision of interdisciplinary legal representation and improvements to family court operations.

[6] United Family Advocates' proposed framework focuses on changes to programs under the jurisdiction of the U.S. Senate Finance and U.S. House Ways and Means Committees, where the vast majority of federal child welfare and family and community support funding lives. Because the Child Abuse Prevention and Treatment Act (CAPTA) is under the jurisdiction of the Senate Health, Education, Labor, and Pensions and House Education and Workforce Committees, and represents a much smaller funding stream, it is not included in this framework.

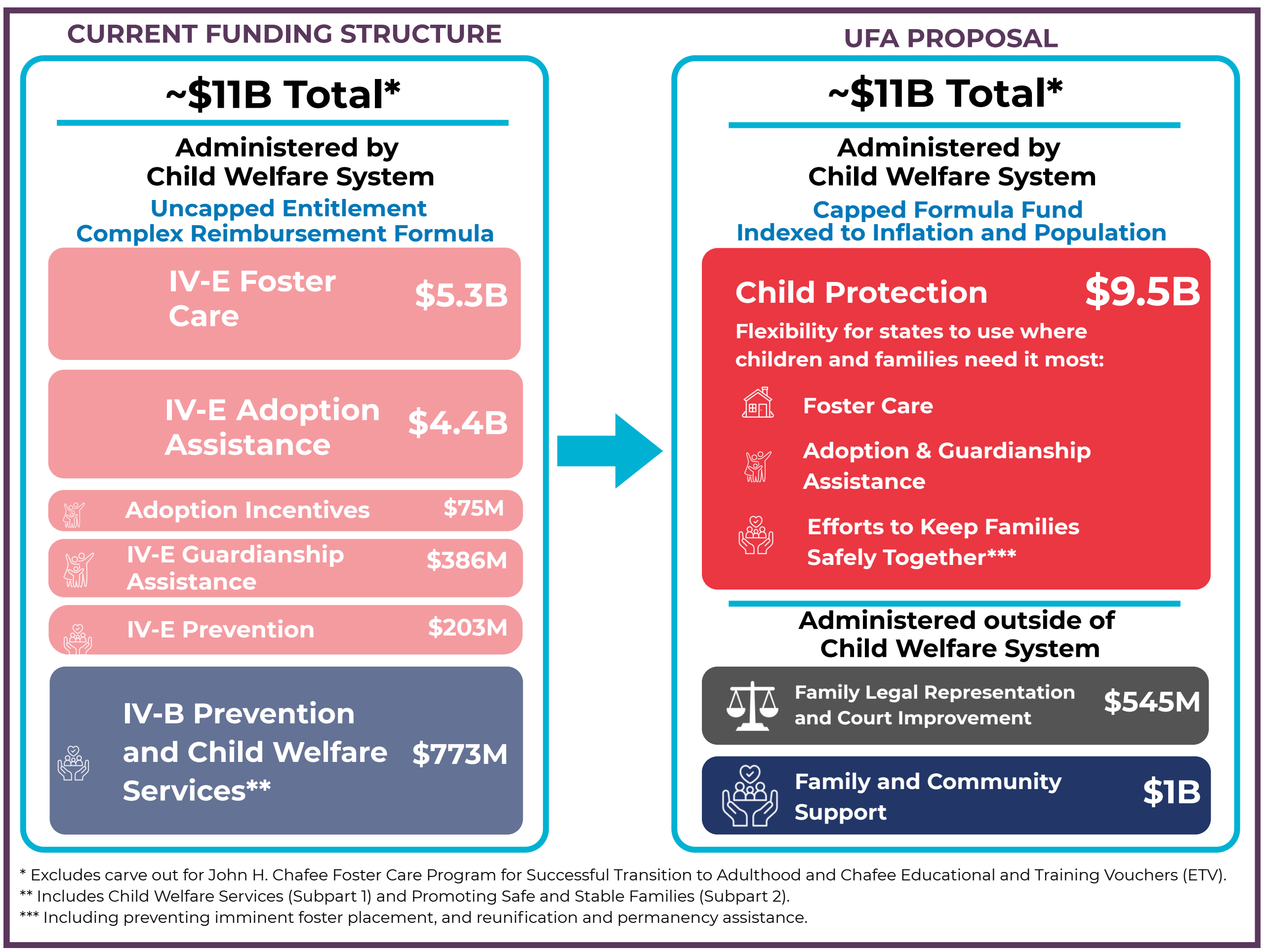
[7] Permanency includes reunification, guardianship, and adoption. Under current law, states must demonstrate reasonable efforts to prevent foster placement, reunify families, and achieve permanency. See Social Security Act, § 471(a)(15)(B), 42 U.S.C. § 671(a)(15)(B).

