

2009

State Court Administrative Office
Child Welfare Services

ADOPTION FORUM I FINAL REPORT

MAY 27, 2009

An evaluation and statistical analysis of the accomplishments of the 13 Michigan counties with the largest adoption dockets after collaborative work between the courts, local offices of the Michigan Department of Human Services, and other child welfare stakeholders.

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Background

In 2008, Justice Maura D. Corrigan and Department of Human Services Director Ismael Ahmed invited the 13 counties with the largest adoption dockets to participate in an Adoption Forum to identify barriers to adoption for children in Michigan and suggest solutions to those barriers. The primary goal was to help the 796 children in these 13 counties who each had a goal of adoption and an identified adoptive parent, yet had been waiting for more than a year for the adoption to be finalized.

Each county was asked to assemble a cross disciplinary team to identify barriers to adoption, and find solutions, in these 796 cases. Recommended team members included the family division judge assigned to adoptions, the county DHS director, a lawyer guardian ad litem (L-GAL), a DHS and/or private agency caseworker or supervisor, an attorney who represents parents, a court-appointed special advocate, and any other key individuals in the county.

This project had three overarching goals:

- Give these children, whom the system had allowed to languish in foster care, the permanence they deserved.
- Improve Michigan's adoption outcomes in advance of the upcoming Child and Family Services Review. In this audit, the federal government measures the timeliness of adoptions, and Michigan's outcomes would improve by finalizing adoption for the 796 identified children.
- Develop best practice strategies to share with the rest of the state.

The following is a list of the participating counties, with the number of children who met the criteria of being on hold for more than one year with and identified adoptive family:

Berrien: 19	Macomb: 51
Calhoun: 11	Monroe: 4
Genesee: 98	Muskegon: 0
Ingham: 26	Oakland: 59
Jackson: 11	Saginaw: 34
Kalamazoo: 19	Wayne: 449
Kent: 15	

The county teams were asked to examine their court's practices in light of four key court performance measures developed by the National Council for Adoption. These measures are critical to the Child and Family Services Review and are the focus of child welfare professionals across the nation. The performance measures include:

Timeliness: Timeliness should not be achieved at the expense of the other priorities. However, moving to permanency as soon as possible allows the child and the family to develop a positive bond and gives the child a sense of belonging. Excessively long stays

in foster care, caused by delays in the court process, are stressful for the family and the child. Children who have experienced the trauma of loss through removal and termination of parental rights benefit from the security that an expeditious adoption can bring to their lives.

Due Process: All parties must have due process in order to ensure their meaningful participation in the case. If essential persons are left out of the proceedings, the courts run the risk of making uninformed permanency decisions and prompting appeals that cause further delay in the process.

Permanency: Permanency is finding a safe, stable, and permanent home for each child consistent with the child's needs.

Safety: The child's safety must be the court's primary focus. Safety must also be ensured to the highest possible degree in determining the appropriateness of the adoptive family. Timeliness, permanency, and due process are moot if the child is unsafe.

The teams were given a questionnaire asking them to identify the most common barriers to adoption in their court. They were asked to suggest strategies for recruiting adoptive families and recommend changes at the state level that could expedite the adoption process. The teams' answers, which follow, were candid and insightful.

Barriers to Adoption

Some of the most common obstacles reported by the teams include:

- Shortage of adoptive homes, especially for special-needs children.
- Delay in the consent of adoptions by the Superintendent of the Michigan Children's Institute (MCI).¹
- The submission of incomplete paperwork by proposed adoptive families.
- Lack of communication and collaboration among the agencies that perform adoption work.
- High caseworker turnover in local DHS offices and the failure to hire replacements.
- Adoptive placement studies being done one family at a time.
- Delay in the assignment of foster care cases to an adoption caseworker.
- The lack of proactive leadership by the court to expedite adoptions.

(cont.)

