

Act One

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Adoption in Child Time, Inc.

December, 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 PERMANENCY FOR FOSTER CHILDREN;
- TRAINS ATTORNEYS IN ADOPTION LAW AND POLICIES;
- PROVIDES INFORMATION AND ATTORNEY REFERRALS TO FOSTER PARENTS INTERESTED IN ADOPTION.

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DFC Presents New Statistics on Children in Care Length of Stay in Foster Care Is Drop-

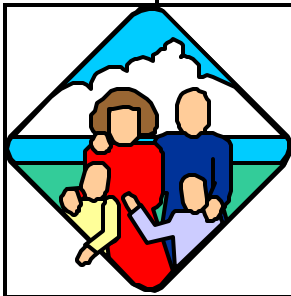
Efforts to decrease the time Indiana children spend in foster or residential care and to move those children to a permanent home are steadily improving according to recent statistics from the Division

of Family and Children. Director James Hmurovich, in a letter to ACT President James Kenny, reports that as of the end of September,

2000, "Indiana has approximately 3600 children that are in care and have been in care 15 of the most recent 22 months." The criterion, 15 of the most recent 22 months, is the time after which, according to current federal and state laws, termination of parental rights is mandatory. Hmurovich continues, "...adoption reports show us that 1200 of those children have pending termination cases. The good news is that 986 of those children already have identified adoptive homes."

Who is adopting these 1200 children who are awaiting termination of parental rights? Foster par-

ents are waiting to adopt about half, the largest source of adoptive homes. Approximately 33 percent await adoption by relatives, while about 17 percent have no permanent home and await parents.



Indiana has approximately 800 children for whom a TPR has been completed but who have no permanent homes. Of these, about 550,

almost 70 percent need families. The other 250, about 30 percent, have an "alternate permanency plan."

In the two groups, TPR pending and TPR completed, as Hmurovich continues, "we will have to continue our adoption recruitment efforts for approximately 775 children."

Approximately 2400 of Indiana's children have been in care for 15 of the 22 most recent months, yet termination of parental rights has not begun. However, comparisons of (cont. on page 2) the first, second and third quarter of the year indicate

Tricia Blender Receives ACT's First Partners in Permanence Award

Tricia Blender, policy manager for the Indiana Department of Families and Children, was honored with ACT's first *Partners in Permanence* Award. The award was presented at the annual convention of the Indiana Foster Care and Adoption Association (IFCAA) in Indianapolis, November 9-11.

In her job Blender is responsible for developing and augmenting the policies of the DFC. Her office addresses such important issues as the definition of bonding and its applications, concurrent planning, the case conference policy, and the revision of policies in the outdated foster parent handbook.

Blender concerns herself not only with the development of DFC policy but also with its implementation. She shows a personal concern for foster parents and children across the state. She is accessible by phone and e-mail, and she wants to know when policies are ineffective or are not implemented.

(continued on page 2)

ACTion News Notes for Foster Parents and Child Advocates

New Law In California

California has recently passed a law which offers post-adoption agreements related to the foster care system. The law ensures that all parties will have the option, on a voluntary basis, to negotiate and reach a mediated post-adoption agreement that allows the child to have some type of contact with his or her biological parents.

Indiana was the first state in the nation to introduce a cooperative adoption bill in the legislature. The bill became law in Indiana in 1994 and was amended in 1997 to include post-adoption agreements related to siblings adopted into different homes.

Foster Care Plus

Foster Care Plus is a program offered through Dunn Mental Health Center in eight Indiana counties. The program provides additional financial support to foster parents for extra services. Foster Care Plus is presently available in these counties: Adams, Bartholomew, Clark, Fayette, Floyd, Jay, Randolph, and Wayne. For more

information, contact Dian Eilers, of the IFCAA board at 219-489-2823.

Director Welcomes Email

James Hmurovich, director of the Division of Family and Children, welcomes input from foster parents about policies of the foster care system. His Email address is :
jhmurovich@fssa.state.in.us

Foster Parent Agreement Scheduled For Update

The agreement between the DFC and foster parents, which every foster parent signs during the licensing process, is due for update according to DFC director Hmurovich. The present contract predates the new laws of 1997 and 1998 and many DFC policies. The new contract will include rights and responsibilities based upon those laws and policies and will bind both foster parents and the DFC. Norma Stewart, foster parent advocate, is in charge. Send your input to ACT intake specialist Martha Nord at our toll-free number.

DFC Statistics

Cont from Page 1

that the number of TPR cases is increasing from 783 in the first quarter of this year to 1204 in the third quarter.

