

STRENGTHENING PRACTICE • INFORMING POLICY  
BUILDING EVIDENCE

2011



# NATIONAL CHILD WELFARE EVALUATION SUMMIT



August 29–31  
Washington, DC  
Grand Hyatt



U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Administration for Children & Families  
Administration on Children, Youth and Families  
Children's Bureau



# PANEL DISCUSSION

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Defining and Measuring Permanency

# Overview of Panel Presentation

- The Context
- The Many Meanings of Permanence: Dr. Gina Samuels
- Judicial Perspectives: Judge Payne
- The Youth Perspective: Mr. Matt Hudson
- Tribal Perspectives: Dr. Sarah Kastelic
- Improving Outcomes-Strategies & Solutions: Dr. Ruth McRoy
- Discussion among Panelists
- Q&A with the Audience

# In 2010, about 408,425 children were in foster care.

**Mean Age 9.4**

**Avg. months in care: 25.3**

## **Placement Settings:**

4% Pre-Adoptive Home

26% Foster Family Home (Relative)

48% Foster Family Home (Non-Relative)

6% Group Home

9% Institution

1% Supervised Independent Living

2% Runaway

5% Trial Home Visit

\*AFCARS Report—Preliminary FY 2010 Estimates

# Characteristics of Children in Care

**Gender:** 52% males & 48% females

## **Race/Ethnicity**

41% White

29% African American

21% Hispanic

2% Alaska Native/American Indian

1% Asian

5% Two or more races

2% Unknown

\*AFCARS Report—Preliminary FY 2010 Estimates

# Case Goals of Children in Care

|                                   |     |
|-----------------------------------|-----|
| Reunify with Parents or Caretaker | 51% |
| Live with other Relative          | 4%  |
| Adoption                          | 25% |
| Long Term Foster Care             | 6%  |
| Emancipation                      | 6%  |
| Guardianship                      | 4%  |
| Case Plan NOT yet established     | 5%  |

\*AFCARS Report—Preliminary FY 2010 Estimates

# Special Challenges for Youth in Care

- Experienced abuse and/or neglect
- Physical and mental health problems
- Bonding and Attachment challenges
- Developmental delays
- Educational difficulties
- Mild to severe psychological and behavioral difficulties
- Multiple moves/losses
- Concerns/Fears about adoption
- Sibling and other family connections

# Children Aging Out

- In 2010, 6% or **24,131** of the children in care had a **goal of emancipation**.
- Of the 254,114 children who exited care during FY 2010, 11% or **27,854 emancipated**.

\*AFCARS Report—Preliminary FY 2010 Estimates

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# THE MANY MEANINGS OF PERMANENCE



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# TOWARD A HOLISTIC UNDERSTANDING OF PERMANENCE

- ◉ What do we REALLY mean when using the word “permanence?”
- ◉ How are any of these ideas of “permanence” related (or not) to each other or to other important constructs? (e.g., belonging, stability, emotional connection, mutual support, attachment, trust, shared family identity, well-being?)
- ◉ Considering “multifamily” identities and allegiances over the life course while lessening or helping to manage the ambiguity persistent in many of youth’s relationships

# COMPATIBLE NOT COMPETITIVE MEANINGS OF PERMANENCE

## Psychological

(e.g., attachment, trust belonging, identity, belief in durability and legitimacy of existing or future family relationships)

## Physical

(e.g., stability in key environmental contexts: school, kin, communities of origin, neighborhood.)

## Legal

(e.g., attributes rights, privileges, and obligations assigned only to “families,” affords public and official legitimacy)

