

Act One

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Adoption in Child Time, Inc.

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

COMING SOON: *Concurrent Planning* *New Programs Should Shorten Time in Foster Care*

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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The Adoption and Safe Families Act of 1997 mandated that permanent homes be found for foster children within a year. Unfortunately, passing a law does not guarantee compliance.

Indiana has reduced time in foster care from an average of 39 months to 19 months in just three years. While that is laudatory, 19 months is still far too long for the average foster child to be without a permanent home. We can do better.

Lack Of Permanence Damages Children

A child is not an object that can be safely parked in a holding pen. Children are growing, and the lack of permanence will stunt their ability to attach and their developing sense of compassion.

All efforts must be geared toward permanence in "child time."

Concurrent Planning

ACT has learned from top staff in the Division of Family and Children that Indiana is awaiting federal approval to initiate concurrent planning. The DFC hopes to begin a pilot project in three counties on or about October 1.

When a child is removed from his birth home, reunification will remain the primary objective. However, with concurrent planning an alternative permanency plan will also be

in place from the start. Should reunification fail, there would be no more "starting over." Instead the alternative plan would immediately be implemented, thus shortening the time spent in foster care.

As part of this planning, those foster parents who are open to adoption will be so identified from the start. No longer will foster parents vie with other potential adoptive parents for a child who has already become a part of their home.

A second proposed major improvement will be the development of a complete "genogram" within 90 days of removal from the home. All relatives will be identified and located. If kinship placement is anticipated, it can be implemented soon after the child is removed from the birth home. By eliminating the practice of locating relatives after the child has bonded within a foster

home, the potential for broken relationships will be greatly reduced.

Shortening Time In Foster Care

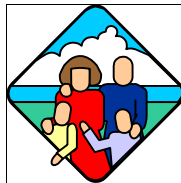
The biggest obstacle remains the attitude that children can be parked for extended periods of time without harm. Courts and caseworkers must understand that delaying permanence in a developing child amounts to abuse.

Shorter stays in foster care, fewer moves and fewer broken relationships await foster children as the state implements concurrent planning.

ASK ACT

A major part of ACT's mission is to provide information to foster parents who wish to adopt and to their attorneys. You may contact us through our toll-free (in Indiana) phone number; or through our email address. Both are found on our web site and on our mast to the left on this page.

Two other helpful web sites providing a wealth of information for foster parents are: childadvocacy.org for general information and info@jlc.org for information about children's law.



A Powerful Advocacy Tool for Foster Parents

by Peter A. Kenny, Esq. ACT Executive Director

Indiana foster parents have a powerful procedure, the Indiana Case Conference Policy, to advocate for the children in their care. This policy is the envy of child advocates in other states.

As then DFC Director James Hmurovich said in his Directive 97-12 (Nov 11, 1997), "The purpose of this policy is to establish consensus on what is in the best interest of the children in care. The DFC and Foster Parents, in collaboration, can build and support a safe environment in which information will be shared and valued."

Ideally a case conference should be held before any major change in a child's case plan. A case conference must be held upon the request of the foster parent, legal parent, OFC, CASA, or GAL. Foster parents must be given their voice, and if they disagree with the majority, they may request two appeals within the DFC system BEFORE the "new" plan can be accomplished.

The foster parents, the OFC, GAL or CASA may request a case conference. Foster parents should do this by mail with copies sent to the case manager (FCM) and the FCM's supervisor. The core group for a case conference must include the foster parents, FCM or supervisor, legal parents, GAL or CASA, and the child if appropriate. Also, teachers, counselors, or any person having relevant information about the issue at hand may be invited by any member of the core group. The conference is to be held within ten days of the request for a conference.

If after meeting, the core group cannot reach complete

consensus concerning a recommendation to the court, the county director is to review the case and try to bring the group to consensus. If the foster parents are still not in agreement with the decision, they may invoke the Communication Enhancement Procedure which takes the issue to the regional level. This request must be in writing and addressed to the Regional Manager or designee whose name and address shall be provided by the county director. The regular communication enhancement procedure shall be followed as outlined in the Foster Family Handbook.

Appropriate issues listed in the DFC Manual for review by the regional committee include: removal of the child from the foster home; conflicts, difficulties or differences between foster parents and the case manager; foster parent involvement in the development of the child's case plan; access to and availability of the case manager; involvement of foster parents in the choice of children placed in their foster home; lack of use of the foster home for placement of children; and the failure of the OFC to reassess the foster parent's request for a special needs per diem for the care of a child requiring extraordinary care.

