

Why the Minimum Sufficient Level of Care (MSL) Standard Is Important

Children grow up best in families. To develop into functional, emotionally stable adults, they need that unique sense of belonging that comes from being part of a family.

Children need the safety net that only the unconditional acceptance of family can provide. They need the knowledge of and connection to their cultural/ethnic heritage that is learned within the family.

Adapted from *Beyond Rhetoric: A New American Agenda for Children and Families*, National Commission on Children, Government Printing Office, 1991.

Most children you serve as a CASA volunteer will go home. It is your role to advocate for the services necessary so the child can go home safely. If the child cannot be returned home safely, what is in the child's best interest? This is not an easy question to answer. As a CASA volunteer, you start with the assumption that a child's family is usually the best setting for raising and nurturing that child. This is true even if the family's lifestyle, beliefs, resources, and actions are radically different from yours.

As long as the child's family meets or can be helped to meet the minimum sufficient level of care required for the safety of that child, the child belongs with his/her family.

A minimum sufficient level of care (MSL) means that all basic needs are met and the child is not harmed physically, sexually, or emotionally. On the other hand, the optimum level of care means that the child has considerably more than the minimum: things like a library card, tutoring, a community of faith, sports, Scouts, music lessons, college, a loving extended family.

The state intervenes when basic needs are not met—not when a family is unable or unwilling to provide an optimal level of care. In considering what the minimum sufficient level of care is for any one child, it is important to remember the key parameters of this standard:

1. It relates to a particular child.
2. It is a set of minimum conditions, not an ideal situation.
3. It is a relative standard, depending on the child's needs, social standards, and community standards. It will not be the same for every family or every child in a particular family.
4. It remains the same when considering reunification as when considering removal.

The idea that a minimum sufficient level of care should be the standard for families is often difficult for CASA/GAL volunteers to embrace. It feels counterintuitive, as though it defies common sense. You may be tempted to ask, "Wouldn't any child be better off in a family without the limitations that are present in this situation?" The truth is that most

would not. The overwhelming sense of loss that children suffer when removed from their homes—loss of love, of security, of the familiar, of their heritage, of control in their lives; feelings of worthlessness; and the almost unendurable pain of separation—is terribly painful for most children.

Despite the bad things that have happened in their lives, most children in the system love their families and want desperately to be reunited with them. Take a moment to think back to your own childhood. Whatever it was like, how would you have felt if a stranger came one day to take you away to live with a “better” family?

If parenting hovers at the minimum sufficient level of care, the child protective services system and the court likely will not get involved. If the child’s basic needs are not being met and/or the child is being abused, the child protective services system steps in. Once the system has intervened, the responsibilities of the parent (e.g., to seek substance abuse treatment or learn parenting skills) and those of the child protective services agency (e.g., to provide visitation, arrange counseling, etc.) are spelled out in agreements that are enforced by court orders. Ideally, these agreements will help the parent move at least to a minimum sufficient level of care. The steps in these agreements with parents need to be small and measurable. Appropriate resources need to be available to support changes that the parent makes. If the steps are too big or complex, the parent may give up, causing the family situation to deteriorate and the child to lose the chance to ever return home. If the steps are not measurable, success cannot be determined.

For example, a parent can “attend parenting classes” for six months without ever making a change in behavior. If the agreement specifies that the parents are “able to describe and apply five ways to discipline their child without spanking,” both the parents and any observer will be able to tell whether the task gets accomplished.

As a CASA volunteer, you should routinely ask the question of both parents and case managers, “How will you know when this requirement is met?”