

Four Steps

Judges and Court Professionals Can Take

To Promote Permanency for Youth in Foster Care



Voice for Adoption
SPEAKING OUT FOR OUR NATION'S WAITING CHILDREN



1. Promote Positive Attitudes toward Permanency

- Believe – and set the expectation for others – that EVERY child is adoptable.
- Ask the case worker whether the case plan includes treatment for grief, loss, and trauma stemming from abuse, removal, or neglect to help youth be more open to permanency. Discuss if maintaining connections with birth family will make a youth more comfortable with adoption.
- Don't assume that an older child will be hard to place.
- Provide court staff with training on adoption and other permanency programs for youth.
- Don't assume a child doesn't want to be adopted even if he or she expresses reluctance; many say no the first time they are asked.
- Explain to youth what permanency can mean; they may not understand the ramifications of not having a family.
- Never suggest to a child he or she may be unadoptable. Repeat the phrase, "It's never too late to be adopted" during court proceedings.

2. Ensure That Youth Participate

- If a child or youth is not present, ask why not. Explore whether he or she can join via telephone or some other means. Schedule cases so youth do not have to miss school or wait for hours to be heard.
- Before the hearing, provide a written explanation about the different roles that people play in the court so that the youth can study it. At the hearing, have each person in the courtroom identify themselves and explain his or her role.
- Ask all youth to tell you something about themselves to help them relax. Don't worry if the child is silent at first.
- Give time to respond. One youth said it would be hugely beneficial if someone simply asked, "How can I help you?"
- Ask whether the child wants a permanent family and explain what it can mean for their future.
- Ask the youth, the lawyer, and the caseworker whether they have had a conversation about permanency.
- Ask youth whether they have met with a CASA or GAL. Explain what they do and how they should help the youth.
- Adopt a one judge/one family rule in court - the same judge hears a child's case the entire time the child is in care.

3. Limit Group Care, Support Family-based Placements

- If group care is suggested as a placement or is the child's current placement, ask how the placement is providing therapeutic treatment and what the goal will be after the placement. Help others in the court think about placement in group homes as a time-limited therapeutic intervention with defined treatment goals, not a long-term place to live.
- Ask how long a child has been living in group care and the plan for when/how a child can be moved to a family.
- Ask about what relative searches have been completed or see how quickly they can be done.
- Ask whether there are any previous foster families or other adults with whom the child had a relationship that could be a permanent placement for the child. Ask whether any families caring for a child's siblings have been contacted as a potential resource.
- Ask about support services (mental health care, respite, personal care attendants, and others) that can be provided in a family placement rather than in group care. With proper training and support, families (foster, kin, and adoptive) can care for children who have significant medical or behavioral needs.

4. Check That Permanency Planning Is Being Done Well

- When you see plans for transition services, ask about plans for permanency services.
- If the case plan has a goal for Other Planned Permanent Living Arrangement (OPPLA) or Another Planned Permanent Living Arrangement (APPLA), ask the caseworker why and what the plan for permanency is.
- During review hearings, ask whether young people are connected to a permanent family or what plans there are for finding such a connection.
- Ask what permanency planning services are available in your county/state and how they can be used.
- Ask if the youth is being actively engaged in his or her permanency planning efforts and in identifying people who are potential family placements.
- Ask whether prior trauma is being sufficiently considered in decisions about placements. Ask how agencies are supporting youth to address grief and loss.
- Schedule review hearing for 30 or 60 days to receive update on permanency plans. Alternatively, request a report back within that timeframe.



PHOTO: Courtesy of The Republican

Questions

Youth Would Like

Judges to Ask

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Youth surveyed by VFA listed a number of questions they wish judges would ask in court. We encourage judges and court staff to put together a similar questionnaire to use in hearings with youth. And, if youth can't participate in person, the court could require the young person's representative to gather and present information in another format.

1. How are you? How's it going?
2. What are your future goals? How do you plan to achieve them? How can we help you?
3. What do you like to do?
4. Who is important to you? If you can't go back to your parents, who else would you want to live with? Who else do you want to come your permanency hearings? Who would you invite to your school play, sporting events, etc.?
5. What do you like and dislike about your current placement?
6. What does your case plan mean to you? Do you know what your case plan is?
7. If something goes wrong, who can you count on?
8. What are your thoughts on what is being discussed?
9. How can I help you?
10. Do you know what your permanency options are and what each option means?
11. How do you feel about permanency?
12. At adoption hearings:
 - Have you met with your attorney since the last hearing? How many times? Where?
 - Has your attorney explained the difference between legal guardianship and adoption?
 - Tell me what you think the difference is?
 - How would you feel if you never saw your mother or father again? Do you want to have some relationship with your mother or father in the future? If so, what do you think it should be?
13. Do you know that if you have any questions or concerns, you can write me (the judge) at any time?

Unpacking the No: What Do Children Fear about Adoption?

Lessons from Wendy's Wonderful Kids, Child-Focused Recruitment Approach

- The unknown
- Changing schools and their last names
- Leaving their communities and friends
- Wondering if they will be safe and happy with their new families
- Wondering if they have to reject their bio families
- That no one will want them
- Fear that it won't work and the family will "give them back"
- Adoption was never explained to them, so they don't understand what it means

Learn more: <https://davethomasfoundation.org/adopt/wwk/>

Developed with generous support from the Dave Thomas Foundation for Adoption. To read the full paper, please visit <http://www.voice-for-adoption.org/>.

PHOTO:
Springfield, MA - Judge Daniel Swords poses with newly adopted teen and his new mother following his adoption ceremony at the Hampden County Juvenile Court during National Adoption Day in 2014. (MARK M. MURRAY / THE REPUBLICAN)