

**JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS**
455 Golden Gate Avenue
San Francisco, California 94102-3688

Report

TO: Members of the Judicial Council

FROM: Family and Juvenile Law Advisory Committee
Hon. Jerilyn L. Borack and Hon. Susan D. Huguenor, Cochairs
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DATE: September 15, 2009

SUBJECT: Adoption and Permanency for Children in California: A Resolution for the
Courts (Action Required)

Issue Statement

In 1999, the Judicial Council declared November to be Court Adoption and Permanency Month. Following that first successful observance, the Family and Juvenile Law Advisory Committee has worked closely with other state and county agencies to annually highlight adoption and permanency efforts. This year the council can once again actively recognize National Adoption Month in California's courts by proclaiming November to be Court Adoption and Permanency Month and by encouraging courts and local communities to take special measures to address the issues of adoption and permanency in their counties. Annual recognition of November as Court Adoption and Permanency Month reinforces the Judicial Council's commitment to finding permanent homes for children.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council adopt the attached resolution, effective October 23, 2009, proclaiming November 2009 to be Court Adoption and Permanency Month.

Rationale for Recommendation

Each year in California, nearly 490,000¹ reports are made of child abuse and neglect, and approximately 23,000² children enter foster care. Currently, about 71,000³ children in the state are living apart from their families in child welfare–supervised out-of-home care. Nearly half⁴ of these children do not leave the foster care system within two years. Of the 35,664⁵ children exiting foster care in 2008, only 54 percent⁶ were reunited with their families, 21 percent were adopted,⁷ and 13 percent were emancipated. It is critical that California’s courts continue to learn and implement new strategies to ensure that each child has one or more lifelong connections to a caring adult and to continue efforts to promote the placement of all children in safe, loving, permanent homes.

The state has been working toward implementing new and innovative programs that focus on improving the lives of foster care children. One initiative, a collaboration among the California Department of Social Services (CDSS), the Administrative Office of the Courts (AOC), and other state organizations, will provide training to help family members or significant others play a permanent and responsible role in a youth’s life. Experience shows that without these permanent connections, youth face even more overwhelming odds against a successful adulthood than is already the case when they leave foster care.⁸

To better serve children in foster care and their families, Chief Justice Ronald M. George appointed the California Blue Ribbon Commission on Children in Foster Care in March 2006 to develop recommendations to improve outcomes related to safety, permanency, well-being, and fairness for children and families. This commission is the first of its kind to focus on the role of the courts and its responsibility for foster children in California. In August 2008, the California Blue Ribbon Commission on Children in Foster Care released its final report and action plan, *Fostering a New Future for California’s*

¹ B. Needell et al., *Child Welfare Services Reports for California* (2008) retrieved September 1, 2009, from the University of California at Berkeley Center for Social Services Research Web site at <http://cssr.berkeley.edu/cwscmsreports>. Specific reports on referrals are at http://cssr.berkeley.edu/ucb_childwelfare/referrals.aspx.

² *Ibid.* Specific reports on first entries to care are at http://cssr.berkeley.edu/ucb_childwelfare/entries.aspx.

³ B. Needell et al., *supra*. Specific point-in-time reports on children in child welfare–supervised foster care are at http://cssr.berkeley.edu/ucb_childwelfare/PIT.aspx.

⁴ B. Needell et al., *supra*. Specific reports on the amount of time in care are at http://cssr.berkeley.edu/ucb_childwelfare/PIT.aspx.

⁵ B. Needell et al., *supra*. Specific reports on exits from foster care are at http://cssr.berkeley.edu/ucb_childwelfare/exits.aspx.

⁶ B. Needell et al., *supra*.

⁷ *Ibid.*

⁸ *Improving the Lives of California’s Children and Families: Accountability in Action*. (California Dept. of Social Services. Rev. August 2004.)

