



Legal Community Role Implementing the Family First Prevention Services Act

The Family First Prevention Services Act (FFPSA) became law in February 2018. FFPSA is a landmark child welfare law that focuses on doing exactly what the title implies: putting families first. There are nearly twenty distinct provisions of FFPSA that each have the potential to establish significant shifts in the way the child welfare system is funded and operates in practice across the country. Twelve provisions especially relevant to the legal community are:

1. Prevention services and programs
2. Residential family-based treatment facility placement
3. Kinship navigator programs
4. Reunification services
5. Interstate placement
6. Regional partnership grants
7. Model Licensing Standards
8. Limitations on non-foster family home placements
9. Qualified Residential Treatment Program assessment (QRTP)
10. Inappropriate diagnosis prevention
11. Foster family recruitment/retention
12. Improvements to the Chafee foster care independence program

The legal community has a critical role in ensuring these provisions are implemented successfully. Below we have identified key legal audiences whose engagement will be critical in each jurisdiction to address:

1. **Legal issues in implementing the law on a state and local level.** This legal audience includes legislators, attorney general offices, attorneys who represent child welfare agencies and other government offices responsible for implementing federal law and understanding the implications of providing state guidance on how to apply FFPSA, including the prevention services provisions, model licensing standards, and foster family home and QRTP provisions. Within this implementation category, we also recommend that dependency judges and parent and child attorneys participate as part of a State's implementation team to identify potential challenges and benefits of applying the law in practice.
2. **Legal issues relevant to direct practice and individual cases.** This legal audience includes attorneys who represent children and youth, agencies, and parents in child welfare cases as well as attorneys and advocates for kin and other foster parent caregivers. For example, an attorney or advocate's role in direct representation can be improved by understanding the implications and application of the residential treatment facility placement options, the extended reunification services funding options, the model licensing standards, the QRTP assessments, inappropriate diagnosis provisions, and the Chafee extensions.
3. **New judicial responsibilities and elements of court hearings related to QRTP assessments.** This legal audience includes dependency court judges, court administrators, and Court Improvement Program offices responsible for implementing the QRTP assessment provisions. This category also includes agency attorneys who have new evidentiary responsibilities to support QRTP placements and child and parent attorneys who will help ensure their clients' participation is included in the QRTP assessment process.

For more information about the ABA's work on legal community engagement for FFPSA implementation, please contact Prudence Beidler Carr, prudence.beidlercarr@americanbar.org