[8] Preventive legal advocacy occurs when legal teams help parents address civil legal needs, such as housing instability, access to public benefits, family law matters (e.g., custody or protection orders), and employment issues, in order to help stabilize families and prevent child welfare involvement. See Casey Family Programs, *How Is Preventive Legal Advocacy Critical to the Continuum of Legal Advocacy?* (Seattle, WA: Casey Family Programs, 2021); U.S. Department of Health and Human Services, *Civil Legal Advocacy to Promote Child and Family Well-Being* (Washington, DC: U.S. Department of Health and Human Services, 2021); Vivek S. Sankaran, "Preventive Legal Advocacy," in *Child Welfare Law and Practice*, 4th ed., ed. Josh Gupta-Kagan et al. (Denver, CO: National Association of Counsel for Children, 2022).

3. **Move Title IV-B and Title IV-E Prevention dollars outside of the child welfare system to create a Family and Community Support Grant** that enables families to access help without added stigma and fear of separation. This grant would enable states to support community-based work to strengthen family and community networks, help families through temporary setbacks, and navigate acute needs, life transitions, or other circumstances that may fracture family stability. Local communities are best positioned to identify, understand, and respond to these types of needs. Congress should also consider how this grant could be enhanced by other federal funds that share the common goal of supporting families to remain safely together.[9]

An overview of each proposed grant is provided in the sections that follow, including its purpose, eligibility criteria, key activities, lead state agency, funding sources and structure, and related policy recommendations. Together, they are intended to inform federal funding discussions to more effectively support children and families and safely reduce unnecessary child welfare system involvement.

Overview of Proposed Funding Framework



[9] See Appendix II for inexhaustive examples of such federal programs.

Child Protection

Federal child welfare funding is presently composed of multiple funding streams; the largest is Title IV-E of the Social Security Act, which in FY 2026 totaled $10.3B or 88 percent of total federal child welfare funding.[10] Composing such an outsized proportion of federal funding, Title IV-E is a primary driver of federal child welfare policy and outcomes. Foster care maintenance payments and adoption subsidies comprise the overwhelming bulk of Title IV-E spending.

As historically structured, Title IV-E operates as an open-ended entitlement that reimburses states for costs associated with foster care, adoption, guardianship, administrative and training costs, and more recently a limited set of prevention services. Each of these categories comes with its own set of rules and reimbursement rates, which greatly constrains flexibility for states and results in costly and burdensome bureaucracy. The primary constraint to this entitlement is the Aid to Families with Dependent Children (AFDC) eligibility look-back, which ties federal reimbursement for foster care to 1996 income thresholds, limiting the number of children for whom states can claim federal funding.[11] States currently spend $200 million on the administrative costs of calculating eligibility for the look-back,[12] money that could be better spent serving children and their families.

A proposed Child Protection Grant would restructure Title IV-E, replacing the current open-ended entitlement with a flexible formula grant[13] for foster care, guardianship, adoption, and efforts to prevent imminent foster placement, reunify families, and achieve permanency for children, with prioritization on placement with siblings and kin.

If Title IV-E dollars become a flexible formula grant, this look-back requirement would no longer serve a meaningful purpose. Accordingly, if Congress adopts this framework, UFA recommends eliminating the look-back in tandem with a transition to a formula-based financing model. States and Tribes would receive no less than the same amount they had been receiving from each of its consolidated funding streams, with future adjustments for inflation and population and with a state maintenance of effort requirement, but could flexibly allocate these funds based on their needs and priorities.

[10] Congressional Research Service, Child Welfare: Purposes, Federal Programs, and Funding.

[11] Title IV-E foster care reimbursement is limited to federally eligible cases and tied to the AFDC "look-back" test. Adoption and guardianship assistance funding has become more broadly available and remains open-ended entitlement funding. See Social Security Act, §§ 472–473, 42 U.S.C. §§ 672–673.

[12] Bipartisan Policy Center, *Proceedings of the BPC Child Welfare Working Group on Financing and Accountability Reform* (Washington, DC: Bipartisan Policy Center, March 20, 2026), https://bipartisanpolicy.org/report/proceedings-of-the-bpc-child-welfare-working-group-on-financing-and-accountability-reform/.

[13] Excludes a carve out for John H. Chafee Foster Care Program for Successful Transition to Adulthood (Chafee Foster Care Independence Program) and Chafee Educational and Training Vouchers (ETV). UFA recognizes the importance of Chafee funding for older youth, and recommends maintaining it, with amendments to make it more accessible to former foster youth.

By increasing flexibility in its use, this grant would simplify financing and better align federal investments with the goals of child safety, family preservation, and kinship placements, as states gain flexibility to choose to allocate resources to prioritize more effective, less costly interventions to advance those goals. The flexible structure would help states to safely reduce the systemic over-reliance on foster placement, strengthen efforts to safely preserve or reunify families, and create permanency options that maintain family bonds. This change would enable states to invest where children and families need help most instead of where funding rules direct them, while still being held accountable for child safety.

United Family Advocates believes that a central policy question is not whether funding is in an entitlement structure or not, but whether it is stable, transparent, and designed and actually used by states to support better outcomes for children and families.

