

A CHILD IS WAITING... AND WAITING... TO BE ADOPTED IN ORANGE COUNTY

SUMMARY

The title of this report is *A Child Is Waiting... and Waiting... To Be Adopted in Orange County*. Obviously, the emphasis is on “waiting”. Children wait in foster care an average of 4.5 years to be adopted. Some wait as long as six years and some spend forever until they “age out” of the system on their 18th birthday. Nationwide approximately 14,000 foster children each year age out of foster care without ever returning to their birth families or being placed permanently in homes of their own. This report addresses the major issues, problems, and barriers for children growing up without permanent homes and who will not be returning to their families of origin.

Our chief concern and major focus are the children who are legally free for adoption but who linger in foster care far too long. The tragedy is that only about one third of eligible adoptions occur. Children in foster care deserve prompt and timely decision-making from the adults serving them. The time frames for permanency must be respectful of the child’s developmental needs and the *child’s sense of time*.

Many waiting children have experienced severe emotional trauma from abuse, neglect, or abandonment. Most have suffered multiple losses of important people in their lives: birth parents, siblings, loving foster families.

Over half a million American children are in foster care and remain in psychological and physical limbo far longer than they should. These are real children with their own stories and personal dilemmas. It is easy to reduce their anguish to mere statistics and legal technicalities. It is easy to lose focus on the complexity of their lives. Yet, it is the individual girl or boy who constitutes the heart and soul of the adoption process. It is that individual boy or girl who is the chief concern and focus of this report.

In February 2000 there were 3,696 children in the Orange County foster care system. In FY 1998–99, 2,490 children were placed in the category of long-term permanent placement. The Court said that there was no hope for family reunification for these children. In that same year, 15 percent or 374 children were adopted from the Orange County foster care system. It is obvious that there are problems in Orange County for children waiting to be adopted.

There are three major problems impeding the progress of children waiting to be adopted.

- 1. Insufficient number of adoptive parents.**
- 2. The lack of a decision-making framework in the child welfare system.**
- 3. A range of barriers that exist within the child welfare system.**

These problems exist on national and state levels and in varying degrees in Orange County. This study summarizes the national and state issues and then proceeds to focus on the Orange County situation.

In order to gain an understanding of the nature of the problems facing the child welfare system, it must first be placed in the context of its fiscal structure. Unlike most other states, the California system is county-based rather than state-based. Although the majority of the funding comes from state and federal sources, the programs are administered at the county level.

Under this structure, the California Department of Social Services (CDSS) collects state and federal funds and distributes them to each county agency. Under federal law, these agencies are told into what general categories this money must flow; the majority of the funds are earmarked for foster care programs. The agencies are not, however, under any restriction as to how the money is to be spent within these categories. They are free to invest and distribute the funds as they see fit.

PURPOSE OF STUDY

1. To ascertain the current status of the adoption process in Orange County and to determine the extent that the new federal law, *Adoption and Safe Families Act of 1997* (PL105-89) 111 Stat. 211, has been implemented by the Orange County Social Services Agency (SSA), Adoptions Unit.
2. To review the barriers that impede the placement of waiting children into permanent families.
3. To examine the foster care program regarding the length of time a child spends waiting for permanency and the number of times a child is moved to a new foster home.
4. To review the issues of sibling relationships and the decision making in sibling placement.
5. To review the County's computerized information system used to record the data for all children in foster care and those awaiting adoption in accordance with federal and state regulations, as established by Adoption and Foster Care Analysis and Recording System (AFCARS).

METHOD OF STUDY

In conducting this study, the 1999–2000 Orange County Grand Jury reviewed *the Adoption and Safe Families Act of 1997* (PL105-89). This legislation was the first comprehensive child welfare reform bill since 1980. Also reviewed were:

- *Adoption 2002, Adopt a Waiting Child*, President Clinton’s Executive Memorandum, which takes its name from one of its central goals: to double by the year 2002 the number of children adopted or placed in permanent homes.
- The State of California *Governor’s 1996 Adoption Initiative* (AB1524, Chapter 1083, Statutes of 1996). The goal of the initiative was to increase the number of adoptive placements of foster children throughout the state by providing counties with increased funding for additional adoption social workers and supervisors.
- *The Orange County Adoption Performance Agreement*. The Orange County Social Services Agency (SSA) entered into a performance agreement with the CDSS in response to the *Governor’s 1996 Adoption Initiative*. The performance agreement outlines aggressive growth targets for the total number of adoption placements per year in Orange County.

Data was also collected from several informative reports:

- The Kellogg Foundation, *Families For Kids*.
- Duncan Lindsey, *The Welfare of Children*.
- Child Welfare League of America, *Summary of the Adoption and Safe Families Act*.
- National Adoption Information Center, *Foster Parent Adoption*.
- Annie E. Casey Foundation, *Family to Family Program*.
- The Little Hoover Commission, *Now In Our Hands*.
- Orange County Rescue Mission, *Critical Issues*.
- Orange County Social Services Agency, *Performance Plan and Fos/Adopt Program*.
- Kinship Center, *Bridge Builders, Family Ties, and Adoption Program*.

Information was received from SSA Adoptions Division, CDSS, The Kinship Center, Olive Crest, The Juvenile Justice Commission, and The Juvenile Court.

Interviews were conducted with foster parents, adoptive parents, “in process” adoptive parents, staff from SSA, Children and Family Services Division, personnel from group homes, and members of the California Youth Connection.

The Grand Jury also conducted a survey of adoptive parents recently involved with the adoption program in Orange County. This survey was very helpful in reviewing the effectiveness and timeliness of the procedures used by the SSA, Adoptions Unit.

BACKGROUND

Children growing up without permanent homes are among the most vulnerable and poorly served citizens in our society. In terms of human suffering and lost potential, these kids pay a high price for their unsettled existence. As adults, they will face an increased risk of poverty, violence, and a tendency to perpetuate the cycle of children without families.

Although federal legislation has a significant impact on child adoption policies, the child protection and foster care system in the United States is primarily governed by state law and the way state law is implemented.

The Children's Bureau within the Federal Department of Health and Human Services has been addressing this situation for over 80 years. In 1922 and again in 1954, the Children's Bureau developed guidance documents specifically designed to help states improve their specialized court process dealing with children. In 1965 the Children's Bureau produced *Standards for Juvenile and Family Courts*, a document for family courts that reflected the thinking and experience of recognized

leaders in the field of child welfare. However, these were merely guidelines for consideration by states.

In November 1997 the President signed into law *the Adoption and Safe Families Act of 1997* (PL105-89) to help thousands of children waiting in foster care to move more quickly into safe and permanent homes. This new law made changes and clarifications in a wide range of policies established under the Adoption and Assistance and Child Welfare Act (PL101-647, 104 Stat. 4789), the major federal law enacted in 1980 to assist states in protecting and caring for abused and neglected children. PL96-272 recognized the harm done to children left in limbo in institutionalized settings and placed emphasis on the rehabilitation of the parents so that the children could return home. This Act of 1980 focused primarily on the "front-end" of the child welfare system by providing additional funding for preventive services and assistance to rehabilitate families and discourage out-of-home placements.

During the 17 years that separated these two laws, there was a tremendous growth of social factors that indicated a need for reform. The most influential factors were:

A steady increase in the number of child abuse reports.

