

Ventura County Grand Jury 2014 - 2015



Final Report

Foster Care and Adoption Process in Ventura County

June 5, 2015

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Foster Care and Adoption in Ventura County

Summary

A public complaint submitted to the 2014-2015 Ventura County Grand Jury (Grand Jury) led to a review of the County of Ventura Human Services Agency's (HSA) foster care policies and procedures. The Grand Jury sought to learn how children are placed in foster care and later either reunified with family or adopted by the foster parents or other families.

The Grand Jury conducted this investigation by interviewing foster parents and management personnel from HSA. It also reviewed applicable legal codes, various agency websites, and other news articles and publications related to foster care and adoption.

The Grand Jury found that when foster parents decide to adopt a child in their care, they don't always know the processes involved, e.g., a home study, which can take six to eight months to complete.

The Grand Jury found that due to inadequate information on the adoption process, foster parents often have an expectation of being given priority when wanting to adopt the child in their care.

The Grand Jury found that inadequate communications among the foster parents, HSA, the Court, and private and religious organizations can result in foster parents sometimes not knowing the child's status, nor their own, in the adoption process. Due to the foster parents' expectations and the reality of the HSA process, some foster parents become confused and disillusioned with foster care and adoption.

The Grand Jury found that many nine-year-old children are not at the appropriate maturity level and therefore may not know what's best for their welfare. A child's input into adoption placement may be misleading.

The Grand Jury recommends that HSA work more closely with foster care parents by providing training on how to adopt a child, including the processes necessary for adoption and actions needed to complete a home study.

The Grand Jury recommends that the County of Ventura Board of Supervisors direct the HSA to work more closely with all other organizations involved in foster care and adoption to ensure there is communication and input from all parties concerned with the foster child. Foster parents' input should be included in the Court proceedings, either by having them present or having HSA represent their interests.

The Grand Jury recommends that the County of Ventura Board of Supervisors direct County Counsel to review the current age at which foster children are allowed input into the adoption process, raising it from age 9 to age 12.

Background

Children and Family Services (CFS), a division of HSA, is the County of Ventura (County) agency that investigates reports of child abuse and neglect, and provides services to keep children safe while reunifying families. The federal Adoption and

Safe Families Act of 1997 (ASFA) states “that the health and safety of children served by child welfare agencies must be their paramount concern and aims to move children in foster care more quickly into permanent homes.” It also declares that if a child has been in foster care for 15 of the most recent 22 months, “States are required to file a petition to terminate parental rights immediately and, concurrently to identify, recruit, process and approve a qualified adoptive family....” [Ref-01]

When a child is removed from the parents because of suspected abuse or neglect, 24-hour care must be provided until the child can be safely reunified with the family, a new permanent home can be found, or until the child reaches the age of 18. Foster care placement is often necessary.

Foster care, as defined by the Code of Federal Regulations, is a system in which a minor has been placed into a group home or private home of a state-certified caregiver referred to as a foster parent. The placement of the child is usually arranged through the government or a social service agency. Children are placed in foster care homes through HSA, as well as private and religious organizations. HSA uses Casa Pacifica Centers for Children and Families (Casa Pacifica) located in Camarillo when emergency shelter placement is needed, especially for difficult-to-place teens.

In 2014, Ventura County placed 202 children in foster care homes. [Ref-02] (Att-01)

According to CFS, “The median age of children in foster care is 8, and almost 50% of children in foster care are over the age of 10. An estimated 70% of children in foster care have siblings in foster care.” “Children in foster care are regular children who, through no fault of their own, had to be removed from their families due to abusive or neglectful situations.” [Ref-03]



HSA’s primary plan is reunification; adoption is a secondary or concurrent plan for foster care children. If reuniting the child with a biological parent is not possible and there are no other relatives that wish to adopt, the foster care parent has the option to move forward with adoption planning. [Ref-04]

Methodology

In conducting its investigation, the Grand Jury interviewed foster parents and HSA management personnel. It reviewed HSA's website, State of California Penal Code Section 277-280, Family Code Section 8700, Welfare and Institutions Code Section 360-370, and related news articles in the *Ventura County Star*. The Grand Jury also studied various handouts regarding foster care and adoption. [Ref-02, Ref-04, Ref-05, Ref-06]

The Grand Jury researched the websites of Court Appointed Special Advocates (CASA) of Ventura County, Casa Pacifica, and Arrow Child & Family Ministries for information about foster care and adoption. [Ref-07, Ref-08, Ref-09]