As more families in need receive help to stay safely together without the involvement of the child welfare system, it is our expectation that over time the number of children in foster placements will continue to decline. As this transition occurs, if states have less of a need for funding in the Child Protection Grant, they should be allowed to transfer some of those dollars into the proposed Family and Community Support Grant (described later in this framework) in order to further support the prevention of child welfare system involvement.

AT-A-GLANCE: Proposed Child Protection Grant

PURPOSE: To identify and address instances of child maltreatment.

ELIGIBILITY: Families of children in imminent danger of maltreatment and/or where child maltreatment has occurred.

LEAD AGENCY: Child Welfare

KEY ACTIVITIES:
- Foster placement, guardianship, and adoption, with a prioritization of placement with siblings and kin
- Efforts to prevent imminent entry into foster placement, to reunify families where foster placement has occurred, and to achieve permanency through adoption or guardianship, with a prioritization on permanency with siblings and kin
- Administration of investigations, case management, supports to help children and families in the system to heal, and other related activities

FUNDING: $9.5B[14] by consolidating:
- IV-E Foster Care Maintenance Payments: $5.3B
- IV-E Adoption Assistance: $4.4B
- IV-E Guardianship Assistance: $386M

[14] In consolidating the current $10B for Foster Care Maintenance, Adoption and Guardianship Assistance, this proposal carves out $500M to allocate to the proposed Family Legal Representation and Court Improvement Grant.

An "Every Effort" Approach

In current statute, states are required to show "reasonable efforts" to prevent foster placement and to support family reunification and permanency, but federal funding to date has not prioritized such efforts. To help ensure that robust efforts are made to safely preserve and reunify families, in a proposed Child Protection Grant we recommend that states initially spend at least 25 percent of their formula funding on these efforts. When reunification is not possible, efforts should prioritize permanency with siblings and kin and healing for children impacted by the system.

If these recommendations are implemented holistically, we expect that the number of children entering the child welfare system will decrease over time as families' needs (including kinship families' needs) are addressed earlier and before child welfare system involvement; in this case, the minimum percentage may be revisited, with a focus on timely permanency and healing for children who cannot be reunified with their parents.

United Family Advocates also recommends revisiting the "reasonable efforts" standard to better reflect its intent to preserve and reunify families whenever it is safe to do so. The current standard falls short in name, definition, and practice. The standard should be "every effort."[15] Instead, reasonable efforts have often become a procedural, bureaucratic checklist; it is time for a change that sets a high standard and gives states greater flexibility in how to meet it. Federal statute should also clarify that termination of parental rights planning should proceed only when safe reunification is not possible, with prioritization of and financial support for placement with siblings and kin.

Furthermore, states and Tribes should have maximum flexibility in their choice of services and supports for the families they serve, and have the resources and authority to make meaningful, timely, and individualized decisions. To that end, agencies' efforts should be governed by what current Title IV-B statute more broadly allows for prevention, rather than the narrow standard that must be approved by the Family First Prevention Services Act (FFPSA) Clearinghouse (though it may be inclusive of these services as well), as the Clearinghouse has proven too rigid a structure to be useful to (or used much by) state agencies.

Children and families deserve a system that measures success not by whether procedural requirements were met, but by whether every safe opportunity to preserve or reunify a family was genuinely and thoughtfully pursued.

[15] United Family Advocates recognizes, as does current Title IV-E law, that rare aggravated circumstances exist in which an "every effort" approach would not be safe or appropriate and should not be required with respect to a parent for whom a court of competent jurisdiction has determined that the parent has committed acts as delineated under Sec. 471(15)(D) of Title IV of the Social Security Act. See Social Security Act § 471(15)(D), codified at 42 U.S.C. § 671(a)(15)(D).

Additional Title IV-E Policy Recommendations

Title IV-E's current statutory construct has the federal government – the level of government furthest away from children and families – dictating to States blunt, high-stakes rules about the most important, individualized, and nuanced of human relationships, the parent-child relationship. To ensure flexibility and fairness, UFA recommends that some current Title IV-E policy requirements be revised with a transition to a Child Protection Grant:

- **Amend permanency timelines to reflect the needs of individual families.** While there is broad consensus that permanency is important for children, the Adoption and Safe Families Act (ASFA) wrongly made the federal government, the level furthest from individual families, the permanency timekeeper. The arbitrary timelines established under ASFA can pressure child welfare agencies and courts to make high-stakes, permanent decisions based on administrative deadlines, rather than individual circumstances. This change would help to prioritize relational permanence and preserve children's extended family connections where possible and appropriate; currently, adoptions often sever children's existing ties with siblings, extended family, and other close, supportive adults.

- **Incentivize all forms of permanency equally.** Beginning with ASFA, the federal government started paying bonuses to states for every adoption they finalize over a target set through a complex formula. These bonuses are paid whether the adoption lasts or not. If an adoption disrupts and the child is placed again, the second adoption is still eligible for reimbursement and a bonus.[16] Lower bonuses are paid for guardianships, and no bonuses are awarded for reunification. States should have the freedom to make these high-stakes determinations based on the child and family's individualized circumstances.

