

FIVE PRACTICAL STEPS FOSTER PARENTS CAN TAKE IN A CRISIS

by Rhonda Sciortino, Foster Alum and Child Welfare Specialist for Markel Insurance Company

In my work of protecting child welfare organizations over the past 25 years, I've had the pleasure of meeting many wonderful people who are committed to helping good child caring providers. One such person is an attorney who has spent the last twenty years focusing on defending good foster parents following a tragedy or allegation. Gina Lacagnina, Esq. is with the law firm Neil, Dymott, Frank, McFall & Trexler in San Diego, California. I asked Gina to give me her best advice to foster parents. I've incorporated some of my thoughts with Gina's response. The result is five practical steps to take in a crisis.

1. When something goes wrong, as quickly as possible look at the clock. Knowing the time that an accident happened or an incident occurred can be extremely important later. Families unsure of the time can easily give different guesses at time, which can make their accounts of what happened seem inconsistent. Inconsistency of statements can lead to lawsuits and bad results.
2. When something goes wrong, look around at who's there. Knowing who was present at the time of the incident is helpful in establishing facts and consistency.
3. Write down the details as soon as practical and possible. Scribble bullet point notes or record on your phone voice recorder quick notes of details that could be forgotten later. This will help you when you sit down to write your formal incident report, which should be done without trying to guess at what you don't clearly remember. The more details you recall accurately, the better your defense.
4. Preserve evidence. It's a natural inclination to wash the towels or throw out the scissors, or to clean up or throw out whatever happened to be involved in the incident, but don't do it. After photographs of the scene are taken and investigators are through, preserve evidence in plastic bags just in case it's needed later for your defense. In one case, a child sustained brain damage after falling from a box she had climbed up on. By the time she was seen by emergency personnel, it was unclear to the forensic child abuse professionals whether or not the injuries to the child's head were inflicted intentionally or as result of the described accident. Having the caved-in box that illustrates graphically the result of the box giving way made all the difference in the defense of her foster parents.
5. After something goes wrong, take pictures that capture as many details as possible. Also, photographs of activities and achievements with the children in your care help illustrate the kind of home life good foster parents provide. In the case of a plaintiff's lawyer alleging that the foster child isn't included in family activities or that foster parents are "only doing it for the money," photographs of foster children included in family activities, outings, and good times can be helpful.