¹ The matter of delay in adoption approvals by the MCI Superintendent already has been identified for a legislative solution. Shortly after this barrier was identified, the issue was submitted to the legislative committee known as the Permanency Options Workgroup. They drafted a bill that would allow the Superintendent to delegate the authority to consent to other MCI staff who may be located in the counties, thereby reducing the backlog of consent cases and expediting the process. This bill is expected to be introduced in the Legislature in June 2009.

- Delayed receipt of termination of parental rights orders.
- Lack of a concurrent case plan.
- Delays caused by the Interstate Compact on the Placement of Children.
- Failure to find and engage relatives sooner.
- Substitution of foster care caseworkers for adoption caseworkers in court appearances where the foster care caseworker does not have the same in-depth background and knowledge of the family as the adoption caseworker.
- Lack of communication between the local court and DHS office.
- Delays in the approval of the adoption subsidy.
- Judicial reluctance to make a “no reasonable efforts” finding where the agency has not done enough in support of reunification. This prolongs the proceedings.
- Conflicting judicial philosophies that cause confusion and create inconsistent work for caseworkers.
- Adoptive parents’ lack of knowledge about the adoption process.
- Lack of postadoption services for adoptive families and children.
- Multiple competing petitions (e.g., foster family and relatives both want to adopt).
- Inconsistent permanency planning process and procedures.
- Extended and adjourned termination of parental rights proceedings.
- Heavy and untimely bureaucratic oversight at the state level (e.g., licensing, MCI, etc.).

Court Monitoring of Permanency Plan; Age-Appropriate Consultation

The teams were also asked to describe the court’s involvement in the child’s permanency plan. The responses reflected a range of approaches, including:

- Full engagement by the court.
- Time spent at each hearing varies given the overwhelming caseloads in some counties.
- Court effectively monitors permanency.
- Some courts bring up the permanency plan at every review hearing to seek an update on progress.
- Some courts abide by the timelines as required by statute and court rule.
- One court utilizes a single experienced referee to conduct all post termination review hearings to achieve consistency and make sure the “right” questions are asked.

The court obtains the child’s view of the permanency plan by:

- Speaking directly to the child in appropriate circumstances.
(contd.)

- Allowing the L-GAL or court-appointed special advocate to express the child's opinions.
- Ensuring that the referee speaks to the child.
- One court noted that it "rarely" questions the child to determine the child's wishes, even in age-appropriate settings.

Adoptive Family Identified: Court Review of Delays; Creative Solutions

Each team said the court reviews the delays and obstacles in a case when there is an adoptive family identified, but the adoption is not yet finalized. The teams developed the following solutions to the most common delays:

- Assist adoptive families with the required paperwork and set deadlines for returning it.
- Recruit interns from local law schools and schools of social work to assist the court by coordinating work and sharing information among the various stakeholders.
- Use court-appointed special advocates for adoption cases that need special attention.
- Give families and older children deadlines to get certain information to the court or the local DHS office.
- Increase concurrent planning efforts. Time can be saved if a preadoptive placement is identified and investigated earlier.
- Use scheduling orders following permanency planning hearings where adoption is the permanency goal.
- Transmit court orders to the private agencies more quickly by having the court mail them directly instead of funneling them through the local DHS office for delivery.
- Educate adoptive families early about the adoption process, proceedings, and requirements.
- Provide similar checklists to the judges, L-GALs, and DHS adoption caseworkers so everyone is operating with the same information in hand.
- Promote timely adoption subsidy agreements.
- Ensure quick assignment of the case from a foster care to an adoption caseworker (e.g., include in the termination order that a referral to an adoption caseworker must be made within 14 days of receipt of the termination order.)
- Utilize early PRIDE training and go to the participants if they can't come to you.
- Subpoena parties responsible for delays in paperwork, services, etc.
- Review progress towards adoption at every review hearing.
- Order early mediation between relatives and foster parents if both want to adopt (e.g., open adoption plan.)
- If preadoptive parents are getting divorced, help them finish that action promptly to avoid subsequent delays in finalizing the adoption.