- **Prioritize placement with siblings and kin when removal is necessary, and align financial incentives and remove bureaucratic red tape accordingly.** Currently, Title IV-E requires states only to "consider" giving preference to kin when determining placement. Federal policy should prioritize placement with both kin and siblings, support kinship foster caregivers by ensuring parity in financial assistance and social supports with non-relative foster parents, and simplify licensing requirements so that kin can more readily serve as foster caregivers.[17]

- **Allow kinship foster placements that do not require family separation when it is safe to do so.** Currently, Title IV-E requires children in foster care to live apart from their parents. Agencies should have flexibility to support safe kinship placements that allow parents and children to remain together, subject to court approval, when it benefits the family, such as during a parent's engagement in treatment. States should track outcomes of such placements.

[16] 42 U.S.C. § 673(a)(2)(C). See also Josh Gupta-Kagan, "(De)Funding Family Separations," NYU Journal of Legislation and Public Policy 27 (2025): 605.

[17] U.S. Department of Health and Human Services, Administration for Children and Families, *National Model Foster Family Home Licensing Standards* (Washington, DC: Administration for Children and Families, February 2019), https://acf.gov/sites/default/files/documents/cb/im1901.pdf.

- **Retain a federal limit on the use of congregate facilities and revisit current policies and processes to more readily enable reductions in their use.**[18] While some children in foster placements have complex behavioral and mental health needs that require intensive, acute and sub-acute care, too many reside in congregate facilities rather than community-based treatment or home-based therapeutic options. When removal from home is necessary to ensure a child's safety, placement with relatives or in other family-based settings should be prioritized, with appropriate behavioral and mental health supports provided in those environments whenever possible.

These statutory changes would enable a Child Protection Grant to support a child welfare system that prioritizes child safety, preserves or reunifies families whenever it is safe to do so, and ensures timely and thoughtful permanency.

Tracking Progress Through Child Protection Metrics

United Family Advocates views the current administration's efforts to simplify outcome measures and federal reporting requirements for state child welfare agencies as a step toward a more effective and accountable child welfare system. UFA recommends building on this approach by defining and prioritizing key "pivot" metrics to replace bureaucratic requirements, and which reflect the transition we seek from a system that unnecessarily investigates and separates too many families to one that swiftly protects children in danger. Such metrics could include:

- decreases in child maltreatment and recurrences of maltreatment
- decreases in the number of foster placements and terminations of parental rights
- increases in the percentage of children placed with kin and siblings
- decreases in the length of stay in foster placements
- stability of post-permanency outcomes

We also recommend that states be required to report annually by dollar and percentage what they have spent on efforts to preserve and reunify families. Over time, as family needs are met outside of the child welfare system, the cases brought to its attention should be far fewer, and also more accurately represent children in danger; as the system moves in this direction, these pivot metrics should be revisited.

[18] United Family Advocates recognizes that the current FFPSA policy on congregate care has not had its intended outcome. In a March 2026 report, the Government Accountability Office noted: "States continue to rely on congregate care for youth in foster care despite Family First's limitations on the use of Title IV-E funds for these placements." U.S. Government Accountability Office, *Child Welfare: HHS Should Clarify Guidance on State Spending for Congregate Care*, GAO-26-107592 (Washington, DC: Government Accountability Office, March 3, 2026), https://www.gao.gov.

FAMILY LEGAL REPRESENTATION AND COURT IMPROVEMENT

Child welfare proceedings have high personal stakes and lasting consequences on parent-child and broader familial relationships. Current federal child welfare law, however, lacks basic protections for children and families that could help to ensure fairness in these proceedings. Access to pre-petition legal representation has been shown to safely reduce child welfare system involvement, including a reduction in foster placements and length of stay in foster placements, and can help to drive down system costs over time.[19] Multidisciplinary representation for parents, relative caregivers, and children[20] also reunifies families faster and, when that is not possible, helps children leave state custody for guardianship faster, without causing negative safety outcomes.

A Family Legal Representation and Court Improvement Grant would fund legal representation for families facing challenges that threaten to destabilize or separate them, including family court cases and preventive legal advocacy needs, such as housing (eviction and other landlord/tenant disputes), benefits, employment, and other family law issues. It would help to ensure that families have accessible information about their rights and the support needed to exercise those rights.

The grant would also support improvements in family court proceedings. Often overlooked in policy discussions, the role of courts in preserving or forever altering a family cannot be overstated; just as families and children need quality legal representation, they likewise need a court system that is well trained, accountable, and consistent. Funding for this grant would be reallocated from existing funds provided in Title IV-E and Title IV-B for such purposes.

Importantly, this grant would be administered outside of the child welfare agency, in order to prevent potential conflicts of interest arising from that agency controlling funds for roles designed to serve as a check on its high-stakes decisions (as occurs under the current structure). Governors are best positioned to determine where and how to administer this grant, given their specific state contexts and organizational structures. We recommend that this grant also require family and community stakeholder engagement regarding administration of funds, and annual reporting on use and impact.

