

Act One

Volume 2, Issue 2

Adoption in Child Time, Inc.

April, 2000

ONE YEAR IS A LONG TIME IN THE LIFE OF A CHILD

adoption in child time (Act, Inc) is a not-for-profit corporation that

- promotes early permanence for foster children;
- trains attorneys in adoption law and policies;
- provides information and attorney referrals to foster parents interested in adoption.

toll-free in indiana:
1-877-Act-4kids;
out of state:
812-339-7403

web page:
<http://beam.to/act>

James a Kenny,
phd
President
Peter A Kenny, esq
Exec director
Frank Slaby, mba

New Law: Foster Parents Must Be Notified of Proceedings Involving Their Foster Children

Effective July 1, 2000, all Indiana foster parents must be notified of CHINS proceedings about their foster children either by certified mail or by notification

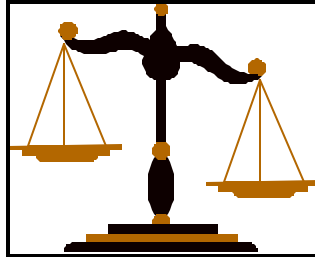
in person, according to a law passed in the last session of the General Assembly. The new law does not grant party status to long-term foster parents, the law which ACT

sought, but it does permit all foster parents, except convicted felons, to request party status. The judge is to allow this petition if the court determines that intervention is in the child's best interests.

Who Supported This Bill?

Senators **Katie Wolf** (D-Monticello) Johnny Nugent (R-Lawrenceburg), James Merritt (R-Indpls) and Pat Miller (R-Indpls) were our Senate sponsors and strong supporters. Senator Wolf especially worked tirelessly in the bill's behalf. In the House Rep. **Cleo Duncan** (R-Greensburg) and Rep. Sheila Klinker (D-Lafayette) were our sponsors..

The **Indianapolis Star** and their family issues reporter **Kathleen Schuckel** and editor **Tim Swarens** covered the story extensively and sympathetically. The **Indiana Foster**



Foster parents must be notified of proceedings pertaining to their foster children, may petition for legal party status.

Care and Adoption Association board endorsed the legislation and Executive Director **Christine Morrison** spoke in support. Indianapolis attorney **David Rees**

worked personally presenting our cause to numerous legislators. Most important, **you voters** provided extensive support through your calls and faxes to legislators. We'll never know how many called, but the feedback indicated that you called by the hundreds and did a marvelous job for foster kids.

Our Opponents

The Children's Coalition, comprised of numerous organizations and agencies, including **The Children's Bureau**, **One Church One Child**, **The Villages** (to p. 2)

ACT Schedules April Seminars

ACT will present three seminars in April for attorneys, foster parents, CASA's and social workers interested in bringing about early permanence for foster children.

ACT seminars include training for attorneys in the complicated world of foster parent adoptions. Attorney Peter Kenny discusses procedures relating to the DFC, legal strategies to cut through delay, special needs adoptions and how current federal and state law favor early permanency. Psychologist James Kenny explains how bonding can be recognized and

how it can be used as a legal argument for permanency. Attorneys, social workers and foster parents earn four hours of professional credit

The first seminar is on April 15, New Paris. For further information call Ken or Dianne Walker, 219-831-3113 or 219-831-2445.

The second seminar will be held Monday April 24 in LaPorte, the third Tuesday April 25 in Michigan City.. For information contact Karen Biernacki 219-324-3385.

How To Keep Your Attorney Happy

by Peter Kenny, Esq. Executive Director, ACT

What should you do to help your attorney help you advocate for your foster child? First, make sure your attorney has a copy of *every* document concerned with your child. Let your attorney sort through everything to determine what's helpful.

The strongest ingredient that can turn your plea into a *winning* case is a well-documented daily journal. Keeping a daily journal is the number one way you can help your attorney to help you and your foster child.

Judges can only make decisions about a child's caseplan based on the information presented in

court. This information, as presented by the DFC or the birth parents is often incomplete, biased or just plain wrong. Your foster child depends on you as the most informed person in the courtroom to give the judge accurate information about his needs. Your attorney, in turn, will depend on your well-documented daily journal as critical written evidence which can correct misinformation and bolster your position for what is in the child's best interests. The new law (see page 1) specifically allows the foster parent to present written evidence to the court.

Include everything in your journal, the more information the better. You never know what problems may develop. Here are some situations where a daily journal is extremely helpful:

1) You may need to defend yourself against a false allegation of abuse or neglect. 2) You may feel that a proposed visitation with a particular person would be harmful to the child. 3) You may be pursuing an adoption which one or both birth parents is contesting. Legal standards can be proven with the

help of your journal by which the court can rule that consent of the birth parents is not required.

Write something daily or at least every few days, particularly when your foster child has had some special event in his life. Do not use your journal to attack the birth parents, the DFC or any other interested parties.

Instead pretend you are a camera, and record what happened each day. Did the child cry, laugh, get angry, act out, appear sad? De-

scribe any actions of the child which lead to your conclusion: failing to eat, unexplained sickness or vomiting; fighting with another child in the household; destructive behavior of any kind. Describe the good things as well: school successes, kindnesses, good interactions with peers.

Start today to keep a journal. Your attorney and your foster child will thank you.

Keeping a daily journal is the number one way you can help your attorney to help you and your foster child.

New Law(cont.)

Our Opponents (cont.) of Indiana, Child Advocates, Indiana Juvenile Justice Task Force, and Family Works, spoke in opposition. **Cathleen Graham** spoke for The Children's Coalition and also as a private citizen. Graham formerly worked for the Division of Family and Children directly under Director James Hmurovich. Graham is the new director of IARCCA, an association of residential child care agencies. She opposed us vigorously.