The committee which is to review the case at the regional level is to be comprised of a county director or designee, a family case manager or supervisor, two licensed foster parents, and a community representative. The county director and case manager are to be from different counties as are the two foster parents. The community member is not to be a current or former OFC staff

person or foster parent, but must be knowledgeable about child welfare and foster care issues.

If the issue involves the placement or removal of a child, the Regional Manager must convene the committee within ten working days of receipt of the request. All other reviews must be held within thirty days of receipt of the request. The foster parents may wish to be accompanied by another foster parent for this review. The original county director will designate who presents the case for the original county OFC.

A majority of the regional committee members shall constitute the decision of the committee. In the event of a tie the Regional Manager casts the deciding vote. The committee's decision is binding on the OFC and on the foster parents.

Indiana OFC policy is strongly committed to giving foster parents a voice. The Case Conference Policy is a powerful way for foster parents to make their voices heard before going to court. Foster parents who are truly committed to the children in their care owe it to those children to use the Case Conference policy whenever they feel the child could be better served.

IFCAA Conference

The Indiana Foster Care and Adoption Association will host the 30th Annual Training Conference on November 14, 15 and 16 this year in Indianapolis at The Four Points Sheraton; 7701 East 42nd Street, off I-465 and Pendleton Pike.

Cost of the IFCAA Conference will again be \$35.00 per day for members and \$45.00 per day for non-members. Brochures will be mailed out in late September.

Who Is My Brother, My Sister?

When Siblings Should and Should Not Be Separated
by James A. Kenny, Ph.D.

“The bond between siblings is often the longest lasting relationship most people have, and these bonds help children develop their own unique personal identity throughout their lifetime.” (Indiana DFC Manual: 403.33) When children must be removed from a birth home for cause, every effort should be made to keep the siblings together. Problems arise when children have spent six months or more in a foster/adopt home and have bonded with their new family, then are found to have siblings in other homes whom they have never met.

Who is my brother? Who is my sister? Is he the one with the same biological parents? Or the one with whom the child has been raised for a significant period of time? What if a choice must be made between a “blood” brother and the foster brother with whom the child has bonded?

Like “parent” the word “sibling” refers to a child’s relationship with a person who plays a significant role in his life. Significant relationships are established in a variety of ways: through a sharing of genes; through marriage (this bond requires that no genetic relationship exist); by contract (an objective and binding legal promise of reciprocity); through a significant attachment known as “bonding”; through friendship (an important but less vital relationship.)

The policy of the Indiana Division of Family and Chil-

dren (DFC) is equivocal. On the one hand, the DFC defines bonding in four different ways with the strong implication that bonded relationships should be preserved (DFC Child Welfare Manual 805.13). On the other hand, the Manual stresses the importance of keeping siblings together. Both concepts are wise and can be applied. They need not be contradictory.

Once siblings have been separated, for whatever reason, other factors must be considered in future placements. Is a genetic tie more important than bonding? No. It is not in a child’s best interests to remove him from foster/adopt parents with whom the child is bonded to place him with a heretofore unknown biological sibling in a home he has never known

“If a child is placed in a relative or foster family home in which the criteria for an adoptive placement are met, continuance in that home in which the child has formed strong positive attachments is in the child’s best interests.” (Manual: Section 713) Thus the DFC resolves the matter of conflicting relationships. If a child has bonded to the members of a new family and that family is willing to make a permanent commitment, bonding prevails.

For more on sibling relationships see ACT’s new brochure: “Who Is My Brother?” available from our bookstore or on our web site.

The ACT Bookstore

ACT publishes and offers for sale the following books and pamphlets. Many are also available on our web site. See address on page 4.

The Right To a Permanent Home: Stopping Foster Care Drift. (2nd edition) 1998. 52 pages. \$11.50 ppd. The meaning of bonding; case law; DFC policy. For everyone involved in foster care.

The Attorneys’ Resource Book, 1998, 313 pages. \$33.00 ppd. A how-to book for attorneys: laws, policies, forms.

Bonding and the Right To a Permanent Home. 1999. 16pp. \$4.00 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
- Who Is My Brother? My Sister? When Siblings Should and Should Not Be Separated

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Concurrent planning coming to Indiana...On keeping siblings together...IFCAA Conference

The Harvest

Author Unknown

I did not plant you, true...
But when the Season is done...
when the alternate prayers for sun
and for rain are counted...
when the pain of weeding and the pride of
watching are through...
then I will hold you high.

A shining sheaf above
the thousand seeds grown wild.
Not my planting, but by Heaven, my Harvest...

....My own Child.