- Concern about child deaths.
- Dissatisfaction with what was happening to children in the child welfare system.
- Concern that reasonable efforts to maintain families was misinterpreted to mean that all efforts to return children home had to be exhausted before alternative programs could begin.

The *Adoption and Safe Families Act of 1997* (PL105-89) fundamentally alters our nation's approach to foster care and adoption. There are several key principles embodied in specific provisions of PL105-89.

- The safety of children is of paramount concern and must guide all child welfare services.
- Good foster care provides important safe havens for our children, but it is by definition a temporary, not a permanent setting.
- Meaningful time limits must be set for child welfare decisions.
- Some family situations call for reasonable unification efforts and some do not.
- Financial incentives will increase the number of children adopted each year.
- Children with special needs should never lose their health coverage.
- The child welfare system must focus on results and accountability.
- Innovative approaches to achieve the goals of safety, permanency, and well-being must be encouraged.
- The myriad barriers that still exist between children waiting in foster care and permanency must be dismantled.

THE PROBLEMS OF WAITING CHILDREN

The North American Council on Adoptable Children (NACAC) estimates that the number of children in public foster care has reached 520,000. In February 2000 there were 3,696 out-of-home children in the Orange County welfare system. Children are not only entering the system in greater numbers, a significant portion are staying much longer than ever before. Up to 20 percent of these children will not be returning to their biological families and are legally free to be adopted, but only a small percentage of them will ever be placed into adoptive homes. In 1999 in Orange County, 2,490 children were in long-term permanent placement, but only 374 were adopted. Those few waiting children fortunate enough to be adopted will first spend an average of 3.5 to 5.5 years in a limbo of temporary placement. **In Orange County, there are three major problems impeding the adoption of children in waiting.**

PROBLEM #1

AN INSUFFICIENT NUMBER OF ADOPTIVE PARENTS.

Simply stated, there are more children waiting to be adopted than there are permanent, nurturing families available. The Evan B. Donaldson Adoption Institute's survey reported that most Americans view adoption very favorably (90 percent) but many Americans (64 percent) have never considered adopting a child. Nearly half (45 percent) of those surveyed say family and friends are their main source of information about adoption. Word of mouth

has generally been recognized as one of the most effective recruiting strategies, but its effectiveness has been reduced to some extent by stories of unresponsive agencies and the failure to provide adequate post-adoptive services.

There are a limited number of adoptive families for children with special needs. The pool of permanent families for children of minority heritage, older children, members of sibling groups, and children with emotional, developmental, or physical challenges remains insufficient.

The majority of the waiting children in Orange County are children with special needs, and there is a paucity of adoptive families available for them.

The Donaldson survey illustrates the public’s ambivalence about adoption and the need for more education on the issue of adoption. The survey prompted the following conclusions:

- There is a need for public education to provide balanced information about adoption.
 - There must be a program for the effective recruitment of foster and adoptive parents.
- Funding for training and retention of foster and adoptive families is crucial.

One disturbing piece of information the Grand Jury became aware of was the number of children from foreign countries adopted by American families. There were 16,396 children from other countries adopted by American families in 1999.

Carol, a single woman, adopted a baby girl in Vietnam in August 1999. The total cost was \$21,000, which included shots, paperwork, airfare and living three weeks in a hot, dumpy motel room. She went to Vietnam for the following reasons:

- 1. The chances of adopting an infant;**
- 2. The permanency factor (she had already been emotionally crushed when she had to return a child);**
- 3. Her age was not a factor;**
- 4. The entire process took nine months and she did not have to go through adoption classes, red tape, and numerous social workers.**

Country	Numbers	Cost
Russia	4,348	\$9,000 to \$14,000
China	4,101	\$6,500 to \$12,300
South Korea	2,008	\$6,900 to \$11,000
Guatemala	1,002	\$9,000 to \$14,500
Romania	990	\$9,200 to \$13,000
Colombia	940	\$7,000 to \$12,000
Others	3,012	\$5,000 to \$20,000

As of January 1999, there were 110,000 children nationally in foster care free to be adopted and waiting to be adopted. Sadly, only 36,000, or about one third, were adopted. It is obvious that recruitment efforts for adoptive parents need to be increased.

The Little Hoover Commission Report states *...that very little is invested by the administration and the legislature in the recruitment of foster and adoptive homes. Again, funding for training and retention of foster and adoptive homes is crucial. Without these strategies, we will find that we are taking more children into care, freeing them for adoption, and then having no permanent homes in which to place them. Important improvements must be made if more parents are going to look to the foster care system for children, rather than the foreign adoption market...*

There has been increased emphasis on placing children in dual-licensed foster adoptive homes. This is consistent with the PL105-89 directive to use concurrent case planning. It also reduces the number of moves for children whose plan is adoption. Orange County calls it the Fos/Adopt Program.

Orange County has committed to the formation of a Resource and Development and Recruitment Team, whose primary purpose is the recruitment of families from the community who are interested in providing foster and adoptive parenting. However, there is a need for financial assistance because funds for recruitment were the first to be reduced as a result of the bankruptcy in 1994.

Some states have been successful in recruitment by encouraging foster-parent adoption. There has been increased emphasis on placing children in dual-licensed foster adoptive homes. This is consistent with the PL105-89 directive, to use concurrent case planning, and it reduces the number of moves for children whose plan is adoption. Orange County calls it the Fos/Adopt Program.

ADOPTIVE SUPPORTS TO AID RECRUITMENT

- Information regarding available adoption subsidies and other benefits should be provided to all prospective adoptive families.
 1. Employee adoption assistance benefits are available from 65 percent of Fortune 500 companies, with an average cash reimbursement of \$4,000.
 2. New adoption expense federal tax credits of \$5,000 to \$6,000 are available.
 3. The Adoption Assistance Program (AAP) AB 390, a California law, was passed to help families with some of the long-term expenses when they adopt children who qualify for help.
 - The SSA Adoption Division should have an effective program for preparing both children and prospective adoptive families for adoption.
 - The SSA Adoption Division should have a range of services available to support adoptive families following adoption.

PROBLEM #2

LACK OF A DECISION-MAKING FRAMEWORK

Adoption 2002, Adopt a Waiting Child, the report requested by the President from the Administration for Children and Families, the U.S. Department of Health and Human Services, examined the barriers to expediting the placement of children into permanent homes. A major concern stated in the report was the lack of a guiding set of principles centered on the needs of the child to give direction to the overall agenda. The report also stated that delays in timely decision making result from the incorrect beliefs and outdated assumptions about the adoptability of children. Of particular note the report stated:

America's children deserve a child welfare system that includes a stable and professional workforce, an effective service delivery strategy, a caring and supportive community, adequate resources for social workers and courts, and a sound statutory framework that governs State intervention in families unable to care for their children. Passing laws will not, by itself, cure what ails America's foster care system, but statutes that reflect the best practices among the States are an essential element of a successful child welfare system.

For many years researchers have made efforts to discern the processes used by social workers when making decisions for children in the child welfare system. Unfortunately, consistent decision-making principles and criteria have not been identified. There have been a number of fundamental questions that are frequently asked regarding caseworkers' decision making. The following are critical to the child adoption system:

1. How is the determination made whether or not a child has been abused or neglected?
2. Should children be placed in group homes or foster family homes?
3. Upon what evidence did social workers decide to place children in foster care?
4. What factors influenced the decision?
5. Were the decisions reliable, consistent, fair?
6. When should children who are in placement be reunited with their biological parents?
7. Which families need reasonable unification efforts and which do not?
8. What is the case plan for "reasonable efforts" to rehabilitate a family?
9. What guidelines are used in the placement of siblings?
10. How is the determination of "unadoptable child" made?

