



Judicial Council of California

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REPORT TO THE JUDICIAL COUNCIL

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Title

Juvenile Law: Court Adoption and
Permanency Month

Report Type

Information

Submitted by

Family and Juvenile Law Advisory
Committee
Hon. Tari L. Cody, Cochair
Hon. Stephanie E. Hulse, Cochair

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Executive Summary

On November 1, 2024, and at the request of the Family and Juvenile Law Advisory Committee, Chief Justice Patricia Guerrero proclaimed November 2024 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. This report provides the Judicial Council with a copy of the 2024 resolution highlighting the importance of permanency for older youth.

Relevant Previous Reporting or Action

The Judicial Council first declared November to be Court Adoption and Permanency Month in California in 1999. Since that first observance 25 years ago, 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 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, although 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);
- 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 (CASAs) providing volunteer services to 13,000 children and youth statewide, including administering the Legislature's \$60 million CASA Expansion Program; and
- Expansion of resources for court-appointed counsel for children in foster care and their parents, including accessing \$66 million in federal funding to supplement the \$187 million provided through the State Budget.

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 2023, more than 400,000 reports of child abuse and neglect were made in California,¹ and approximately 14,000 children entered foster care for the first time.² Although the number of children entering foster care continues to decline (a continued reduction of 2,000 children in the last year), in itself a testament to the enormous efforts made by the courts and their partners to improve permanency, about 44,000 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 One third of these youth who entered care in 2022 were reunited with families, adopted, or placed with guardians within a year. Many however, particularly older youth, do not achieve permanency and remain in care.⁴ In 2023, roughly 20 percent of older youth aged 16 to 17 exited to permanency within a year.⁵ Permanent placement of a child in a committed relationship intended to last a lifetime is the goal of the juvenile court process.

For this 25-year anniversary of Adoption and Permanency Month, the Judicial Council is highlighting the importance of permanency for older youth. The theme of National Adoption Month is a focus on promoting well-being through lifelong connections and equipping the workforce and families with recourse they need to provide continuance support for youth. The Judicial Council was a cosponsor of Assembly Bill 12 (Beall; Stats. 2010, ch. 559), the California Fostering Connections to Success Act (also known as extended foster care), as amended by Assembly Bill 212 (Beall; Stats. 2011, ch. 459). AB 212 made it possible to access federal funding for foster care services for dependents and wards beyond their 18th birthday, which provides them with the time and support needed to gradually become fully independent adults. In 2023, roughly 46 percent of foster youth aged 18 who voluntarily stayed in foster care received their high school diploma, compared to roughly 30 percent for those who exited care,⁶ and roughly 95 percent of foster youth ages 20 to 21 exiting foster care reported having access to a caring and committed adult for guidance and emotional support,⁷ fulfilling one of the intents of extended foster care by providing some permanent supports for children in care.

Providing youth with educational and economic success is also a goal of extended foster care. Roughly 50 percent of the foster youth who turned 18 in 2017 and stayed in care enrolled in

¹ *California Child Welfare Indicators Project*, University of California at Berkeley, Daniel Webster, Principal Investigator, <https://ccwip.berkeley.edu> (as of Aug. 26, 2024); *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 *Ibid.* Specific reports on foster care entry cohort outcomes are available at <https://ccwip.berkeley.edu/childwelfare/reports/EntryCohorts/MTSG/r/ab636/l>.

⁵ *Ibid.*

⁶ Cal. Dept. of Social Services, “Outcomes for Nonminor Dependents Child Welfare Youth Exiting Foster Care” Quarterly Statistical Report (SOC405X).”

⁷ *Ibid.*

college. Further, 77 percent were employed by age 23. Compare this to the data from 2010 prior to extended foster care when roughly 47 percent of foster youth who turned 18 in foster care enrolled in college and 65 percent were employed at the age of 23. Further, youth who stayed in care until age 21 significantly increased the probability of completing a high school credential by about 8 percent and increased the probability of enrolling in college by 10 percent. The additional time in care also decreases the odds of foster youth experiencing economic hardship, being homeless, becoming pregnant, or being arrested.

Many California courts are working 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 Adoption Fridays and Adoption Saturdays, and have planned other events to ensure that adoptions are completed and finalized in a timely manner.

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 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.

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>

JUDICIAL COUNCIL OF CALIFORNIA



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

Whereas juvenile court judges are uniquely responsible for the care, supervision, custody, and support of the children under the court's jurisdiction and provide active leadership within the community to ensure that resources are available to serve families and children;

Whereas a third of children who entered foster care in 2022 were reunited with families, adopted, or placed in a guardianship within a year; however, many who do not find permanent homes, especially older foster youth, continue to stay in care longer;

Whereas the judicial branch, courts, and justice partners recognize the ongoing need to help improve the outcomes of foster youth transitioning into adulthood and supported legislation in 2012 to extend foster care and adoption assistance for youth ages 18 to 21;

Whereas 15 percent of those in child welfare–supervised out-of-home care in 2023 and over 60 percent of those under probation supervision were between the ages of 18 and 21;

Whereas over 44 percent of the older youth in child welfare–supervised out-of-home care had a supervised independent living placement;

Whereas in 2023 nearly 57 percent of young adults aged 18 to 20 who had previously left foster care chose to return to the system, taking advantage of extended supports such as attorney representation, independent living services, and court oversight;

Whereas the Judicial Council, courts, and their partners have been successful in creating programs to support the emotional and educational goals of older foster youth, as well as their career development and self-sufficiency as they transition into adulthood;

Whereas roughly 50 percent of youth who were in care at some point between ages 16 and 17 and who turned 18 in 2017 enrolled in postsecondary education by age 23, and 77 percent were employed;

Whereas 95 percent of foster youth ages 20 to 21 in 2023 reported having access to a caring and committed adult for guidance and emotional support;

Whereas California is one of the earliest adopters of extended foster care and remains committed to improving outcomes of foster youth in education and employment; and

Whereas the judge of the juvenile court, through active leadership within the community, can encourage the development of resources to reduce the gap in education and employment outcomes between older foster youth and the general youth population;

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 2024 to be Court Adoption and Permanency Month, during which the courts and their communities are encouraged to examine local policies and practices to ensure participation of older foster youth in needed extended care and to join in activities to promote self-sufficiency and long-term success.

*In witness whereof,
I have hereunto set my hand this first day of November, 2024*

Attest

A handwritten signature in blue ink that reads "Patricia Guerrero".

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

A handwritten signature in black ink that reads "Michelle J. Curran".

MICHELLE CURRAN
Administrative Director
Judicial Council of California