



## JUDICIAL COUNCIL OF CALIFORNIA

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# REPORT TO THE JUDICIAL COUNCIL

For business meeting on: September 20, 2018

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**Title**

Family and Juvenile Law: Judicial Council  
Resolution for Court Adoption and  
Permanency Month

**Agenda Item Type**

Action Required

**Effective Date**

September 20, 2018

**Rules, Forms, Standards, or Statutes Affected**

None

**Date of Report**

September 10, 2018

**Recommended by**

Family and Juvenile Law Advisory  
Committee  
Hon. Jerilyn L. Borack, Cochair  
Hon. Mark A. Juhas, Cochair

**Contact**

Daniel Richardson, 415-865-7619  
[daniel.richardson@jud.ca.gov](mailto:daniel.richardson@jud.ca.gov)

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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 September 20, 2018, proclaiming November 2018 to be Court Adoption and Permanency Month.

## Relevant 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 Assembly Member Tony Thurmond's office on the Legislature's annual tradition of declaring November as Court Adoption and Permanency Month.<sup>1</sup> In an overwhelming show of support for the importance of permanency for foster youth, the bill passed both houses unanimously.

## Analysis/Rationale

Each year in California, nearly half a million<sup>2</sup> reports are made of child abuse and neglect, and approximately 21,000<sup>3</sup> children enter foster care for the first time. Currently, about 60,000<sup>4</sup> children in the state are living apart from their families in child welfare-supervised, out-of-home care. Forty percent of these children have been in foster care for more than two years; 8,300 children remain in "temporary" care after more than five years.<sup>5</sup>

Twenty-two percent of the youth in care are transitional-age youth aged 16–20,<sup>6</sup> with 7,100 dependent youth and 1,100 youth in the Juvenile Justice system remaining under the juvenile court's jurisdiction as young adults and are deserving of permanency and stable living environments.<sup>7</sup> Of the more than 28,000 children who were able to leave foster care in the calendar year ending December 31, 2017, 49 percent were reunited with their families, 24

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<sup>1</sup> Assembly Concurrent Resolution 284 (Thurmond; Stats 2018, ch. 216) See [http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180ACR284](http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180ACR284)

<sup>2</sup> Webster, D., Armijo, M., Lee, S., Dawson, W., Magruder, J., Exel, M., Cuccaro-Alamin, S., Putnam-Hornstein, E., Wiegmann, W., Rezvani, G., Wagstaff, K., Sandoval, A., Yee, H., Xiong, B., Benton, C., Tobler, A., White, J., & Kai, C. (2018). CCWIP reports. Retrieved July 31, 2018, from University of California at Berkeley California Child Welfare Indicators Project 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>3</sup> *Ibid.* Specific reports on first entries to foster care are at [http://cssr.berkeley.edu/ucb\\_childwelfare/EntryRates.aspx](http://cssr.berkeley.edu/ucb_childwelfare/EntryRates.aspx).

<sup>4</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>5</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>6</sup> *Ibid.* Specific reports on the age of youth in care are at [http://cssr.berkeley.edu/ucb\\_childwelfare/PIT.aspx](http://cssr.berkeley.edu/ucb_childwelfare/PIT.aspx).

<sup>7</sup> *Ibid.* Specific reports on foster youth and the juvenile justice system are at [http://cssr.berkeley.edu/ucb\\_childwelfare/PIT.aspx](http://cssr.berkeley.edu/ucb_childwelfare/PIT.aspx).

percent were adopted, and 11 percent achieved permanence through legal guardianships, including nearly 1,400 in relative guardianships.<sup>8</sup> Permanent placement of a child in a committed relationship intended to last a lifetime—with the child’s family if that’s 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 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>9</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 Fridays and Adoption Saturdays—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:

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<sup>8</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 16 percent aged out/emancipated or were placed in other types of placement.

<sup>9</sup> Cal. Dept. of Soc. Services, *Improving the Lives of California’s Children and Families: Accountability in Action* (rev. Aug. 2004).

- ***El Dorado County***  
 El Dorado County will finalize between 5 to 10 adoptions in November and will honor the adoptive families by hosting a celebration including various gifts and family baskets for the children and families.
- ***Los Angeles County***  
 Los Angeles County will be celebrating National Adoptions Day on November 17, 2018 with Judge Michael Levanas, Presiding Judge of the Juvenile Court, and other judicial officers participating. A press conference will be held to commemorate the event, attended by the families, community partners and the media. Scheduled speakers include the directors of Department of Children and Family Services, Alliance for Children's Rights, and Public Counsel. In addition, typically, a celebrity who adopted a child from foster care or with other experience with adoptions speaks as well as an adoptive family speaking about the process and what it means to add a family member through adoption. All floors of the Edmund D. Edelman Children's Courthouse will be decorated.
- ***Riverside County***  
 Riverside County's Department of Public Social Services, Children's Services Division will celebrate its 11th annual Adoption Day event on November 3, 2018. Fifty-five children and families celebrated the finalization of their adoptions last year, and a similar number is expected this year. The event will be held at the Riverside Courthouse.
- ***San Bernardino County***  
 San Bernardino County Children and Family Services and the San Bernardino County Juvenile Dependency Court will collaborate on their 21st Annual Adoption Finalization Celebration on November 6, 2018. This year, hundreds of family members, Children and Family Services staff, court staff, and members of the community will come together to finalize 60–100 adoption ceremonies. The keynote speakers will be a couple who have adopted children from diverse ethnic backgrounds, and who have dedicated themselves to seeing the children through many challenges: medical, emotional, and educational. The celebration will include music, lunch, children's activities, games, and photo opportunities in addition to the program.
- ***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 in November 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. Families often spend the afternoon rather than leaving after their adoption hearing.
- ***San Francisco County***

On November 9, 2018 San Francisco County will host its annual event to celebrate National Adoption Month. The event is registered to the National Adoption Day website. Each year, a speaker is invited to address the importance of adoptions and permanency.

- ***Siskiyou County***

This year Siskiyou County will hold a special event on November 19, 2018, to recognize Adoptions and Permanency Month and to finalize several adoptions. Between 5 to 10 adoptions are expected to be finalized. Refreshments and activities are provided for the adoptive families.

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. There are Heart Galleries throughout the nation, with California locations in Kern, Los Angeles, Orange, Riverside, Sacramento, San Bernardino, and San Diego 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 60 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 5,000 subscribers.

### **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.

### **Comments**

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

### **Alternatives considered**

The Judicial Council could choose not to proclaim November 2018 to be Court Adoption and Permanency Month and instead rely on the resolutions of 1999 through 2017 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.

### **Fiscal 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 2018 to be Court Adoption and Permanency Month

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

*Whereas* half a million incidents of child abuse and neglect are reported and some 21,000 children enter child welfare-supervised foster care for the first time every year in California;

*Whereas* nearly 60,000 children in California live apart from their families in child welfare-supervised out-of-home care and 40 percent of the children in foster care in California have lived apart from their families for two or more years;

*Whereas* 22 percent of the youth in care are transitional-age youth aged 16 to 20;

*Whereas* nearly 7,100 dependent youth and 1,100 youth in the juvenile justice system remain under the juvenile court's jurisdiction as young adults and are deserving of permanency and stable living environments;

*Whereas*, of the more than 28,000 California children who left foster care in 2017, 49 percent were reunited with their families, 24 percent were adopted, and 11 percent achieved permanence through legal guardianship, including nearly 1,400 in relative guardianships;

*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; 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 2018 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 20th day of September, 2018*

Attest:

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

MARTIN HOSHINO  
Administrative Director,  
Judicial Council