The decision-making process to determine which children are removed from their parents is central to the operation of the child welfare system. There is a serious need for guidelines and a consistent decision-making framework to guide the child welfare staff in making such

critical decisions. SSA should establish criteria, procedures, and comprehensive and specific guidelines to be followed so that decision making is not left to the arbitrary analysis of a social worker.

The following research is an indication of how badly the child welfare system needs decision-making guidelines. Several experienced child social workers and judges in other counties were asked to examine 100 identical placement cases written by social workers. They were then asked to make recommendations for or against removing a child from home. The overall agreement between six judges was less than 25%. There was a huge difference between two judges. One judge said that 83 of the children should be kept in their homes and that 17 should be removed from their homes. The other judge said that 28 of the children should be kept at home and that 72 of the children should be removed. It is evident that there is a need for guidelines and a framework for decision making in the child welfare system.

In April 2000 the Grand Jury received the following information from the County of Orange Social Services Agency regarding a Structured Decision-Making Pilot.

We implemented the first phase of this state-sponsored, research-based safety and risk assessment and intervention model designed to assess child abuse cases. The intended purpose of using this model is to insure that all social workers use the same assessment criteria when acting to protect children from abuse, and to predict correctly the level of risk in each case.

This is the first indication of a decision-making process that our study was able to identify. There is a need to expand this process to include all of the critical decisions to guide child welfare caseworkers related to individual case needs.

DECISION MAKING IN SIBLING PLACEMENT

The most difficult decisions for social workers are those of placing sibling groups. Approximately 65 to 85 percent of children entering the foster care system have at least one sibling; about 30 percent have four or more. The bond between brothers and sisters is unique. It is the longest lasting relationship most people have, longer than the parent/child or husband/wife relationship.

This bond exists in children raised in well-adjusted families, but it is even stronger for brothers and sisters from dysfunctional families. They learn very early to depend on, and work with, each other to cope with their common problems.

Separating siblings in foster care or through adoption adds to their emotional burden. They have already had to cope with the separation and loss of their parents. If they are separated from their siblings, this separation will be even more traumatic because, if they have experienced abuse

The most difficult decisions for social workers are those of placing sibling groups.

and/or neglect at the hands of parents, they will often have stronger ties to each other than to mother or father. These relationships are sometimes the only semblance of normalcy these children have.

Despite the growing recognition that it is healthier for brothers and sisters to remain together, social workers charged with the responsibility of placing sibling groups still struggle with the difficult reality of finding families willing to accept several children at one time. It is easier to find a family for one child than for a sibling group of four or five.

Current estimates indicate that 75 percent of sibling groups end up living apart after they enter foster care. For many of them, it means losing the only significant relationship they have known.

The National Adoption Center believes strongly in placing siblings together. When it conducts publicity campaigns, brothers and sisters are shown together and every effort is made not to separate them. The Center has found that the general public shares its sentiments and believes in preserving the rights of brothers and sisters to grow up together.

PROBLEM # 3

BARRIERS IMPEDING THE PATH TO TIMELY ADOPTIONS

There are a number of barriers to permanence even after a family is found for a child in waiting. Because of these barriers children wait an average of 3.5 to 5.5 years in the limbo of temporary placements. One of the goals of this report is to help dismantle the barriers that exist for children in foster care and awaiting permanency. This is a complex challenge because it involves federal, state, and county policies, diverse laws, child-welfare and mental health agencies, social workers, judges, court administrators and lawyers, birth parents, foster parents, adoptive parents, and most importantly, the children.

Delays in Child Welfare Agency Practices

Federal statutes require states to provide “reasonable efforts” to make it possible for a child to return to his or her home. These efforts often take the form of services offered by a county agency to the family, such as counseling, respite care, and substance abuse treatment. If an agency does not arrange rehabilitation services specifically relevant to a family’s problems in a timely fashion, the permanency plan for a child may be delayed.

The “reasonable efforts” requirement has been both heralded as being essential to effective child welfare practice and criticized for being unclear and a barrier to child safety and permanence. There is a wide variation in how the current law is interpreted and used by social workers and judges around the country and in Orange County.

Delays also result from well intended but misguided “front end” child social workers who see family preservation as more important than safety and permanence. They stress “reasonable efforts” for family reunification and have nothing planned in the event that reunification does not become a reality. They have to start over after keeping a child waiting for 12–18 months.

*The Adoption and Safe Families Act (PL105-89) extends the concept of reasonable efforts to the next step. It requires that a state, while using reasonable efforts for reunification must concurrently attempt to secure a new permanent home for the child. Reasonable efforts for reunification should begin when a child enters the out-of-home care system. Developing an alternative permanency plan for a child, if reunification efforts fail, should also begin at this same time. **This is called “concurrent planning.”***

Failure to Use Concurrent Planning

Delays of one to two years can result from the failure to use concurrent planning. This can be an eternity in a child’s sense of time. Concurrent planning is intended to reduce the time a child spends in foster care before he or she is given a safe permanent home. Despite the fact that concurrent planning is a major part of PL105-89 and AB1544, it has not been completely embraced and implemented by many County agencies and social workers. Viable plans, not just something for the file, need to be developed and made available for the review of all decision-makers.

The following story of Paul is a good example of concurrent planning:

Paul was starved and neglected when he was three. He was taken into protective custody and then placed with an emergency foster family. Sixty days later he was placed with a foster-adopt family in a concurrent planning process. Reasonable efforts for reunification with the birth parents and long-term permanency planning for Paul occurred simultaneously. The foster parents loved and cared for him while trying to help reunite him with his birth parents. After a year of intense services, Paul’s parents decided that they could not parent him and voluntarily relinquished custody to the foster parents who then adopted him. Paul is now 11, and his experience demonstrates several positive aspects of concurrent planning. It removed the emotional uncertainty from Paul as much as possible, it gave the birth parents a fair and reasonable opportunity to become adequate parents, and it accelerated a safe permanent home for Paul within 15 months.

The 18-month Permanency Hearing

Permanency Hearings are court hearings within 18 months of a child's placement into foster care. At this hearing the court makes a determination whether and when a child should be

PL105-89 reduces the time to six months for a child under three because the first three years of life are so important in developing a child's brain and emotional well being. It is critical that children be given love, nurturing, stimulation, and security from the moment they enter this world.

returned home or placed in a permanent living arrangement. PL105-89 has reduced the time for this hearing to within 12 months of a child's arrival in the foster care system. It reduces the time to six months for a child under the age of three. It also changed the name from Dispositional Hearing to Permanency Hearing to make clear the goal of the proceeding. Permanency Hearings can take place within 30 days in "aggravated situations" such as torture, sexual abuse, etc.

Some states advocate that the Permanency Planning Hearing take place within 12 months after a child is removed from his or her home and not when he/she was placed into foster care. This change can shorten a child's wait by another one to two months.

