



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 21-078

For business meeting on November 19, 2021

Title

Family and Juvenile Law: Court Adoption
and Permanency Month

Agenda Item Type

Action Required

Rules, Forms, Standards, or Statutes Affected

None

Effective Date

November 19, 2021

Recommended by

Family and Juvenile Law Advisory
Committee
Hon. Stephanie E. Hulsey, Cochair
Hon. Amy M. Pellman, Cochair

Date of Report

November 2, 2021

Contact

Tracy Kenny, 916-263-2838
Tracy.Kenny@jud.ca.gov

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 raise 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 November 19, 2021, proclaiming November 2021 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 Jim Patterson's office on the Legislature's annual tradition of declaring November as Court Adoption and Permanency Month.¹ In a strong show of support for the importance of permanency for foster youth, the Assembly House Resolution passed unanimously.

Analysis/Rationale

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. While the COVID-19 pandemic has caused massive disruptions in societies throughout the world, courts in California have found ways to ensure that this fundamental need continues to be met for the vulnerable children under its jurisdiction. In the face of the disruptions and safety concerns caused by the pandemic, courts all over the state have continued to help children achieve permanency through a mixture of stipulated adoption and permanency orders, in-person hearings, and remote hearings.

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.

California courts continue to be responsible for overseeing an enormous number of juvenile law cases. Each year in California, nearly half a million reports are made of child abuse and neglect,² and approximately 20,000 children enter foster care for the first time.³ Currently, more than

¹ House Resolution 75 (Patterson, 2021). See https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220HR75.

² D. Webster et al., *California Child Welfare Indicators Project*, University of California at Berkeley, <https://ccwip.berkeley.edu> (as of Oct. 15, 2020). Specific reports on referrals are available at <https://ccwip.berkeley.edu/childwelfare/reports/Allegation/MTSG/r/ab636/s>.

³ *Ibid.* Specific reports on first entries to foster care are available at <https://ccwip.berkeley.edu/childwelfare/reports/Entries/MTSG/r/ab636/s>.

60,000 children in the state are living apart from their families in child welfare–supervised, out-of-home care.⁴ Forty percent of these children have been in foster care for more than two years.⁵

Of the more than 23,000 children who were able to leave foster care in the fiscal year ending June 30, 2020, 51 percent were reunited with their families, almost 23 percent were adopted, and 11 percent achieved permanence through legal guardianships, including nearly 1,000 in relative guardianships.⁶ These outcomes are vital to the future success of these children and are the focus of juvenile dependency court proceedings.

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, 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.⁷

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 (1) to coincide with National Adoption Month, when government agencies and nonprofit organizations highlight innovative efforts to promote permanency, including adoption, and (2) to raise awareness of the need for safe, permanent homes for children in foster care. Each year a different theme is selected to focus outreach and awareness. The theme for 2021 is “Conversations Matter,” which seeks to stress how simple conversations can be the basis for incorporating youth into the process of finding permanency.

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 ensure that adoptions could be completed and finalized in a timely manner. The Judicial Council encourages courts to do so as circumstances permit.

⁴ *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>.

⁵ *Ibid.* Specific reports on time in care are available at <https://ccwip.berkeley.edu/childwelfare/reports/PIT/MTSG/r/ab636/s>.

⁶ *Ibid.* Specific reports on exits from foster care are available at <https://ccwip.berkeley.edu/childwelfare/reports/Exits/MTSG/r/ab636/s>. The remaining 16 percent aged out/emancipated or were placed in other types of placement.

⁷ M. Testa, C. M. Bruhn, and J. Helton, “Comparative Safety, Stability, and Continuity of Children’s Placements in Formal and Informal Substitute Care” in *Child Welfare and Child Well-Being: New Perspectives from the National Survey of Child and Adolescent Well-Being*, M. B. Webb et al., eds. (Oxford University Press, 2009).

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. While courts continue to exercise caution in holding in-person events due to the pandemic, they still plan to mark this important month with celebrations both virtual and in person that acknowledge the significance of adoption for the children and families. For example:

- In Los Angeles, they will celebrate virtually and finalize numerous adoptions on November 20;
- In Riverside each family who adopts a child in November will be celebrated at an event on November 6, at both the Historic Courthouse and the Larson Justice Center; and
- In Santa Cruz, the courtroom will be decorated, and each family will be celebrated with a gift basket on November 19.

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 at the Juvenile Cases, Articles, Resources and Training (JCART) web portal, a website maintained by council staff in the Center for Families, Children & the Courts.⁸ 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, and more than 60 California cases; toolkits on concurrent planning, family engagement, and other permanency topics; and links to online courses, fact sheets, and resource libraries.

Policy implications

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.

Comments

This recommendation does not require circulation for public comment.

Alternatives considered

The Judicial Council could choose not to proclaim November 2021 to be Court Adoption and Permanency Month and instead rely on the resolutions of 1999 through 2020 to promote adoption and permanency activities in November. However, the Family and Juvenile Law

⁸ Juvenile Cases, Articles, Resources, and Training are available at <https://jcart.courts.ca.gov/>.

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, systemwide 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. Attachment A: Court Adoption and Permanency Month resolution

Attachment A

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 annually recognized November as Court Adoption and Permanency Month since 1999;

Whereas 434,645 incidents of child abuse and neglect were reported in fiscal year 2019–2020 and 20,111 children entered child welfare–supervised foster care for the first time in California, a ten percent reduction in entries compared to ten years ago;

Whereas some 60,000 children in California continue to live apart from their families in child welfare–supervised out-of-home care and over 40 percent of the children in foster care in California still live apart from their families for two or more years;

Whereas despite the disruptions to court operations and safety emergencies created by the COVID-19 pandemic, California courts still achieved permanency for over 20,000 children via reunification, adoption, and dismissal of jurisdiction to guardianships during the fiscal year 2019–2020;

Whereas the percentage of foster children who exit foster care through adoption is 23 percent and over 5,600 adoptions from foster care were finalized in 2020 despite the pandemic disruptions;

Whereas over 2,460 foster children were in group homes or shelters in July 2020 rather than with relatives or in home-like settings, a decrease of 35 percent compared to July 2010;

Whereas, while progress has been made, much work still needs to be done to improve the lives of children and families in the child welfare system;

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 2021 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 19th day of November, 2021

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

Attest:

MARTIN HOSHINO
Administrative Director