No Adoptive Family Identified: Efforts Made to Recruit

Most teams reported that the court requires the agency to detail the efforts they have made to recruit adoptive families for a particular child. When asked how they could improve recruitment, the teams offered a list of suggestions:

- Increase the use of the Heart Gallery and out-of-state searches.
- Assess the foster parent's interest in adoption early in the process.
- Search for potential adoptive relatives early in the process.
- Search for adoptive homes as soon as termination appears likely, not after the final termination order.
- Expand recruiting efforts to include friends, relatives of foster parents, and fictive kin.
- Utilize local festivals and adoption fairs.
- Create public service announcements.
- Assign adoption caseworkers months early for "hard to place" youth.
- Train staff on and utilize concurrent planning.
- Court and DHS staff should meet regularly to discuss ways to recruit adoptive families.
- Define reasonable caseloads for adoption workers and maintain adequate staff levels.

Self-Identified Court Strengths

The teams also described some of the successful practices and resources their local courts have developed in an effort to improve the process for adoptions:

- Strong judicial oversight.
 - Effective questioning at hearings.
 - Collaboration with all professional partners.
 - Commitment to the process and to working together.
 - Reliance on objective, evidence-based practices.
 - Commitment to improving the timeliness of adoptions.
 - Use of locally-created scheduling orders.
 - Creation of a docket review committee to oversee the pursuit of court improvement.
 - Open communication between the court and the local DHS office.
 - Knowledgeable adoption workers.
 - Flexible dockets to move adoptions along.
 - Strong local collaborative spirit.
 - Local monthly meetings to review MCI cases.
 - Judges who remain adaptable, nimble, and responsive to problems.
- (contd.)

- Collaboration with local partners to devise creative solutions to problems.
- Use of electronic processes to expedite hearings.
- Discussion of the permanency plan at every hearing.
- Holding parties accountable for what they must do to complete the adoption.
- Experienced and dedicated LGALs.
- Well-trained court staff who are able to answer questions.

Other Challenges & Necessary Resources for Success

The teams pointed out some additional challenges:

- The child's unwillingness to be adopted.
- Lack of resources for prospective adoptive parents.
- Lack of a licensed child placing agency in the county.
- Strict licensing requirements.
- A need for more assistance or training for foster parents after the child is placed.
- Dwindling budgets and resources.
- Lack of identification and diagnosis of special-needs children.
- Lack of adoptive planning for children in residential treatment centers.
- L-GALs omitted from permanency planning discussions.

The teams repeatedly mentioned the need for additional resources, such as more caseworkers to reduce the caseload, additional resources for pre- and postadoptive parents, and increased funding to allow DHS to expedite the adoption process.

Adoption Forum – March 20, 2008

The Adoption Forum's first meeting was held at the Kellogg Center in East Lansing on March 20, 2008.

The teams heard from Judge David Gooding and Helen Spohrer, of Duval County, Florida, a court that is nationally known for its innovative work on adoptions. The speakers described Duval County's collaborative adoption network that had streamlined court proceedings and investigations. They also shared Duval's unique and practical solutions to common problems, and challenged each Michigan team to begin a candid dialogue on solutions that could work locally. Judge Gooding and Ms. Spohrer noted that solutions may vary from county to county, depending on what issues each county faces. Judge Gooding also urged all the judges present to take a leadership role in their counties.

In a breakout session, the teams discussed their responses to the questionnaire they had completed and proposed solutions to the administrative barriers they had identified. Each team then took the stage and shared its plan with the entire gathering.

At the end of the day, Justice Corrigan gave a call to action, challenging the 13 counties to evaluate their process and collaborate on the solutions. She stated that it is not just about data, or even the CFSR, but rather, these cases involve children who are waiting for a permanent and loving home. Justice Corrigan noted that we have no magic wand or quick fix, but rather that the key to success is persistent local action, collaboration, and commitment. She added that it will take leadership and team work to reach the goal of finalizing adoptions for children awaiting permanency for more than a year. Finally, she asked the teams to return in October to report on their progress.