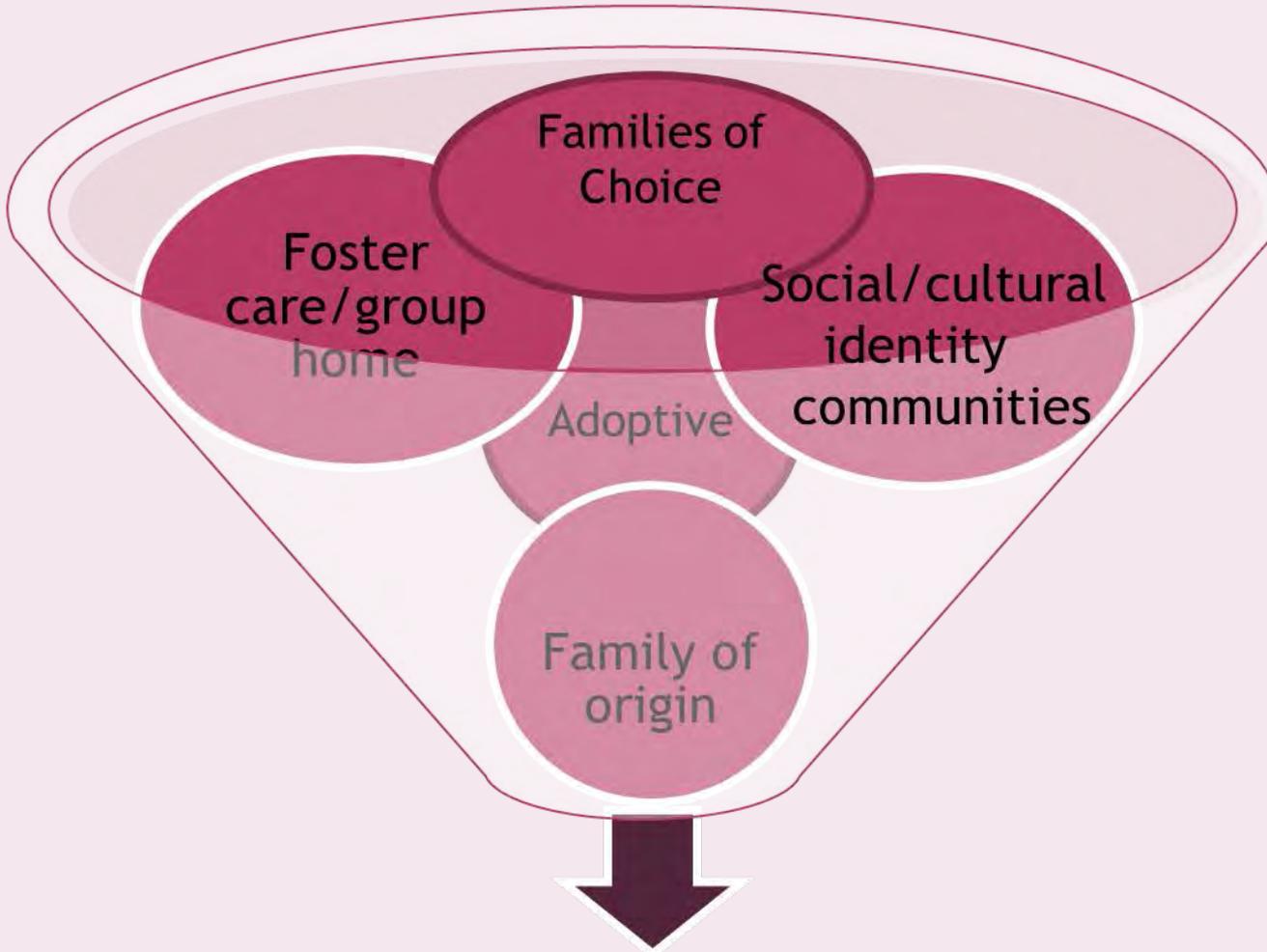


Permanence

A family is a setting where it's a few people, that has a house, that you **can always go to**. The key up under the mat. You know? You can **go in the fridge if you want**. And then you just ...sit around and crack jokes and cook and eat (she laughs). A family is somebody you can just feel real **comfortable and welcome**, anywhere you go, **no matter how you act** no matter what you do. **They know you...**  
(Samuels, 2008)

**The answer to  
“*what is  
permanence?*”  
is rooted in the  
question:  
*what is family?***

# INTEGRATING YOUTH'S MULTIFAMILY NETWORKS AND PROMOTING HEALTHY AND DURABLE RELATIONAL TIES: LEGAL, BIOLOGICAL, CONSTRUCTED, CULTURAL....



