



Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

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REPORT TO THE JUDICIAL COUNCIL

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Juvenile Law: Court Adoption and
Permanency Month

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Family and Juvenile Law Advisory
Committee

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November 6, 2023

Hon. Stephanie E. Hulsey, Cochair

Hon. Amy M. Pellman, Cochair

Contact

Marymichael Smrdeli, 415-865-4220

marymichael.smrdele@jud.ca.gov

Executive Summary

On October 27, 2023, and at the request of the Family and Juvenile Law Advisory Committee, Chief Justice Patricia Guerrero proclaimed November 2023 to be Court Adoption and Permanency Month. Her proclamation by resolution recognizes the ongoing efforts of California's juvenile courts and their justice partners to provide children and families with access to fair, understandable judicial proceedings leading to timely, well-informed, and just permanency outcomes.

Relevant Previous Council Action

The Judicial Council first declared November to be Court Adoption and Permanency Month in California in 1999. Since that first observance, the council has continued to reaffirm this declaration, demonstrating its commitment to judicial procedures and collaborative practices that promote timely case resolution and permanency for children and youth in foster care. The council's Family and Juvenile Law Advisory Committee, other advisory groups, and council staff have worked to implement council and legislative directives relating to adoption and permanency and to support the juvenile courts and their local justice partners each November to highlight ongoing and special adoption and permanency efforts.

Analysis/Rationale

California's juvenile courts are where the most consequential decisions for placement and family reunification are made for children in foster care:

(E)very child and parent in the foster-care system knows that the courts are where critical decisions are made, including such life-changing issues as where and with whom a child will live. . . . [¶] The courts and their child welfare partners share responsibility for the safety and well-being of children while they are in foster care, in effect, serving as the “parent” until a child either safely returns home, moves to another permanent home, or becomes an adult and leaves the system. Dependency court judges, attorneys, and child welfare workers work collaboratively so the judge can make the best decision for each child and family. They share a belief that *all* children are entitled to a safe, permanent family that will love, nurture, protect, and guide them. The courts and their partners agree that even when children must be removed from their homes, foster care should be a short-term refuge. . . . Timely reunification with their family or placement in another permanent home is *always* the goal.

(Cal. Blue Ribbon Commission on Children in Foster Care, *Fostering a New Future for California's Children* (May 2009), p. 3.)

Efforts made by the superior courts, the Judicial Council, and partners in child welfare to improve permanency in the years since the first Court Adoption and Permanency Month proclamation include:

- A focus by the juvenile court bench on timeliness of case processes leading to permanent homes for children in foster care. The Judicial Council's Judicial Resources and Technical Assistance project has documented that, while in 1997 California's liability to the federal government for failing to meet statutory foster care case timelines was \$54 million, the state has now passed five consecutive federal audits.
- An education program for juvenile court judges and stakeholders, including the Beyond the Bench statewide conferences and many hundreds of hours of education on permanency provided annually.
- Extensive education, technical assistance, and engagement of the Judicial Council Tribal Court–State Court Forum on the implementation of the Indian Child Welfare Act.
- Support and oversight of the 11,000 active Court Appointed Special Advocates (CASA) providing volunteer services to 13,000 children and youth statewide, including administering the Legislature's \$60 million CASA Expansion Program.
- Expansion of resources for court-appointed counsel for children in foster care and their parents, including accessing \$58 million in federal funding to supplement the \$187 million provided through the State Budget.

- Advisory committee engagement in developing rules of court and court forms to implement foster care reform, including the recent initiatives to reduce reliance on group homes and encourage placement with families.

Court Adoption and Permanency Month

The Chief Justice’s proclamation and associated events in courts have been a critical means of highlighting progress, sharing strategies, and demonstrating the commitment of the courts to stabilize children’s lives.

In 2022, over 400,000 reports of child abuse and neglect were made in California,¹ and approximately 21,000 children entered foster care for the first time.² Although the number of children entering foster care continues to decline, in itself a testament to the enormous efforts made by the courts and their partners to improve permanency, nearly 51,000 children and youth ages 21 and younger in the state are living apart from their families in child welfare–supervised, out-of-home care.³ Permanent placement of a child in a committed relationship intended to last a lifetime is the goal of the juvenile court process.