*Children: Ensuring Every Child a Safe, Secure, and Permanent Home.*⁹ The recommendations focused on four areas: (1) efforts to prevent removal and achieve permanency, (2) court reforms, (3) collaboration between the courts and their child welfare partners, and (4) resources and funding. Newly formed local foster care commissions have already started working to implement commission recommendations at the county level. In June 2009, Chief Justice George extended the work of the California Blue Ribbon Commission on Children in Foster Care to June 30, 2012, to ensure implementation of the commission's sweeping recommendations.

Court Adoption and Permanency Month is one way courts can raise awareness, demonstrate commitment, and bring about changes in the court system to stabilize children's lives. The month of November was selected for the state's observance to coincide with National Adoption Month, when government agencies and nonprofit organizations highlight innovative efforts to expedite permanency, including adoption, and to raise awareness of the need for safe, permanent homes for children in foster care.

Since California's Court Adoption and Permanency Month was initiated in 1999, many courts have dedicated specific Adoption Days in November, including Adoption Saturdays, Adoption Fridays, and other events throughout the year to clear their backlogs of adoption cases. The Judicial Council encourages courts to do this as appropriate.

In 1998, Judge Michael Nash of the Superior Court of Los Angeles Children's Court, in collaboration with volunteer court staff, child advocacy groups, attorneys, caseworkers, judicial officers, and other court partners, successfully implemented the first Adoption Saturday in the country to clear the backlog and expedite the paperwork to finalize the adoption cases of 6,000 children who had been freed for adoption. Since that time, more than 24,000 adoptions have been finalized in Los Angeles, of which 5,000 have taken place as part of Adoption Saturday. Opening the court on a Saturday was an innovative idea that resulted in significant media attention on the issue of children in foster care, and the effect has rippled throughout the country. In 2008, more than 4,000 children in foster care were adopted across the country as part of National Adoption Day. This year Judge Nash was awarded the United States Department of Health and Human Services (HHS), Administration for Children and Families' 2009 Adoption Excellence Award¹⁰ for his outstanding leadership in securing permanent and loving homes for children.

The Judicial Council also encourages courts that do not have backlogs of adoption cases to hold adoption celebrations or commemorate other permanent connections for foster

⁹ Judicial Council of Cal., California Blue Ribbon Commission on Children in Foster Care, *Fostering a New Future for California's Children: Ensuring Every Child a Safe, Secure, and Permanent Home, Final Report and Action Plan May 2009*. <http://www.courtinfo.ca.gov/jc/tflists/documents/brc-finalreport.pdf>

¹⁰ U.S. Department of Health and Human Services (HHS), Administration for Children and Families, Adoption Excellence Awards for the year 2009, http://www.acf.hhs.gov/programs/cb/current_initiatives/aeawards09.htm

children and institute systemic changes as part of the statewide effort to raise awareness of adoption and permanency in November.

Many local courts, in conjunction with county social services, local nonprofit agencies, and others, celebrate and highlight Court Adoption and Permanency Month in November and throughout the year. Many counties will honor permanent connections for foster children with events in November of this year, including the following examples.

- On November 12, 2009, the Superior Court of Orange County and the Orange County Children and Family Services are cosponsoring a reception called “Our Adoptive Heroes” from 4:30–6:00 p.m. at the Lamoreaux Justice Center courthouse. The reception honors the families who completed their adoptions in 2009, with speeches from judicial officers and agency partners and a reception to follow.
- The Superior Court of San Diego County, in partnership with San Diego County Adoptions (SDCA), organizes a yearly court party during November to celebrate all of the adoptions finalized throughout the year. Other countywide activities include the SDCA’s new 2010 Leap of Faith Adoption Calendar, which features photos of Charger players with the children waiting to be adopted; the Bridges to Parenting educational and resource program, designed to support prospective adoptive parents; the annual Spring Fling Picnic and a Fall Fest Matching Event; and adoption success programs on local media, all of which continue recruitment throughout the year. In addition, the San Diego Heart Gallery will be on display during November at the Fletcher Hills County Library, and a presentation will be held at the library on November 4, 2009, at 6:30 p.m. as part of the Friends of the Library Program. Last year SDCA was selected as a recipient of the U.S. Department of Health and Human Services 2008 Adoption Excellence Award in the area of support for adoptive families.
- The Superior Court of Santa Barbara County will celebrate a November Adoption Day, when a high number of adoptions will be finalized with speeches by judicial officers, media involvement, refreshments for the families, and photographs taken of the new families.