**Achievement of a Holistic Experience of Permanence**

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# Permanency in an Imperfect Process

**James W. Payne, Director  
Department of Child Services  
Child Welfare Evaluation Summit  
Washington, D.C.  
August 29, 2011**



# Permanency

- **Basic need of Every one**
- **Critical to children**
- **Certainty and comfort**
- **Defined again in AFSA**
- **Clarified: Health and Safety**
- **NOT reunification**
- **Importance of both families**
- **Importance of fathers**



# Starts

- **Starts at the front end**
- **If wait 'til the end- already lost**
- **Good at start, back end makes sense**
- **CW turnover affects permanency**
- **Make sure great training here**
- **Have serves up front**
- **Try to keep 'em home**
- **Family is best**
- **Time/Delay is permanency's enemy**



# 30 Minutes

- **Who takes the phone call**
- **What questions are asked**
- **How is the information assessed**
- **Making the first personal contact**
- **How is the message conveyed**
- **What is the request for involvement**
- **Who is invited to the table**
- **What happens to the child**
- **Asking about both parents**
- **Find extended family**



## 30 Hours

- **The decision on placement of child**
- **Visits- parents and siblings**
- **Assessment of risk/safety**
- **Services to address risk/safety**
- **Timeliness of service start**
- **Location of service delivery**
- **Assistance for proper referrals**
- **Involvement of support network**
- **Follow up of assigned staff**
- **Finding absent parent**



## 30 Days

- **Is there participation**
- **Are right services available timely**
- **Additional resources**
- **Re-assessment of risk/safety/service**
- **Increase support network**
- **Find absent parent and family**
- **Is the service working- if not, change**
- **Consequences for service failure**
- **Reward for service success**



INDIANA  
DEPARTMENT OF  
CHILD  
SERVICES

# CHINS Placement Data

| Month    | Total CHINS | Own Home % | Relative Home % | Foster Homes % | Residential Care % |
|----------|-------------|------------|-----------------|----------------|--------------------|
| Feb 2007 | 12,979      | 22.77%     | 15.38%          | 44.74%         | 12.58%             |
| Aug 2007 | 13,333      | 26.56%     | 15.49%          | 43.20%         | 10.69%             |
| Feb 2008 | 13,736      | 27.53%     | 16.44%          | 41.63%         | 10.95%             |
| Aug 2008 | 14,797      | 28.91%     | 17.78%          | 39.72%         | 10.02%             |
| Feb 2009 | 14,665      | 29.20%     | 20.03%          | 37.64%         | 10.24%             |
| Aug 2009 | 14,967      | 29.40%     | 22.90%          | 36.30%         | 9.00%              |
| Feb 2010 | 15,201      | 29.90%     | 24.10%          | 36.00%         | 8.30%              |
| Aug 2010 | 14,927      | 29.70%     | 25.00%          | 36.40%         | 7.40%              |
| Jan 2011 | 14172       | 29.70%     | 25.10%          | 36.60%         | 6.90%              |



# Department of Child Services

## Quarter Ending December 2010

### Quarterly Practice Measure Data Analysis

| <b>Clean up Report</b>                                       | <b>Cases on<br/>10/01/10</b> | <b>Matching</b> | <b>Closed from<br/>10/01/10</b> | <b>New on<br/>01/03/11</b> | <b>Cases on<br/>01/03/11</b> |
|--|------------------------------|-----------------|---------------------------------|----------------------------|------------------------------|
| <b>Children age 5 and less in substitute care 300+ days.</b> | <b>1,860</b>                 | <b>1,428</b>    | <b>432</b>                      | <b>412</b>                 | <b>1,840</b>                 |
| <b>Children age 18 and older.</b>                            | <b>434</b>                   | <b>319</b>      | <b>115</b>                      | <b>149</b>                 | <b>468</b>                   |
| <b>IA and CHINS cases in home for over 180 days.</b>         | <b>849</b>                   | <b>303</b>      | <b>546</b>                      | <b>587</b>                 | <b>890</b>                   |



# Permanency

- Judicial findings
- Discuss at first & every meeting
- Discuss at every hearing
- Judge enforces idea of permanency
- Family told of urgency
- Providers told of urgency
- Age is important
- From the eyes of the child
- Time lines for hearings with penalty



# **James W. Payne, Director Department of Child Services**

# PERMANENCE HOW DO WE GET THERE?

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Matt Hudson

# 2-dimensional permanence v. 3-dimensional permanence

- Documentation:
  - Case plans (ASFA standards)
    - Adoption
    - Reintegration
    - Relative placement
    - Guardianship
    - OPPLA
- The youth's actual experience

- Permanency for adolescents should not be considered an issue about “placements” but rather an issue youth having permanent lifelong connections
- These need to be facilitated early in care with natural supports in the youth’s life.

