



## JUDICIAL COUNCIL OF CALIFORNIA

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# REPORT TO THE JUDICIAL COUNCIL

For business meeting on: October 27, 2015

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Title	Agenda Item Type
Court Adoption and Permanency Month: Judicial Council Resolution	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
None	October 27, 2015
Recommended by	Date of Report
Family and Juvenile Law Advisory Committee	September 17, 2015
Hon. Jerilyn L. Borack, Cochair Hon. Mark A. Juhas, Cochair	Contact Nicole Giacinti, 415-865-7598 <a href="mailto:nicole.giacinti@jud.ca.gov">nicole.giacinti@jud.ca.gov</a>

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### Executive Summary

The Family and Juvenile Law Advisory Committee recommends adopting a resolution proclaiming November to be Court Adoption and Permanency Month. As it has since 1999, in observance of National Adoption Month, the Judicial Council can recognize 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. The resolution will also give courts the opportunity to hold special events finalizing adoptions from foster care and raising community awareness of the importance of finding safe, stable, and permanent homes for every child or youth in foster care.

### Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council adopt the attached resolution, effective October 27, 2015, proclaiming November 2015 to be Court Adoption and Permanency Month.

## Previous Council Action

The Judicial Council first declared November to be Court Adoption and Permanency Month in California in 1999. Since that successful 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, as well as to support the juvenile courts and their local justice partners each November to highlight both ongoing and special adoption and permanency efforts.

This year, Governmental Affairs staff worked with Assemblymember McCarty's office to restart the annual tradition of the Legislature declaring November Court Adoption and Permanency month. In an overwhelming show of support for the importance of permanency for foster youth, the bill passed both houses unanimously.

## Rationale for Recommendation

Each year in California, nearly half a million<sup>1</sup> reports are made of child abuse and neglect, and approximately 23,400<sup>2</sup> children enter foster care for the first time. Currently, about 62,900<sup>3</sup> children in the state are living apart from their families in child welfare-supervised, out-of-home care. Thirty-eight percent of these children have been in foster care for more than two years; 9,800 children remain in "temporary" care after more than five years.<sup>4</sup> Twenty-four percent of the youth in care are transitional age youth aged 16–20.<sup>5</sup> Of the more than 26,000 children who were able to leave foster care in the fiscal year ending June 30, 2014, 57 percent were reunited with their families, 22 percent were adopted, and 6 percent were emancipated.<sup>6</sup> Permanent placement of a child in a committed relationship intended to last a lifetime—with the child's family if that is possible or another loving family if it's not—is the goal of the juvenile court process. Children and families deserve access to a timely, understandable, and fair process that actively engages them, as well as the placement agency, in the work needed to achieve this goal. It is critical that California's courts continue to learn and implement new strategies to ensure that each child leaves foster care as quickly as possible with one or more lifelong connections to a

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<sup>1</sup> Barbara Needell et al., *Child Welfare Services Reports for California* (2014), retrieved September 29, 2014, from the University of California, Berkeley, Center for Social Services Research website at [http://cssr.berkeley.edu/ucb\\_childwelfare](http://cssr.berkeley.edu/ucb_childwelfare). Specific reports on referrals are at [http://cssr.berkeley.edu/ucb\\_childwelfare/allegations.aspx](http://cssr.berkeley.edu/ucb_childwelfare/allegations.aspx).

<sup>2</sup> *Ibid.* Specific reports on first entries to care are at [http://cssr.berkeley.edu/ucb\\_childwelfare/entries.aspx](http://cssr.berkeley.edu/ucb_childwelfare/entries.aspx).

<sup>3</sup> *Ibid.* Specific point-in-time reports on children in child welfare-supervised foster care are at [http://cssr.berkeley.edu/ucb\\_childwelfare/PIT.aspx](http://cssr.berkeley.edu/ucb_childwelfare/PIT.aspx).

<sup>4</sup> *Ibid.* Specific reports on the amount of time in care are at [http://cssr.berkeley.edu/ucb\\_childwelfare/PIT.aspx](http://cssr.berkeley.edu/ucb_childwelfare/PIT.aspx).

<sup>5</sup> *Ibid.* Specific reports on the age of youth in care at [http://cssr.berkeley.edu/ucb\\_childwelfare/PIT.aspx](http://cssr.berkeley.edu/ucb_childwelfare/PIT.aspx)

<sup>6</sup> *Ibid.* Specific reports on exits from foster care are at [http://cssr.berkeley.edu/ucb\\_childwelfare/exits.aspx](http://cssr.berkeley.edu/ucb_childwelfare/exits.aspx). The remaining 13 percent were placed in guardianships or other types of placement.

caring adult and that the courts continue to promote the placement of every child in a safe, loving, permanent home.

The state has been working on innovative programs to improve the lives of foster children. One initiative—a collaboration of the California Department of Social Services (CDSS), Judicial Council staff, and other state organizations—provides training to help family members or significant others maintain a permanent and responsible role in a youth’s life. Experience shows that without permanent connections, youth leaving foster care face even more overwhelming odds against a successful adulthood.<sup>7</sup>

Court Adoption and Permanency Month is one way California 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 to coincide with National Adoption Month, when government agencies and nonprofit organizations highlight innovative efforts to promote permanency, including adoption, and to raise awareness of the need for safe, permanent homes for children in foster care.

Since Court Adoption and Permanency Month was initiated in 1999, many individual California courts have dedicated specific adoption days in November—including Adoption Saturdays and Adoption Fridays—as well as other events, to clear their backlogs of adoption cases. The Judicial Council encourages courts to do so as circumstances permit.

