

Act One

Volume 5, Issue 3

Adoption in Child Time, Inc.

October, 2003

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

INDIANA TOLL-FREE:
1-877-ACT-4KIDS

OUT-OF-STATE:
1-317-889-9871

WEB SITE:
WWW.ADOPTIONINCHILD
TIME.ORG

E-MAIL:
ACT4ADOPTION@HOTMAIL
.COM

TIMOTHY J. POWERS ...
PRESIDENT
PETER A. KENNY, ESQ.
...EXECUTIVE DIRECTOR
FRANK SLABY, MBA
...SEC./TREASURER
BOARD MEMBERS:
MARK BONTRAGER, ESQ.
BR. TIM HEMM, C.PP.S.
JANES A. KENNY, PH.D.
MARTHA NORD
TONY ROGERS

ACT Expands Board To Better Serve You: Meet the Members

To better serve the foster children of Indiana ACT has expanded its board. The board now reflects a broader state-wide membership and a diverse set of interests and skills.

ACT officers too have changed. Jim Kenny has moved from president to board member, reversing roles with Tim Powers. Here are ACT's current officers and board members.

TIM POWERS has accepted the office of president. Tim is the President of School Datebooks, Inc. in Lafayette, IN, a company that produces school planners nationwide for schools from elementary to college. School Datebooks has been a strong supporter of ACT and Tim brings his business experience and management and planning skills to our organization.

PETER KENNY, executive director, is an attorney in private practice statewide who assists foster parents who want to adopt their foster children.

FRANK SLABY, secretary/treasurer, is a founding member of ACT, a businessman, entrepreneur and farmer

who brings his business skills to ACT's leadership.

MARK BONTRAGER, holds an MSW and a JD from Indiana University. He has many years experience as a social worker with The Villages and now practices family law and serves foster parents in adopting their foster children.

TIM HEMM is a brother in the order of the Missionaries of the Precious Blood. He has served for many years at St. Joseph's College in Rensselaer IN and has wide experience in youth ministry. Through him St. Joseph's College has supported ACT with many in-kind services.

JIM KENNY is a foster/adopt parent, clinical psychologist, a founder of ACT, and a long-time advocate for children. He divides his time between Rensselaer and Indianapolis.

MARTHA NORD of Bloomington, IN, is a foster/adopt parent, a teacher, and a long-time advocate for children.

TONY ROGERS is a foster/adopt parent, an advocate for children, and the vice-president of Hydrotech Corp in Anderson, IN.



What Is ACT?

Adoption in Child Time, Inc. (ACT) is a non-profit organization whose goal is to achieve permanence for foster children within a reasonable length of time. ACT calls it "child time" and takes as its motto: a year is a very long time in the life of a child.

The Adoption and Safe Families Act of 1997 basically mandated that children spend no more than one year in out-of-home placement. ACT came into being to help achieve this goal.

ACT has trained attorneys all over Indiana in the laws and DFC policies necessary to achieve adoption of special needs children. The names of ACT trained attorneys are available by calling ACT's toll-free (in Indiana) phone line: 1-877-ACT4KIDS. The ACT toll-free line also offers foster/adopt parents a free legal consultation regarding their situation.

ACT offers seminars at no cost to train CASA's and foster parents in psychological needs of children in care as well as legal aspects of their situation.

Finally, ACT meets regularly with staff from the DFC to act as a liaison between foster parents and the state.

In short, achieving early permanence for children in care is ACT's mission and

ASK AN ACT ATTORNEY

We have a foster child placed with us for adoption. Can we see their file from the Office of Family and Children?

The short answer is yes. In fact, a report summarizing the available records shall be provided by the Office of Family and Children to the adoptive parents by the time of placement or, with the consent of the parents, within 30 days after placement (IC-31-19-17-2). Furthermore, the law provides that adoptive parents have the right to view, receive copies and inspect the file of the child they are adopting (IC 31-19-17-3, IC 31-19-17-4). Specifically, a summary of social, medical, psychological and educational records concerning the child should be provided. If this information is not in the possession of the local Office of Family and Children, then they must attempt to obtain a copy for the adoptive parent upon request. As an adoptive parent, you have the right to view and request copies of the file, minus identifying information about the birth parents.