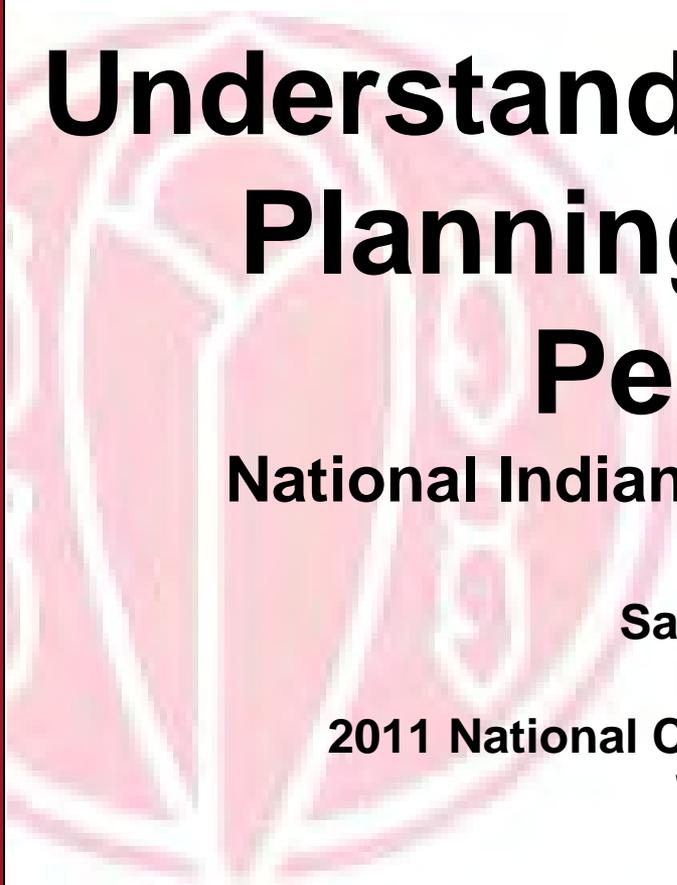
# What should we be asking ourselves?

- Who: does the youth have as positive relationships in their life
- What: is the youth planning on doing when they exit care
- When: is the youth going to be independent
- Where: is the youth going to be when they age out
- Why: is the youth going to end connections with certain places and people

# My Experience

- Why the paper could never tell you what happened to me;
- And why it's painful that the only part that will ever matter is what the paper tells you

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# **Understanding Permanency Planning from a Tribal Perspective**

**National Indian Child Welfare Association**

**Sarah Kastelic, Ph.D.**

**Prepared for the**

**2011 National Child Welfare Evaluation Summit**

**Washington, DC**

# Permanency

**Concept Of Belonging—**

**The Heart Of Permanency Planning—**

**Is Central To Indian Culture**



# Family Relations

- *Family*
- *Extended Family*
  - Nurturing Networks
  - Fictive Kin
- *Clan*
- *Community*
- *Tribe*

# Spirituality

- *Mother Earth*
- *Grandfather*
- *Brothers and Sisters*



# Reference Points For Belonging

- *Sense of Trust*
- *Continuity*
- *Identity*
- *Over Time*

# Indian Child Welfare Act



- ***In response to the overwhelming evidence from Indian communities that the loss of their children meant the destruction of Indian culture, Congress passed the Indian Child Welfare Act in 1978.***

# Indian Child Welfare Act

- ***Congress acknowledged that, “there is no resource that is more vital to the continued existence and integrity of Indian tribes than their children.”***

# ICWA Embodies Permanency

- ***Active Effort to Prevent Family Breakup***
- ***Standards of Evidence***
- ***Placement Preferences***
- ***Proximity of Placement***
- ***Transfer of Jurisdiction***