Delays in Court/Judicial Practices

Adoption 2002, Adopt A Waiting Child, President Clinton's Executive Memorandum, stated one of the most profound and intractable problems in child welfare is that of delays throughout the judicial process. Delays from the initial determination of abuse or neglect through the resolution of the permanency hearing often impede timely, permanent placements. The courts' inability to attend to the permanency planning needs of children results from the backlog of cases and extensive time required for a County social worker to prepare cases for termination of parental rights. Judicial hearings can be time consuming and involve long waiting periods. Continuances are a major factor in court delays. There are times when continuances are necessary and appropriate; but they also extend a child's wait by weeks or months.

The President directed the Secretary of Health and Human Services to work with the states to fully implement the Court Improvement Program, authorized in conjunction with the Family Preservation and Support Act. This program provides a grant to the highest court in each participating state to assist in assessing and addressing barriers to permanency from the perspective of the courts.

Delays Related to Staff Beliefs and Attitudes

Some social workers believe that remaining in foster care for long periods of time does not disadvantage children. Despite evidences those children in foster care frequently move (average 3.5 times), some social workers believe that foster families will be just as stable as adoptive homes. Children do not have the same attitude. Children view a move to a new home as their fault. They think they must have done something wrong or that there is

something wrong with them. A child moving from home to home to home is at high risk for psychological harm.

The story of Janet is an example of “Foster Care Drift”:

Janet was not as fortunate as Paul. Janet had "front-end" social workers who spent all of their efforts on reunification which did not work out. After 14 months in two foster homes, Janet was back to square one. Janet was five when placed in foster care and twelve when she was adopted (five foster homes later). Janet told us that she'd be sitting on the couch in one of her foster homes, watching TV, and the social worker would come and get her. "What did I do now?" She never knew when she came to a home whether it would be for a month or a year. She found it hard to be in other homes and then think, "is this going to be it, or am I going to have to move again? What was wrong with me?" She is very relieved to be adopted, and says, "it's just good to know that I am not going to have to worry about the social worker coming here one day and saying, 'Well, Janet I'm sorry but you have to leave.'"

Matching: Failure to Match Foster Children at the Time of Initial Placement

The failure to match foster children with the right foster family at the time of initial placement can result in a long delay for permanency. Matching should be a major concern with concurrent planning. Many children remain in long-term placement, guardianship, or adoptive arrangements with caretakers who are not well matched to the child. Such placements are made in the early stages of dependency with little regard for long-term permanency and are difficult to alter after extensive time has been spent on reunification. Carefully screened and selected foster parents are more likely to adopt a child for whom they have developed a strong attachment. They are more likely to become attached to a child whom they view as similar to themselves and whose needs they are able to meet fairly easily, even if there are special needs.

High caseloads for Social Workers and Rapid Staff Turnovers

Social workers have very high caseloads, which hinders their ability to act and decide quickly. Staff turnover presents another time barrier due to the time it takes to properly train new staff and the resulting lack of experience.

More than One (sometimes 4 or 5) Social Workers with One Child and His or Her Family

Because the waiting time for placement is typically so long, and because worker turnover is high, families and children are forced to work with many different social workers. This situation causes unnecessary delays, frustration, and anger for the adopting parents and serious emotional harm to a child.

The rate of burnout and turnover among child welfare social workers is alarmingly high, resulting in a workforce that is chronically inexperienced and under-trained.

National Conference of State Legislatures

Emotional Focus on Family Reunification

Many social workers view family reunification as more important than permanence. There is a pattern of not pursuing termination of parental rights because social workers see it as a failure on their part when they are unable to reunify the family. As a result, children are being kept in foster care for lengthy durations while fruitless efforts have been made to rehabilitate and preserve harmful families. A major concern is that children are reunified with families that are abusive and unsafe. In the past three years in Orange County, 32 percent of children reunified had to be re-admitted to the child welfare out-of-home care system.

Child welfare authorities state that of the children who do return home, nearly 50 percent are re-unified within six months, while 70 percent go home within one year. Only 5 percent of children who are in foster care longer than 24 months are returned home.

To provide children with safe permanent homes does not necessarily mean the termination of parental rights. In fact, the number one objective is a safe and happy return to their biological parents.

To provide children with safe, healthy, permanent families does not necessarily mean the termination of the rights of biological parents and removal of the child from his or her home.

PL105-89 provides that efforts be made to prevent or eliminate the need for removing a child from his or her home.

Table 1 shows the results of 102,001 children exiting foster care in the United States from October 1, 1998, through March 31, 1999:

TABLE 1

Reunification	59%	60,681
Living with Other Relatives	10%	10,452
Adoption	15%	15,078
Emancipation	6%	6,330
Guardianship	2%	2,121
Transfer to Another Agency	3%	3,280
Runaway	3%	2,625
Death of Child *	0%	243
Other	1%	1,191

*Deaths are attributable to a variety of causes including medical conditions, accidents, and homicides.

AFCARS (Adoption and Foster Care Analysis and Reporting) January 2000.

A Waiting Child Asks

Jennifer asks, “How much longer do I have to wait?” Casey asks, “What’s happening? Am I getting close?” The answer to those emotional questions almost sounds like the old Christmas chestnut, “Yes, Virginia, there really is a Santa Claus.” To Jennifer and Casey, and their brothers and sisters, and to all the children who are waiting, the answer is very positive. In the past two years there has been more activity addressing the problem of waiting children than ever before. Officials from the White House to the Congress, to the state house in Sacramento, to counties across the nation, to Orange County’s Board of Supervisors, and to the Social Services Agency, are pushing to create new families, with children from the nation’s swelling foster care ranks. New laws attempt to free children more quickly from problem parents and to offer financial support to those who desire to become adoptive parents. Some counties have pledged that the financial payments received in foster care will continue to be passed on to parents who adopt them.

THE CURRENT STATUS OF ADOPTIONS IN ORANGE COUNTY

Orange County Social Services Agency Adoptions Program has been in operation since 1967. During the past 33 years there have been many changes in philosophy, policy, procedures, and demands for services.

One of the most recent significant changes was the implementation of *The Governor’s Adoption Initiative*. The main feature of the initiative was the establishment of performance agreements for individual county adoption agencies. These agreements provided increased funding as incentives to county programs to achieve calculated performance goals. Orange County is receiving funding of \$2,640,818 for FY 1999–2000 from CDSS for the adoption program (\$130,000 comes from federal funding). This amount equates to 40.5 full time equivalents, FTE (Senior Social Workers). At the time of the establishment of the Governor’s Adoption Initiative, in FY 1996–97, a level of productivity was determined to be a statewide average of 10 adoptive placements (per FTE) each year. Orange County SSA had 31 FTE, so the target adoptive placement goal was 310 adoptions. In FY 1997–98, there were 40 FTE; so, the adoption placement goal should have been 400. In FY 1998–99, the statewide average

Waiting

**No one knows how many of us wait,
For we cannot speak with a loud enough voice.**

**We want to know the feeling of being kept protected,
The sense that our home is always our safe haven.**

**My journey has been hindered by parents not yet able
To be faithful and steady in their care of me.**

Time is now my enemy and leaves me full of fear.

I wait for the healing only a real family can truly bring.

I am the child next door; the little girl across town.