[19] Casey Family Programs, *How Can Pre-Petition Legal Representation Help Strengthen Families and Keep Them Together*? (Seattle: Casey Family Programs, 2024); Martin Guggenheim et al., "Providing Parents with the Right Kind of Legal Representation in Child Welfare Cases Significantly Reduces the Time Children Stay in Foster Care," *Children and Youth Services Review* (2019); Laura A. Gerber, Yen-Chien Pang, Timothy Ross, Martin Guggenheim, Peter J. Pecora, and Joel Miller, "Effects of an Interdisciplinary Approach to Parental Representation in Child Welfare," *Children and Youth Services Review* 102 (2019): 42–55.

[20] United Family Advocates' recommendations align with current statutory language regarding allowable administrative costs of legal representation. See U.S. Department of Health and Human Services, Administration for Children and Families, "Fiscal Requirements," 45 C.F.R. § 1356.60. UFA recommends that such representation include expressed wishes representation, where children's attorneys represent children's own preferences; this approach can help to give older children a voice in their own futures.

AT-A-GLANCE: Proposed Family Legal Representation and Court Improvement Grant

PURPOSE: To help ensure fairness and protection of families' rights in child welfare proceedings and preventive legal advocacy.

ELIGIBILITY: Parents, relative caregivers,[21] and children who are the subject of family court cases and families facing the possibility of separation; specific requirements determined by states.

LEAD AGENCY: Administered outside the child welfare agency. Governors would determine how to organize the administration of these funds, which could include allocations to multiple agencies, such as public defender offices.[22]

KEY ACTIVITIES: United Family Advocates recommends a prioritization on state innovation within and across each of these proposed allowable uses:

- Legal representation for parents, relative caregivers, and children facing possible family separations in child welfare or preventive legal advocacy cases[23]
- Training for attorneys on and the provision of interdisciplinary legal representation
- Training for judges and court administrators who oversee child welfare cases

FUNDING STREAMS: $545M by consolidating existing allocated funding in Title IV-E and Title IV-B:

- Carve out from IV-E administration: $500M[24]
- Carve out from IV-B Subpart I for Court Improvement Program (CIP): $45M

[21] Relative caregiver refers to kin who are legally responsible for and taking care of a child prior to CPS involvement.

[22] As is the case with many federal grants to states, Governors would have the authority to determine if these funds are administered directly by a state agency or via delegation to counties or other units of government.

[23] United Family Advocates recommends allocating at least 75 percent of this grant to legal representation.

[24] There are approximately 2.3 times more total Title IV-E eligible cases than cases currently receiving Title IV-E dollars for legal representation. If Congress were to allocate funding to support all eligible cases, it would amount to approximately $305M. We then approximate preventive legal advocacy cases outside the child welfare system as well to arrive at a total of $500M.

Additional Legal Representation Policy Recommendations

While this proposed grant would be administered outside the child welfare agency, UFA recommends implementing the following Title IV-E statutory changes to enable its effective administration:

- **Guarantee a right to legal representation for parents, relative caregivers, and children.** Ensuring access to counsel aligns with bipartisan support for family representation and strengthens fairness in proceedings that carry profound and lasting consequences for children and their families. Federal law should ensure that families who cannot afford counsel have access to legal representation throughout child welfare proceedings, including for parents and relative caregivers before a petition is filed when separation may be suggested or proposed informally by a child welfare agency (e.g., "safety plans," kinship "diversion," etc.). Children's attorneys should provide expressed-wishes representation when developmentally appropriate.

- **Provide families with clear notice of their rights ("Family Miranda Rights")**. Parents and guardians should be informed the moment a child welfare investigation begins of their legal rights, the potential consequences of agency involvement, and their right to legal representation. Early notice helps ensure that families understand the process and can meaningfully participate in decisions affecting their children.

These policy changes, along with this grant, would help to ensure that families' rights are upheld in child welfare proceedings, protect the safety of children, the sacredness of the parent-child relationship, and reduce unnecessary contact with and entries to the child welfare system.

FAMILY AND COMMUNITY SUPPORT

Neighborhoods with stronger social fabrics are associated with lower rates of substantiated investigations and foster care entries,[25] as well as domestic violence[26] and substance abuse,[27] even when controlling for income and other factors. A proposed Family and Community Support Grant would invest in community-based supports that promote family economic and social stability, enabling children to be cared for safely in their own homes or with relatives and reducing unnecessary child welfare system involvement. This proposed formula fund would support place-based planning and neighborhood supports that help to strengthen individuals, families, and communities in everyday life and when setbacks threaten to become crises.

The Family and Community Support Grant would consolidate Title IV-B and Title IV-E Prevention dollars, streamlining them into a single, more coherent funding structure delivered outside the child welfare system, ensuring that families can access non-coercive support early and without added stigma or risk of separation.[28] UFA recommends that Congress also examine federal funding streams outside of the child welfare system[29] that may align with the intent of this fund to determine those that could potentially be streamlined and simplified to meet common goals of supporting families and communities.