# Protecting the Sense of Belonging

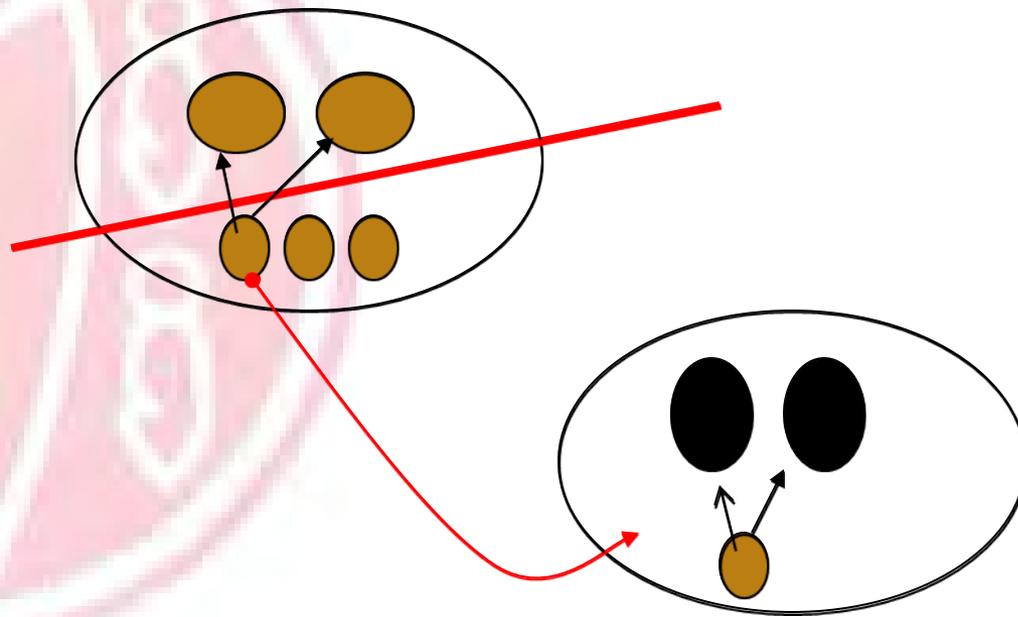
- ***Preventing Removal (Safely)***
- ***Placement with Reference Points***
- ***Frequent Visitation***
- ***Proximity to Reference Points***
- ***Timely Reunification (Safely)***
- ***Alternatives that Do the Least Harm***

# First Federal Response Permanency

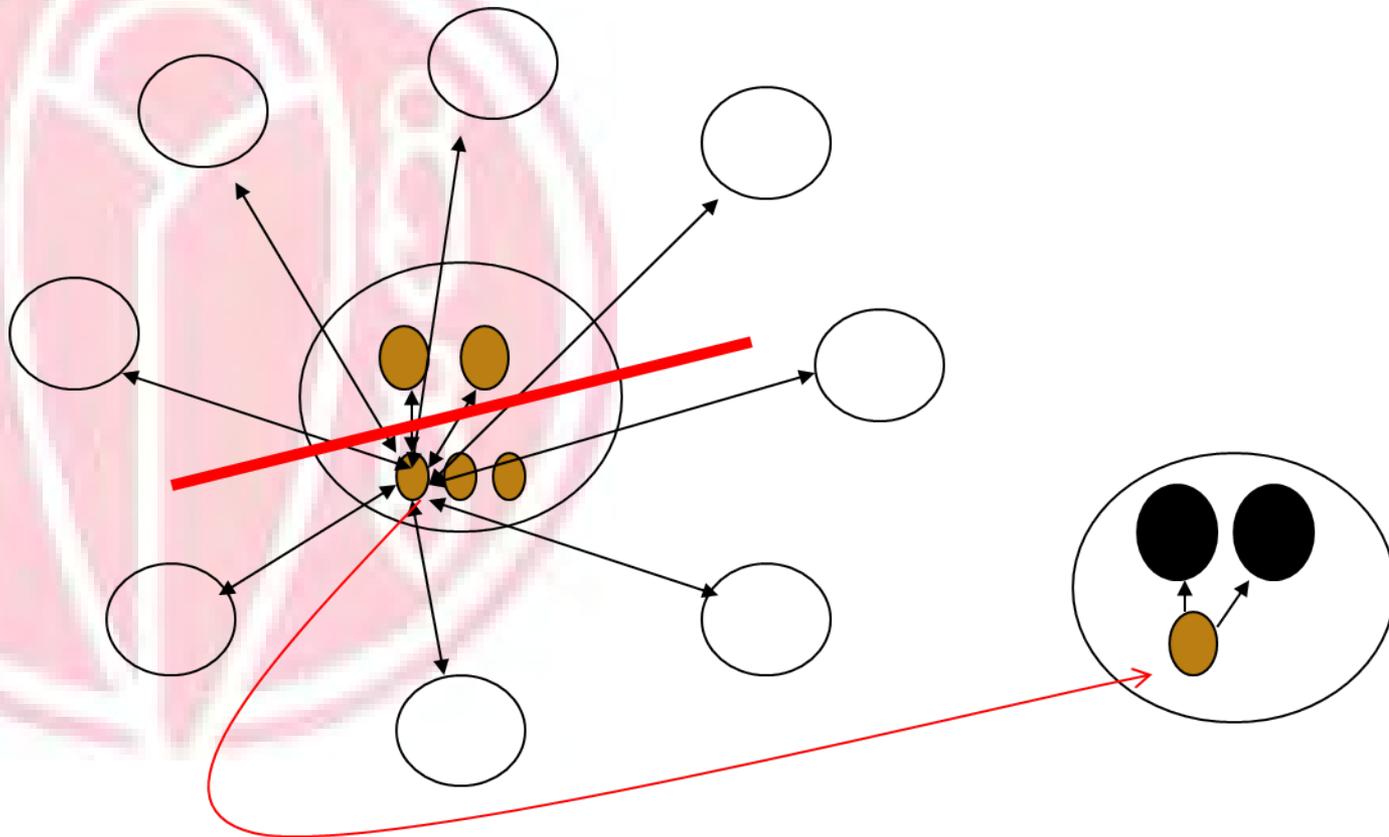
- ***Adoption Assistance and Child Welfare Act of 1980***