**I am somebody’s grandchild,
Someone’s legacy on pause.**

**I am not a child of strangers, but part of your own,
I am waiting, waiting, for you to bring me home.**

Sara (age 15) looking back on her feelings before she was adopted.

increased to 11.2 adoptive placements per FTE each year. Orange County had 40.2 full-time equivalents. Therefore, the County's SSA should have been able to find adoptive placements for at least 448 children if it were to be consistent with statewide averages. At the time the 1997 agreement was signed, Orange County was given a goal of 468 adoptive placements during FY 1998–1999.

The State of California Social Services Agency (CDSS) has established two norms or criteria to measure the performance of the counties regarding adoption placements. The first evaluation norm is the number of adoption placements per year for each senior social worker. This has been explained in detail above. Presently, the statewide average is 11.2 adoptive placements per social worker, while Orange County's rate is 9.2.

The second is the placement rate of children receiving permanent Placement Services. This is explained in Table 2.

**TABLE 2
California Adoption Initiative
Public Agency Placements for Adoption**

Public Agency	Number of Placements			Placement Rates *		
	FY 1995–96	FY 1996–99	% Change	FY 1995–96	FY 1998–99	% Change
Contra Costa	111	193	74	7.8	11.1	42
Los Angeles	1,055	1,799	71	3.7	5.0	35
Orange	241	374	55	13.1	15.0 **	14
Riverside	109	252	131	6.2	9.6	56
Sacramento	101	422	318	7.5	10.7	43
San Bernardino	120	200	67	4.6	5.9	28
San Diego	320	637	99	9.4	14.1	51
Santa Clara	70	191	173	4.5	11.3	150
County Totals	3,027					
CDSS	238	428	80	11.1	14.4	30
Total–Public Agencies	3,265	6,143	88	5.7	8.0	42

* Note: Placement rate = number of children placed for adoption per 100 children receiving Permanent Placement Child Welfare Services (i.e., children for whom reunification was either not successful or not possible).

**Orange County had the best placement rate of 15%. There were 2,490 children in Orange County receiving Permanent Placement Services and 15% or 374 children were placed for adoption.

Table 3 shows the total number of adoptive placements in the County during the five preceding years.

**TABLE 3
Total Orange County Adoptions**

1994–95	221
1995–96	241
1996–97	252
1997–98	260
1998–99	374

As Table 3 shows, Orange County did not achieve its targeted goal for 1998–99, but it did have a 44 percent increase over the prior year. This growth can be attributed to the following three reasons:

1. Orange County has received additional resources (funding for increased staffing) as a result of *The Governor’s Adoption Initiative Performance Agreement*. There are presently 40 social worker positions allocated to the adoption program.

2. The Orange County Fos/Adopt program has been very helpful in improving the adoption process. Many children can be placed on a foster-adoption basis, which is tied into concurrent planning and matching. Fos/Adopt is a child placement program in which birth parents’ rights have not yet been terminated by the court, but where foster parents agree to adopt the child if the child becomes available for adoption. The main reason for making such a placement, also called legal-risk adoption, is to spare the child another move and to expedite the timeliness of the process.

The primary goal of the Fos/Adopt Program is to minimize the number of placements that children must undergo prior to adoption. It permits infants and younger children on the “fast-track” mode to go directly into placements that will result in adoption rather than subjecting them to interim foster-care placements that must be disrupted upon adoption.

Research has shown that the single most dominant feature of the special-needs adoptive family is that the majority of them have been foster parents. It is obvious that Orange County has realized that foster parent adoption is an excellent avenue to permanency. With the small pool of adoptive parents available for special needs children, more emphasis and aggressive promotions should be given to the recruitment of foster families with a view toward adoption.

3. Orange County has assumed a statewide leadership role in using the procedure of outsourcing to increase SSA and social workers’ adoption productivity. With the support of the Board of Supervisors, the SSA has increasingly contracted with more private, community-based organizations to provide varied services.

A very important and effective example of this collaboration with a private agency is the County’s contract with Kinship Center. Kinship Center provides child placement, family education, and continuing supportive services to families and children in California. In the process, Kinship Center has earned the reputation of being one of the premier adoption agencies in the nation. Through its agreement with Orange County SSA, Kinship Center has been able to provide the following services:

Kinship Center has played an important role in improving the rate of adoptions in Orange County.

- Education and support for families adopting children with special needs. Counseling is available from adoption experts.
- Enhanced recruitment efforts for special cases identified by SSA.
- Pre-placement training and education for prospective adoptive parents.

The SSA has joined with Kinship Center in the creation of an adoption liaison services staff position. This position was created through the Family Ties Collaboration. SSA requested this position in response to the growing need to identify safe and permanent families and to prevent the disruption of multiple moves caused by a shortage of available families.

CONCLUSION

There are three serious problems in the Orange County adoption system. Orange County does

While these achievements are significant, the challenges ahead are even greater. Since 1996 the annual number of foster children freed for adoption has increased by 130 percent. This increase is the most accurate predictor of the need for increased adoption activity. As noted in the summary, 2,490 children were placed in the category of Long-Term Permanent Placement (i.e., children for whom re-unification was either unsuccessful or not possible). Of this number, 15 percent, or 374 children were adopted. While adoptions in Orange County increased by 44 percent between fiscal years 1998 and 1999, the number of adoptions as a percent of children available for adoption increased by only 14 percent.

not have a sufficient number of available adoptive parents. Only 102 families were approved by the Social Services Agency for adoption in the last six months of 1999. The paucity of adoptive parents for special-needs children is critical in Orange County. There is a great need for recruitment but the funds are very scarce.

Social workers are overworked; caseloads vary from 30 to 80. The rate of burnout and turnover among social workers is alarmingly high, resulting in a workforce that is inexperienced and under-trained. Staffing is a very serious issue facing the child welfare system in Orange County. It is difficult to recruit and retain good social workers.

Also, Orange County mirrors the state and the nation in the lack of decision-making guidelines. However, attempts are being made by the Orange County SSA to help social workers make decisions with greater input from supervisors. The Grand Jury conducted a survey and interviewed many adoptive parents regarding their experiences with

these issues during the adoptive process. Table 4 provides insight into the effectiveness and timeliness of the procedures used in the Orange County Adoption Program.

TABLE 4
SURVEY OF ORANGE COUNTY ADOPTIVE PARENTS
A REPORT ON EXPERIENCES WITH THE ADOPTIVE PROGRAM

Process	% Very Effective	% Fairly Effective	% Less than Effective	% Poor
Orientation	50	28.5	18	3.5
Training	50	32	7	11
Responsiveness of Social Workers	64	14	8	14
Expertise of Social Workers	60	16	9	15
Juvenile Court Hearings	50	29	10	11
Timeliness of the Process	28	18	11	43

The survey asked each adoptive parent what they found most helpful and least helpful when going through the adoption process. They were also asked to make their own comments. There were very few comments regarding orientation and training. The anger and frustration expressed in the survey was a result of long waiting times. The majority of the comments referenced the social workers. There were many complimentary statements for the social workers i.e., “They were very supportive and have made themselves available after the adoptions were finalized.” Many defended their social workers and stated that they were overwhelmed with heavy caseloads. Some complained regarding the number of social workers involved; two families had five social workers. Others complained about the inexperience of social workers and a lack of consistency in opinions and decisions. There was no middle ground in the love/hate relationship with the social workers.

