

Terminating the Parental Rights of Older Children (TPR), 2003-2004

Project Overview

The Terminating the Parental Rights of Older Children (TPR) project provided for a descriptive study of the effects of the termination of parental rights on older foster youths' foster care and adoptive experiences. The project entailed examining data from two primary sources: (1) focus groups with adoptive and foster parents, older foster youth, and child welfare workers; and (2) current federal adoption and foster care data from the Adoption and Foster Care Analysis and Reporting System (AFCARS), as well as relevant state adoption and foster care datasets.

Background

A major goal of the Adoption and Safe Families Act of 1997 (ASFA) was to enhance permanency options for children early in their foster care experience. For children who have been in care for a specified period of time, ASFA mandated that steps be taken to expedite the adoption process. This emphasis on the termination of parental rights (TPR) of children was based, not on their likelihood of adoption, but on the length of their foster care experience, which was predicted to increase the options for children and youth in foster care. While we know that the enactment of ASFA did in fact increase the number of public adoptions, we have little documentation about the short and long-term outcomes of these adoptions nor on the impact of TPR for children who remain in foster care and are not adopted. Initially, during the passage of ASFA, some critics warned that terminating the parental rights of youth when there is no foreseeable plan for adoption might render many foster youth "legal orphans." Whether or not this trend has indeed occurred is unknown. To date, there have been no federal evaluations of the TPR policy to assess the benefits and consequences for foster children.

Recent analyses of data from The AFCARS Report (March, 2000) indicated that there are 134,000 children who have had a goal of adoption or have their parental rights terminated. The average age of children waiting for adoption is 7.9 years and the average length of time spent in foster care is 44 months. Given the vulnerable characteristics of this population, identification of the adoptive outcomes of this current population of foster youth, as well as the disruption rates and factors associated with hastening or mitigating adoption disruption is greatly needed. This task order provided for a descriptive study that would compile information about this population and attempt to identify the practices and policies that might be improved to address identified issues. This task order entailed the analysis of existing databases such as AFCARS to examine the foster care experiences and outcomes for children whose parental rights are terminated at an older age. Additional study components involved informal discussions with judges and personnel in selected agencies, focus groups with adoptive and foster parents, adopted foster youth, and foster youth who have had TPR but remain in foster care.