The request to view a file is best made in writing to the caseworker. Set aside several hours to a half day and take all necessary time to thoroughly look through the file. The records are sealed once the adoption is finalized. Look for information that you as the adoptive parent may want to know, but also bear in mind what information the child may want to know presently and years from now. Adoptive parents become the historians for their adopted child.

Mark Bontrager, Esq.
My adopted child will be

turning 18 soon. Is there any way to continue the adoption subsidies past age 18?

If the county Office of Family and Children is provided information that the child has a physical condition or a mental, emotional or physical handicap that requires a continuance of benefits, AAP benefits (the federal portion of the benefit) may continue until the child reaches age 21.

For the child who was awarded County Adoption Subsidy by the adoption court, that same court may order that subsidy to continue until the adoptive child becomes 21 years of age if the adoptive child is enrolled in a secondary school, college or university, or course of vocational training leading to gainful employment. The law says that the child must petition the court for continuation of the County Adoption Subsidy; however, the parents or an attorney can assist in this process.

Peter Kenny, Esq.

ACT offers a number of ~~informative books and brochures.~~

THE ACT BOOKSTORE

The Right To a Permanent Home: Stopping Foster Care Drift. 1998. \$11.50 ppd.

Bonding and the Right To a Permanent Home. 1999. \$4.00 ppd.

For information on our brochures, visit our website: www.adoptioninchildtime.org. where the brochures can be downloaded.

Court Opts For Bonded Relationship Over Blood Tie

The Indiana Court of Appeals recognizes the importance of parenting and bonding when it comes to adoption. In a recent decision, the Court of Appeals held in the case of *Gerweek v. Schoenrad* (2003-159) that biology is less important than a child's relationship with a man who has been a father in the terms that matter most. The court upheld the adoption of a girl to a man who has cared for her as his daughter for five years while dismissing the biological aunt and uncle's adoption petition. This case demonstrates a continuing shift in the courts toward a greater awareness of bonding.

In the past, courts weighed the biological connection heavily and may have allowed it to overshadow the critical bonding that takes place when people live together and "act" as a family. This ruling could prove important in situations where foster parents caring for a child file a petition to adopt and the foster child's long-lost relative files for adoption as well. The court should give some weight to the bond between the child and the foster parents. The recognition of bonding or in the court's terms "being a father in the terms that matter most" should provide some guidance for judges in those cases. The new ruling does not change the prevailing standard in child welfare which is "the best interest of the child," but it does show that bonding is an important factor when deciding the best interests of the child.

GOING DOWN

The Division of Family and Children announced that the average time in foster care in Indiana dropped to slightly over 15 months in 2002. This compares to 20 months in 2001 and 39 months before federal and state legislation in

IFCAA Takes on New Role and Responsibilities

In the year 2003 the Indiana Foster Care and Adoption Association (IFCAA) began several new responsibilities within the state of Indiana. Executive director Christine Morrison outlined IFCAA's new role for ACT ONE.

According to Chris, IFCAA has undertaken three new projects this year: administration of the state's adoption internet site: www.adoptachild.in.gov; publishing *opening hearts. changing lives*, formerly *My Forever Family*; and planning a state wide campaign to recruit foster parents, starting in 2004.

Opening hearts. changing lives presents pictures and a bio of many of the children of Indiana who are available and waiting for adoption. The magazine also includes a wealth of information about adoption in general.

The campaign to recruit foster parents, which will begin in 2004, is the first such effort state wide.

To answer questions from potential adoptive parents, IFCAA maintains for the state the toll-free number, 1-888-25-ADOPT. Here IFCAA answers all kinds of questions about adoption from general inquiries on adoption to specific questions about a certain child featured in *opening hearts. changing lives*.