The adoption system is failing in many ways. Of primary concern is the improbability of adoption from foster care. Under permanency planning the system’s goal is to either reunify children or, if reunification efforts fail, to place them in an adoptive home. Placement in long-term care is supposed to occur only as a last resort for children who are “unadoptable.” Under the current system, the number of children that will be placed in long-term care is three times the number that will be placed in adoptive homes. Another concern is the fact that the odds of adoption fall as the child’s age rises. This highlights the importance of timely and accurate reunification decisions. As durations increase, the likelihood of permanent placement fails.

<p>A major concern is the fact that the odds of adoption fall as the child’s age rises.</p>
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Finally, many children within the child welfare system spend two to three years waiting to be adopted after the state has determined that they will not be reunified with their family. Because the likelihood of adoption decreases as the child gets older, it is critical to minimize the amount of time to move the child into the ranks of those eligible for adoption.

Given the following statistics, it is difficult to justify the hope that a child will return home after being in foster care beyond one year.

- Over 40 percent of the children entering foster care will never be reunified with their families.
- Of the children who do return home, nearly 50 percent are reunified within six months, while 70 percent go home within a year.
- One third of the children in care had been in the system at least three times.
- Only 5 percent of children who were in foster care for longer than 24 months were returned home.
- Two out of five foster children will spend more than three years in foster care.
- The average foster child has been in two different homes. Nearly one-third of foster children have been in three or more homes. One of every ten children in foster care has been placed into five or more homes.

The fundamental problem remains an overall lack of accountability mechanisms. County agencies are free to build whatever barriers they wish, however inadvertent these barriers may be. They should be held accountable for their own failure to place children. A glaring example of counties doing their own thing is the failure of many counties to embrace concurrent planning. Recent federal and state law mandates the practice of concurrent planning. Concurrent planning is the heart and sole of PL105-89. Concurrent planning enables social workers to consider re-unification and termination of parental rights simultaneously. It facilitates faster case resolution by setting tighter time frames for the birth families and workers to specify goals and responsibilities at the onset of the child's out-of-home care. It can help children avoid finding themselves on a one-way linear path that does not lead back home or to adoption.

The law is over two years old (November 1997) and has not really been implemented in Orange County.

In a *Strategic Plan Update* issued in March 2000 by the Social Services Agency, the following information was provided:

SSA recently implemented a concurrent planning pilot project. Full implementation of concurrent planning is expected in June 2000.

Another detriment to the success of timely adoptions is that of not requesting termination of parental rights until an adoptive family is in place. It is clear that there is much work ahead in Orange County to ensure safe, timely permanence for our foster children.

FINDINGS

In accordance with *California Penal Code* Sections 933 and 933.05, responses are required to all findings. The 1999–2000 Orange County Grand Jury has arrived at the following findings:

1. Orange County Social Services Agency Adoption Unit has an insufficient number of available adoptive parents because it does not have sufficient recruiting programs.

A response to Finding 1 is required from the **Board of Supervisors** and requested from the **Social Services Agency**.

2. There are many adoptive-assistance programs available to prospective adoptive families that could be better promoted. Wider promotion of such programs would help recruit prospective adoptive families.

A response to Finding 2 is required from the **Board of Supervisors** and requested from the **Social Services Agency**.

3. Consistent decision-making guidelines for social workers and management are not available. This is a critical factor given the high turnover rate of social workers in the Adoptions Unit.

A response to Finding 3 is required from the **Board of Supervisors** and requested from the **Social Services Agency**.

4. Many children in foster care are placed in several locations and homes, often separated from all that is familiar and secure to them.

A response to Finding 4 is required from the **Board of Supervisors** and requested from the **Social Services Agency**.

5. Often there is a delay in the adoptive process because of inattentiveness to the proper matching of children with foster families at the very beginning of out-of-home placement.

A response to Finding 5 is required from the **Board of Supervisors** and requested from the **Social Services Agency**.

6. Brothers and sisters have been separated when placed in foster homes and also when placed in permanent homes.

A response to Finding 6 is required from the **Board of Supervisors** and requested from the **Social Services Agency**.

7. More children are entering the child welfare and foster care system, and as a result the County social workers are overloaded with too many cases. The rate of burnout and turnover among social workers is alarmingly high, resulting in a workforce that is chronically inexperienced and under-trained. The personnel crisis, insufficient number of staff members, high turnover, and inexperience, has a detrimental effect on the quality of services provided.

A response to Finding 7 is required from the **Board of Supervisors** and requested from the **Social Services Agency**.

8. Because the waiting time for placement is so long and because worker turnover is high, families and children are forced to work with many different social workers. There is frustration and loss of confidence by both adoptive parents and the waiting child when they have to deal with numerous social workers, sometimes as many as five.

A response to Finding 8 is required from the **Board of Supervisors** and requested from the **Social Services Agency**.

9. The Social Services Agency recently implemented a concurrent pilot project. The Concurrent Planning Program has not been completely understood nor embraced by many County social workers. As a result there can be delays of one to two years in case resolutions.

A response to Finding 9 is required from the **Board of Supervisors** and requested from the **Social Services Agency**.

10. The Social Services Agency completes an AFCARS report every six months for each child in the welfare system. The agency also conducts reviews of the children who have a reunification plan and for children who have a plan of permanent placement. It is not clear how often these reviews are held and who contributes to the reviews.

A response to Finding 10 is required from the **Board of Supervisors** and requested from the **Social Services Agency**.

11. A major complaint of adoptive families is that they are unaware of where they stand in the adoptive process. There has been a lack of communication between the social workers and the adoptive parents during the adoption process.

A response to Finding 11 is required from the **Board of Supervisors** and requested from the **Social Services Agency**.

12. Post-adoptive communication and assistance has been minimal for many adoption families.

A response to Finding 12 is required from the **Board of Supervisors** and requested from the **Social Services Agency**.

13. The survey of the Orange County adoptive parents initiated by the Grand Jury and implemented by the Social Services Agency was most informative and useful in evaluating the adoption program in Orange County.

A response to Finding 13 is required from the **Board of Supervisors** and requested from the **Social Services Agency**.

14. The valuable input from adoptive parents in the survey and successful outsourcing by the Social Services Agency with private adoption agencies illustrates the valuable resources that are available from the private sector.

A response to Finding 14 is required from the **Board of Supervisors** and requested from the **Social Services Agency**.

RECOMMENDATIONS

In accordance with *California Penal Code* Sections 933 and 933.05, each recommendation must be responded to by the government entity to which it is addressed. These responses are submitted to the Presiding Judge of the Superior Court. Based on the findings, the 1999–2000 Orange County Grand Jury recommends that:

1. Funding should be increased for adoption recruitment to provide creative and effective recruiting programs to reach families in the community who are interested in providing foster and adoptive parenting.

A response to Recommendation 1 is required from the **Board of Supervisors** and requested from the **Social Services Agency**.

2. The Social Services Agency should detail in a brochure the Adoption Assistance Program and the many other financial, educational, mental health, and other health benefits available to adoptive families.

A response to Recommendation 2 is required from the **Board of Supervisors** and requested from the **Social Services Agency**.

3. The Social Services Agency should develop a framework and guidelines to assist social workers in timely decision-making in adoptions, based on well-researched clinical practices.

A response to Recommendation 3 is required from the **Board of Supervisors** and requested from the **Social Services Agency**.