The Judicial Council also encourages courts with no backlog of adoption cases to hold adoption celebrations or commemorate other permanent connections for foster children and to institute local system programs as part of the statewide November effort to raise awareness of adoption and permanency.

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. Events honoring permanent connections for foster children this year include the following:

- ***Alameda County***

The Superior Court of Alameda County will join with the Alameda County Social Services Agency to finalize a full calendar of adoptions in celebration of the county’s 16th annual Adoption Day.

- ***Los Angeles County***

Los Angeles will celebrate its fifth adoption of a child from the delinquency system, only the eighth such adoption in the state, on Thursday, November 5, 2015.

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<sup>7</sup> Cal. Dept. of Soc. Services, *Improving the Lives of California’s Children and Families: Accountability in Action* (rev. Aug. 2004).

- ***Placer County***  
 Placer County and PlacerKids will be holding their 14th annual National Adoption Day celebration. There will be music, food, balloons, face painting, crafts, and much more as they celebrate many of their children finding forever homes.
- ***San Bernardino County***  
 San Bernardino County Children and Family Services and the San Bernardino County Juvenile Dependency Court will collaborate on their 19th annual Adoption Finalization Celebration. This year, hundreds of family members, Children and Family Services staff, Court staff, and members of the community will come together to finalize 80 to 100 adoption ceremonies. The celebration will include music, lunch, children's activities, games, and photo opportunities.
- ***San Diego County***  
 The Superior Court of San Diego County, the county Health and Human Services Agency, and other partners will celebrate National Adoption Day on Friday, November 20, 2015, at Juvenile Court Central. As every year, the court will dedicate two courtrooms to finalizing adoptions and will fill the lobby area full of fun and festivities. This year's event will include live music, refreshments, and plenty of picture taking. A clown will paint faces and make balloon figures while everyone enjoys lots of goodies donated by various organizations. Each child also receives a special gift bag with various goodies. Families often spend the afternoon rather than leaving after their adoption hearing.
- ***Santa Clara County***  
 The Superior Court of Santa Clara County will celebrate its 10th Annual Adoption Day on November 20, 2015, by finalizing adoptions for approximately 20 families.
- ***Tulare County***  
 The Superior Court will host an Adoption Day event to celebrate families whose adoptions have been finalized since last November. The event will be held on November 20, 2015, and will include a presentation by the Board of Supervisors and a celebration at Roller Town.

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

A wide variety of resources on adoption and permanency are available on the [California Dependency Online Guide](#) website, maintained by council staff in the Center for Families, Children & the Courts (CFCC). These materials provide ideas, resources, and best practices for collaboration among courts and their communities to raise awareness of the necessity for safe and permanent homes for all foster children. Available materials on permanency and adoption include articles; research reports; more than 50 California cases; manuals, including the *Court Adoption and Permanency Resource Guide (2006)*; toolkits on concurrent planning, family engagement, and other permanency topics; and links to online courses, fact sheets, and resource libraries. The materials are searchable by type of document or by topic, such as adoptability, adoption assessments, concurrent planning, and permanency. The California Dependency Online Guide is available free of charge to all California judicial officers, attorneys, and child welfare professionals, and it is currently used by more than 4,000 subscribers.

### **Comments, Alternatives Considered, and Policy Implications**

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. It does not require circulation for comment as part of an official invitation to comment cycle.

The Judicial Council could choose not to proclaim November 2015 to be Court Adoption and Permanency Month and instead rely on the resolutions of 1999 through 2014 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 ongoing critical need to seek permanence for foster children.

### **Implementation Requirements, Costs, and Operational Impacts**

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, system-wide programs.

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 scheduling adoption hearings just so they coincide with 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 event.

### **Attachments and Links**

1. Judicial Council resolution proclaiming November 2015 to be Court Adoption and Permanency Month

# JUDICIAL COUNCIL OF CALIFORNIA



## RESOLUTION

*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 recognized November as Court Adoption and Permanency Month every year since 1999;

*Whereas* nearly half a million incidents of child abuse and neglect are reported each year in California, and about 23,400 children each year enter child welfare—supervised foster care for the first time;

*Whereas* nearly 62,900 children in California live apart from their families in child welfare—supervised out-of-home care;

*Whereas* 38 percent of the children in foster care in California have lived apart from their families for two or more years;

*Whereas* 24 percent of the youth in care are transitional-age youth aged 16 to 20;

*Whereas*, of the more than 26,000 California children who left foster care in 2014, 57 percent were reunited with their families, 22 percent were adopted, and 6 percent exited foster care without reunifying or obtaining a permanent home by the time they reached the age of majority;

*Whereas* local courts and communities throughout California have created programs promoting permanency that have resulted in a reduction in the number of children waiting to live in safe, stable, and permanent homes;

*Whereas* the Judicial Council has endeavored to support these programs by creating resources—including children's activity books, orientation videos, and written materials for parents—to encourage parents and children in the dependency process; and

*Whereas* the Judicial Council remains committed to working with the Governor, the Legislature, and local courts and communities to ensure that every abused or neglected child finds a safe, stable, and permanent home with a loving family as quickly as possible;

*Now, therefore, be it resolved* that I, Tani G. Cantil-Sakauye, Chief Justice of California, on behalf of the Judicial Council of California, do hereby proclaim November 2015 to be Court Adoption and Permanency Month, during which the courts and their communities are encouraged to join in activities to promote permanency.

*In witness whereof,*

*I have hereunto set my hand this 27th day of October, 2015*

Attest:

TANI G. CANTIL-SAKAUYE  
Chief Justice of California and  
Chair of the Judicial Council of California

MARTIN HOSHINO  
Administrative Director,  
Judicial Council