

The Department of Children and Families and Adoption

DCF is not primarily an adoption agency. Our primary function is keeping families together, yet we are the largest adoption agency in the state

DCF sponsors approximately 800 adoptions each year

There have been 24,000 adopted from Massachusetts foster care since 1980

The majority of children adopted through DCF are freed for adoption through a Care and Protection Petition that resulted in a Termination of Parental Rights

Who we are

- Massachusetts Department of Children and Families
 - The Department or DCF is the state agency that has custody of the children in foster care who are waiting to be adopted
 - The Department works directly with the children and recruits and prepares families to adopt these children
- Private Contracted Agencies
 - DCF has contracts with several agencies across the state to assist with finding adoptive families for children in foster care
 - These agencies work with families (same process, same waiting children, no cost to the families); these agencies may also work with some of the children waiting to be adopted

DCF staff

DCF has approximately 150 staff devoted to adoption work

There are approximately 40 managers overseeing clinical adoption work

DCF has 80 attorneys who do adoption work

There are 15 Legal Managers in DCF overseeing the legal process for adoption

WHO CAN ADOPT from Foster Care

- Adults (18+); no upper age limit
In MA you cannot adopt your sibling, spouse, aunt/uncle or anyone older than yourself
- Single, Married, Partnered
- Straight or GLBT
- Homeowner or renter
- Stable income required
- Parenting experience is not required
- No cost to families who adopt from foster care
- Post adoption services are available



Who are the Children and Youth

Nationwide

- Over 100,000 children in foster care with a goal of adoption

Massachusetts

- 9,051 children in foster care
 - 2,290 of these children have the goal of adoption
 - Most will be adopted by Kin or foster parents
 - Approximately 598 of the children waiting for adoption have no identified potential adoptive parents as yet



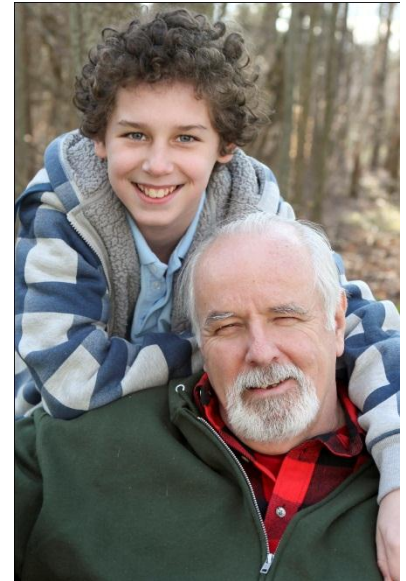
Who are the Children & Youth?

- Children are in care due to abuse and/or neglect in their birth families
- Waiting children:
 - Mostly school-aged, 6 – 12 with some children between 12-18 years old
 - Children of many racial and ethnic backgrounds
 - May have emotional, physical, medical, behavioral or intellectual challenges
 - Sibling groups who belong together
 - May have some connection with a member/s of their birth family



Who are the Children & Youth?

- Some Children are Legally Free for Adoption
 - A judge has already terminated the rights of their birth parents (1,190 4th quarter FY12) or birth parents have surrender or are deceased
- Some Children are at Legal Risk
 - The decision has been made to find an adoptive family for the child but the Judge has not terminated the rights of the birth parents
 - (1,100 4th quarter FY12)



Older Children Do Get Adopted

Age At Adoption	FFY08	FFY09	FFY10	FFY11	FFY12	Grand Total
13	6	12	15	12	11	56
14	13	15	8	6	11	53
15	11	6	6	6	5	34
16	4	8	6	6	4	28
17	6	8	2	3	2	21
18	3		1	1		5
19	1	1			1	3
23		1		1		2
Grand Total	44	51	38	35	34	202

Legal Obligations

- DCF has a legal obligation to work to re-unite children with their birth parent(s) until the time that the courts terminate parental rights to object to an adoption
- DCF also has a legal obligation to keep siblings together whenever it is safe to do so.
- DCF has a legal obligation to place children with relatives whenever possible.
- DCF regulation, policy and practice reflect these legal obligations

Our Beliefs

- Beyond the legal requirements we believe that it is in the best interest of the children being adopted to:
 - Maintain pre-and post termination contact with biological parents whenever it is safe and appropriate
 - feel that their birth parent and adoptive parents know and respect each other
 - grow up with their birth siblings (and half siblings) whenever possible
 - have regular contact with birth siblings when it was not possible to be adopted into the same home

Birth family and Kin

- DCF has a very broad definition of family that extends far beyond the birth mother and birth father. In all of our work we use this definition:
“Kin” is defined as those persons related either by blood, marriage or adoption (i.e. adult sibling, grandparent, aunt, uncle, first cousin) or a significant other adult to whom the child and/or parent(s) ascribe the role of family based on cultural and affectional ties or individual family values. The parents and legal guardians of siblings are to be regarded as kin.

Finding Kin

- DCF will actively seek out non-custodial parent, relatives, and kin.
- We use the information provided by the family, a web-based search program, and information from any existing DCF records.

The Benefits

- We believe that if children stay connected they will:
 - have fewer attachment issues
 - transition to adoptive homes more successfully
 - have fewer loyalty and identity issues as they grow older
 - have larger support systems as they age

The Barriers

Mental Health issues

Substance Abuse

Violence

Unidentified fathers

Effects of past abuse by parents

Child's difficulty tolerating separation and/or loyalty issues


What is Happening Today?

DCF facilitates many open adoption arrangements every year. Agreements avoid contentious and lengthy trials and promote consistency for children

A growing number of children are freed for adoption by reaching a settlement each year

Open agreements can include siblings, grandparents, and other individuals important to the child and family.

Sibling Visitation

- MGL c. 119, sec. 26B
 - Requires the Department and Court to provide sibling visitation for child in foster or pre-adoptive care
 - Based on best interest of child
 - Court can order post-adoption visits
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- A photograph of three young children sitting together on a dark surface, possibly a doorway or a ledge. From left to right: a boy in a yellow t-shirt and patterned shorts, a boy in a blue t-shirt and dark shorts, and a girl in a red and white plaid dress with a yellow collar and a large straw hat. All three children are smiling and looking towards the camera.
- Child 12 and older may petition for sibling visitation if separated by foster care or adoption

Open Adoption Agreement Requirements

- MGL c. 210, sec 6C
- Written agreement
- Best interest of child
- Fair and reasonable
- Entered into knowingly and voluntarily
- Court issuing adoption decree must approve
- If child is 12 or older, must consent
- If in DCF custody, DCF and Child's Attorney must approve



Open Adoption Agreement Requirements

- Enforceable under MGL c. 210 sec 6D
- Breach does not impact adoption
- Survives as an independent contract
- Need not disclose identity of adoptive family, but if not, must appoint agent for legal notice
- Agreement ends on child's 18th birthday

QUESTIONS



Contact information

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