The theme for National Adoption Month 2023 is “Who am I?”⁴ The emphasis on developing a positive identity is a key component to the well-being of all youth, and it is essential that child welfare professionals provide opportunities and services that connect youth to their backgrounds and support meaningful connections. These connections set a strong foundation for permanency planning. In California, this theme supports our focus on providing permanency for children placed with appropriate kin. Placement with kin has been a recent focus of the state Legislature and the Judicial Council. The Judicial Council adopted rules and forms to implement Senate Bill 384 (Stats. 2022, ch. 811), which expanded the obligation of the placing agency to engage in family finding in dependency and delinquency cases. At its September 19, 2023, meeting, the Judicial Council approved *Juvenile Law: Family Finding and Engagement*, a proposal that amended four rules to conform to recent statutory changes, clarifying the due diligence that must be used by a social services agency or probation department in performing its family finding obligation when a child is removed from the home.

Many California courts worked with county social service agencies, local nonprofit agencies, and other service organizations to celebrate and highlight Court Adoption and Permanency Month throughout November. Some courts dedicated specific adoption days in November, such as

¹ *California Child Welfare Indicators Project*, University of California at Berkeley, Daniel Webster, Principal Investigator, <https://ccwip.berkeley.edu> (as of Aug. 25, 2023); *id.*, California Child Safety Indicators Dashboard, <https://ccwip.berkeley.edu/Dashboard/SafetyDashboard.html>.

² *Ibid.* Specific reports on first entries to foster care are available at <https://ccwip.berkeley.edu/childwelfare/reports/Entries/MTSG/r/ab636/s>.

³ *Ibid.* Specific point-in-time reports on children in child welfare–supervised foster care are available at <https://ccwip.berkeley.edu/childwelfare/reports/PIT/MTSG/r/ab636/s>.

⁴ The theme is selected by the federal Children’s Bureau, www.childwelfare.gov/topics/adoption/nam/#:~:text=November%20Is%20National%20Adoption%20Month.

Adoption Fridays and Adoption Saturdays, as well as other events to ensure that adoptions are completed and finalized in a timely manner.

Of note, concurrent to the Judicial Council meeting on November 17, 2023, the Juvenile Courts of Glenn, Kern, Kings, San Diego, San Francisco, San Mateo, Santa Clara, and Santa Cruz Counties are holding adoption day festivities.

- The Superior Court of Glenn County will celebrate and honor families in an event hosted by the California Department of Social Services Adoption Regional Office and county child welfare agency. It will include speakers, food, and community donations of backpacks and other items for children who attend.
- The Superior Court of Kern County is celebrating National Adoption Day.
- The Superior Court of Kings County is recognizing National Adoption Day with adoptions being heard in the court's jury assembly room. There will be coffee and pastries for families, and photos with a balloon arch.
- The Superior Court of San Diego County is celebrating National Adoption Day.
- The Superior Court of San Francisco County is celebrating National Adoption Day by hosting an adoption day event at the Civic Center Courthouse, fourth floor rotunda, followed by finalization hearings.
- The Superior Court of San Mateo County will celebrate in its two juvenile departments. The courtrooms will be decorated with balloons for kids both big and small, and treats will be provided to celebrate all the new forever families.
- The Superior Court of Santa Clara County will hold its adoption day with at least 15 children finding forever homes.
- The Superior Court of Santa Cruz County will hold its adoption day with the courtroom decorated and a separate room set up with refreshments to celebrate the families.

Additional events throughout the month include:

- *November 4, 2023*
In collaboration with the Department of Social Services, the Juvenile Court of Riverside County hosted National Adoption Day, where the court helped approximately 100 children find forever homes. It was held at the Historic Courthouse and the Riverside Justice Center. This is the 15th year that Riverside has participated in this event.
- *November 4, 2023*
In collaboration with community partners, the Juvenile Court of Sacramento County held National Adoption Day festivities including scheduled adoption proceedings,

refreshments, and activities for children such as face painting, family photos, and balloons.

- *November 9, 2023*
The Juvenile Court of Napa County held their National Adoption Day.
- *November 15, 2023*
The Juvenile Court of San Bernardino County held its 23rd Annual Adoption Finalization Event at the Ontario Convention Center in Ontario, California. Four judges finalized adoptions. The theme for the event was “Family—A Voyage to Forever.”
- *November 16, 2023*
The Juvenile Court of Amador County hosted a National Adoption Day event. The court invited all of the adoptive families from 2023 as well as community agencies and local justice partners to join in the celebration.
- *November 18, 2023*
The Juvenile Court of Los Angeles County will host its second adoption day for 2023 on Saturday, November 18, 2023. The court held an adoption day on July 21, 2023, and finalized almost 200 adoptions.
- *November 18, 2023*
The Juvenile Court of San Joaquin County will host its 24th annual National Adoption Saturday event for the community. This year’s event will permanently place 33 children with 23 families.