# Psychological Parent Model



# Extended Family Model

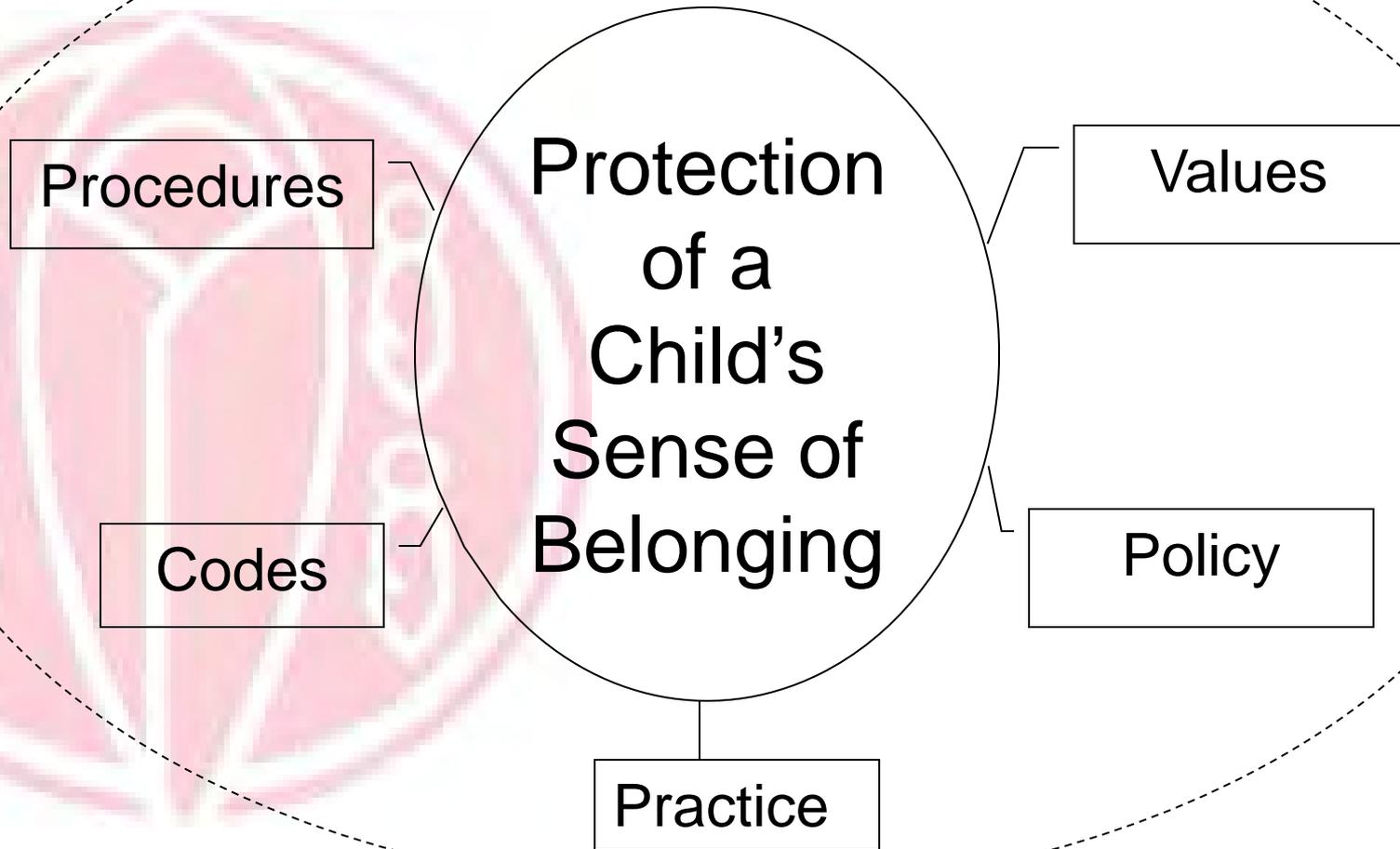




**Permanency  $\neq$  TPR**

# Permanency Planning

## Elements



# Permanency Outcomes

- *Remain safely with family/kin*
- *Reunify safely with family/kin*
- *Living safely with in guardianship with kin or other known and caring adult (close to kin)*
- *Adoption/Customary Adoption by kin, foster parent or another family*
- *Other planned alternatives*

# Thank You

## ***Contact information:***

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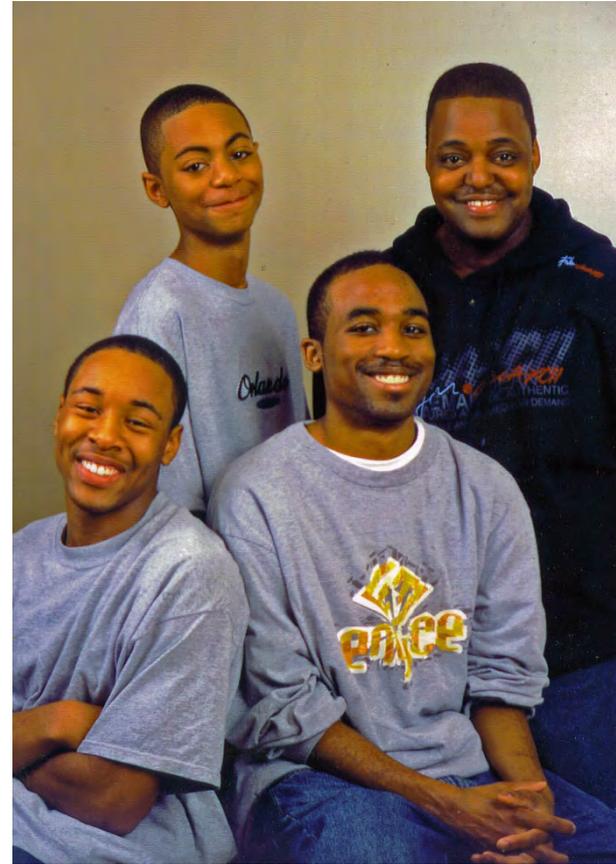
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# Adoption and Other Permanency Options for Older Youth & Siblings



# Permanency Options

- Family preservation
- Reunification
- Kinship Care
- Legal Guardianship
- Adoption by relatives or non-relatives
- Emancipation/Independent Living

## What is Permanency for Adolescents?

“They’re always talking about this permanency stuff. You know social workers...always using these big social work terms to talk about simple things. One day, one of them finally described what she meant by permanency. After I listened to her description, which was the first time anyone ever told me what the term meant, I said, Oh, that’s what you mean. Yeah, I want permanency in my life. I don’t think I ever had that? When can I get it?” Youth in foster care (Mallon, 2005).

## In 2010, there were 107,011 children waiting to be adopted.

- 16% or 17,618 had been in care for 5 or more years.
  - 64,084 of the 107,011 had parental rights terminated
  - An average of two years had passed since parental rights had been terminated.
- Majority of waiting children are children of color: 29% of the waiting children are African American; 22% are Hispanic; 2% are Alaska Native/American Indian
- 39% are White

# Increase in U.S. Adoptions from foster care

- 1988—15,000
- 1995—25,000
- 1997—31,000
- 2000—51,000
- 2002—53,000
- 2004—51,000
- 2005—51,000
- 2006- 51,000
- 2009- 57,000
- 2010- 52,340