Facts

- FA-01.** According to CFS, "The median age of children in foster care is 8, and almost 50% of children in foster care are over the age of 10. An estimated 70% of children in foster care have siblings in foster care." "Children in foster care are regular children who, through no fault of their own, had to be removed from their families due to abusive or neglectful situations." [Ref-03]
- FA-02.** During the period January through December 2014, there were 202 children in County foster care. [Ref-02] (Att-01)
- FA-03.** Children are placed in foster care homes through HSA as well as private and religious organizations. [Ref-02, Ref-04, Ref-05, Ref-09, Ref-10, Ref-11, Ref-12]
- FA-04.** HSA uses Casa Pacifica located in Camarillo when emergency shelter placement is needed, especially for difficult-to-place children ages 13 to 18.
- FA-05.** The Adoptions and Safe Families Act of 1997 states "that the health and safety of children served by child welfare agencies must be their paramount concern and aims to move children in foster care more quickly into permanent homes." [Ref-01]
- FA-06.** If a child has been in foster care for 15 of the most recent 22 months, "States are required to file a petition to terminate parental rights immediately and, concurrently to identify, recruit, process and approve a qualified adoptive family...." [Ref-01]
- FA-07.** California's fundamental law regarding foster care children requires family reunification. HSA's top priority for foster care children is family reunification. [Ref-01, Ref-04]
- FA-08.** Even if the home is unstable, 95% of children in foster care want to go back to their biological parent(s).
- FA-09.** Next to reunification, adoption is a secondary or concurrent plan for foster care children. If the child cannot be returned to a biological parent and no other relative is available and can satisfy the adoption criteria, the foster

care parent has the option to move forward with adoption planning. [Ref-01, Ref-04]

FA-10. Foster parents sponsored by private and religious organizations, e.g., Arrow Child & Family Ministries, often lack necessary information on the process to adopt a foster child. [Ref-01, Ref-04, Ref-05, Ref-10]

FA-11. Some foster parents do not know HSA’s priorities on adoption. The foster parents’ goal is to “save a child.” HSA’s priority is the child’s welfare.

FA-12. Some foster parents have an expectation of adopting a foster child in their care.

FA-13. The Court allows foster children age nine and above (age established by County Counsel) input into adoption placement. The child often prefers a biological relative or a home with a similar cultural background. [Ref-13]

FA-14. From January 1, 2013 to December 31, 2014, HSA finalized 253 adoptions. Of these, nonrelatives adopted 2 foster children; nonrelative foster parents adopted 124; and relatives adopted the remaining 127.

FA-15. All foster care homes utilized by HSA must be licensed. The State’s Community Care Licensing Division grants HSA the right to issue foster care licenses. [Ref-14]

FA-16. Steps to becoming a licensed foster parent through the County include 20 hours of preplacement training comprised of a 3-hour informational meeting and 17 hours of orientation and training. Private and religious organizations certify, not license, foster family homes. They do not have the same training requirements. [Ref-02, Ref-11, Ref-15]

FA-17. Additional foster care requirements include, but are not limited to:

- Background check
- Criminal clearance
- Livescan fingerprinting
- Home fire, health, and safety inspections
- CPR/First Aid certification

[Ref-12]

FA-18. The Adam Walsh Child Protection and Safety Act of 2006 changed the background check process for all prospective foster families beginning January 1, 2008. It stated the following:

- “A completed FBI criminal history check is now required prior to licensure or certification.”
- “Any prospective foster parent or other adult in the home who has lived in another state in the past five years must have a completed out-of-state child abuse/neglect check prior to licensure, certification or approval.”

[Ref-16]

- FA-19.** HSA’s Children and Family Services Division interfaces with many organizations, including Casa Pacifica, CASA, the Court, and private and religious foster care agencies. These entities work in conjunction with the assigned County social worker, who must see the foster child at least every 30 days. [Ref-07]
- FA-20.** Sometimes there is a lack of communication between foster parents and supporting parties, e.g., private organizations and the Court.
- FA-21.** The role of the CASA is to advocate for the foster child and communicate with the assigned County social worker. “A CASA provides the court with carefully gathered information about how the child is doing while they are part of the dependency court system.” They also “offer children trust and advocacy during the complex legal proceedings. CASAs contact the child on a regular basis to observe and gather information about the child's well being. They encourage the child to express his or her own opinion and hopes while remaining objective observers. They explain to the child the events that are happening, the reasons they are court dependent, and the roles the judge, lawyers and social workers play.” The CASA does not have the privilege of access to the County foster care case records. The focus is placed on the child’s needs—not family dynamics or problem solving. [Ref-17]
- FA-22.** It was reported that adoption of a foster care child by a County social worker or CASA is a conflict of interest.
- FA-23.** HSA must complete a required home study prior to the foster parent adopting the child. The State-mandated HSA home study consists of interviews and completion of paperwork dealing with issues such as finances, health, employment, family of origin, and parenting. Documentation such as marriage certificates, divorce documents, military discharge, and child support information will be requested. The study takes six to eight months to complete. [Ref-18]