4. The Social Services Agency Adoption Program should develop specific assessment guidelines to determine the needs of each individual child for placement in the appropriate foster care home to diminish the likelihood of multiple moves. If multiple moves are necessary, the importance of maintaining meaningful connections between placements should be considered.

A response to Recommendation 4 is required from the **Board of Supervisors** and requested from the **Social Services Agency**.

5. Greater communication and collaboration should be promoted between the different units of the Social Services Agency, which would create a consistency and a framework for permanency planning for every child at the very beginning of an out-of-home placement.

A response to Recommendation 5 is required from the **Board of Supervisors** and requested from the **Social Services Agency**.

6. The Social Services Agency should develop guidelines concerning sibling adoptions.

A response to Recommendation 6 is required from the **Board of Supervisors** and requested from the **Social Services Agency**.

7. The budget for the Social Services Agency should be increased to employ and retain more qualified social workers. The Social Services Agency should consider following the recommendations of the National Association of Social Workers and limit cases to 25 per social worker.

A response to Recommendation 7 is required from the **Board of Supervisors** and requested from the **Social Services Agency**.

8. The Social Services Agency should appoint one social worker team that collaborates, cooperates, and communicates with each unit at each step of the foster-adoptive process for each child.

A response to Recommendation 8 is required from the **Board of Supervisors** and requested from the **Social Services Agency**.

9. The Social Services Agency should provide concurrent planning instructions to all social workers in all adoption units. The agency should follow the mandate of recent federal and state law and promote a realistic and viable concurrent planning program.

A response to Recommendation 9 is requested from the **Social Services Agency Children and Family Services**.

10. Social Services Agency should conduct a six-month review for each out-of-home case. The Agency should implement a process of case staffings. These staffings should be attended by all currently assigned social workers and other staff and/or professionals who have knowledge and interest in the child. These staffings will lead to greater communication and collaboration between the different social worker units of the dependency and adoption process.

A response to Recommendation 10 is required from the **Board of Supervisors** and requested from the **Social Services Agency**.

11. The Social Services Agency should communicate on a monthly basis with each adoptive family regarding where they stand and what is happening in their adoption process.

A response to Recommendation 11 is requested from the **Social Services Agency Children and Family Services**.

12. After the adoption has been finalized, the Social Service Agency should be in monthly contact with the adoption family for at least one year, providing adequate post-adoptive services.

A response to Recommendation 12 is requested from the **Social Services Agency Children and Family Services**.

13. The Social Services Agency should conduct an annual survey of recent adoption families to evaluate the adoption program and to use their input and recommendations to improve the performance of the County's adoption program.

A response to Recommendation 13 is requested from the **Social Services Agency Children and Family Services**.

14. An Advisory Committee should be established immediately to bring the resources and insights of the entire continuum of care, both public and private, and to oversee the development of an integrated plan for the Orange County foster and adoption system.

A response to Recommendation 14 is requested from the **Social Services Agency Children and Family Services**.

COMMENDATIONS

- The **Children and Family Services**, Director and Deputy Directors for their dedication, knowledge and professional assistance given to over 5,000 children each year. A special commendation for their patience and empathy shown to the Grand Jury. The 1999–2000 Orange County Grand Jury wrote five reports involving the **Social Services Agency Children and Family Services** Department and received outstanding contributions and cooperation.

- The **Social Services Agency Adoption Unit** and the many dedicated social workers who perform so well in a difficult and emotional milieu.
- The **Kinship Center** which has been an important and effective partner of the Orange County Social Services Agency Children and Family Services. Kinship Center provides child placement, education, post-adoptive services, and counseling from adoption experts. Kinship Center has earned the reputation as one of the premier adoption agencies in the nation.
- **Sharon Kaplan Roszia**, Orange County Program Manager of Kinship Center. Sharon is nationally renowned and respected in the adoption program.
- **Olive Crest**, a private group facility collaborating with the Social Services Agency. Olive Crest cares for over 450 special needs children from the ages from birth to 18+ years. Olive Crest cares for 350 children in foster homes. At the present time, Olive Crest has 1,200 children in their system and 800 families. Olive Crest also is a dedicated adoption agency. In 1999, twenty children were adopted through Olive Crest. Presently, there are over 100 adoptions pending through Olive Crest.
- The **social workers on the front line, police officers** who deal in difficult and dangerous situations, **judges** who have to make very difficult determinations, both birth and adoptive parents, and **foster parents** and the **children** of adoptive families for welcoming new brothers and sisters into their homes.
- The **following private adoption agencies** and caretaker home-study providers for their collaborative efforts with the Orange County Social Services Agency: Holy Family Services, Institute for Black Parenting, Vista Del Mar, Family Connections, Latino Family Institute, Catholic Charities, Independent Adoption Center, International Foster Family and Adoption Agency, and International Christian Adoptions.
- A special commendation to **Jim Palmer**, President of the Orange County Rescue Mission and the House of Hope. Jim has worked diligently to increase opportunities for the homeless of Orange County to receive medical, mental health, substance abuse, employment training, life skills training, transportation and other vital services that assist individuals and families to improve the quality of their lives, live more independently and become self-sufficient. Jim leads by example as he and his wife have adopted three children through the County's adoption agency.

APPENDIX A

NEW U.S. POSTAL STAMP HONORS, ENCOURAGES ADOPTION

Each year more than 100,000 children are adopted in the United States. To highlight this, the Postal Service has made the 33-cent adoption stamp its social issues commemorative stamp for 2000. Postmaster General William Henderson said in a statement, "This stamp will serve as a simple thank-you to everyone involved in making homes for children who are less fortunate, and it will help raise awareness about how adoption can make a positive difference in the lives of so many."

The stamp, featuring smiling boy and girl stick-figure kids holding adult "hands" was released May 10. Fundamental shapes, simple forms and bright colors depict the fragile and hopeful aspects of childhood. **The text framing the art reads: "Adopting a CHILD, Sharing a LIFE, Building a HOME, Creating a WORLD."**



APPENDIX B

Adoption Procedures and Terminology A Brief Overview

Adoption and Foster Care Analysis and Reporting System (AFCARS)

A system for collecting data on children in foster care and children who have been adopted under the auspices of the State child welfare agency. State child welfare agencies are responsible for reporting case management information to the federal system. Data are gathered for semi-annual report periods. The first report period covers October 1st to March 31st. The second report period is April 1st to September 30th.

Attachment

The ability of a child to form significant and stable emotional connections with other people, beginning in early infancy with one or more primary caretakers. Failure to establish such connections before the age of five may result in difficulties with social relationships as severe as attachment reactive disorder.

Attachment Reactive Disorder

A condition with onset before age five, resulting from an early lack of consistent care, characterized by a child or infant's inability to make appropriate social contact with others. Symptoms may include failure to thrive, developmental delays, and failure to make eye contact, feeding problems, failure to initiate or respond to social interaction, and susceptibility to infection.

Concurrent Planning

A process used in foster care case management by which child welfare staff work toward family reunification, using reasonable efforts and, at the same time, developing an alternative permanency plan for the child, such as adoption, should reunification efforts fail. Concurrent planning is intended to reduce the time a child spends in foster care before a child is placed permanently. Concurrency Planning is now state law AB1544.