The DFC has a goal of reducing the average length of out-of-home placements by 20 percent. Here is how our ten largest counties, by number of children in care, did in the nine-month period from June, 1999 to April 2000:

County	P e r c e n t change
Lake	-6.4
Marion	-11.8
Allan	-17.8
St. Joseph	+0.6
Vanderburgh	-37.5
Elkhart	-6.4
Delaware	-4.1
Porter	-6.6
Clark	-1.6
Monroe	-6.4

Overall in this period the state average for months in placement decreased from 23.7 months to 20.97 months, a decrease of 11.4 percent.

Finally, third quarter, 2000, statistics show that 255 adoptions were finalized statewide during the third quarter, while 1,506 adoptions await finalization.

Lots of statistics. The good news is that the state is concerned over delay and seeks permanence for children. Every statistic represents a child whose very life depends on wise judgment. ACT continues to advocate for permanency decisions in one year or less. ACT remains convinced that "A year is a long time in the life of a child."

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Blender Receives Partners In Permanence Award (continued from page 1)

ACT president James Kenny presented Blender with a plaque which bears the quote from Margaret Mead: "Never doubt that a small group of committed people can change the world. Indeed, it is the only thing that ever has."

The certificate accompanying her award read in part: Ms. Blender has solicited ACT's in-

put, responded to our concerns, and shown courtesy and grace in listening to and helping our staff, even when she may have disagreed. We are appreciative. More than that, we recognize with her that better solutions are achieved when everyone is constructively involved.

Problems With the Notification Law by Peter Kenny, ACT Executive Director

Senate Bill 330, effective July 1, 2000, was intended to guarantee that foster parents would receive notification of all court hearings and thus be assured a chance to speak as the future of the children in their care was deliberated. It has not worked for two important reasons.

First, the law requires that the DFC notify the foster parents ten days in advance. If the DFC fails to do so, the hearing is to be continued. The obvious question is: What if the foster parents are not notified? Without legal standing they have no way to bring this omission to the judge's attention. To file a motion they must have standing. The DFC is unlikely to bring their failure to light, especially if they disagree with what the foster parents might say. Making notification the responsibility of a potential adversary presents a problem.

A second serious problem involves the unnecessary introduction of increased paper-

work and potential court delays. By requiring documented notification for all foster parents, even those who have had the child for a few days, and mandating a continuance if this does not occur, the law has generated more paperwork and made delay more likely. If the goal is to achieve permanence for homeless children within as short a time as possible, the system should be streamlined, not complicated.

A simple remedy exists. Grant legal party status only to long-term foster parents, those who have had the child in their care for 12 months or more. In this way, those who have the most to say about the child's day-to-day life and who have the most to offer in terms of a possible adoptive home would be guaranteed a full say. Further, since these foster parents would have standing, the courts and not the DFC would have the responsibility for notification.

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. The meaning of bonding; case law; DFC policy. For everyone involved in foster care.

The Attorneys' Resource Book. (regularly updated), 1998, 313 pages. \$53.00 ppd. A how-to book for attorneys: laws, policies, forms..

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.

When Foster Parents Need An Attorney

What happens if the foster parents are not notified?

New Brochure: When Foster Parents Need An Attorney

Foster parents frequently hesitate to hire an attorney because they fear being called troublemakers or because an agency or case manager has told them it is not necessary. Unfortunately engaging in legal proceedings without an attorney can cause a greater use of time and money down the line to straighten out matters. In some instances errors cannot be corrected after the fact.

Foster parents need an attorney as soon as they seriously consider adopting their foster child or whenever their rights are threatened.

ACT has published a new brochure on this subject. To learn more, send for your free copy of ACT's new brochure from The ACT Bookstore in the column at right.



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Mailing
Address
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In This Issue...

DFC provides statistics on Indiana's foster children...New brochure...Blender wins award

ACT's Holiday Wish List

Wouldn't It Be Wonderful If...

When a foster family expressed the desire to adopt their special needs foster child, the DFC or agency sent them roses...

No child was removed from his or her home until the parties involved reached agreement about the best plan for the child's future...

Every child in placement received a holiday gift this year: a permanency plan to be implemented within the next year...

Every birth parent, every foster parent, every caseworker, every child advocate, every attorney, and every judge recognized that the best interests of the child must be the criterion in decisions affecting the child's whole life and future...

Every decision regarding a foster child's future recognized that bonding between child and adult is a sacred relationship which is broken only at great peril to the child, the adults, and society at large...

Blessings on you and your family this holiday season