Findings

- FI-01.** Foster care organizations each follow different practices. Therefore, foster parents receive different information and training dependent upon the authorizing entity. Due to the foster parents’ expectations and the reality of the HSA process, some foster parents become confused and disillusioned with foster care and adoption. (FA-10, FA-11, FA-12, FA-16, FA-17)
- FI-02.** When foster parents decide to adopt a child in their care, they don’t always know the processes involved, e.g., a home study, which can take six to eight months to complete. (FA-07, FA-08, FA-09, FA-10, FA-11, FA-12, FA-13, FA-23)
- FI-03.** Due to inadequate information on the adoption process, foster parents often have an expectation of being given priority when wanting to adopt the child in their care. (FA-06, FA-07, FA-09, FA-10, FA-11, FA-12)

- FI-04.** Inadequate communications among the foster parents, HSA, the Court, and private and religious organizations can result in foster parents sometimes not knowing the child’s status, nor their own, in the adoption process. (FA-12, FA-13, FA-19, FA-20, FA-21)
- FI-05.** Many nine-year-old children are not at the appropriate maturity level and therefore may not know what’s best for their welfare. A child’s input into adoption placement may be misleading. (FA-13)

Recommendations

- R-01.** The Grand Jury recommends that the Human Services Agency work more closely with all foster care parents by providing training on how to adopt a child, including the processes necessary for adoption and actions needed to complete a home study. (FI-01, FI-02, FI-03)
- R-02.** The Grand Jury recommends that the County of Ventura Board of Supervisors direct the HSA to work more closely with all other organizations involved in foster care and adoption to ensure there is communication and input from all parties concerned with the foster child. Foster parents’ input should be included in the Court proceedings, either by having them present or having HSA represent their interests. (FI-01, FI-03, FI-04)
- R-03.** The Grand Jury recommends that the Board of Supervisors direct County Counsel to review the current age at which foster children are allowed input into the adoption process, raising it from age 9 to age 12. (FI-05)

Responses

Responses required from:

Board of Supervisors, County of Ventura (FI-01, FI-03, FI-04, FI-05) (R-02, R-03)

Responses requested from:

Human Services Agency, County of Ventura (FI-01, FI-02, FI-03, FI-04) (R-01, R-02)

County Counsel, County of Ventura (FI-05) (R-03)

References

- Ref-01.** Adoptions and Safe Families Act of 1997, Public Law 105-89, November 19, 1997,
<http://www.naswdc.org/archives/advocacy/updates/1997/safeadop.htm>
(accessed April 10, 2015).
- Ref-02.** University of California, Berkeley, “California Child Welfare Indicators Project (CCWIP),” Ventura, January 1, 2014,
http://cssr.berkeley.edu/ucb_childwelfare/PIT.aspx (accessed April 11, 2015).

- Ref-03.** Ventura County Children and Family Services, Foster VCKids Foster Care website, "Common Myths," <http://fostervckids.org/common-myths/> (accessed April 24, 2015).
- Ref-04.** California Family Code Section 8700, <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=fam&group=08001-09000&file=8700-8720> (accessed March 15, 2015).
- Ref-05.** County of Ventura Human Services Agency, "Adoption," website, <http://www.ventura.org/human-services-agency/adoption> (accessed March 3, 2015).
- Ref-06.** State of California, Penal Code Section 277-280, <http://leginfo.ca.gov/cgi-bin/displaycode?section=pen&group=00001-01000&file=277-280> (accessed February 26, 2015).
- Ref-07.** State of California, Welfare & Institutions Code 360-370, <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=wic&group=00001-01000&file=360-370> (accessed February 26, 2015).
- Ref-08.** CASA of Ventura County, "Safe Communities, Children & Families," *Human Services Agency 2012-2013 Annual Report*, http://www.casaofventuracounty.org/hsa_annual_aeport_2012-13.pdf (accessed March 9, 2015).
- Ref-09.** Casa Pacifica Centers for Children & Families, "Foster Parenting," website, http://www.casapacific.org/programs_services/foster_parenting (accessed February 26, 2015).
- Ref-10.** Arrow Child & Family Ministries, "Services & Programs, Foster Care/Adoption (TX, MD, CA, PA)," website, <http://www.arrow.org/services-programs/foster-care/> (accessed March 10, 2015).
- Ref-11.** County of Ventura Human Services Agency, "Foster Parenting and Adoption Online Information Session," <http://www.ventura.org/human-services-agency/online-informational-session> (accessed March 3, 2015).
- Ref-12.** Ventura County Children and Family Services, Foster VCKids website, <http://fostervckids.org/become-a-fostering-parent/> (accessed March 3, 2015).
- Ref-13.** Boot's WebMD, Partners in Health, "Childhood milestones age 9," website, <http://www.webmd.boots.com/children/guide/childhood-milestones-age-9> (accessed April 17, 2015).
- Ref-14.** California Department of Social Services, Community Care Licensing Division, website, <http://www.cclcd.ca.gov/> (accessed April 10, 2015).
- Ref-15.** State of California Department of Developmental Services, "California Code of Regulations, Title 17 Division 2,"