Marion County **Judge James Payne** came to the Statehouse to testify against legal party status for foster parents.

Not all members of these organizations opposed the bill. Senator Wolf polled five judges in her district, all of whom supported legal party status for foster parents as an excellent bill. A staff person for The Villages who works with foster parents spoke in support of the bill.

ACT Brochure "Advocating For Your Foster Kids" Now Available

ACT's newest brochure suggests seven ways that foster parents can advocate effectively for the children in their care. Foster parents have day-to-day knowledge of foster children, and their input is important in making decisions affecting the lives of the children.

The seven recommendations discussed at greater length in the brochure are: keep a journal; attend all hearings and conferences;

ences; use the case conference policy; use an attorney when you need one; exercise your right to be heard in court; work with your CASA; and know who's in charge.

To order this brochure send a business size SASE to the address on page 4. ACT brochures are free, and they may be reproduced and distributed. For other publications, see The ACT Bookstore on page 3.

Using Our Hard-Won Resources by Martha Nord, ACT Intake Specialist

During our foster parent training, we learned that foster parents are part of the child's team, along with birth parents, the caseworker, therapists and other folks involved in the life of the child. After we actually became foster parents, many of us

learned that we are not treated as equal team members. Many of us have learned to our great dismay that a decision has been made without the entire team reaching consensus or even knowing that a decision was being made! Surely the

best interests of the child are not served unless there is lots of talk and information shared among all the team members. I do not want the power to decide the outcome of a case. I do want an equal voice in the process. I want to hear and be heard.

The case conference policy

and the new law discussed in this newsletter are designed to make sure we know what is going on in our child's case and are heard. Now we and our local OFC actually must use the policy and the law. We need to make sure foster parents are aware of them. Spread the word to fellow foster parents and talk with someone in your local office to make sure the caseworkers are aware of them.

Even though the case conference policy has been in effect for a couple of years now, caseworkers and foster parents are still unaware of it. If you need information about the policy, order it through The ACT Bookstore (see information in right column).

We can't afford to lose these important tools by not using them. We can't afford to be ignored. Our children need our voice.

(Martha Nord is the person behind the friendly, competent voice you hear when you call our toll-free line. — Ed.)

The best interests of the child are not served unless there is lots of talk and information shared among all the

Meet Frank and Betty Wade People Who Make a Difference

(People all over our state are working for the good of our most vulnerable children. Through ACT we have had the privilege of meeting many of them. From time to time in these pages we'll introduce them to you. Editor.)

Frank and Betty Wade of Versailles are no strangers to advocating for Indiana's most vulnerable children. Although retired, they are active CASA's for Ripley County. Last year the Wades brought ACT to Batesville for a seminar.

Several years ago they realized

that, since there was no background check for foster parents in kinship care, a convicted felon could quite possibly be licensed. They contacted their representative Cleo Duncan, got legislation passed, and the three began a relationship of translating advocacy for children into effective legislation. Through the Wades, Rep. Duncan became a sponsor of our present legislation.

Both Frank and Betty seek ways to bring the needs of foster children to public attention. Betty observed that the homemakers of

The ACT Bookstore

ACT publishes and offers for sale the following books and pamphlets: See address on page 4.

The Right To a Permanent Home: Stopping Foster Care Drift. (2nd edition) 1998. 52 pages. \$21.50 ppd. Summary of the research on bonding and attachment, new federal and state laws, DFC policies, and adoption subsidies. Written as a legal brief.

The Attorneys' Resource Book. (regularly updated), 1998, 313 pages. \$53.00 ppd. A how-to book for attorneys including the current laws, policies, forms to file, and info on how to get paid.

Bonding and the Right To a Permanent Home. 1999. 16pp. \$5.00 ppd.

The following ACT brochures are free with a business size SASE. Up to four brochures per envelope. Brochures may be copied and distributed. Please credit ACT on all copies.

ACT Information Brochure.

Questions and Answers About Adoption by Foster Parents.

The Importance of Bonding In Legal Decisions.

The Indiana Case Conference Policy.

The Indiana Cooperative Adoption Law.

Adoption Subsidies and Tax Issues For Adoptive Parents.

How To Advocate For Your Foster Child

P O Box 305
Rensselaer IN
47978-0305



Much As We Hate To Ask...

*We'll get by
With a little help
From our friends.*

*Our thanks in ad-
vance
To all those who
help with
financial support*

Have you ever wondered how ACT is financed? Sometimes we do too. Actually most of our efforts involve work by people rather than financial resources. We are doers, not builders. In addition generous folks around the state have given us in-kind services, allowing us to use their resources for our benefit.

Nevertheless, we do have ongoing needs: publishing and mailing are regular expenses as is our toll-free telephone line. All of these provide information about the needs of foster children.

They are extremely effective ways to carry out our mission.

Currently ACT personnel volunteer their time, taking time from their own occupations to work for ACT. We would like to provide a small monthly stipend for our regular volunteers: the intake specialist who answers our toll-free phone number and our executive director who works without pay to research many ACT questions.

How You Can Help

ACT has set up a fund within the Jasper Foundation, a not-for-profit community foundation in Jasper County.

You can support ACT by making a contribution which is tax-free to the extent allowed by law.

Gifts of \$25.00 or more are welcome. Make out a check or money order to The Jasper Foundation and mark it "For ACT, Inc." Mail your check to ACT, Inc. P O Box 305; Rensselaer IN 47978.

Your support for the foster parent bill brought about a new law to benefit foster children. If you can support us financially as well, we can expand our efforts. For that we are grateful.