Interested persons can also contact IFCAA through e-mail at

adoption@iquest.net. "Over half of our inquiries come from e-mail," noted Chris.

When a potential adoptive parent calls IFCAA, they are given the person to contact in their region of the state as well as contact with the person who schedules training for becoming an adoptive parent. And the county of the interested party is notified that this family has expressed interest. Through their extensive data base, IFCAA is able to disseminate information state wide to all parties concerned in a potential adoption.

To accomplish these new tasks, IFCAA moved to a larger office on National Road in Indianapolis and expanded staff from two to seven persons.

Although adding new duties and services, IFCAA continues the role it has had since its inception in 1972: to represent foster and adoptive parents in Indiana. "We are the only organization that represents foster parents state wide," says IFCAA president Bryan Whitehead. "Our goal is to have every foster/adopt parent a member."

A future goal of the IFCAA board is to develop a certification or even associate degree for trained and experienced foster parents.

IFCAA hosts their annual conference November 13, 14 and 15 in Indianapolis. To learn more about the conference, call IFCAA at 1-800-468-4228.

ACT Seminar November 6

ACT attorneys Peter Kenny and Mark Bontrager and psychologist Jim Kenny will present a seminar in Indianapolis on November 6 at 7 p.m. at the First Mennonite Church of Indianapolis, 4601 Knollton Road.

"Questions and Answers About Adopting From Foster Care" is the topic and audience questions and input are welcome.

Two hours of foster parent training is available. Child care is available on site. Refreshments will be served. And it's free.

Directions: Exit I-65 at exit 119 (38th Street) to Kessler Blvd. Take Kessler Blvd 1/2 mile north to 44th Street. Right on 44th to Knollton Rd. Left on Knollton. Turn on 46th to parking lot.

CONCURRENT PLANNING IN INDIANA AN UPDATE

Concurrent planning began in Indiana as a pilot program in six counties on October 1, 2003. Under the program, when a child is removed from the birth home, an alternative permanency plan is put in place. Reunification with the birth family is still the primary goal for at least six months, and that plan is to be diligently pursued. Failing that, a second plan for permanency has been developed and is ready should it be needed. The object is to decrease the time the child spends in temporary care.

Counties involved in the pilot program are Allen, Fayette, Marion, Owen, St. Joseph's, and Wayne.

IFCAA is the organization that represents foster and adoptive parents state wide.



P O Box 305
Rensselaer IN
47978-0305

In This Issue...

ACT expands board...Bonding takes precedence, says court...IFCAA works for permanency

*At Last, A Book That Gets It Right
By An Author Who Knows*

Ah, the media. If they aren't depicting foster parents as brutal and money grubbing, they are presenting them as saints, free from error, temper, or fatigue.

But now, a real, articulate and beautiful presentation comes from someone who should know: Paula McLain, author and poet, has written *Like Family: growing up in other people's houses, a memoir*. Starting at age 4, she spent 14 years in foster care.

It is all there: the arrival at a new home; the awkwardness of suddenly "becoming family" with people who minutes before were total strangers; the hope that this will be the last move; the sudden and unexplained move (the caseworker picks her up after school with her possessions in grocery bags; she moves to a new school; as for her best friend, she remarks simply, "I never saw Olivia again."); the problems (she bedwets at her foster placement, but she never bedwets when visiting her grandma); the uncertainty (she is moved because her foster parents are supposed to move away; months later they have not moved; were they just saying that to get rid of her?).

Underlying her entire life is the lack of belonging, the lack of permanence. This was the 1970's and early '80's. A permanent home does not seem to enter into planning at any stage. Mom deserts the kids. Dad appears now and then. Relatives move in and out of the lives of the children. Paula and her sisters live nine years with one foster family - still they do not have a permanent home.

If you are not moved by this book, you must be stone cold dead in the mountain. It is a book for every foster/adopt parent, every caseworker, every juvenile judge, every adoption attorney.

Available at bookstores and libraries.