<http://www.dds.ca.gov/title17/T17SectionView.cfm?Section=56034.1.htm> (accessed April 29, 2015).

- Ref-16.** California Department of Social Services, "Adam Walsh Child Protection and Safety Act of 2006," Fact Sheet, http://www.cclid.ca.gov/AdamWalshI_2609.htm (accessed April 10, 2015).
- Ref-17.** CASA of Ventura County, "A Court Appointed Special Advocate: (CASA)," <http://www.casaofventuracounty.org/about.html> (accessed April 10, 2015).
- Ref-18.** Southern California Foster Family and Adoption Agency, "What is an Adoption Home Study?" April 12, 2015, <http://scffaa.org/adoption/faq/> (accessed April 12, 2015).

Attachments

- Att-01.** California Child Welfare Indicators Project (CCWIP), University of California at Berkeley, Children in Foster Care, Ventura

Disclaimer

This report is issued by the 2014-2015 Ventura County Grand Jury. Due to a potential conflict of interest, a member of this Grand Jury was excused from participating in any aspect of the production of this report.

Glossary

TERM

DEFINITION

Arrow Child & Family Ministries

An international Christian provider of child welfare and education services for abused and neglected children and families in crisis

ASFA

Federal Adoptions and Safe Families Act of 1997

CASA

Court Appointed Special Advocate

Casa Pacifica

Casa Pacifica Centers for Children and Families; located in Camarillo

CFS

County of Ventura Children and Family Services

County

County of Ventura

Court

Superior Court of California, Ventura County

Foster care

The system in which a minor has been placed into a group or private home of a State-certified caregiver referred to as a "foster parent." The placement of the child is usually arranged through the government or a social service agency.

Grand Jury

2014-2015 Ventura County Grand Jury

HSA

Human Services Agency, County of Ventura

Livescan fingerprinting

The process of digitally scanning and capturing fingerprints with no ink or cards

State

State of California

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Attachment 01

**California Child Welfare Indicators Project (CCWIP)
University of California at Berkeley
Children in Foster Care
Ventura**

California Child Welfare Indicators Project (CCWIP)
 University of California at Berkeley
 Children in Foster Care
 Agency Type=Child Welfare
 January 1, 2014
 Ventura

Age Group	Placement Type													Total			
	Pre-Adopt	Kin	Foster	FFA	Court Specified Home	Group	Shelter	Non-FC	Transitional Housing	Guardian-Dependent	Guardian-Other	Runaway	Trial Home Visit		SILP	Other (?)	Missing
Under 1	n	n	n	n	n	n	n	n	n	n	n	n	n	n	n	n	n
Under 1		27	43	7		1		2					7		1		88
1-2	2	74	32	25							1		11				145
3-5		84	44	24		1		1		1	4		13				172
6-10	1	68	44	32	1	12				3	21		4				186
11-15		45	26	7	1	61		2			44		3		1		191
16-17		20	9	1	1	33		2			23		1				98
18-20		4	4	2	41	6		3	13		4				7		85
Missing																	
Total	3	322	202	98	44	114		10	13	4	97		39		9		965

Data Source: CWS/CMS 2014 Quarter 4 Extract.
 Program version: 2.00 Database version: 67ABCA50

Citation:

The suggested way to cite the above data is as follows:
 Needell, B., Webster, D., Armijo, M., Lee, S., Dawson, W., Magpuder, J., Evel, M., Cuccaro-Alamin, S., Punam-Hornstein, E., King, B., Morris, Z., Sandoval, A., Yee, H., Mason, F., Benton, C., & Pilton, E. (2015). CCWIP reports. Retrieved 4/12/2015, from University of California at Berkeley California Child Welfare Indicators Project website. URL: <http://cssi.berkeley.edu/ucsf_childwelfare>