# U.S. Children Adopted from Care (2010)

- Avg. age of 6.4 at adoption
  - 2% were less than one
  - 54% were between 1 and 5 years old
  - 27% were between 6 and 10
  - 14% are between 11 and 15
  - 3% are between 16 and 18

# Who were the 52,891 adopters from care in 2010?

- **Relationship to child**
  - Foster parents (53%)
  - Relative adopters (32%)
  - Non-relative adopters (15%)
- **Marital Status**
  - Mostly married couples (67%)
  - Single females (28%)
  - Single males (3%)
  - **Unmarried couples (2%)**

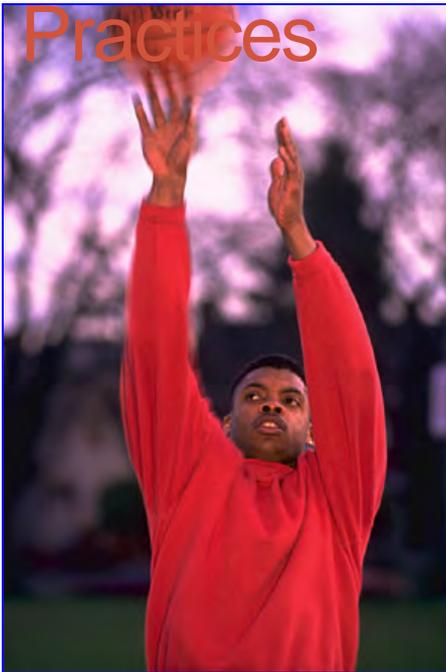
# Outcomes of Placements from Care

- Most adoptions are stable and remain intact (Barth & Miller, 2000)
- Many of problems experienced by adoptive families do not manifest until several years after the adoption is legally finalized (Smith, Howard & Monroe, 1998)
- Provide training on developmental needs of children who are medically fragile or substance exposed (Reilly & Platz, 2003)



# ADOPTUSKIDS.ORG

## Finding Families for Youth: Selected Promising Practices



- Ad Campaign—“You don’t have to be perfect”
  - Spanish Language Campaign
  - Siblings Campaign

# Fostering Connections to Success and Increasing Adoptions Act of 2008

- Supporting Permanency
  - Title IV-E agencies must make reasonable efforts to place siblings removed from their home in the same foster care, adoption or guardianship placement or facilitate frequent visitation unless it is contrary to the safety or well-being of any of the siblings.
  - Creates the option for title IV-E agencies to provide kinship guardianship assistance payments under certain requirements.
  - Creates the option for title IV-E agencies to extend title IV-E payments up to age 21 for youth who are part of an adoption or a kinship guardianship assistance agreement that became effective after the youth attained 16 years of age (and meet certain requirements).
- Additional information and guidance on Fostering Connections available on the Children's Bureau website at <http://www.acf.hhs.gov/programs/cb>

# Fostering Connections to Success and Increasing Adoptions Act of 2008

- Requires title IV-E agencies to exercise due diligence to identify and provide notice to all adult relatives of a child within 30 days after the child is removed from the custody of the parent(s), subject to exceptions for family or domestic violence.
- Creates competitive Family Connections Grants, including grants for kinship navigator programs, intensive family-finding efforts, family group decision-making meetings and residential family treatment centers that enable parents and children to live together in a safe environment for no less than 6 months and which provide a full range of services to meet the family's needs including substance abuse treatment.
- Additional information and guidance on Fostering Connections available on the Children's Bureau website at <http://www.acf.hhs.gov/programs/cb>

# Prevention and Family Reunification

- Work to prevent unnecessary out-of-home placement or to promote family reunification
- Alternative response—community based network of formal and informal support and services for children and families with multiple inconclusive child abuse and neglect referrals in order to divert families from further disruptions and entering the child protective system

# NEVER TOO OLD: Achieving Permanency and Sustaining Connections for Older Youth in Foster Care

- *A report issued by the Evan B. Donaldson Adoption Institute (July 2011)*
- Available through website: <http://www.adoptioninstitute.org>
  - Funded by: the Rosie O'Donnell Foundation & the Dave Thomas Foundation







# Children Need Families

- Child who aged out of care asked to complete a job application which included the question, “Whom would you call if you had an emergency?”
  - He replied: 911

For further information:  
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# Panel Discussion



# Audience Discussion



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