United Family Advocates recommends that states engage in regular, ongoing planning with local community leaders across rural, urban, and suburban areas to ensure that funding decisions reflect local needs and priorities and to define and track specific outcome metrics that reflect their goals for the fund. States should also be required to report publicly and on a regular basis how they allocate and spend these funds, including demonstrating that expenditures prevent child welfare system involvement, align with income eligibility requirements, and serve the lowest-income families first.

[25] Maya Golani, "How Neighborhood Conditions Can Shape Family Life and Influence Child Welfare Involvement, Explained," *NYC Family Policy Project*, January 20, 2026, https://familypolicynyc.org/explainer/neighborhood-conditions/.

[26] Christopher R. Browning, "The Span of Collective Efficacy: Extending Social Disorganization Theory to Partner Violence," *Journal of Marriage and Family* 64, no. 4 (2002): 833–850, https://doi.org/10.1111/j.1741-3737.2002.00833.x.

[27] Abigail A. Fagan, Emily M. Wright, and Gillian M. Pinchevsky, "The Protective Effects of Neighborhood Collective Efficacy on Adolescent Substance Use and Violence Following Exposure to Violence," *Journal of Youth and Adolescence* 43, no. 9 (2014): 1498–1512, https://doi.org/10.1007/s10964-013-0049-8.

[28] Families with experience in the child welfare system often report fear or reluctance to seek help from an agency that has the authority to forcibly separate them from their children. See Kelley Fong, *Investigating Families: Motherhood in the Shadow of Child Protective Services* (Princeton, NJ: Princeton University Press, 2023). UFA recognizes that some families may be reluctant to seek help from any government system for various reasons; the proposed Family and Community Support Grant acknowledges this reality and positions the fund to be distributed to families directly and to organizations offering services and support who are in and of the community.

[29] See Appendix II for inexhaustive examples of such federal programs.

Allocation considerations should address the needs of rural and Tribal areas with small populations; population-based allocations in these cases rarely result in enough money to stand up or even hire one staff person to execute a program. Base allocations to small-population jurisdictions should be considered in order to develop robust community-based resources that support family economic stability and keep children safely with their families. All existing Tribal carve-outs within the programs being consolidated should ensure that Tribes continue to receive dedicated resources and retain authority over how funds are used to serve their communities.

AT-A-GLANCE: Proposed Family and Community Support Grant

PURPOSE: To strengthen supports for families, communities, and neighborhood networks that help families meet their needs, address setbacks, and ensure children can be cared for safely in their families.

ELIGIBILITY: Given the limitations of federal poverty measures and the differences in costs of living across states and localities, we recommend that states have the flexibility to utilize an eligibility criterion that best reflects their specific conditions.[30] While states would have flexibility in their choice of eligibility measure, they must serve the lowest-income families first and implement a reasonable graduated phase-out to prevent benefits cliffs.

LEAD AGENCY: Administered outside of child welfare agencies. Governors and Tribal leaders would determine the appropriate administering entity or entities, which may include public health agencies, workforce boards, Departments of Commerce or similar economic development entities, or other state or local infrastructure.[31]

KEY ACTIVITIES: Supports and community-based services that strengthen neighborhood networks of care and help families in need to remain safely together, including:

- Social and relational supports that reduce isolation
- Services that strengthen caregiving capacity across family structures and life stages
- Navigation supports to help individuals and families find what they need[32]
- Targeted cash assistance programs, assistance to relative caregivers, and non-recurrant short-term benefits
- Material supports, including housing and utilities assistance
- Workforce supports that promote job readiness and sustained employment

[30] This approach is similar to the flexibility allowed under the Low-Income Home Energy Assistance Act program (LIHEAP). See Low-Income Home Energy Assistance Act, 42 U.S.C. § 8624.

[31] This construct is consistent with other adjacent social service grants. For example, Governors choose where to place the child care subsidy program; Texas runs it out of the Workforce Commission, Indiana out of Health and Human Services, Virginia out of the Department of Education, and Illinois out of an agency dedicated to early childhood programming. As with many federal grants, states would retain authority to administer funds directly, delegate to counties or other local units of government, or create or leverage community-based entities to distribute funds in partnership with families and communities.

[32] Including kinship navigator supports.

FUNDING STREAMS: $1B by consolidating:
- Title IV-B: $773M[33]
- Title IV-E Prevention: $203M[34]
- Title IV-E Adoption Incentives: $75M
- Note: there are additional federal funding sources whose purposes overlap with this proposed fund; UFA recommends a holistic consideration of these for potential inclusion.[35]

Additional Family and Community Support Policy Recommendations

Some state child welfare agencies have become reliant on dollars intended to provide support to families to instead supplement the administration of foster placement and adoption. In some cases, these dollars belong directly in the hands of families, while in others they are intended for programmatic efforts to keep families safely together outside of the child welfare system. There is a need to address these imbalances and ensure that federal finance structures work more effectively and efficiently in service of their stated goals.