Adoption Forum - October 17, 2008

A follow-up to the March forum was held at the Kellogg Center in East Lansing on October 17, 2008. Before the October forum, the teams were sent a second questionnaire to inquire about the status of their efforts since the initial adoption forum meeting and their goals for the upcoming months. The agenda for the October 17th forum was based on the responses to both questionnaires.

The main speaker for the October 17 event was Betsie Norris, Executive Director of Adoption Network Cleveland, an organization that has been remarkably successful in recruiting adoptive families in and around Cuyahoga County, Ohio. Creative recruiting and a targeted marketing campaign, combined with a unique mentoring program for adoptive parents, has resulted in the recruitment of more than 500 prospective families. The network also located 200 more families from the Heart Gallery.² Five years after its creation, Adoption Network Cleveland had achieved a 58 percent reduction in the number of children in permanent custody; an 80 percent reduction in the number of children with no identified family to adopt them; and a 48 percent reduction in the number of youth who age out of the foster care system.

The forum attendees also heard from the MCI Superintendent Bill Johnson on his efforts to streamline the adoption approval process for MCI wards. DHS provided updates on adoption and permanency services.

Team Progress March 20 – October 17, 2008

At the October 17th forum, the teams were asked to provide an update on their progress since March. It was clear that significant progress had been made in a short amount of time. The 13 counties shared examples of the progress they had made and the best practices they had developed, including:

Berrien County

- Achieved a 30 percent increase in adoptions.
- Streamlined requirements for adoption (e.g., paperwork).

² From the Adoption Network Cleveland's power point presentation..

Calhoun County

- Finalized 67 adoptions.
- Began sending the termination order directly to the adoption caseworker to ensure an immediate response after termination.

Genesee County

- Of the 100 problem cases originally identified, the court finalized 55 adoptions.
- New cases were moved to a specific judge's docket to keep the momentum going.
- Publicized Adoption Day.

Ingham County

- Finalized 40 adoptions beginning April 1, 2008, about half of which were "backlog" cases.
- Used team decision-making to review cases older than one year.

Jackson County

- Began adoption planning as soon as the permanency goal changed, rather than waiting until after termination of parental rights.
- Focused on holding more meaningful posttermination review hearings.

Kalamazoo County

- Judges meet monthly with CASAs, local DHS, and prosecutor to discuss barriers to timely adoptions and solutions.
- Instituted "court and clergy" meetings to recruit adoptive families.

Kent County

- Of the 42 identified permanent wards, 25 were adopted and 5 cases were pending.
- The seven juvenile division judges meet quarterly with local DHS administration to brainstorm and solve problems.

Macomb County

- The presiding judge has a special docket that includes those cases that could exceed one year.
- Local goals exceed those required by the CFSR and the DHS settlement.

Monroe County

- Used a checklist report to ensure completion of crucial steps during the adoption process.

Muskegon County

- Appointed CASAs to work with the children after termination of parental rights and asked CASAs to help identify potential adoptive parents.

Oakland County

- Created a “rocket docket,” a special docket for backlogged cases.
- Used scheduling orders and gave special attention to adoptions that had been “lingering” for some time.

Saginaw County

- Finalized 121 adoptions; 60 percent of those children had been in care for more than one year.
- Involved faith-based groups to assist in adoptive family recruitment.

Wayne County

- Finalized 420 adoptions; 50 percent for children ages zero to nine years old.
- Created a “rocket docket” for backlogged cases.

Additional Best Practice Strategies

More than one county recommended the following best practice strategies:

- Immediately finalize adoptions in cases with a long and stable preadoptive placement.
- Have DHS set timelines to complete and return paperwork.
- Increase efforts to identify relatives at the preliminary stages of the case.
- Use Family to Family team decision-making to improve timeliness.
- Create special dockets to address problem cases.
- Reduce DHS adoption worker caseload limits to increase productivity.
- Arrange for regular court appearances by adoption supervisors to answer questions.
- Promote local collaboration on data collection and analysis.
- Hold more frequent review hearings.
- Begin the adoption process as soon as the permanency goal changes to adoption, with judges taking a leadership role.
- Hold frequent trouble-shooting meetings of all local stakeholders.
- Use an adoption checklist to keep all parties apprised of progress.
- Increase use of CASAs to assist potential adoptive families.
- Hold monthly status conferences on the record.
- Have judges intervene with interstate offices to expedite interstate adoptions.
- Bring adoptive parents into court if there has been undue delay in returning paperwork.
- Create a special posttermination docket and hold hearings every 30 days for cases that have been “on hold” for too long.
- Develop a more user-friendly report for posttermination review hearings that gives the jurist an easy-to-read update on progress toward an adoption.
- Hire new permanency planning caseworkers to canvass DHS files and confirm that children are listed on the Michigan Adoption Resource Exchange.

Final Analysis

Analyzing data is a good way to evaluate the accomplishments of the adoption forum participants. However, the data alone does not reflect the circumstances under which these accomplishments occurred. In 2008, the Department of Human Services, its local offices, and the county juvenile courts were challenged by a legislatively-mandated transfer of foster care and adoption cases from DHS to private agencies. In addition, DHS faced enormous system reforms mandated by the settlement in *Dwayne B v Granholm*. DHS and the courts were further preoccupied with preparation for the Child and Family Services Review and the work of the statewide Child Welfare Improvement Task Force.

After two forums and months of creative teamwork, the 13 counties reported the following number of adoptions finalized from March 1, 2008 – March 31, 2009.

County	Adoptions in 2008 (March 1, 2008 – March 31, 2009)	Number of Adoptions during same time the previous year (Data based on availability)
Berrien	95	72
Calhoun	73	41
Genesee	239	185
Ingham	108	99
Jackson	69	51
Kalamazoo	82	69
Kent	233	206
Macomb	202	155
Monroe	23	28
Muskegon	80	83
Oakland	235	211
Saginaw	159	129
Wayne	596	599
Total	2,194	1,928

The 14 percent increase in finalized adoptions is an amazing success. This accomplishment is attributable to each team's willingness to work together, focus on identifying barriers, and implement appropriate solutions. The teams proved that when child protection stakeholders work together, they can achieve real success.

Next Steps

A third Adoption Forum was held on March 13, 2009. Instead of the original 13 counties, this event targeted the next 10 counties with the largest adoption dockets, and

the focus was expanded to include all foster children awaiting permanency, not just those with a goal of adoption. Speakers from the original 13 counties shared the innovative practices they had developed and the results they had achieved during the previous year.

Justice Corrigan announced that the Planning Committee had created three awards that will recognize exceptional work by teams and individuals during the 2008 Adoption Forum. These awards, named in memory of the late Hon. Robert E. Weiss of the Genesee County Probate Court, will be presented on October 30, 2009. The awards include *Excellence in Working as a Team*, *Excellence in Court Improvement*, and *Excellence in Creative Solutions*.

In the months leading up to the next forum, and moving forward, the teams will concentrate on removing barriers and expediting the process for all forms of permanency (e.g., reunification, guardianship, and adoption). The backlog cases the counties will focus on includes all children who have been awaiting permanency for more than a year after entering foster care. The ten counties participating in the 2009 forum include:

Bay	Midland
Cass	St. Clair
Clinton	St. Joseph
Ionia	Van Buren
Lenawee	Washtenaw

Conclusion

Although the 14 percent increase in adoptions was a remarkable achievement for the 13 counties, the Adoption Forum accomplished more than that. By paving the path to permanency for hundreds of Michigan children, the forum made an immeasurable contribution to these children's lives.

The forum also set a new standard of collaboration that epitomizes the goal of the Child and Family Services Review. Under the guidance of strong judicial leadership, stakeholders reached across the branches of government and the boundaries of various occupations to address the needs of foster children. They met regularly to discuss the administrative and judicial barriers that were delaying the process. Their collaboration produced solutions and their solutions produced better outcomes for our most vulnerable children. The message of the Adoption Forum already has been heard beyond the borders of the 13 counties. It is a message of promise and hope that eventually will reach children and families across the state.