Foster-adoption

A child placement in which birth parents' rights have not yet been terminated by the court, but where foster parents agree to adopt the child if or when parental rights are terminated. Social workers place the child with foster-adopt parents who will work with the child during family unification efforts. Those foster parents will adopt the child if the child becomes available for adoption. The main reason for making such a placement, also called legal-risk adoption is to spare the child another move.

Guardian

A person who fulfills some of the responsibilities of the legal parent role, although the courts or birth parents may continue to hold some jurisdiction over the child. Guardians do not have the same reciprocal rights of inheritance as do birth or adoptive parents. Guardianship is subject to ongoing supervision by the court and ends at the child's majority at age 18, or by order of the court.

Kinship Care

The full time nurturing of a child by someone related to the child by family ties or by a prior relationship connection. These are people not related by birth or marriage but who have an emotionally significant relationship with a child.

Matching

The process of finding prospective families specifically suited to meet the needs of a waiting child, not to be confused with "placement".

Permanency

The concept of permanency has assumed a central place in American child welfare law and policy because permanency establishes the foundation for a child's healthy development. "Permanency" means that a child has a safe, stable, custodial environment in which to grow up, and a life-long relationship with a nurturing caregiver. The basic needs of children include safety and protection, a sense of identity, opportunity to learn and grow cognitively, physically and emotionally, and a protected custodial environment that is legally secure. Permanency can be achieved in a number of ways. Adoption is considered the optimal form of permanence when the biological parents are unable to provide a safe, stable, and nurturing home.

Permanency Hearings

Court hearings within 12 months of a child's placement into foster care. At this hearing, the court will make a determination whether and when a child should be returned home or placed for adoption. A termination of parental rights petition would be filed and a referral for legal guardianship and a planned permanent living arrangement would be made. This replaces what had been referred to as *Dispositional Hearings* and is now called *Permanency Hearings* to make clear the goal of the proceedings.

Reasonable Efforts

Federal law requires that "reasonable efforts" be made to both prevent the unnecessary removal of children from their families and to reunify children, when possible, with their families before another goal, such as adoption, can be pursued for the child. These efforts often take the form of services provided to the family, such as counseling, respite care, and substance abuse treatment. The new law (PL105-89) extended the concept of reasonable efforts to the next step for children in the welfare system. It states that, while efforts are

being made for reunification of the family, reasonable efforts must also be made to ensure that these children are adopted or achieve some other form of permanency.

Reunification Services

Interventions by social workers and other professionals to help children and their birth parents develop mutually reciprocal relationships that will help them live together again as a family. Meaningful rehabilitation services specifically relevant to the family's problems are arranged to help a dysfunctional family. The goal is the return of foster children to the custody and home of their parents.

Waiting Children

Children in the public welfare system who cannot return to their birth homes and need permanent, loving families to help them grow up safe and secure. They are waiting...and...waiting to be adopted.

APPENDIX C

THE AFCARS REPORT

Adoption and Foster Care Analysis and Reporting System (AFCARS) is a system for collecting data on children in foster care and children who have been adopted under the auspices of the State Child Welfare Agency.

There were 117,000 children waiting to be adopted on March 31, 1999. Waiting children are identified as children who have a goal of adoption and/or whose parental rights have been terminated.

1. ADOPTION

How old were the waiting children when they were removed from their parents?		How old were the waiting children on March 31, 1999?	
Mean Years	4.1	Mean years	8.0
Median Years	3.2	Median Years	7.7
Less than 1 yr.	29%	less than 1 year	2%
1-5 yr.	42%	1-5 yr.	35%
6-10 yrs.	23%	6-10 yrs.	37%
11-15 yrs.	6%	11-15 yrs.	23%
16-18 yrs.	.002%	16-18 yrs.	3%

2. ADOPTION

How many months have the waiting children been in continuous foster care?		Where were the waiting children living on March 31, 1999?	
Mean Mos	46	Pre-adoptive home	15%
Median Mos	38	Foster Family Home	21%
(Relative)		Foster Family Home	56%
Less than 1 month	.004%	(Non-relative)	
1 through 5 mos	3%	Group home	3%
6 through 11 mos	6%	Institution	4%
12 through 17 mos	8%	Supervised Independent	1
18 through 23 mos	10%	Living, runaway, etc,	
24 through 29 mos	10%		
30 through 35 mos	9%		
36 through 59 mos	26%		
60 Or more mos	27%		

3. ADOPTIONS

36,000 children were adopted from the public foster care system in FY 1998.

How old were the children when they were adopted from the public foster care system?

Mean yrs. 6.9
Median yrs. 6.3

Under 1 year 2%
1-5 years 46%
6-10 years 37%
11-15 years 14%
16-18 years 2%

How many months did it take after termination of parental rights for the children to be adopted?

Mean mos 17
Median mos 13

1 month 2.5%
1-5 months 16%
6-11 months 30%
12-17 months 20%
18-23 months 12%
24-29 months 7%
30-35 months 4%
3-5 years 9.5%

4. FOSTER CARE

547,000 Children were in foster care on March 31, 1999.

What were the ages of the children in foster care?

Mean years 9.9
Median years 10.0
Under 1 year 3%
1 thru 5 years 25%
6 thru 10 years 27%
11 thru 15 years 27%
16 thru 18 years 16%
19+ years 2%

Where were these children in foster care living?

Pre-adoptive home 3%
Foster Family (Relative) 27%
Group home 8%
Foster Family (non Relative) 47%
Institution 10%
Independent Living Program 1%
Trial Home Visit 3%

5. FOSTER CARE

What were the lengths of stay for the children in foster care?

Mean months 33
Median months 22
1 month 3%
1-12 months 29%
13-24 months 22%
25-36 months 13%
3-4 years 15%
5 years or more 18%

What were the case goals of the children in foster care?

Reunify with parents 41%
Live with other relatives 4%
Adoption 20%
Guardianship 3%
Emancipation 7%
Long-term foster care 5%
Case plan goal not yet established 20%

6. FOSTER CARE

119,000 children entered foster care during the period of 10/1/98 through 3/31/99.

102,000 exited foster care during this period.

What were the ages of the children who **entered** care during this six month period?

What were the ages of the children who **exited** care during this six-month period?

Mean Years	8.7
Median Years	8.8
Under 1 year	13%
1 thru 5 years	24%
6 thru 10 years	22%
11 thru 15 years	29%
16 thru 18 years	11%

Mean Years	10.2
Median Years	10.2
Under 1 year	4%
1 thru 5 years	26%
6 thru 10 years	23%
11 thru 15 years	24%
16 thru 18 yrs	20%
19+ years	3%

7. FOSTER CARE

102,000 children exited foster care during the period 10/1/98 through 3/31/99.

What were the lengths of stay of the children who exited during this period?

What were the outcomes for the children exiting foster care during this period?

Mean months	22
Median months	11
1 month	19%
1 to 5 months	18%
6 to 11 months	14%
12 to 17 months	11%
18 to 23 months	8%
24 to 29 months	6%
30 to 35 months	4%
3 to 4 years	10%
5 yrs. or more	10%

Reunification	59%
Living with relatives	10%
Adoption	15%
Emancipation	6%
Guardianship	2%
Transfer to another agency	3%
Runaway	3%

As of March 31, 1999, 44,000 children living in foster care were legally free to be adopted.

As of March 31, 1999, how many months had elapsed since the court had terminated the parental rights and declared these children legally free to be adopted?

Mean months	23 months
Median months	14 months