The Judicial Council remains committed to working with the Governor, the Legislature, and local courts and communities to provide children and families with access to fair, understandable judicial proceedings leading to timely, well-informed, and just permanency outcomes. The Senate passed a state concurrent resolution, Senate Concurrent Resolution 91 proclaiming November 2023 Adoption and Permanency Month in California.⁵ Senate Concurrent Resolution 91 is pending in the Assembly and expected to be passed in January 2024. The annual resolution declaring November to be Court Adoption and Permanency Month continues to be well received and celebrated by courts, court-connected professionals, and the adoption and permanency community.

Fiscal Impact and Policy Implications

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

⁵ See https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SCR91.

Family participation in special events or projects is also voluntary. The emphasis on the month of November is not intended to encourage scheduling of adoption hearings to coincide with special events. Each case should be heard as soon as it can be calendared, and families should be offered the opportunity to participate in court events that occur at a later date.

Attachments and Links

1. Attachment A: Court Adoption and Permanency Month resolution
2. Link A: California Child Welfare Indicators Project, <https://ccwip.berkeley.edu>
3. Link B: California Child Safety Indicators Dashboard,
<https://ccwip.berkeley.edu/Dashboard/SafetyDashboard.html>
4. Link C: Entries to Foster Care,
<https://ccwip.berkeley.edu/childwelfare/reports/Entries/MTSG/r/ab636/s>
5. Link D: Point in Time/In Care, Children in Child Welfare—Supervised Foster Care,
<https://ccwip.berkeley.edu/childwelfare/reports/PIT/MTSG/r/ab636/s>
6. Link E: Federal National Adoption Month,
<https://www.childwelfare.gov/topics/adoption/nam/#:~:text=November%20Is%20National%20Adoption%20Month>
7. Link F: Sen. Con. Res. 91,
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SCR91

JUDICIAL COUNCIL OF CALIFORNIA



ADOPTION AND PERMANENCY MONTH R E S O L U T I O N

Whereas, consistent with its commitment to support practices and procedures that promote access to justice and improved case outcomes for California's children and families, the Judicial Council has annually recognized November as Court Adoption and Permanency Month since 1999;

Whereas the Judicial Council, courts, and justice partners have created programs that prioritize relative placement for children in foster care, and all recognize the ongoing need to help improve the lives of children and families;

Whereas, of the over 53,000 children and youth ages 21 and younger in child welfare-supervised out-of-home care in 2022, more than a third were placed with relatives, but of the nearly 1,500 probation-supervised children and youth in out-of-home care, only 5 percent were placed with relatives;

Whereas federal and state laws require courts to ensure that social services exercise due diligence in locating and engaging relatives and extended family members as the preferential placement for children removed from the family home;

Whereas the state authorizes relatives to take in foster children on an emergency basis and receive temporary grant funding and background checks, provided the court finds the relatives' care safe for the child;

Whereas 70 percent of children in relative placements are with all their siblings, compared to roughly 50 percent for those in nonrelative placements;

Whereas youth with relative placements at the time they exit care are less likely to reenter after a year;

Whereas roughly 70 percent of children still in care at 12 months remain in their first placement if initially placed with relatives, compared to less than 25 percent who were initially placed with nonrelatives;

Whereas, although courts and justice partners have created programs that promote family placement and permanency, work is still needed to address disparities;

Whereas Black, Native American, and Latino/Hispanic children continue to be overrepresented among children in care, with Black children more than five times and Native American children more than four times as likely to be in foster care as white children;

Whereas the judge of the juvenile court, in the judge's unique leadership role, provides active leadership within the community in determining the needs of children and of obtaining and developing resources to reduce the trauma of removal of children from their parents and relatives;

Whereas the Judicial Council and the courts have made a comprehensive effort to improve juvenile court proceedings, including accessing federal and state grants for judicial officer training, guides for dependency proceedings, and convenings for courts and stakeholders; developing rules of court and court forms; and administering new funding sources for Court Appointed Special Advocates (CASA) and court-appointed juvenile dependency counsel; and

Whereas the Judicial Council remains committed to working with the Governor, the Legislature, and local courts and communities to provide children and families with access to fair, understandable judicial proceedings leading to timely, well-informed, and just permanency outcomes;

Now, therefore, be it resolved that I, Patricia Guerrero, Chief Justice of California, on behalf of the Judicial Council of California, do hereby proclaim November 2023 to be Court Adoption and Permanency Month, during which the courts and their communities are encouraged to examine local policies and practices to ensure full participation of relatives in court proceedings and to join in activities to promote adoption and permanency by increasing relative placement.

In witness whereof,

I have hereunto set my hand this 27th day of October, 2023

Attest

PATRICIA GUERRERO
Chief Justice of California and
Chair of the Judicial Council of California

MILLICENT TIDWELL
Acting Administrative Director
Judicial Council of California