One prominent example of this occurrence is in Temporary Assistance for Needy Families (TANF) spending. A core purpose of TANF is "to provide assistance to needy families so that children can be cared for in their own homes or by relatives."[36] Over time, however, the diversion of TANF funds to support child welfare administration has misaligned with this purpose. UFA recommends several TANF policy changes to ensure that its funding is used as intended to directly support families in remaining safely together:

- **Prohibit use of TANF funds for child welfare agency administration.** TANF dollars should be used exclusively to support families and communities in need in remaining safely together. They should not be used for non-kin foster care placements or for the administrative costs of state child welfare agencies.[37] We expect that the holistic implementation of our proposed framework would mean a reduction over time in the number of children entering the child welfare system and in the need some states have had to draw from TANF in order to meet their child welfare system administrative needs.[38]

[33] This amount excludes a carve out for court improvement activities; see proposed Family Legal Representation and Court Improvement Grant.

[34] United Family Advocates recognizes that Title IV-E Prevention is currently an uncapped entitlement, and that consolidating it into a proposed Family and Community Support Grant would mean capping it. UFA recommends that formula allocations account for increased use, as $203M represents only the current amount States have utilized.

[35] See Appendix II for inexhaustive examples of such federal programs.

[36] Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 42 U.S.C. § 601(a)(1).

[37] States would alternatively cover these costs through a proposed Child Protection Grant, described in the section above.

[38] In addition to disallowing the use of TANF for child welfare administration, UFA also recommends that the other AFDC holdover spending allowances retained under TANF be disallowed.

- **Equalize TANF child-only grants with foster care maintenance payments.** A typical TANF child-only grant amount provided to kin caregivers is less than a foster care maintenance payment for kinship foster care providers within the system. Kin caregivers outside the system have the same food, clothing, and housing expenses as those in it; UFA recommends equalizing these.

Further, for decades many states and localities have utilized various cost recovery mechanisms to recoup expenses they have incurred providing services to children and families involved in the child welfare system rather than absorbing those costs entirely from state and local funds. Two of the most egregious practices are billing parents for foster care and intercepting foster children's Social Security benefits. UFA recommends that federal law be changed to prohibit these cost recovery practices:

- **End the practice of billing parents for foster care.** Federal child support cost-recovery policy allows states to collect child support from parents whose children are placed in foster care. Research has shown, however, that these policies cause economic harm to low-income families and that the cost of recovery well outweighs any revenue gains. Most importantly, such policies have been shown to delay efforts to reunify families.[39]

- **End the practice of state child welfare agencies intercepting Social Security survivor benefits and Social Security disability payments of children in foster placements to reimburse system costs.** These benefits belong to children, not government bureaucracies. It is critical that federal and state policies change to ensure these benefits are preserved to support foster children when they transition out of care.

These policy changes, along with this grant, would help to ensure that families are able to access what they need in supportive community settings, and reduce unnecessary and prolonged contact with the child welfare system.

[39] Maria Cancian, Sarah T. Cook, Miho Seki, and Lawrence Wimer, "Making Parents Pay: The Unintended Consequences of Charging Parents for Foster Care," *Children and Youth Services Review* 72 (2017): 100–110.

CONCLUSION

Supporting Strong Families and Safe Children: A Framework for Reshaping Federal Funding offers a new approach to catalyzing meaningful improvements for children and families by leveraging existing federal funding and deploying it more strategically. Together, the proposed Child Protection Grant, Family Legal Representation and Court Improvement Grant, and Family and Community Support Grant would prioritize child safety, respect for family integrity, and more efficient and accountable uses of taxpayer dollars, while minimizing the long-term impacts and trauma of family separation.

By positioning communities as the first source of support, legal advocacy as a safeguard for fair and effective decision-making, and child protection agencies as specialists focused on child safety, this framework aims to keep more families safely together and reduce unnecessary foster care placements. It also helps ensure that children and families who may need state intervention receive the resources and support necessary for healing and stability.

This framework is a starting point to prompt collaborative reflection and planning. Many important questions warrant further exploration and collaborative development. These include how to design metrics and accountability frameworks for each proposed grant in ways that are transparent, meaningful, and grounded in community priorities; the role of economic supports in reducing child welfare involvement and how best to deploy them; and understanding diverse examples of how funds could be administered across different state and local contexts.

In addition, many states are navigating outdated systems, limited fiscal infrastructure, and operational constraints that can make it challenging to be nimble and responsive to families; attention to these issues and thoughtful transitions to more modern state fiscal and operational infrastructure is another important factor in effective implementation of these or any fiscal policy recommendations. Continued focus on these issues will be essential to ensuring that federal investments are responsive to the realities facing children and families, mindful of the operational challenges States face in serving them, and capable of producing lasting improvements in child safety and family strength and stability.

Ultimately, these recommendations seek to better align federal funding with the distinct responsibilities of communities, courts, and child protection agencies in keeping children safe and families together. When each institution is empowered to do the work it is best equipped to do, families and children can be better supported, unnecessary child welfare system involvement can be safely reduced and children in danger can receive the timely, effective protection that they need.