Many California courts also support the Heart Gallery, which raises community awareness through professional photography exhibits of children and youth living in foster care who need adoptive families and permanent lifelong relationships. The number of Heart Galleries continues to grow throughout the nation. Heart Galleries in California are currently in Alameda, Fresno, Kern, Los Angeles, Orange, Riverside, Sacramento, San Diego, San Francisco, San Luis Obispo, San Mateo, Santa Barbara, Shasta, and Solano Counties.

The Judicial Council's *Court Adoption and Permanency Month Technical Assistance Package* (1999) and its 2007 update continue to provide ideas, resources, and best practices for collaborating with court and community stakeholders to expedite permanency for children in foster care and to raise community awareness of the absolute necessity for safe and permanent homes for all foster children.

Alternative Actions Considered

The Judicial Council could elect not to declare November 2009 as Court Adoption and Permanency Month and instead rely on the 1999–2008 resolutions to promote adoption and permanency activities in November. However, the Family and Juvenile Law Advisory Committee believes that a new resolution each year highlights the critical need for permanency for foster children.

Comments From Interested Parties

The annual resolution declaring November as Court Adoption and Permanency Month continues to be well received and celebrated by courts, court-connected professionals, and the adoption and permanency community but does not require circulation for comment as part of an official invitation to comment cycle.

Implementation Requirements and Costs

Court Adoption and Permanency Month is a voluntary program. Each court can participate at a level appropriate to its jurisdiction. Suggested events range from no-cost activities for promoting adoption and permanency to higher-cost, systemwide changes.

Participation by families in any special event or project in any court is also voluntary. The emphasis on the month of November is not intended as a rationale for holding a hearing so that it can take place during a special event. Each case should be heard as soon as it can be calendared, and the families involved should be offered the opportunity to participate in a court's later-occurring special event.

Attachments

JUDICIAL COUNCIL OF CALIFORNIA



RESOLUTION

Whereas, consistent with its commitment to improving the lives of children and their families, since 1999 the Judicial Council has annually recognized November as Court Adoption and Permanency Month;

Whereas each year in California about 490,000 reports of child abuse and neglect are made and more than 23,000 children enter foster care;

Whereas about 71,000 children in California live apart from their families in child welfare-supervised out-of-home care;

Whereas nearly half of the children in foster care in California have been away from their families in out-of-home care for two or more years;

Whereas of the more than 35,000 children leaving foster care in 2008, 54 percent were reunited with their families, 21 percent were adopted, and 13 percent were emancipated;

Whereas local courts and communities throughout California have created programs promoting permanency that have resulted in a decrease in the number of children waiting for permanent, safe homes;

Whereas the Judicial Council is committed to working with the Governor, the Legislature, and local courts and communities to achieve permanency for children who have been abused or neglected; and

Whereas the California Blue Ribbon Commission on Children in Foster Care was appointed by the Judicial Council in recognition that the courts and their partners can improve safety, permanency, well-being, and fairness outcomes for children and families;

Now, therefore, I, Ronald M. George, Chief Justice of California, on behalf of the Judicial Council of California, do hereby proclaim November to be Court Adoption and Permanency Month, during which the courts and their local communities are encouraged to join in activities to expedite permanency.

In witness whereof

I have hereunto set my hand this 23rd day of October, 2009.

RONALD M. GEORGE
Chief Justice of California and
Chair of the Judicial Council of California

Attest:

WILLIAM C. VICKREY
Administrative Director of the Courts

