

describe the mandates of the 1980 act, they would be *reunification*, and *family preservation services* (U.S. DHHS, 2002; Wattenberg, Kelley, & Kim, 2001).

The 1997 **Adoption and Safe Families Act** (ASFA; P.L. 105–89) changed and clarified a number of policies established in the 1980 act, subtly moving federal policy away from preservation as the only goal (Gelles, 2005). The 1997 law explicitly established child safety as a “paramount concern” and encourages expedited permanency decisions for abused children. In the 1997 act, therefore, there is a slight change in focus that emphasizes concepts like safety, permanency, and adoption (U.S. DHHS, 2002; Wattenberg et al., 2001).

These policy commitments remind us that, in many ways, there is considerable consensus regarding the core values of our child welfare system. All sides acknowledge, for example, that the nuclear family is the best place to raise a family, and federal law reflects this recognition. All sides also acknowledge that parents should be given considerable latitude in decisions regarding their own children, and again federal law also reflects this recognition. Indeed, the courts, citing the 14th Amendment, recognize the blood relationship as a constitutionally protected human right (Gelles, 2005). In contrast, the concept of *parens patriae* dictates that the state has a responsibility to protect vulnerable children. Given the level of agreement, it should not surprise us to learn that even those who argue that child welfare policy overemphasizes preservation acknowledge that there should be a “‘high bar’ that restrains and restricts state intervention into the parent–child relationship. This has been the law of the land for more than 200 years, and it has worked reasonably well for the majority of families and children” (Gelles, 2005, p. 331).

Ultimately, of course, the debate centers on those middle-ground cases where risk is difficult to assess. Proponents of the family preservation model maintain that ASFA moved policy too far away from family preservation. Children can be safely left in their homes if their communities offer vulnerable families the social services and training they need. These advocates point out that the foster care system is not a panacea, noting the relatively high rates of abuse in foster families (U.S. DHHS, 2000). There is also evidence that foster care does more harm than good. In an important article published in the prestigious *American Economic Review*, Doyle (2007) found that children “on the margins of placement” (i.e., cases of neglect where the foster care versus family preservation decision is far from clear) who were placed in foster care fared worse in the long term (in terms of teen motherhood rates, juvenile delinquency, employment earnings) than did similarly neglected children who were left in the home.

Another potential problem with the foster care system is that it targets the poor. Approximately 70 percent of children in foster care are placed there for neglect, which critics charge is too often synonymous with poverty and homelessness (Cytryn, 2010). Richard Wexler, executive director of the National Coalition for Child Protection Reform, argues that the greatest sin of many abusive families may be that they are poor. These families don’t need to have their children taken from them; they need social services and support (Wexler, 2005).

Critics of the “single-minded” goal of family preservation, on the other hand, argue that family preservation and unification goals too often put children at risk (Gelles, 2005). Several highly publicized child deaths in recent years serve as a reminder of the potential dangers of reuniting children with parents who have been abusive in the past. An overcommitment to reunifying families also sometimes leaves children in long-term temporary settings—moving them in and out of foster care—which is rarely in the best interests of the child (Gelles, 2005).

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