APPENDICES

APPENDIX I: Summary Table of Proposed Grants

GRANT	KEY ACTIVITIES	LEAD AGENCY	FUNDING STREAMS
Child Protection: Protects children from maltreatment and supports safe family preservation, reunification, and permanency	• Foster placement, guardianship, and adoption; prioritization of placement with siblings and kin • Efforts to prevent imminent entry into foster placement, to reunify families, and to achieve permanency • Administration of investigations, case management, and related activities	Child Welfare / Child Protective Services	**$9.5B**[40] through consolidation of: • IV-E Foster Care Maintenance Payments: $5.3B • IV-E Adoption Assistance: $4.4B • IV-E Guardianship Assistance: $386M
Family Legal Representation and Court Improvement: Ensures that families have access to legal representation and that fair processes govern child welfare proceedings	• Legal representation for parents, kinship caregivers, and children • Training on and provision of interdisciplinary legal representation • Training for family court judges and court administrators	Governors determine where funds are allocated outside of the child welfare agency	**$545M** through consolidation of carve-outs from: • IV-E administration: $500M • IV-B Subpart I for Court Improvement Program (CIP): $45M
Family and Community Support: Invests in community-based supports that help families meet their needs and remain safely together	• Social and navigational supports • Services to strengthen caregiving capacity • Cash assistance and material supports • Workforce supports that promote job readiness and sustained employment	Governors determine where funds are allocated outside of the child welfare agency	**$1B** through consolidation of: • Title IV-B: $773M [41] • Title IV-E Prevention: $203M • Title IV-E Adoption Incentives: $75M • Note: additional federal funding sources have purposes that overlap with this proposed fund; UFA recommends consideration of these for inclusion.

[40] In consolidating the current $10B for Foster Care Maintenance, Adoption and Guardianship Assistance, this proposal carves out $500M to allocate to the proposed Family Legal Representation and Court Improvement Grant.

[41] This amount excludes a carve out for court improvement activities; see proposed Family Legal Representation and Court Improvement Grant.

APPENDIX II: Existing Federal Funding for Children and Families

United Family Advocates' proposed flexible formula grants complement existing federal programs[43] for children and families. While proposing specific reforms to each of these is outside the scope of UFA's recommendations, it is important to acknowledge them in the federal funding landscape for children and families:

- **Health:** Medicaid and Medicare and the Children's Health Insurance Program (CHIP); Substance Abuse and Mental Health Services (SAMHSA); Family Violence Prevention and Services Act (FVPSA)

- **Food:** Supplemental Nutrition Assistance Program (SNAP); Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)

- **Housing and Utilities:** Section 8 Housing Choice Voucher Program; Homeowner Assistance Fund (HAF); Affordable Housing Program (AHP); Housing Trust Fund (HTF); Low Income Home Energy Assistance Program (LIHEAP)

- **Child Care and Caregiving:** Child Care and Development Fund (CCDF); Head Start Program; Maternal, Infant, and Early Childhood Home Visiting Program (MIECHV); Child and Dependent Care Tax Credit (CDCTC)

- **Employment and Education:** Family and Medical Leave Act (FMLA); Paid Family and Medical Leave Tax Credit (for employers); Workforce Innovation and Opportunity Act (WIOA); Federal Pell Grant Program; American Opportunity Tax Credit (AOTC); Lifetime Learning Credit (LLC); Title I of the Elementary and Secondary Education Act; Individuals with Disabilities Education Act (IDEA)

- **Income Supports:** Earned Income Tax Credit (EITC); Child Tax Credit (CTC); Supplemental Security Income (SSI); Social Security Disability Insurance (SSDI); Social Security Survivors Benefits; Achieving a Better Life Experience Accounts (ABLE Accounts); Trump Accounts; Temporary Assistance for Needy Families (TANF)

- **Social Infrastructure and Public Spaces:** USDA Rural Development; Community Development Block Grant Program (CDBG); Library Services and Technology Act (LSTA); National Parks; Land and Water Conservation Fund (LWCF)

[43] Note: this is an inexhaustive list.

APPENDIX III: About United Family Advocates' Campaign Advisory Group

United Family Advocates advances bipartisan solutions that strengthen investments in and support for families in their homes and communities. UFA members share a vision of a society where the bonds and strengths of all families are valued and where every family can be safe, secure, and together. UFA convened a bipartisan campaign advisory group to shape this set of policy ideas to reorient federal funding from separating to supporting families. We are grateful to advisory group members for sharing their time, expertise, and perspectives to form this framework. Participation in the advisory group does not mean that individual members endorse all aspects of each recommendation in the framework.

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This framework was authored by Joanna Lack, Executive Director of United Family Advocates, and Celia Sims, Policy Consultant. In addition to the advisory group members, we are also grateful to the dozens of individuals who shared their expertise and perspectives within and across topics, and for their careful reading, thoughtful feedback, and engaging discussions of drafts. Their contributions greatly shaped and strengthened this work; any remaining errors or shortcomings are the responsibility of the authors alone.